

DRAFT COUNCIL MEETING TRANSCRIPTS
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Meeting Transcript Summary

Verbatim transcripts of Council Actions are available on the Council website. The transcripts may be accessed at <http://www.pcouncil.org/council-operations/council-meetings/past-meetings/>.

A. Call to Order

3. Executive Director's Report

Phil Anderson: [00:00:00] So we'll next go to the consideration of our our agenda. As Mr. Tracy indicated we have one recommended change and that's under E.2, elimination of that agenda item. Chair would consider a motion to approve our agenda or any modifications you want to suggest. Herb Pollard.

Herb Pollard: [00:00:22] Thank you Chair Anderson I move that we adopt the agenda with modification as described by Mr. Tracy.

Phil Anderson: [00:00:32] Moved by Mr Pollard seconded by Mr. Lincoln to approve our agenda. All those in favor say Aye. Opposed No. Abstentions. Motion carries.

B. Open Comment Period

No transcript

C. Habitat

1. Current Habitat Issues

Phil Anderson: [00:00:00] Takes us to any comments or recommendations that the Council may have in response to what we've heard. Marc Gorelnik.

Marc Gorelnik: [00:00:12] Thank you Mr. Chair. I note that the Habitat Committee identified an opportunity for comment on the Bureau of Ocean Energy Management's plans to cite energy development off of Morro Bay and Humboldt Bay and there is a comment period. I know the Council has commented on this before and I guess I would just raise the question of whether there is a sense that the Council should comment again. We did not get a recommendation from the Habitat Committee to do so nor did we get a draft letter. But given the content of the report I just wanted to raise the issue.

Phil Anderson: [00:00:54] Bob Dooley.

Bob Dooley: [00:01:01] Thank you Mr. Chair. I, too, have the same concern as Mr. Gorelnik here on this. We saw what happened in Coos Bay earlier a few years ago with lack of input from the Council and the agency to.....you know prior to siting of the wind farm off of Coos Bay and we picked our self up off the ground and got but we were we were way behind the curve in getting it done. I think it's important to convey that we are part of the solution not part of the problem and we need to be....we need to be consulted when they're making these designations and these leases and I'm worried that were that given the timeframe that we're going to be behind the gun again and I think we need to be proactive and make our comments known that we want to be part of that, we want to be consulted on this because we know where the fishing areas are we have that data in our and our and not necessarily particularly with the court case that was just we just decided there that may not even be in the game as you know, so I want to make sure that we we mark out our territory so to speak and not not to be obstructive but to be constructive and proactive. Thank you.

Phil Anderson: [00:02:29] Well I heard a question and I heard a comment in response to that question but I haven't heard is there a specific recommendation terms of directing staff to write a letter. Do we want to take a look at..... apparently we've already commented on this. Do we want to go back and take a look and see what we've said and see whether we need to re-emphasize any particular pieces? Marc.

Marc Gorelnik: [00:02:54] Thank you Mr. Chair. You know without a draft letter from the Habitat Committee I don't think we can really prepare you know explore new ground, but I do think it would be appropriate since the Council has already taken a position on, I believe in the past it's offered some public comment, that unfortunately there is not a Council meeting between now and when the comment would be due, so leaving aside the mechanism of doing this I would recommend that the Council provide comment during the appropriate period reiterating the Council's role, you know as part of the siting process for these for these offshore wind development areas.

Phil Anderson: [00:03:45] Okay thanks Marc. Looking around the table for reactions to Marc's recommendation. I'm seeing head nods in the affirmative except for Michelle. Do you have a thought Michele?

Michele Culver: [00:04:11] No, I was trying to indicate that Mr. Tracy had his hand raised. So I

was pointing at him not....

Phil Anderson: [00:04:16] Oh was that what that was.

Michele Culver: [00:04:16] Yeah.

Phil Anderson: [00:04:16] Okay. Mr. Tracy

Chuck Tracy: [00:04:24] Thank you. So I guess we had we probably have something on record. So I am assuming that submitting comments similar to those we have submitted before it would be acceptable without a further process. I guess if without being totally familiar with the issues that they're requesting comments on I'm not positive that it would align perfectly. If they don't, if they require some additional.....identifying some additional issues or developing additional points of view I would think that we probably need a little bit more process. I would ask if you would like to have more process on that and if so I could offer some alternatives.

Phil Anderson: [00:05:17] Michele.

Michele Culver: [00:05:17] Thanks. I don't want to have more process but I agree with what you're saying Chuck and maybe I would look to Marci to just see if there are there staff at CDFW that could help craft the letter or who.....who could assist us with the different alternatives that are being proposed for siting in.....in the area, in Morro Bay and Humboldt Bay and what the potential recommendations we might have might be.

Phil Anderson: [00:06:12] Marci.

Marci Yaremko: [00:06:14] Thank you Mr. Chair. Thank you Michele. We do have personnel following this fairly closely within CDFW. Eric Wilkins as our CDFW rep to the Habitat Committee is kind of our closest conduit to that staff work. It's kind of in our hab con shop, so he is probably best suited to answer questions about whether we have folks on staff that could assist with letter writing or briefing us, but I'm looking at that deadline for comments and this question about whether we want to reiterate our past statements that we've already made on record and somehow if our goal here is to remind them that we're here. I thought that's sort of what I was hearing from Marc. So I guess I would just note that maybe this deeper dive is appropriate for a later stage than I think our near-term consideration of a letter.

Phil Anderson: [00:07:37] Marc does that comport with.

Marc Gorelnik: [00:07:40] Mr. Chair I think that's right. I think that it's not appropriate at this stage for us to open new issues without the benefit of a meeting of the Habitat Committee and discussion by the Council since those are not before us I think the best we can do is to read it, reiterate, and perhaps update points but not make any new substantive observations.

Phil Anderson: [00:08:06] OK thanks Marc for that clarification. Brad Pettinger.

Brad Pettinger: [00:08:12] Thanks Mr. Chairman. If the Council made comments on the Coos Bay site, by what I understand is the proposed sites for Humboldt Bay or Morro Bay is very similar as far as the type of equipment and scope, so the letter that we.....if we'd send a letter previous to the....previously that's on the Coos Bay site I think would be very applicable to to what we're talking

about here.

Phil Anderson: [00:08:39] Thanks Brad. OK. Chuck and Jennifer do you have sufficient guidance on what the Council would like to see in terms of a letter?

Phil Anderson: [00:08:54] Yes?

Chuck Tracy: [00:08:55] I think so.

Phil Anderson: [00:08:56] OK. Alright. Any other business the Council wishes to bring to the table regarding our current habitat issues? OK then we'll go ahead and close out this agenda item.

D. Salmon Management

1. National Marine Fisheries Report

Marc Gorelnik: [00:00:00] So that brings us to Council discussion on this agenda item and I'm looking for hands and I don't see any discussion. I thought the presentations were very informative especially the four written ones. I don't know if there's any guidance required here but it's good work being done by NMFS in that area. Robin? Wait, Phil.

Phil Anderson: [00:00:32] Just I should ask this before Jeremy, so in terms of the, well either one, but in particular the fall chinook harvest matrix and adjustments associated with changes in hatchery production and there's some back and forth with Mr. Kern. When would we expect to hear from you again in terms of any modifications to what you've shown us today?

Jeromy Jording: [00:01:05] Thank you Mr. Vice Chair and Mr. Chair. We expect to incorporate comments by early February and then we would present again at the next Council meeting in March.

Phil Anderson: [00:01:18] Okay. Thank you.

Marc Gorelnik: [00:01:22] Anything else from the Council? Thank you Jeremy. Robin?

Robin Ehlke: [00:01:29] Thank you Mr. Vice Chairman. I think that concludes this agenda item with the just simple discussion and guidance for now.

Marc Gorelnik: [00:01:37] Thank you.

2. Preliminary Building Plans

Part 1

Marc Gorelnik: [00:00:00] We'll start with Council discussion on agenda item D.2 the preliminary rebuilding plans and I'll open Council discussion and we'll see who wants to go first. Phil.

Phil Anderson: [00:00:19] Thank you Mr. Vice Chair. I wanted to speak to the three rebuilding plan draft rebuilding plans for Coho in Washington, the Snohomish, the Queets, and the Strait of Juan De Fuca. First I want to acknowledge the good work that has been done up to this point in developing those plans. I know and I believe at least in particular Dr. Kope and Wendy Beeghley played a key role in pulling information together and I know they have reached out to the tribes in looking for information and data to include into the plans, So thank you for that work. As most everybody in this room knows maybe everybody the treaty tribes in Washington have a unique and special place in managing resources. The stewardship of those resources, their treaty rights, and stewards of that of those resources, and the state of Washington through the Washington Department of Fish and Wildlife also has a special role and when it comes to co-managing those resources with the treaty tribes and it is because of that unique relationship that's founded in U.S. v. Washington and U.S. v. Oregon, but in this in this particular case U.S. v. Washington that the Council needs to ensure that the co-managers have the appropriate role in developing in this case these three rebuilding plans, and we have heard from the tribes, in particular the of the Quinault Indian Nation, the Makah tribe and the Tulalip tribes, concerns about the appropriate involvement of those tribes in the development of these three rebuilding plans and not just from a tribal perspective but also from a co-manager perspective. So my... I did not believe that either one of these three plans are ready to go out for public review, but instead I believe we need to request of our our co-managers to engage with our STT, with the appropriate STT members and further developing these plans in a manner by which benefits from the leadership from the co-managers for these stocks, is respectful of their place in stewardship of these stocks and....plays.... play a key role in the development of the rebuilding plans that come back before the Council. To that end I believe we can and we can.....to that end I believe that with the proper engagement with the tribes and with Washington Department of Fish and Wildlife as co-managers with the STT members that have specific assignments relative to the development of the rebuilding plans that we can have rebuilding plans for these three stocks come back before us in March to consider for putting out for public review. Let me just speak briefly to the at least one of the letters from the Quinault Indian nation where there were a number of recommendations. I'll call them that, I'm not sure they were, but points of of where the current status of the draft rebuilding plan needs improvement, needs to be augmented and needs to be updated with information, and so it is it is those that type of information and that type of leadership that I would look to the tribes and the Department of Fish and Wildlife to provide to the authors of the plan as it currently stands. As a mechanism to accomplish that, I would I'm recommending that the Council request the appropriate STT individuals, and I believe that at least at a minimum includes Dr. Kope and Wendy Beeghley, convene would with the representatives from, that are here, from the Quinault Indian nation and the Makah tribe in laying out a a process schedule by which the additional work can be completed over the course of the coming months with participation from National Marine Fisheries Service to ensure that we're both meeting the requirements that we have relative to the co-managers as well as to the Magnuson-Stevens Act and other applicable law, NEPA, so that we can ensure that when we have a package come back to the Council that it meets the needs of of those different management entities. So I think I'll stop there in terms of what I believe needs to occur to move forward further development of the plans in a manner that will result in co-manager support as well as covering the necessary bases if you will, relative to the Magnuson Stevenson Act... Stevens Act, other applicable

law relative to what this Council needs and that National Marine Fisheries Service needs.

Marc Gorelnik: [00:08:13] Thank you Phil. I guess we have some discussion and some action in there but we'll circle back. Ryan.

Ryan Wulff: [00:08:19] Yes. Thank you Mr. Vice Chair. Like Phil and also we heard from the SSC in their report, I do want to begin by recognizing the extensive work done by the STT. It was no small feat producing these five rebuilding plans and all of the work that has gone into it and NMFS definitely appreciates that and we'd like to echo our appreciation for all the work that has been done. I also feel similar to Phil I think that it is incredibly important when it comes to the coho rebuilding plans to have intensive co-manager support and engagement. We have heard through the tribal report today's with all of those letters, there is a number of concerns that have been raised both on a process perspective, on the level of engagement as well as some very specific technical concerns with the drafts including some... of one of the alternatives, so I would relate to NEPA as well and some of the other Magnuson rebuilding work, so because of those points that have been raised NMFS would support delaying public review at this time and trying to get a process in place. NMFS has had a number of meetings with the co-managers prior to and at this meeting here. Those conversations are still ongoing on how best a process could be set up to have that... the co-manager's work with the STT and NMFS stands by to also assist in this process so that we could bring back a revised public draft or excuse me, a revised draft to the March meeting that we could potentially put out for public review then, and I also just want to echo my report earlier that we do have some flexibility in the timelines. We but we don't have unlimited. We have to meet the Magnuson requirement and NMFS does need some lead time in order to implement notice and comment rulemaking, but this proposed delay from the current schedule to a revised draft coming back in March would still fit within the overall timeline we would need for both Magnuson and for NEPA work, so I do want to just make that clear. And then finally of course I understand there's also plenty of work load for STT and then also a pretty full March agenda at this point too, but I think we can work that out when it comes to workload planning or take those into consideration. I do think this is very important to get co-managers support and to get a plan that works for them as well, and I'll stop there. Thank you.

Marc Gorelnik: [00:11:43] Thank you Ryan. Further discussion particularly on the....Joe.

Joe Oatman: [00:11:54] Thank you Mr. Vice Chair. I'd like to follow up on the comments provided by Mr. Phil Anderson and Ryan Wulff with respect to the three draft rebuilding plans for coho, so I support what was being suggested in terms of delaying. There's reports until we have time to address the tribal issues and concerns that were set forth in the suite of tribal reports that were provided to the Council for our consideration and in particular interested in trying to address those details with respect to the process on having the relevant STT members coordinate with representatives of the tribes so that we can help craft the timeline and the expected work that I think will go into addressing the tribal concerns and the issues with the reports themselves with respect to the missing sections. Information that might not be accurate and other details that are associated with those, so I think with that from my perspective I think that would be an appropriate path forward for us to take on this matter.

Marc Gorelnik: [00:13:38] Thank you Joe. Are there further discussion particularly on the coho plans? Pete.

Pete Hassemer: [00:13:46] Thank you Mr. Vice Chair. I guess maybe it's just a question of clarification from NMFS. Mr. Wulff....Ryan had spoke to flexibility and timelines but hard

constraints and just to clarify that September 18th, 2019 is a hard constraint, but you're confident that if we defer public comment until likely March that there's still sufficient time in there to complete all the process?

Marc Gorelnik: [00:14:19] Ryan.

Ryan Wulff: [00:14:21] Thank you Mr. Vice Chair. Mr. Hassemer for the question, yes so that that is correct. The timeline I laid out in my report would be the Magnuson timeline of two years. We would have to get Council transmission of a final rebuilding plan by September 2019 in order to meet the June 2020 Magnuson timeline. Preferably we would like to have that, the rebuilding plan implemented before March 2020 management measure cycle, so that's why I said we can't. There is. You can't keep extending as you will but just delaying to March which has no effect on the overall timeline.

Marc Gorelnik: [00:15:08] Great. Further discussion. Kyle.

Kyle Adicks: [00:15:11] Thank you Mr. Vice Chair. I'll echo the thanks to the STT pushing all of these plans as far as they've gotten this fast was pretty aspirational and a lot of good work to get there. I like the plan Chair Anderson has laid out for moving this forward. I just flag that we do have some other tribal co-managers that are not here, so will be some legwork that has to happen soon after this for some of the watersheds, Snohomish and Strait of Juan De Fuca to sort of lay out the schedule for those, hopefully they match up pretty closely with what we can settle here specific to the Queets with the Quinault nation, but WDFW stands ready to work on these and with our co-managers and push them to completion.

Marc Gorelnik: [00:15:56] Thanks Kyle. Is there further discussion on the coho rebuilding plans? I would note that the SSC has some specific recommendations in their report, and I guess I would hope that the those those recommendations would also be taken into account between now and March. All right let's talk now about the two chinook rebuilding plans. Brett.

Brett Kormos: [00:16:32] Thank you Mr. Vice Chair. To begin with I will note that both the Klamath and Sacramento fall chinook plans are in slightly different states but both still incomplete and as I've stated in previous meetings I think the focus here is is, and should be to have a complete plan and not to meet a specific deadline, and as Mr. Wulff has pointed out there is some flexibility in that regard. However I do think that there is sufficient content in those plans for them to go out for public review now. I feel that doing so will help facilitate a more timely outcome and a higher quality document. I also note the challenge that folks here in the Council family might face when they are, when they receive a now complete and finished document in the advanced briefing book for the March meeting, that will be a lot to digest and comment on and in between that time and the time we meet to consider adoption in March, so I would hope that should there be salient important comments that come up at that time, that would suggest that it would be worthwhile to delay adoption until the STT had time to incorporate some additional subject matter, or what have you, that the Council will consider the flexibility and allow for that process to happen should we deem it necessary, however I think at this time given the progress that's been made, given the fact that there is a significant amount of content in there already that, in my opinion, makes it sufficient for making putting it out for public comment. I think that we should continue to have faith in the process and faith in the team and move that those two plans forward.

Marc Gorelnik: [00:19:07] Thank you Brett. Further comments on the chinook, the two chinook rebuilding plans. Chris.

Chris Kern: [00:19:14] Thanks Mr. Vice Chair. I think I'm going to end up with two questions, so I'll ask the first one first because it's more direct to Brett's comment. I pulled up the STT's work plan schedule from last April and I guess some of my question is about what do we mean by public review? It looks to me like the team schedule had envisioned a progress report here, more work in December and January with submitting plans to Council in March potentially reaching completion in April at which point they could go to NOAA and I assume that's the comparable date to the September deadline. It might happen in May if you looked at the STT's original schedule, so maybe the first question is am I reading that properly? Can somebody tell me that or am I off?

Marc Gorelnik: [00:20:06] Chuck.

Chuck Tracy: [00:20:06] Thank you. I'm going to work from memory here so it's a it's not infallible by any means but I believe that was the original proposal and I think that schedule was modified in June when there was an update.

Chris Kern: [00:20:27] Okay.

Chuck Tracy: [00:20:29] Does that sound right or I think at some point there was some desire to push the schedule to get a public review draft here in November and then adopt the final in March so that they could be incorporated, you know so they would be known, potentially known constraints to the 2019 fisheries as we go into the March planning process.

Chris Kern: [00:20:54] If I could follow up?

Marc Gorelnik: [00:20:55] Chris.

Chris Kern: [00:20:56] Thanks. So I apologize I had seen a reference to an April work plan so I pulled that one up I was not aware that there was a secondary one because I wasn't here so I guess that gets me to the question of the public review at this point that I think Mr. Kormos is referring to would be posting of the reports as they currently exist on the website with the email or other notice to public to come look at them there as opposed to something more formal like something NOAA would execute when they do a public review. Is that correct? That's it.

Marc Gorelnik: [00:21:30] I think Chuck's nodding yes.

Chuck Tracy: [00:21:33] Yes.

Chris Kern: [00:21:34] Okay. Okay. Thanks. I'll wait for now.

Marc Gorelnik: [00:21:42] Thanks. Further discussion? Brett.

Brett Kormos: [00:21:46] I think I just wanted to complete the thought that I had earlier and I don't think that I fully described my thinking relative to the March process and the potential for delay at that time. Again I'm working here hoping that, that won't be necessary but I do think it's important to point out that if that were to happen and we weren't able to incorporate these plans into our 2019 season planning process that the Council would still have the ability to make, maybe for lack of a better term, an ad hoc adjustment to either escapement goals or harvest control rules or what have you to take a more conservative approach than what the status quo might otherwise dictate, so I just want to make sure that folks are thinking about that.

Marc Gorelnik: [00:22:49] All right. I think we can take what we've learned through the process of the rebuilding plan to inform our 2019 salmon season structure. Chuck.

Chuck Tracy: [00:23:00] Thank you Mr. Vice Chair. Mr. Kormos to your last comment, you're correct. The Council frequently has, in fact in 2018 took some action to be more conservative than the default control rule. I guess I would also point out that the default control rule does have built in conservation measures in order to reduce impacts during times of low abundance. I think it's been referred to as the default rebuilding plan until such time as the official rebuilding plan is adopted, so I think that's all in line with with your comments. I did want to address another of your comments and that is you know, the additional process that might occur between now and March and in particular the comments from the SSC that they had requested that there be an opportunity for the salmon subcommittee to review the rebuilding plan analyses between now and then and also for that to be in time for the STT to respond or to react to any findings that the subcommittee might have. I bring that point up but also I also want to sort of identify a process situation here and that is one, having one body respond to another advisory body without kind of going through the Council approval step my guess. It's something that I think we, to the extent we can, to not, not do that but if we do contemplated it I want, I think it'd be appropriate for the Council to give explicit direction for that, for something like that to occur. On the other hand if there is time for the, for the step, for the full SSC to review the subcommittee's comments and make recommendation to Council and have the Council give that guidance to the team, you know that's the preferred way to go, so I guess I would just point out that, that process, how it's intended to work and recognizing that it can't always work the way we'd like it to work but I do want the Council to be aware of that and maybe to address that.

Part 2

Marc Gorelnik: [00:00:00] Thanks Chuck. Chris.

Chris Kern: [00:00:01] Thanks Mr. Vice Chair. So kind of following up on what Mr. Tracy said I see value definite value in having the STT consider the SSC's recommendations, speaking to chinook here, in modeling approaches that may apply to the coho as well, and that was referenced earlier. Also we've had some discussion and a couple of the reports about potential comments from the Habitat Committee and reference that there is an avenue within the FMP for the Habitat Committee to have a role in commenting on this, so two sort of phases here, one the Council's discussion and thoughts on issuance of guidance to that effect, but also what I'm trying to think about in the timeline is the potential for either or both of those to substantively affect the content of the report to the point that it might affect whether it should be public yet or not publicly reviewed yet or not or whether it should wait for that input before it was posted publicly because it may change some things. It's impossible for me to envision how substantially they might change but it seems possible, so that's what I'm struggling with on the timeline is those two issues actually in particular.

Marc Gorelnik: [00:01:20] Brett.

Brett Kormos: [00:01:21] Thank you Mr. Vice Chair. Thank you Mr. Kern and thank you Mr. Tracy. All of your points speak to some direction that I intended to give to the STT. If it pleases the Council and one is I definitely support the notion that specific to the chinook plans the team, in my view, should incorporate the recommendations regarding the rebuilding timeline analyses that were done in that report. With respect to the Habitat Committee I would suggest that despite some requests from advisory bodies here today to engage the Habitat Committee now, I would suggest that we would be best served to begin that process after these plans have been adopted. That would clearly delineate the roles, the STT being focused on meeting the requirements of the Magnuson-Stevens Act and what is required in the actual rebuilding plan and the Habitat Committee with I'm sure the assistance of agency collaborators beginning work on assessing habitat conditions and how they contributed and perhaps even how they might contribute to the rebuilding timeline and how expeditiously we can expect that to be achieved. I too have questions about whether or not by process it would be acceptable for the STT to incorporate our guidance relative to the SSC recommendations and a couple of other little tidbits I've yet to add prior to it becoming a public document, excuse me a document sent out for public review, however in thinking about it myself it does seem to me that the public review would benefit from having some modifications made that we provide here today prior to that going out and that does seem to me to be a good avenue for then allowing the SSC to review and comment on it after their recommendations and other guidance has been incorporated. I would...I would ask Council staff or National Marine Fisheries Service to maybe offer comment on that if they haven't.

Marc Gorelnik: [00:04:15] So just just to be clear what you're saying is Council would provide direction here. We'd have another version, another draft version and that's the draft version that would go up for public comment?

Brett Kormos: [00:04:29] That would be my ideal scenario, yes, but as I've stated before if that's not possible I think that these drafts are sufficient for public review as they are now.

Marc Gorelnik: [00:04:43] Do we have comment from staff or NMFS? Chuck?

Chuck Tracy: [00:04:48] Thank you. I guess maybe just a question of clarification, so there are some comments in the SSC report about, you know, using some auto correlation analysis and some different abundance distributions and some things like that that are there are fairly general or not too specific and then later on they recommended a more detailed review by the subcommittee so I guess my question is are you contemplating providing the STT with a general direction from the general comments or are you requesting that the STT meet with the, for example, meet with the SSC, salmon subcommittee similar to a methodology review meeting and then take their recommendations from that directly and incorporate those into the plan?

Marc Gorelnik: [00:05:48] Brett.

Brett Kormos: [00:05:48] Thank you Mr. Vice Chair and thank you Mr. Tracy. So to be clear what I am suggesting is that they incorporate the general comments then meet with the SSC subcommittee, and I'll note that the STT and the SSC did already meet and discuss the recommendations that are in the SSC supplemental report, so while they may be general I am confident that the STT knows exactly what is being asked of them in that regard, and then, like I said, put the put put that put those rebuilding plans out for public review and schedule some sort of meeting with the STT and the Subcommittee of the SSC at a later date sometime between now and March.

Chuck Tracy: [00:06:43] So so after the plans are posted for public review.

Brett Kormos: [00:06:46] Yes.

Marc Gorelnik: [00:06:54] Chris.

Chris Kern: [00:06:56] Thanks and apologies but trying to work my way through it. If a proposed course was something like guidance that Brett described just now of incorporate SSC recommendations for changes to methodology and reconvene, STT reconvene with the salmon subgroup with a target of completion of a draft somewhere in January or February at which point, and that's hypothetical, such that it could then be distributed for public review with some amount of sufficient time between that postdate and March, which is why I said January or February, and that's an appropriate way for us to proceed, I think I could get behind that.

Marc Gorelnik: [00:07:58] I'm a little confused on the timeline so maybe I'll ask for a clarification here. If we're going to be, if the STT and the SSC are going to be putting their heads together on this to provide a more complete draft would that not mean us adopting, not now but in March, that improved draft for public review. Brett.

Brett Kormos: [00:08:27] I apologize. I know that this is a little bit confusing I'm even confused myself. But I'll try to say it again in a slightly different way. The STT and the SSC have already met and the guidance.....the suggested changes that are in the SSC supplemental report are a result of that meeting. Meaning the STT and the SSC, in my estimation, don't need to reconvene in order for the STT to make those changes. What I do think needs to happen is after those changes are made and the document has been sent out for public comment that the plans would benefit from the SSC and the SST reconvening between now and the March meeting.

Marc Gorelnik: [00:09:22] So to be clear what you're suggesting is the STT has already knows what it needs to do per the supplemental and the results of those change will be put into the document and then would be sent out for public review without further Council review?

Brett Kormos: [00:09:39] That would be my suggestion. Yes if it's fall..... If it you know if it's acceptable under due process.

Marc Gorelnik: [00:09:51] Further discussion on the chinook rebuilding plans? Brett.....and then Ryan.

Brett Kormos: [00:10:00] I'm sorry. I'd be happy to defer to Mr. Wulff. I have a little bit more direction to provide. Before we.....for this to send in.

Marc Gorelnik: [00:10:08] Ryan.

Ryan Wulff: [00:10:10] Thank you Mr. Vice Chair. Just so my understanding is the same as what Mr. Kormos just laid out and I can support, that I think from a NMFS perspective really I think the only thing we need to hear is probably from Dr. O'Farrell from the STT. Based on their already had discussions like Mr. Kormos laid out with the SSC, and the recommendations we just heard from them, is that something that could be incorporated into a revised draft or basically what is the level of effort in incorporating that into a revised draft and how long would that delay putting it out into public review.

Marc Gorelnik: [00:11:02] Dr. O'Farrell could you try to answer that question?

Michael O'Farrell: [00:11:09] Thank you Mr. Vice Chair. Mr. Wulff. That is a hard question to answer because there are sort of tiered recommendations from the SSC from one, the top tier being a full population dynamics model being developed and that's that that's a substantial undertaking that frankly I don't believe the data are available for, for some of the stocks. There are more modest recommendations if you know that avenue is not possible, and those you know that sounds more doable. There's also sort of another option of doing a better job of explaining why we can't do some of these things. I would have to reread the SSC statement more carefully I've only seen it once to really be able to give a very informed answer, but my initial impression is that there is some latitude there. That said I do have concern about the timeline because there are five 5 stocks and the data situation is different for all these five stocks and it may be that you know four different varieties of this model would be appropriate for the five stocks or something, for example. Right now what we do is we have one model that is being used, it's a relatively simple model that is being used for all five stocks and that was born out of necessity to do the short timeframe for developing this and the variation in data quality and quantity for the different stocks. I'm sorry if that's not as clear an answers as.....

Marc Gorelnik: [00:13:02] Chris and then Brett.

Chris Kern: [00:13:06] Thanks. So I think what I've maybe and incorrectly been wrapped around the axle a little bit on is the last phrase in the SSC's report today that that they recommend that the salmon subcommittee review the rebuilding plans prior to the March Council meeting and ideally that review would take place far enough in advance for the STT to take action on any subcommittee recommendations. So I've been trying to build that time step in my head in some fashion as to giving the SSC a point to look at it that will still provide time for the STT to react to it again and I think that's where I get my head wrapped around the axle on some kind of check-in in between with the SSC before we got back here in March.

Marc Gorelnik: [00:13:54] And if reacting means I mean you know revising it before it goes for

public review, I mean how much time do we need for public review before the March meeting?

Chris Kern: [00:14:02] Yes.

Marc Gorelnik: [00:14:08] Brett.

Brett Kormos: [00:14:08] I'm hopeful that adding some specificity to what recommendations the SSC has made that I'm interested in seeing might help Dr. O'Farrell answer the question so to begin with I'm specifically talking about the chip... the chinook stocks and not the coho, and second the specific recommendation I'm interested in exploring is using auto correlated draws from an abundance distribution.

Marc Gorelnik: [00:14:48] Dr. O'Farrell can you answer that?

Michael O'Farrell: [00:14:49] I yes. Uh well ...we can explore that but I can't tell you right now that, that is something that has merit because if there is no auto correlation then it in these....it's very hard for me to give a precise answer here. I'm sorry.

Marc Gorelnik: [00:15:13] Brett.

Brett Kormos: [00:15:15] Thank you Mr. Vice Chair. So as I stated before in my initial thinking about this, it seemed that the ideal scenario would be that any recommendations for changes that the SSC had it, it seemed ideal to have those implemented before it went out for public review but it's beginning to....it's beginning to seem more clear to me now that that's not probably the best way forward given the uncertainty surrounding what those recommend. Whether or not those recommendations may actually make sense, and so I'm now suggesting that we put these documents out for public review as they stand and we can address how and when the SSC recommendations are evaluated and when the SSC and the STT would reconvene as the SSC has requested prior to March.

Marc Gorelnik: [00:16:24] Brett I think you said you had other points of direction?

Brett Kormos: [00:16:29] Yes I do. Thank you Mr. Vice Chair. In...this is in reference to the SAS supplemental report and their recommendations for Section four point seven, and I will, I will clarify that I would also suggest that these changes be made after the documents is sent off for public review, but under item number five in section four point seven, where it says evaluate temperature control for the Feather and American Rivers, as a further recommendation I would add the upper Sacramento River, and I would add an additional recommendation that's not on that list A through F, and that would be to evaluate Delta water quality as it pertains to the requirements relative to optimal conditions for fish and how those water quality standards may have deviated during the time period that the broods in question may have emigrated through that part of the system.

Marc Gorelnik: [00:18:17] Thanks Brett. Are there any other specific comments on the on the chinook rebuilding plans? Is there general agreement that these plans should go out for public review? Is there any disagreement about the plans in their current state going out for public review and we have a different situation with the three coho plans. OK. Brett. I'm sorry...or Chris.

Chris Kern: [00:19:02] Sorry I'll apologize first. I'm not going to go so far as say I have disagreement. If we had a way to provide guidance for some effort by the STT, and let me back up

because everybody else did this, it's a lot of work and I do appreciate it and the STT and others have worked very hard on this. I didn't say that yet because I'm going to say something else about more work needed that makes it sound like I should have said that first, but.....if we had a way for them to have a deadline to a date certain by which whatever they have done goes up for public review, I would probably be more comfortable with that. If that is not an option then I will, I will agree that sending them out now is fine. But I I guess I see us having another chance to take a bite of the apple in March if we really had to, even though we don't want to, and that's my hesitation. It seems like we could... there's a few things that probably could be done a little more before it went out if we we're willing to give that guidance and let that proceed on its own recognizing the Council's not coming back prior to March and I'm not super comfortable with that either with that gap, so.....

Marc Gorelnik: [00:20:24] Well let me ask staff the..... this would need to go out with the advanced briefing book for public comment, and do we have an approximate date for that? Chuck.

Chuck Tracy: [00:20:36] Thank you. So the public comment deadline right now for the March briefing book is tentatively anyway February 7th, Thursday, February 7th, so that's you know within a few days of that is certainly the last opportunity for anything to go out for public review, so I guess the question about them going up for public review now and you know what's, what's the difference between them going out the way they are now and the way and going out in.....sometime in December after some other issues perhaps have been addressed. Some, maybe there's been some work done on the SSC recommendations or something like that I guess is the question, so, for them to go out for public review prior to the March briefing book deadline, there would need to be some utility or some expectation that some of those comments would be able to be incorporated for the whatever version goes into the March briefing book. So to the extent that for example, you know other agency folks have an opportunity to weigh in on what's available now, between now, and I'm just going to use this December timeframe for an example, that those could be... that would be useful for other agency folks or for it for the public or for somebody to to weigh in on and for the STT to consider those comments and to incorporate those in time to submit something new for the March briefing book deadline of approximately February 7th, so absent that being something that could happen, or you know that it's likely to occur or be useful to folks then, then I don't see a real big benefit to having something prior to the March briefing book deadline.

Marc Gorelnik: [00:22:56]and I think we also have to recognize is the busiest time of the year for the STT as well.

Chuck Tracy: [00:23:00] Yeah there is that.

Marc Gorelnik: [00:23:02] Brett.

Brett Kormos: [00:23:04] Thank you Mr. Vice Chair. Yes that was going to be my point that, that I think therein lies the utility, however I'm not opposed to any of the, I'll call them permutations of the plan that have has been discussed here and suggested by Mr. Tracy and Mr. Kern, I'm simply just trying to help us plot a course here forward that will be....make the most efficient use of the time that we have, so I'm certainly open to these other ways of doing it and I don't know that there is a right way, but I'll just reiterate I'm open to other suggestions. I'm certainly not wedded to the idea that they are released now. It just occurred to me that that may be useful.

Part 3

Marc Gorelnik: [00:00:00] I think we need to converge to a solution here or we'll be here until 7. Ryan.

Ryan Wulff: [00:00:08] Thank you Mr. Vice Chair and I apologize Chuck if you said this I was consulting while you're talking my apologies. For now I'm definitely a little bit more confused. So let me be clear from NMFS perspective the current schedule is to adopt a final rebuilding plan on these in March which means a revised rebuilding plan complete and ready to be finally adopted would need to be prepared by February 7th in the advance briefing book deadline. Therefore to put this out for public comment it would have to go out prior to that. So by releasing these after this Council meeting for public review it allows for any anything that comes through that process and is still allows for the option or possibility should the Council want to do so to have final action on those rebuilding plans in, at the March meeting. If the advance briefing book for March is used as the deadline for when something is put out for public review unless it is something that would, we would, it would already be complete and therefore could still be adopted, that would delay adoption of the final rebuilding plan. So I just wanted to be clear on that.

Marc Gorelnik: [00:01:44] So where does that leave us. Phil.

Phil Anderson: [00:01:48] So I don't know if I want to weigh into this. I don't, I'm not seeing a path forward where, whereby we're going to be voting on the final in March. I don't....I just don't see that happening given what Ryan just said and, and the discussions in the SSC review and all that stuff, so I'm just wondering are we are we really gaining anything by putting out a draft that's likely to be changed perhaps in some substantial way for public review now only to get to March where we have an updated draft that maybe is ready to go out for public review with a final action at a later time. But I'm just I'm struggling with the fact that we're trying to jam this in, I get why and I'm all I'm I'm....I understand why we'd want to get this out for public review and see if we can advance and get us to the point to a final, but I don't see how doing that now with the state that the draft is in and the other comments that we've received that it's going to put us in a position to do that in March, but.....

Marc Gorelnik: [00:03:13] Thanks. Brett.

Brett Kormos: [00:03:13] Mr. Vice Chairman and thank you Mr. Chairman. All of the comments that I've been making so far about releasing this document now for public review is predicated upon what I perceive to be the goal of adoption in March and as I've noted I would be hopeful that if in March it wasn't sufficient we would delay then, and I've also noted the fact that it's not of paramount importance in planning 2019 fisheries, so I'm sensing from the room that this is maybe too complicated or procedurally challenging and there is much work to do to meet that March deadline, so I'm certainly open to reconvening in March with whatever changes the STT is able to make, and relative to what they have been provided today and what they may be provided in a future meeting with the SSC subcommittee between now and then and at that time we can consider the path, the next steps.

Marc Gorelnik: [00:04:41] Ryan.

Ryan Wulff: [00:04:42] Thank you Mr. Vice Chair. Just to be clear in case I caused any confusion I wasn't trying to say in my comments any opposition to your original proposal Brett. I think there's nothing wrong with putting it out, what we have now out for public review, it still keeps the option open for finalizing in March and it still keeps the option open for a delay in March. So I wasn't trying to say there any opposition I just wanted to remind folks that in order to take final action in addition to a public review happening any of this additional work all of that process would still be ongoing between now and the March meeting, so I was not trying to say in any way shape or form I was opposed to your initial proposal. Quite the contrary.

Marc Gorelnik: [00:05:29] Thanks Ryan. Chris.

Chris Kerns: [00:05:33] And to be clear for my part I was, because it may help, I was not trying to propose a scenario that would preclude us being able to take final action in March, and so I was not intending to recommend that we wait to release a public review draft till the March briefing book deadline. I was thinking of something before that, that would allow time for some public comment before we got to the March meeting. I don't know if there's a way to do that. The horse is pretty bloody and bedraggled at this point and if if we need to release them now and take our lumps and see how things go I can live with that. I was looking for something in between where we could get some public comment through and back prior to the March check-in so that we still had the option if we were ready to do something. Recognize that we have room if we if we're not, but also give the teams time to polish this up a little more before it went out to public, so that's what I was looking for.

Marc Gorelnik: [00:06:36] All right so what I'm hearing is that, and I don't know if I'm hearing this correct as you guys need to help me out, is that it's it's a no lose proposition if you put it out for public comment, we'll get something back from that perhaps, and in the meantime in parallel the STT continue working on the document. I guess my concern is if at the end of the STT process or we end up with something that needs to go back out for public review or not and I don't know the answer to that question.

Chris Kerns: [00:07:06] Then we'll do it again.

Marc Gorelnik: [00:07:08] Then we do it again and we have time to do that right? Okay, so I don't know if we need a motion here but I'd like to, I'd like to conclude this we get back to the coho plans. Is there general agreement to send these plans out for public review? I'm talking about the chinook plans now and that in parallel they have the STT continue to work on the document in concert with the SSC and the recommendations that Brett provided. Is that the sense of the Council? Okay I guess that's that sense of the Council and we don't have any formal motion here but I guess I want to check in with Robin to see if you have what you need at least on that chinook plans and then we'll come back to the coho on a going forward basis.

Robin Ehlike: [00:08:03] I think I do. My only question would be for the STT slash SSC meeting that is to occur prior to the March Council meeting if we needed Council direction to do that and the 30 day notice criteria, and you know just recognize that there was some concern about that happening in between both the Councils and what the results of that meeting might be.

Marc Gorelnik: [00:08:31] And I saw Chuck nod when you asked that question, so we do

need Council direction on that. Can we assume that, that Council direction was implicit in the instructions we provided? I think so.

Robin Ehlke: [00:08:47] Thank you.

Marc Gorelnik: [00:08:49] Anything further on the chinook rebuilding plans before we turn, we return to wrapping up the coho plans. Chris again?

Chris Kerns: [00:08:58] No yanking your chain.

Marc Gorelnik: [00:08:59] You were joking huh? Thank you. We need a little humor late in the afternoon. All right so let's return to the coho rebuilding plans. I think where we left them is that there was going to be..... we're going to require the STT to convene with the Quinault, the Makah, and the other co-managers over the coming months and to continue work on the draft and bring a further draft back in March. Is that accurate? I'm looking for head.....Phil.

Phil Anderson: [00:09:44] That's not inaccurate.

Marc Gorelnik: [00:09:46] Okay I figured. I was trying to prompt correction.

Phil Anderson: [00:09:52] Well I'm I'm not correcting I'm adding so you weren't incorrect. What I'm....what we had, what we discussed, we being we had a small group discussion over lunch and what we were recommending or what I was trying to recommend and followed up with comments from Ryan and from Joe was that we have.....we have some folks here that are in the building now that would be key to putting the plan together and to move forward whereby the co-managers have a paramount role in the further development of the rebuilding plans. Now we have some that aren't here, as Mr. Addicks pointed out, but at least to get us started, and I know I think there were some preliminary discussions after our lunch meeting between some of the principals that are here. I would like to ask, be able to ask them to continue that, reconvene one after we conclude with this agenda item to further that discussion and planning that. No.....we're probably in awell I think we're in a much better position to make progress on the Queets with the people that we have you here than we are with Straits or Snohomish which is what Mr. Addicks brought to our attention that there will then need to be further reach out to, and I'm not sure who, I mean the Makah's of course but I'm thinking probably Lower Elwha and Jamestown S'Klallam and I don't want to exclude anyone but I know at least those two tribes. I believe with Makah would have to be part of the piece for the Straits and Kyle knows this as well as I, and then with the Tulalip tribes on Snohomish. So that would be, that's the recommendation. Let's see if we can get some traction with this direction. If the Council agrees here, here and now while we have some key players here from, representatives here from the Quinault Indian Nation and the co-managers are here and the authors from the STT are here and from National Marine Fisheries are here. Let's get those folks together and help us figure out a path forward and then we'll have follow up with, well at least the Makah, Jamestown, Lower Elwha on Straits and with Tulalip tribes on Snohomish.

Marc Gorelnik: [00:12:53] And I guess that would mean the STT would have to, if we're going to have another draft for Council review, that would be needed be done by February 7th, the advanced briefing book deadline? I guess I would look to the SST and maybe Dr. Kope to see whether that's something that you can get done by February 7th. Oh you

retire....you retire on a certain day I guess, so Dr.O'Farrell you'll still be here.

Phil Anderson: [00:13:30] Sorry to say.

Michael O'Farrell: [00:13:34] Thank you Mr. Vice Chair and you're welcome. I believe we can, we can get a draft by February 7th. That's the question correct?

Marc Gorelnik: [00:13:52] Yeah I guess we can get the process started here with some co-managers but not a comprehensive, there's other other tribal interests that need to be brought into the process.

Michael O'Farrell: [00:14:02] Yes. I'm going to have to leave and lean on my STT colleagues from the north to engage directly with the co-managers.

Marc Gorelnik: [00:14:16] Great, and I would also note that the SSC comments that we talked about with regard to the chinook, I think there's some comments in there that also apply to the coho rebuilding plan so do we need to, and we have a conclave between the SSC and the STT on the two chinook stocks, do we need to have a separate or together on any any discussion between those two bodies on the coho stocks? Mike.

Michael O'Farrell: [00:14:54] Thank you Mr. Vice Chair. One thing that is shared currently between all five of the rebuilding plans is this analysis of the rebuilding times and that is mostly what the SSC comments were directed toward, so there will have to be some interaction with me who is primarily doing the, working on the coho plans to implement whatever changes that might occur to the modeling process for the coho stocks as well.

Marc Gorelnik: [00:15:38] Okay, were there any other comments with regard to the coho rebuilding plans? Phil.

Phil Anderson: [00:15:45] Oh they, they talk about concurring with the STT's recommendation involving the Habitat Committee further evaluating status of habitat. I mean I, my recommendation is that we provide the SSC's report to our to our work groups that we're going to have working on these three different rebuilding plans and and make them aware of the input that we got from the SSC and leave it to them as to how to incorporate that as appropriate.

Marc Gorelnik: [00:16:25] Does that make sense to everyone? Head nods around the table. Robin how are we on the coho rebuilding plans? Make sure we're clear so we don't have any misunderstandings here.

Robin Ehlke: [00:16:42] Well I'm understanding that there are conversations still to be had and that the three plans will not be moved forward but rather we will engage tribal members along with STT and develop some work groups on the plans and work together to provide a report in time for the March Council meeting which has an advance briefing book deadline of February 7th, and so the work group development will be done here at this meeting as much as we can and then we would reach out to the co-managers, WDFW and other tribal members to develop particular work groups for the other coho plans, mainly the Snohomish and Strait of Juan De Fuca. That's what I'm capturing, and then the the SSC report would be forwarded to the coho work groups and the work would be, the work required we'd work with STT mainly Dr. Mike O'Farrell to see if we can adjust some of the modelling that

would meet the SSC's concerns and recognizing that when Dr. Robert Kope leaves we will have a pretty big gap come January 1 and we'd love to fill that as best we could.

Marc Gorelnik: [00:18:20] Does that summary fit everyone around the table? I'm seeing nods. I thought I saw a hand go but I was wrong. All right, so Robin how are we on agenda item D.2?

Robin Ehlke: [00:18:32] Well I think that what we just stated for the coho, fairly clear on that for as complicated as it is certainly, and then for the chinook reports I think we've had discussion on that to where we're okay on where those plans are, so I think we've discussed this and that the Council has provided direction to the STT and so I think we have done what we can do.

Marc Gorelnik: [00:19:10] Thanks very much Robin. Before we close out this agenda item any final comments from anyone? Brett.

Brett Kormos: [00:19:17] Just want to reiterate my thanks to the team to all the folks that have collaborated on this, California tribes included, and especially to my fellow Council members here today for helping hash this out. Thank you all.

Marc Gorelnik: [00:19:35] We almost got wrapped around the axle. We barely avoided it.

3. 2019 Preseason Management Schedule

Marc Gorelnik: [00:00:00] Those are all of the reports that we have so I guess that brings us to Council discussion and action so I'll open the floor to discussion.....Oh is there any public comment? I'm sorry. There is no public comment thank goodness. I'd feel even worse if there were...if I'd gone ahead without offering giving the public a chance so we have no public comment and now we will come to Council discussion. Brett.

Brett Kormos: [00:00:36] Thank you Mr. Vice Chair. I will remind the Council of our discussion and the SAS of our discussion this time last year when we decided to move the public hearing in the state of California to Salinas. It was in response to a lack of a meeting in the southern part of our fishery area for a very long time and a number of sequential years where winter one.....winter run were a severely constraining stock. At that time we definitely received some comment that having the meeting in a more northerly location at that time would be preferential for some due to concerns with Klamath River fall chinook and their stock status and at that time the state made a commitment to ask to rotate those meetings in various locations from one year to the next. Given that winter run are not likely to be our primary stock of concern or constraining stock, I should say, in the upcoming year under the new harvest control rule and and current escape estimates for this past year, we're proposing to hold the meeting in Ukiah as opposed to Fort Bragg.

Marc Gorelnik: [00:02:29] Thanks for that Brett. Further discussion and or comments from other states? Kyle.

Kyle Addicks: [00:02:47] Thank you Mr. Vice Chair. Just jumping to Washington for a second. I think Westport continues to work well for us. We had the bigger of the two rooms, two meeting rooms in the location last year and I think that was a good thing. We should probably think about that bigger room again for this year. We had been in the smaller room in previous years and the hundred plus people would not have fit into that room.

Marc Gorelnik: [00:03:09] Thanks Kyle. Oregon.

Chris Kern: [00:03:15] Thanks. I can see some benefit to moving the meeting around occasionally and I could see that Newport could potentially bring in more folks. I recall last year we had the Coos Bay meeting and a lot of the comments were fairly central to Klamath zone and Coos Bay local issues. However we also have our pre-season opening meeting in Newport non Council, and this, this meeting has been in Coos Bay for quite a long time and not sure anybody else has it on their radar that there's been thoughts about moving it, so I'm struggling a little with the notion to move it.

Marc Gorelnik: [00:04:12] Chuck.

Chuck Tracy: [00:04:14] Thank you. I get to make my annual reminder to the Council that I used to be a salmon staff officer and and as Mr. Kormos mentioned typically back in the day we used to kind of schedule these meetings for the areas that were gonna be, where the decisions were gonna have to be made. So these are the areas that were, there were constraints. You know back in the good old days....well that..... anyway there wasn't much talk about central California or you know from Fort Bragg on down so there didn't seem to be, you know there wasn't a lot of range in the alternatives presented, so there wasn't too much utility in going and talking to those people. When Fort Bragg opened up again commercially we went down there to get some input in that, but typically we went to Eureka because the Klamath zone was was where the, where the rub was and

that's where public comment was needed. So I think that probably the same deal for for Oregon. It kind of gravitated towards the south where it could be a little easier for those Klamath zone folks to weigh in on the options, and of course Washington's narrower coast but Westport is fairly centrally located, anyway I guess I would just remind the Council that it's kind of the....that's sort of the the underlying philosophy for for where the meetings were held back when I was a salmon Staff Officer.

Marc Gorelnik: [00:05:58] Chris.

Chris Kern: [00:05:59] Thanks Mr. Vice Chair. That helps, I appreciate that. If I'm a betting person Klamath is usually a place where we're talking restrictions. So I think I'd recommend leaving it at Coos Bay for this year but try and put a note to myself to actually talk about it at Coos Bay this next year about the potential to maybe move it around occasionally and get some feedback on that before we actually move it on people without any of that input at least is a way to talk about that, so.....

Marc Gorelnik: [00:06:33] All right. Thanks Chris.

Brett Kormos: [00:06:36] Thank you Mr. Vice Chair. Just to respond quickly to Mr. Tracy's comments. That is exactly why Ukiah is the preferred location this year. Both Sacramento and Klamath fall chinook are overfished and that's a relatively northerly but somewhat central location between those stocks and in addition to that it's easily accessible, and last of all there were questions asked about this last year when we suggested Salinas, so I just want to volunteer that myself or my staff with CDFW can assist the Council in determining the right location for that meeting. We've held a number of meetings there as of late relative to other species in management.

Marc Gorelnik: [00:07:27] All right. I think we have input from each of the states. Is there any discussion? Any further discussion on those three locations? Okay I'm not seeing any. Also mentioned here are state intentions for additional hearings as well as approval of the overall schedule that was in Attachment 1. Discussion? Kyle.

Kyle Adicks: [00:08:02] Thank you Mr. Vice Chair. I'll just note that Washington will be going through its normal north the Falcon season planning process that involves a long series of meetings. A lot of them on more inland fisheries. Some of them joint meetings with Oregon on Columbia River issues. But there'll be a lot of surrounding public meetings going on. A few of those will involve some ocean discussions in addition to the Westport hearing.

Marc Gorelnik: [00:08:29] Go ahead Chris.

Chris Kern: [00:08:29] Thanks. So just as a matter of record briefly, Oregon will hold their ocean salmon industry group pre-season meeting as we always do. I assume that will be at the last few days of February in Newport as it always is.

Marc Gorelnik: [00:08:43] Thank you. Brett.

Brett Kormos: [00:08:48] Thank you Mr. Vice Chair. Yes and CDFW will be doing the same. It's usually the last couple of days of February or the first couple days of March.

Marc Gorelnik: [00:09:00] With that being Santa Rosa again?

Brett Kormos: [00:09:02] Yes sir.

Marc Gorelnik: [00:09:03] Thank you. All right. The....anyone else? I was going to ask about approval of the schedule that Robin has set forth in Attachment 1. Phil.

Phil Anderson: [00:09:18] I move the Council approve the proposed schedule and process for developing the 2019 ocean salmon fishery management measures as presented in agenda item D3 Attachment 1.

Marc Gorelnik: [00:09:52] Phil do....any changes you want to make to that language.

Phil Anderson: [00:09:58] Looks accurate. Thanks.

Marc Gorelnik: [00:10:03] There's two motion I move the Council move. Chuck.

Chuck Tracy: [00:10:10] Thank you I believe Attachment 1 has the California meeting in Fort Bragg.

Marc Gorelnik: [00:10:30] Phil.

Phil Anderson: [00:10:33] Well given that I haven't got a second.

Marc Gorelnik: [00:10:37] That's right.

Phil Anderson: [00:10:39] I can modify the motion. Let's see I move the Council adopt or adopt a proposed schedule and process blah blah blah....with the exception ofwhere was it?

Marc Gorelnik: [00:11:24] Ukiah.

Phil Anderson: [00:11:24] With the exception of the California hearing would be held in Ukiah instead of....that's probably good enough.

Marc Gorelnik: [00:11:44] Phil is that language fine?

Phil Anderson: [00:11:46] Let's hope so.

Marc Gorelnik: [00:11:47] Okay. Do we have a second? Second by Bob Dooley. Speak your motion.

Phil Anderson: [00:11:55] I think the staff did a great job in laying out this schedule. I know it's tight, particularly the time frame between the adoption of the Council's management measures in April and May 1 but I don't.....I'm suspect we don't have any alternatives. Easter or something is probably getting in the way. Sorry, so I appreciate the staff putting their proposal....proposed schedule together.

Marc Gorelnik: [00:12:26] Any discussion on the motion? Ryan.

Ryan Wulff: [00:12:33] Thank you Mr. Vice Chair. No I'm in support of this and I just wanted to reiterate what Robin said in her opening comments on this agenda item, and we have had discussions with staff about this incredibly tight timeline. One week to get from unlocked to

implementation, so we will front load as much as we can. We will do everything possible from a regional perspective but I do want to remind the Council that, that involves clearance and published timelines at headquarters, in some cases are beyond our control, but we will do our best and I agree with the proponent of the motion that I don't think there's any changes we could do now to this proposed schedule that would make that any easier.

Marc Gorelnik: [00:13:22] Thanks Ryan. Any further discussion? Not seeing any I'll call the question all those in favor say Aye. Opposed no? Abstentions? Motion Carries unanimously. Robin how are we doing on D3?

Robin Ehlke: [00:13:45] Thank you Mr. Vice Chair. I think we have completed the Council action. We have decided on a California hearing location of Ukiah, California that would likely occur on March 26th and that the agenda, or under this agenda item Attachment 1 was adopted intact with the exception that the location of the California meeting is Ukiah rather than Fort Bragg.

Marc Gorelnik: [00:14:16] All right thank you. Are there any any further comments on this agenda item before I close it out? Thanks everyone.

E. Coastal Pelagic Species Management

1. National Marine Fisheries Report

Marc Gorelnik: [00:00:00] That concludes public comment on this agenda item which brings us to Council discussion. I'll open the floor to see what kind of discussion we have, and I do not see any hands raised so I gather we have no further discussion on the very informative report. I guess it was so complete and was so clarified during questions that we have no discussion. So Kerry how are we?

Kerry Griffin: [00:00:27] Thank you Mr. Vice Chair. There's no further Council discussion and that completes your business under this agenda item.

Marc Gorelnik: [00:00:34] Thanks very much.

2. Methodology Review Preliminary Topic Selection CANCELLED

3. Live Bait Fishery Allowance

Marc Gorelnik: [00:00:02] That concludes our public comment on the agenda item E3. Which brings us to Council discussion and perhaps action. There may or may not be a motion prepared but let's start with some discussion on on this item. Briana.

Briana Brady: [00:00:30] Thank you Mr. Vice Chair. If there is no discussion I have a motion to put forward.

Marc Gorelnik: [00:00:37] Herb.

Herb Pollard: [00:00:39] Well I asked a question. Thank you Marc. I asked a question about the uh the weight of sardines and anchovies that are actually in the fishery right now and I didn't want to ask that of the folks that are selling them, that's pretty....that's confidential business, but perhaps Briana or John could tell us how many tons we're talking about and maybe I missed that someplace in the discussion, but I heard fifteen hundred and I heard one hundred and I'm not sure what we're talking about currently.

Marc Gorelnik: [00:01:12] Briana. Do you have an answer?

Briana Brady: [00:01:14] Thank you Mr. Vice Chair. Thank you Herb for the question. The numbers are reported in the CPS safe on average there are two to three thousand tons mostly being sardine, but also with a portion of anchovy as well.

Marc Gorelnik: [00:01:32] Any..... Michele.

Michele Culver: [00:01:36] Thank you Mr. Vice Chair. I also had a couple of questions. The first one on the supplemental CDF and W report one, that describes the, the statutes for catch accounting, so the very last sentence in that report indicates that, and my apologies I probably should have asked Mr. Ugoretz when he was up at the table, but it says CDF and W will ensure compliance with these requirements and report back to the Council in April with an update on the status of compliance within the live bait fishery, so is CDF and W implementing this now, I mean prior to April to be able to report to us in April on the status of the compliance?

Marc Gorelnik: [00:02:44] Briana.

Briana Brady: [00:02:44] Thank you Mr. Vice Chair. Thank you Ms. Culver for the question. Yes we'll be requiring the live bait barges to purchase their license and then training them on how to fill out e-tix and we plan to have them using e-tix and be licensed in time to report for April.

Michele Culver: [00:03:04] Thanks.

Marc Gorelnik: [00:03:05] Michele.

Michele Culver: [00:03:05] And then I had another unrelated question. So we had heard some public testimony relative to the small scale fishery and what the intent was in the Council's FMP language which indicates that when the commercial directed fishery is closed small scale fishing could still be authorized, and so my understanding is that, that was one of the reasons that the Council went through the amendment 16 process and I guess perhaps I'll, I'll see if....I'll pose the question to Briana as well if if that's your understanding that the Council deliberately chose to allow

the small scale fishing to continue.

Marc Gorelnik: [00:04:14] Briana.

Briana Brady: [00:04:14] Thank you Mr. Vice Chair. Thank you Ms. Culver for the question. The present action is focused as directed by the Council in June on live bait only. Changes to section four point six point two point one would not change other subsections that address minor directed such as section five point two as shown in the CPS management team report two. Additionally when the Council made amendment 16 to address minor directed take, the motion specified take would be allowed until an ACL was reached or some other specification by the Council.

Marc Gorelnik: [00:04:56] Any further discussion? Briana you said you had a motion?

Briana Brady: [00:05:05] I do you thank you. Thank you Sandra. I move that the Council adopt alternative two in the CPS management team report one agenda item E3A as the final preferred alternative. Quote, remove the prescribed incidental allowance for Live Bait fisheries to allow the potential for directed take and amend the FMP accordingly, end quote. Number two, approve the language shown in E3A CPSMT Report 1 as Amendment 17 to the CPS FMP in section four point six point two point one, and in reading that text four point six point two point one definition for overfished stock for sardine. An overfished sardine population is one with a one plus stock biomass on July 1 of 50,000 metric tons or less. The Council is required to minimize fishing mortality on an overfished stock to the extent practical, Practicable and to undertake a rebuilding program which may be implicit to the harvest control rule for, or explicit. Number three, approve the language shown in E3A CPSMT Report 1 as Amendment 17 to the CPS FMP in section five point one point four with the following highlighted changes added to the CPSMT edits. Five point one point four catch allowances for live bait when stocks are overfished. When a stock is overfished, according to the definition in the FMP, cash allowances for live bait fishing may be determined by the Council. Allowing a directed live bait fishery when a stock is overfished is contingent on Council consideration of biological, environmental and socioeconomic factors. The Council is required to minimize fishing mortality on an overfished stock to the extent practicable and to undertake a rebuilding program which may be implicit to the harvest control or explicit. And number four, add the following text to section four point five rebuilding programs. If a stock is overfished for the period between when it is determined to be overfished and the effective date of rebuilding plan, the Council shall consider whether to allow any harvest of the overfished stock and what the appropriate interim harvest level should be, and I do have an edit.

Marc Gorelnik: [00:07:40] You have an edit? Well why don't you edit it before it gets seconded?

Briana Brady: [00:07:46] Thank you. Thank you for scrolling up Sandra I think it's number one. The last line in number one. I'm sorry Kerry could you help me with what the FMP section actually says?

Kerry Griffin: [00:08:14] I can try. Thank you. Are you referring to the minor difference that...?

Briana Brady: [00:08:20] Yes.

Kerry Griffin: [00:08:21] I.... It's already fixed.

Briana Brady: [00:08:22] It's correct.

Kerry Griffin: [00:08:23] Yes.

Briana Brady: [00:08:23] OK. Thank you. It's corrected.

Marc Gorelnik: [00:08:25] All right. So that now reads as you wish the motion to read?

Briana Brady: [00:08:28] Yes.

Marc Gorelnik: [00:08:29] All right do I have a second?

Louis Zimm: [00:08:32] Second.

Marc Gorelnik: [00:08:32] Louis Zimm seconds. Would you like to speak to your motion?

Briana Brady: [00:08:41] Yes thank you. I'd like to express my appreciation to the CPS management team, the CPSAS, the public and the Council for working on this agenda item. The live bait fishing industry representatives that we have heard from in person here today and at previous meetings have described how this potential opportunity could allow them to help keep their businesses operating and to maintain their recreational fishery in Southern California. Additionally I want to acknowledge the concerns that have been raised that this action exempts the live bait fishery from management measures. I want to be very clear and reiterate that is not my intent with this motion. My intent is to maintain existing opportunities as much as possible dependent on stock status, socioeconomic needs and the environment. The proposed CPS FMP amendment language and four point six point two point one will allow for the potential for directed live bait take when sardine is overfished under the ACL dependent on actual stock status and any other factors. The edits to five point one point four remove the prescribed incidental value for CPS and make any allowance, whether incidental or directed, contingent on Council consideration of various factors. Additionally I am including edits to section four point five for the rebuilding program section, to be clear that any fishing when a stock is overfished must be considered by the Council for its impact on the stock.

Marc Gorelnik: [00:10:11] Thank you Briana. Are the questions for makers of the motion or discussion on the motion? Frank Lockhart.

Frank Lockhart: [00:10:17] On....excuse me...on number three the change in five point one point four from 'may' to 'shall', I'm interested in maybe you could explain a little bit more particularly with what you just said about the underlined language that's being added, so yeah could you explain a little bit more why you made the change from may or from 'shall' to 'may'?

Briana Brady: [00:10:53] Thank you for the question. I guess I would ask them.

Frank Lockhart: [00:11:09] Actually. Never mind. Yeah. Go ahead.

Briana Brady: [00:11:16] I guess I would ask or look to Kerry or the management team.

Kerry Griffin: [00:11:21] Yeah. Thank you Frank. That, that 'may' was already included so that Briana didn't make that change in her motion. Her only edits are highlighted in yellow up there and the number four which is an addition. But the underlined stuff that is not yellow, that's what appears in the CPSMT report already.

Frank Lockhart: [00:11:42] OK. Thank you.

Marc Gorelnik: [00:11:43] Alright. Further Discussion? Michele.

Michele Culver: [00:11:51] Thanks. I wanted to speak in support of the motion and so I really appreciate the effort that the team put into drafting the language changes for us, for our consideration and following the Council's guidance in keeping the scope of the changes narrowly focused, and I guess in my opinion I would say that the proposed language changes, this gets back to Mr. Lockhart's question, is more in the context of providing the Council with the flexibility to decide what we want to do if and when the stock is deemed to be overfished, and so rather than having something prescriptive in the FMP that says, in the case of five point one point four, that the catch allowances for live bait fishing shall be set to no more than 15 percent. My understanding is that the Council could, through its actions, still choose to set the incidental catch to be no more than 15 percent, and that this just provides us the flexibility to determine whether to allow harvest and at what level we should allow harvest when we're in that situation, so I appreciate providing that flexibility to the Council through this action and also want to express my appreciation for California Fish and Wildlife for responding to the catch accounting concerns that you heard from the Council and that you plan to implement the fish ticket requirement, so I think that not only helps us from a catch accounting perspective, but it also gives us some much needed data from which to work with and use for our future analysis of actions. Thanks.

Marc Gorelnik: [00:14:12] Thanks for that Michele. Further discussion on the motion? I have a couple of things, Briana so this amendment by its own terms does not allow any harvest. Is that right? Doesn't specify any harvest.

Briana Brady: [00:14:31] Thank you for the question. Correct. Does not specify.

Marc Gorelnik: [00:14:37] And I suppose if the Council were to authorize harvest in an overfished condition there would be an environmental analysis at that time based on the amount specified by the Council?

Briana Brady: [00:14:50] Thank you for the question. My understanding is yes.

Marc Gorelnik: [00:14:53] Thank you. Is there any further discussion? Then I will call for the question. All those in favor say Aye. Opposed No? Abstentions? The motion passes unanimously. Kerry how are we doing?

Kerry Griffin: [00:15:21] Thank you Mr. Vice Chair. That completes your business under this agenda item. You selected the final preferred alternative including FMP language changes, so our next steps will be to make those changes and and go through our standard FMP amendment and approval process. That we discuss this in September, there's a pretty tight timeline between now and July 1st and so I will work with NMFS to get a transmittal package done efficiently and quickly and yeah and take it from there, but that does conclude your business under of this item.

Marc Gorelnik: [00:16:00] Thanks Kerry. Let's see if there are any comments before we, from the Council before we close out this item. Michele.

Michele Culver: [00:16:06] Yes, thank you Mr. Vice Chair. I don't have any motions but did want to discuss potentially as further guidance the restructuring, reorganizing housekeeping edits of the FMP language, and so I will note just my my personal views that this FMP in particular seems to

have multiple sections and subsections, and there seems to be references to the same issues or similar issues in multiple sections throughout the document without necessarily any cross references to allow the reader to go look at those other subsections that may be relevant. So I think the FMP and the Council would benefit by having an exercise that makes some of those housekeeping type changes, so in particular I'm looking to a group lump rather than split so much and to have the document organized in a manner that addresses the different issues in a way that the reader doesn't have to jump around to multiple sections, and I guess I'll first pose the question to Mr. Tracy as to whether or not that's something that Council staff could potentially help with. I'll know that, note that Dr. Dahl was very helpful in doing that for the HMS FMP. Is it possible to get some Council staff assistance with this?

Chuck Tracy: [00:18:09] Thank you. I certainly I think that's definitely in our wheelhouse there it's something we would need to be involved with I think. I guess I would suggest that at the next opportunity if there's another amendment to the FMP that at that time have that be part of the scope of the amendment to do those housekeeping and reorganization things, so that's, that's one way to go, the other is to, you know, just to direct that there be a housekeeping amendment specifically to address that issues...that issue, so you know, and I think that's just kind of workload dependent on, or prioritize with our other workload whether that's, you know....when a good opportunity or a good window for folks to work on that would might be so, but that's that's up to the Council we can talk about that probably under workload planning, But yeah Council staff definitely would want to be involved in that.

Marc Gorelnik: [00:19:26] Any any further discussion? Frank Lockhart.

Frank Lockhart: [00:19:29] Maybe a clarifying question. So you're directing some work be done on this to revise the FMP without necessarily specifying a vehicle and from Chuck's.....Chuck Tracy's answer will look to some other future amendment process to, or to implement those changes? Is that kind of what this discussion was about?

Marc Gorelnik: [00:19:54] Michele.

Michele Culver: [00:19:54] Yes, thank you. I recognize the urgency of this particular amendment and so don't want to hold this amendment up, but should we have an opportunity, and I think Mr. Tracy said that it could be either in a subsequent amendment, an amendment 18 that could be amending the FMP for another purpose as well as housekeeping or it could just be a standalone housekeeping amendment.

Frank Lockhart: [00:20:21] Okay. Thank you.

Marc Gorelnik: [00:20:21] Any further discussion or action on this agenda item, which I should have asked before going to Kerry but I didn't okay Kerry? We're done?

Kerry Griffin: [00:20:39] Thank you Mr. Vice Chair. Yes. If there's no further guidance than your business under this agenda item is complete.

Marc Gorelnik: [00:20:48] Great.

4. Preliminary Review of New 2019 Exempted Fishing Permit

Phil Anderson: [00:00:00] Okay that concludes public comment on this agenda item takes us to our Council action, which is to consider adopting the preliminary EFP's for public review. Is there any discussion around the table before we proceed with a motion? Okay. Briana.

Briana Brady: [00:00:19] Thank you Mr. Chair. I have a motion to put forward. I move that the Council adopt the preliminary exempted fishing proposals in agenda item E4 attachments 1, 2, 4 for public review.

Phil Anderson: [00:00:42] Thanks Briana. The language on the screen accurately reflects your motion?

Briana Brady: [00:00:46] Yes. Thank you.

Phil Anderson: [00:00:49] Is there a second? Seconded by Mark Gorelnik. Would you like to speak to your motion please?

Briana Brady: [00:00:55] Thank you. I'd like to say thank you to the California Wet Fish Producers Association and the West Coast Pelagic Conservation Group, and specifically to Diane Pleschner-Steele and Mike Okoniewski for their time and effort and thinking about data gaps for CPS and how they can help to provide much needed information for the near shore area of these stocks, and I support the work being proposed for these EFP's. The Pacific Northwest will provide information for near shore areas the NOAA ship cannot go and the CWPA proposal will help address recommendations from the April 2017 methodology review for the aerial survey in California, which should move that data source toward potential use in a stock assessment. Thank you.

Phil Anderson: [00:01:41] Thank you. Further discussion on the motion? Okay we'll go ahead and call with question all those in favor signify by saying aye. Those opposed no? Abstentions? Motion carries unanimously. Kerry how are we doing?

Kerry Griffin: [00:02:01] Thank you Mr. Chair. Unless there's further guidance from the Council that concludes your business none of this agenda item. I will work with the proponents to get their updated proposals for next year into the advanced briefing book for April assuming that's when this stays on the Council agenda for a final decision making, and then just as a reminder once the Council endorses or approves these proposals then the proponents need to actually apply for the actual permit from the National Marine Fisheries Service. So that's the sequence of events. So that's what we'll do and that concludes your business.

Phil Anderson: [00:02:41] Great. Thanks very much.

5. Review of Fishery Management Plan Categories

Part 1

Marc Gorelnik: [00:00:00] That concludes public testimony. I'll turn to Kerry to review the the scope of action here.

Kerry Griffin: [00:00:14] Thank you Mr. Vice Chair. Yeah as far as the scope of action as I mentioned a little bit during the agenda item overview, there....a hard action hasn't been publicly noticed for this agenda item so the Council would not be able to take action today to eliminate the categories or adopt an OFL or anything like that. Clearly the Council could set in motion some sort of process to address any and all of the above as they see fit, so you know I think, I'll think I'll leave it at that and I'll take any questions if you have them, but, you know I think the bottom line is that the is number three up there looking for further guidance and next steps as the Council wishes.

Marc Gorelnik: [00:01:06] Any questions from the Council members on the scope of our upcoming discussion? Then I'll open the floor for discussion. And given the nature of our task at hand at some point to be nice to have motions prepared rather than informal agreement around the table. So we'll just have discussion. Michele.

Michele Culver: [00:01:37] Thank you Mr. Vice Chair. In reviewing the existing management categories of active and monitored and the potential need to consider revising those categories or characterizing the different stocks in the FMP, I would note that it has been confusing for me personally and in some of the stakeholders that I've spoken to and some of the management team members over time, as well as the advisory sub panel members as to what exactly is meant by the active and monitored categories, and I'll say that in my discussions with other folks the further I get away from someone who is a member of the team, the more confusion there seems to be, so I will go back to what prompted the action that I proposed in April of this year that the team responded to with their report and in looking at the National Standard 1 guidelines and the FMP amendments that we put in place for our other FMP's, I would note that part of this confusion stems from the NMFS definitions in there NS 1 guidelines of stocks that are in the fishery which are stocks that are target species for which conservation and management are needed and ecosystem components species which are stocks that are not target species but are caught in managed fisheries, limited to stocks that do not need conservation or management, but for which catch is monitored, and so we've heard some discussion presentation by the team about how we have the categories of active and monitored, but that there are stocks in the monitored category that are actively managed, and so I do think that there is some confusion and those specific terms may be leading toward that, and so I guess I'm, I'm certainly interested in providing some clarity in our FMP and what our policy and management intent is relative to our CPS stocks.

Marc Gorelnik: [00:05:08] Thanks Michele. Further discussion around the table? No further.....oh Briana. There we go.

Briana Brady: [00:05:25] Thank you Mr. Vice Chair. Thank you Michele for those remarks. I can see a need for reviewing the existing management categories with the potential to remove them from the FMP. I think that I have significant concerns about upcoming workload that the management team has with anchovy up in April. The sardine stock assessment, the Pacific mackerel stock assessment, Amendment 17, and I would like to consider any sort of work that we would give to the management team to happen after June.

Marc Gorelnik: [00:06:15] Michele.

Michele Culver: [00:06:15] Thank you. I do have a motion prepared and I have tried to send it to Sandra and it is. It's in, it's in the ether somewhere.

Marc Gorelnik: [00:07:01] Herb.

Herb Pollard: [00:07:03] Thank you Vice Chair Gorelnik. You know this almost seems to be a problem with semantics rather than actually a change in management. We all know that the stocks are managed almost equally as it says in the management team report. The monitored stocks were named monitored stocks because of their highly volatile nature and the difficulty in predicting from year to year, you know and with a one year change in population that by the time the status review is done it's out of date, and so monitoring and designating them as a monitored stock was a, was a good decision reflecting the management level that really can be done on those stocks, and you know I, you know changing the name is not going to significantly change the management nor is it going to significantly change what the population does, and it is a workload for the management team, and I, you know is it a high enough priority that we're going to, gonna move this up and give those people who already have a lot of work, additional work. If it's not going to change management significantly and it's probably not going to elicit a population response either in those fish populations or in the other critters that are out there and I, I mean for me I'm not sure that this is a necessary action.

Marc Gorelnik: [00:09:21] Phil.

Phil Anderson: [00:09:23] Thanks Mr. Vice Chair. I've got a lot of thoughts going on in my head and I'm trying to figure out how to best express them or at least some of them. You know for me the bottom line is that the monitored category are....stocks in that monitored category are using default control rules and there's no regular review of the OFL's or the ABC's by the SSC, and I think we have to change that. I don't think we can continue to monitor stocks that are important to the ecosystem using harvest default rules that are old and haven't been reviewed and it leads us into this, this....we've been debating and having in front of this Council for months and years the use of the current harvest control rules that we have for anchovies. It is that, to me does not put us in a good position to manage this important stock into the future, and whether, you know, we can, whether it's semantics to some or not. It is to me the fundamental problem in my mind isn't with what we, what we call the categories, it is how we are applying those categories to important CPS stocks, and to me that is what has to change if we're going to truly be responsible managers of these important resources. I don't, I don't know that there's a lot else I can say to try to summarize the thoughts that I have or the things that I think we need to do as a Council to move forward to improve how we're managing these important stocks from an ecosystem perspective as well as from a fishery perspective, and I I will, I think walking away from this issue is not an option that that leads to a credible management system. So that's where I am. I'm...I don't have a motion prepared I'm anxious to or I'm hoping Michele's will come out of the ether and get to, get to Sandra so we can see it, but in terms of moving forward and making some changes in how we're managing CPS species and making the appropriate changes to the FMP that are needed to accomplish that, that's what I'm interested in.

Marc Gorelnik: [00:12:23] Thanks Phil. Caren.

Caren Braby: [00:12:26] Thank you for those comments. That, that helped crystallize in my mind what I've been trying to articulate to share with the Council also which is that I am very unclear on

what problem we're trying to solve, and I've heard that we're trying to solve a semantics problem, a confusion problem, but we also have a resource problem and that is a greater urgency of need in terms of our management responsibility perhaps than the confusion piece. But I am, I'm still behind on whether I'm changing the semantics or moving anchovy from monitored to active or any of those other changes is going to change our ability to adequately assess the species to the point that we would be changing our management, and so that kind of takes me back to my question about an hour ago which was, you know, what is the science that we have? Is it adequate and if it's not, is changing anchovy from monitored to active gonna make a difference? And I, you know I don't, I don't know, that isn't, that isn't the problem, the problem is being able to have confidence in the science that we're using to manage the stock, and so where is the problem? What is the what is the problem that we're trying to solve with this particular action and semantics is is relatively easy but causes workload, and the other can be tractable or intractable depending on where we are, so Frank?

Marc Gorelnik: [00:14:17] Frank?

Frank Lockhart: [00:14:22] Well all I'm going to do is search the audience for Gerard and Dale and maybe they will want to call up Kevin, but, but maybe I'd clarify the question first, so you're asking what is involved with some sort of regular review process that Phil spoke to or what specific question you are asking them to answer?

Caren Braby: [00:14:49] Thank you. My question is that we, I feel like as a Council we have just articulated two different purposes to the discussion today, one is about clarifying the intent of management categories and the other is about adequate management of anchovy, and those are two different, obviously two very different things and we've heard, we've heard comments about the monitored label getting in the way of management and yet we also have heard that monitored stocks have the same, you know have the same, we have the same ability to manage those and that the difference is that we're using outdated OFL's, so what what's the barrier? What is it that we're trying to solve? Is it a science barrier or is it a semantics barrier? That's the question I'm trying to resolve in my own mind.

Marc Gorelnik: [00:15:54] Michele.

Michele Culver: [00:15:56] Thank you Mr. Vice Chair. I have my motion. I think Sandra has received it and I would say that my motion attempts to address both, so I didn't it see it as it as an either or.

Marc Gorelnik: [00:16:13] Alright is the motion....go ahead with your motion.

Michele Culver: [00:16:15] Thank you. So I move that the Council, one, consider a process to remove the CPS Management Unit species categories of active and monitored. Two, consider characterizing the CPS Management Unit species as being in the fishery ecosystem component, or prohibited species, consistent with NS 1 guidelines in other Council FMP's. Three, direct the SSC to periodically review and evaluate the quantity and quality of data to inform CPS stock assessments similar to the categories used for groundfish described in agenda item E5a Supplemental SSC Report 1. And four, direct the CPS management team to consider and provide feedback on the following draft purpose and need statement and a draft process and timeline for the Council's consideration at the April 2019 meeting. The draft purpose and needs statement states the terms used to label the CPS stock management categories i.e. active and monitored appear to cause confusion relative to the intent and application of those categories and this lack of clarity may lead to a perception of non-compliance with National Standard 1 guidelines. Therefore the purpose of

the proposed action is to clearly demonstrate compliance with NS one guidelines and eliminate any confusion associated with these management category terms. The proposed action will also promote consistency with terminology across the Council's fishery management plans, clarify the management strategies that the Council intends to use for the stocks managed under the CPS FMP, and provide flexibility relative to a process to consider revisions to stock specific management strategies. In drafting the process and timeline, this is again direction for the team, they should consider their workload that's associated with developing proposed changes to the FMP structure and language to clarify the description of the management strategies for CPS fisheries, and retain the retaining the flexibility to consider revising the management strategies for a particular stock through a routine process. For example through a regular specifications and management process rather than an FMP amendment.

Marc Gorelnik: [00:19:00] OK Michele. Can you confirm that, that language is the language you wish to appear in your motion?

Michele Culver: [00:19:10] Yes.

Marc Gorelnik: [00:19:10] Okay. Is there a second? Phil Anderson second. Would you like to speak to your motion?

Michele Culver: [00:19:23] Yes thank you. I do think that whether or not it is semantics there, there is confusion that stems from the use of these labels for these categories of species in our CPF FMP. I do think that those who are familiar with our other Council FMP's that we would all benefit by having some consistency in the terminology that we use so that everyone is on the same page about which species are subject to having some active management associated with them. I think that the SSC, I like their statement, their report that they made to us. I think that they also see the benefit in doing a periodic evaluation. As we've heard there are some stocks in the CPS FMP that have not been assessed for a couple of decades and there are some that have never been assessed, so I think doing a periodic review and evaluation on the quantity and quality of the data that are available that would be used to inform CPS as stock assessments and bringing that information forward to the Council for consideration would be helpful in us making the decision as to which stocks to prioritize for assessments. In crafting the draft purpose and need, I don't believe that the CPS FMP is out of compliance with NS 1 guidelines. I do think that we are in compliance but I think that by having these management categories of active and monitored, there could be some confusion by the reader of our FMP as to whether or not we are meeting those guidelines, so the intent of this motion and moving forward with this process is to provide some, some clarity to better describe what it is that we're doing and why we're doing it in the FMP, and as we discussed under the previous CPS agenda item yesterday, there's the reference to active and monitored categories throughout the FMP in multiple sections and so if someone is going through the FMP and wants to better understand what applies to those stocks within the monitored category there's multiple sections that they have to read and then they have to piece that together to get the full picture of what a monitored stock means and what what management applies or does not apply. I am aware of the CPS management team's workload. I understand that they are scheduled to meet at the April Council meeting and come back to Council in April anyway on CPS management items. I'm not proposing that they actually draft the FMP revisions, but that they give us their feedback on the draft purpose and need that is provided here. Do an assessment of their workload given the other Council priority items, and draft a timeline, a reasonable timeline of when we could expect to potentially proceed down this process should the Council decide to do do so.

Marc Gorelnik: [00:23:41] Thanks for that Michele.

Part 2

Marc Gorelnik: [00:00:01] Discussion on the motion? Briana.

Briana Brady: [00:00:04] Thank you Mr. Vice Chair. Thank you Miss Culver for the motion. I just wanted to clarify that your intent is to change....look into changing or removing the names and not specifically changing the management structure or framework with the CPS FMP?

Marc Gorelnik: [00:00:22] Michele.

Michele Culver: [00:00:24] That's correct. I'm looking for clarity in describing what the management framework is.

Marc Gorelnik: [00:00:29] Is there further discussion on the motion? Phil.

Phil Anderson: [00:00:38] Briana has a follow up maybe? Thanks Michele for the motion I think it does cover the landscape of issues that are before us and allows us to provide some additional consideration and scoping of those. I'm a little bit concerned about the April 2019 date but I think, I know I think Briana suggested maybe June but I think given your description of what you would expect back from the team in April, this kind of a check in, take a look at this, tell us what you think, give us some idea of of a timeline and process to move forward with, with the with the terms of the motion, then that gives me some comfort that we're managing that workload appropriately, and I think it also speaks to some of the issues that were brought forward both from the team as well as some of the recommendations or observations and recommendations. I think there are more observations that the SSC provided us in their statement, and I think it allows us to move.... to take a step forward on the issues that we have been discussing here today. Thanks.

Marc Gorelnik: [00:01:56] Thank you Phil. Briana?

Briana Brady: [00:01:57] Thank you Mr. Vice Chair. Thank you Phil for those discussion points. I think June could be okay however given all the things I listed earlier, I would look to give the team more time and actually come back in November, and so I would offer that amendment if that's how this works.

Marc Gorelnik: [00:02:20] So you're referring to sub paragraph A there where it says Council's consideration of the April 2019 meeting, you're proposing to amend that to be the November 2019 meeting?

Briana Brady: [00:02:32] Yes please.

Marc Gorelnik: [00:02:36] I'll give Sandra an opportunity to record that. Did Sandra capture that correctly for you?

Briana Brady: [00:02:48] Yes. Thank you.

Marc Gorelnik: [00:02:49] Is there a second? Bob Dooley second. Please speak your amendment.

Briana Brady: [00:02:54] I believe we've laid out the reasons. It's based mostly on the workload and giving the team time to actually consider this further.

Marc Gorelnik: [00:03:02] Is there any discussion on the amendment? Phil.

Phil Anderson: [00:03:08] I would speak in opposition to the amendment. I think pushing this out a year before we take this up again is longer than I am comfortable with. I think having.... getting the team to give us some initial responses in April, if it were June I'm fine with that too, but just we're asking them in the motion I think we're trying to we're asking them to give us some feedback on the purpose and need. We're asking them to draft a process and timeline for consideration. I think that maybe the drafting of the process and timeline like might, given the workload that they have, might take a little bit longer so a June delivery of that piece I think could be acceptable but I am uncomfortable with pushing this out 12 months.

Marc Gorelnik: [00:04:08] Is there further discussion on the amendment? I'll call the question all those in favor say Aye. Opposed. No?

Group: [00:04:18] No.

Marc Gorelnik: [00:04:19] Abstentions? Amendment fails. Who were the No votes? Who were the Aye votes raise your hands please? Further discussion on the motion? Phil.

Phil Anderson: [00:04:52] I would move to amend, I think it's 2A and change April to June.

Marc Gorelnik: [00:05:14] Is there a second to this amendment? Brad Pettinger second. Please speak to your amendment if necessary.

Phil Anderson: [00:05:25] I think we've discussed the workload of the team and I think we've had some further deliberation or clarification of what the expectation is under 2A so.

Marc Gorelnik: [00:05:38] Is there any discussion on this amendment? Frank?

Frank Lockhart: [00:05:42] Just you said 2A and isn't it 4A?

Phil Anderson: [00:05:49] Okay 4A. It's properly worded on the screen and placed in the appropriate place.

Marc Gorelnik: [00:05:58] Any further discussion on this amendment? All right. All those in favor say Aye?

Group: [00:06:04] Aye.

Marc Gorelnik: [00:06:04] No? Say no. I think we need a roll call or people are just tired because it's lunchtime already and they don't have the energy to.....so I'll ask the Executive Director to call the roll here so we can get a clear vote.

Chuck Tracy: [00:06:22] Thank you Mr. Vice Chair. Craig I'll be working from a voting sheet number one, and we will start with Caren Braby.

Caren Braby: [00:06:37] Aye.

Chuck Tracy: [00:06:38] Herb Pollard.

Herb Pollard: [00:06:38] Aye.

Chuck Tracy: [00:06:41] Rich Lincoln.

Rich Lincoln: [00:06:42] No.

Chuck Tracy: [00:06:43] Louise Zimm.

Louis Zimm: [00:06:45] Aye.

Chuck Tracy: [00:06:47] Briana Brady.

Briana Brady: [00:06:48] Aye.

Chuck Tracy: [00:06:51] Christa Svensson.

Christa Svensson: [00:06:52] Aye.

Chuck Tracy: [00:06:54] Brad Pettinger.

Brad Pettinger: [00:06:55] Aye.

Chuck Tracy: [00:06:55] Pete Hassemer.

Pete Hassemer: [00:06:58] Aye.

Chuck Tracy: [00:07:00] Michele Culver.

Michele Culver: [00:07:01] No. **Chuck**

Tracy: [00:07:01] Bob Dooley. **Bob**

Dooley: [00:07:10] Aye.

Chuck Tracy: [00:07:10] Frank Lockhart.

Frank Lockhart: [00:07:11] Aye. **Chuck**

Tracy: [00:07:14] Phil Anderson. **Phil**

Anderson: [00:07:15] Yes.

Chuck Tracy: [00:07:18] Mr. Vice Chair the motion passes.

Marc Gorelnik: [00:07:21] All right. Thank you. Is there any further discussion on the motion as amended? Briana? Frank Lockhart?

Frank Lockhart: [00:07:33] Just clarifying the numbers two, well number one is sort of starting this process off and four have some specific directions to the MT as just amended. It seems like number two and number three are more, they're just general guidance it's not precluding other

things being considered as far as number two and number three it's it's it's just without stating a particular outcome it's asking the SSC to periodically review, but I guess I'm just.....what would be the effect if this is approved on number three it in the motion maker's mind it would....would it set since they referred to kind of a biennial process and that report is that with the effect that this is at the SSC would review biennially....bi-ennially? CPS data or what would be the effect of that?

Marc Gorelnik: [00:08:32] Michele.

Michele Culver: [00:08:36] Thanks. Well I. I said periodically. So I didn't specify how how often. I appreciate what's in the SSC statement but it doesn't preclude the SSC, the team and the advisory sub panel from weighing in on what an appropriate timing for that review should be.

Marc Gorelnik: [00:09:08] Frank.

Frank Lockhart: [00:09:08] So It's not....It's just asking, this decision, the period would be decided at some point in time in the future.

Marc Gorelnik: [00:09:17] Michele.

Michele Culver: [00:09:17] Yes.

Marc Gorelnik: [00:09:19] Any further discussion on the motion as amended? Pete.

Pete Hassemer: [00:09:22] Thank you Mr. Vice Chair. Can you...Sandra can you scroll down to the bottom before I ask my question. It may be just clarification from the maker of the motion, we're asking and be asking the CPSMT to consider workload associated with retaining the flexibility, maybe it's just clarification on intent what the management team would be bringing back to us because it's retaining flexibility.

Marc Gorelnik: [00:10:00] Michele.

Michele Culver: [00:10:01] Thanks. So all all of Number four pertains to the CPSMT and in Item A we're asking them to provide their feedback in a draft process and timeline for this, for this process that we're proposing. So in developing that process and timeline I'm expecting that they would assess their workload, and developing the timeline that they would be bringing items back to the council for consideration. So in order to assess their workload, in B I'm proposing that, that when they look at what kinds of changes would be needed to the FMP, which would determine how much of a workload this would entail, those changes to the FMP are as described in one and two. There would be changes that are to the FMP structure and language that clarify the description of the management strategies and also retain the flexibility for the Council to consider revising our management strategies for a stock through a routine process, so they would need to a craft language that ensures that there would be a routine process, and I have listed an example of like a regular specifications and management process, so that if the Council wanted to revise the management strategies for one of our CPS stocks we wouldn't have to go through an FMP amendment every time to do it.

Frank Lockhart: [00:12:02] Thank you.

Marc Gorelnik: [00:12:03] Does that answer your question Frank?

Frank Lockhart: [00:12:05] It did.

Marc Gorelnik: [00:12:06] Briana.

Briana Brady: [00:12:09] I am unsure of process. I do have another amendment to the motion.

Marc Gorelnik: [00:12:16] Okay. Please go ahead.

Briana Brady: [00:12:19] Sandra if you wouldn't mind please scrolling up. If you if you would please add the following to number one. The intent of this process is to clarify terminology in the FMP and make it consistent with other Council FMP's but not to change the overall management framework for CPS stocks.

Marc Gorelnik: [00:13:22] Briana does that read as you wish it to read?

Briana Brady: [00:13:25] Yes it does.

Marc Gorelnik: [00:13:28] Is there a second? Seconded by Louis Zimm. Please speak to your amendment.

Briana Brady: [00:13:35] Thank you. In asking Michele for clarification on the intent of this motion I just think given all of the discussion that we've had in public comment that it's really important that we have this on the record and so that it's not misconstrued as we move forward through this process.

Marc Gorelnik: [00:13:55] Thank you. Is there discussion? Phil.

Phil Anderson: [00:13:59] Kind of a question. So does that, would that indicate that it would preclude changes, for example, in the way that we review harvest control rules versus what we do now?

Marc Gorelnik: [00:14:21] Briana.

Briana Brady: [00:14:23] I don't believe so. I'm not sure exactly where you're going with that.

Phil Anderson: [00:14:28] Well I'm going where we have some, we have in some cases default control rules that aren't regularly looked at by the SSC for an example, under monitored..... under the monitored category and does, would this language in the amendment preclude considering changing that particular parameter?

Marc Gorelnik: [00:14:59] Briana.

Briana Brady: [00:14:59] Thank you for the question. I don't believe so.

Marc Gorelnik: [00:15:07] Any....Rich Lincoln.

Rich Lincoln: [00:15:10] Thank you Vice Chair. Well Briana I guess it would help me to understand just to follow up to Phil's question perhaps as I'm not sure what you might mean by no change to the overall management framework is a fairly comprehensive statement, so I'm not clear what the....how you would define that? What what is it that we're, we're not changing?

Marc Gorelnik: [00:15:34] Briana.

Briana Brady: [00:15:41] Thank you Rich for that question. When I asked Michele what she meant with the intent of this motion it was that we were going to consider removing the names 'active' and 'monitored', and that's the clarity that I seek in this motion that we will not be moving forward with changing.... I guess that if we were going to make the changes Phil was speaking to then we would need a more extensive FMP amendment process than what we're embarking upon right now. So just to clarify that we're only looking at the names at this point and trying to remove those.

Marc Gorelnik: [00:16:34] Michele.

Michele Culver: [00:16:36] Thanks. So given the, the scope of the notice for this agenda item, I tried to characterize the Council's, characterize the motion under items one and two in particular of the Council consideration of a process rather than defining exactly the full scope of the action, of the proposed action down the road, and so I am assuming that the process to remove these management unit species categories would entail an FMP amendment, and as such the Council would, at a future point, after we get the feedback from the team on the process and timeline, the Council would schedule scoping, identification of a range of alternatives, analysis of those alternatives, and so I wasn't trying to fully define the scope or limit the scope at this point but simply indicate that it's the Council's intent to consider this process so that we are moving forward, and then relative to the the intent of the process, which I think the amendment is is trying to address, I tried to capture that in the draft purpose and need statement as to the intent of this process is to provide clarity, promote consistency with the FMP, define what our management strategies are for the CPS stocks, so I thought that intent was captured in the draft purpose and need.

Marc Gorelnik: [00:18:46] All right thanks Michele. Any further discussion on the amendment? Seeing none I'll call the question. All those in favor say Aye?

Group: [00:19:00] Aye.

Marc Gorelnik: [00:19:00] Opposed. No?

Group: [00:19:01] No.

Chuck Tracy: [00:19:03] Mr. Vice Chair I had three 'yay's'.

Marc Gorelnik: [00:19:06] Any Abstentions? The motion...the Amendment fails. Any further discussion on the motion as amended? Frank.

Frank Lockhart: [00:19:23] Just to follow up on this. I think you know I am interested, I like what Michele said about her purpose and need statement. I would be interested in the CPSMT considering kind of when they look at this, a range of potential changes from very minimal changes to the overall framework to maybe more substantive changes so I think we can get at what Briana was talking about with that kind of general guidance, so but anyway no no further comments here.

Marc Gorelnik: [00:19:55] Louise Zimm.

Louis Zimm: [00:19:57] Thank you Mr. Vice Chair. I am, I am loathe to make large and substantial changes to our management process in just one meeting, and so I support what Mr. Lockhart says

that I think we really need to consider general guidance here. You may have noticed that I actually did not vote on the last, on the last amendment because I was trying to think of a good process to do this. I wasn't sure whether this amendment was the way to do it but I am very concerned that in one meeting we could change what would be a very important consideration. I do not feel well enough informed. I've been approached by various people on this. I see merit in all the proposals but I not yet ready to decide. Thank you.

Marc Gorelnik: [00:21:11] All right. Chuck.

Chuck Tracy: [00:21:13] Thank you Mr. Vice Chair. Mr. Zimm that, this agenda item was not noticed to accomplish something as extensive as that and I won't repeat what Miss Culver stated because it was pretty much exactly what I was going to say, but we do have a process that in order to make changes like that through the amendment will require a scoping meeting, adoption of a purpose and need, development of, you know all of that, all those steps that are yet to come, so yeah I'm not concerned about changing, making large management changes here at this one meeting. That's not how this agenda item was set up and that's not the process the Council goes through.

Marc Gorelnik: [00:22:00] Alright. If there's no..... Michele.

Michele Culver: [00:22:02] Thank you. I was just going to indicate that I also agree with what Mr. Lockhart said and noted that in the team presentation they indicated a range that had an FMP amendment at one end of the spectrum and the other in changing the description of the categories is not necessarily requiring an FMP amendment, so I'm looking for the team again to do that exploration, assess their workload and give us some feedback which may include more than one process.

Marc Gorelnik: [00:22:35] Thank you Michele. If there's no further discussion I'd like to call the question. All those in favor say Aye?

Group: [00:22:41] Aye.

Marc Gorelnik: [00:22:43] Opposed. No? Any abstentions? Motion passes unanimously as amended. Is there any further action from the Council on this agenda item? Looking around the table I see no hands but that doesn't mean someone didn't raise their hand and didn't see it. Kerry?

Kerry Griffin: [00:23:09] Yes. Thank you Mr. Vice Chair. And thank you for the discussion. It's always very helpful to iron out these details now when everybody's in the room and on the record rather than trying to backfill intent and things like that, so I appreciate the questions and the discussion. So I was trying to follow along with the amendments and the date changes and all that and so correct me if I get anything wrong but it seems like the upshot, the outcome of this is that you will see a report from the CPS management team that basically scopes out in a, you know informal small-esque scoping way, various ways and maybe avenues to get at some of the changes to the CPS..CPS FMP. Some of those might involve an amendment process, some of those might not, but...and that would be in April right? We ended up on April, June? Thank you. Okay so June then I think you could expect a report from the team, and I was...during the discussion I was thinking back to the most recent amendment process, amendment 17, where last April the Council asked the management team to come back in June with some ideas and a draft purpose and need statement, and at that meeting the Council said yes we do want to initiate an amendment process and at that point set out a schedule and adopted, you know, a plan for moving forward and then in this meeting you took final action, so in general terms I see it as something like that, so the next step

will be in June to see some ideas and options from the management team.

Marc Gorelnik: [00:25:01] All right. I think that's correct. All right Kerry thanks very much. So I think that concludes this agenda item.

6. Stock Assessment Prioritization Process

Part 1

Marc Gorelnik: [00:00:00] That concludes public comment on this agenda item. Kerry do you want to remind us of our task here?

Kerry Griffin: [00:00:10] Sure. Thank you Mr. Vice Chair. It's up on the screen. Consider and discuss potential approaches to CPS stock assessment prioritization and provide further guidance as necessary, so this is a discussion and guidance action under this agenda item.

Marc Gorelnik: [00:00:28] Thanks. We'll now return to Council discussion. Phil.

Phil Anderson: [00:00:47] Could someone help me with what happens if we do nothing in terms of how determinations are made, in terms of which of the five stocks are going to be and assessments and what sequence and how it is that....how does that Council or does the Council have the ability to comment on those decisions during our, with our current process if we have a process.

Kerry Griffin: [00:01:27] Sure. Thank you. I can take a swing at that and maybe others can fill in. Our current process is somewhat ad hoc but the, the CPS management team, part of.... one of their functions is to make recommendations on management measures and in my view on which stocks should be prioritized for the next stock assessment, but also what we have in our COP's is that that the two active category stocks, mackerel and sardine, are required to be assessed essentially annually and with annual management measures assigned in them. In the monitored category they're still managed stocks but they're categorized as monitored. There's no set schedule and there's no set requirement, so at the risk of stating the obvious that's a big reason why we're we're in this, you know, discussion right now, so if we did, if the Council did nothing there we would continue looking at the COP's depending on the management team to make recommendations, but also, you know there's a couple of Council meetings coming up in April and then again in June where you're going to hear related, you know, options for for moving forward in various types of CPS management. They're not specific to stock assessment prioritization but that's sort of, that's that's my take on it right now.

Marc Gorelnik: [00:03:06] Phil.

Phil Anderson: [00:03:08] So if we've, by virtue of the categories, setting up the categories in the two stocks that we have in the active category which therefore requires assessments every year and if the capacity of the National Marine Fisheries Service Science Centers to only do two assessments a year, does that put us in the position where the other three are never going to get assessed?

Marc Gorelnik: [00:03:32] Kerry.

Kerry Griffin: [00:03:33] Yeah. Thank you. I think that's a really excellent question. I don't think that is necessarily true, and also the the Southwest Fisheries Science Center and other partners have made a lot of progress in maturing the acoustic trawl survey. There was a methodology review meeting last year and the survey was approved for a much broader range of stocks and other sort of nuances such as absolute estimates versus relative abundance estimates, but but it has.....it used to be approved basically just for sardine, but it has a much wider opportunity to be used potentially for assessments of other stocks. So, so while there is no sort of hard firm

dead.....or, you know schedule for assessing those monitored stocks, the science is developing and maturing and you've heard from this Southwest Science Center on you know steps they've been taking to move forward, and again in April you'll hear more on that specific to the central sub population of Northern anchovy.

Marc Gorelnik: [00:04:46] Thanks Kerry. Herb.

Herb Pollard: [00:04:47] Thank you Vice Chair Gorelnik. One, a couple thoughts, one is that the formal process for prioritization really doesn't apply to these five stocks I don't think. I think it would be cumbersome and I don't think it will get us any place and I agree with the advisory bodies. The other thought is that with the refinements in the ATM and we we've seen it get better or at least produce what seemed to be credible estimates now improving every year and with the sail drone and some of the other inshore surveys, we're going to have credible estimates of the total abundance and hopefully age structure population structure, and as that information becomes available, you know in essence that is a stock assessment for all five species, and it seems like the updates are based on whom we can get that data from the ATM survey and the the Council right now doesn't need to prioritize that other than to encourage the continued refinement and conduct of these, the ATM and inshore surveys.

Marc Gorelnik: [00:06:20] Thanks Herb. Further discussion? Any guidance? Michele.

Michele Culver: [00:06:34] Yes. Thank you. I have a motion to offer for the Council's consideration.

Marc Gorelnik: [00:06:42] Please go ahead.

Michele Culver: [00:06:44] I move that the Council, one, implement a stock assessment prioritization process described in agenda item E6a CPSMT Report 1 as an interim process until an improved process can be developed reviewed and approved by the Council. Number two, include an opportunity for Council, SSC, CPSMT, CPSAS and public input through the process as well as Council adoption of stock assessment priorities. Three, direct the SSC, CPSMT and CPSAS, consider input from the Southwest Fisheries Science Center relative to the appropriate cycle, i.e. annual or biennial, and timing, and provide their recommendations to the Council in June of 2019. Four, as a priority, direct the SSC to review and evaluate the quantity and quality of data to support a stock assessment for the central sub stock of Northern anchovy and provide their recommendation to the Council in June of 2019.

Marc Gorelnik: [00:07:56] Michele does that accurately capture your motion?

Michele Culver: [00:07:58] Yes.

Marc Gorelnik: [00:07:59] Is there a second? Rich Lincoln. Please speak your motion.

Michele Culver: [00:08:06] Yes. Thank you. I also think that the national prioritization process likely has a lot more than what is needed to prioritize the CPS stocks, but I think we gave the science center, the SSC, the team and the advisory sub panel an opportunity over the course of five or six months to develop a process and bring that to us for consideration and that is what they brought to us. So I agree it's not ideal. I think what they have reflected in their report is a much smaller table, much shorter set of questions than what the Council considered through our groundfish stock assessment prioritization process, and I would encourage them to work on

something that's improved, something that's lighter for the Council to consider to use in its place as we move forward, but I don't want to hinder the process of us being able to move forward and consider these five stocks, and if in order to do that we need to look at the table they provided with scores for those five stocks and receive a presentation about that and have a discussion about that, I don't think that's necessarily onerous for the the Council process. I do think it is important for the Council to have an opportunity to weigh in and make a decision on what our stock assessment priorities are, and I think it's important that we do that in a comprehensive manner. So right now we receive the stock assessment on sardine at one meeting, we'll receive the assessment on Pacific mackerel at a different meeting and we don't ever have a conversation of all five stocks together and what our priorities are and what the status is of the quantity and quality of the data that are available, and I think it's important for us to have a comprehensive look at those stocks. I also agree with Dr. Hill from the Science Center that that, that should not be done in a vacuum and have noted that on the NOAA website for stock assessment prioritization for the national prioritization process, in their first paragraph if you will, their purpose and need for a prioritization process, they state "we need an objective and transparent process to prioritize stocks for assessment", and that is what I am proposing for the Council, so I don't think we necessarily need to go through all of the scoring and everything that's laid out in the national process, but I do think that the Council needs an objective and transparent process in place and I feel like we don't have that now. So I'm looking for an opportunity for the Science Center, the SCC, the management team and the advisory sub panel and the public to provide their input to the Council and for the Council to offer our thoughts on what stock assessment priority priorities should be, and I think if in the case of some of these stocks if we're lacking data, we're lacking survey information or fishery independent information, I think that helps us coalesce on getting that information and getting it directing some funds and and getting that done in the right way. I am not.....It's not clear to me whether what the limiting factor is for all five of these stocks. I don't know if we are struggling with quantity and quality of data for those monitored stocks. If we're struggling with lack of stock assessment resources. If we only have a finite individual for a stat team and he's busy doing either sardine or mackerel in a given year and we don't have any other stock assessment authors available to us to help us with this, so I would like to get a better understanding of what the limiting factors are, and if we collectively can find a way to improve our knowledge of the status of the stocks that we're managing, I think that's that's to a benefit for all of us. For items three and four, I am asking that the SSC team and advisory sub panel discuss what an appropriate timing and cycle would be with the Science Center, get a better understanding of what are the limiting factors and the availability of staff resources to do the stock assessment prioritization process, and then specific to the central sub stock of Northern anchovy just picking up on the SSC's statement about there could be sufficient data available, and that according to Kerry we should be hearing more about that in April, so I'm just asking for them to do an assessment in terms of what they believe the quantity and quality of that data is relative to do, using it for a stock assessment which has been done but it's it's been done a long, long time ago.

Marc Gorelnik: [00:14:20] All right. Thank you Michele. Other questions from the maker of the motion or discussion? Louis Zimm.

Louis Zimm: [00:14:28] Thank you Mr. Vice Chair, and thank you very much Miss Culver for your submittal here and it's just a question of clarification. You refer to implementing stock assessment prioritization process described an agenda item E6A. Is there some way that you could just point me to the paragraph so I make sure that I know what I'm talking about here. Can you do that or can you get assistance to do that because I'm scanning real fast and my speed reading capabilities are not up to the test.

Marc Gorelnik: [00:15:08] Michele.

Michele Culver: [00:15:09] Thank you. Are you....you're asking with in the CPSMT Report 1?

Louis Zimm: [00:15:15] That's Correct. Yes.

Michele Culver: [00:15:17] So I'm referring to the process that's displayed in figure one of CPSMT Report 1, which is referred to at the top of page three, that paragraph there.

Marc Gorelnik: [00:15:35] Thanks for that Michele. Any....Phil, go ahead.

Phil Anderson: [00:15:39] Thanks. Thanks for the motion, and I generally agree with the direction and the intent. My question is similar to Mr. Zimm's, the implement a stock assessment described in this team's report, and when I read the verbiage in the report it looks like this was a, kind of a straw person, I think is the correct term, straw person example that, and they noted that should that the Council desire to move ahead they could take a closer look, blah, blah, blah. So I'm just, I didn't I guess I wasn't, I didn't interpret from the team's report that this was a prioritization process that was fully vetted or discussed or developed such that we could implement it but, so that was my only question, two, three and four, parts two three and four, the motion look good. I'm just wondering if if asking the team to complete their thought process in terms of this this approach that they laid out in what I'll characterize as an example in this figure one might be an approach.

Marc Gorelnik: [00:17:17] Michele.

Michele Culver: [00:17:19] Thanks. So yes I am expressing some frustration because I believe we've had this discussion for over a year now and that culminated in the motion that passed unanimously in April that gave direction to the Science Center, SSC, team, and advisory sub panel. It was a request to the Science Center, it was a direction to the advisory bodies, but for them to develop a process and bring that back to us for consideration at this meeting, we have what they presented. I don't really have any faith that sending them back to bring us a different rock is gonna give us a rock that we like better than the one that we have here. So I'm prepared to use what they've given us. This is, this is the rock they gave us and if they think this is fulfilling the direction from the Council then I think that's what we should use until they come up with something better for us to use. I think we did hear from the SSC that, that they thought there was something better. They don't know what that is, but they think it's...there is something better that could be developed, so hopefully something will materialize that we can consider to use in place of this one.

Marc Gorelnik: [00:18:59] Thanks Michele. Do you have a follow up to that Phil?

Phil Anderson: [00:19:01] I do. I understand and appreciate the frustration that you expressed but I just want to go back to figure one, one more time at the bottom it says example of CPS score sheet based off NMFS prioritization work book, so if this motion were to pass would we be using the the rating categories that are in figure one as a means to prioritize future CPS stock assessments?

Marc Gorelnik: [00:19:42] Michele.

Michele Culver: [00:19:44] Yes.

Phil Anderson: [00:19:45] Thank you.

Marc Gorelnik: [00:19:46] John Ugoretz.

John Ugoretz: [00:19:48] Thank you Mr. Vice Chair and thanks Miss Culver for the motion. I understand your frustration and I can see that the products we received from the SSC and MT were not what you were anticipating in the previous motion. Similar to the chair's comments, I would point out that the management team specifically states that this framework will likely not result in a prioritization, and so I think using it is somewhat foolhardy and a waste of their time and our time because we will have to then sit down and listen to them tell us what they've already told us and become more frustrated. I think there is a clear desire among the Council to prioritize these fisheries for stock assessments and what we are hearing from the teams and the, and the science and statistics committee that it is a policy decision and perhaps the Council should just make that decision. I see in your number four, a prioritization and I would say that I'm okay with number four. I'm not okay with the rest of the motion.

Marc Gorelnik: [00:21:18] Caren.

Caren Braby: [00:21:18] Thank you Mr. Vice Chair. I have similar thoughts. I am feeling like what we're talking about is not a prioritization process but establishing a calendar, establishing a schedule. We're talking about three stocks that aren't scheduled for stock assessment where we have a calendar for sardine, we have a calendar for mackerel, so let's set the order with which we want to address the other three now and and move on. I think is kind of where I am, so I think that you're, to the maker of the motion, Michele I think number four is, you know a great place to start, that is clearly where a lot of the concern is and either establish where we want to go after that right here and now and, and move forward until there is a better prioritization process that's presented, or challenges with meeting the schedule are presented to the Council, I think that that would be an appropriate way to move forward and I appreciate your calling out the process to have Council, SSC, management team and the AS input on that and I think we will have that built into feedback that that, that we get on the stock assessments themselves. I also appreciate the, the direction on number three on thinking about whether these assessments should be annual or biennial. So I'm...I support the intent of two, three and four essentially, it's number one that I'm I'm having a struggle with in taking something that isn't, isn't ready and isn't well designed for our needs, and because we have such a small number of stocks, I think it's within our reach to just set a schedule and do it.

Part 2

Michele Culver: [00:00:01] Thanks, and so I'm not sure how familiar you are with the groundfish stock assessment prioritization process, but as part of the process we look at all of the stocks. We get a assessment from the Science Center about how many they can do, which ones they can do as full assessments, how many updates they can do, and that's driven by staff resources and star panel scheduling and so on. So I'm looking for a process that considers all five stocks together because I do think that there are tradeoffs and the Council needs to talk about if we want to have an assessment on anchovy, can we still have an assessment on sardine and mackerel in that same year, or are we willing to prioritize anchovy and perhaps delay mackerel for a year as an example, but I think unless we look at all five at the same time. That's what I mean by a process. We currently don't even look at sardine and mackerel at the same time, so here we we want to look at sardine and mackerel plus three, the other three monitored stocks, and so that's what I'm proposing with number one, that we have a discussion that looks at all five at the same time, we understand what the tradeoffs, what the limiting factors are and if we have sufficient data to assess three of the stocks, then I would like to hear from the Science Center on what they have for staff resources and we can talk about which ones we may want to assess this coming year versus which ones could wait until the next cycle. So that's what I'm proposing be in place with number one. I also agree that it is a policy decision but I believe it's a policy decision for the Council to make and I'm looking for the Council to get input from all of its advisory bodies and the public. I agree the table is not ideal but it is what we have, and on reflection of our previous motion perhaps we should have said give us your best process instead of just a process, but it's what they presented to us and I think we could come up with a sense of priorities in terms of the, across the five stocks, about which ones we want to see assessed in the next cycle and which ones could wait for future cycles with that information.

Marc Gorelnik: [00:02:56] Frank.

Frank Lockhart: [00:02:58] Given the recent questions and comments I....maybe I'm not reading it the same way that other people are, but I guess thank you for that explanation, and so the way I was reading this is that yes use the table, provide an opportunity for everybody to comment and provide their input and then come back in June with recommendations using that table, then the Council would make a decision. Is that the intent of the motion?

Michele Culver: [00:03:24] Yes, and if they come up with something better between now and June, bring that in June.

Marc Gorelnik: [00:03:32] Further discussion on the motion? John Ugoretz.

John Ugoretz: [00:03:38] Thank you Mr. Vice Chair, and while I appreciate Michele you're, you're linking this back to groundfish and comparing it. This is not groundfish. This is five stocks, two of which have limited data to the point that they cannot be assessed as we heard from Dr. Field. So we have three stocks and one, we have clearly heard a desire to be assessed, which you have indicated in number four in your motion that, that reflects that desire. I just think we are spinning our wheels to ask for an arbitrary process that was given as an example and stated not to be useful. So again I would suggest that the better use of our time, the public's time, the team's time would not be to work on that table but rather do the things in number four that are important and perhaps as Miss Braby mentioned there is some value to looking at number two and number three.

Marc Gorelnik: [00:04:56] Further discussion on the motion? I don't see any raised hands. Shout if I missed you. Phil.

Phil Anderson: [00:05:08] Well. I will again say that I agree with where Michele is trying to go. I do think we need a process to prioritize stock assessments albeit it doesn't need to be anything like the one we use for groundfish and if that causes you concern Mr. Ugoretz to compare it to groundfish, so be it but I don't think Michele is suggesting that we do something that is comparable to groundfish except that we do have a process for groundfish for prioritization that includes an opportunity for the SSC, the team, the GAP, the management team, to comment and I think that's what is trying to be captured, and number two that we, have we should have a....number one we should have a process, number two it should include those, that opportunity that it be a Council action which is a policy call which is included in the last phrase under number two, and and then the the additional value that I believe would come from number three in helping us make that decision. We know that there, are there are among those stocks there's probably two that they're going to say we can't can't do it, and so they they're going to be on the bottom of the priority list, you know, so it's....but the way we're setup right now is we don't have a process. It's not a, it's not being decided by the Council as a policy call. We're we're in.....and we don't have a process by which to make that decision, and so I think...all, all the motion is trying to do is to set that up. As I said in my initial comments, number one is, I think is a problem because we don't have a, you know, this this was an example of how you might do it, and I suspect that if we...if the team thought we were going to use it there, there would have been some additional thought and it might look a little bit different, and I'd like to give them the opportunity to do that even though it might be a second bite at the apple that we were hoping to get in the first bite, so you know this....I'm quite sure if when you call for the vote on this motion it's going to go down, that'd be my guess from the conversation around the table primarily because a number one I think. There are others who don't agree with two and three and they've expressed that, but I think that's the primary issue here, but I don't.....my sense is also, well is that having some sort of a, of a, what I'll call an abbreviated or a light process, in comparison to what we do for groundfish, is is a good step for this Council to take so....

Marc Gorelnik: [00:08:33] All right thanks Phil. Michele.

Michele Culver: [00:08:38] Thanks. I appreciate the comments and I guess I would just again restate that I I think if this motion were to pass they are getting a second bite at the apple. It is....I'm characterizing it and number one that it's an interim until they can develop something that's better, and they're not coming back to us on this until June after they talk about what the appropriate timing and the cycle should be, and I think that gives them an opportunity to come up with something better to present to us in June that's a more fully flushed out process that includes the cycle and timing than what we see in their report here. I just don't want to come to June and they don't have anything better and we are not in any better position than we are right now.

Marc Gorelnik: [00:09:32] All right. Thanks for the Michele. Caren.

Caren Braby: [00:09:36] Clarifying question. So, so number one, if if they come back with a process that's entirely different from this table, that would meet the intent of your motion?

Michele Culver: [00:09:50] Yes.

Marc Gorelnik: [00:09:51] Michele.

Caren Braby: [00:09:52] No approval from the Council. It would just be at the June meeting.

Marc Gorelnik: [00:09:58] Michele.

Michele Culver: [00:10:00] I'm sorry I don't follow that that question.

Marc Gorelnik: [00:10:07] Caren.

Caren Braby: [00:10:07] You don't expect any interim input to the process between now and June?

Marc Gorelnik: [00:10:13] Michele.

Michele Culver: [00:10:13] Thank you. No. So under the last agenda item I mean we had a discussion about how subscribed the process was for April and so we delayed that until June. So I saw June as the earliest opportunity we would talk about this again.

Marc Gorelnik: [00:10:33] Pete.

Pete Hassemer: [00:10:33] Thank you Mr. Vice Chair. I'm just thinking about what most of America will be doing tomorrow. I'm going to speak in favor of the motion. Just very briefly I understand there's five stocks, we don't need a complex process, but I see the outcome of this is we're going to get a prioritization. We may use it only once but it moves us down the road and gives us a place to start from.

Marc Gorelnik: [00:10:57] Thanks for that. All right I'm gonna call the question of the motion all those in favor say Aye.

Group: [00:11:03] Aye.

Mark Gorelnik: [00:11:04] Opposed? No?

Group: [00:11:06] No.

Marc Gorelnik: [00:11:07] Well I think we're gonna need a roll call. Mr. Tracy.

Chuck Tracy: [00:11:10] Yes. Thanks. Craig be working from roll call sheet number two. Council members please indicate your vote as I call your name. Miss Michele Culver.

Michele Culver: [00:11:26] Yes.

Chuck Tracy: [00:11:28] Christa Svensson.

Christa Svensson: [00:11:29] Yes.

Chuck Tracy: [00:11:32] Herb Pollard.

Herb Pollard: [00:11:35] Yes.

Chuck Tracy: [00:11:35] Frank Lockhart.

Frank Lockhart: [00:11:36] Yes.

Chuck Tracy: [00:11:37] Bob Dooley.

Bob Dooley: [00:11:40] No.

Chuck Tracy: [00:11:40] Rich Lincoln.

Rich Lincoln: [00:11:41] Yes.

Chuck Tracy: [00:11:43] Brad Pettinger.

Brad Pettinger: [00:11:44] Yes.

Chuck Tracy: [00:11:45] Louis Zimm.

Louis Zimm: [00:11:46] No.

Chuck Tracy: [00:11:48] John Ugoretz.

John Ugoretz: [00:11:50] No.

Chuck Tracy: [00:11:51] Pete Hassemer.

Pete Hassemer: [00:11:52] Yes.

Chuck Tracy: [00:11:54] Caren

Braby. **Caren Braby:** [00:11:55] Yes.

Chuck Tracy: [00:11:57] Phil Anderson.

Phil Anderson: [00:11:57] Yes.

Chuck Tracy: [00:12:00] Mr. Vice Chair the motion passes.

Marc Gorelnik: [00:12:02] Thank you. Thank you very much. All right with that motion having passed let me ask if there's any more business on this agenda item from the Council? I....Phil.

Phil Anderson: [00:12:17] I just wanted to.....we had some discussion on...and on this piece in the language that we had just adopted. I didn't necessarily make that clear but it is the understanding that the management team between now and June could take this as an opportunity to further refine what they have provided us in their report at this meeting and that would come back to the Council for further deliberation at the June meeting, and so in terms of guidance I just wanted to reiterate that and see if there was a general understanding that, that would be what would be expected of the team.

Marc Gorelnik: [00:13:18] Well Caren and then Louis.

Caren Braby: [00:13:22] That's that's my understanding and I I also understand that it is potentially as formal as this spreadsheet or could be less formal.

Marc Gorelnik: [00:13:40] Louis.

Louis Zimm: [00:13:40] I would like.....thank you Mr. Vice Chair. I would like to support Caren's statement there that if the CPSMT can come up with an improved process I would encourage that, and I think that's all of ours intent. I just would like to make it clear that's my intent and I want to see if we all kind of agree with that....that. I'm sorry that this example that we have here may not be optimum and I'm sure that the CPSMT people are very sharp and and may well save us with coming up with something that's very good.

Marc Gorelnik: [00:14:35] Well we have a motion that has passed to specifically refers to that report and the table in it, so I think that the notion that we, they could adopt a different simplified process I think would be contrary to the motion that's passed, so I don't know whether that may be your intent and the intent of others, that's not what's in the motion, and that's not going to be the direction to the management team. Phil.

Phil Anderson: [00:15:09] Well this this agenda item included provide further guidance as appropriate. We had a discussion during the debate around the motion and specific to number one. My effort was to try to ensure that we are on the same page in terms of what the guidance was beyond what was in the motion itself. We do have a motion. It's passed. That's what's there. I was simply going a step, the next step, which was to clarify as needed, what the...what would be asked of the team.

Marc Gorelnik: [00:15:56] Caren.

Caren Braby: [00:15:56] Thank you and Mr. Vice Chair and Council members. That was the intent of my asking questions of the maker of the motion during consideration of that motion was that something that was not like the description in number one, if that came back to us in June that, that would be acceptable and consistent with the maker of the motions intent, and so I think that we, I voted on that motion with that answer in mind that, yes, that would satisfy the intent of the motion, so I think regardless of, of the language there I think Council discussion on the motion supports either a formal adherence to number one or something different that has not been considered by this Council between now and June, could come back in June and would be consistent with our direction today.

Marc Gorelnik: [00:16:56] Okay so I guess what I'm hearing is that the Council, and I'll look for a nod of heads, is giving the management team license to simplify the process or to otherwise change. If they're not, they don't have to slavishly follow the table that was in their report. Is that correct? I don't see any contrary views. Phil.

Phil Anderson: [00:17:18] I would just say refine and improve as appropriate.

Marc Gorelnik: [00:17:21] Okay. Does anyone think we need s motion on that or Kerry do you think you can capture that?

Kerry Griffin: [00:17:31] Thank you Mr. Vice Chair. Yes I think so. I appreciate the conversation and the guidance.

Marc Gorelnik: [00:17:37] All right. Is there any further guidance the Council would like to provide under this agenda item? All right Kerry how are we doing.

Kerry Griffin: [00:17:51] Thank you Mr. Vice Chair. I believe if there's no other further guidance from the Council then that concludes your business for this agenda item.

Marc Gorelnik: [00:18:02] All right. Thank you. That concludes agenda item E6.

F. Pacific Halibut

Part 1

Phil Anderson: [00:00:01] When we broke to take our lunch break we were dealing with our halibut agenda item and we had worked through the various reports and had a discussion with the IPHC. Steve was here to help us talk about the directed fishery piece, so we have our action yet to do and that would be to consider any changes to our catch sharing plan, and then any additional conversation we want relative to the propose.....to the proposals that are out there relative to the directed fishery, and then I would like to take a few minutes just to talk about organization leading between here in the interim and the annual meeting to make sure we're....we have our halibut management entities properly coordinated and set up some communication opportunities for us. So I'd like to deal with the catch share plan issues first. Michele?

Michele Culver: [00:01:21] Thank you Mr. Chairman. I have a motion. I move that the Council adopt the following changes to the catch sharing plan. Number one, for the Columbia River sub area, revise the CSP to describe that the Columbia River season opening date would be determined through consultation between the Washington and Oregon Departments of Fish and Wildlife in time for final action at the Council's November meeting. Revise the CSP so that the season is open two days per week based on a combination of Thursday, Friday or Sunday, and for 2019 adopt the season dates in agenda item F1a Supplemental ODFW/WDFW Report 1 which are Thursday May 2nd, Sunday May 5th, Thursday May 9th, Sunday May 12th, Friday May 24th, and Sunday May 26th. If sufficient quota remains after May 26th, the Columbia River sub area would be open two days per week Thursday and Sunday until the remaining quota is achieved. Number two, for the South Coast sub area, revise the CSP language to remove the set aside of 10 percent or 2000 pounds for the near shore fishery and allow the near shore fishery to be open after the primary all depth fishery closes if sufficient quota remains, and for 2019 adopt the season dates and agenda item F1a Supplemental WDFW Report 1 Thursday May 2nd, Sunday May 5th, Thursday May 9th, Sunday May 12th, and Friday May 24th. Number three, for the North Coast and Puget Sound, adopt the season dates and agenda item F1a Supplemental 2 WDFW Report 1 for 2019, Thursday May 2nd, Saturday May 4th, Thursday May 9th, Saturday May 11th, Saturday May 18th, Friday May 24th, Sunday May 26th, Thursday June 6th, Saturday June 8th, Thursday June 20th, and Saturday June 22nd. If sufficient quota remains for the North Coast Puget Sound or South Coast additional dates may be scheduled in coordination with the International Pacific Halibut Commission and National Marine Fisheries Service.

Phil Anderson: [00:03:55] Thank you Michele does the language on the screen accurately reflect your motion?

Michele Culver: [00:03:59] Yes it does.

Phil Anderson: [00:04:00] Is there a second? Seconded by Richard Lincoln. Speak to your motion please.

Michele Culver: [00:04:09] Yes, thank you. These are consistent with the Council's preliminary preferred alternatives that were selected in September and reflect the discussions that we have had with our stakeholders in both Washington and Oregon relative to the Columbia River area and in Washington for the other sub areas. The selection of the season dates is consistent with our statewide season approach, and in particular the Columbia River sub area, I wanted to have a season dates that were consistent with the South Coast adjacent South Coast sub area, and the North Coast

and Puget Sound season dates you'll see have more season dates than what they have been able to achieve in a season in the past 10 years or so, however they wanted to have some place holders, if you will, in the event that they have poor weather days, have some options to consider later in the year.

Phil Anderson: [00:05:23] Discussion on the motion? Okay we'll go ahead and call for the question. All those in favor say Aye. Opposed No? Abstention? Motion carries unanimously. I believe that takes care of our changes to the catch share plan. Robin I need some help on....do we need to take any other action relative to the fishery regulations or does that last motion cover that piece?

Robin Ehlke: [00:06:06] I think that the last motion covers the piece, both Oregon and Washington did ask for changes to the catch sharing plan and the motion that Washington put forward does incorporate the Oregon changes specific to that Columbia River area. So I think that we do have this action item or this agenda item complete for the 2019 catch sharing plan.

Phil Anderson: [00:06:30] Okay thanks. So we....I just wanted to turn to the management of the directed fishery and the discussion that we had with Mr. Keith from the International Pacific Halibut Commission. We've we've.....we appreciate the IPHC's reaching out to the Council and trying to move forward in a collaborative way in terms of making changes to this fishery, so thank you very much for that. We did receive some comments from, in particular the Groundfish Management Team and the GAP on the, on the proposal. Among the things that were highlighted as potential concerns were, were by bycatch. Does lengthening the season, what kind of additional enforcement challenges does that pose? I think there were some questions about the economics of the fishery both from an independent or individual fisher perspective as well as processing. There was also concerns raised about monitoring and sampling the.....if we have a significant number of additional days, and I also noted a concern or question I guess about hold inspections. So there were, I'm not sure I got them all, but at least that was some of the points that I noted in the reports that we got and the advice we got. The... some of the halibut managers, in particular the state folks, have been developing a potential letter that could be sent from the Council to the Halibut Commission in response to their request for our input on their proposal. You have a draft I believe in front of you, the latest and greatest draft, that has the edits that we've received up to this point in time in putting this letter together which tries to address the topics that have been raised both by the GMT, the GAP, and our individual Council members thoughts. In front of you we.....I'm making this up so I'm thinking that giving time enough for the Council to review the letter that perhaps we could come back to the potential approval of the letter on Thursday is part of our administrative matters so it gives ample time for any Council members that may have comments or additions to the letter in order to do that. So with that this is kind of a setup for any other discussion we'd want to have around the table relative to the Council's response to the IPHC's request for our comments on their proposal of looking at increasing the number of days that our directed halibut fishery was open. Yes, Lieutenant Commander McGrew.

Scott McGrew: [00:10:24] Thanks Mr. Chairman. I just wanted to quickly touch on the GAP's comments earlier and just just make a point that we are talking about a directed halibut fishery and that there is a significant group of fishermen here who do target just halibut, they are non VMS and I think the GAP's kind of there....they made it seem a lot more like that this was an incidental catch when the topic of discussion is a directed commercial halibut derby so...

Phil Anderson: [00:10:55] So Scott and in making that, bringing the information forward there's also you also reference they're non VMS. Do I understand that correctly?

Scott McGrew: [00:11:07] Correct. There's, there's, there's a portion of people that hold IPHC permits that fish the directed halibut derbies that aren't equipped with VMS, so they're, they're not targeting groundfish, they're not retaining groundfish and that they're not authorized to retain groundfish if they're fishing outside 3 miles.

Phil Anderson: [00:11:25] Thanks. Maggie Sommer.

Maggie Sommers: [00:11:29] Thanks Mr. Chair, and maybe just kind of following on that, I wanted to acknowledge that partici.....we may not yet be hearing from, whether it's through the GAP or through our public comment, kind of a full range of directed halibut fishery participants, and I know there's, I've been contacted by some fishermen and I think there's some confusion about which venue they should approach with their comments on potential changes, the Council or the Halibut Commission and when and so I you know that's I think something important to keep in mind at this point and, you know I guess I would also just offer that the, I think it's been raised in discussion today and certainly the most important thing that has been on the minds of people who've contacted me is the potential economic impacts, concern about, you know both the how well the underlying assumptions about trip limit levels and participation and attainment levels under alternative or extended season scenarios play out. What that would really look like and the potential changes, so just wanted to acknowledge the importance of that as well, and I guess the other the third thing is just, again really I'm thinking about this and I'm also reminded that I think there has been some mention that the intent here might be to see an extended season as as an interim, as a step toward some change maybe the end goal but maybe not, maybe we head in some other direction that's for the the fishery and the GAP report from 2017 reference to suite of alternatives, I know we've..... not alternatives pardon me, just concepts for management approaches for this fishery, I mean I think those are still on the minds of some of the halibut fishery participants, so it's, it's feels very much up in the air to me at this point.

Part 2

Phil Anderson: [00:00:01] Thanks Maggie. In the letter next to the last paragraph references the potential of the Council and NOAA convening a workshop in the spring of 2019 and I wonder if I could ask Frank perhaps to speak to that idea.

Frank Lockhart: [00:00:26] Thank you Mr. Chairman be happy to. Yes we've had multiple discussions in front of the Council and also outside of the Council process and there are a numbl... excuse me a number of issues and in front of the Council this, this letter specifies six of the things with the proposal in front of the IPHC and so in in many of these discussions it became clear that what what we need is a little bit of an opportunity for some focused discussion among all the folks involved to talk through these issues and and have a little bit more of a back and forth. The Council floor is great for many things but it's not great for that, and so some sort of workshop we would be happy to sponsor it on our own, if the Council wants to take it on, that's also fine. We're open to exactly how it works out but we think that would go a long way towards us being able to evaluate the various things in front of us right now and hopefully work towards a solution and make some positive steps towards addressing the IPHC's request. Happy to answer any questions.

Phil Anderson: [00:01:56] Thanks Frank and maybe we could have some off line discussions here between now and Thursday about Council involvement in that kind of a workshop or whether having NOAA just take the lead and put that on would be the best approach. It is included in the letter so I would want to make sure that that, that was something we could follow through on if we are letting IPHC know that that would be our intent, so in a week when we get to the item of looking at this letter and potentially approving it on Thursday we could catch up and get just a download of any conversations that would have occurred on that matter between now and then. Okay Marci.

Marci Yaremko: [00:02:54] Thank you Mr. Chair. Just wanting to follow up a bit on Maggie's remarks and other remarks we heard earlier in the day about incidental retention of groundfish in the directed fishery and the situation Maggie raised with the directed participants that are not retaining incidental groundfish and potentially don't have VMS, and I guess I'm struggling a little bit because I don't feel like we've done a deep dive looking at our own data and what information we might glean from our fish tickets where if we can ascertain what was landed incidental and how many participants are strictly fishing the directed fishery and not concurrently with any groundfish, I don't have a good feel if that's 5 percent of the participants, if it's 50 percent of the participants, so potentially in conjunction with this workshop it would be useful I think to have some analysis of the data that we do have in our wheelhouse. I know that we don't really have a halibut technical team but I feel like maybe that's something that either we could task the GMT with or potentially NMFS staff to take a look at. I know that you know each year we receive information on the directed fishery but really I think all we get are the attained catch, you know, the volume of catch the landings against the quota and I don't feel like we've had an opportunity to really evaluate what we do know about the fishery activity itself and what else occurs.

Phil Anderson: [00:04:59] Michelle.

Michele Culver: [00:05:02] Thanks. So I guess in, in talking to our stakeholders that participate in the directed commercial fishery, I guess, and we also track the the landings and and coordinate with Oregon as the fish tickets come in and we send landings data to IPHC to see what actually comes, what what's delivered with with what, and I guess in talking to our stakeholders, our understanding is that the participants in the fishery it's not only directed toward halibut and sablefish are incidental

or are only directed towards sablefish and halibut are incidental, but I would characterize it as they're directly targeting sablefish and halibut on the same trip, and in some cases there may be from a landings ratio perspective higher sablefish landings than halibut, but it depends on the individual, what markets he's lined up for that particular delivery, the type of gear he's setting, but the, the intent is to maximize the value of the trip and they're targeting both, so I will also note that the GMT and the very last sentence of their report which is not yet captured in the letter, but in addition to the NOAA workshop they suggested convening a work group similar to what we did for the South of Humboldt, and if you'll recall we had representatives from the three states, NMFS and IPHC attend those meetings. We did do a deeper dive into the data and have some discussions about what, what alternatives we may want to bring back to the fuller Council process for consideration, so I think that's a good idea and it would be good for it if the Council wants to go down that path, that might be something that we want to add to the letter in terms of inviting IPHC participation in that effort.

Phil Anderson: [00:07:35] So I appreciate all those those comments. I just....I'm reminded that we talked about how deep we were going to get into this fishery, I don't know whether it was a year ago or a year and a half ago, and we determined, primarily due to workload and what we had on our agenda, that we weren't able to fully engage and provide detailed recommendations to IPHC relative to potential changes to this fishery, and so we kind of, I would say, I don't know, deferred our engagement and, but we indicated that we would appreciate receiving communications and being updated as to how the IPHC was considering potential changes to the fishery, which of course they have done, and the farther we go here, I feel like we're, and I'm not I'm not necessarily opposed to it, but we're we're we're crossing back over into the we're going to we're going to take a hold of this thing in a more meaningful way maybe then we were thinking of a year ago or whenever it was that we kind of said well we're gonna stand back a ways from this because of workload, so I just make that observation for whatever it's worth. Michele.

Michele Culver: [00:09:17] Thanks. Well I guess I would appreciate a little bit more discussion about whether that, that's still where we are and I, I look at the the draft letter and, and it seems like we have some concerns and some issues that we've identified and certainly our ability to effectively, you know have some meaningful input or get the outcomes and results that we would like and get this fishery shaped the way that we want it, the more hands-on we are in the management of the fishery and so it, it seems like we're almost at a critical point of making that decision.

Phil Anderson: [00:10:30] Totally agree. So I'm not trying to throw an anchor out here and stop this stop the forward motion here on our engagement in this fishery, so I'm just reflecting back on the previous conversations, so why don't we, I mean we have the draft letter. We've had some discussion about it. There were maybe a couple of things that we could be added to the letter. We've asked to have some conversations off line between National Marine Fisheries Service and Council relative to the workshop. We would bring the letter back to the Council for consideration on Thursday. Get an update on those conversations. There may be other, other may be other dialogue that goes on relative to the idea that Michele just mentioned in terms of a work group, and I think we need to make sure that if we are explicit in an opinion that it's premature to try to make this change for 2019 because of the concerns that we have raised in the relatively short timeline between now and the time that the Halibut Commission would make a decision toward the end of January, you know we need to think about being explicit about that as a recommendation to be included in the letter. So is there, are there other comments or discussion we need to have on this halibut matter at this point? No? Okay. Okay. So we'll, we will suspend this agenda item and and bring it back up on Thursday or or before if Wednesday afternoon or when when we get a chance but will suspend it

for now, allow some of the pieces that we just talked about to mature so that we can bring it back before us and make some of the final decisions that need to be made. Okay? All right.....(background).....oh yes that would be a good thing. So we also have had an opportunity to coordinate with the halibut management entities kind of our 2A group prior to the annual meeting but generally after the interim meeting and so I would propose that we do that again and that we, we can ask some assistance from Robin in helping us secure a date for that discussion. I would anticipate we would do it by phone given how we're spread out geographically and want to make sure we coordinate with all of the tribal governments that are a part of our, or a part of theirs or they're a part of ours, our 2A team so that we have full participation. I think we we've been successful in, not always, but we've been successful in a lot of the things we've taken to IPHC because we have had such a solid 2A group of management entities and stakeholders and so I would hope that we would be able to accomplish that again. Michele.

Michele Culver: [00:14:52] Thanks. So I guess I'll just ask, the uh the plans for the interim meeting coming up at the end of November. I'm assuming you're planning to attend as our representative?

Phil Anderson: [00:15:10] Actually I was hoping you would be my my designee. I have to be in Washington D.C. that week.

Michele Culver: [00:15:19] Okay. I was planning to attend anyway if that's okay with others.

Phil Anderson: [00:15:26] I think we have it set up so you you would be my alternate and so um I unexpectedly had to schedule a trip to D.C. that week here just a few days ago, so....

Michele Culver: [00:15:45] Okay Thanks.

Phil Anderson: [00:15:46] Okay, and I assume there's others going to the interim meeting or going to be hooked in by webinar or however that works. Okay? All right. Anything else on halibut for right now? Okay we'll come back and finish up the remaining items here Wednesday afternoon or Thursday.

Phil Anderson: [00:00:00] I would like...I know probably no one else wants to do this, but I would like to try to go back to our halibut agenda item and just reach closure on the letter to the International Pacific Halibut Commission regarding our comments on their approach to modifying the manner in which we are managing, we and they, are managing our directed, the directed portion of our halibut, commercial halibut fishery. I'm hoping it will be quick but hope springs eternal. This is labeled as Supplemental Attachment 3, agenda item F1, dated November 5th and addressed to David Wilson, the Executive Director of the Halibut Commission and we....if you gentlemen have a conversation, gentlemen in the back of the room, if you have a conversation you need to hold, please go outside. Thank you. So I'm looking for any review and edits that Council members may have to this letter we have crafted in response to the proposal from IPHC, and following our deliberations around the table when we heard from Mr. Keith earlier in our meeting week. Maggie.

Maggie Sommers: [00:01:49] Thanks Mr. Chair, and thank you to staff for putting this letter together and I know there was input from multiple folks. I have one question that stood out to me in reviewing it and it was on number six on page two, where we raise the issue of considering potential impacts to 2A recreational fisheries. Specifically the Council would appreciate an opportunity to review and discuss an analysis of the impacts to the recreational fisheries that may result from the proposed season date options. If the IPHC does move forward with considering a change to the season date at their January meeting, I'm not sure when we would have an opportunity to review and discuss that, so am I missing something?

Phil Anderson: [00:02:42] Well what was in my mind on that was that we would have a presence at the IPHC meeting, annual meeting, both by myself as a Council representative as well as our States are always a part of our team, and that if they were considering dates which we knew would be in conflict with our recreational seasons, understanding that those are known with absolute certainty, at that point we would be able to identify those conflicts and bring those to their attention. That was the thought. Chuck points out too we would have a halibut managers meeting, I think we're looking at the third or something like that of January that would follow the interim meeting and maybe that there would be some additional information there that would inform us as to whether or not a potential conflict might exist.

Maggie Sommers: [00:04:01] Thank you. That sounds good.

Phil Anderson: [00:04:04] Marci.

Marci Yaremko: [00:04:05] Yeah. Thank you Mr. Chair. I just want to check on the mention of the workshop in the spring of 2019 at the very end of the letter. I recall that the Council and NMFS discussed the idea of a workshop and I think there was some willingness to explore that. I just want to make sure that we want to commit for certain to having this in the letter. I only raise that because the spring of 2019 is quickly approaching and dates are scarce and I don't know what type of outreach we're talking about doing for this workshop. I'm thinking back to our discussion that we had under this agenda item earlier in the week and some interest in kind of figuring out who really is the directed halibut fishery that is, you know maybe not part of our process, so I just want to make sure that this is really a commitment that we need to make in this letter or if we can be more general and just commit to scoping or something, something else I'm, it's just a thought.

Phil Anderson: [00:05:33] We could explore the potential of convening a workshop, and of course spring goes till June 20th, just in case you were cutting it that short. I didn't write that sentence. I, I

so I don't know for sure where it came from but it was kind of news to me when I read it but I thought there had been some collaboration that I was unaware of that everybody else knew about, but maybe not. Do you know any, Ryan do you know anything about that?

Ryan Wulff: [00:06:22] No thank you Mr. Chair, no I was just trying to see if there had been some discussions that I wasn't aware of. I can look into that, I do think if you wanted to use some more flexible language such as the 'considering', 'convening' or 'potentially', I mean I think that would give the flexibility.

Phil Anderson: [00:06:40] Marci.

Marci Yaremko: [00:06:42] Thank you. I would support that. I'd also support us considering maybe having some additional discussion in association with one of our Council meetings as an alternative. I'm thinking about the idea of getting to a workshop that will probably be in Seattle or Portland and that's a pretty heavy lift for California and its stakeholders so if we can look to other choices that might be.....

Phil Anderson: [00:07:13] Well we can explore April which I believe is in the spring, right it's after March 21st. Okay we'll, we'll explore that and we'll soften this up a bit so that we have the flexibility to not do it and not be in violation of any commitment we made. Corey.

Corey Niles: [00:07:35] Yeah thanks Mr. Chair. I'm, from our halibut experts who I'm not in contact at the moment with, I've got the, thankful for the letter. I think it captures the message. I'm not, I think they'll be comfortable with what Marci said I'm, I could be misunderstanding though what I'm hearing Marci say is it's a workshop including stakeholders where this says management partners, so leaving it general would probably serve, serve the intent but I do know that our halibut members of the halibut team did say they were they were interested in having a workshop.

Phil Anderson: [00:08:11] Maggie.

Maggie Sommers: [00:08:13] Thanks Mr. Chair. And just to follow up on that it was my recollection from discussions that the intent of this workshop would be to better flesh out some of the issues that were identified and described earlier in this letter, so I it was my understanding that the focus really would at this point be management partners probably more than, probably early for stakeholder input.

Phil Anderson: [00:08:38] Right, and that might lead us to having a meeting that was, included a broader set of folks. Okay with those we, I would like to ask your permission to let us make those, those, that alter, that change so that we give ourselves some flexibility there without having to bring it back if you're comfortable with that? Seeing head on to the affirmative of that? Okay. All right, so that then would, I can't remember what agenda item halibut is, F1, that would close out our halibut agenda item for this meeting.

G. Groundfish Management

1. National Marine Fisheries Report

Phil Anderson: [00:00:00] Is there any further Council discussion on the presentations we've received? Michele.

Michele Culver: [00:00:09] Thanks. So a question for Aja on the report from OLE, and so....but what's, what would be the next step? How would the Council be able to consider type approved versus non type approved systems?

Phil Anderson: [00:00:35] Aja.

Aja Szumylo: [00:00:36] Thank you Mr. Chairman. Miss Culver. So right now the Council took final action on the VMM requirements in 2016, so we're currently working on the rulemaking for that action based on what the Council selected its final action at that point. My understanding is that the VMS requirements are already in place for all vessels so right now vessels already have a VMS and would choose an alternative unit if it were more cost effective for them to choose that alternative unit to meet the 15 minute pinger rate requirement than it is to maintain their current VMS unit and increase to the 15 minute ping rate. So I'm not, I don't know how many vessels would shift to this alternative unit, so that's one consideration and something that we'll think about as we're working towards the proposed rule for the action. The other, the other thing to note is that we're working on our own approval requirements for, so what happens right now with the VMS units is that there's the national type approval regulations that they go through for approval. We announce in the Federal Register what units are approved. In building a system regionally we have to do the same, the same set up and our regulations would set up an approval process for for these units that would dictate what requirements they would have to meet for us to approve them for use in the fishery. So we would detail all of those requirements in the proposed rule. At this point if the Council wanted to pull back on the possibility to use those alternative units I think we would have to come back before the Council to change the action, and I'm not sure that that, I wasn't around during the discussions in 2016 but I'm not sure that, that's what the Council or, you know, I don't want to speak for what the Council would like to do, but but that's the path forward I see for for changing environment and pulling back this point. It's Council reconsideration of the final action.

Phil Anderson: [00:02:32] Michelle.

Michele Culver: [00:02:32] Thanks so if I may, so I guess I'll just ask is it, is it a concern to NMFS region it should vessels select non type approved units to have to setup the system independent of OLE because it didn't meet the VMS definition and having two different systems in place?

Aja Szumylo: [00:03:00] I think it's....so OLE listed its concerns. We we are prepared to, you know build in the requirements for evaluating systems into our regulations and we were working with Pacific states to try to have them gather the data. I think some of the concern, and Greg may be able to speak to this more, some of the concern again is accessing two datasets, and maybe I can point to other people, but some of the concern is accessing two data sets of information looking in several different places. Those concerns again are, are better addressed by other groups than than us, and then SFD, and so I think to the degree that it's a concern for them and a concern for the Council that might speak to whether you guys would want to change it.

Michele Culver: [00:03:52] I'm sorry but, so it doesn't sound like it's a concern for SFD?

Aja Szumylo: [00:03:56] Not a concern for SFD.

Michele Culver: [00:03:57] To have to develop and have that other system in place.

Phil Anderson: [00:04:05] Scott.

Scott McGrew: [00:04:07] Thanks Mr. Chairman. From the Coast Guard's perspective we do see it as we will be losing a capability when there's two systems. It's taken us several years to get the NOAA v-track system into our computer systems so that we can access it from our desktops. When you had another entity maintaining another database and will be at least several years before we'd ever be able to get that online into our system so there will be a time frame where enforcement will have a limited..... a limited ability to see real time and we can see now, so that that would be our concern.

Phil Anderson: [00:04:51] Can you Aja remind me where we are relative to the implementation of the requirement for the four ping rate, four ping rate per hour.

Aja Szumylo: [00:05:02] So two things. Rulemaking timeline, we were.....so there are several other things other, other items in that rulemaking. One of the requirements has to do with the at sea Whiting fishery we were trying to get the rulemaking finalized in time for the start of that season, so if you look at the rulemaking schedule on page three of NMFS report, of the supplemental NMFS report that we put together, we were targeting a proposed rule in December or January and a final rule in March to get the full rule package out in time for the Whiting season. Particular to this measure and just setting up that system we're working internally on the implementation details right now. So we're continuing to work with Pacific states on their data collection. We're developing our internal system that we would use for evaluating the different systems and the procedures that we would use to announce to the public what options are available for them for alternative units, and then Greg mentioned a number of issues around declaration, that kind of thing, that we would need to work out, and those are things that we would outline in the in the proposed rule for everyone. I, I'm newer and I'm coming into this action late and so I don't know how much this was all discussed at the time that the Council took final action previously, so Okay.

Phil Anderson: [00:06:25] Okay.

Aja Szumylo: [00:06:26] And I'm happy to talk to you off line about, to work through this a little bit more if you'd like, so.....and to answer any questions that you have.

Phil Anderson: [00:06:37] All right. We have been talking about ping rate for a while. All right any other discussion on the reports that we received from National Marine Fisheries Service and the Science Center. All right. We'll close this one out. I think? Todd, right?

Todd Phillips: [00:06:59] Yes sir. We are complete.

2. Cost Recovery Program

Phil Anderson: [00:00:00] That completes public comment on this agenda item. Takes us to Council discussion. There's no action required under this. We, I think we have served to try to help get the right communications going and providing some of the information that industry has requested in terms of cost recovery and I would echo the thanks that others have given to National Marine Fisheries Service for the work that they have done and cooperative approach that they have made in terms of trying to help the industry understand the costs that are associated with the program. So I'll open it up to the floor for additional discussion. Bob Dooley.

Bob Dooley: [00:01:00] Thank you Mr. Chair. I really want to thank NMFS and Ryan and Kelly and the crew there for doing such a great job on this report. I'm particularly impressed with how you responded to some of the questions industry had. I believe we had a meeting a year ago at one of the Council meetings and he responded to all those. The most important thing to me is that you responded to the fact that we now have a set of rules to go by and that's the guidelines that were established in the Council's motion. Originally I think 2011 is when that was done. It was agenda item. E7b NMFS's Report 1 June 2011, and it laid out the the the rules, the guidelines that we were going to use. Up until now we hadn't really heard that. We hadn't heard that we, when we when we talked about it and talked about guidelines prior to that it was kind of like, well they're there but we don't really have to follow them, and I think now have a roadmap to judge things by and I'm really, I'm really heartened by that. I really appreciate NMFS stepping up and having meaningful conversations with industry and I think that's a really important thing to do. I...you know from, you know I'm new up here so....but I, you know I was on that, very involved in this and I think that I feel like that we're finally being heard as industry. I think there's a, you know, there's a hand across the table here now to really get a handle on this, and I've never heard industry say they don't want to pay. I've never heard that. I've always heard them say we want to pay but we want to be sure that we feel good about what we're paying for, and I think that was...the GAP report was excellent, the public testimony was excellent on this issue, and I hope we can follow up with some meaningful meetings to resolve some of these issues. I think they're there. I think there's, there's some real real headway to be made, and I think building trust and confidence and going together as a team is important. Thank you.

Phil Anderson: [00:03:19] Thanks Bob. Other comments? Michele.

Michele Culver: [00:03:26] Thanks. I agree with the statements that Bob made relative to the time and effort that NMFS has put into responding to the questions and as well as the effort that the GAP and our stakeholders have put into, relative to formulating those questions, and assessing the reports that they have received. I would say specific to the GAP report and there's a question about comparing current program administration with previous trip limit based administration and why costs are higher now, and I guess from a former GMT member perspective, and Dr. Hastie's sitting in the back of the room here under a trip limit management, that's where the work happened, so it happened by the GMT. It happened with Dr. Hastie running his trip limit models and there was not much work being done independently by NMFS regional staff to manage the trip limit fishery absent the items that you see listed in in the GAP report that are not counted in administration and those are rule makings, Council support, permits, issues and enforcement, so that was basically the the items that the NMFS region did administer, that they currently still administer, and that they're not recovering costs for, so I guess it's, it's perhaps surprising how much implementation of the new program costs, but in at least in comparing who did what under trip limit management it's not surprising to me that, that there's that difference relative to the costs between the two programs.

Phil Anderson: [00:06:04] Thanks Michele. Other comments, discussion on this? Brad.

Brad Pettinger: [00:06:09] Mr. Chair. I remember those days that Michele referred to, I mean the deal the trip limits and, and listen to those folks talk about, about how hard it is to go back in time and pull it out and I thought I'd look back as far as what the GMT, how much time they spent how long their reports were. Excuse me. And I think the important GMT report for September this year was like 15 pages that well kind of curious it is back in the day and it was like about the same, so it might be, it might have been different, different work on different fisheries or so but the reports are about the same. So it's, I thought it might be a little simpler, just a quick, look back in time a couple of spot checks and so I can certainly appreciate where they're at, but I would like to reiterate what Bob and everybody else said it's just been a breath of fresh air the way the agency has been handling the situation and just thanks all around for at least to move forward on this and I know it's a work in progress and we'll we'll get there. So thank you.

Phil Anderson: [00:07:23] Thanks Brad. Any other comments? I think we would....I think I can safely say the Council encourages you to continue working with industry, Ryan and staff of the National Marine Fisheries Service to continue to try to address the outstanding questions that there are and I would again compliment you and everyone within National Marine Fisheries Service and those in the industry that have been patient and work, in working through their questions, so with that I think we have done our business here is that correct Jim?

Jim Seger: [00:08:06] Yes Mr. Chairman.

Phil Anderson: [00:08:06] Okay.

3. Five-Year Catch Plan

Phil Anderson: [00:00:00] So let's return to G3. We had received our reports and comments from management entities and advisory bodies as well as comments from the public when we concluded yesterday and so the remaining business to conduct here under G3 is our Council action relative to adopting the final preferred alternatives for the five year catch share program follow on actions in adopting FMP amendment language for the fishery management plan related to the at sea whiting fishery bycatch needs including any housekeeping changes as appropriate. So first just would ask if there is any general comments or discussion that the Council would like to have before we dive into entertaining motions? Okay then let's go ahead and consider our action. Maggie Sommer.

Maggie Sommer: [00:01:09] Thank you very much Mr. Chair. I'm prepared to offer a motion if Sandra is prepared to show it. Thank you. I move the Council adopt the following as final preferred alternatives for the groundfish trawl catch share program five year review follow on actions as described in agenda item G3 Attachment 1. Number one, at sea whiting fishery bycatch needs and set aside management. Alternative four, set aside management for all four species, POP, dark blotched, widow and canary rockfish. Remove at sea set aside distributions from the FMP. In addition specify that the existing formulas for determining the at sea set aside amounts will be used to establish set aside amounts in the biennial specifications and management measures process unless the Council takes action to change the formulas or specify different amounts. Number two, shore based IFQ sector harvest complex needs, alternative two, allow post season trading for accounts in deficit with the sub option to not limit vessels by the annual vessel quota pound use limits in covering their previous year deficits as a default and assess whether or not to exclude any stocks from the exemptions to vessel limits during postseason trading through the biennial process. Post season trading will be allowed between January 1st and a cutoff date determined by NMFS. And alternative three, eliminate September 1st quota pound expiration for quota pounds not transferred to vessel. Number three, new data collections for quota share owners, alternative four, NMFS would implement a system for collection of these data and the Council recommends that NMFS identify the most efficient and effective way to conduct the collections, and adopt FMP amendment language for the FPA related to at sea whiting fishery bycatch needs including housekeeping changes as shown in G3 attachment one with the addition of new language highlighted below. The new language, I will read the the sentence that the new language is, is in for the at sea sectors groundfish species other than whiting or managed as set asides, amounts for which are based on the best available information on bycatch of these sectors, and here's the new language "and other relevant factors including, but not limited to, status of the set aside stocks expected utilization in other sectors of the fishery and expected management conditions in any sector in upcoming fishing years". That's the end of the new language and that sentence concludes "as determined in the Biennial harvest specifications and management measures decision process". That concludes the motion.

Phil Anderson: [00:04:16] Thank you Maggie. I just want to confirm that the language on the screen accurately reflects your motion.

Maggie Sommer: [00:04:24] It does.

Phil Anderson: [00:04:25] Is there a second? Seconded by Brad Pettinger. Go ahead and speak to the motion please.

Maggie Sommer: [00:04:32] Thank you. I'd like to start with an acknowledgement of and great appreciation for the excellent work by the community advisory body that was created to address

some of the follow on needs from the five year review. They put quite a bit of effort into identifying a suite of actions to address some of the parts of the catch share program that aren't working as well as they could. It was a very intensive process and it's great to see it come to fruition today. In addition, input from the CAB, sorry the GAP, the GMT, individual fishery participants and many Council members and agency staff have been invaluable in refining the alternatives that we've been considering and what I've proposed here. Thank you. So specifically to the elements of this motion. For number one, the goal of changing from hard cap to set aside management for the at sea whiting fishery is to provide a benefit that that fishery has asked for to reduce the in-season the.....pardon me the risk of in-season closure of the sector if catch exceeds the amount provided as long as there's no conservation risk such as exceeding an important harvest specification or unforeseen impact to other fisheries. This is expected to provide stability and the opportunity to increase operational efficiency for the at sea whiting fleets. At the same time it may benefit the management process by reducing the frequency at which the Council considers in-season action related to at sea bycatch and therefore indirectly benefit other fisheries by providing more Council time for their consideration. The question of weakening the incentives to avoid bycatch was something I gave a lot of thought to in considering this, this action. In preparing for this meeting I reviewed bycatch history in the at sea sector and I observed, as I know others have, some notable increases in bycatch in 2017 and 2018. An increase was predicted and expected because of the higher whiting TAC's, increasing abundance of rebuilding species, and the urgent requests made by this Council to avoid salmon, which has led vessels to fish in areas with lower salmon bycatch rates but higher rockfish bycatch rates in some cases. In addition I've heard suggestions that other factors may have contributed to increased bycatch including unusual ocean conditions affecting the distribution and behavior of both whiting and bycatch species, increasing sable fish abundance, et cetera. However even though some increase was anticipated, speaking for myself I was surprised by the magnitude of some of the increases and the fact that they occurred across so many species. I should say I anticipate seeing some information on this from the GMT under our in-season agenda item in a couple days. We don't have it here but we will have that to look at. This is also an issue that's been receiving some current public scrutiny and questioning. Multiple members of other fishing sectors have contacted ODFW with concerns about exceeding the sable fish set aside this year. At the same time there have been some conflicts between the at sea whiting fishing and fixed gear sable fish fishing operations in the same area off the southern Oregon coast, which is an area where there's been high sable fish bycatch by the at sea whiting fleet in the fall prior to the NMFS letter asking the at sea sector, the whiting fisheries to avoid sable fish bycatch. I am fully aware of the challenges that the whiting fisheries have in avoiding limiting bycatch species and I note that this is not unique. Other fisheries face their own challenges due to bycatch limitations and operational factors at both at an individual vessel level and sector level. I also recognize and appreciate the intensive approach that the whiting co-ops take to managing themselves and the full accountability and monitoring in that fishery. I continue to support the change to set aside management, as shown by the alternatives here in the motion, but I want to make clear my personal expectation that if we see significant increases continue in the rate of bycatch of this fishery over coming years, that the Council will will take a take a look at it and review whether set asides are working as intended to limit bycatch in the at sea fisheries or whether a different approach such as a return to hard caps or other management measures is appropriate. I know we'll be watching future performance relative to the set asides carefully. The question of removing or retaining the formulas currently used to establish the set aside amounts has also been the subject of much discussion and I thank the GAP in particular for coming up with a hybrid option which I've put forward here to remove the formulas but keep them as a default unless the Council takes action to make a change in future spec cycles based on conditions current at the time. Removing them allows us to adjust them each biennium to meet things such as changing stock abundances, projected attainment in target non whiting fisheries et cetera, and at the same time setting them up for the default that will be used, unless we make a

change, addresses a desire for predictability that's been expressed by the at sea whiting fleet and hopefully alleviate some regulatory workload compar...compared to having no default and starting from scratch every time. Moving on to number two, shore based IFQ sector harvest needs. This action will allow vessels to catch more than their annual quota pound limits to cover those deficits after the end of the year. This is a proposal that was developed in response to concerns about lightning strike situations that might require a vessel to refrain from participation in the fishery for an extremely long period of time in some cases, and it also can penalize the rest of the fleet by removing current year quota pounds from availability as a vessel's been required to use those to cover a prior year deficit. So vessels under this alternative will still be required to cover their, their deficits with quota pounds maintaining accountability, but the ability to use the new year's, pardon me, the fishing year's quota pounds rather than the new year's quota pounds, will leave more new quota pounds available. The hope is that this will help increase attainment of the trawl allocations while reducing the severity of impact for individuals in lightning strike situations. Under number two, alternative three, eliminating the expiration date of September 1st as I believe as the GAP and the GMT noted, this is....there seems to be no substantial benefit from having this expiration date in place. It is an administrative burden and it does end up stranding some fish, so removing this will hopefully again help us to increase attainment and streamline the administration of this program a little bit. Finally under three, new data collections for quota share owners. This year we've had lots of discussion about collecting additional data that would better inform the Council and the public about the performance of this program, and I think this is an important element of doing that. We have included in here a recommendation that NMFS identify the most efficient and effective way to do that, and I do note the concerns that have been raised by the GAP that while this is, this would be valuable information, it is yet more workload and potentially expense for NMFS staff, so I really would like to emphasize that request and an understanding that you will look for the most efficient way to do this so that it minimizes those as well as additional reporting burden on fishing participants. And finally on the FMP language. I appreciate the language proposed in G3 Attachment 1 and that's what's shown here with strikeouts and underlining except for the yellow highlighting showing what was in that attachment as proposed, a proposed revision to current FMP language. The yellow highlighted new language is characterizing my intent to address the concern about set aside amounts creeping up over time. If at sea bycatch levels continue to increase, the language as proposed referred only to using the best available information on bycatch to set the levels and I feel very strongly that the Council should consider other factors that are relevant at the time including some of those I've identified here, potentially changing stock abundances in yields, target fishery utilization needs and potentially changing management conditions, so this gives us the flexibility and really clarifies that it's our intent to consider those factors as well. So with that I'd conclude my remarks and happy to take any questions.

Phil Anderson: [00:13:51] Thank you very much Maggie. Discussion on the motion? Brad.

Brad Pettinger: [00:14:03] Thank you Chair Anderson. I fully support just what Maggie said there. I had very big concerns about the option for set asides or where that might go. I think Maggie laid out a very clear path as we move forward for everyone, and I would hope that people heed her advice and we have transparency in how people's manages their bycatch and that we make this work, and anyway I'm going to support this motion. Thank you.

Phil Anderson: [00:14:37] Thank you Brad. Other comments on the motion? Bob Dooley.

Bob Dooley: [00:14:41] Thank you Mr. Chair. I do support Maggie's motion too. I think it's really well thought out. I just have a couple of points to point out. I think that on the FMP part of it that changes that she's talking about, I believe that....I agree that this....excuse me. That the amount that

is set aside with the base, base amounts that are that are going to be memorialized in this is a good is a good way to go, and I know she was speaking about creep up of these amounts. I would also note that because of the way whiting presents itself every year, it could be in the North coast could be in the South coast, and it changes, and it changes rapidly and radically at least in my opinion in my experience, that those base amounts kind of cover the the general landscape. If the, if the fish are in the North for several years in a row we might not have a particular species, it's a bycatch species that goes up so that base amount would memorialize what would happen if there's a shift and get us to some base amount and I think that, that's important to realize, so I really appreciate that part of it. I think that the the rest of it is very, very good. I I appreciate all the work she did on that. Thank you.

Phil Anderson: [00:16:11] Thanks Bob. Further discussion? Herb Pollard.

Herb Pollard: [00:16:17] Thanks Phil. I notice the motion pretty well follows the GMT recommendations and, which were well thought out and I think well accepted. The one thing that isn't in it is no action on the processing and I guess that's left out intentionally or will there be another motion?

Phil Anderson: [00:16:37] Maggie.

Maggie Sommer: [00:16:38] Thanks Mr. Chair. Thank you Mr. Pollard for the question. I should have clarified that that, that is left out intentionally and I believe we'll address that in a separate motion.

Herb Pollard: [00:16:50] Thank you.

Phil Anderson: [00:16:50] Further discussion or comment on the motion? Okay we'll go ahead and call for the question. All those in favor signify by saying aye?

Group: [00:17:02] Aye.

Phil Anderson: [00:17:03] All those opposed no? Abstentions? Motion carries unanimously. Further action? Corey Niles.

Corey Niles: [00:17:20] Thanks Mr. Chair. I would. I have a motion to make and don't know if Sandra received it or not. If she did....

Phil Anderson: [00:17:32] Go ahead Corey.

Corey Niles: [00:17:34] I move that the Council adopt the following as the final preferred alternatives for the catcher processor sector as described an agenda item G.3 Attachment 1. One, The CP, CP accumulation limit. A. Implementation, Alternative four, apply accumulation limits only if the co-op dissolves and the IFQ program is implemented for the CP sector, B. CP permit limit, alternative two, establish a five permit limit in assigning permit ownership rule, use approach described in NMFS's regulations at 660 dot 140, i.e. apply the concept of control and ownership in the shore based IFQ program to the CP permit limit. C. CP processing limit, alternative one, no action, and then two, new data collections for CP's. A. CP's alternative two, collect detailed catcher processor ownership data annually.

Phil Anderson: [00:18:47] Thank you Corey. Does the language on the screen accurately reflects

your motion?

Corey Niles: [00:18:51] Yes I believe it does.

Phil Anderson: [00:18:55] All right. Is there a second? Seconded by Richard Lincoln. Go ahead and speak to your motion please Corey.

Corey Niles: [00:19:03] Thanks Mr. Chair. Briefly here I think this has been discussed a few times now from the preliminary preferred to now. This this catcher processor sector is a model fishery in, in many ways they were rationalized before this Council implemented amendment twenty in in the catch shares in the other sectors and at that time I thought maybe because they were, they were well ahead of everyone else, I think we believe we we did not give adequate attention to the, to the requirement to prevent any entity from attaining excessive shares in the catch share program. So we believe a believe a, the Magnuson Act requires a limit on excessive shares and it's the right thing to do. The reason is we don't believe there is a market power problem here. This is really about I think, I think most people would agree that it wouldn't be right for one company to own privileges to fish a public resource so it's this is really.....the set up here is really a precautionary measure to prevent changes in the current co-op. The current co-op is working well. We are suggesting here that the limits go into place only if the co-op fails. So an extra incentive to keep keep the co-op working as it is, and and again prevent prevent some consolidation and, you know if if things consolidate it might be too, too late to do anything reactively, so this is a proactive measure. We're choosing the, I think as we spoke to before, no action on the processing limit as we don't want to interfere with the flexibility this this catch share, the co-op provides and in the other measures achieve that objective of preventing excessive shares. And then lastly on the data collection I believe there's, there, it was also maybe an oversight that we're not collecting ownership data from all companies and there's one or two that we're not getting data from. This would give the Council and the public better data to ever take up this issue again in the future if the need ever arises, and I think, I will, I will leave it there and see if.....happy to answer more about the intent if there are questions.

Phil Anderson: [00:21:44] Thank you Corey. Is there discussion or comment on the motion? I would just offer.... appreciate the motion and the manner in which it's being brought forward which recognizes the success of the current co-op, that the motion doesn't undermine or impact the continuation of the co-op success and only kicks in, in the event that the co-op for some reason dissolves, so appreciate the, the approach that's being used. Any other discussion on the motion? Okay I'll go ahead and call for the question. All those in favor of signify by saying Aye?

Group: [00:22:46] Aye.

Phil Anderson: [00:22:46] Opposed no? Abstentions? Motion carries unanimously. Are there additional motions to be offered to the body this morning on this agenda item? Okay. Is there other guidance needed? All right. Dr. Seger can you give me a status report.

Jim Seger: [00:23:29] Thank you Mr. Chairman. You've taken final actions on all items in the follow on action package including the FMP amendment and I think that completes your business on this agenda item.

Phil Anderson: [00:23:39] Great. Thanks very much to the individuals that crafted the motions to put before the Council this morning. We very much appreciate your efforts and it certainly helped us work our way through this action. Thanks very much. Okay that'll close out G3.

4. Omnibus Project Prioritization

Part 1

Phil Anderson: [00:00:00] That concludes public comment on our omnibus prioritization agenda item. Takes us to our Council action, which is consider the omnibus list relative to prioritization. Keeping in mind, or I'd recommend at least, keeping in mind the advice we received from both the GMT and the GAP and our public comments that were received. Identify items to work on over the winter that might be in addition to the items that were identified by the GMT in their report that they're already working on, and then providing any preliminary guidance on possible revisions to COP9. Marci.

Marci Yaremko: [00:01:00] Thank you Mr. Chair. I guess if I might start off with a question for Council staff in terms of how to approach the finalization of the omnibus list. In the past this list has not been fully utilized in terms of our workload planning, some things, many things have stayed on the list never to come off the list and be incorporated in our agenda scheduling exercises. Can you tell me if there is a plan that all of the items on this list would in fact be scheduled in agenda planning or is this just a revised priority list and then we schedule the top items on the list in our course of agenda planning. What's, what's the anticipated process for the list?

Jim Seger: [00:02:02] Thank you Mr. Chairman, so for this go round as I understand the plan it is to put together the list, kind of status quo, put together the list, identify some of the top priorities to move forward and others would remain on the list, but then in March you'll also be considering whether to revise that entire process and do something else and obviously you have liberty do to change things around.

Phil Anderson: [00:02:21] Go ahead Marci.

Marci Yaremko: [00:02:26] Thank you, so would I be correct in then kind of viewing this as we shouldn't worry too much about being broad in our inclusion of items rather than narrowly focusing this list and maybe focus only on things we really can't live with being on the list or what's what's the best way to approach this?

Phil Anderson: [00:02:57] Go ahead Jim.

Jim Seger: [00:02:58] Mr. Chairman and Marci, uh Miss Yaremko excuse me, so yes I think that this is the process as it is lined up right now is the broader version, so you'll have a list. The GMT we'll do some preliminary evaluation to kind of help you with the prioritization next fall or excuse me next March, but it is it is a broader list and the only implication in including more breadth that it is a little bit more work from the GMT in terms of that sort of initial scoping but I expect that each of their scoping is going to be a fairly cursory look. They're not going to get into a lot of depth which is just to provide you some information that may be helpful for your prioritization in March.

Marci Yaremko: [00:03:46] Thank you.

Phil Anderson: [00:03:46] I was drawn to the paragraph in the GMT's report two that their initial perspective that, number one they're fully subscribed between now and March. If we want them to work further on, further work on the prioritized list then we should tell them of the things that they're planning to do, which ones they shouldn't do to make time for that, and that from their perspective the ideal approach was to continue to do what, they used to word hone, the workload

prioritization lists by deleting items that are no longer applicable and then modifying items to reflect new information that were derived from the September and November reports, so, and then referencing it as a living document, so I would just draw the Council's attention to their perspective at least on what we should do at this point and what their ability is to pay some additional attention to it between now and March. Maggie.

Maggie Sommer: [00:05:06] Thanks Mr. Chair and thanks for that reminder. That certainly struck me too and I appreciate the GMT being so clear with that information. I would support that approach of refining the list at this time and having that process be our, our.... certainly the start of our focus here. With that said I support the GAP's recommendations for changes to the list for items to remove or keep on the list in the combined GAP GMT report, just thought I'd offer that and interested in opinions from other Council members on those many specific items.

Phil Anderson: [00:05:59] I think....I pull it up here, but there was there were a couple of places where the GAP and the GMT disagreed, but there was a large majority of the items, there was agreement on whether to keep them or delete them. So that would give us a good place. Maggie.

Maggie Sommer: [00:06:21] That's right. Thank you. I also did want to speak specifically to the new item N 8 which is one of the few areas they differed, and that difference was just that the GMT left it as a to be determined. They didn't feel they had enough information. The GAP recommended deleting. This was a request from an Oregon angler that was in the advanced briefing book to allow natural bait in the long leader gear fishery. Just wanted to very briefly speak to that one. Really appreciate the public comment letter and the commenters goal of making our long leader fishery a success and I note that long, the term long leader has come into common use but it does not quite accurately describe the gear, but that's that's what we're calling it. We share the goal of making it a success and we we don't believe that the use of bait is required for it to be a success. And we in fact are concerned that it would have the potential to undermine the key feature of that fishery which is the specific goal of avoiding bottom associated yelloweye rockfish since bait has been shown to to attract them more, so this is just our first year of the fishery, we'd want to see more information on on bycatch rates. It just looked very good so far. We had 22 yelloweye encounters on over 4,500 long leader trips but too early for us to feel comfortable making any.....looking into any change in allowing these bait.

Phil Anderson: [00:07:59] The other...my other....in thinking about this is that I think we....thanks to the good work of the GMT and the GAP, made good progress on refining the list in terms of deleting some things that are no longer desired to pursue. We could, you know, have that list if the Council decided that they concurred with those recommendations we'd we'd have that revised list of items so that it would make this table smaller by getting rid of all the items that were recommended to be deleted by both GMT and GAP. You know and thinking about Marci's comment about well how you know what do we we do this. What do we, you know, how do we make use of this document, there may be an opportunity for us at a, whether it's in March or April, as part of our workload planning to make sure that we've got the omnibus list in front of us when we're looking ahead and deciding what additional items we may want to add to our future agendas. Aja.

Aja Szumylo: [00:09:25] Thank you Mr. Chairman. I'm in particular interested in the GMT spending some time, as Jim mentioned, putting some bounds around that list, so adding... expanding the table again, if you will, to add information about the level of NEPA analysis required, the level of workload that might be required, any information about timing for implementation for the different measures, whether it's important to implement that measure in time for the start of a fishing year versus something that can be taken up in the middle of the fishing year. I think all of

that information can help us help the Council in prioritizing items in the future when selecting things from the omnibus list and I'd like the list to look like that with additional information going forward.

Phil Anderson: [00:10:09] Are you suggesting that the GMT be assigned to do that between when?

Aja Szumylo: [00:10:16] My understanding of the discussion at the last meeting and the discussion here was that that would happen over winter so it would be not a detailed, not a really detailed look, but just you know add some columns to talk about to help the Council think about when all this.....what, what it would take for all this work to occur.

Phil Anderson: [00:10:34] Okay and then that could come back to us for a look. Chuck.

Chuck Tracy: [00:10:39] Thank you Mr. Chair. Aja. The, you know, I'm thinking about assigning the GMT to to to do all that additional flushing out of the schedule. I'm just wondering if that's strictly a GMT assignment or if that could be more, I mean a lot of the stuff sounded more like a Council and NMFS staff work to sort of augment some of that. I'm just wondering your thoughts on on who might actually be involved in that?

Phil Anderson: [00:11:15] Aja.

Aja Szumylo: [00:11:15] Thank you Mr. Chairman. Mr. Tracy. I agree. I think yeah our staff can definitely contribute a lot to that list. I would like to hear the GMT's assessment of the work that would contribute to it as well, but yes we can, you know, our, our groups together could definitely take one of the first passes at it.

Phil Anderson: [00:11:34] Well and the GMT has NMFS and Council staff on it, so I mean it's not like they're off there operating in some sort of a vacuum from NMFS and the Council staff. Marci.

Marci Yaremko: [00:11:51] Thanks Mr. Chair. I have some specific comments on items on the list but I I guess first just in response to Aja's remarks, I appreciate the interest in working on this over winter, but I also am sensitive to whether we need to do super deep dives on all of the items on this list in terms of how much work it would be, you know, both on the analysis side or the regulatory side, if we can knock it off, knock off cursory thoughts on it, great but I wouldn't want us to spend days scoping how much work all however many several dozen items we wind up with on this list, so just general thought there. Moving to some specific thoughts on this list, I do have some. With regard to item 48, this is the 60 mile bank RCA line, from CDFW's perspective this item is challenging in the sense that we've already heard from our enforcement staff stateside that these RCA lines pose enforcement challenges. This is an offshore area, very small, half a mile or so. The area that we'd be talking about two little blobs. I don't find this to be a priority at all for us at CDFW. I'm okay keeping it on the list because there's interest in it being there, I'm not really insisting it be removed but I don't, I don't, I support these ideas about maybe we don't want to prioritize this list, so I just wanted to share my thoughts on this. I'd rather not be here if push came to shove but I'm not going to get too wrapped around if it's there. The sable fish item number 50. As I understand it there's been some work by WDFW on this conversion factor and whether or not what we have right now is appropriate. I appreciate their look at this and the GMT's evaluation of this item, but the state of California has a statute specifying the one point six conversion factor. I have a feeling this was established with agreement by the three states probably way back when in the L.B. Boydston days and the....the, the effort to revise this, this number any state statute would be monumental, so I just have some concerns about how we go about doing this if there is some

other way. I don't I don't know a way out of this box but amending statutes for us at the staff level I is extremely challenging. Moving to number 52 ESA seabird. If I understand the rationale from both the GMT and the GAP, because this item is in progress and it's an ESA issue that must be done, they feel it should be removed from this list though I know there are potentially a number of pieces to this item that could include logbooks at some point. I don't have concerns with deleting it but I would just flag that what that means is that because it's an ESA item that is required nondiscretionary, then to me if that means that it.....does that suggest that everything on this list is discretionary, and I...kind at looking at the content here and what is on the list and what isn't on the list we don't have our chinook mitigation measures here on the list either, so I'm viewing this list as kind of discretionary in nature so that when I get to item 65, which is the elimination of the prohibition on at sea processing south of 42, both the GMT and the GAP recommend keeping this item in the event that we get a revised buy-op that allows for some reconsideration of this issue, so in my mind this item is not discretionary right now. We would not have the ability to work on eliminating this prohibition because right now it's a term and condition of the ITS, so I have difficulty understanding why we want to keep it on the list if we've already said that, or suggested that items that aren't discretionary don't belong on this list. So with that I would really suggest we remove 65. Getting to the new items. Number N 5, the CCA revisions, both the GMT and the GAP recommend keeping this item. Just a bit of background on this item and I understand maybe there was some confusion at the September agenda planning discussion. This item had been slated on our tentative year at a glance agenda for a two meeting process. It has now fallen off the November year at a glance agenda that's available in our advanced briefing book. I understand that may have been either some miscommunication or potentially in error, but just to clarify that CDFW yes continues to support having this item on the list. It was just a matter of the timing. I acknowledged an edge in the planning in September that we've had some staffing turnover and I didn't see that we would be able to get it on the near term horizon, but, so I guess I'm a little bit concerned about why this is now on the omnibus list since it was a standalone agenda item that had kind of been a carryover from the 18-19 specs, so I guess I would support keeping it as an agenda item for the June September timeline which is where it should have probably fallen out on the agenda planning, so I think both the GMT and the GAP put it on this list recognizing that it had fallen off, but I don't know that omnibus is the right vehicle for it since we already have that slated for our consideration in a future year at a glance. And then finally on new Item 7 the Emily Platte EFP moving that mid water long leader fishery commercial fishery into regulation, yes certainly support adding that to the list. Thank you.

Phil Anderson: [00:20:45] So I had question of clarification. I'm looking, I'm pretty sure I'm looking at the GMT GAP list and item 65 which is eliminate the prohibition on at sea processing south of 42. They're both recommending deleting it from the list, or am I looking at a different table than the rest of you? Jim can you help me out here?

Jim Seger: [00:21:25] Yeah during the, her presentation Lynn Mattes explained that there was an error on line 65 and the GMT is recommended deleting that and the GAP is recommending keeping it, and there is a revised one that's only electronic that should pop up if you're refreshing.....

Phil Anderson: [00:21:48] Oh thank you. Apologize. I missed that. Corey.

Corey Niles: [00:21:53] Thanks Mr. Chair and I just have some overarching thoughts but also Marci's asking some some of the same questions I have and I think what I hear her doing out loud there is kind of the quick level scoping that the GMT would be doing. For example yeah that's interesting that your legislature decided to put the conversion code into law, but maybe there's a, you know maybe it's the best available science question that that we would need to look at is under

obligations to the Magnuson Act, but that's something I would expect to come out of out of the the GMT's next step here and the same thing with, on your processing south of 42. Yeah it seems highly unlikely this Council would want to re-open the biological opinion at this time. So what, but what's the cost of leaving it on the list as an idea of...that's out there for some interest. I don't have an answer to that question. So I guess getting to the overarching thought, I'll try to make it quick, is this list is nice but it's it's really, we have workload problems, we've had workload problems for years and what we need is the dialogue that I think Aja and Chuck were getting at, and so I was glad to hear Aja speak up. I was going to ask her how this fits into their process, but I really like the idea of adding those additional columns to the table, so I would like...and just also agreeing with we want to keep this.....we don't want to have to spend days scoping issues that are never going to come up and in the next two years, so where's the happy....where's the happy medium there and in those columns I.... I'm hoping to see eventually more than what type of NEPA analysis will be required, like will it be an EA or an EIS? I'm hoping that we can get more specific on what the GMT, NMFS, Council staff or anyone thinks are the key, the key pieces of analysis, the key factors that the Council want to know in making a recommendation, and in that NMFS wants to know to....to review that recommendation for consistency, so I think you know, we do have workload challenges that I think there is an opportunity there to to do our analyses more efficiently and honing in on those specific factors I think is one way to get there, so I'm not really thinking that a debate over whether we should keep anything on the list that we all agree is going to have a low priority is a good use of the Council's time, but I'm just really just expressing that I don't really see how this is going to work quite yet either. I'm very supportive of this process and letting it....letting it go forward and seeing what the GMT comes back with and in March and the earlier point the Chair got us to agree on about the good work of the GAP and the GMT and pairing that list down is, I think that's a good a good step.

Phil Anderson: [00:25:07] Louis.

Louis Zimm: [00:25:08] Thank you Mr. Chair. I would like to have a bit of a discussion if you'll allow me to about the number 48 and I would like to use it as a demonstration of the utility of this omnibus list. I introduced this subject a number of meetings back and eventually through the good offices of Miss Yaremko and Mr. Puccinelli and the department got some very good clarity on whether the 60 mile bank area could be made into RCA lines and be enforced, and now I see that, that perhaps it is impossible because of the fact that it's a half mile by one mile is unenforceable, but I'd like to address a larger subject that is part that the 60 mile bank situation is part and parcel, and I've made some notes here. I would like to submit for the record that in the future the Council may well need to address how to manage these small but productive banks. These include, in addition to the 60 mile bank, the Santa Rosa Bank south of Santa Rosa Island. The Rincon bank in the Santa Barbara Channel south of Santa Barbara. The 14 mile bank, which is also known as the Lassuen Sea Mount, and the Hidden bank, which is north of Santa Barbara Island. Historically these were economically important locations for the Southern California sport fishing fleet. Presently due to the rule in the CFR's that recreational groundfishing may not be conducted seaward of the 150 fathom line south of the Point Conception 34 27 line, recreational groundfishing is not permitted and regular, regulatory discards will continue to happen, however I must note that commercial groundfishing is allowed seaward of the 150 fathom line as described in the CFR's. I support and appreciate this fishery but hope that the Council will consider future access of these areas to the recreational fleet. Thank you for your indulgence.

Phil Anderson: [00:27:58] Okay. Thank you. So what I've heard, I think so far is that there's some synergy around the joint list. There are some specific comments about some specific items that we've heard. There is a suggestion that it would be helpful for the GMT to add some additional

thought from a process implementation perspective as to how each one of those might move forward just from a fairly high level workload NEPA et all kinds of things that are needed to to move these items forward, so we just get a sense of the workload. I don't know if there's a one to five rating or what they would do to bring back to us, but something at a high level where we're not asking them to do a deep....somebody used the term 'deep dive' into it but just give us a sense of workload associated with moving these items. The one that we leave on the list moving them forward. There was a specific, I think recommendation from Marci to remove the at sea processing south of 42, number 65, take that off the list, so that would not be something we would expect further thought from or evaluation from the GMT.

Part 2

Phil Anderson: [00:00:00] When all this discussion was going on I was looking over at a couple of GMT members to see if they were frowning or whether they were giving me smiling and they weren't doing either, but they did give me a brief thumbs up that we were going down a track that maybe they were thinking they could support, and then there's then there is the other issue that came up in public comment relative to the....any follow up actions in response to the mothership sectors recommendations to address some of the issues and problems that are occurring in that sector. So if if the, at least if the first, if absent that setting aside that second question, if that is, it would be a reasonable next step direction then this list would come back to us with that additional evaluation and information and the whole question about how we use it or whether or not we need additional information we could address that at that time. Jim Seger.

Jim Seger: [00:01:39] Thank you Mr. Chairman. I just wanted to address briefly the issue that came up with respect to the item 65 the south of 42 and removal of that in the context of the perception that the seabird issue was....item 52 was being deleted, and also then also the N 5, the CCA that that was on the list and maybe it shouldn't be. So what's, what we want on this list are things that are new management measures that are not already scheduled for action, and so for example that's the reason the seabird is on there is because it has been scheduled to action for action and it's on the year to glance already. So that's the reason for dropping that off as opposed to being a mandatory issue. So that then plays into the rationale for dropping 65 off. With respect to the CCA on N 5, if that is supposed to be on your year at a glance planner then it really shouldn't be on this list because it's already in, it's already been prioritized in other words and it's already moving forward. So these are the items that have to be prioritized still. I thought that might help with some clarification on that. The other question that I thought that was a....that was a helpful summary that you gave in terms of the overall direction. I....there was a comment I believe by Miss Sommer that in terms of this joint list that the GAP recommendations, I mean there are some places where there's GAP recommends one way and the GMT recommends another and how you...if you want to just move everything forward at this point where there's a discrepancy between the two or do you want to favor one or the other?

Phil Anderson: [00:03:26] Thanks Jim. Well what I, what I put out there for consideration is yes, Maggie put that perspective forward. Marci followed those comments up with a specific concern or recommendation about the number 65 that would deviate from accepting all of the GMT's recommendations. I didn't hear any pushback on that recommendation, and so I was in trying to include that in my summary of what I had heard up to this point. Bob.

Bob Dooley: [00:04:16] Thank you Mr. Chairman. I, just a question on 65. I mean if if the buy-op goes to a re-consultation and that's no longer a provision, you're expecting that, that would come up again as a new option rather than something that was on the list that was prohibited because of the buy-op. Is that...it seems like it was it was a concern or an issue people brought up and by dropping it, I would assume that means they'd have to reintroduce it again and there'd be no memory of that and no Council process to speak of.

Phil Anderson: [00:04:52] It....well I would say yes if it comes off the list it would have to, it would take a deliberative decision by the Council to put that action back on the list at some future point in time, so just as anything else on here that's being suggested for deletion, if it were some later date one or more of those, if the Council wanted to put those, one or more of those items back on the list it would take a deliberative decision by the Council to do so. Corey.

Corey Niles: [00:05:35] Thanks Mr. Chair. I think I might have misheard or lost you there on your last summary. I thought the plan was, the consensus was Maggie started off with, she supported the GAP recommendations and then we ended up but for that south of 42 issue and I thought I heard you say just the GMT recommendations. So, but I have so I think I thought the consensus was everything but the 42, south of 42, on that I was saying I see merits in addressing the GAP's request to leave it on with the key factor saying it's, as Bob just noted, that it's a buy-op, the main reason for not, people not wanting on the list at this time it's because it's part of that incidental take statement and then we'd have to do the biological opinion if that were ever to change, so I don't see the harm in leaving it on but I'm also speaking I'm not strongly....I don't really....I'm not going to push to keep it on. but I would just say at the GAP could come back next March or the March after that and say you know we want an EFP, we want it back on the list and it's the biological opinion is the reason you took it off last time so just I think it can work either way. But back to that point, your summarization is.... am I my understanding right that we're saying the GAP recommendations except for that one?

Phil Anderson: [00:07:03] Well you've said two different things in reflecting what I said and let me clarify if I need to. My summary was that I, I was feeling that there was consensus around the table that we accept the list that was provided by the, by the joint, the joint proposal from the GMT and the GAP with the exception of number 65 which was the south of 42 issue. That's what I said. I do. I. I Don't, I do not..... I mean one of the rationales for taking this number 65 off is because it's in the incidental take statement and that may be why some of the people around the table are suggesting to take it off. There may be some other reasons some other people there around the table or suggesting taking it off, notwithstanding that, if there is a desire to leave that back on.....put that back on as you suggest then we need to have a, I need some more discussion around the table, but where I had thought we, I, in my summary I was trying to to reflect what I had heard from people and given that I had not heard any objections to Marci's suggestion to take it off up until now that was part of my summary. Bob Dooley.

Bob Dooley: [00:08:35] Thank you Mr. Chair. I would just....I'd be in favor of keeping it, and the reason why is because we already do, right now we are fishing south of 42. That happens and we're you know right now the mothership sectors dragging bags, the catcher boats drag bags north of 42 to deliver them. The actual processing has nothing to do with catching fish. It has to do with processing, and so I wonder if there's some discrepancy in that, that we might have to dig into because there's no, there's, we could catch all the fish south of there I think and not have a problem it just, we can't process it there, and so I think there's a there's a you know I've heard from industry that there's a, still a desire to do that, and I don't know that the buy-op actually has it right in the interpretation there. So I just I know I know that's probably a little deeper and you wanted to go but I just, that's, I would think that'd be a reason. Thank you.

Phil Anderson: [00:09:35] Aja.

Aja Szumylo: [00:09:38] Thank you Mr. Chairman. I just want to clarify around that one provision for a moment. So the ITS term and condition 2D talks about maintaining a couple, retaining a couple of provisions in the regs to minimize chinook bycatch, and so the term and condition says maintain the prohibition on at sea processing south of 42. The item number 65 talks about eliminating the current prohibition on processing, so it would be changing the action that we authorized under the ITS, or authorize within the biological opinion. It'll be another large consideration. So removing it from the list is fine right now because we're saying we maintain the prohibition on processing south the 42. If the Council doesn't want to pursue that anymore as a possibility then removing number 65 from the list is okay, but if it's something that the Council

wants to consider then we'd have to, again kind of scope out the way that we're talking about scoping out the rest of these items. So I hope that adds a little clarity to the issue.

Phil Anderson: [00:10:45] Marci.

Marci Yaremko: [00:10:49] Maybe. Let me try it this way, as I understand Item 65, it runs afoul of an ITS, which is issued by NMFS and is non-discretionary and is really not subject to advice at this stage in the process on that one from, from the Council.

Phil Anderson: [00:11:23] Sheila.

Sheila Lynch: [00:11:25] Thank you Mr. Chair and thank you Marci. Yeah I think because it's a requirement in the ITS currently, if you wanted to eliminate that prohibition we would need to look at whether that would require a re-initiation of the consultation or changing the ITS, and that I think could be part of Aja's suggested, you know look at what would be required to implement these different things.

Phil Anderson: [00:12:04] Marci.

Marci Yaremko: [00:12:06] Yeah. Thank you. Thank you Sheila. And I guess that's where I feel like keeping this item on the Council's list is really out of bounds just for those reasons. This is, I think we're stepping out of our wheelhouse by advising that we want to look at an ITS and make recommended changes to it when that's really beyond the Council's role unless we are asked for consultation. I would assume that if the buy-op was revised and a new draft ITS was in development by NMFS that NMFS would bring it to the Council for its advice and consideration like we've seen most recently with other ITS's, but as I understand the way things work with ITS's, once they're issued they are the law and they're really not subject to negotiation at that point, so keeping this item on the list I feel like is just really out of bounds. Thank you.

Phil Anderson: [00:13:25] Maggie.

Maggie Sommers: [00:13:27] Thanks Mr. Chair. I support removing it from the list for the reasons Marci just stated and I think that if a future biological opinion gives us latitude to consider it after all, then it's appropriate for us to go through a deliberative process to add it back into the list at that point.

Phil Anderson: [00:13:47] Sheila.

Sheila Lynch: [00:13:49] Thank you Mr. Chair. I think just to clarify, I mean right now we have a biological opinion that analyzed the Council's proposed action which included this prohibition on processing, so you could I think at least ask NMFS to consider whether making a change to that would require a re-initiation of the biological opinion or I guess another way to put it is if you really wanted to change the proposed action and that did turn out to trigger a re-initiation then we would reinitiate consultation on the buy-op, so, I mean you can recommend changes to the proposed action but then we need to look at whether re-initiation is required and of course you know how much work is associated with that.

Phil Anderson: [00:14:50] But my understanding Maggie of your remark was that you would favor removing it from the list at this time?

Maggie Sommers: [00:15:03] Thanks Mr. Chair. I am okay with removing it from the list at this time.

Phil Anderson: [00:15:07] Corey.

Corey Niles: [00:15:09] Thanks Mr. Chair. I don't think it's worth debating. I think the GAP will bring it up next time if it's important but I think it is, I think, I just, Sheila was telling us we could if we want to if we want because of the workload concern. I don't think we want to and so it's kind of an academic debate but I'm sure it'll come back in a couple cycles if there's still interest.

Phil Anderson: [00:15:33] I am certain of that as well. Chuck.

Chuck Tracy: [00:15:38] Thank you. I guess just in general there may be other items on this list that may require ESA scrutiny and potentially require a re-consultation. I don't know if retaining halibut in the sable fish fishery might require some ESA re-consultation. It might, so I guess one question would be do we want to run and run these through a filter when we come back with those, that additional information of which of these would require ESA re-consultation. I don't know if we want to go that, dive that deep and with all of these but I guess I would, I mean the ESA consultations, re-consultation occurs as as new information becomes available or as new management measures are proposed, so I don't know it seems like I'm not sure that that's a real good filter.

Phil Anderson: [00:16:40] Well fair enough. Regardless of the filter, I'm sensing that there is agreement around the table to take numbers 65 off the list, and so in the absence of seeing an objection to that I really don't want to have to take a vote on it, if we can...on the item, if we....but if you if we continue to have disagreement and that's what we're gonna do. Okay so I was frankly assuming that in the evaluation of the workload if there was a re-consultation as part of that, If there was a potential re-consultation as a result of taking any one or more of these actions on that would show up in the evaluation that we get back in March. So. Okay. Corey.

Corey Niles: [00:17:41] Sorry Mr. Chair, are you going...if you are going to move on to the item number three I have one just quick thought that I keep forgetting to say and the GMT's has been hinting at for a while now. I think we should think about moving away from the name omnibus and I just want to get that thought out there is I think the impression at the time was it was it was like the Congressional appropriations process where all the bills get thrown into one and make it through on one vote, and I don't think that's really what this is about, so before, I forgot to say that in my earlier comments, but I would encourage staff and others to think about a name change.

Phil Anderson: [00:18:25] Okay. Any objections to having the folks think about another name? Okay then before we go to COP 9 we, the other issue was the mothership sectors testimony or recommendations to the Council for taking possible action on several different suggestions to address the issues that have been raised. Is there any.....Maggie.

Maggie Sommers: [00:19:07] Thanks Mr. Chair. I noted Heather mentioned the conversation she was able to have with Aja about NMFS workload concerns related to this and wonder if I could ask Aja to give us a very brief summary of your thoughts on that, particularly focused on some of the short term solutions that are included in the summary of the mothership sector meeting.

Phil Anderson: [00:19:33] Aja.

Aja Szumylo: [00:19:34] Thank you Mr. Chairman. Miss Sommer. So I haven't had time to do this shallow dive, I'll throw that term out now on what kind of workload it would take to do an action that includes any of the things that the mothership sector raised. What I can speak to is what we do have on our plate right now and I don't know whether people want me to go into detail about that, but it may help just to...we present our information in, or we presented our run of our workload in the NMFS report on, on that big table on page three, and I, that presentation is not chronological, it's more in terms of type of work but if you'll indulge me quickly going through it chronologically so you understand what we're up against in sort of discrete chunks of time throughout the year that might help you understand what we're, what we dealing with, with trying to take something off of our plate or when thinking about taking something off our plate to absorb this new potential workload. So again between now and the start of the fishing year the final rule for trawl gear and specs, for the first half of the year you know we're still engaging on sable fish development. We've got all of our ESA related requirements including the ESA work group. The two actions that we're discussing today, seabirds and salmon, the reinitiated consultation on humpback whales, some other development related to the March, the upcoming March Council meeting is the...us you know trying to time the VMM rule so that the comment period is open over the start of the Council meeting, coming back with blackgill, at that point is something that we've been planning for, halibut we'll have a variable workload depending on how the IPHC process happens this year. In the simplest form it's just the catch sharing plan for March. In, in the more elaborate forms there are a lot of other permutations and a lot of workload for us, and then there's also the whiting catch limit rule, so that's all by May 15. Through the, for the full year again, so over the course of the year we'll be working on rule makings for five things that have to, that that the Council is looking at implementing in time for January 1, 2020, so that's Amendment 26, the blackgill amendment, Amendment 28 that EFHRC Amendment, both the, both of the ESA rules, the streamer line and sea... or the yeah the streamer line seabird rule and the salmon bycatch mitigation measure rule and then the five year catch share follow on rule that the Council just took final action on, and then also as a reminder we're going to start developing, the GMT will start developing and we'll start following development of specifications for the 21 22 biennium which feels awful to say because we're still finishing the final rule for that but it's happening again very soon so I'm laying it out that way to illustrate to you guys we've got a full a really full plate and I don't know, I don't know how the Council would want to think about choosing what to take off of that plate but, but we we would need some relief to to get through anything new that would need to happen before the end of the 2019 fishing year at that point, and some thought into the amount of workload that would be required to make that tradeoff.

Maggie Sommers: [00:22:57] Thank you.

Phil Anderson: [00:23:02] Okay. Any further discussion on that topic? Okay, and then the item associated with COP 9. Any guidance on possible revisions to that COP? Jim could you, for at least for my benefit if no one else's, give me a quick.....I've got attachment, I've got the attachment here with the COP in it, could you help me characterize what is being asked of us please?

Jim Seger: [00:23:56] Yes Mr. Chairman. So in March you will be coming back and looking at a revision of COP 9 that incorporates the GMT's recommendations from September. This is just simply an opportunity if you have any other ideas that you would like to be laid out in those documents, some different approaches that vary from the GMT recommendation. You can mention those now. They can also come up in March but there's no necessarily required action here.

Phil Anderson: [00:24:23] Okay. Any Council member have any additional thoughts they would like to add to the COP 9. Corey.

Corey Niles: [00:24:39] I know Mr. Chair. I just want to vocalize support for.....I like the GMT's plan they laid out and want to see what they come back with.

Phil Anderson: [00:24:50] Okay. Anyone else on that? Okay Chuck.

Chuck Tracy: [00:24:54] Thank you. Well I guess I would point out that the GMT is proposing an annual process and right now we're involved in a biennial process and this is the off year for, that we would normally be doing that sort of business and I guess I'll just point out that the GMT is, their plate is full and so, this year, and so I'm just concerned about them having to work on this process over the course of between Nove.... and I think their schedule says, you know to do some business between November and March on analyzing potential benefit versus workload and I guess I'm just concerned about the timing ability of the GMT to, to do this when the specs process is in full gear. So if they were doing this every year they'd be doing this when they were having their heaviest specs workload, so I just bring that up. It's their statement. It's their recommendation, but I just, well that's why we had a biennial process in the first place.

Phil Anderson: [00:26:14] Maggie.

Maggie Sommers: [00:26:15] Thanks Mr. Chair. Just on that, it's my understanding again that the GMT and maybe Council staffed together will be taking a shallow dive at this over the winter and that I think what we have been talking about here today fits into their plans and estimated workload over the winter. I agree with the concern about adding any significant workload to them and it's my understanding that this will not do that.

Phil Anderson: [00:26:50] Okay thanks. I'm seeing head nods from the GMT members in the back to that representation. Okay. All right. Jim what else do we need to do here to address our work under G4? Maggie.....sorry.

Maggie Sommers: [00:27:21] Thanks Mr. Chair. I'd like to make a quick comment. I was too slow as we transition from number two to number three and I just really wanted to, you know again acknowledge the, what we heard today from the mothership sector representatives. We appreciate you coming and bringing all the information to us. We did add this item to the omnibus list and given what we have heard about already subscribed NMFS workload over the winter, you know I was not comfortable assigning any priority to it immediately. We will be looking at it in the future again when the list comes back to us, and also appreciate the information and thinking that there there might be just general conditions in the fishery and its operations might provide a little relief in the upcoming year relative to what we've seen in the past couple of years with some vessels out of commission that we just wanted to again acknowledge and express my my understanding that it is a problem. Thank you.

Phil Anderson: [00:28:30] Yeah I would echo, echo that to Maggie and appreciate the work that the industry is doing to try to address that. There was a number of other ideas that came forward in the conversation and I hope that those conversations will continue, and you know keep the Council informed, if you would, too so that we could be poised to potentially help with a action that would help alleviate the problems identified. Okay Jim.

Jim Seger: [00:29:07] Thank you Mr. Chairman. Yes so we have the list that is in Supplemental GAP GMT Report 1 that for, your item number one there, that we will be moving forward with the elimination of item 65 so the GMT you'll be working that over, working on that over the winter. For

item 2, you have not assigned anything additional to the GMT for work given the heavy workload they already have there, and we had a few comments on COP procedure 9 that we'll probably bring back up again in March. I think that completes your work on this.

Phil Anderson: [00:29:39] Thank you. So that'll complete agenda item G4.

5. Endangered Species Act

Phil Anderson: [00:00:00] So we will now go to our Council action. So we've got our reports from our GMT and GAP and EC with several different recommendations in terms of how to proceed including the proposal for an alternative schedule that was included in the GMT's report.

Marci Yaremko: [00:00:19] Marci.

Marci Yaremko: [00:00:22] Thank you Mr. Chair. Yeah I was hoping maybe first we might follow up with a little more discussion.

Phil Anderson: [00:00:29] Sure. Go ahead.

Marci Yaremko: [00:00:30] That we undertook during the Q and A of Mr. Miles. So Aja maybe you can help out on the question about what constitutes a long line for purposes of this action.

Aja Szumylo: [00:00:45] Thank you Marci. Thank you Mr. Chairman. We do have a definition of long lines in our regulation but we also we, we need to spend a little bit of time looking back at the proposed action to make sure that we're correctly referring or correctly encompassing what the proposed action meant by long line here. So I don't want to give a firm answer right now I'd like to do a little bit more research to, to firm up that answer for you so that I make sure that it encompasses everything.

Phil Anderson: [00:01:19] Okay. So maybe one of the first things we could do is just consider our schedule in the GMT's report. They called our attention to some workload issues and proposed an alternative schedule, but that did include a recommendation to adopt a purpose and need and range of alternatives at this meeting and then moving to PPA in April and June for adoption of the FPA. Thoughts about that? Herb Pollard.

Herb Pollard: [00:02:06] Thank you Chair Anderson. Yeah, in looking at the GMT recommendations, it seems like they've proposed a pretty reasonable way to approach this and in working through that schedule would be enough time to find answers like what it is, you know do we need a better definition of long line. Sure I just look at long line on Wikipedia and there are demersal long lines and pelagic long lines and we know we've talked about other kinds of long lines so we probably, as we work through the schedule we will probably need to clearly define what a long line is, so, you know I thought I understood the same thing that Jeff suggested everybody understood that there are different sorts of long lines so we would need that definition but the GMT proposal would put us on a reasonable schedule I believe to deal with this item.

Phil Anderson: [00:03:25] Marci.

Marci Yaremko: [00:03:25] Thank you Mr. Chair. I think the schedule looks fine but I guess I do have a question about further outreach and I understand the timeline situation and the FPA adoption recommendation for June, but I guess maybe I'm hoping to learn a little more, I mean depending on how broadly you define long line, we could be talking about a much bigger or a much smaller universe of potentially affected individuals and businesses so at least from what I'm hearing there has been some scoping by the GAP members themselves on a kind of a localized basis, but I think it doesn't sound like there's been a, kind of a broad brush approach to the outreach, so I'm just wondering if, how we do our best to get input on this other than from our GAP or if NMFS is doing additional outreach via a mailing or any other way. I'm just curious what, because we did discuss

this the last time this item was in front of us.

Phil Anderson: [00:04:50] Aja.

Aja Szumylo: [00:04:53] So the, the buyout does cover the entire fishery. We do have the definitions of long lines in our regulations. I, the buy-op does say that there were about 500 long line vessels in the fishery that it was looking at and considering that, in considering the overall impacts, of the fishery and so yeah I don't know how that comports with our estimates of how many long line vessels there are in the fishery right now, but that's the number that's considering in the buy-op. If you know once we firm up our definition of what was covered in the buy-op we could do additional outreach, if we don't feel that the GAP is the appropriate venue to to provide all the input that we need about this action if you'd like.

Phil Anderson: [00:05:58] Well everybody I look at immediately turns and looks the other way. Maggie.

Maggie Sommers: [00:06:04] Thanks Mr. Chair. I could offer a motion? I don't want to preclude any discussion.

Phil Anderson: [00:06:12] Please do.

Maggie Sommers: [00:06:13] Sandra. Thanks. I move the Council adopt the purpose and need statements in G5 Attachment 1 November 2018 and the range of alternatives in G5a Supplemental GMT Report 1 November 2018. In addition follow the schedule recommended by the GMT and G5a Supplemental GMT Report 1 for action on this item.

Phil Anderson: [00:06:44] Thanks Maggie. The language on the screen accurately reflects your motion?

Maggie Sommers: [00:06:50] Yep it does.

Phil Anderson: [00:06:51] Is there a second? Seconded by Brad Pettinger. Speak to your motion please?

Maggie Sommers: [00:06:57] Thanks Mr. Chair. As we have discussed already, this action is nondiscretionary and is required to meet the mandate to implement the elements of the incidental take statement and the terms and conditions to minimize take of short tailed albatross. We have heard.... we received some great information in the paper in the, that was in the advanced briefing book and the presentation we received today, some good thought from the Groundfish Management Team and the Groundfish Advisory sub panel. The purpose and need statements have have been there for a while. I think they adequately describe what's going on and we don't need to go back and revisit those. The range of alternatives provided by the GMT is...is relatively broad at this point. I know a number of questions have been raised, some in discussion here today about the definition of long lines to which they would apply, some about the potential for customized lines for vessels smaller than 36 feet. It is my belief that the range of alternatives set forth by the GMT would allow flexibility to make refinements to address those questions as we move forward, and I think one thing I should note in here, I do not have it in the written motion but we had some discussion about civil sunset and we heard a report from our enforcement consultants recommending different language, so now that I've gotten this far perhaps I just want to note that, that's there's a difference there from what's in the GMT alternatives proposed, so we may want

some discussion and I would welcome a friendly amendment if necessary to address that. The second part of the motion we've already talked about schedule and I think it sounds like everybody is in favor of that.

Phil Anderson: [00:09:36] And it seems to me that, or at least my interpretation of the discussion around the table, is the questions about definition of long line gear and among....to ensure we know what gear types this would apply to would be forthcoming from National Marine Fisheries Service. The GMT would be encouraged to look at the comments from the GAP and the EC and make any appropriate, changes as appropriate when they bring our....the package back to us in April. Is that a fair assumption?

Maggie Sommers: [00:10:12] Yes, thank you.

Phil Anderson: [00:10:13] Discussion on the motion? Okay seeing none we'll go ahead and call for the question. All those in favor say Aye?

Group: [00:10:25] Aye.

Phil Anderson: [00:10:25] Opposed No? Abstentions? Motion carries unanimously. Dr. Dahl any other business Council needs to conduct on this matter? Oh excuse me or ask that. Corey?

Corey Niles: [00:10:51] Yeah I think. Excuse me. Maggie had had her hand up maybe first but while I have the mic. I just wanted to maybe, I forget what the set up here was with the analysis team, but if it's okay to ask Aja. I almost....I didn't think it was worth doing, but almost contemplated making a suggested change to the purpose and need, just because I think it's where we're focused just on one species of albatross, whereas I think the streamer lines have broader benefits and I'm just wondering if there was a plan to look at, in terms of analyzing this range of alternatives, is our analysis team gonna be looking at encounters with other species such as the, probably mispronounce the name, Malaysian albatross and in the other other, other birds we've seen these have benefits for those. I'm just hoping that those, to the extent it won't slow down the implementation timeline, would be looked at and didn't know if you had any thoughts on the analysis.

Phil Anderson: [00:11:57] Aja.

Aja Szumylo: [00:11:59] Thank you Mr. Chairman. Thank you Mr. Chairman. Thank you Corey. We were not intending to look beyond the bounds of the ITS right now. We're trying to constrain the action as much as possible to meet the timelines of the ITS so our intent wasn't to extend beyond that. I am worried about potentially missing that timeline if we extend too far, so we'd have to potentially consider another action if there was any interest in looking beyond that.

Phil Anderson: [00:12:31] Maggie.

Maggie Sommers: [00:12:33] Thanks Mr. Chair. I just wanted to express my support for the recommendations in both the GMT and GAP's reports, that NMFS look into the data that is available on around the high bycatch rates by a small number of vessels in the long line fleet and look to see if there are particular factors that can be identified that contribute to that so that NMFS can then conduct outreach and education with the fleet and or with individuals as appropriate.

Phil Anderson: [00:13:09] Aja.

Aja Szumylo: [00:13:11] Thank you for that Maggie. We...yeah the data that was presented there isn't final yet. We are working.....we intend to work with Wikop to identify the vessels and approach and figure out what kind of outreach is appropriate for them. I also wanted to add that the ESA work group is going to meet this, this winter, so again we're targeting a meeting for February so I'm hoping to engage that group to look into some of the questions that the GMT and the GAP raise in their statement to help us pull together analysis for that April meeting when we discuss this again. I'm not sure if that that ask to the ESA work group requires anything other than us agreeing that that might be a good venue to also consider the questions, but I just wanted to throw that out there. Thank you.

Phil Anderson: [00:14:00] All right. Other comments or discussion or questions around the table here? All right I'll try again. Dr. Dahl have we completed our business on this agenda item?

Kit Dahl: [00:14:18] Yes. Thank you Mr. Chair. You have, I think with the adoption of the alternatives as laid out by the GMT and some of the other, there other recommendations. You've made very good progress on this issue. Based on the discussion there are a number of issues that I think will be delved into as part of the analysis and that information can be brought back to you in April and, you know, along with any recommendations on what might be part of the the action to to address those questions. So yes I think we're in a good position.

[00:15:04] Okay. Thanks very much. So that'll close out G5.

6. Inseason Adjustments for 2018 and 2019

Marc Gorelnik: [00:00:01] That concludes public comment which takes us to Council action. Todd you want to quickly review our action here?

Todd Phillips: [00:00:14] Yes. Thank you Mr. Vice Chair. So your action for you is adopt final in- season adjustments for 2018 and 2019 as necessary to achieve but not exceed annual catch limits and other management objectives. Adopt the Pacific whiting yield set asides for 2019 and as well discuss, not up there, but to remind the Council to discuss the correction to the yellowtail rockfish north of forty ten.

Marc Gorelnik: [00:00:42] Thank you very much. So who wants to kick off our Council discussion? Who wants to break the ice? Maggie.

Maggie Sommer: [00:00:59] Thanks Mr. Vice Chair. I just wanted to express thanks to the the GMT for their very thorough information in their report, it's really useful to hear and in context, in addition to some of the public comment it really helps think about some of the bycatch information we've been seeing. I also wanted to express appreciation to CDFW for their inseason report. It sounds like that you guys have really been successful at making some improvements to the timeliness of your recreational data and that's really helpful to our process, and so I wanted to acknowledge that. I know it's it's not easy and it's it's very helpful, so thank you for that.

Marc Gorelnik: [00:01:51] Thanks Maggie. Further discussion or motions? Maggie.

Maggie Sommer: [00:02:02] Thanks Mr. Vice Chair. I could offer a motion for some of our actions.

Marc Gorelnik: [00:02:07] Please go ahead.

Maggie Sommer: [00:02:11] I move the Council adopt the following. Number one, inseason adjustments to ongoing groundfish fisheries for 2019 as proposed. Sandra would you strike the word 'ongoing' please.....they will be, not yet. Inseason adjustments to groundfish fisheries for 2019 as proposed by the GAP referencing G 6a, Supplemental GMT Report 1 November, 2018. Open access fixed year sable fish north of 36 degrees North Latitude, alternative one, 300 pounds daily twelve, hundred pounds weekly, 24 hundred pounds monthly. Limited entry fixed gear sable fish north of 36 degrees North Latitude, alternative one, thirteen hundred pounds weekly not to exceed thirty nine hundred pounds bimonthly. Open access fixed year canary rockfish trip limits north of 40 degrees ten minutes North Latitude, alternative two, three hundred pounds every two months, and open access fixed gear canary rockfish trip limits south of 40 degrees, ten minutes North Latitude alternative two, three hundred pounds every two months accept closed during period two. Number two, a fifteen hundred metric ton whiting set aside for pink shrimp and research in 2019.

Number three, corrected values for the ABC and ACL for yellowtail rockfish north of 40 degrees, 10 minutes North Latitude for 2019 and 2020 as shown in G 6 Supplemental Attachment 3, November, 2018.

Marc Gorelnik: [00:03:43] Maggie does that accurately reflect your motion on the screen?

Maggie Sommer: [00:03:47] It does.

Marc Gorelnik: [00:03:47] Do I have a second? Seconded by Marci Yaremko. Please speak to your motion.

Maggie Sommer: [00:03:54] Thanks. Again appreciate the GMT's efforts at this meeting as many of them to update us on catch estimates and projections and recommend inseason changes to make sure we're providing opportunity to access allocations without exceeding them and address other management goals. The number one, the inseason adjustments are based, as I noted on the GAP recommendations. The GMT also made these recommendations for sablefish. These trip limits are intended to provide earlier access to slightly higher limits and hopefully increase sablefish attainment which we have heard has been affected by poor market conditions this year and unfortunately that's expected to continue at least for the short term. The canary trip limits here are those recommended by the GAP from the alternatives provided by the GMT. The GMT noted that increases of less than three metric tons of additional canary landings are expected with these higher limits, primarily because the non-trawl RCA limits access to the primary habitat, few vessels attain their trip limits, and even with these increases each of the fixed gear fisheries is expected to take less than half of its yellow-eye rockfish harvest guidelines in 2019, so no no significant bycatch risk from these trip limit increases. For number two, fifteen hundred metric tons of whiting should cover expected mortality in the pink shrimp fisheries and research activities and minimizes stranded yield. Fifteen hundred metric tons is less than point five percent of the 2018 TAC. And finally on the correction, this is following up on the discovery that the ABC and ACL for yellowtail north of forty ten was mistakenly based on the Category 2 designation and this will increase. These revised estimates result in an addition of approximately 300 metric tons per year. GMT noted that they didn't have any problems with management measures following on this change and they recommended that we make this change. Thanks.

Marc Gorelnik: [00:06:08] Thanks for that Maggie. It's been moved and seconded. Are there questions for the maker of the motion or discussion on the motion? Marci.

Marci Yaremko: [00:06:20] Thank you Mr. Vice Chair. Just want to express my support for the motion and thank the, both the GAP and the GMT for their work on the canary item. This modest increase that is proposed is conservative as Maggie alluded to and is not expected to substantially increase the overall take in the open access sector, but we have been receiving repeated requests for modest increases to canary and I think this is a reasonable and yet precautionary step forward, and appreciate those that have been waiting, for their patience and happy to support this action here.

Marc Gorelnik: [00:07:04] Thanks Marci is there further discussion? Phil.

Phil Anderson: [00:07:34] I'll pass. Well what I was checking to make sure was accurate was the....oh I'm sorry.

Marc Gorelnik: [00:07:49] Okay.

Phil Anderson: [00:07:49] Thank you.

Marc Gorelnik: [00:07:51] Is there a further discussion on the motion? Not seeing any raised hands. I'll call the question all those in favor say aye.

Group: [00:08:02] Aye.

Marc Gorelnik: [00:08:02] Opposed No? Abstentions? Motion passes unanimously. Todd, well let me first ask if there's any other discussion or action on this agenda item? Marci.

Marci Yaremko: [00:08:17] Thank you Mr. Vice Chair. In the GMT report I asked a few questions surrounding the incidental open access line item in the scorecard and just want to acknowledge that it sounds like there is some updated information available and I recognize that's not incorporated into the GMT's report that we have here for consideration, so I am just wondering if we might be able to post that somehow as a supplemental item with the updates. Is that, I, and I guess I'm thinking about the information, and maybe it would be appropriate to bring Karen or someone else up that maybe can speak to that incidental open access line item for yelloweye and maybe just describe what fisheries are in there and what the impacts were.

Marc Gorelnik: [00:09:26] I think we have Jessi coming up hopefully to answer your question, so give her a moment to get settled.

Jessi Doerpinghaus: [00:09:36] Thank you Mr. Vice Chair. Miss Yaremko. Yes, sorry about that. It was actually correct in our 2019 scorecard and not in the 2018 scorecard. So historically we've had point four assumed yelloweye for the mortality for all incidental open access fisheries because we've never really had great estimates in those fisheries because they have low observer coverage or none at all, and then through the 19,20 harvest specifications process we got a revised estimate for the salmon troll fishery which is point two two projected impacts of yelloweye, and then the West Coast Groundfish Observer Program had their first year of observing the directed halibut fishery, which the total estimated impacts from that was point 68 and previously that point four only included point one for the directed halibut fishery, so if you think of point three covering everything else except directed halibut and salmon troll and then you add up that, that's where you get the one point two from. That is in the revised scorecard that should be posted soon.

Marc Gorelnik: [00:10:49] Marci does that answer your question? Do have a follow up?

Marci Yaremko: [00:10:51] No. Yes. Thank you very much for that information and that's excellent news that we'll have that available for our consideration as we begin our deliberations about 2019 inseason actions in March, so appreciate the quick work to get that up to date and giving us that breakout by the sectors. I think this is the first time we'd actually gotten a report on what that information from the observer program actually was, so this is useful to see it all together in one place and in the scorecard. So appreciate, I appreciate that.

Marc Gorelnik: [00:11:23] Thanks Jessi. Any.....oh Aja.

Aja Szumylo: [00:11:26] Thank you Mr. Vice Chair. I just wanted to clarify process-wise what will happen here. So we'll be able to incorporate all these changes into the specifications final rule so they'll appear with the rulemaking that publishes around the start of the fishing year. Thank you.

Marc Gorelnik: [00:11:39] Thank you. Marci?

Marci Yaremko: [00:11:43] Thank you and onto the third item in the Council action, the review of the EFP results. I just want to acknowledge the Council's action under the omnibus item yesterday to add a new item for consideration of moving the mid water recreational commer....or I'm sorry mid water commercial fishery into regulation. So just to let the proponents of the EFP know that, you know, it is on the list and it is in the queue for consideration and prioritization and as you all know it's, you know, there's lots to do ahead and lots of competing interests, but really

appreciate your input here today and your recommendations to us on on what a priority this is so thank you again.

Marc Gorelnik: [00:12:42] Any further discussion or action on this agenda item from the floor? I also want to echo Marci's comments on the need to move that mid water long line fishery into into regulation and it's on the omnibus list and hopefully it will move forward because I know it is important for that fishery sector. Todd how are we doing?

Todd Phillips: [00:13:12] Yes. Thank you Mr. Vice Chair. I believe you have covered all the items on your action list. You have, we've heard from the management and advisory bodies. We have heard public comment and the Council has discussed and made motions relevant to Council action and I believe that would cover the entire agenda item. Thank you.

Marc Gorelnik: [00:13:32] Thanks very much. I think we've earned a 15 minute break. I have nine twenty. Let's start again at nine thirty five. (BREAK). Before we move on to the next agenda item I want to come back to our last Council item and see if there is perhaps a motion. Phil.

Phil Anderson: [00:13:51] Thanks Mr. Chairman. I was trying to look at where I thought there was some inconsistencies in the motion that we acted on under G 6 and wasn't able to do that quickly, but since then with help from my friends I have found it and as a result I would move that the Council reconsider its action under agenda item G 6.

Marc Gorelnik: [00:14:23] Okay. I think that Sandra's accurately captured that on the screen. Is there a second? Seconded by Herb Pollard. Please speak to your motion.

Phil Anderson: [00:14:39] Thanks Mr. Vice Chair. I believe there was a typographical error in the motion that we adopted that needs to be corrected. As a result I'm recommending that the Council reconsider its action. Is there any discussion on this motion to reconsider? Not seeing any I'll call the.....oh Maggie.

Maggie Sommer: [00:15:04] Thanks Mr. Vice Chair, just thank you for catching the error.

Marc Gorelnik: [00:15:12] Okay. I'll call the question all those in favor say Aye.

Group: [00:15:15] Aye.

Marc Gorelnik: [00:15:16] Opposed No? Abstentions? Motion passes unanimously. We now have before us the previous, the motion that Maggie had offered and was seconded by Marci. Is there a motion to amend? Christa.

Christa Svensson: [00:15:34] So I motion, if I can see the motion there. It's in section one and it is, or section, yeah, so I am motioning that we change it from monthly to bi-monthly under I believe it's an open access, so right where your cursor basically is.

Marc Gorelnik: [00:16:07] So we have an amendment by Christa to change the word monthly to 'bi-monthly' under the open access fixed gear sable fish north of 36 degrees latitude. Does that accurately capture your amendment?

Christa Svensson: [00:16:27] It does although the 4, 5, 6 was originally a 1, 2, 3 just so that we are clear that I am speaking to the same thing.

Marc Gorelnik: [00:16:42] I didn't quite understand that, your last comment?

Christa Svensson: [00:16:46] So originally these were numbered as 1, 2 and 3.

Marc Gorelnik: [00:16:50] Okay.

Christa Svensson: [00:16:50] And they are currently number and is 4, 5 and 6 so I just want to be clear that I am speaking to the same thing.

Marc Gorelnik: [00:16:55] Okay very well. I'm not sure how they got renumbered but I'm sure that's gonna get fixed in a moment here and we'll make sure it's numbered correctly before we vote on it. So that's been moved by Christa. Is there a second to the amendment? Seconded by Phil. Speak to your, speak to your amendment if you wish.

Christa Svensson: [00:17:18] Certainly that would put this particular item in line with all other items and be consistent.

Marc Gorelnik: [00:17:29] All right. Is there any discussion on this amendment? I'm not seeing it. I'll call the question. All those in favor of the amendment signify by saying Aye.

Group: [00:17:38] Aye.

[00:17:40] Opposed no? Abstentions? The amendment passes unanimously which brings us back to the main motion with the amendment. Is there any further discussion on the main motion? Not seeing any I'll call the question all those in favor say Aye.

Group: [00:17:57] Aye.

Marc Gorelnik: [00:17:59] Opposed No? Abstentions? Motion passes unanimously. Is there any further action on agenda item G 6 or shall we move on to agenda item G7. I think there's a sense to move on to G7.

7. Electronic Monitoring Review of Out of Cycle Exempted Fishing Permits

Marc Gorelnik: [00:00:00] That concludes public comment on agenda item G7. It takes us to Council action. Brett, you want to remind us of our Council action here please?

Brett Wiedoff: [00:00:12] Certainly Vice Chair. Basically this is a little bit truncated but we have final recommendations on extending existing EM EFP's. Since we didn't receive anything, any new EFP's we don't have action on preliminary review of those out of cycle EFP's.

Marc Gorelnik: [00:00:29] All right. Thank you very much. I'll open the floor to discussion. Ryan.

Ryan Wulff: [00:00:36] Thank you Mr. Vice Chair. So maybe I can now expand a little bit on what we've been thinking now that we've heard public comment and the advisory bodies report. In my overview I mentioned our initial process. Obviously we were delayed in the rules and were supportive of extending the EFP's and wanted to create a process of your grandfathering them in that wouldn't require additional effort or would require minimal work if any to allow that to continue for 2019, and I do think that process still would have addressed the concerns as you heard raised by the GAP, but I'm not sure that process addresses the California collective issue we just heard. So we've been doing some discussing amongst NMFS and with General Counsel and I think especially because of that issue we think it might be simpler and cleaner if we just delayed the effectiveness of both of those rules until January 1, 2020, allowing then the EFP's to be used for 2019, however we would still need to make parts of those rules effective by June, 2019 in order to have the application process for the vessels and the service provider list available for 2020, but I think we can do that. So if that is where, however if that is where the Council wants to go, just a reminder we would have to have on the record that this would be considered NMFS consulting with the Council on this change under again, Section 304b3 of Magnuson. Thank you.

Marc Gorelnik: [00:02:32] Thanks for that Ryan. Discussion? Brad.

Brad Pettinger: [00:02:44] Thank you Mr. Vice Chair. You know this program really shows tremendous promise but there's a lot of things coming together all at once. A lot of uncertainties. I mean this Council hasn't decided what the review percentage is going to be yet. What about how long that this data going to be stored? You currently have a two, two systems being run parallel review by Pacific States. There's a new system out that's much more cost effective as far as initial cost, and it shows great promise to get those costs down because it's, it's not just the overall cost is what's keeping those costs low is what's attractive to this program, both the initial investment and the review. Certainly the GEMPAC needs to have at least a couple of meetings this year at least to dig into this stuff, but there's just so much stuff coming together all at once. It's pretty scary I think to the participants that this thing might blow up on us, and so.....

Marc Gorelnik: [00:03:47] Thanks for that Brad. Bob Dooley.

Bob Dooley: [00:03:50] Thank you Mr. Vice Chair. I agree with Mr. Pettinger's comments completely. I am concerned a bit that, you know, our job here today is to talk about extending EFP's and I, I have real concern that just extending them till the end of 2019 is not going to be enough. I think we'll be back here readdressing this in the future because like we heard we don't have third party providers, we don't get guidance from them much less if they want to create a business doing that, and I think there's a lot of unknowns here, a lot of future information that we're going to be getting through this process, but I think the ability to actually get that implemented, I believe is going to be really tough to get done by the end of 2019 and on the

ground in 2020. So I would be more thinking about maybe extending the EFP's until some date, until some benchmark that might make more sense and less workload for the Council so we're not sitting here talking about this again next year at this time. That's my comment.

Marc Gorelnik: [00:05:05] Phil.

Phil Anderson: [00:05:10] Yeah I feel very similar to what Mr. Dooley expressed, and I, you know I, I watched the Council try to push NMFS to go too fast and that generally ends up in some sort of a train wreck, and now I feel like NMFS is trying to push the Council too fast and I feel like we're going to end up in a train wreck, train wreck being in this case being defined as getting to, getting to 2020 without having some of the issues resolved, not having third party providers identified and potentially losing a lot of ground in a, in an effort which I think has been hugely successful in large part because of National Marine Fisheries Service efforts and I just, I'm really concerned that we're....and then I'm, I, I, think I understood Ryan which said about that well in order to do....if that's the count the way the Council wants to go, if you want to wait till 2020, extend these EFP's through 19, then this would constitute the consultation on several of the items that would need to be in place by mid 19, so I don't understand why, given all the progress that we've made on EM, why we are, it just feels like we're being pushed at, at a rate at which we're going to undermine a lot of the successes that we've achieved thus far in getting to a point where we have the EM parameters in regulations and we're off and we have a long term sustainable good program, and I just, I feel I just feel like we're putting that at risk.

Marc Gorelnik: [00:07:16] Ryan.

Ryan Wulff: [00:07:16] Yeah. Thank you Mr. Vice Chair and thank you Phil and others for their comments. We've been notifying the Council of this transition to 2020 for some time. I think maybe 2015 was probably when we first notified. We were supposed to have these in place by 2017, we were able to get an extension to 2020, NMFS has been able to fund it. That funding no longer exists, so I would remind the Council this is not a mandate to use EM. This is an option, and we if they want to continue past January 1st, 2020 it has to be through regs. Now that doesn't mean we can't continue to have Council discussion. That doesn't mean we can't continue to work things out, once we have the guidance documents out, once we have the process in place, we will have a list of providers well in advance of the January 1st, 2020 deadline. We can do things through reg amendments after that, but that's where we are at this point, in addition I think it frees us for additional Council discussion once the rules are in place because there is some administrative procedure act issues and other issues the longer we discuss this between proposed and final rule.
Thanks.

Marc Gorelnik: [00:08:53] Further discussion on the motion? We have an action here for final recommendations. Maggie.

Maggie Sommers: [00:09:08] Thanks Mr. Vice Chair. I would offer a motion and as I read it I will ask Sandra to make one addition. I move the Council extend the 2018 electronic monitoring exempted fishing permits for whiting trawl, fixed gear, non-whiting mid water trawl and bottom trawl through 2019 and schedule a meeting or webinar of the Groundfish Electronic Monitoring Policy Advisory Committee, GEMPAC, and the technical advisory committee, GEMTAC if appropriate in early 2019 and a meeting immediately prior to the April Council meeting.

Marc Gorelnik: [00:10:07] Maggie does that accurately reflect your motion?

Maggie Sommers: [00:10:10] It does.

Marc Gorelnik: [00:10:12] Is there a second? Seconded by Brad Pettinger. Please speak to your motion.

Maggie Sommers: [00:10:25] As we've heard, extension of these EFP's is necessary because the final regulations for mid water and trawl and fixed, pardon me, whiting and fixed gear are delayed and bottom trawl and non-whiting mid water trawl EA and proposed and final rules won't be completed in 2018. It is the Council's intent to allow activities under these EFP's to continue. We've had some some good discussion and really appreciate the input we heard in public testimony today about the importance of maintaining opportunities to experiment under these EFP's to explore and address some of the barriers, in particular to bottom trawl participation, for example the catch handling issues that were brought up related to non-IFQ species and those with low attainment, and I think as we heard these can potentially be addressed through changes to the vessel monitoring plans. Also share the concerns that were raised about the timing of regulations for this, duration of the EFP's, but I understand that NMFS is on track to get regulations in place in 2020 and it seems appropriate at this time to extend the EFP's through the full year of 2019. In terms of a GEMPAC meeting. I agree with the need to have that committee and also if appropriate the GEMTAC to join them to get together to discuss and really make some progress on third party transition plans, guidance documents for participants as well as further work on some of the bottom trawl issues, so the, the schedule for meetings I have proposed here and I really would suggest we leave some of the details of this perhaps to our workload planning discussions if that is appropriate about specific timing and leave it to, to Council staff to determine whether an in-person meeting or a webinar is appropriate. I would support an in-person meeting but I do think that there is input from the EFP participants and other members of the GEMTAC and NMFS to have those discussions to really make some good progress on this. Thanks.

Marc Gorelnik: [00:13:05] Thank you Maggie. Are there questions for maker of the motion? I have one question. You referred to a meeting and you referred to the two bodies. Were you contemplating separate meetings of each of those or a joint meeting?

Maggie Sommers: [00:13:24] Thanks Vice Chair Gorelnik. A joint meeting is what I had in mind.

Marc Gorelnik: [00:13:27] Thank you. Discussion on the motion? Corey.

Corey Niles: [00:13:36] Thanks Mr. Vice Chair, no, not not much discussion. I think I support the motion I, I'll say the EM process has been creative from the get go. It's a little bit I think, I'm sharing hearing the concerns, I don't see any other way forward so I think this is a sensible way to move ahead.

Marc Gorelnik: [00:13:59] Bob Dooley.

Bob Dooley: [00:14:00] Thank you Mr. Vice Chair. I too will support the motion. I think that I'm concerned still. I see the benefit of having the regs and having the information that they bring forward and having the GEMTAC and the GEMPAC, consider these things as we go forward. I still have real reservations that we can implement by 2020, and I'm worried about that gap, but I guess this gives us some time and there's nothing like a deadline to get people moving, but I worry about the things we don't control such as third party providers and I don't see them knocking the door down because there's no guidance for them to base it on, and this is a private business for

hire that has to make money and those are business decisions, and I worry about what happens if we don't have them and the loss of this important tool to our industry. It's, it's a critical tool and I I worry about that, so, but we have a year to worry about it now I think if we, if this motion passes and I will be supporting it.

Marc Gorelnik: [00:15:10] Further discussion? Not seeing any so I will call the question all those in favor say Aye.

Group: [00:15:24] Aye.

Marc Gorelnik: [00:15:24] Opposed No? Abstentions? Motion passes unanimously. Thanks for that motion Maggie. Further action or discussion on agenda item G7. Ryan.

Ryan Wulff: [00:15:43] Thank you Mr. Vice Chair. I still need clarification from the Council if we are going to go forward with a different approach than what is proposed in our regs which would be the grandfathering issue. I mentioned the possibility of delaying effectiveness of the regs until 2020 thereby allowing just the EFP to go forward for 2019 but because that is different I would need something on the record here that I've consulted with the Council and that's what the preference is, otherwise we would have to move forward with the grandfathering approach.

Marc Gorelnik: [00:16:24] Would someone from the Council like to speak to that to make the record clear? Maggie.

Maggie Sommers: [00:16:34] Thanks Mr. Vice Chair. I, it makes sense to me to delay the effective date of the regulations and have the new regulations start at the beginning of a new year. I note that I think that was my interpretation of the GAP's comments as well that it certainly makes sense from a fishery participant perspective to have those changes occur at the beginning of the new year.
Seems like a good way to go.

Marc Gorelnik: [00:17:07] Is everyone in agreement with what Maggie has expressed? I'm seeing nods of heads around the table. Anyone want to speak to that further? All right, I think Ryan do you have what you need there?

Ryan Wulff: [00:17:26] Yes. Thank you.

Marc Gorelnik: [00:17:28] All right. Is there any further discussion or action. Bob Dooley.

Bob Dooley: [00:17:33] Sorry Mr. Vice Chair I wasn't quick enough there. Yeah I'd like to thank Ryan for, you know for thinking outside the box a bit and helping us along here. I think it's going to be very helpful to have this time period to understand the regs, get the pieces in place and implement it in 2020. I still have my reservations of course but I think we can jump off that bridge when we get there. Thank you.

Marc Gorelnik: [00:17:59] Any further discussion or action? Herb Pollard.

Herb Pollard: [00:18:03] Thank you. Excuse me thank you Vice Chair Gorelnik. I just comment on the letter exchange from between Ryan and Chuck that deals with a lot of the detail that we've just been discussing and it seems like there's a good record there of the Council staff and NMFS discussing, resolving and agreeing on these issues and that's, you know I think that's proof of our

consultation and our work together on this, an agreement and those letters didn't really come up and, you know these letters were only a few days old so perhaps people haven't really read them but I think they, they deal with the details of what we've been discussing for the last hour in a manner that indicates understanding and cooperation.

Marc Gorelnik: [00:19:00] It's certainly true that seems that everyone is doing what they can to try to make things work. Are there...Marci.

Marci Yaremko: [00:19:08] Thank you Mr. Vice Chair. A question for Ryan. I. I wrote down in my notes that you made a remark here that parts of the rules need to be effective in 2019. Can you speak a little more to that? Are we okay with continuing with the EFP's to take care of those needs or what?

Marc Gorelnik: [00:19:29] Ryan.

Ryan Wulff: [00:19:32] Yes. Thank you Mr. Vice Chair. Thank you Marci for the question. Yeah, we need to obviously have the rule regarding the application process certified so it wouldn't affect the EFP, it would be the process for applying it for 2020, so that would become effective because there's a six month requirement for notification, and so we would have those become effective when, when the rule is published but we would delay anything related to EFP until 2020.

Marc Gorelnik: [00:20:04] Further discussion or action on this agenda item? I'm not seeing any hands. As I said yesterday it doesn't mean that someone didn't raise their hand and I missed it but I think I don't see any further discussion or action, so Brett I'll ask you how we're doing.

Brett Wiedoff: [00:20:23] Thank you Vice Chair. Very well. I think we're doing very well. You extended the EFP's through 2019. You gave me guidance and a motion to have some joint meetings early in 2019 and then have an in-person person meeting at the April Council meeting, so I appreciate that real clear direction, so, and some good discussion. What I really wanted was that discussion about effectiveness of the regulations and how that affects the extension of the EFP, so I think it was a real clear discussion and I really appreciate Ryan working hard to make that clear for my mind and then for the industry as well, and I really do appreciate the industry's representation here to illuminate on the real nitty gritty and what's really holding things up as far as participation things like that. I do want to recognize to Lyle Enriquez, who picked up the ball when Melissa Hooper went on maternity leave and congratulations Melissa, so he did really the bulk of the work on trying to put together those letters for Ryan and I appreciate that. It was a tough row to hoe and run with it and so I just wanted to recognize him and his hard work. It's not easy to jump into the EM pool.

Marc Gorelnik: [00:21:42] There are sharks. All right thanks very much. I will hand the gavel back to chair Anderson.

8. Endangered Species Act Mitigation Measures for Salmon - Scoping

Phil Anderson: [00:00:01] That concludes public comment. So that takes us to our Council action. We are scoping mitigation measures for salmon interactions in our groundfish fisheries that were not addressed through the 19, 20 biennial management process. We've got a great report from the GMT, some good comments from the GAP and the public to work from. So our task here is to make a decision as to what mitigation measures we would include in our scoping and and for analysis.
Maggie.

Maggie Sommers: [00:00:54] Thanks Mr. Chair. I am prepared to offer a motion but I actually would like to ask Mr. Wulff a question first and I know there's been a lot of interest expressed in this potential putting into rule of the co-op, the co-op rules, and I guess my question is just is there anything to add? Anything else that might help us understand the need for that and potential benefits from it in addition to what Karen already provided in response to the GMT report questions?

Ryan Wulff: [00:01:34] Thank you Mr. Chair. Thanks Maggie for the question. So if I understand correctly, and I'm sure I'll be corrected if I'm not, this was just an idea to put forward in scoping something that we wanted to throw out that would meet the terms of the ITS by specifically under 3c requiring NMFS and the Council to take action to prevent or avoid exceedance of either guideline, so this would be one potential way, even if it was after such a voluntary measure occurred, to check that box if you will for number 3c from the ITS.

Phil Anderson: [00:02:18] Maggie.

Maggie Sommers: [00:02:19] Thanks Mr. Chair. Thank you very much, and just following up on that. That, I assume then that action does not include something non regulatory such as a, just a communication between NMFS and the co-ops and and your observation that they have implemented their voluntary rules, that, that wouldn't count as an action in that case. Is that correct?

Ryan Wulff: [00:02:50] That's correct. No it wouldn't.

Phil Anderson: [00:02:56] Other discussion? Corey.

Corey Niles: [00:03:03] Thanks Mr. Chair, and I don't want to get into too many details here because again I think we're just trying to get a range that gets us into the details down the road but I'm going to I, yes sorry I'm having trouble finding a place to start, but this this idea that we have to take inseason action is I think to quote someone anonymous here it's almost like we're creating hoops that we have to jump through if we have to. If our solution to a problem is going to be we're going to ask the co-ops to keep doing what they're doing then, then what's why, why would we need an inseason action it seems like an unnecessary formality, but again that's something to be explained and worked out down the line. Just a couple of overarching thoughts in terms of re-consultation if, I think if we are, first of all I think I think the GMT, I'll say it has laid out a good range not picking good to disagree with the GAP there but a good range to work with so I don't have I don't think I'm going to have any ways of modifying too much what they've suggested but just thinking about some principles. If we're really worried about re-consultation and in the standard where they go over, I forget the exact timeframe but more than twice in three years, five years whatever it is, if that happens then I'm gonna say that re-consultation is the, the thing to do

because something strange has happened and our assumptions are way off so I'm not too worried about that. If the other consequence of shutting them, shutting all the fisheries down for hitting what it seems like an unlikely amount, that's a more severe consequence, but secondly I think if everyone's doing all they can and the numbers we're coming up with cause jeopardy or even conservation risk for another....for a salmon stock I think that's where my focus is on how can.....and I like this idea of, not as clever enough to come up with the back to the future on my own, but that was the idea is like that where we can focus on really managing to the conservation risk is kind of a principle I hope can be focused on once we have this alternative, range of alternatives in place.

Phil Anderson: [00:05:29] Thanks Corey. Other discussion? Marci.

Marci Yaremko: [00:05:35] Thank you Mr. Chair. I just want to acknowledge that I appreciate the work of the GMT and their efforts here to answer our questions thoroughly. I was...the light bulb went on for me and I really appreciate you speaking through how BAC's might work, gives me a lot of comfort, I remember back in April our last discussion on this item, I was quite concerned that we would be without tools, and I think this is a creative way to get us where we need to go for reasons that we can't identify specifically right now, whether it's a complete collapse of a runoff of a certain area or very high bycatch rates of a particular sector so I just really want to thank you for your work on that. I also want to circle back to the discussion we had on the recreational inseason estimate concept and I think that I would like some concurrence from NMFS that at this point there is no expectation that we provide inseason estimates for rec. That we would be able to essentially put the place holder in of the 500 fish for this, this sector and then post season we will do our best to provide you an estimate that, you know I think we can reasonably do that. But as I think I understood the conversation, that was where we might be able to go, and so I'm looking in this scoping process and in the GMT's future work that we find some way to do as the SAS recommended and the GAP and to hold that sector harmless as best we can, so hoping to hear from Ryan on this.

Phil Anderson: [00:07:51] Ryan.

Ryan Wulff: [00:07:52] Thank you Mr. Chair. Thank you Miss Yaremko for the question. Yes, to be clear there is no requirement at this time to provide inseason estimates for rec. You did hear the GMT read ITS 6b which just states that NMFS in consultation with the Council and the States of Washington, Oregon and California shall review its existing monitoring and reporting systems for both commercial fixed gear and recreational groundfish fisheries, but there is no requirement for inseason estimates right now.

Phil Anderson: [00:08:26] Other discussion before we get to our action? Okay. Maggie.

Maggie Sommers: [00:08:41] Thanks Mr. Chair. I move the Council direct the GMT to, one, review and analyze the new management measures listed in G8a Supplemental GMT Report 1 November 2018. Two, develop a draft process for reserve access and, three, report its findings in the advanced briefing book for the March or April 2019 Council meeting.

Phil Anderson: [00:09:16] Motion on the, language on the screen accurately reflects your motion?

Maggie Sommers: [00:09:20] Yes.

Phil Anderson: [00:09:21] And is there a second? Seconded by Bob Dooley. Go ahead and speak

to your motion.

Maggie Sommers: [00:09:27] Thank you. These mitigation measures in addition to those that we have already taken through the biennial specs process and which are in process as described by the GMT and NMFS addressed the terms and conditions in the incidental take statement of the 2017 ESA consultation on the effects of the groundfish fishery on listed salmon stocks. Analysis of new measures for salmon bycatch management beyond what's available today or is already in rulemaking process would make them available as routine management measures and increase our ability to respond effectively. Specifically I want to comment on some, on the measures that the GMT has proposed and these are, I am meaning the new management measures in their report that begin on page two of that report. Note that the block area closures, BAC's are a much more precise and tailored tool than the 200 fathom bycatch reduction areas. We did hear a concern earlier that they still might not be the best tool, and perhaps something like the whiting co-ops spatial self-management can be done with more precision thereby achieving the conservation objective with less operational impact. So as I think about these I am keeping in mind that the tools here represent a suite that can be chosen from and implemented as best fit the circumstances at the time. Selected flat fish trawl I think has good potential to be a tool for salmon bycatch reduction and analyzing it for that purpose from with any trawl gear will be, give us another edition. Specifically the recreational and fixed gear item is designed to explore how to protect the non-trawl fisheries from a full West coastwide closure because of an expected high bycatch and trawl fisheries, in other words hold the recreational and fixed gear fisheries harmless. The GMT report suggested this could be done by establishing a 19,500 chinook sub cap for the trawl fisheries only which would preserve 500 chinook for the non-trawl sectors unless inseason data were available and showed that actual impacts in those sectors were lower than 500 chinook, although I note that as we just heard there is no requirement for inseason recreational estimates. This seems like a good approach to look into further although my intent is not to limit the GMT to only this approach should they come up with other alternatives that they see some benefit in as they go through scoping, and overall even though the risk of a complete coastwide closure is unlikely based on the modelling the GMT presented, the consequences would be high and this measures important to include in I appreciate it here. As far as the co-op rules and regulation, we have all acknowledged the value of the intensive self-management of the co-ops and the effectiveness of that and I share the sentiment expressed in the GAP report that, that is a good first tool for this. I understand the reasons NMFS provided for potentially looking at putting the co-op rules into regulation. I've included it here in the scoping exercise in case it turns out to be beneficial, but I want to note that I do have serious concerns about the potential for it to be more constraining. I am wondering what would happen if those co-op rules were put into rule, does that then prevent the co-ops from changing and modifying their approach to respond to changing bycatch conditions, so I just wanted to share those concerns. Overall I agree with the GAP that this is a sufficient breadth of alternatives for scoping and I'm confident that as the GMT goes through some analysis and further development they will be addressing some of the kinds of questions raised in Council discussion and in response to the GMT report earlier is included in that, you know I certainly also see the potential benefits of exclusions and perhaps other measures as action measures that NMFS could take, and so I'd encourage the GMT to include information on those, we've had perhaps based on some information from Alaska, if they feel they're able to do so without expanding the scoping exercise beyond something that's doable for them. In terms of number two, developing a draft process for reserve access addresses the need to develop specific rules and triggers describing when and how the reserve may be accessed in response to unexpected high bycatch levels. I recall NMFS support for an approach that is simple, flexible and can accommodate sector year specific bycatch conditions and that the rules need not be overly prescriptive. I share that sentiment and recommend the GMT to follow that approach. There are also some, some items provided in both

the NMFS, I believe the NMFS report and reiterated in the GMT report, of things that the reserve access rules could include, such as a trigger for action, identification of sectors to which the action applies, et cetera, and I think those are a good start.

Finally the GMT proposed that they come back to us with their findings on the advanced briefing book for one of our spring 2019 meetings and I think that's a good approach. I would suggest that we consider which meeting under workload discussion and perhaps that's something we would want further GMT or staff input on. Thank you.

Phil Anderson: [00:15:03] Thanks Maggie. Discussion on the motion? Bob Dooley.

Bob Dooley: [00:15:10] Thank you Mr. Chairman. Maggie great motion I agree with it. I particularly in item one, relating to the co-operative rules that may be incorporated as, into some regulatory structure. I think that, that could be very detrimental to the effectiveness of them and the timeliness and the reactionary things that incorporate in those rules, so I would hope you would scope, the ability to include, include them but not prescribe them and some or acknowledgement that they, they are a very good tool and they should be incorporated or used or even required to be used, but not take the rules independently because the flexibility of that is the real critical component and be able to react to the situations on the grounds and be able to do it in a timely manner. I'm afraid if we put the rules in, in a regulation we're gonna have to come back to the Council to change them and we'll lose our right to act on the grounds, so I think I've said enough there. So thank you.

Phil Anderson: [00:16:32] Other discussion. I really appreciate Bob's comments. I think, I'm not....I frankly don't know enough about what the legal standing of those co-ops are or how their obligations are by entering into the co-ops, what the obligations are of those members. Maybe we could learn a little bit more about that between now and the next time we take this up but I do, and I, you know I guess I understand Ryan's response to what is the definition of the term 'action'. Is an 'action' of the Council have to result in a regulation in order for it to be an action. I might want to scope that out a little bit more too because it seems to me that if we were in a position to be made aware, have documentation of what the requirements were of the co-ops in terms of avoiding salmon bycatch and we did something short of recommending that they be included in a regulation but endorse them or some some sort of acknowledgment that there that might be an additional measure that we could demonstrate compliance with the terms of the ITS. Further discussion on the motion? Brad.

Brad Pettinger: [00:18:14] Yeah. Thank you Chair Anderson. Yeah I agree with both of you. I think that regulation is built on, has been built on a fishery has latent information coming in to manage. We do have a, the trawl fishery today is, in 24 hours for the most part you know what you caught, and the amount of flexibility that you really need to have in that kind of a situation is.... the flexibility is paramount to make it work, and so I think that anything we could do to make, to whatever it might be to to get there, but certainly look forward to it because I hate to have the system in place that we have now and then have it be set in concrete and then come to lurching stop, and so I'd hope that, I'd like to hear what they, would the GMT may come up with this winter, so thank you.

Phil Anderson: [00:19:10] Any further discussion on the motion? I okay I will go ahead and call for the question all those in favor signify by saying Aye.

Group: [00:19:24] Aye.

Phil Anderson: [00:19:24] Opposed No? Abstentions? Motion carries unanimously. So I'll turn back to Dr. Dahl and check in to see if we have completed the business required under this agenda item.

Kit Dahl: [00:19:43] Thank you Mr. Chair. I think by and large you have. You just passed a motion that I think gives direction based on the GMT report. I guess the one outstanding question I have, and this is maybe really more directed at NMFS, so the motion does identify when this next might come back to the Council. I don't know if NMFS has any view in terms of when you think the Council needs to reach final action on these measures and just, I mean for planning purposes and I suppose that's something that could be revisited tomorrow under future agenda planning but, if it could maybe help the Council thinking about the amount of time they, they need or are restricted to in terms of getting this done.

Phil Anderson: [00:20:49] Ryan I was looking at the NMFS report with the table that had the various timelines on it, but please go ahead.

Ryan Wulff: [00:21:03] So sorry Kit, just make sure I heard your question right. Looking for clarification on the overall timeline. If we came back in March or April with a preliminary preferred alternative and then June would be final action.

Phil Anderson: [00:21:21] Okay?

Kit Dahl: [00:21:23] Thank you then I think we, we're good to go.

Phil Anderson: [00:21:28] All right. Thank you very much.

H. Ecosystem Management

1. Climate and Communities Update

Part 1

Marc Gorelnik: [00:00:01] So this takes us to Council action which is to review the progress and provide guidance on future work including proposed scenario development for Council selection. We have received from the work group and management team and advisory sub panels some very specific suggestions. So I'll open the table now for Kit.

Kit Dahl: [00:00:30] Thank you Mr. Vice Chair. I didn't mean to interrupt your guidance but I just noting excuse me that Josh Lindsey is here and he's a member of the EWG so I just thought, and he did send me a note and said if you had some questions about the EWG recommendations that he would be able to be available to engage, so I thought if at any point during your discussion and guidance you felt like you wanted to ask some questions he might be able to help out there.

Marc Gorelnik: [00:01:06] Great. Well it's great to have that resource during our Council discussion. So who wants to open the discussion? Frank Lockhart.

Frank Lockhart: [00:01:18] It's actually a question to Kit, and just to make sure I understand where we are, and to me I just want to make sure the difference between the scenario planning effort or scenario effort and the overall initiative, so I mean, I know this is a very vague question but could you kind of compare the two? How how they're related? Is one overridden by the other? Just kind of explain where we are with regards to the initiative and scenario efforts.

Kit Dahl: [00:01:49] Thank you Mr. Lockhart. I guess my take is, so scenario planning is a methodology I think that the the the Council and through the CSI has identified that methodology is a way to achieve the objectives of the overall initiative, which was to look at how the Council can, kind of what types of tools the Council might want to identify in terms of adapting to or responding to the effects of climate change on fisheries and fishing communities. So maybe that's sort of the distinction, you know this overall objective and then a particular methodology that would help the Council achieve those objectives.

Frank Lockhart: [00:02:48] Thank you.

Marc Gorelnik: [00:02:53] Michele.

Michele Culver: [00:02:53] Thanks and perhaps as a follow up to that I have a question for Mr. Lockhart and he may want to ask for assistance perhaps from Dr. McClure who I see is in the audience, but just wondering how the science center or science centers may be able to help inform this scenario planning effort, and so in particular I, I first of all I appreciate that presentation and discussion and, and perhaps have a better understanding of the scenario planning and what that is than I did two hours ago, so appreciate that, but do think that perhaps the CSI effort and the EWG could benefit from some science center expertise relative to climate change and what...to how best to describe these different scenarios and what we are, what is plausible to expect in the next 15 to 20 years, and I guess I'll say I I'm not sure that the the EWG or our management teams necessarily have the expertise to do that, so I guess is that something that we might be able to ask the centers to help us with?

Marc Gorelnik: [00:04:26] Frank.

Frank Lockhart: [00:04:28] I would think the answer is yes and I think I probably won't even hesitate if Dr. McClure wouldn't mind coming to the front to expand upon that answer.

Marc Gorelnik: [00:04:36] Thank you Dr. McClure.

Ericka McClure: [00:04:38] Thank you Mr. Vice Chair. Mr. Lockhart. Ms Culver. Yeah, the science centers have actually been in discussion about explicitly participating in the EWG. We're anticipating between three to five people from the two science centers combined would be present on that. We're trying to to span both IEA and traditional stock assessment expertise to make sure that we get good representation there. In addition the science centers themselves are actually going through a climate science planning process. I presented, I think it was actually back on September 17, our regional action plan and we're in the...we are slowly, we're millimetering along in our progress on that but we're actively looking for ways to contribute and ensure that we can support the Council, so that's an area where we're very much looking to support this. So I don't know exactly what form that will take but yes we recognize the importance of the overall effort and are ready and willing to participate.

Marc Gorelnik: [00:05:49] John.

John Ugoretz: [00:05:49] Thank you for that and yeah I think any support we can get in this endeavor is useful. There's a variety of players out there that'll, that'll help and and I I think that overall, in terms of what we've heard today, that I'm not opposed to really any of the suggestions that the teams have made. I think this all will gel and be a little more clear in March when the Ecosystem Work Group comes back and they can provide us exactly as we've asked with what partners are available and how we would engage those partners.

Marc Gorelnik: [00:06:29] Michele.

Michele Culver: [00:06:31] Thanks so maybe a follow up question then for, for you John and other CSI members, but when you gave your presentation you indicated that there could be some flexibility on the timeline, and so I I wasn't, I guess first of all I wanted to know why March was proposed?

Marc Gorelnik: [00:06:55] John.

John Ugoretz: [00:06:58] Essentially to keep the momentum on the climate and communities initiative moving. We feel based on our understanding of what's required to undertake an effort like this that the Ecosystem Work Group could certainly generate topics and a, in a proposed method by March.

Marc Gorelnik: [00:07:24] Further discussion? Michele.

Michele Culver: [00:07:27] Thanks. I guess I would say that I do have a concern relative to the workload and not necessarily on the part of the EWG but on the part of the GMT and other management teams to have the discussions with the EWG in in time for the EWG to do their work to complete that in time for the March briefing book deadline which the GMT indicated was on February 5th, so it's a pretty tight turnaround. I know that our GMT members in particular have some work that they are doing over the winter and already have a meeting scheduled in January and

this is supposed to be their off year but they are putting in a lot of work, and so my, my concern was more relative to adding this to their workload as well as, I....well I guess I'll preface my comments with, I like this scenario planning work and I think it should continue to move forward, and my concern is just the timing of the work that we're asking the other teams to do to help us do that.

So, and also in particular I do like the suggestion of getting some cross FMP discussions going rather than just single species focus, so I like the GMT example of the yelloweye but I also think that, and in particular the example on salmon, that would benefit from a cross FMP that's not just a salmon FMP but it would also relate to the CPS FMP and would also relate to the groundfish FMP and so having those cross FMP discussions in identifying these topics I think would be really helpful, and I think that would be difficult to get that input between now and March.

Marc Gorelnik: [00:10:05] John.

John Ugoretz: [00:10:08] Thank you Mr. Vice Chair and thank you Miss Culver. I would point out I think that the Council has already directed the Ecosystem Work Group to meet with the management teams to discuss FMP tools and that frankly I do not see additional workload for the teams in this. This is workload on the Ecosystem Work Group primarily. They will have to have additional discussions with the teams but they're very well aligned with that existing requirement to meet with the teams and that as noted in the Groundfish Management Teams report they have already come up with a potential topic. It took them this meeting to do that. This is not intended to be a significant workload. It is a thought provoking exercise where the Ecosystem Work Group will come back with topics like that and the Council will then decide on whether to move forward with a specific topic or as you point out potentially combining some topics into an overarching topic. So I don't want the management teams to consider this a heavy lift for them and I do see it as something that could occur by March.

Marc Gorelnik: [00:11:31] Further discussion? Frank.

Frank Lockhart: [00:11:36] I don't know who the question is for? Either the CSI or potentially staff again. So when as John said that the FMP team's advisory bodies have already been tasked with looking at, you know, climate mitigating management measures and so what I understand is that would come back to us at the March Council meeting, and so then this discussion with the other teams would, would what could potentially come back in March is just some ideas for potential topics and a schedule for looking at scenarios is that what we're talking about? So you you're nodding your head John so I'll directly turn to you.

Marc Gorelnik: [00:12:20] John.

John Ugoretz: [00:12:21] Thank you, and my CSI colleagues can jump in on this, but yes that's what we are intending between now and March is that we develop some scenario topics that would then be acted on after March and, and a, a proposed process on how scenario planning would occur between March 2019 and 2020.

Marc Gorelnik: [00:12:45] Kyle.

Kyle Hanson: [00:12:47] Thank you very much Mr. Vice Chair. I would just like to voice our support for the CSI and its efforts. The Fish and Wildlife Service has been doing a similar task with looking at our infrastructure, and I'd also like to commiserate with the CSI because we started that in 2010 and I don't think we ever answered the questions that have been raised here

about specific scenarios models and that until about 2013, so it is a difficult task, but I would like to point out from our experience that you do have a considerable amount of expertise in the realm of climate change planning at your Southwest Fisheries Science Center. One of the researchers there, Dr. Nate Manchua, gave us the very great advice early on that no matter what model or scenario we choose we'll probably be wrong, so just pick one and get started, so I would say that he is a good resource that you should.....could connect with and could help with a starting point for you. Thank you.

Marc Gorelnik: [00:13:50] Thanks for that Kyle. Phil.

Phil Anderson: [00:13:56] Thanks Mr. Vice Chair. Well just, I just would express a couple of concerns along the lines that Miss Culver addressed. We keep talking about March and if we are in fact asking this work to be completed in time to be part of the March briefing book, we're not talking about March, we're talking about the first week of February. So unless there's, you know if there's some understanding that the material is going to come in as supplemental material such that the briefing book deadline isn't something we're trying to achieve then we have almost an additional four weeks to work with, but in the absence of that, and with you know the holidays and all the other stuff that happens between today and February 5th or six or whatever that date is, it's a pretty compressed timeframe, when I look at the timeline and products that are represented in the CSI report. So I would want to make sure that there's, you know I mean we have on one hand a perspective that it's a significant workload perhaps for the teams, in particular the GMT, we have another perspective that oh no, it's not, we're just going to....they just need to get together and talk and there really isn't a workload for them, I would want you know, I need some more reassurance that the latter is the expectation from the teams as opposed to what we are expecting from the work group.

Marc Gorelnik: [00:15:53] Rich.

Rich Lincoln: [00:15:55] Thank you Vice Chairman. I think the, in terms of thinking ahead to March, I mean certainly I don't think that the ad hoc work group wanted to not appreciate or understate the work that the existing management teams have, but I know that in the discussions that we've had and some of those issues and concerns were raised on the webinar in fact that we had last month that, I mean I think it's understood that we're....I mean the idea that John expressed of wanting to keep some momentum going forward and actually trying to help the Council frame what this is about. I mean that's a lot about what this ad hoc work group was trying to do to give it enough specific definition that we could get our arms around it and define it in a way that we could move forward. Now it could be that when we come to March, that the EWG in their work with the team and interactions with advisory groups says that they need a little bit more time. I mean if that was an outcome that is perfectly fine, but I think what John tried to express is that this isn't a deep dive analytical process, what we we'd like the teams to do in addition to the Council, what we're suggesting that the teams do in coordination with the Work Group, EWG, in conjunction with the task that we assigned at the last meeting, is a brainstorming exercise to try to come, to try to frame some topics that would be amenable number one to scenario planning and would have.....present the Council with some, some really thoughtful opportunities about how to address a challenging management future. So I mean I think the thought here that we have is that the teams have already been in discussion about, I mean I think even the GMT recognizing the, you know the prodigious work that they always have, have always already been in discussion with the EWG about scheduling work, so I mean I think that's in process and I, if there are specific questions that we have about that, I mean this would perhaps be an opportunity to ask Josh specifically about what that looks like, but I I feel fairly confident that the teams will be able to proceed as, you know within reason is what what they can do and we're not going to ask them to drop other work to get

this done, but I think we're looking for some thoughtful brainstorming. a kind of exercise that could be done in a in a good, well facilitated meeting discussion and I think that's what we're looking for, and there's already, and you know ideas out there about what a process might look like so....

Marc Gorelnik: [00:18:53] Thanks Rich. John.

John Ugoretz: [00:18:55] Just to add one thing and thank you Mr. Vice Chair. The other reason we chose March is that the Ecosystem Work Group is slated to be at the Council in March. If we bump it one meeting then there is a cost associated with bringing the work group to an April meeting that they were not otherwise planning on attending. So it's something to consider in terms of timeline.

Marc Gorelnik: [00:19:22] Dr. Braby.

Caren Braby: [00:19:25] I think that John's last comment is is very relevant and I think that giving the space that's needed to have the discussions is the most important thing, and so I agree with Mr. Lincoln that if the scoping process that we have laid out is something that the Council wants to move forward with, we could expect to come back in March with an update, with a check in, here's what we've gotten to, here's some topics that rose to the surface. Is this what we want to move forward with or not, and maybe it's not adding an April time point for the Ecosystem Advisory sub panel and the Ecosystem Working Group, but maybe it's it's laying out some guidance for the March to September time period and then coming back in September for a final, quote unquote, final Council decision on what scenarios to move forward with which would then move out our....our proposed timeline to September of 2020 for example, so you know having an additional period of time inserted without impacting the the Council budget and the time workload of pulling the Ecosystem Working Group and Ecosystem Advisory sub panel in again.

Marc Gorelnik: [00:20:51] Chuck.

Chuck Tracy: [00:20:52] Mr. Vice Chair. Well a couple a couple thoughts come to my mind. The briefing book deadline is approximately February 7th or something like that for the March Council meeting, and to the extent that, that the Council is expecting work or the advisory body should expect to weigh in on information they get, you know we find it very valuable to make that briefing book deadline to give them the week or two for them to digest the information and be prepared to develop statements and those sorts of things that's, it's...I think it's pretty important. The April deadline is about the middle of March, so shortly after the March meeting, so that, you know that provides another five or so weeks if that's important. In terms of the advisory bodies you know any assignment is....they take seriously and they are going to, you know it is going to be workload impact to them regardless. The GMT is meeting in January. The STT is meeting in January but they're going to be pretty busy doing what they're already planning to do. If, you know, they will be at the March meeting though and that might be an opportunity to engage with the Ecosystem Work Group, and then, I guess I would also just to touch on the cost issue, for one we do have a standing request for some funds to carry this initiative through approximately April of next year. We haven't received that money from NMFS but, but that request is in, and then I guess I would just say that, and we plan to actually look into a much larger funding request down the road in a collaborative manner with the regions and the centers and we're going to have those discussions soon so that that may, that may alleviate some of the funding issues. On the other hand I would say that if the Council is serious about pursuing these, this initiative, it's gonna be costly. We're talking about a lot of a lot of engagement workshops. We've had generous offers from Nature Conservancy to help with that, but it's gonna be, there's gonna be a lot of work for the work group, and I just don't know if it's a high priority for the Council I don't think they can be too shy about spending some money

on it, but obviously that comes, it's going to come at a cost of something but, but I guess I would, I wouldn't get too shy yet. Yeah so I'll leave it at that. You know I think I think that I think the main thing I want to emphasize is just getting the information to the people that need to provide feedback in a timely manner.

Part 2

Marc Gorelnik: [00:00:31] Michelle.

Michele Culver: [00:00:37] Just a follow up to that Chuck. Have the... has the Ecosystem Work Group scheduled discussions with the other management teams besides the STT and GMT that already have meetings scheduled?

Chuck Tracy: [00:00:53] Mr. Vice Chair. Miss Culver I'm not sure maybe Dr. Dahl knows or somebody from one of those other advisory body knows, and I don't, I guess I would not say that discussions with Ecosystem Work Group is on, for example the STT's January meeting agenda at this point, but it could potentially fit there so.....

Marc Gorelnik: [00:01:14] Michelle.

Michele Culver: [00:01:17] Thanks. So I appreciate the, the FMP evaluation examples and sort of the, the questions and criteria I guess that are on pages 3 and 4 of the CSI report, just a couple of thoughts that I think in using the scenario planning methodology. It will be important to consider West Coast fisheries in a broader sense and not just focused on FMP fisheries related to community impacts of, for example Dungeness crab, some, some of our other pink shrimp fisheries that we have on the West Coast that climate changes could affect those fisheries, those communities, and so to the extent that the CSI can also consider broader West Coast fisheries in their evaluation I think that would be helpful and that, the other thought I'll throw out is it, I think this is a good start. I think the Council and the CSI would benefit from having more discussions relative to, but what do we do with the information, so how do we get from the the scenario results to any actions and I appreciate the examination and the different FMP tools, but I'll say just in general with the ecosystem topic that, that is where I struggle and, and is the information we're presented with, but what's the magnitude? What's the degree of change or action that we should be taking to prepare for that? And is it....is it....is it a bag limit change? Is it a fishery closure? When you examine is it an area you know closure? When you examine our FMP tools, what's the appropriate response to the information that we're presented, and so I'll say that's where I struggle and it's, it's hard to find concrete information studies that's been done of where there's that specific linkage of of EBFM implementation. So I think that the CSI and the Council would benefit from having further discussions about that as this moves forward.

Marc Gorelnik: [00:04:46] Thanks for that Michele. I'm going to go to John and then Frank.

John Ugoretz: [00:04:49] Yeah. Thank you Mr. Vice Chair. Thank you Michele. It sounds to me like you're talking about exactly what the result of this process is supposed to bring to the Council. It is a simple description of the tools, the processes, the, the how the Council would react given a certain plausible scenario in the future. I don't see it as something that I would like to spend Council floor time discussing between now and March of 2020. I think that the whole point of undertaking this exercise is to have a focused effort by the Ecosystem Work Group and whoever they determine needs to be involved in the process including representatives to then come back to the Council with some ideas and thoughts and recommendations. And again as we pointed out in our report in our presentation this is not intended to result in an immediate call to action for the Council. Rather it is providing us with ways to react in the future.

Marc Gorelnik: [00:05:58] Frank.

Frank Lockhart: [00:05:58] Thank You. Those are my.....I agree with all the comments and just wanted to point out that the EWG report, right in the middle there, they they, they actually stated some of the same things, they're concerned about the teams being able to respond, but basically we have already tasked the EWG with meeting with the management teams, technical teams to assess existing management measures in each of the FMP's and look at how that could help our fisheries respond to climate variability and change, so it seems a shame to waste those meetings that are going to occur. We've already done it but I agree we don't want to overburden the teams, and the EWG also says the same thing, so, so I think I'm interested in making sure that that task we've already giving them, given them, gets done, that we don't impact the FMP teams ability to do their other tasks, but to the extent they can, report back to us on on kind of if they are able to have these scenario discussions report back to us in March. Furthermore, the EWG is asking for an in-person meeting and they also want to kind of hire an outside expert, and so it seems to me if we are able to find the funding to have that in-person meeting of the EWG that.....and we're able to get an outside expert to come talk to them, they would have the results of that meeting with that expert at the EWG meeting they could report that potentially back in March. So I don't know how much farther we can get today based on what we know at this meeting but it seems like the March meeting will be, we'll have more information, a little bit more discussion certainly by the EWG and potentially by the FMP teams, and if we're able to find the funding that, that outside expert will, we'll have their expertise in the process so I, I think in March we'll be at a much better place to make progress on this. I just don't know where to go from here based on what I know now.

Marc Gorelnik: [00:08:13] Frank thanks for raising that request for an in-person meeting. I'll also note that the Nature Conservancy has offered to make, that has presently available funds and I question whether we might not use that resource to accomplish that in-person meeting and perhaps facilitate the process of coming up with the scenarios so that we will have something to examine at the March meeting. We already have tasked these these other meetings, and if there's a way to, in fact I think, I believe it was the management team or maybe one of the advisory sub panels, also wants to participate in that meeting and if that can be done between now and, you know at least in the next two months, I realize we have the holidays and scheduling will be difficult, that it might entirely be possible to use that resource to provide something useful to the Council so we can get done in March what the CI...CSI Team envisioned us doing in March to get the process going, recognizing that we're going to need further funding to make this an ongoing process. Chuck.

Chuck Tracy: [00:09:42] Thank you Mr. Vice Chair. Let me just address the funding issue here a little bit. Again appreciate the offer from Nature Conservancy. That being said you know in terms of funding Council advisory bodies and those sorts of things you know we have....all of our funds come through National Marine Fishery Service, and that's that's the way it has to be for us, and in terms of paying for the Ecosystem Work Group to meet or any other advisory body, that that pretty much comes....comes from our funds, that being said you know I think something like the workshop that the Nature Conservancy held this past year, something like that is, would be of value and that might provide the opportunity to invite folks like representatives or people that are interested in other fisheries like the state managed fisheries and to help them, you know come into the process. I think that's a great opportunity there. You know...you know working with a facilitator or an outside expert I think that's an opportunity there, but, but I think just in terms of you know paying for the committees to meet I don't think that's....would be, I don't think we can do that.

Marc Gorelnik: [00:11:01] All right. Thank you. I learned something. Phil.

Phil Anderson: [00:11:09] The more we talk the more we add on to what we think we're going to do between now and March and I thought we had some synergy around kind of what we were going

to try to accomplish here about 10 minutes ago between now and March and I just would express a concern about trying to add on anything more other than what the kind of general recommendations that we've got from the CSI in terms of the timeline and process and work products between now and March. I'm not speaking in opposition to having the EW, or the workgroup meet the their....their requests for that meeting, but, and we also obviously want to be very respectful of the offer that we've had from outside sources for funding to ensure that....I mean we we need to coordinate and talk with them carefully to ensure that what we are requesting is consistent with what they are willing to fund. So I don't want to go out on a making any assumptions here about what they may or may not be willing to fund in terms of assisting us.

Marc Gorelnik: [00:12:36] Thanks for that Phil. Chuck.

Chuck Tracy: [00:12:40] Maybe just a follow up. I wasn't suggesting that this workshop occur between now and March. I don't think the process is ripe for something like that but just more to my point that the meetings of the Ecosystem Work Group and the other management entities are going to be a Council responsibility between now and March or April or whenever this shows up. The workshop I think would be down the road somewhere. Potential workshop or something like that.

Marc Gorelnik: [00:13:13] Phil.

Phil Anderson: [00:13:13] Well just to put a finer point on it. I thought the description that Rich Lincoln provided just a little while ago on what we were going to try to accomplish between now and March is where I found comfort.

Marc Gorelnik: [00:13:28] Alright. Thank you, Rich could you summarize that so we can perhaps try to bring this discussion to a close.

Rich Lincoln: [00:13:34] No. (laughter) Why further muddle a already muddled discussion? No I'll I'll try to but I just wanted briefly to mention that the EWG's work request for some additional expertise, I mean I don't think we necessarily, I would like to think that the EWG has some creative capacity to do some things and that includes, I know that they are aware of a team within NOAA on the East Coast that has expertise in this area and and has some resources and has offered to assist the Council so I'm quite.... I would guess that if they felt moved to invite somebody to their in-person meeting they could easily do that without a cost to the Council and it's within their capacity. I guess what I'm suggested and I don't....was, was simply that we in conjunction with the motion that, that was adopted at the last meeting in terms of work group assignments, that we....that the Council would consider adopting the proposed schedule between now and March in terms of what we'd like to see the EWG try to accomplish with the management teams and we've had other recommendations come in the form of the advisory panels. We had some, you know some ideas there were they certainly we'd like to see them interact. They use those...they use sessions that they're already in the process of trying to schedule to both complete the assignment that we gave them at the last meeting and do some brainstorming around the possible scenario topics to bring back to the Council for their consideration. I think that includes then, there's been some discussion around the Council that, that would obviously there would be a benefit for them to come to complete something in a substantive form for... that could get some review in time for the briefing book, so we definitely would like to see them include something there. Doesn't preclude some additional work perhaps after that time but I'd like them to come back with a report to the Council on what they've been able to accomplish both in terms of scenario topics and a discussion about some process recommendations to the Council, including the things that John presented, and there are a lot of resources that are potentially there, we've only mentioned a couple of them and the work

group knows about those, so I think we could have a good discussion in March on the status of that and maybe we'll be surprised at how far they will get or maybe, you know, some of the issues that we've talked about in terms of workload will, you know, constrain, you know how far they get but rather than trying to predict that now I think there is some good thinking already there and we can go ahead.

Marc Gorelnik: [00:16:38] Thanks very much Rich for that. Is there any disagreement with that around the table? I don't see any, Kit? Wait, Dr. Braby.

Caren Braby: [00:16:49] Yeah. Thanks. Just two more cents. I would, in addition to scheduling that item for two hours instead of one. I think that Rich has summarized my thoughts on this exactly and I think that we can get to a more informed place by March and the schedule that we set out as the CSI was a straw person timeline and that we recognized all along that that was going to initiate some discussion about workload and timelines and we've gotten there today so I think that we're in a in a, in a better place. I do want to go on on record however that the Council has chosen this initiative as a priority and what we're talking about today is how we make progress on the stated priority that the Council has already decided on. That's not to be decided today. We've decided that this initiative is important and we're moving forward on that and what we have talked about today is as a consideration is one method, and I think that there's potential there we're going to hear more about that, assuming that this moves forward today. We're going to hear more about how this scenario planning method will be more informative in March and and it's within the Council's authority and scope to say you know what, in March this isn't going to be the way that we go and we can do something else, but I think that we're on a very positive path forward and we are struggling because this is a big issue and it's hard to figure out how to get to the end and inform our decisions moving forward, and so I just wanted to acknowledge that we've said this is important, we've said this is hard and we're doing it anyway and I'm very grateful that we are, so thanks.

Marc Gorelnik: [00:18:52] Thank you for that. Kit, how are we doing?

Kit Dahl: [00:19:00] Thank you Mr. Vice Chair. Well I think there, the EWG has a lot to chew on here. You know those, the CSI recommendations and guidance coming in and I think those are very useful, and then there is a lot of thoughtful discussion here on the part of the Council. A lot of it expressing sort of caution and concern about what we can achieve between now and March, but I heard, you know, let's see what we can get done and come back in March, and I also heard that the Council is agreeable to this specific request that the EWG made about having an in-person meeting between now and March to work on this, hopefully have some expertise or, or resource people that have some experience in this scenario planning method to, to talk to them and help them work through some of these issues. So I'm you know I think with that guidance we'll just proceed and see what we can get done and provide in March.

Marc Gorelnik: [00:20:20] Thanks for that. Is there any other further comment into this agenda item? I don't see any.

I. Administrative Matters

1. Legislative Matters

Phil Anderson: [00:00:00] That takes us to our Council action. The Legislative Committee prepared a letter in response to the request for comments on the Aqua Act that came from Senators Cantwell and Harris. You have that, that has been distributed to you. It's just a little over a page long. If the Council wishes we could ask Jennifer to read that if you need that to occur prior to considering approval of the letter. It's your, are people needing to have Jennifer read the letter? Seeing it's not necessary, then my understanding is that the Legislative Committee is recommending that this letter be sent in response to the requests that the Council received. Marci.

Marci Yaremko: [00:01:09] Thank you Mr. Chair. When is the appropriate time to ask questions about the content of the letter?

Phil Anderson: [00:01:17] Right at this very moment.

Marci Yaremko: [00:01:19] Okay. thank you. With that I have a question and I'm not sure who to direct it to, but oh about two thirds of the way down the recommendation, that the bill require meaningful participation of the Council Coordinating Committee in developing agriculture regs. The rest of this letter is very much centered on the regional Councils and so I am just wondering why this recommendation is paramount. That we're referring to the Council Coordinating Committee and not first and foremost asking for our own engagement.

Phil Anderson: [00:02:04] I have.....Marc.

Marc Gorelnik: [00:02:05] Thank you Mr. Chair and thanks for the question. Under the bill as written there is a sequential process of regulations being drafted that will be general and will apply to the entire aquaculture program, and that isn't being done on a regional basis, so there seems to be a need for one centralized body to respond to the regulations. I suppose the Councils can provide their input through the Council Coordinating Committee, but it doesn't seem reasonable to ask that the bill require input from each of the eight regional Councils on the set of regulations. So that's the reason why the Council Coordinating Committee is mentioned with regard to the drafting of the regulations. Once the regulations are in place, each particular project would have a regional impact and that regional Council would then be involved.

Phil Anderson: [00:03:15] Other questions. Caren.

Caren Braby: [00:03:18] Thank you Mr. Chair. Presumably regulations that went in place would also have a public comment period to which we could address PFMC comments?

Phil Anderson: [00:03:29] Correct. Other questions on the content of the letter? Caren.

Caren Braby: [00:03:43] Thank you Mr. Chair. So the, the statement that we got from the SAS and the CPS I think had some very good points, so do we want to incorporate those points into this letter? Attach them as supplemental material to the letter? So a lot of heads nodding as we're reading through this.

Phil Anderson: [00:04:09] We have maybe a couple of choices, one would be to have Chuck and the Council staff do a side by side comparison of the content of the letter relative to what the

recommendations were from the advisory panels, and for those matters that were not addressed in the letter suggest some edits to the letter to incorporate those concerns. If we think we've hit the, the majority of them then there may not be additions to the letter needed, but that's, I think, I think attaching their comments to our letter is a less desirable alternative at least from my perspective than trying to incorporate them in the text of the letter itself, but if somebody has a better idea I'm all ears. Marc.

Marc Gorelnik: [00:05:23] I think a useful process would be for Council members to identify which if any of the bullets in the advisory body reports should be incorporated. I think that the SAS raises some points that were not addressed in the letter, specifically having to do with liability that would attach to the operators. I would like to see that incorporated into the letter. There's also a further comment about where the product from these aquaculture projects would be processed. Suggests....I think the SAS is suggesting that coastal communities be consulted or incorporated or require those that product to be processed there. I don't know that I would feel comfortable imposing that requirement but I do think that we should perhaps comment on consider...considering coastal communities in that context. I don't really know much about soy based fish foods so I won't offer a recommendation there.

Phil Anderson: [00:06:50] Well we.....Caren.

Caren Braby: [00:06:53] Thank you Mr. Chair. I support the idea of having Council staff go through and go side by side and see what would be appropriate and just reading through some of these bullet points again. I think some of them are probably most appropriate to incorporate into regulations through the CCC or through Council comment on the regulations themselves rather than in the act itself. But I think some of the items, particularly you know weather related loss of aquaculture gear and and liability for that cleanup of that tends to be a gap in planning for operations like this and so there are some really serious potential implications related to these items that we would want to build into the regulations if not the act. So I just encourage us to kind of keep these present and in the process to get them incorporated.

Phil Anderson: [00:07:54] Chuck.

Chuck Tracy: [00:07:56] Thank you Mr. Chair. I did want to touch on the CCC bit of business there. They have sent the draft letter to the other Executive Directors so that they are aware of what we're requesting. I would maybe ask the Council's indulgence if we do get some feedback that they're not quite comfortable, that we might include some language through the CCC or some, some other comparable national level Council engagement or something. I'm just talking off top of my head but just to, just to make it clear what we're getting at if the, if there's some pushback from some other Council.

Phil Anderson: [00:08:50] Okay. Marci did you have something else?

Marci Yaremko: [00:08:55] Thank you Mr. Chair. I. I did, and maybe now I have more. First I really want to commend the SAS and the CPSAS for spending time on this issue and giving us two, I think very meaningful statements that provide a lot of context for our Council as we move forward with this suite of issues. I know I will keep these remarks on my mind in coming months as we see more. In terms of actually incorporating these, the recommendations they've made here, I I really don't know how necessary or appropriate they are in the letter itself. I think the letter serves a somewhat different purpose, so I guess I'm comfortable with maybe not doing more with the comments and toward toward the letter. I guess Chuck's follow up there puts me in a little, makes

me a little bit uncomfortable in the event that you get feedback from any of the other regional Councils that is contrary to our intent here in any significant way. I wouldn't want our letter to be watered down or softened to the point that it doesn't serve I think what our intent here is which is to say, hey we want to roll. We'll help you get there. Please work with us, and that's kind of why I asked the question in the first place. I don't know that we want to put all of our reliance on the Council Coordinating Committee. I trust that our representatives there will bring things back to us and keep us informed as things proceed, but I guess I'm looking to make sure that we maintain as active of a role as we can.

Phil Anderson: [00:11:20] When you started on that, down that path of thought in looking at the sentence that deals with the CCC, my understanding of Mr. Tracy's comments were we don't know yet what kind of reaction we will get from other Councils on making their recommendation relative to just the...to the issue of developing the regulations, and and I....so in the event that they were, for example if there wasn't concurrence that, that be a role of the CCC, that we would, that we would have the flexibility to modify that sentence or take it out for that matter if we didn't have that, but in terms of the role of the....of the Pacific Council as it relates to commenting on those regulations once they're published for review we would always have the opportunity to make independent comments from the CCC, but my understanding of the recommendation is that in the development of the regs that would go out for public review we were recommending that the CCC have a role in that, so I don't know if that.....Marc.

Marc Gorelnik: [00:12:46] I'll just say I'm not sure that, you know, perhaps as Chuck said there's another authority or agency or group that could do it. I just, we just couldn't think of anything better than the CCC at this stage. While there is a public comment process that will happen after the regulations are published, I think that's going to be far too late in the game to have the kind of influence we may seek in having the regulations drafted in the first place. It may be just be too little too late but if there's another process aside from the CCC that I'm unaware of then, then that could, that could be adequate as well. As far as comments from other Councils are concerned, I imagine the CCC may itself have a letter on this bill and that letter may be different than ours.

Phil Anderson: [00:13:44] Well, well it may be different but but it would not be in conflict because if it was in conflict, I would oppose it being sent from the...from the CCC.

Marc Gorelnik: [00:13:59] Okay.

Phil Anderson: [00:13:59] So there is....we do have that. The other the, the other thought to is that we would your your your representatives on the CCC will obviously have hands on interaction with the development of anything that would come from the CCC and we could, we would be we we assure you that we would try to incorporate concerns or recommendations that come from this group so.... Marci.

Marci Yaremko: [00:14:37] Thank you. I guess, just to clarify, I'm very comfortable with everything you've both outlined so long as the feedback that we get on our letter from the other CCC members is limited only to that one statement in the letter because I think you identified. My concern was if we got additional feedback on our letter pertaining to the rest of the content, that we might make adjustments and I think I heard you both clarify that no that would not happen, so you've satisfied my my concern and answered my questions. So thank you.

Phil Anderson: [00:15:20] Okay. Caren.

Caren Braby: [00:15:22] Thank you. I'm just looking through the draft act again and on page 11, 12, the break between page 11 and 12 there is a section on regulations that says the Secretary of Commerce will promulgate regulations after consulting with a number including regional fishery management Councils, so there is a direct link there and, and so the letter I think would add in a role for the CCC in addition to the fishery management Councils directly, so that's already in there but the CCC is not. So it would be additional review not instead of.

Phil Anderson: [00:16:05] Marc.

Marc Gorelnik: [00:16:06] I think the concern is that the term 'consult with' is a pretty standardless phrase, and one can be....someone can consult with you and ignore you, so I think the intent here is to have a more specific role in the drafting of the regulations.

Phil Anderson: [00:16:37] Bob Dooley.

Bob Dooley: [00:16:38] Thank you Mr. Chairman. I think that's that's exactly right, what Mr. Gorelnik was saying. I think the most powerful part of this letter is the part that says that it's just after the Council Committee, the Council Coordinating Committee part. It says the amended bill should require, it almost should be shall require the review and approval by appropriate regional Councils. I'm really worried about the conflict of areas we heard about today and putting them in places where the real strategic places for fisheries were an if we're in after the fact, we don't have a word at all, and I and I hate to be just an adviser to that because means it can ignore you, and I think that's so critical to avoid all the conflict that comes later after they've ignored it, so we've seen that before in the wind energy off of Coos Bay and how that process went, so I would I, I would, I would like to see that a little stronger myself. Thank you.

Phil Anderson: [00:17:42] Marc.

Marc Gorelnik: [00:17:43] Well I, it is a letter to senators and I don't think we can shall a sort of a command, so I think we need to be somewhat diplomatic.

Bob Dooley: [00:17:54] Thank you.

Phil Anderson: [00:17:57] Okay so we've had some discussion here. I'm not real sure where we are relative to additional edits to the letter for a couple of different perspectives about how to handle the input we got from our advisory groups. I don't want to, I guess, I don't want our, our letter to be so diffuse that we're not really focusing on the major question in that way, and, and which is I think just that last point that Bob made about our having a role in new applications and those pieces that are in that sentence and I will have lots.....there's gonna be plenty of opportunities to come in on this as we go along but I just I would like to make sure we don't take away from our main, what our main, what I think is our main message here and that is the definitive role for the regional Councils. So there's a decision as to delay action on the letter pending recommendations that anyone around the table may have to provide to Jennifer. Bring the letter back on presumably Thursday for another look or, take into account our conversation here and approve the letter as presented. Marc.

Marc Gorelnik: [00:20:01] The longer we stare at the letter probably the more changes people are gonna want. I do think that Marci made a good point and I think you also made a good point Chair Anderson that we'll start to diffuse the message if we keep hanging ornaments on the letter, so perhaps subject to some significant response from the other Executive Directors based on that CCC sentence, perhaps the letter could go as is.

Phil Anderson: [00:20:35] Was that a motion?

Marc Gorelnik: [00:20:38] It will become a motion in a moment.

Phil Anderson: [00:20:41] Okay.

Marc Gorelnik: [00:20:52] You're reading my mind. Subject to significant input from other Councils on the role contemplated in the letter for the SC, for the CCC.

Phil Anderson: [00:21:34] Okay.

Marc Gorelnik: [00:21:37] And I guess just these aren't words are not part of the motion, but I'm not sure how much time we should provide for these....for the input but I will defer to the judgment of our Executive Director on that.

Phil Anderson: [00:21:56] All right. We have a motion. The language on the screen does it accurately reflect your motion?

Marc Gorelnik: [00:22:01] Yes it does.

Phil Anderson: [00:22:02] Thank you. Is there a second? Seconded by Marci Yaremko. Gave you an opportunity to speak any further to the.....

Marc Gorelnik: [00:22:16] I don't think it's necessary.

Phil Anderson: [00:22:19] Okay. I do want to have, just my perspective, I would like to have us give a timely response back to the senators, and so I think the issue of how long it takes to get some read from the CCC on relative to their concurrence or lack there of to that one sentence on the CCC role is.....I want to make sure we're mindful of being time, timely in our response. Further discussion on the motion? All those in favor say Aye.

Group: [00:22:55] Aye.

Phil Anderson: [00:22:56] Opposed no? Abstentions?

Frank Lockhart: [00:22:59] Abstention.

Phil Anderson: [00:23:01] Mr. Lockhart abstains. Motion carries unanimously. Let me turn back to Jennifer and ask her if there is further business that we need to do under this agenda item.

Jennifer Gilden: [00:23:14] No Mr. Chairman there is no further business under this item.

Phil Anderson: [00:23:18] Thank you very much.

2. Fiscal Matters

Marc Gorelnik: [00:00:00] So that takes us to Council discussion and action. We have before us some recommendations from the Budget Committee for the Council. I don't know if anyone has a motion or whether we should have some discussion first but let's see if there's any discussion. Herb.

Herb Pollard: [00:00:26] I'm prepared to make a motion to adopt and consider those, the Budget Committee recommendations.

Marc Gorelnik: [00:00:34] Let me let me first ask if Rich has any discussion before we go into a motion. Rich.

Rich Lincoln: [00:00:40] Thank you Vice Chair. Just, just briefly I want to extend our agenda any longer than necessary this morning. Under the other matters category in the discussion about advisory body reimbursement for travel and expenses. This topic came up briefly the other day in the context of one of the, I think it was an HMS meeting in Japan, and I think the Chair brought up the, I think as, as the thought was whether there might be some utility in rather than just treating these on a case by case basis as suggested in the committee report, that there might be some utility in having a little bit more concrete Council policy in terms of how we might actually look at some of those requests, for instance whether they're essential or discretionary on the topic about whether, you know, what the Council might think in terms of what the industry obligations should be in terms of some of that participation, so maybe I'm just raising that as a placeholder. Suggesting that it would be, I think it would be a useful topic for a future Budget Committee discussion.

Marc Gorelnik: [00:01:56] Good point there Rich. Any follow up to Rich's comment. Herb.

Herb Pollard: [00:02:04] Thank you Vice Chair Gorelnik. Yeah, I think that because that has come up three or four times, we should consider that maybe in the Budget Committee in a future meeting, and my thoughts are that, and certainly there are some times that sending advisory body representatives or others to some of these meetings is a benefit to the Council that other times, you know, there isn't a direct and obvious benefit to Council operations and I'm not quite sure how, how you draw the line other than to consider the requests for funding individually, but if we think about it maybe somebody will come up with a way to....

Marc Gorelnik: [00:02:52] Well since....Chuck?

Chuck Tracy: [00:02:55] If you want to respond.

Marc Gorelnik: [00:02:57] Yeah I, you know I think that's a good point. I don't think we're gonna solve that on the floor here, but perhaps this is something that the Budget Committee could consider when it next meets and provides some specific recommendations to the Council. Chuck.

Chuck Tracy: [00:03:10] Thank you Mr. Vice Chair. Well this, this topics come up also in our Council leadership meetings, there have been some desire to flush this out a little bit of, and so I, and I have started kind of just putting together some thoughts on what, what might be worthwhile consideration, so I think over the course of the winter we can continue that discussion amongst the three of us and maybe bring something back to the Budget Committee or the Council when we next meet or at some point in 2019.

Marc Gorelnik: [00:03:46] That makes sense to everyone? I'm seeing some nodding of heads. Unless there's further discussion, raise your hand if you do. If not I'm going to go to Herb. Herb, go ahead.

Herb Pollard: [00:03:58] Thank you Vice Chair Gorelnik and I haven't written this out but I, I move that the Council adopt the four recommendations as enumerated on page 4, or page 3 of the Budget Committee report, Item I2a.

Marc Gorelnik: [00:04:20] Okay let's let Sandra, give Sandra a chance to capture that.

Herb Pollard: [00:04:29] And Sandra you know probably for our discussion would help if you would copy those four recommendations and add them to the motion.

Marc Gorelnik: [00:04:40] I sort of think they're incorporated by reference unless you're going to make some changes.

Herb Pollard: [00:04:45] I'm not going to make any changes that might help us discuss them.

Marc Gorelnik: [00:04:49] Okay fair enough.

Herb Pollard: [00:04:50] Put forward in front of them so we can.....

Marc Gorelnik: [00:04:58] There's a fourth below there. There we go.

Herb Pollard: [00:05:21] I believe that's complete.

Marc Gorelnik: [00:05:21] Mr. Chairman you have your hand raised?

Phil Anderson: [00:05:26] Sandra there is a reference to page four in the motion, that should be page three.

Herb Pollard: [00:05:33] I thought I corrected myself.

Marc Gorelnik: [00:05:39] All right. I think that Sandra may have a little bit of formatting to do there but I'd like you to confirm that what's been entered on the screen there accurately reflects your motion?

Herb Pollard: [00:05:48] Without reading every word but I believe that, that copied over from the report and therefore should be correct.

Marc Gorelnik: [00:05:54] All right. Thank you. Is there a second? Seconded by Phil Anderson. Please speak to your motion?

Herb Pollard: [00:06:04] We've discussed this and each of these items are important to the functioning and Sandra if you start with one I'll try to quickly summarize each of those four recommendations. The first is adopt a provisional budget of four million nine hundred seventy six thousand four hundred one dollars for use, beginning January 1, as understanding that there's, right now we're all operating under a continuing resolution and there may be some changes. The second provision is to direct the Executive Director to continue to track the funding needs for the core

activities and pursue funding for special projects. There are six special projects, the same six that we discussed in, in September for, for funding and I don't think I need to discuss those individually. The third recommendation is to provide the Executive Director the flexibility to request funds as part of the NMFS headquarters funding process and to identify potential joint projects, and the fourth recommendation is a spring budget meeting to bring the budget documents back for discussion and recommendations and updates as necessary.

Marc Gorelnik: [00:07:47] All right. Is there a discussion on the motion? Phil.

Phil Anderson: [00:07:54] Thanks, uh, I just wanted to note it would've taken me about a half hour to do what Sandra did in about two minutes.

Marc Gorelnik: [00:08:05] Any further discussion on the motion? Seeing none I'll call the question all those in favor say aye.

Group: [00:08:13] Aye.

Marc Gorelnik: [00:08:13] Opposed No? Abstentions? Motion passes unanimously. Is there any further action or discussion on agenda item I2 Fiscal Matters. Patricia how are we, are we okay here?

Patricia Crouse: [00:08:32] We are okay here and looking forward to coming back in the spring.

Marc Gorelnik: [00:08:35] Great.

3. Approval of Council Meeting Record

Marc Gorelnik: [00:00:00] All right. Well we'll move on to the, to the next agenda item which is to approve the Council meeting record which was in the advanced briefing book. I don't know if there's any discussion on that or if we want to go move straight to a motion but let me ask first if there's any discussion, corrections anything like that? All right I will, I will entertain a motion. Herb.

Herb Pollard: [00:00:29] Thank you Vice Chair Gorelnik. I move that we accept the meeting record as listed in item I3 of the agenda.

Marc Gorelnik: [00:00:47] Has Sandra accurately captured that for you Herb?

Herb Pollard: [00:00:52] Yes.

Marc Gorelnik: [00:00:52] Is there a second? Seconded by Bob Dooley. Speak to your motion as necessary?

Herb Pollard: [00:01:01] Once again we're, I guess I'd repeat some of what Phil said about our past when we were supported by an incredible staff and incredible advisors and this meeting record is accurate, complete and it's amazing how quick we get it on the street, so I think unless someone has corrections.

Marc Gorelnik: [00:01:28] All right. Any further discussion on this motion? I don't see any I'll call the question. All those in favor say aye.

Group: [00:01:36] Aye.

Marc Gorelnik: [00:01:36] Opposed No? Abstentions? Motion passes unanimously. That concludes agenda item I3 and my service with the gavel this meeting I'll now pass it back to Phil.

4. Membership Appointments and Council Operating Procedures

Part 1

Phil Anderson: [00:00:00] That concludes public comment on this agenda item and takes us to our Council action. Let me first acknowledge that Susan Bishop has been added as the designee for the National Marine Fisheries Service seat on the Council. No, no actions needed just wanted to identify that and reference that letter that we received. Second in terms of the appointments to other forums, the Pacific Offshore Cetacean Take Reduction Team. Mr. Crabbe had served on that on behalf of the Council and I've asked Mr. Louis Zimm to take that role on which he has accepted. Relative to the Western and Central Pacific Fisheries Commissions we will continue to have Dorothy Lowman, who is under contract with the Council, continue in that role at least through, we're looking at through September of 2019. We would consider potential replacements as early as the June meeting. Relative to the U.S. Canada albacore treaty forum, Buzz Brizendine had represented the Council in that forum and Ms. Christa Svensson has agreed to take that responsibility on. Thank you very much. We, also relative to our Ecosystem Work Group, that's an ad hoc work group, we had letters from the National Marine Sanctuaries offering expertise on the on the Ecosystem Work Group and we what, we are, we do have the ability to add expertise to that Ecosystem Work Group without going through a formal process, so I would be working with the Executive Director as those opportunities arise and take advantage of those as appropriate. Relative to the.....pardon me for one moment. Relative to the ad hoc GEMPAC Committee, Shems Jud has provided us his resignation and the Council has discussed this and I, they've discussed it, I've consulted with the Council and I'm going to request Melissa Mahoney take that on, so we'll be contacting Miss Mahoney and see whether she would be willing to do that. I've seen a thumbs up from her. That's great. So I believe that covers the appointments to other forums, and references the two ad hoc work groups or committees that had either vacancies or potential additions of additional members. So then that will take us to our Council advisory body appointments, and we will work through this on a advisory body by advisory body system and let's consider the appointments to the Coastal Pelagic Species Advisory Sub Panel first. Marci Yaremko.

Marci Yaremko: [00:04:51] Thank you Mr. Chair. I move the Council make the following appointments to the Coastal Pelagic Species Advisory Sub Panel. California commercial. Three positions, Mr. David Crabbe, Mr. David Haworth, and Mr. Nick Jurlin. Oregon commercial, Mr. Ryan Kapp. Washington commercial, Mr. Daniel Crome. California processor, Miss Diane Pleschner-Steele. Oregon processor, Mr. Mike Okoniewski. Washington processor, Mr. Albert Carter. California Sport and Charter. Mr. Steve Crooke, and Conservation, Miss Gillian Lyons.

Phil Anderson: [00:05:47] Thank you Marci. Double checking that the, our language on the screen accurately reflects your motion?

Marci Yaremko: [00:05:59] Yes it does. Thank you.

[00:06:00] Is there a second? Seconded by Marc Gorelnik. Any discussion? We're good, call for the question all those in favor signify by saying Aye.

Group: [00:06:15] Aye.

Phil Anderson: [00:06:15] Opposed no? Abstentions? Thank you very much. We'll now move to the Ecosystem Advisory Sub Panel. I'll call on Rich Lincoln.

Rich Lincoln: [00:06:29] Thank you Chair, and I move the Council make the following appointments to the Ecosystem Advisory Sub Panel. California, three at-large positions, Dr. Pete Adams, Miss Corey Ridings, Mr. Donald Maruska. Oregon, three at-large positions. Mr. Scott McMullen, Ms. Gway Rodgers Kirschner, Dr. Andrew Thurber, and for Washington three at-large positions, Mr. Paul Dye, Dr. Terrie Klinger, and Mr. Nate Stone.

Phil Anderson: [00:07:01] Thank you and the verbiage on the screen accurately reflects your motion?

Rich Lincoln: [00:07:06] Yes it does. Thanks.

Phil Anderson: [00:07:08] Is there a second? Seconded by Pete Hassemer. Is there any discussion? Call for the question. All those in favor say Aye.

Group: [00:07:16] Aye.

Phil Anderson: [00:07:16] Opposed no? Abstention? Motion carries. We'll now move to the Groundfish Advisory Sub Panel. Mr. Zimm.

Louis Zimm: [00:07:34] Thank you Mr. Chair. I move the Council make the following appointments in the Groundfish Advisory Sub Panel fixed gear, three at-large, Mr. Bob Alverson, Ms. Michelle Longo Eder, Mr. Gary Richter. Bottom trawl, Mr. Travis Hunter. Mid water trawl, Mr. Jeff Lackey. At-large trawl, two positions. Mr. Kevin Dunn, Ms. Sarah Nayani. Open access south of Cape Mendocino. Mr. Daniel Platt. Open Access north of Cape Mendocino, Mr. Jeffrey Miles. Processors, two at-large positions. Miss Susan Chambers, Mr. Tom Libby At sea processor, Mr. Daniel Waldeck. California Charter south of Point Conception, Mr. Merritt McCrea. California Charter north of Point Conception, Mr. Robert Ingles. Oregon charter, Mr. Loren Goddard. Washington charter, Mr. Thomas Burlingame. Sport fisheries, three at-large positions, Mr. John Holloway, Mr. Tom Marking, Mr. Dale Meyer. Conservation, Mr. Shems Jud, and tribal fisheries, Mr. Steve Joner.

Phil Anderson: [00:09:31] Thank you Louie. The language on the screen accurately reflects your motion?

Louis Zimm: [00:09:37] Yes it does Mr. Chair.

Phil Anderson: [00:09:38] And is there a second? Seconded by Bob Dooley. Discussion? All those in favor say Aye.

Group: [00:09:47] Aye.

Phil Anderson: [00:09:47] Opposed no? Abstention? Motion carries unanimously. Let's now move to the appointments on the Highly Migratory Species Advisory Group. Miss Svensson.

Christa Svensson: [00:10:01] Okay. I move the Council I'll make the following appointments to the Highly Migratory Species Advisory Sub Panel: Commercial troll, Mr. Wayne Heikkila. Commercial purse seine, Mr. Michael Conroy. Commercial gillnet, Mr. Gary Burke. Commercial fisheries, two at-large positions. Mr. Douglas Fricke and Mr. William Sutton. Processors south of

Cape Mendocino, Mr. Dave Rudie. Processor north of Cape Mendocino, Miss Nancy Fitzpatrick. California charter boat, Mr. Mike Thompson. Washington, Oregon charter boat, Ms. Linda Buell. Private sport, Mr. Bob Osborn. Conservation, Ms. Melissa Mahoney. Public at-large. Ms. Pamela Tom. And the new at-large position. Mr. Austin Brown.

Phil Anderson: [00:11:05] Thank you. The language on the screen accurately reflects your motion?

Christa Svensson: [00:11:09] It is.

Phil Anderson: [00:11:12] Is there a second? Seconded by Herb Pollard. Discussion? All those in favor say aye.

Group: [00:11:20] Aye.

Phil Anderson: [00:11:21] Opposed no? Abstention? Motion carries unanimously. Now let's move to the Salmon Advisory Sub Panel. Mr. Gorelnik.

Marc Gorelnik: [00:11:34] Thank you Mr. Chair. I first have a motion. I move to modify Council operating procedure two by increasing the number of California sport fisheries seats on the Salmon Advisory Sub Panel from 1 to 2.

Phil Anderson: [00:11:52] Language on the screen accurately reflects your motion?

Marc Gorelnik: [00:11:55] Yes it does.

Phil Anderson: [00:11:56] Seconded by Marci Yaremko. Speak to your motion please?

Marc Gorelnik: [00:12:00] I'll just briefly speak to the motion. California has an extensive coastline with spread out fisheries, but I think more significantly we have potentially large stocks in the Klamath River and the Sacramento River that are very important to commercial and recreational fisheries throughout the coast. Both those stocks are overfished, classified as overfished, so I think having an additional member from California will, will help the Council move through that process.

Phil Anderson: [00:12:35] Thank you. Further discussion on the motion? All those in favor say Aye.

Group: [00:12:42] Aye.

Phil Anderson: [00:12:43] Opposed no? Abstentions? Motion carries unanimously. Mr. Gorelnik.

Marc Gorelnik: [00:12:50] A second motion. I move the Council make the following appointments to the Salmon Advisory Sub Panel. California troll, John Koeppen. Oregon troll Mr. Darus Peake. Washington troll, Mr. Greg Mueller. Commercial gillnet fishery, Mr. Greg Johnson. Processor, Mr. Jerry Reinholdt. California charter boat, Mr. John Atkinson. Oregon charter boat, Mr. Mike Sorensen. Washington charter boat, Mr. Butch Smith. California sport, Mr. Jim Yarnall and Mr. James Stone. Oregon sport, Mr. Richard Heap. Washington sport, Mr. Dave Johnson. Idaho sport, Mr. Richard Scully, rather Dr. Richard Scully. California tribal Mr. Dave Hillemeier, and conservation, Ms. Megan Mueller.

Phil Anderson: [00:13:44] Thank you. The language on the screen accurately reflects your motion?

Marc Gorelnik: [00:13:47] It does.

Phil Anderson: [00:13:48] Seconded by Brad Pettinger. Discussion? All those in favor say Aye.

Group: [00:13:58] Aye.

Phil Anderson: [00:13:58] Opposed no? Abstentions? Motion carries unanimously. We'll move now to our appointments relative to the Habitat Committee. Mr. Hassemer.

Pete Hassemer: [00:14:14] Thank you Mr. Chair. I move the Council make the following appointments to the Habitat Committee. Commercial fishing industry, Mr. Noah Oppenheim. Sport fishing industry is Liz Hamilton. Conservation, Mr. Tom Rudolph. California tribal, Mr. Justin Alvarez. At-large, two positions, Dr. Scott Heppell and Mr. Stephen Scheiblaue.

Phil Anderson: [00:14:43] Language on the screen accurately reflects your motion?

Pete Hassemer: [00:14:47] Yes it does.

Phil Anderson: [00:14:47] Seconded by Herb Pollard. Discussion? All those in favor say Aye.

Group: [00:14:57] Aye.

Phil Anderson: [00:14:57] Opposed no? Abstentions? Motion carries unanimously. Let's move now to the Scientific and Statistical Committee, the at-large positions on that committee. Mr. Pollard.

Herb Pollard: [00:15:15] Thank you Chair Anderson. I move the Council make the following appointments to the Scientific and Statistical Committee. There are eight at-large positions. We only have six applicants which will lead us to needing to recruit for this position, but I would nominate Dr. Aaron Berger, Dr. Michael Harte, Dr. Dan Holland, Dr. André Punt, Dr. William Satterthwaite and Dr. Rishi Sharma.

Phil Anderson: [00:15:47] Language on the screen accurately reflects your motion?

Herb Pollard: [00:15:50] Yes it does.

Phil Anderson: [00:15:51] Discussion? Although, oh excuse me sorry. Seconded by Peter Hassemer. Discussion? All those in favor say Aye.

Group: [00:16:08] Aye.

Phil Anderson: [00:16:08] Opposed no? Motion carries unanimously. That takes us to any consideration of changes to the Council Operating Procedures. We have had a recommendation to modify the Council Operating Procedure, to that deals with advisory sub panels and we, in agenda item I4, Attachment 2, those changes are identified. Marc Gorelnik.

Marc Gorelnik: [00:16:55] Mr. Chair I think that particularly in public comment there was some

important issues raised and I'm hoping some of these issues can be taken care of with recommendations back from staff over the winter but specifically with regard to the appointment of alternates. We did task staff with suggesting some changes to the portions of the COP for each of the bodies that which has members for which alternates might be appointed, and I think the the, the purpose was to ensure that the Executive Director has a specific role in appointing and that the presumption that some may have that they can choose their own alternate is not, is not accurate. So I think that the staff did a good job at taking a look at the COP's and suggesting some changes. I've taken the liberty of making a few more changes and if there isn't further discussion I would offer a motion.

Phil Anderson: [00:18:13] Is there further discussion on the issue in general. Mr. Zimm.

Louis Zimm: [00:18:19] Having...thank you Mr. Chair. Having not viewed Mr. Gorelnik's motion yet I would like to request that we consider, we have a sentence that is in most all of these different groups that says all requests for alternates require prior approval of the Executive Director, and I would like us to consider that we add or somehow incorporate with consultation with the sub panel or team chair. My experience is that on the GAP, which I have limited experience on the GAP, is that the chair has been very diligent and inquiring about alternates and alternate plans and I really think that it should be written somewhere that he is brought into this in a formal way. Thank you.

Phil Anderson: [00:19:30] Other general discussion before we entertain motions? Marci.

Marci Yaremko: [00:19:37] Thank you Mr. Chair. Just to follow up a little bit on Louie's remark. We had a robust delegation discussion on this topic and yes, just want to reiterate that there was I think quite a bit of support for having the Executive Director vet the recommendation that comes from the individual to be absent, have, have the Executive Director either vet it, well with either both the chair of the advisory body and or an appropriate representative of a state or tribal delegation, so I think there's some discomfort with the language as shown in Attachment 2 right now because it doesn't really speak to any sort of process, it's just kind of open ended. I recognize that I think this does happen anyway but just wanted to note that some from our delegation would like to see some more explicit language on that. Thank you.

Phil Anderson: [00:20:50] Further discussion? Herb Pollard.

Herb Pollard: [00:20:57] Thank you Chair Anderson. In public comment we had mention of establishing a code of conduct and there apparently, and I have no direct knowledge of it, but there apparently have been some instances where the members on the advisory panels did, did not conduct themselves with decorum and professionalism. I don't know that publishing a code of conduct would solve that, but that might be important. The other comment that alternates should represent the seat designation. I think that's something that can be dealt with under this procedure for vetting alternates, and so I don't know that, that needs to be written but at some point I think we should consider a code of conduct and whether it's necessary. But that's, I don't think that needs to be put into action now. It's late in the day or late in the meeting and I wouldn't want to discuss that any further.

Phil Anderson: [00:22:15] Kyle Hanson.

Kyle Hanson: [00:22:17] Thank you Mr. Chair, and I would like to move or not move, support what Mr. Pollard was just saying. There have been some high profile incidents at academic

meetings this year that have led to multiple large organizations adopting codes of conduct when they've been caught flat footed dealing with them. I think it would be a valuable addition. Also I would like to speak in support of the public comment for additional conservation seats on advisory bodies. Throughout the course of this meeting we had multiple instances where we talked about climate change, forage fish, and ecosystem related processes which all support a greater role from the conservation community at-large. Thank you.

Phil Anderson: [00:23:02] Thank you. Other general discussion? Bob Dooley.

Bob Dooley: [00:23:09] Thank you Mr. Chair. We heard a lot of public comment about the 30 day change and I was satisfied. I just wanted to make this comment that I was satisfied, there's enough flexibility on it with the last sentence that was incorporated in that, that lays out special circumstances and things like that, that this really just gives the Council, the director time to, to actually make his decision rather than with a two week notice, you know it's, it pushes them right up to the end, so I think, I like the fact that it's 30 day and it's not hard and fast. It does have that caveat that if through special circumstances, so I think that, that makes me happy, or you know satisfied that 30 days is the right number.

Phil Anderson: [00:24:00] I have a few general comments. First of all I, I think this Council has always taken very seriously its role in appointing its members to these panels. I think we discuss and vet the nominees carefully prior to making our selections, and I've always been impressed by that, and it is because of that deliberation that we go through that I think we need to also have a high standard relative to putting alternates to serve in place of these individuals that we carefully vet and appoint. That leads me to be in support of the 30 days understanding that there, there is flexibility to deal with special circumstances. But if we are, you know it's, it's you know one of the reasons for providing more time was having to deal with making travel arrangements and those kinds of things. To me, more importantly, it's to do the appropriate vetting of the individual being considered as an alternate. I personally do not believe we need to add anything in addition to the language that it requires approval by the Executive Director. I think the Council can provide guidance through this discussion to the Executive Director in terms of our expectations of how an alternate would be vetted without going into making, specifying in the COP exactly who that is, who they need to, to, who he needs to consult with, but I think providing some general guidance to him or her, as the case may be in the future, is is appropriate. The issue of a code of conduct. I feel strongly we need to have a code of conduct for our participants in this process. We don't have one. We have some general overarching that are in Federal statute but we don't have a code of conduct. It's one of these, one of those things that I think we need to be proactive about. We have had some circumstances that I can think of in the past where individuals have crossed a line in my mind that would be specified in a code of conduct. So leaving this meeting I'm hopeful that the Council will ask the Executive Director and Council staff to develop some language for a code of conduct that we can consider at a future meeting. I hope we don't wait until we really need one to do that, so I would encourage the Council to do that. The final my, I think it's my final is, I would like to see us modify our procedure in the future when we go through this process of considering, but in particular the composition of our committees and the appointments so that we start in June, and start with that conversation about composition, giving our advisory panels, members of the public and others to provide us information and their thoughts about changes in the composition so that when we take action in September, as appropriate to modify the composition and then following that go out for the nominations to fill the seats on our panels, but I think we need to provide ourselves more time than we did this time around, in terms of having a thoughtful consideration of the composition of our committees and allowing us time to make changes as needed before soliciting nominees.

Part 2

Phil Anderson: [00:00:04] Any other general discussions? Christa.

Christa Svensson: [00:00:07] I would completely agree with you on the June concept of, of composition. I believe it creates more transparency for stakeholders or the public to come in and make comment on the decisions that we've made, but also as a new Council member, that would mean that you'd had at least one year to get your feet on the ground. Making that decision right off the bat or having those conversations right off the bat, I won't speak for Mr. Dooley or Mr. Zimm, was a little more than I was prepared for and I I just think moving forward for future new Council members that would make their lives a little easier in having an understanding of what that composition for different sub panels could or should look like.

Phil Anderson: [00:01:03] Thank you. Mike Burner.

Mike Burner: [00:01:06] Thank you Mr. Chair. I'd just like to touch on a couple of things if I could. Regarding the pro.... going through now and the appointment for the three year term I welcome a hard look at that. I found that this year's process took a lot more of my time that I anticipated to get all these nominees in place. It's a large job and so spreading that out across three meetings I would welcome and I'd be happy to look at the COP's in other places to get, draft up some revisions there. Regarding the code of conduct, I also welcome that. A fair amount of my job is, is dealing with advisory panels and how they function and if, if there was some clear language I think that would only help my job. This request did come to the Council staff at the September meeting. You didn't see much in your briefing materials in regards to that assignment at this session, that was largely due to what I just mentioned and this nomination process eat up a lot of my time and I just didn't feel like I had the time to really do that justice, but I am interested in doing, I just want make sure everyone's aware that it's not due to a lack of interests on the Council staff or any in that regard, I'd be happy to take on that challenge as well. Regarding the approval of alternates, it is of course the Executive Director's approval that's required there but the vetting of those requests often falls on my shoulders. The misstep, if you will, that was mentioned by Miss Brock under public comment was one that I take full responsibility of. I was fairly new to the position then and I didn't quite do my due diligence in that regard and a misstep did occur. That said just, and for the Council's information, since then I have learned my lesson and I, when I get alternate requests for the job of considering those falls to me. I do and have since that issue back in June of 2017 I believe, I have in practice gone through quite an exhaustive effort to contact the requester for the alternate members of the panel, our staff officers, et cetera, to try to make sure we have the best fit when an alternate is reviewed. So thank you.

Phil Anderson: [00:03:14] Thanks. Corey.

Corey Niles: [00:03:20] Thanks. Yeah I think I'm in agreement with all, all that's been said. I had one question for you Mr. Chair. Maybe I'm not following your suggestion but on the vetting process, and you mentioned giving guidance but not capturing that guidance in the COP themselves, and did I understand that correctly and if so what, what were your thoughts on not, not capturing in the COP?

Phil Anderson: [00:03:49] Well I don't think we necessarily can capture all of the vetting that would, that Executive Director would, would do in terms of looking at an alternate. I think consulting with the panel chair, consulting with the, in as appropriate, with the, with the state, the

members from the state where the alternate is being proposed. Where that's applicable is, is a good idea, but I think trying to go through and make sure we list everything that we want the Executive Director to do in the COP isn't necessary, and that we can give the Executive Director our expectations in terms of the vetting process that they would use and I am confident that they would follow that, and if there were things in addition to what we asked the Executive Director to do in terms of vetting that, that individual would do that. So that was my logic path. Mr. Zimm.

Louis Zimm: [00:05:13] Thank you Mr. Chair and thank you very much for those comments. I'm very happy to see that your mention of some of the ideas for vetting is now in the public record and we can access that in the future and make sure that vetting alternates go smoothly, so thank you very much.

Phil Anderson: [00:05:39] Mr. Gorelnik.

Marc Gorelnik: [00:05:41] Thank you Mr. Chair. I'm prepared to offer a motion with regard to the subject matter we've been discussing, the appointment of alternates, and I'd ask Sandra to put up on the screen the, the material, that I believe is also in the hands of all of the Council members it's, a it's a rather lengthy document mostly because the issue of alternates appears. So I'm going to move that the Council adopt changes to the Council operating procedures as set forth below, and at the pleasure of the Council....of the Chair, I can either read the first paragraph as exemplary of the balance or read the entire document.

Phil Anderson: [00:07:03] I am comfortable with you reading the first section with the understanding that the other modifications that the motion proposes to the following sections mirror that change.

Marc Gorelnik: [00:07:16] Yes. So with this I will read the changes to Council Operating Procedure 2, advisory sub panels, the portion categorized alternates. A sub panel member should attend all meetings but may request an alternate with appropriate expertise for the position if unable to attend to meeting. Members may request an alternate for a sub panel meeting no more than twice per calendar year under the following terms. All requests for alternates require prior approval of the Executive Director. The Executive Director must be notified in advance in writing with the name of and contact information for the proposed alternate at least 30 days prior to the first day of the advisory body meeting or the first day of the Council meeting held in conjunction with the advisory body meeting. The alternate will be reimbursed for travel expenses, for the Council travel rules. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences, and I'll note that all changes to the existing COP are set forth, underline or strike through, and the Executive Director has pointed out a typo for which I apologize. If we go all the way to the last category for ad hoc committees, it's labeled Council Operating Procedure 7, it should be 8, so if Sandra could make that change. It looks like she's already made it so she's way ahead of me. In any event the changes to the balance of the paragraphs are all analogous. Some of these refer to management teams, some referred to the SSC, Enforcement Consultants, Habitat, Groundfish Allocation Committee and ad hoc committees, but in each case the changes are for the same purpose using the same words.

Phil Anderson: [00:09:28] Thank you. I believe the language on the screen accurately reflects your motion?

Marc Gorelnik: [00:09:34] Yes it does sir.

Phil Anderson: [00:09:34] Is there a second? Seconded by Louis Zimm. Speak to your motion please?

Marc Gorelnik: [00:09:39] I'll speak very briefly because we've had plenty of discussion here. The goal here is to clarify that it is the Executive Director and not the panel member who appoints the alternate. There's also a requirement that the alternate have appropriate expertise. I retained the 30 days per the recommendation of Council staff, with the understanding that the Executive Director will consider shorter term requests when situations justify the shorter term. There is no detailed definition of what appropriate expertise or what a qualified alternate would be because I think it'd be very difficult to spell that out. We'd get into a further discussion and I think that given the context of our discussion here at the Council, I think that the Executive Director has appropriate guidance.

Phil Anderson: [00:10:38] Discussion on the motion? Corey.

Corey Niles: [00:10:44] Yeah thanks Mr. Chair, and thanks for the motion Marc. I am, to start off, I'm pretty satisfied with the current staff we have at the Council and their ability to exercise good judgment, which really I think I would be happy with just saying that, would please exercise good judgment, but so I'm, I'm, my question is on this highly unusual occurrences and as an attorney Marc I'm sure you know how people can interpret terms differently, but why the choice of 'highly unusual' instead of something like 'for a good cause' for 'for a good reason'. What's this, why highly unusual?

Phil Anderson: [00:11:28] Marc.

Marc Gorelnik: [00:11:28] Thank you Mr. Chair. That language is the original language in this COP and I have not undertaken an effort to revise that. That was the language that existed when it was two weeks and that's the language that has been used to date satisfactorily, and so while one could wordsmith this further I felt that no reason to make changes that may not be required.

Corey Niles: [00:11:54] Then Mr. Chair and then Mr. Tracy, so that is, this is longstanding language and we have precedents for how you and Mike Burner would.....

Phil Anderson: [00:12:04] Chuck.

Chuck Tracy: [00:12:08] Thank you. Yeah, then this language predates my tenure as Executive Director and Deputy Director, but we have used it effectively for circumstances when, you know, when family emergencies come up or, you know, illness at the last minute and those sorts of things, so those are the types of applications we've identified.

Phil Anderson: [00:12:35] Marci.

Marci Yaremko: [00:12:36] Thank you Mr. Chair. First just a question for the maker of the motion. Just so I'm clear. We have attachment two up on the screen with, there's a bunch of red edit marks on the side. As I understood from the discussion, the only change to what is on the screen pertains to the change from COP 7, correcting that to be COP 8 is that, is that accurate?

Marc Gorelnik: [00:13:09] That is correct. That's the change from what you have in your hands.

That was the only change.

Marci Yaremko: [00:13:13] Okay thank you, and then next question, I'm hoping that you can articulate for us the actual rationale that you see substantiating the change from the two weeks to the 30 days. We've se....we've heard a number of comments about why. I've heard various reasons and then I've heard some advice from some of our advisory bodies to not make that change, so I'm just hoping you can speak to that a little more.

Phil Anderson: [00:13:45] Marc.

Marc Gorelnik: [00:13:45] Thank you Mr. Chair and thank you Miss Yaremko for the question. I think that's a debatable proposition, however I am deferring to staff on that issue.

Phil Anderson: [00:13:58] And....Pete.

Pete Hassemer: [00:14:00] Thank you Mr. Chair and I would like to to weigh in on that topic also, we, I think the most comment we heard on this was relative to the amount of time notice is given. I, I do support the 30 days as I think about this, for a couple of reasons, that the staff puts a lot of effort in to get the advanced meeting notice out, besides our meeting dates being published a year, almost two years in advance. For this meeting the travel and meeting information was sent to participants on September 25th, about 37 days or something in advance of the meeting, and some of the comment we heard, well you know as a participant and chair of the Budget Committee I think there are budgetary concerns with how much time you give a person the change in their ability to make travel arrangements and maybe more importantly as we heard from Mr. Burner, a request for an alternate does set in a substantial amount of staff work I think to do some of the vetting that we require, and I, I wouldn't want to stack all of that work up in the two weeks prior to the meeting. I think 30 days is very reasonable for, for this vetting, or for the advance notice process, so I support that.

Phil Anderson: [00:15:42] Mr. Burner I think you had a concern?

Mike Burner: [00:15:46] Yes thank you Mr. Chair. Just regarding Miss Yaremko's questions about what's up on the screen. I guess I would just ask that the Council for this motion to work with what's off the screen, we also found a typo in earlier versions of this regarding these, COP 4, the SSC. It is COP 4 as shown on the screen but there could be earlier versions that mis-specify that as well, so I guess I would just ask what's up on the screen be used for the official motion. Thank you.

Phil Anderson: [00:16:15] Further discussion on the motion? Okay we'll go ahead and call for the question all those in favor say Aye.

Group: [00:16:22] Aye.

Phil Anderson: [00:16:24] Opposed no? Abstentions? Motion carries. Think they only.....well first before I go there. Mike have we taken the actions, needed actions under this agenda item?

Mike Burner: [00:16:54] Yes you have. Thank you Mr. Chair.

Phil Anderson: [00:16:57] I just also wanted to say that we, or that I and I've had some conversations with other Council members about, you know when we were thinking about the

composition, thinking about adding seats. We'd had a request from conservation organizations about adding seats and I know at least for myself I thought about that a lot. We had some discussion, inquiry about the cost of adding seats and it, and it varies from group to group depending on how many meetings a year they have, but it's, you know in the ballpark of three to six thousand dollars to a position depending on the advisory panel, and we did have some discussion about the composition during the, during the week and back in, and in particular back in September, so I just, I guess wanted to indicate that I had thought about that and considered that recommendation which, which in part is what led me to recommend to the Council that we modify our procedures in when we take up review of our compositions, that we add a meeting to it so that we have a more, an opportunity for a more deliberative and open process to consider our composition to our committees. So I just wanted to offer those thoughts from my perspective. So Mike are, have we completed our work under I4?

Mike Burner: [00:18:43] Thank you Mr. Chair. I won't revisit all the list. I appreciate the hard work in getting all of those appointments made. I will note that as we discussed briefly there are two vacancies remaining, for at-large seats on the SSC unless I hear otherwise, Council staff will get a notice out after this meeting soliciting nominations for those seats for your consideration in March. We also had a couple of tribal vacancies, one on the SAS and Habitat Committee as well, so we could reach out to our co-managers there as well before March and see if we can get, can't get those filled. Regarding notification I'm sure there's a lot of folks out there that are interested in these results. We will as usual post our motions onto our website but I'm also working on a blog and will work with Sandra to try to get that information up as soon as possible but thank you very much.

Phil Anderson: [00:19:27] Mike could you also give us a sense, in terms of the potential development of a draft code of conduct? Could you speak to that?

Mike Burner: [00:19:38] Yes thank you Mr. Chair. Like I mentioned before I'd be happy to do that. I think that would help a lot of people understand our expectations. I anticipate I will have some more time over the winter than I've had since September. I'd be glad to take the charge of drafting something along with Mr. Tracy and the rest of the staff and bring back something for you to look at in the draft form in March if that's your time.

Phil Anderson: [00:20:00] Let me just check with my colleagues to see if that's something you would find desirable. Okay good. All right. Well that will close out then our business on I4.

5. Future Council Meeting Agenda and Workload Planning

Part 1

Phil Anderson: [00:00:00] Closed out public comment on this agenda item and bring us back to the Council table for our deliberations and I'll turn it back over to Chuck.

Chuck Tracy: [00:00:10] Thank you Mr. Chairman, Council members. So I'll just walk through a few of the changes here starting with the year at a glance and just kind of go by FMP issue just so we can see what's changed and then we'll tackle March and April specifically. So as you look across the top row for coastal pelagic species you'll see that the, in April we deleted the methodology review. That preliminary topic selection was slated for this meeting and there were no methodologies in advance for review so that gets to drop off, so we save an hour or so there and then in June for the Council discussion at this meeting we added the management category review and a stock assessment cycle review into the June meeting. Moving down to groundfish you'll see in March we added adopt new Sigma values, that's actually should have been included in the earlier version and it's a result of the discussion at the September Council meeting but it also comes as a, I think that's addressed in recommendation from the SSC and GMT in their workload planning statements, but anyway it's important to get that adopted so that, that the stock assessment folks can proceed, particularly the sardine stock assessment which is, will be the first when the Council addresses in the new year. The groundfish stocks assessment processes proceed, they need to have that information available to them as well. Also in March vessel movement monitoring, we added an agenda item for that and we deleted the electronic monitoring existing and out of cycle EFP's, again that was kind of the second step, the first step being at this meeting but we did not receive any requests for out of cycle EFP's. For April we deleted the ESA salmon mitigation measures and moved that to June. Likewise the seabird mitigation measures deleted from April and moved to June. I believe those are the only other changes there for that, for that FMP. For HMS, for March we have deleted deep-set buoy gear authorization and moved that to June. The biennial management measures changes, status determination criteria and reference points, again I believe the results of the discussion at this meeting were that that was not necessary to continue. We did leave the shallow set long line fishery scoping on March. I do see that in the review of J4, a motion that that was addressed in that, so we'll have to make that correction soon if the Council wants to continue with that. No other changes for HMS. For salmon, we had a discussion about the rebuilding plans previously slated for adoption for public review at this time and final action in March, so now we have, at least for some of those we'll be just reviewing the plans in March and doing final adoption in June. For ecosystem business, we put in a sort of a placeholder I guess for the climate and communities initiative review. We have, we didn't have anything in there beyond the March Council meeting but based on the Council's discussion here we think that that's at least the placeholder out there that, I don't know maybe that should be shaded, but September is typically a time that the ecosystem business comes back before the Council so we put that out there. For other business no real changes there. I will talk a little bit about some of those shaded items in April though when we get to that quick reference, so I'll pause there and ask if there's any, any further discussion on those items or anything I missed. Okay so then let's take a quick look at the...

Phil Anderson: [00:05:02] Rich. Did you?

Rich Lincoln: [00:05:05] Well just a process question. I was trying to remember how we dealt with this at the previous meeting so we're gonna come back for some discussion if we're okay.

Chuck Tracy: [00:05:11] Yes. Yeah so, yeah right, so the first order of business here is to settle March and April and then we can take a look further out once we get that business taken care of. So for the March quick reference we, what we've got identified as topics fills up the first, basically the about a little over four and a half days, so we've got about four and a half hours left of available space assuming nothing drops off, and then we've got about 15 hours of items in the candidate agenda item box, shaded box, so we'll need the Council to take a look at those and see what they want to move up. If there's anything that they want to move, move out or move further out or move down. For the administrative matters we have a marine planning update and a National Marine shank.... National Marine Sanctuary coordination report. Those are periodic updates that we typically get. I think we had our first National Marine Sanctuary report this past March. It's something we tried to get on for at least a year prior to that but I think it was well received and gives us an opportunity to hear what's going on in that neck of the woods. The marine planning update again is just pending activities in things like the Bureau of Ocean Management arena. For groundfish again ESA salmon mitigation measures and seabird mitigations those I believe have been moved to, to April in a quick reference, or a sorry, sorry, that's that's PPA, so that now that the FPA was what was moved to from April to June, so the question is do we want to do PPA's for those in March or push that out. Gear switching and sable fish management, area management report. So we've heard a little bit of discussion about the SAMTAAC meeting dates and of course that may bear on whether that is ripe for agenda time in March. The omnibus project process planning and prioritization, had pretty extensive discussion about that at this meeting, but that is a shaded item so if the Council wants to proceed with that they'll need to find time on the agenda for that. Again new EFP's for EM was struck because we didn't get any requests at this time. If the Council wants to further consider out of cycle EFP's for EM and put that back on, you're welcome to do that, but the reason that's struck is because we didn't have any requests at this time. The flexibility in ACL management response, a range of alternatives, so this is some, something that came out of the revisions to National Standard 1 guidelines a couple of years ago. The Council expressed some interest in addressing a couple of topics here including multi-year ACL's and some carryover issues, so a question of whether the Council wants to pursue that or where it fits in the priority list, the Council should address that. We had heard some business on vessel movement monitoring review under the NMFS report for groundfish at this meeting so we penciled in something for March for an hour if the Council wants to take that on and then likewise adopt new Sigma values for groundfish and CPS. As I mentioned that's something the Council did discuss in September and we've got more statements from the GAP and GMT on those. So I'll stop there ask if there is any questions about that or maybe, maybe just mention one more thing and that is the Budget Committee and Legislative Committee, so we had tentatively scheduled the Budget Committee in April, Budget Committee in March and Legislative Committee in April, we kind of switched those around, one because I think we'll be coming fresh off the Council Coordination Committee meeting at the end of March and if there's any legislative business to follow up on from there I think that would be a good opportunity without letting things go stale and that will also provide us, staff a little bit more time to prepare for the Budget Committee meeting in April where we're gonna be talking about the five year grant process and if we get really lucky and the budget picture solidifies we might be able to finalize our operational budget for 2019 in April which we typically do in June. So I'll stop there and see if there's any questions about that?

Phil Anderson: [00:10:46] So I, we are, we are now, relative to the SAMTAAC process looking at a date that would be for a next meeting that's following the March Council meeting, so that particular item would not be ripe for an agenda item in March, which is number six.

Chuck Tracy: [00:11:18] Okay, one down.

Phil Anderson: [00:11:22] And the other piece is at the very bottom there, the deep-set buoy gear authorization check in, at least offline I had talked with Heidi a little bit about just having that included as part of their NMFS update information report, so I mean it it's, it's we wouldn't be getting into the issues it's just, how are you doing kind of an update is what we were talking about there. Marci.

Marci Yaremko: [00:11:57] Yeah thank you. I guess I had a little bit different intelligence. It sounded like the team was going to be doing some analysis on this either in their January meeting or at the March meeting, and yes just to check in but it sounded like there might be some analysis available, at least that we would want out for, I don't know if it would be putting it out for public review, or if it was just a check in on the work and the progress but it did sound like there would be some work done.

Phil Anderson: [00:12:35] Yeah I'm not suggesting there wouldn't have been any work done but I, my understanding of where we were, at least to what I understood we were talking about is just, just an update on how things are going without getting into the substance of products that have been produced, but... Ryan.

Ryan Wulff: [00:12:55] Yeah. Thank you Mr. Chair that's correct. We would have had management team work that we would have needed to have time to review if we were taking the final preferred action in March. But since that's now June, Yes what we're doing, we can include an update on how that's going. What level of NEPA has gone through scoping? All that can be part of the NMFS report. So my understanding was the same as yours.

Chuck Tracy: [00:13:29] Okay, so I guess I haven't heard any objection to not, to scratching that off the list, or is the Council prepared to make that that guidance at this point or are we still, you want to go through some of the more overview at this point I guess.

Rich Lincoln: [00:13:51] Thanks. I mean I think that discussion we just has kind of consistent where we left it. I mean I think when we hear about the status report in March that, I mean we should anticipate that there's some possibility at some point the team could come back and ask us for some clarification perhaps on something, but, so at some point we may not need to deal with that between now and June but not necessarily suggesting March be a time to do that.

Phil Anderson: [00:14:20] Marci.

Marci Yaremko: [00:14:20] Thank you. Thank you Rich for bringing that up. I think that's exactly why I was under the impression it was a stand-alone agenda item because we can't take any actions in the NMFS report item, so if it was its own check in, in the event that guidance was necessary from the team after their their work has gotten under way we'd have that opportunity. I guess just another question since it's closely related to this. I notice there's no international agenda item for March and is it, I'm just hoping to understand why. I mean I thought traditionally we almost always have one and I thought with some of the discussion surrounding albacore that we might have had an item scheduled for that.

Phil Anderson: [00:15:17] Ryan.

Ryan Wulff: [00:15:19] Yeah, thank you. Just to that point I would agree. I thought that was one of

the things I was going to raise I, if I remember correctly under J2 the Council requested the team work with the HMSAS on the albacore catch and effort data and then report back in the March meeting, so in addition to I think some of the general points you were raising Marci, I think there was some discussion very specific to international work that would be, need to be somewhere on the March agenda.

Phil Anderson: [00:15:53] Chuck.

Chuck Tracy: [00:15:53] Okay. Thanks. I um. Well, well, I guess I will also note that we, right now we've got shallow set a long line amendment scoping for five hours in March and I think maybe be, one thing that would be helpful is just to get some clarity on whether, whether that has indeed been pushed off as I believe it has under the J4 motion, but confirm that and then maybe we, it'd be a little easier to work in some international matters and anything else the Council has interest in.

Phil Anderson: [00:16:31] Marci.

Marci Yaremko: [00:16:33] Yeah. Thank you. Thanks. Yes that is our intention and consistent with motions both from this meeting and also back to September, that we complete our work on deep-set buoy gear before moving to scoping of long line, noting that those two things can happen in the same meeting, but just that was the sequence of events that we had adopted in the motion back in September.

Phil Anderson: [00:16:59] Yeah that's that's my understanding too. We wanted to work through and complete our deep-set buoy gear piece before taking on a new initiative. Is there anyone around the table that has a different understanding relative to that? Bob Dooley.

Bob Dooley: [00:17:22] Mr. Chairman. Yeah I know we we definitely talked about that. I'm wondering is there, is there work that could be done that might accelerate that, that doesn't have to be on the Council floor and I look for Ryan for some guidance on that to understand that, that I, we heard a lot of testimony though about the importance of that filling the gap that's going to be created by losing a gear type and just wondering how to keep it all on track and maybe I'm misunderstanding something, but I hear that testimony and I just want to raise, raise it.

Phil Anderson: [00:18:01] Ryan.

Ryan Wulff: [00:18:04] Thank you Mr. Chair and thanks Bob for that. I was going to speak to this as well I I I I was impressed by the public testimony we got here. I am definitely sympathetic to, ever since I've been involved in this, watching this continually move down and down and down off the agenda and we heard that today, however I do remember the discussion under J4 and considering that we had before this revised version both scoping on long line and final preferred action on deep-set buoy gear scheduled for March. I don't think it would be inconsistent with the schedule we adopted in September barring these changes that we've discussed at this meeting and the motion under J4. and also taking into account what we've heard to have shallow set long line scoping move from March to June, which could be taken up in that June meeting after the buoy gear discussions are completed and then to Bob's point, that would still allow us to do some additional work although I think when it comes to scoping a lot, there isn't much of a workload issue as a lot of stuff has already been done. That would also put us back here in San Diego which I do think also speaks to the points that were raised in multiple public comment regarding the location of a lot of

folks that are interested. I'll stop there.

Phil Anderson: [00:19:40] So relative to the March agenda though we would not have a shallow set long line amendment scoping, so we can take that off, and there's a, Chuck I don't want to get in your way here so there's, so there's a desire to add an international management agenda item on here and I think one of the, among the outstanding pieces is if we put deep-set buoy gear as a standalone agenda item it, you know, it you can plan on at least two hours, almost regardless of what it is and my, my understanding was, correct me if I'm wrong is that, I mean from this, once we leave here the analytical work's going to begin, but there wasn't going to be anything to put in front of the Council relative to here's, here's some analysis what do you think? I didn't think that that was anticipated for March. I thought it was simply a verbal expression of how things are going. Are we on track? Are we going to be ready for June, that sort of thing, so I've got, I've got, getting mixed signals here on what I thought we were anticipating, which is why we didn't, well which is why I did not think we would have a specific standalone agenda item for deep-set buoy gear but, Ryan.

Ryan Wulff: [00:21:23] Maybe I'm confused or maybe I didn't make myself clear here, but that is my understanding as well. There is nothing, we do not see, NMFS, the need for a deep-set buoy gear agenda item in March period. We will report out under the NFMS report and give an update as to what happened in NEPA scoping, how the analysis is coming, but that would be an update for the Council we could do under the HMS NMFS report.

Phil Anderson: [00:21:46] I didn't mean to suggest that you and I were on a different page, I was hearing something different from California, so Marci.

Marci Yaremko: [00:21:57] I may have my wires not completely connected on that, I had just understood that there was a plan for an agenda item for a check in that was approximately an hour or two but I may not have that piece right, and so that's why I questioned merging it with the NMFS report because if there was content or a need for Council guidance or direction we wouldn't really be able to do it there.

Phil Anderson: [00:22:26] Yeah I mean we generally have about an hour for the NFMS check in, or the NMFS report, so it would be included in that if we needed to add a little bit, but providing guidance is one thing, making motions and taking action is another, and so this was, I didn't think we were going to be doing the latter. I thought that if we had something to offer in response to what was reported we could do that but it wouldn't be in the form of motions, so it wouldn't be an action. Okay so I think we're clear on that and we have agreement so back to you Chuck.

Chuck Tracy: [00:23:05] Okay thanks so, so we will strike J5 out of the box. We'll anticipate a report on NEPA scoping and any other relevant issues under the NMFS report for HMS in March. We will add in international management under HMS in March. We had an hour for it this meeting, does that sound about right? Okay so we'll keep doing the math but I think we've got about nine and a half, eight and a half, about eight and a half hours left to fill in, so I suggest we take a look at some of those other things in the box, maybe just in terms of, you know, putting the big rocks in the jar first and letting the little ones fill in around it. You know the big, the big one here timewise looks like omnibus project process planning and prioritization. So maybe ask the Council how they want to deal with that one.

Phil Anderson: [00:24:20] If I had to pick one to put in first it would be the salmon mitigation measures but, Bob.

Bob Dooley: [00:24:29] Thank you Mr. Chairman I would, just a question again. We also heard a lot of discussion and a lot of public testimony about the mothership sector's request for, to raise the cap, that processing cap for the mothership platforms and how that was probably the one sticking point that may present itself this coming year. I know that was included in the omnibus and I'm more trying to understand how big of a lift it is to do just that part of it or is it easier you know, and is it even an option and how it all fits into the process. I think it's a, it's a real strong possibility given the testimony we heard from the mothership platforms themselves that are, that they may be up against this, this restriction, and we also heard from last meeting from a couple of catcher boats that haven't sold their fish in two years, so I, I have a lot of sympathy for those guys and and looking for a way to get them through this coming year while we deal with all of the bigger issues of that, but I don't know how it fits in so I'm sorry for my my rookie-ness so thank you.

Part 2

Phil Anderson: [00:00:02] Well just in response to that I, I did talk to, well I talked to Heather a little bit afterwards and my, I guess my perspective of what, what was offered is there were four or five potential measures in the short term that they thought might address the issues that were raised. There wasn't, well there certainly hasn't been consensus from the individuals that I've heard from on which of those five that people thought should be advanced including the changing of the cap, so I'm, I'm very hesitant to to agendize this thing in March. Given how we ended that conversation I think there's more work to be done frankly by the industry to to bring the Council something forward and and, and I'm not criticizing the industry for what they did, I mean they, but they pulled together that meeting on short notice and had a really good discussion. I just think there's more discussions yet to have before it's ripe for the, to put on a Council agenda, but that's my perspective, so. Bob.

Bob Dooley: [00:01:33] Thank you Mr. Chairman. I, I agree with you that there were a lot of issues put there. In my talks with several industry people that the one, the one issue that that would prohibit the fish from being actually harvested and purchased potentially is that cap, the rest of them were issues that could fix a longer term problem, at least that was my, my estimation of and my question wasn't about necessarily putting a big agenda item forward, I was really fishing for, is there some mechanism that if we identify that that, that's going to be the stumbling block, is there a way to go forward with that and that's it, it's me fishing for a solution that doesn't take a real heavy lift, but I don't know that there is such a thing and that's why I ask it?

Phil Anderson: [00:02:31] I mean if we put the omnibus project planning process on, that would be an opportunity to reintroduce that topic as being placed on the list and then the subsequent discussion on where it stands from a priority perspective.

Chuck Tracy: [00:02:50] That, right that, that's generally the point of the omnibus process is to put things like that on a list, have the Council discuss their relative merits.

Phil Anderson: [00:03:04] So Corey.

Corey Niles: [00:03:08] Thanks and, that's my, that was my thought exactly other than hopefully we'll have a new name for it soon but the, so I think we're going to jump in and say I hope we follow the GMT's recommendation and put that one on. I was gonna respond to Mr. Anderson's suggestion about the salmon mitigation. I, in talking to our GMT members this morning, I think if we had a choice between the seabird, if it was a choice or if you can do both, I think it would be the seabird would be better to do in March given a different set of analysts are working on that one and just April would give, if it would give a little more time for that analysis and it's a bigger analysis than the seabirds, so I just, maybe there is not a tradeoff there but I think if there is, I would recommend looking at the seabird for March and then salmon for April.

Phil Anderson: [00:04:00] Ryan.

Ryan Wulff: [00:04:02] Thank you Mr. Chair, and thanks Bob for the point. I would agree with that kind of way forward. You know from a NMFS perspective we're pretty maxed out on workload when it comes to groundfish. We don't have much of a capacity to take new things on unless other things that you reprioritized, as you've heard I think this week, but that said we'd support the proposal to put on the omnibus planning and prioritization. We might not even need a full three hours could be two potentially, but to have that discussion similar to the recommendation coming

from the GMT, so, so we can support that and we'll be prepared to have that discussion. When it comes to seabirds and salmon, it's been my understanding that I thought we had already made a Council decision earlier on seabirds that that would be April so that surprised me it's still here, but definitely on Salmon and I think the work is just not going to be done, actually on either of those by March. With a February 7th briefing book deadline I think April is more realistic for both of those, at least that's where NMFS is, and then finally though we have no issue with the recommendations for the new G10 and G11, if there were, or for having those be put forward for March.

Phil Anderson: [00:05:31] Could you repeat the very last...relative to ten and eleven. What did you say?

Ryan Wulff: [00:05:35] That we would support them on in March?

[00:05:44] So I'm hearing omnibus, whether it's two or three you can talk about that. The G10, G11 hold G4 and 5 until April. That's what I'm what I got.

Chuck Tracy: [00:06:02] That's what I've heard.

Ryan Wulff: [00:06:05]and one other thing if I may? I did just get an e-mail from the Office of National Marine Sanctuaries so just for the Council's information they can come in March and do that update, but if you need to bump them there's a couple of days during the April meeting they can also, that Bill (?) can make himself available so you have some flexibility there.

Chuck Tracy: [00:06:29] All right. Well I think we can accommodate what we've added here. I guess I would also want to just draw your attention to the GMT report. One of their recommendations was that inseason in March, it does include carryover but that they thought one hour would be enough still to do that, so I just wanted to.....right now it's scheduled for two, so if we believe them then there's another hour I guess so I don't if there are any thoughts about that, but, so.....

Phil Anderson: [00:07:23] Well if we left an hour buffer in our schedule that wouldn't be all that bad either.

Chuck Tracy: [00:07:27] It would not. Well I might, I might pause here for a minute to do the math. We started off with four and a half hours. We took, we got five back from shallow set long line, so that's nine and a half. We've added three for groundfish project planning Corey, and an hour for vessel monitoring, vessel movement monitoring, an hour for sigma values and an hour for international management on HMS, so that's three, four, five, six, so we still have, we still have about three and half hours. A few things to look at, so we would be I guess the two administrative matters and the flexibility and ACL management response, I think at this point we could fit all of those in, so I guess I'll, I guess I'll pause there I also just got a question from staff about moving the cost recovery item from April up to March whether that's a possibility and, so we might.....

Phil Anderson: [00:08:54] I was just wondering whether, I mean if G9, the ACL, isn't there a GMT workload associated with that and would you think they would have the, no I'm seeing no so I'd say probably not on that one.

Chuck Tracy: [00:09:11] Okay. Then we'll, can we deal with the two administrative items and keep those in our standard spots. Okay.

Phil Anderson: [00:09:29] Okay.

Chuck Tracy: [00:09:30] So we still have a, still have a little bit of time. There was a question about the cost recovery in April that we just got staff so that's, that's up to NMFS and I'm not sure that the, was, I had kind of an overall question about, about cost recovery in general and a two hour agenda item I think is what it's tentatively scheduled for, I know we're jumping ahead a little bit to April but...

Phil Anderson: [00:10:01] It's okay. Ryan.

Ryan Wulff: [00:10:06] Yeah, so I think that, I think we could potentially do that in March but probably would only need an hour, but I think if you wanted to move cost recovery to March, is that what you're suggesting Chuck?

Chuck Tracy: [00:10:20] Yeah.

Ryan Wulff: [00:10:23] That's fine.

Chuck Tracy: [00:10:24] And do it in one hour?

Ryan Wulff: [00:10:26] I think that's all we need if you...

Chuck Tracy: [00:10:28] Yeah I would. Okay. Well I think that keeps us in pretty good shape for March.

Phil Anderson: [00:10:40] Move to April?

Chuck Tracy: [00:10:40] Unless There's something else people want to bump up, but March is a salmon meeting too and sometimes we need to insert another little bit of floor time to, to take care of some salmon issues that, unanticipated salmon issues that crop up, so maybe we could just kind of leave it there for March?

Phil Anderson: [00:11:07] Yep.

Chuck Tracy: [00:11:07] Feel good about that?

Phil Anderson: [00:11:08] Yep.

Chuck Tracy: [00:11:08] All right, okay so just take one quick look here. All right so moving on to April then we just took those two hours off, so, so for April we've got now about sixteen hours of available floor time. We have moved at least tentatively the ESA salmon and seabird mitigation measures PPA's for two hours each, I guess we've tentatively moved those up so does that, is that a firm deal then?

Phil Anderson: [00:11:54] Yep.

Chuck Tracy: [00:11:54] Sounds like that was a pretty high priority.

Phil Anderson: [00:11:57] Yep.

Chuck Tracy: [00:11:57] Okay. Other things in the box, science improvements and methodology review report, that's the results of the SSC methodology reviews. SAMTAAC business, which it sounds like April would be the first opportunity to hear a report on the SAMTAAC meeting which hopefully will occur before then. We have a sablefish management strategy evaluation, so this is kind of a follow on from Melissa Haltuch's stock assessment, environmental factors in the stock assessment and there's some discussion about continuing that into, you know a larger MSE effort, so I am not sure, I'm not sure what the Council wants to do there but we can try and have a little discussion about that. We've got the salmon caps for 2019 mid water trawl EFP, that's two hours. Amendment 26 final action and the blackgill rockfish set asides that came out of the follow on action item. We've got some administrative items down there that I wanted to talk a little bit about. Regional best scientific information available implementation plan, I think that one's a bit speculative, I mean I think it was put in there as a placeholder. We were told that they hoped that, that would be available sometime in 2019. I haven't heard any updates on that. I suspect we'll hear a little bit about it coming out of this CCC meeting, but at this point I guess I would think that that is not a high likelihood, and then the other one that's definitely a placeholder is the standardize bycatch reporting methods review, so this is a requirement based on a new policy directive that was adopted back in last year, I think April of last year or June of last year. There is a timeline for the Council to review their bycatch methodologies that are, they do, all the FMP's do have that, but at some point we need to review them to make sure they're consistent with the new policy directive but that deadline isn't until 2022, so again this is, this is not an urgent matter and I don't know that we should be, you know I think that's one that we should put on put it down the road a little bit and maybe find a better better spot for it, but that's just my opinion, and then the other, oh we have allocation review procedures, now that does have a closer timeline. That once again in response to a procedural directive and that has to be finalized by June of next year, and so this is the first of two meetings to accomplish that, again I think contemplating looking at how we trigger allocation reviews for those stocks that aren't already addressed in the FMP one way or the other, and the thought is that, that would be looking at a COP to identify a process that way so not not a big heavy lift and something I think staff will be working on but I think that one, that one does have some urgency, and then the other one I wanted to just bring to your attention is H1 on Monday, April 15th, the electronic monitoring third party transition plan procedural directive and electronic tech plan update for three hours, there is a lot of sort of different things going on in electronic monitoring there, so I don't know if maybe just a suggestion that if whether that might be better broken up into maybe, you know a couple of different agenda items to handle different parts of electronic monitoring. Some of them are more broad, I guess in terms of their application potentially to other fisheries and of course there's some business to do with the groundfish, our groundfish programs right now, so right now they're just kind of all tossed into that one big agenda item, so I think they are anyway, so I just thought I'd see if the Council had any thoughts about that?

Phil Anderson: [00:16:54] So what I'm hearing is we would add if F5 and 6. I think on F7 if we have a meeting the week of March 18th we're not, you know we're certainly not going to have anything in time for the briefing book deadline. We can have an update on the SAMTAAC process but I would guess no more, I mean 30 minutes or I'd put maybe put an hour in there and just to be safe, but because someone might want to tell you how bad we're doing or suggest changes, but maybe put an hour for that in, but just be aware we're not going to have a lot of written products to bring, because we will have just met a couple of weeks prior to the meeting, and then adding the H6, the allocation review procedures. You might as well get, I mean I don't, my reaction to your question about H1 is if there is a way to break that up into more bite size pieces so it isn't all in one glob, that would probably be easier for the Council to deal with as well as maybe the public to digest, but, but I'm certainly not the one to to do that, so, but I think your idea of trying to break it out into some bite size pieces makes sense. Other thoughts? Bob.

Bob Dooley: [00:18:51] Thank you Mr. Chairman. I think you're probably right. I think third party transition plan and procedural directive may have a intertwine, I don't know about the electronic tech play update. I think that could be split out for sure, I think, we might, we have probably a premium expert in the audience today with Melissa sitting there so she might have a comment if that's something we can do.

Phil Anderson: [00:19:30] Yeah I was thinking about leaving it to the experts to decide whether that made sense and how to do it. Okay Marci.

Marci Yaremko: [00:19:43] Thank you Mr. Chair. I just want to talk to the blackgill item that is shaded in F10 based on kind of ongoing discussions with NMFS on the timing and the information we received in the NMFS report, I'd like to see this remain, that, that is what the plan has been is for April. This is an important action and my understanding is we should be ready to go by that time, so I'd like to see it stay. Thank you.

Phil Anderson: [00:20:13] Okay. I think we had, we have some time to deal with that in, and is two hours about right or do you know?

Marci Yaremko: [00:20:23] I don't know but it sounds good.

Phil Anderson: [00:20:26] All right. Okay. Could you do, get your calculator out and figure out where we are?

Chuck Tracy: [00:20:35] Do the math. Well I think, I think we're okay on the math at this point. I think there's still room to add some stuff in.

Phil Anderson: [00:20:41] Ryan.

Ryan Wulff: [00:20:42] Yeah. Thank you Mr. Chair. While Chuck does math, I just wanted to say that March's understanding was the same as yours Marci so it would definitely support. I think it has to be April blackgill discussion so definitely support having that on there. I did have a question however in looking at C4. It seems that all of a sudden the word 'assessment' has been added in here which was not on the, it's not on this version of the YAG, it wasn't on the other April agenda and so I'm just a little bit confused and understand information of the near shore component of the ATM survey will be discussed but was not aware of a new assessment, so just looking for some clarification here on when it comes to the Northern anchovy section.

Phil Anderson: [00:21:34] What word would you like to use?

Ryan Wulff: [00:21:36] Well before it just said central sub population Northern anchovy management update and now I just didn't know if there was something I didn't know.

Phil Anderson: [00:21:44] Marci.

Marci Yaremko: [00:21:45] Yeah I concur, we must be on the same radio channels behind the scenes. I have copious comment from CPS folks to please strike the word 'assessment' from this agenda item. I guess it appears correctly in the YAG but not on the April agenda.

Phil Anderson: [00:22:04] Okay that's easily done. Go ahead Ryan.

Ryan Wulff: [00:22:10] Yeah thank you Mr. Chair. Just one last point I would like to support the GMT, kind of echo and not putting forward the salmon caps F9 for the April agenda.

Phil Anderson: [00:22:29] Okay so that, we haven't talked about the sablefish MSE scoping. Does anybody want to talk about that or do you have an opinion about whether it's ready for April? Corey.

Corey Niles: [00:22:55] Sorry Mr. Chair, I was just discussing the the anchovy item and missed....what are you talking about the sablefish? Is that what you're asking?

Phil Anderson: [00:23:01] That was my question.

Corey Niles: [00:23:05] Okay yeah,well I think as you, and I think we're we're a very much interested but it's a question of readiness of whether the, of whether Melissa et all we'll be ready so....

Phil Anderson: [00:23:20] How's the radio waves workin' over there Ryan?

Ryan Wulff: [00:23:26] Yeah. No, my notes say that, that is something we could potentially discuss. I do think delaying the, now that we've already talked about delaying the gear switching and sable fish are away too and I think that discussion could also help facilitate whenever that gets placed later on, so from my understanding April should work.

Phil Anderson: [00:23:48] Okay, and how, the last, well the one I don't have a note by yet is the science improvements and methodology report. Corey.

Corey Niles: [00:24:08] Before you go there, can we just go back to that CPS item, because I'm not on the radio waves that Marci and Ryan are, so and my notes are not great, but the, is the concern that the expectation is that there will be an assessment because I think wasn't my understanding, I could be wrong, of the, what the Council asked the SSC to do was more of an update on considerations for doing an assessment. So maybe, is that where the word came from, and if not, they're doing an assessment but it's following on that task.

Chuck Tracy: [00:24:49] Yeah I think that's probably accurate. I think nobody is expecting an assessment but I think we're hoping to at some point and maybe that just falls under under management updates and assessments are part of managing stocks that we'd get some information about. If it makes people nervous to have that word there, we should probably make them more comfortable.

Phil Anderson: [00:25:14] Okay so you're not suggesting any other change or?

Corey Niles: [00:25:19] As long as the task is still gonna be come up then I don't have a preference on the title as long as is what the guidance was given to the SSC or the request of the SSC comes up that's I think that's the interest.

Phil Anderson: [00:25:35] Okay. So back to F4 top of the list, science improvements methodology. Ryan.

Ryan Wulff: [00:25:47] I would support that.

Phil Anderson: [00:25:49] Yeah. Chuck.

Chuck Tracy: [00:25:50] Yeah I think it's, I think it's important to have, make sure the SSC brings the results of their discussions and deliberations to the Council for approval before they get sent off to the management teams to implement. I think it's just an important process step that we make sure we go through, so I think, I think that's a good thing to do.

Phil Anderson: [00:26:14] Well I have that we've added eleven hours out of the box.

Chuck Tracy: [00:26:19] And we had.

Phil Anderson: [00:26:21] Fourteen or so?

Chuck Tracy: [00:26:24] Well we had four, sixteen actually if you take cost recovery that we moved to March, so, so we're still doing okay. I did want to maybe just touch again on the salmon caps for the mid water trawl. I believe what I heard from the GMT, or at least my notes indicate that salmon caps for mid-quarter trawl EFP in April would be to include that in the inseason action item. Does that....we've got one hour for that right now. I don't know if the team commented on the time you need to expand the time for that or not.

Phil Anderson: [00:27:07] Corey.

Corey Niles: [00:27:10] Thanks Mr. Chair. I would not, I don't know about that specific question whether they, yeah but they did say in their statement that they thought it could be handled better under inseason. I don't know if that involves expanding inseason.

Phil Anderson: [00:27:24] So you could add 30 minutes to inseason or something?

Chuck Tracy: [00:27:27] Yeah, okay.

Part 3

Phil Anderson: [00:00:01] Okay. What other things do we need to discuss relative to the April agenda?

Chuck Tracy: [00:00:11] I think, I think we're, well I guess maybe the regional best scientific information available implementation plan, maybe that's one that we, if there is a time to put it in there and leave it shaded and we'll see if anything comes up. I'll just, just pass on a note from staff about the SAMTAAC business, we would change that to an update not a, not range of alternatives, and yes expect that only an hour or so, that's how we're dealing with that. Okay well then I think I think we're in pretty good shape for April.

Phil Anderson: [00:01:01] Maggie.

Maggie Sommers: [00:01:03] Thanks Mr. Chair. Just wanted to note the GAP also recommended that the Emily Platt EFP moving into regulation be put on the April agenda. I think there's some support for that concept but perhaps not ready to move forward with it in April, but I just wanted to put that out there and make sure we at least consider that.

Phil Anderson: [00:01:30] Marci.

Marci Yaremko: [00:01:31] Yeah likewise I had my hand up on that as well. I'm just seeing what time count was and if there was in fact room. I appreciate the GAP letting us know about their feelings on this. I'm unclear on if there's room in April or not. I'd also, I guess like to have a few other sidebar discussions with folks like National Marine Fisheries Service to discuss what analytical lifts we're talking about and you know if we're, if we're ready, and so anyway I'd like to do that and I appreciate the GAP weighing in with their thoughts here and I don't know if we can come to agreement on all of that right here and now.

Phil Anderson: [00:02:18] Okay. Chuck.

Chuck Tracy: [00:02:20] Yeah well again this is I think something that ought to go into the omnibus or groundfish project planning process and not decide whether we've got time to do it and then you know it jumps the queue of all, of our good planning efforts, so, so I think it would be good to talk about this in March and see again where it fits in amongst the other priorities and we can address all the workload and I think overall, and I'm probably more guilty than most on this, but we haven't, I don't think done a real good job obviously of tracking our omnibus projects through the workload planning. It seems like a lot of times everybody's ready to get on the plane before we get to that final document, and so I would, I'm going to, I'm going to make another effort, and I encourage you all to make an effort to take your groundfish items and let's talk about them in context of all the groundfish items not just whether we've got an hour in April.

Phil Anderson: [00:03:25] That's a little harsh....(Laughter)....Ryan.

Ryan Wulff: [00:03:32] Well I just want to support and second everything you just said especially the part A, I understand where the GAP is coming from but I do see this as pulling out on this item, and I think we've got that scheduled for a March discussion and we could take it from there, so thanks Chuck.

Phil Anderson: [00:03:50] Marci.

Marci Yaremko: [00:03:52] Sorry, are you taking comments on the rest of the YAG at this point or..

Phil Anderson: [00:03:58] The rest of the what?

Marci Yaremko: [00:04:01] The year at a glance items.

Phil Anderson: [00:04:07] My acro....Marci you are my acronym queen.

Marci Yaremko: [00:04:10] I'm not....(laughter)...

Phil Anderson: [00:04:10] Okay. The YAG, was that what you said? The YAG?

Marci Yaremko: [00:04:14] Yes.

Phil Anderson: [00:04:15] Okay. We are, okay if we're done with. Okay.

Chuck Tracy: [00:04:19] I think we are done with April so let's move back to the year at a glance and look out a little further and see if there's any business to do there.

Marci Yaremko: [00:04:28] Yeah. Thank you and just wanted to flag the GAP's recommendations as well as those of the GMT regarding that cowcod area revision. GAP suggests ensuring this is added to the June and September agenda. Just a reminder, and we had some discussion on this in the omnibus item that the CCA revisions, in fact appeared on our YAG back in September and then for this meeting somehow fell off and I'm not quite sure why it completely went off the YAG. We had discussed pushing that item out somewhat but I had expected to see it on the advance year at a glance document that we had in the November briefing book but it wasn't there, so just to clarify I think we will be ready to take this on come June and September, you know we are recovering from Joanna's departure and that was a kind of a short term need but I foresee we'll be ready to go. I never intended for it to completely fall off the year at a glance, so just hoping to see it back per the GAP's recommendations as well as the GMT's and June and September looks great by us.

Phil Anderson: [00:05:50] Chuck.

Chuck Tracy: [00:05:50] Okay here you go. How about let's talk about it in March under the groundfish workload planning item.

Marci Yaremko: [00:05:59] Well actually no I, I'm feeling like a correction is needed because it, it just, the item fell off in the process of the staff pulling together the November year at a glance document, like the item had been listed and then it just went away. So there was no deliberate action to remove it, so I guess you know I don't feel like it needs to go through another prioritization process.

Chuck Tracy: [00:06:47] Okay. I thought there was actually some deliberate action on that. I thought that was at your suggestion, but if I'm mistaken about that, that's, we'll uh..

Marci Yaremko: [00:07:00] Yeah. I did not intend to be removed. I intended it be pushed out a few meetings because we weren't ready to tackle it in November and then we weren't ready to tackle

it in, I think it was March and so it had slipped but I didn't intend that it's slipping off.

Phil Anderson: [00:07:21] Okay. Other comments on the year at a glance?

Chuck Tracy: [00:07:26] I think we can certainly put it on there and then we'll be going through this exercise again in March and April so that's, that's fine. If there's something else that comes up we can.

Phil Anderson: [00:07:39] Louis Zimm.

Louis Zimm: [00:07:41] Thank you Mr. Chair. I remember some discussions on future inseason actions and did not hear from the GAP on this, this session, however there was talk about revisiting canary recreational limits so I just wanted to flag that that may come up. They may well bring that up again in the spring. Thank you.

Phil Anderson: [00:08:07] All right. Brad.

Brad Pettinger: [00:08:10] Thank you Chair Phil Anderson. Listening to the presentation that was given to us today about the shallow set long line, I know we've pushed it to June and it's always been pushed back before. We had really good testimonies today for a number of people in the HMS fishery and that fishery is happening already but with permits out of Hawaii that'd be landed here, it's my understanding. You know if I was HMS fisherman in California and a permit wasn't available to me and I've basically, you know, I've been held out of a fishery that because of constraints of permits in Hawaii, I would want, I would like to participate in that fishery if if if I was an HMS person and I would think that it, I would hope it would stick for June and we could move forward on that because it's been around for a while. From what I heard here today, so I'm fairly new to this, to that fishery so, I would hope it would stick and that's just what I want to say, but just, and then just move on that, so.

Phil Anderson: [00:09:29] Rich Lincoln.

Rich Lincoln: [00:09:30] Thanks Chair and just I guess just to follow up on that since we did have a pretty explicit kind of motion yesterday on the, on the, that dealt with the scheduling of the different swordfish management measures items. So I mean I think we're going to need to have, based on the NMFS report in March, have an assessment of where we are because clearly the Council's identified twice now pretty explicitly a sequence of priorities, so and I think with respect to that, just in terms of how this item shows up on the future workload planning, I'd really recommend that we, beyond the scoping process, shade the the following actions because it's almost a presumption that the Council's made a decision that's going to actually initiate an amendment process and I think the scoping discussion is really where that decision occurs.

Phil Anderson: [00:10:31] Okay. Other discussion on the year at a glance? Chuck.

Chuck Tracy: [00:10:37] Yeah again I just want to bring your attention to recommendation from the GMT regarding the SAMTAAC process. Right now we've got on the year at a glance we've got, so we've got PPA in September and FPA in November. They had recommended PPA in November and FPA final action sometime in 2020. I just want to check back and right now, it's got a range of alternatives in April. Range of alternatives in April's on the year at a glance, so we have that in, on the quick reference? Well we did not, so I think I think maybe taking a look at the

range of alternatives, preliminary preferred and final preferred for SAMTAAC would be something of interest.

Phil Anderson: [00:11:38] Well I, I mean my perspective is it, it's premature for the Council to change the schedule. We have a SAMTAAC, we will have a SAMTAAC meeting at some point in time here before April. We will not have, I can't imagine that we're going to have something definitive for Council deliberation in April. I think we will have a report and an update. I would, my preference would be to defer to the SAMTAAC they'll, if there's a revision in the schedule, I believe they will bring that to the Council in April under their report. The Council can deliberate its recommendation that they get from the SAMTAAC, and if there's a need to modify the schedule then let's make that decision at that time when we have more information. Maggie. You want him to go first?

Maggie Sommers: [00:12:49] I will. Thanks Mr. Chair. I agree with that and my question is should we move what it currently shows as a range of alternatives in April since I think we should be clear about the expectations we're setting of what shows up on our year at a glance.

Phil Anderson: [00:13:21] Move it to June? That be my....go ahead Chuck.

Chuck Tracy: [00:13:28] Yeah. That's what I was going to suggest, it sounds like Jim believes that it still might be possible to meet the November final action at this point so that's what I would suggest is move ROA to June and keep the September November.

Phil Anderson: [00:13:49] Okay. Ryan.

Ryan Wulff: [00:13:57] I agree with everything that's been said. Just one small note I would like to put, probably in September at least some sort of placeholder for yellowfin tuna in the Eastern Pacific. We took a decision at this meeting to wait for the next stock assessment next....so we'll probably could be done as early as June, but I think September is probably better to have a discussion once we have that assessment consistent with what was discussed earlier at this meeting.

Phil Anderson: [00:14:31] Okay.

Chuck Tracy: [00:14:31] So, so that would not be under international management that, that would be some domestic response to the situation so we'd need a separate agenda item?

Ryan Wulff: [00:14:42] Correct. Yep.

Phil Anderson: [00:14:49] Okay, anything else on year at a glance? Okay Chuck.

Chuck Tracy: [00:14:56] Okay a couple of advisory body issues again that sort of came up. One is the timing of the review of the salmon rebuilding plans by the SSC. The SSC had recommend that that occur in January. The STT was concerned that their information wouldn't be sufficiently developed and recommend that, that occur in March, so I think.

Phil Anderson: [00:15:23] I think the STT is wise.

Chuck Tracy: [00:15:27] I agree.

Phil Anderson: [00:15:29] I'm not sure about the two rebuilding plans in California but I would be

very surprised if the ones in Washington coming out of the co-manager process were ready for SSC review in January.

Chuck Tracy: [00:15:45] Okay and then some other SSC requests I guess or to confirm some of their recommended schedules, their albacore distribution business, they had suggested a half day webinar to complete that this, this winter. They also wanted to confirm they sort of have this ongoing September Ecosystem Subcommittee meeting with the IEA team to review the indicators and what's going to come into the next report and I think the, a couple of years ago the Council took action to sort of approve that in advance but I think they just wanted to draw the Council's attention that that, that is ongoing, so I think unless the Council decides not to do that I think it's been given approval.

Phil Anderson: [00:16:32] Any concerns? Okay.

Chuck Tracy: [00:16:37] They're planning a, would like to have a two and a half day Groundfish Subcommittee meeting in, well in Seattle is what, what was in their statements to talk about, Skate reconstruction, some rockfish steepness priors and some management person, some practices, I forget exactly what the term is but anyway a two and a half day meeting there to talk also about CPS sigmas, the CPS folks are joined by conference call, but so that's, that's on their radar screen, so.

Phil Anderson: [00:17:18] Okay.

Chuck Tracy: [00:17:19] Council's all right with that. Again these are the sort of things that we are going to be reporting on in in March under other agenda items right, that's about all I've got for the advisory body issues.

Phil Anderson: [00:17:38] So how are we doing on this agenda item from your perspective. Do have other things we need to address?

Chuck Tracy: [00:17:47] I think we're in pretty good shape.

Phil Anderson: [00:17:49] Okay.

Chuck Tracy: [00:17:49]and we came pretty close to meeting one o'clock too.

Phil Anderson: [00:17:53] I know I've been watching that.

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1. National Marine Fisheries Service Report

Marc Gorelnik: [00:00:00] So that brings us to Council discussion if any? Oh was there any public comment? No there's no public comment, and that brings us to Council discussion. Is there any Council discussion? Going once. Going twice. We have no Council discussion and I have nothing to add is.... Kit. Right back to you.

Kit Dahl: [00:00:43] Thank you Mr. Vice Chair. That was.....I don't know if that was a record but that was certainly a very brief NMFS report.

Marc Gorelnik: [00:00:52] The Chairman, you know the chairman put us in a hole. I got to do my work here.

Kit Dahl: [00:00:57] That's right. So I guess we can conclude this item.

Marc Gorelnik: [00:01:02] Thank you very much.

2. Recommendation International Management Activities

Part 1

Marc Gorelnik: [00:00:00] All right thanks everyone. Okay Kit you want to remind us again of our task here.

Kit Dahl: [00:00:15] Thank you Mr. Vice Chair. I can do my best. There are a number of issues that have been presented by the advisors, so I'll kind of try to summarize that...I don't know at least in very broad terms, so I guess just first off you've heard from Mr. Hogan about if the Council wants to provide any early input or recommendations relative to negotiation of the next fishing regime under the U.S. Canada treaty, and the advisory sub panel had a number of comments relative to that, so that's one issue that's been raised. There is some discussion around the management strategy evaluations for North Pacific albacore and then also Pacific bluefin tuna, some requests about supporting attendance at those workshops, and also this, at least some sort of progress update if you will, from the management team in terms of the Council request or guidance from September in terms of characterizing or analyzing fish, fishing effort, and they did mention they, well first of all that there is some information available on fishing effort that has been provided at the international level that could be used for that task and that they would be willing to look at that information and and provide you know any sort of analysis relative to that question of a baseline year. Another important topic, I'm kind of jumping around here, but it has to do with the rulemaking that NMFS is undergoing for domestic management measures for bluefin relative to the annual catch limits or, and establishing trip limits and you heard some, again recommendations relative to that from the advisory sub panel so I'm sure NMFS would be interested in your perspective on that, and I guess the....the last and perhaps the most, the broadest topic area, which I'm not sure if you would have any specifics, would be if you want to make recommendations to the U.S. delegation to the upcoming WCPFC meeting, again the sub panel had some comments so they're kind of, there's the issue of the reconvened Northern committee meeting that will be occurring there and the need to achieve consensus relative to the essentially, the rebuilding plan catch limits for Pacific bluefin. The advisory sub panel has a section in their report on some observations or willing recommendation to support some PAC recommendations relative to South Pacific albacore, and their recommendations are a lot about around the issue of selecting a target reference point, which is one of the tasks that the WCPFC has set for itself at this upcoming meeting. So I don't know if that's more than you wanted to hear but that's my attempt to sort of inventory some of the issues that have come up from the advisory bodies statements and the materials available to you.

Marc Gorelnik: [00:04:52] Well thanks very much for that Kit, actually does provide a good organizing principle for our Council discussion. Well I'd like to, because these issues are rather discrete, they're generally discrete, I'd like...if it's okay with the Council we'll take them up in this order, the same order that Kit listed them, the U.S. Canada treaty, the MSE workshop, the albacore fishing effort, the Pacific bluefin rulemaking, and then comments on the WCPFC as raised by the advisory sub panel, and then if there's anything we haven't discussed when we finish those five items then we'll take those up then. Is that okay with the Council? So first let me ask if there's any Council discussion on the U.S. Canada treaty negotiations? I know that the....Mr.

Hogan has spent some time with the advisory sub panel and we...tho, those discussions have been summarized but I guess I'd ask the Council if there are any further comments to Mr. Hogan and ask Mr. Hogan if he needs any further input from us. Corey.

Corey Niles: [00:06:04] Yeah thanks Mr. Vice Chair. Not a comment, maybe a question for Mr. Hogan. We heard from Mr. Anderson earlier that that in the past there's been plenty of opportunities for, for stakeholders to provide input, and my my sense is from talking to some of our stakeholders in Washington it's pretty early on in the process for them and they haven't really had a chance to talk about it among the groups. So for those of us who aren't as familiar with how these processes work can you give us an outline of what you have in mind going forward in terms of a process and schedule?

Marc Gorelnik: [00:06:40] Please.

David Hogan: [00:06:43] Thank you very much. The current regime expires at the end of, well at least for the port access season, but essentially for the current regime, it expires at the end of 2019. In the past the fishing seasons under the reciprocal fishing access regime have begun in the summer and we've negotiated the renewals or extensions of the regimes up into the spring preceding the summer and so the essentially kind of drop dead date for us for at least provisional application of any new regime would be around April, May timeframe of 2020. My intent here was to notify the Council and the advisory sub panel that we'll be heading into a schedule that falls along the following lines, a call for solicitation from the stakeholders, particularly the harvesters as well as the processors and states, call for their views around late winter early spring of 2019, ongoing discussions and position development and then essentially a second round of consultations in the late fall early winter, so toward the end of calendar 2019, and then a, essentially a communication bilaterally with Canada on whether or not we should develop a schedule for bilateral consultations. In the previous round that led to the current regime. Since we're not changing any terms and we had a determination that there was at least sufficient support to continue the regime, we had a very short negotiating period and I think that might have contributed to one of the characterizations in the advisory sub panel with regard to the transparency issue on the last round of communications. Of course our participation, the State Department's participation in the Council, aside from our statutory role, is to solicit the views of the Council, but for your specific question this is not the only time that we'll be asking. We probably would have an opportunity to revisit this question and allow the Council to express itself at a subsequent meeting potentially in late winter or early spring meetings of 2020 if we haven't already developed a position at that point, but to the degree that highly migratory species and international issues are on the calendar, or on the agenda for the Council at this meeting next year, we could discuss it then as well. This is not the only time.

Marc Gorelnik: [00:09:19] Thanks for that. Phil Anderson.

Phil Anderson: [00:09:21] Thanks Dave. Another question for you. First of all thank you for being here. Appreciate that very much. Good to see you. After the, you know after 2012 and we came back with a much different regime, reciprocal regime than we had previous to that, there were there were discussions about the phase out piece and I know, well I'll say I believe that you know we have, we have some very disparate views within our stakeholders as to what they believe the future of the treaty ought to be or if there should be one, and I I, well I would say I'd sympathize with you but I I appreciate your willingness to look at all sides as you go forward in representing the best interests of this country in those negotiations, and I just was interested to, I remember you know coming out of 12, the phase out piece, and things changed from year to year for sure. I think opinions change of your, of the people you're representing change, and I'm just wondering what that particular piece of the negotiations or the U.S. position, is that still a part of it or is it a consideration, or is there a way to kind of give me a sense of where you're headed on that part of it?

Marc Gorelnik: [00:11:00] Dave.

David Hogan: [00:11:00] Thank you. Thank you Mr. Anderson, and in particular for the characterization of how we've, we've handled this generally speaking and in particular regard to the phase out issue. The phase out was an approach that we were taking coming out of the 2012 year where we essentially failed to reach agreement when the United States stood down from negotiating a reciprocal fishing regime in part to satisfy the views of the stakeholders and in part to essentially create a reset with Canada leading back into the negotiations for the subsequent year which was a one year regime in 2013 followed by a three year regime for 14, 15 and 16. The phase out was the operative approach that we were taking in terms of a policy platform to present to Canada. But one of the qualifications of that policy position with regard to the development of the position with the stakeholders was that we were going to check with everyone to see if that was still relevant for the subsequent negotiation, and as you accurately characterize things change, opinions change, where and how people fish changes and when we checked in we found that there was support to continue along the lines that we had established for the previous regime rather than continuing to ratchet down. For historical context prior to the 2008 renegotiations with the 2004 renegotiations both with the regime and the treaty, but then in subsequent renegotiation in 2008 we stepped down the Canadian participation under the treaty significantly. The 2008 negotiations resulted in a limit of 110 Canadian vessels. We subsequently stepped down to 55 and are now at 45. But the phase out was linked in time to how we came up out of the 2012 negotiations for the subsequent two regimes, the one year and then the three year regime subsequent to that. To the degree that there is still some disparate or mixed support across the views of the various stakeholders, and particularly the harvesting sector across the states and the associations, it is, it is likely that we would seek to find some middle ground as we have in the past rather than to continue to look at that as a primary policy option. One of the reasons that I'm here and one of the reasons we'll be having these consultations is to again check and see if opinions have changed, if positions have changed, but that's the context for what the phase out was at the time. It is, it has not been relevant for the last two regimes. It could be again. It really depends on the whole suite of issues, and it's, it's issues related not only to stakeholder positions but also the processors, the states and then of course the federal bilateral prerogative with regard to foreign relations.

Marc Gorelnik: [00:13:56] Thanks Dave. Further questions? Further discussion on this agenda item or direction or suggestions on the U.S. Canada albacore treaty? Mr. Hogan.

David Hogan: [00:14:11] If I might add a supplemental comment. One of the.....there are a number of elements of the advisory sub panel report that were addressed at the time by me and are not reflected, from my perspective, in a way that includes my responses. So I did want to offer the Council at least one of those responses to address one of the points and that's with regard to recommendation number one on catch attribution allocation, and this was a very important point but fought by the stakeholders, in fact had been a perennial request from the stakeholders, the harvesting sector in particular, to secure the catch history of the Canadian vessels fishing in United States waters for the purposes of any U.S. catch allocation if we were to go down that road in the international forum, particularly in the American Tropical Tuna Commission. We had negotiated language to that effect and in response to questions and concerns from the stakeholders that that language was not persistent or was not continuing in time or did not have the strength that they preferred, we reiterated that an exchange of letters, which constitutes a political commitment that's between the United States and Canada, but there I think is some lingering misunderstanding with regard to the nature of that political commitment, so I want to clarify that or at least attempt to

here, and I'm going to geek out a little bit with regard to the international relations aspects of this. We have a political commitment from Canada in writing through an exchange of letters to apportion the catch history of Canadian vessels in U.S. waters fishing under the treaty to the United States and we have a reciprocal arrangement for U.S. vessels fishing under the treaty in Canadian waters, but because this is an understanding related to the U.S. Canada Pacific albacore treaty and it is essentially asking both of the parties to take action under a separate treaty, which is a treaty that establishes the Inter-American Tropical Tuna Commission, we didn't believe that it was appropriate under national law through our treaties to establish it as a hard point in the treaty text itself or in the regime so we came up with a political commitment which is a non-binding, but nevertheless formal arrangement with Canada that is then held to account when we negotiate something in the Inter- American Tropical Tuna Commission, which as a multilateral organization. It is also a consensus based organization which would require United States to essentially assent to any measures adopted there. So if we find that we are in need of a catch based allocation system that relies on the catch history developed through this arrangement with Canada, we are in control of how that looks and we are then able to hold Canada to account and manifest their fulfillment of the political obligation contained in those letters, so that's how it would work if we need it to work, but we understand that some of the stakeholders don't quite see that as binding enough or a strong enough commitment, but I wanted to at least offer that for purposes of clarification at, at least the State Department's view.

We have a degree of confidence that that is going to achieve what the stakeholders asked for even if it doesn't look exactly like the thing that they were, they were hoping for, but I'm happy to answer any questions about that or any other elements in the advisory sub panel's report. Thank you.

Marc Gorelnik: [00:17:27] Thank you. Are there further questions of, of Mr. Hogan or further input to the State Department on this, on treaty negotiations? Well before we close out the agenda item if someone thinks of something we could come back to it. I'd like next to turn to the MSE discussion concerning the MSE workshop. This was raised in both the AS and the management team reports, there being a workshop in Yokohama, Japan that March 5th to 7th, so there's, there's a request that one individual each from the management team and the advisory sub panel be sent to this workshop and I guess I'd like to have some Council discussion on that. Phil.

Phil Anderson: [00:18:31] One of the things that would help me on this on this topic is to.... we gain an understanding of the other individuals that are associated with this Council that would be going to this workshop to understand whether or not we have, would have the necessary resources to get feedback relative to the workshop in the absence of paying the travel costs associated with sending two individuals, one from the team, one from the advisory panel. I don't know who could help me understand that?

Marc Gorelnik: [00:19:32] That's a good question.

Phil Anderson: [00:19:37] Well there doesn't appear to be an answer.

Marc Gorelnik: [00:19:39] Chuck.

Chuck Tracy: [00:19:53] Thanks. I don't think I'm going to answer your question Phil, but as I understand it there's, in relation to the, in addition to the March albacore MSE workshop in Yokohama, or Japan wherever it is, there is also a proposal for a NMFS sponsored workshop in February to engage stakeholders in, for the same purpose or essentially, is that, I guess is that correct and maybe, maybe Heidi could fill us in a little bit on the need or the benefit or what might

come out of attending both of those as opposed to just one or the other or what we might gain out of that?

Heidi Taylor: [00:20:47] Yes. Thank you Vice Chair and thank you Chuck. I, so the point of this, this workshop or stakeholder meeting that we're calling, is so that we can show, show the results, that put the initial results of the MSE and to start collecting some information from the stakeholders based on that MSE. We intend on putting, or the MSE results, we intend on putting together a report from this stakeholder workshop and the U.S. government and the U.S. delegation will take that information with them to Yokohama, and so we'll have that information, so I'm not sure that I can say one way or another how I feel about the Council's spending its resources to send folks, but what I can say is that we're hoping that those same folks will come to this stakeholder meeting, see the initial results of the MSA, provide us some information and the USG will take that forward.

Part 2

Marc Gorelnik: [00:00:00] Heidi, I think there was some discussion about the need for stakeholders to be present in Yokohama. I don't know if I heard or understood that correctly. Can you fill me in on what purpose a member of the AS and a member of the team would serve there in addition to the other, in addition to the members of the U.S. delegation?

Heidi Taylor: [00:00:25] Yes thank you very much Vice Chair for the question. I will say that I spoke with some Science Center staff who are on the albacore working group and then also Gerard, so he may, you may ask him if he has a comment on this or a position on this as well and my understanding from that call that we had was that the Albacore Working Group member from the Southwest Fisheries Science Center said without a doubt he thought it was very useful for members of the public and the stakeholders to be there because there were some discussions that, you know at past workshops that they benefited from having U.S. stakeholders there and fishermen there. But again you know we're, my understanding is we're at the end of this process. We're going to see some preliminary results and I just don't know how much will, will change at this point or or....yea h, so I think that there is some usefulness and and utility early in the process when they're developing the management strategy and the management objectives, but at this late in the game I'm, I am personally am unclear about the utility of that and maybe if Gerard wouldn't mind me putting him on the spot he could speak to it more closely.

Marc Gorelnik: [00:01:43] Gerard would you mind coming up and answering, you know the question perhaps could be phrased, 'what would sending a member of the team and a member of the AS accomplish in addition to what will already be present as part of the U.S. delegation'?

Gerard DiNardo: [00:02:04] Yeah thanks for the question. Since it is an ISC meeting and it's a science meeting there is no U.S. delegation. We don't have delegations when they come to the science meetings necessarily, at least for the ISC we do not. We would expect some folks to be present from the U.S. side that can take the message that was crafted at the February meeting. Again you're gonna see, you are going to see, the U.S. will see the report prior to its unveiling, if you will, in March you'll have a chance to comment on that and those comments, we would like to see them brought, they would have to be brought forward by someone from the U.S. side, whether or not be one of the managers, whether or not the members of the various teams of the Council, it's up to the Council to decide what is the best way to go forward with that, but as Heidi has indicated, the scientists engage in the MSE, they are from the Southwest Fisheries Science Center for the most part. It's really not proper for us to bring, bring those those those messages forward because then the cat's out of the bag that we did have a meeting prior to the unveiling of it in March and so we're looking for someone from the U.S. side, again either would be the managers or would it be from the regional office or others or maybe even pyro, or it would have to be someone from the teams here to bring that message forward at that meeting.

Marc Gorelnik: [00:03:35] Thank you. Heidi is anyone from the regional office attending this meeting?

Heidi Taylor: [00:03:39] Yes we will be sending a staff person.

Marc Gorelnik: [00:03:45] I don't want to monopolize this but could the staff person share at the MSE workshop the concerns of the stakeholders?

Heidi Taylor: [00:03:53] I believe so yes.

Marc Gorelnik: [00:03:58] John Ugoretz.

John Ugoretz: [00:04:00] Thank you Mr. Vice Chair and maybe Gerard this is a question for you. In past experience do you see any difference in effectiveness of having an agency representative acting on behalf of United States stakeholders versus an actual fisherman from the nation making the comment?

Gerard DiNardo: [00:04:25] Short answer is absolutely. The fishermen come with the perspective that the managers don't necessarily have and so that is critical in some cases, so yeah there is, there can be that additional benefit by having an actual individual stakeholder there outside of the management side.

Marc Gorelnik: [00:04:47] John.

John Ugoretz: [00:04:49] Thank you Mr. Vice Chair, and we are on discussion right?

Marc Gorelnik: [00:04:53] We are in discussion. But, but we've been discussing this for a while so if someone has a motion that would maybe focus our discussion further.

John Ugoretz: [00:05:03] I could do that for this one. This one is not written yet. I move the Council send a member of the Highly Migratory Species Advisory Sub Panel to represent United States fisheries interests at the Yokohama MSE meeting.

Marc Gorelnik: [00:05:47] John has Sandra captured your motion accurately?

John Ugoretz: [00:05:51] Yes.

Marc Gorelnik: [00:05:53] Is there a second? Seconded by Christa. Please speak to your motion.

John Ugoretz: [00:06:01] Thank you, and I was on the fence on this issue up until a moment ago but I would agree with Dr. DiNardo that there is a difference between having an actual fishery participant represent their interests, and while I don't think we need two people from this Council going to do that, I do think that having one go would make sense. That's it.

Marc Gorelnik: [00:06:31] All right. Questions for the maker of the motion? Discussion on the motion? Phil.

Phil Anderson: [00:06:43] Yeah thanks, so what how, why I've struggled somewhat with this issue not just this one but when it's come before us before is we have industry representatives that are, in many cases representing organizations that are going to meetings that feed into this process across the spectrum of species and management plans that that we deal with here, and and I have struggled with the, either the precedent or the slippery slope depending on how you want to look at it, that if we're willing to pay the expenses of sending an individual to a meeting like this and we have I, you know I can think of other examples where industry is paying their representative to go to particular forums that then report back here. They're not coming to ask us to pay for that, is... is the.. is the policy call that I, that I struggle with. Now you know going to a meeting in Seattle or the La Jolla or anywhere in between is certainly different in terms of cost than going to Yokohama. We're going to have lots of MSE's. There are lots of MSE's in development. We're

going to have more....I think it's, it's widely recognized the importance of having industry be a part of MSE processes and are we going to be willing to send industry representatives to other MSE processes across the spectrum of species that where it might, where those processes might be initiated in the future. So that's the....it's not that I, you know that I'm, not that I think it's a bad idea to send someone there and have somebody there. It's what is the responsibility of the Pacific Fishery Management Council to pay for the industry to represent itself in a process like this? And then I reflect back on our, you know we've had some conversations around our advisory panels and compositions and can we add a seat or not and what's the financial burden of adding a seat and we've done calculations and for several different ones we've elected at least in part not to make changes because of the financial burden that goes along with that. So that's.....I mean I'm not trying to, I'm not gonna stand in the way of the motion or vote against it or, but that's why I struggle with with this. It's it's a bigger issue in my mind, it's a bigger policy call in my mind than just what's on the screen.

Marc Gorelnik: [00:10:06] Further discussion on the motion? I have a question for the maker of the motion. Your motion doesn't specify how that member would be selected. I don't know that you need to change the motion but I think they're ought....before we vote on it there ought to be a sense of how that person is selected. Do you have a suggestion?

John Ugoretz: [00:10:39] Thank you Mr. Vice Chair. I think similar to other events where our team and advisory sub panel members represent the council or their bodies. I would recommend a nomination or a recommendation from the advisory sub panel with approval and decision by the Council Chair and Executive Director.

Marc Gorelnik: [00:11:13] Any further discussion. Phil.

Phil Anderson: [00:11:16] The only other thing I would ask is that, is that we get a report back from the individual that goes to this. A report back to the Council giving us a synopsis of the discussion. Any input that, that individual may have been provided just so, not only for our benefit, but for the benefit of the U.S. fisheries that we are sending them there to represent.

Marc Gorelnik: [00:11:46] All right. Any any further discussion? Bob Dooley.

Bob Dooley: [00:11:52] Thank you Mr. Vice Chair. I um I had the same thoughts that Phil did and I'm thinking of the very same thing. It would be nice to have a sense of the scope of the commitment financially the Council is making on this. I know I've made several trips to that area and it's not a cheap area of the world and it's easier said than done when the bill comes to worry about how we're going to pay for it then. I know I hate to be.....throw cold water on anything but I think it'd be nice to know the commitment.

Marc Gorelnik: [00:12:26] Can I turn to the Executive Director to respond to that?

Chuck Tracy: [00:12:30] Thank you Mr. Vice Chair. Mr. Dooley. Well in fact you know we, we have sent people in the past to, to Japan and other forum, forums for items just like this, and I mean ballpark about two thousand dollars per person, so it's not a huge amount but it's not a drop in the bucket, and maybe I will just add too, I think in the draft staff budget, I think we have included at least one or two people then in the draft budget for that purpose just anticipating the usual business that the Council's been....the way they've approached this in the past.

Marc Gorelnik: [00:13:23] Any further discussion on the motion? I'll call the question all those in

favor say Aye.

Group: [00:13:33] Aye.

Marc Gorelnik: [00:13:33] Opposed no? Abstentions? Motion passes unanimously. Is there any further discussion on either the MSE workshop or the proceeding stakeholder meeting in February? I don't see any. We'll now move on to the issue of calculating effort in the albacore fishery. We had a recommendation from the management team and there was some discussion by the AS so let me open the floor for discussion on that topic.

John Ugoretz: [00:14:28] Thank you Mr. Vice Chair. I think that it's an important issue that's been raised in regards to effort. I think we don't know the answer and that it would be relatively easy for the management team and advisory sub panel to dig into the data that are available and come back to the Council with a recommendation on estimating effort, and I would support that occurring.

Marc Gorelnik: [00:14:58] And in fact there was an invitation in the management team report to that effect. Caren.

Caren Braby: [00:15:08] I have a remaining question about this and this is an comparing effort versus fishing days and whether both of those would qualify relative to the reporting back to the IATTC, which is the purpose of doing this in my understanding, right? Establishing effort rates and whether both of those, whether catch effort will count in that forum versus just fishing days, and I don't know if we know the answer to that. Whether both of those would be valuable in that forum or not.

Marc Gorelnik: [00:15:53] Heidi.

Heidi Taylor: [00:15:56] I'm sorry I missed your question Caren.

Caren Braby: [00:15:58] So in using these calculations for our own purposes both fishing days and catch per unit effort are valuable. We use them for understanding different aspects about the fishery. But in terms of the use these numbers for the IATTC, are both of those both fishing days and catch per unit effort, is that something that other entities coming to that table are going to bring or is that just a U.S. effort? So is it going to be valid, is it going to be useful for us to bring an effort estimation to that table?

Marc Gorelnik: [00:16:37] Heidi.

Heidi Taylor: [00:16:38] Yeah thanks Caren for the question. I actually don't have that answer off the top of my head but what I would suggest is that as the team move forward on doing this that they work closely with the stock assessment scientists at the Science Center in developing this to make sure that it is consistent with the controls and the, you know things that you bring up. I think it would help inform the discussion and help us make sure that when we do move forward, if we move forward into the IATTC that we are consistent with what other nations and how they're measuring or are keeping track of their fishing days and CPU and et cetera, so....

Caren Braby: [00:17:20] Thanks.

Marc Gorelnik: [00:17:25] Further discussion or any, any other action? Kit.

Kit Dahl: [00:17:32] Thank you Mr. Vice Chair. I just note, and it's a little...it's sort of implied in the management team report, and if I understand Miss Braby's question, so all the members of the Northern committee have a are....well actually of the WCPFC under the measure, are supposed to report catch, both overall catch and catch by fisheries fishing for albacore plus effort in number of vessels and vessel days, and then there was, it's been a rather slow process of actually getting that reporting requirement to the point where it's, it's relatively transparent, that has happened in the last few years where there is has been a report or a working paper provided to the Northern committee by the WCPF secretariat that has all of that information in it, and then there is this resolution that the IATTC adopted this year which specifies a very similar format for reporting, in terms of that catch information and that effort information so, so there is, there is information available from the other countries that are fishing for North Pacific albacore in, at least in that Northern committee report, since the IATTC just adopted the resolution this year, you know it'll not be until next year probably that a comparable type of report becomes available, but so anyways...there is information from all of the countries that are fishing for at least in the WC, WCPFC convention area, and the report does ask that they break out catch both for the entire North Pacific and for the convention area only, so in general I think it's a pretty good picture of fishing effort for North Pacific albacore and the entire North Pacific. Obviously some countries are only fishing in the Western Pacific but.....

Marc Gorelnik: [00:20:17] Thanks Kit. Caren was that helpful?

Caren Braby: [00:20:20] I'm good.

Part 3

Marc Gorelnik: [00:00:00] Further discussion or other action? John Ugoretz.

John Ugoretz: [00:00:05] I have a motion for this. I move that the Council task the Highly Migratory Species Management team, HMSMT to work with the Highly Migratory Species Advisory Sub Panel in summarizing historical North Pacific albacore catch and effort to provide support for a IATTC discussions on defining effort. The HMSMT should report back on findings at the March 2019 meeting.

Marc Gorelnik: [00:00:36] John does the text on the screen accurately capture your motion?

John Ugoretz: [00:00:41] Yes. Thank you.

Marc Gorelnik: [00:00:42] Is there a second? Seconded by Louis Zimm. Please speak to your motion.

John Ugoretz: [00:00:47] Thank you. I think based on what we've heard and the relatively low workload associated with this task there's value to having the team explore it and report back in a timely way so that we can affect the international discussions.

Marc Gorelnik: [00:01:04] Thank you. Phil.

Phil Anderson: [00:01:06] Does this include the recreational fishery as well?

Marc Gorelnik: [00:01:11] John.

John Ugoretz: [00:01:13] I would have to ask if that is available information, but if so, yes.

Marc Gorelnik: [00:01:25] Christa.

Christa Svensson: [00:01:26] Yeah, and that John, that should be available through recfin depending on the dates and that would be with regard to my question. If you have any parameters on what historic is going to be defined by, are we going back to 2002? Are we going to 1980? Do you have any thoughts on that?

Marc Gorelnik: [00:01:45] John.

John Ugoretz: [00:01:46] Thank you Mr. Vice Chair and thanks Christa. I would tie it to the team recommendation and it appears they are comparing the 2002 to 2004 with more recent catches.

Marc Gorelnik: [00:02:04] Further discussion on the motion? I don't see any hands. All those in favor say Aye.

Group: [00:02:12] Aye.

Marc Gorelnik: [00:02:14] Opposed No? Abstentions? Motion passes unanimously. Is there any further discussion on the topic of defining effort for the North Pacific albacore? Okay the next topic I have here within international management activities is the Pacific bluefin rulemaking that, that NMFS was in a, in a, in a report and discussed here. So is there any discussion on the proposed

rulemaking, any comment from the Council or suggestions on the proposed rulemaking? John Ugoretz.

John Ugoretz: [00:02:59] Thank you Mr. Vice Chair and this one, as you'll recall at the last meeting, I had some fairly specific recommendations that the Council approve to send to an National Marine Fisheries Service with regards to the 2019 and 2020 rule, and as National Marine Fisheries Service noted in their information, they did deviate from those recommendations though with some clear rationale for those deviations. After having looked at what they've proposed and heard the team reports and advisory sub panel reports, I am comfortable with the NMFS proposal, however I think both the advisory sub panel and management team have raised two important issues. The first being the 48 hour pre notification for purse seine catch with which the advisory sub panel indicated might unnecessarily limit ability to target when fish are available, and second, the inability or requirement to discard incidental catch if you haven't notified and the proposal to allow a two metric ton essentially incidental landing without notification. I support both of those. I think they're rational and given the amounts of fish we should have available next year, and the ability to reduce the 2020 total catch if needed, if we go over a little bit in 2019 then, then I'm okay with that.

Marc Gorelnik: [00:04:45] Thanks for that John. Is there further discussion on Pacific bluefin rulemaking? Louis Zimm.

Louis Zimm: [00:04:52] Thank you Mr. Vice Chair. I just want some clarification. Previously it was mentioned a 48 hour notification. Are we changing that to a specific notification or no notification at all?

Marc Gorelnik: [00:05:05] John Ugoretz.

John Ugoretz: [00:05:07] Thank you. I believe the summary of the advisory sub panel report was to recommend a 24 hour notification as opposed to 48, which I think is sufficient. I did, you know when when I questioned Mr. Rudie, asked about the the trade-off between a later reporting and potentially having to close the fishery a little early and they had taken that into account in their deliberations and I'm comfortable with it.

Marc Gorelnik: [00:05:45] Further discussion or is there a response from the National Marine Fisheries Service to those suggestions? Heidi.

Heidi Taylor: [00:05:51] Thank you. There is not a response per se except that I'd like to acknowledge this discussion and it will be, it will be reflected probably in our response to comments in the final rule stage. So I will. I will....even though we're not technically open for public comment right now because the proposal hasn't been published in the Federal Register, that doesn't preclude us from not considering these comments and we can do so in the final rule stage, so I appreciate this discussion.

Marc Gorelnik: [00:06:26] Well let me let me ask first. John has raised those issues, but I'd like to look around the table and make sure that what, that his suggestions are agreed to by the folks around the table here. I guess I'd like to hear any discussions particularly if anyone disagrees with those suggestions. Phil.

Phil Anderson: [00:06:52] I don't have a really a basis to agree or disagree frankly. I think from my understanding National Marine Fisheries Service modified the rule to allow the allowable harvest to be taken down to a smaller balance before implementing smaller limits if I'm following this

correctly and I think in part there was some comfort with doing that by providing this notice period, and it seems to me the shorter the notice period maybe the less confidence there is in tracking landings to ensure you don't go over the amount. So I think it's a fair comment and request to make of National Marine Fisheries Service to consider it, but at the same time I want to make sure that what they come out with by allowing the catch to get to a lower level, and I think it was 50 tons or pounds or whatever it was, but that, that it still alleviates the risk of going over so.

Marc Gorelnik: [00:08:13] John Ugoretz.

John Ugoretz: [00:08:15] Thank you Mr. Vice Chair and Mr. Chair. I appreciate that comment and that was you know my big concern last meeting to not go over, especially significantly over and I think NMFS has addressed that in two ways. First, we we didn't consider a pre-notification at all previously and I think 24 hours, while it doesn't give us a lot of time to react, it gives us more time than not knowing before they come back to the dock with fish. So we will know before they come back to the dock that they are actually out actively seeking and could come back with 15 metric tons, and second and very importantly is that NMFS was able to include in their proposed, their draft proposed rule closing the fishery by notice on the NMFS website which is a dramatic improvement over what we had previously which, which makes me much more comfortable with that.

Marc Gorelnik: [00:09:24] Caren.

Caren Braby: [00:09:26] Thank you I'm not going to add any detail that I just wanted to acknowledge that there have been a number of measures put in place to do very rapid in-season management that was not in place when overage took place last year, the year before, I'm sorry I'm forgetting which year it was, and so because of those different measures and the confidence of the collaboration between NMFS and California in particular and putting those in place I am, I am comfortable with this approach and I think you know I want to express thanks for for putting those measures in place and supporting this.

Marc Gorelnik: [00:10:09] Is there anything further on this portion of this agenda item? Alrighty then. I think the last topic....

John Ugoretz: [00:10:22] I do have a motion.

Marc Gorelnik: [00:10:23] Okay John. Go with your motion.

John Ugoretz: [00:10:26] Thank you. Just to capture this.

Marc Gorelnik: [00:10:27] All right.

John Ugoretz: [00:10:28] And if Sandra is ready. I move the Council strike, should recommend to NMFS the following changes to the proposed management measures for Pacific bluefin tuna during 2019. One, allow incidental purse seine landings up to 2 metric tons without pre trip notifications, and two, reduce the purse seine pre trip notification requirement from 48 to 24 hours.

Marc Gorelnik: [00:10:59] John does that accurately capture your motion?

John Ugoretz: [00:11:03] Yes it does.

Marc Gorelnik: [00:11:04] Do I have a second? Chuck.

Chuck Tracy: [00:11:09] Thank you, before you second just, just a question of clarification, so this is for 2019. I just wanted to see if this is the 2019, 2020 issue?

John Ugoretz: [00:11:21] I suspect we will be revisiting this for 2020 in order to both implement a final number for 2020 and, depending on how things go in 2019, maybe altering this, so I wasn't really speaking to the 2020 year for this. I don't know if that mucks up the proposed rule if these would not apply and, and I would point out that this is a recommendation and as Heidi pointed out NMFS would be considering this in public comment and could respond in an appropriate manner.

Marc Gorelnik: [00:12:06] We have a motion I think we need a second before we can take discussion. Bob, Bob seconds. Okay. Please speak to your motion?

John Ugoretz: [00:12:16] Thank you. I think I've said enough.

Marc Gorelnik: [00:12:18] Okay discussion? Heidi.

Heidi Taylor: [00:12:25] Thanks. So, just so that I'm clear on that last question. My, I'm, unless something unforeseen happens I hadn't anticipated coming back in front of the Council in 2020 except that in a NMFS report we will probably provide an update of where we ended up in 2019 with our catch limit, and then we will also indicate what the estimate for 2020 would be, and we will publish a notice indicating what that 2020 limit will be, but unless there is anything unforeseen, and just so that I'm clear with Chuck's question, I I'm looking at this in the context of a two year measure.

Marc Gorelnik: [00:13:15] John.

John Ugoretz: [00:13:15] And I wouldn't be opposed to this continuing into 2020.

Heidi Taylor: [00:13:21] Okay.

John Ugoretz: [00:13:21] Again I think if that's NMFS's response to the comment then that would be acceptable.

Marc Gorelnik: [00:13:29] Any further discussion on this motion? Heidi.

Heidi Taylor: [00:13:34] I apologize I have one more, one more just question John about the word 'incidental' and if I'm, I might not have my thoughts completely wrapped around this yet since it's the first time I'm seeing it, but allow incidental purse seine landing, so how do we know they're incidental if they didn't give us the pre-trip notification? So if they're, like for example I'm assuming that we wouldn't have a pre-trip notification if they were going out to target yellowfin, but in this scenario we're saying that if they go out to target yellowfin and get some bluefin mixed in there, then they can legally land two metric tons of that, two metric ton of blue, up to two metric ton of that Bluefin with the yellowfin trip.

Marc Gorelnik: [00:14:26] John.

John Ugoretz: [00:14:30] I'd accept a friendly amendment. I agree. I think determining whether the catch is incidental would require us to implement some other measure like a percentage limit by trip

which I am not recommending and, you know allowing for small catch to occur, as the advisory sub panel said it might be accidental in catching other species and to avoid discards, that's, that's the intent, so if somebody wanted to strike 'incidental' I certainly wouldn't oppose it.

Marc Gorelnik: [00:15:09] Caren.

Caren Braby: [00:15:13] Thank you Mr. Vice Chair. I'd like to make an amendment.

Marc Gorelnik: [00:15:16] Please go ahead.

Caren Braby: [00:15:17] to strike the word 'incidental' from bullet number one.

Marc Gorelnik: [00:15:29] All right. That accurately captures your amendment. Is there a second? Seconded by Christa. Please speak to your amendment as necessary.

Caren Braby: [00:15:38] As the Council just discussed, the word 'incidental' is problematic in terms of demonstrating targeted versus incidental and the purpose is to allow small amounts, small amounts being two metric tons to be landed without notification.

Marc Gorelnik: [00:15:56] Discussion on the amendment? Not seeing any I'll call the question all those in favor of the amendments signify by saying Aye.

Group: [00:16:04] Aye.

Marc Gorelnik: [00:16:05] Opposed No? Abstentions? The motion, the amendment passes unanimously. Now we're back to the motion as amended. Further discussion? Heidi.

Heidi Taylor: [00:16:23] Sorry. Sorry. Okay, so based on the earlier comment that I assumed that this would be applicable for 2019 and 2020 do, do we want to consider adding that to your title, to your motion?

Marc Gorelnik: [00:16:40] John.

Heidi Taylor: [00:16:40] No? Okay

John Ugoretz: [00:16:40] Thank you Mr. Chair. No I, I think as has been discussed on the floor, the service is able to respond to a public comment in a manner which they see fit.

Heidi Taylor: [00:16:50] Okay thank you.

Marc Gorelnik: [00:16:54] Any further discussion on the motion as amended? Not seeing any hands and none being pointed out to me. I'll call the question. All those in favor signify by saying aye.

Group: [00:17:06] Aye.

Marc Gorelnik: [00:17:07] Opposed No? Abstentions? Motion as amended passes unanimously. Is there any further discussion or action on the issue of Pacific bluefin rulemaking? Okay again I'm not seeing any hands. As usual it doesn't mean there aren't any, it just means I don't see them. Now the last topic I have here has to do with the WCPFC. There was some discussion in the AS. I didn't

see any in the MT, but let me open, open the open the floor for discussion on any further action or just guidance or whatnot remaining for this agenda item. John Ugoretz.

John Ugoretz: [00:18:09] I do not have motion.

Marc Gorelnik: [00:18:11] Okay but is there any discussion or guidance to be provided? Anything else under this agenda item? Okay I don't see any hands. So I'm going to turn to Kit and ask Kit and make sure we've ticked all the boxes here.

Kit Dahl: [00:18:32] Thank you Mr. Vice Chair. Yes you've certainly led the Council through a thorough discussion of the issues raised, at least as best as I identified them at the outset and, and made a number of recommendations related to those issues including an extensive discussion about sending a representative to the MSE workshop, and your discussion just now on the rule making and recommendations for NMFS to consider as they complete that rulemaking process, so, and of course at the outset your discussion and really mainly just some exchange with Mr. Hogan about the process for moving forward and negotiating the next regime under the U.S. Canada albacore treaty, and then related to albacore, the issue of effort characterization and I guess that also ties into the MSE in a way, so yes I think you've covered everything very thoroughly and so I think we're done with this agenda topic.

Marc Gorelnik: [00:20:10] Thank you very much Kit.

3. Biennial Harvest Specifications and Management Measures

Marc Gorelnik: [00:00:01] That brings us to Council discussion. Kit do you want to remind us of our obligation here?

Kit Dahl: [00:00:16] Thank you Mr. Vice Chair. So basically this was an opportunity for the, for the Council to review these status determination criteria estimates that were to have been made by NMFS staff in cooperation with the HMSMT. You had asked the SSC to look at those estimates and confirm that, that the way they were derived was reasonable and I think their bottom line conclusion is that they were, and then, so that's one part, and so if you're comfortable with I think the conclusion of your SSC and then you probably wouldn't necessarily have any, you know, request to NMFS to to somehow modify or revise those estimates. The SSC did raise this issue about what type of review might occur in the future, so maybe the next time around through this biennial cycle they did recommend that the kind of the procedures or methodologies that the, that we're used to make these estimates be documented, so you might want to weigh in on that recommendation, and then based on these status determination criteria you've been notified about overfishing of the EPO stock of yellowfin tuna. That triggers this requirement under the Magnuson Act, and you just heard from the management team a suggestion that you might want to delay or defer formulating that response to June, so I think the way the biennial process was envisioned is in this situation, the third meeting would be an opportunity to finalize your, those types of recommendations, but given the rationale the HMSMT made there would be a possibility to sort of do that at a later meeting possibly in June instead of March, so I think I just try to capture what the recommendations were.

Marc Gorelnik: [00:03:02] Thank you. Thanks Kit. So the SSC has done what we asked and said it could do a little more. The management team says well it has its recommendations that I'm not going to summarize them because I think they'd be inappropriate for Council discussion, so when we open the floor to Council discussion on on this agenda item. John Ugoretz.

John Ugoretz: [00:03:23] Thank you Mr. Vice Chair and I appreciate the work the SSC did put into this and it's comforting to know that while they may not fully understand the exact process that was used, that the numbers appear to be good and there's no cause for alarm. I think the team's recommendation that we not ask the SSC to review those numbers all the time makes sense to me, and as, as as it would make sense to perhaps ask the Center staff, Southwest Center staff to further clarify their methodology when they do present them next time, and then with regards to yellowfin I think that the team does an excellent job of explaining rationale to not act immediately on the letter we've received just this month and that, as I noted in an NMFS report, and I think you might have noted as well, that that we are one percent over the overfishing limit with a stock that is more than double the MSST level, so I don't think we have a huge cause for concern there and I think that the upcoming assessment results will be very helpful in understanding that. So I would agree with the team that waiting until June makes sense and we still have time to take action within our statutory requirements.

Marc Gorelnik: [00:05:07] Further discussion. Caren.

Caren Braby: [00:05:11] Thank you Mr. Vice Chair. I would just like to echo John's comments. I think that the approach to the yellowfin status is subject to overfishing makes good sense and I'm comfortable waiting until June to take further action on that if necessary, taking into consideration additional information, and I think we've had a lot of discussion about the limitations for the SSC in

terms of being the scientific review of management measures and criteria for which they don't have the underlying information. I think they're comfortable with the approach that we've set forth and I think that we should take them up on that and not ask them to review something that they don't have the tools to review. The one thing that I didn't hear John address was the scheduling issue for long term Bluefin management measures and approach, and I assume that that would be something that would be taken up in workload planning and future agenda work? So that's a question for Mr. Tracy.

Marc Gorelnik: [00:06:32] Well that was a recommendation of the management team.

Chuck Tracy: [00:06:35] So I'm, I just missed the last part of your, so you're recommending taking up that discussion under workload planning at this meeting, is that what I heard?

Caren Braby: [00:06:46] The suggestion....thank you for the question, the suggestion was that the Council consider establishing long term management approach for Bluefin tuna and my question back is I assume that that would be something we'd take up in workload planning in terms of the specifics and here we might just signal whether that's our intention.

Marc Gorelnik: [00:07:10] Mr. Tracy.

Chuck Tracy: [00:07:10] That. Thank you Mr. Vice Chair, Dr. Braby, yeah I think that's, that's a fine, that's a good approach. I know there's been some other discussions about strategic planning within HMS issues at the Budget Committee and so it might come up there as well, but a discussion of that at some future point is good.

Caren Braby: [00:07:33] So I guess I'll just express my support for taking that into consideration in workload discussions.

Marc Gorelnik: [00:07:40] Further discussion? Corey.

Corey Niles: [00:07:44] Yeah thanks Mr. Vice Chair and following on, on the the yellowfin, these are both kind of academic comments at this point, but I am going to say wow that we have to go. ...I was not paying attention closely enough to know that we're point 01. or 1 percent over the threshold and it triggers this big process but that's you know that's pretty darn close to being right on the money, what are, of your target fishing rate. On the SSC, yeah I thank you for SSC they did more, and to the team, they did more than I thought they would I think John, Dr. Field said they did the type of review I had in mind which look at the proxies themselves and the NSST themselves, and if those were ever to change I trust we have we have a really good international scientific process here, I think that's still in their wheelhouse and if those ever come up and this Council is asked to weigh in on them I'd like the SSC to see them but the actual number checking, I don't...I agree, I concur, those are two different things though having the criteria themselves versus checking estimates against the criteria, so I would just draw that difference out and I'm sure we will not remember it in two years, but thanks again to the SSC for taking the time.

Marc Gorelnik: [00:09:01] You know I looked at that yellowfin number that purports to be accurate to three significant digits and I'm wondering if any of the data that went into it was accurate to three significant digits. Is there any more discussion on this agenda item? Heidi.

Heidi Taylor: [00:09:21] Yes thank you, and as I mentioned in the NMFS report Corey we go

through excruciating detail to outline the management measures that are currently in place for yellowfin to sort of get at exactly that 1 percent point and yep so our humble opinion is that we don't think this will be a problem when the stock is updated, but I just didn't want to let go of your comment related to thresher shark and the need to establish ACL's and AM's and just recognize that the Council under the amendment two process to the HMS FMP did include common thresher as an internationally exempt stock. There was a stock assessment that was just completed. It was a joint effort between U.S. stock assessment scientists at the Southwest Fisheries Science Center and Mexico colleagues and the determination is not overfished and not experiencing overfishing, and so I think at this point if the Council chooses to establish an, establish ACL's or ABC's I mean it's certainly, there's nothing that precludes the Council from doing that, but just wanted to recognize that we took this up under Amendment 2 and that, that decision was made through that process that all eleven of the management unit species were exempt because of their international status.

Marc Gorelnik: [00:10:56] Thanks Heidi. Corey.

Corey Niles: [00:10:58] Thank you Mr. Vice Chair and thanks Heidi for remembering, I actually forgot to ask that a few minutes ago, but uh I think, yeah at this point I don't think there's a need to and I think one of the tables maybe not updated said that the overfished status had not been determined yet but that it was one point four times over its MST so it's not a conservation concern. But I think I did ask Miss Culver, my my boss here about earlier about what the answer was back then with that amendment because I think it was different from my recollection we've done in groundfish, and then to try to remember the answer but the thresher shark is not subject to international management now, that was the trigger we've heard in other FMP's it has to be subject to an agreement, but her recollection was that the IA..I'm not going to do the acronym right, IATTC could manage it if they wanted to and that was the reason we could apply the international, was that, am I getting that correct?

Heidi Taylor: [00:11:58] Yeah that seems accurate. That is accurate. Yep.

Marc Gorelnik: [00:12:03] Further discussion on this agenda item? I want to make sure don't leave anyone out, being our last item of the day. Kit.

Kit Dahl: [00:12:14] Thank you Mr. Vice Chair. Yeah I just wanted to mention in response to Mr. Nile's questions because there was a bit of a discussion as I recall at the SSC on this issue and I think in general it was pointed out, as Corey said, that the IATTC does have the capacity to manage that stock under their convention and that they have adopted a number of measures related to sharks which indicates some interest in managing that and, you know in a general sense of their interest in managing the, the effects of fisheries on sharks, so I don't know if that provides any further reassurance but I thought I'd mentioned there was some discussion with the SSC on that topic.

Marc Gorelnik: [00:13:08] Thank you Kit. Further discussion on this agenda item? I'm not seeing any. I'll ask Kit if we're done here?

Kit Dahl: [00:13:18] Thank you Mr. Vice Chair. Yes I think so. I don't know that at this stage I need to recite or summarize because you've fairly succinctly summarized your guidance under this agenda item and I think we can move forward and finalize the safe chapter and look forward to June and the terms of the yellowfin business.

Marc Gorelnik: [00:13:46] Thanks Kit. I'll now proudly hand the gavel back to the chair.

4. Deep-Set Buoy Gear

Part 1

Phil Anderson: [00:00:01] Okay that concludes public comment on our deep-set buoy gear authorization agenda item. Takes us to our Council action. Maybe start out with entertaining any discussion about particular issues Council members wish to bring to the table. Mr. Ugoretz.

John Ugoretz: [00:00:26] Thank you Mr. Chair. That was very informative and I think we have a lot to think about and discuss. But to begin with I did want to go back to the NMFS report on this item. There is an piece of information in that report that I think is very important to the Council's understanding, and if you look at the very last paragraph of that report it indicates that NMFS has before and is now recommending a two meeting process prior to adoption of a final preferred alternative once we have selected a final range of alternatives. This is something that I think we've discussed previously but that at the point we are now in the process is somewhat in conflict with the discussions and motion that I made at our last meeting which would have us choosing a final preferred alternative in March. So with that what I'd like to do is, if I may ask Heidi to better explain what is necessary between now and choosing a final preferred alternative from NMFS perspective so we can think about that.

Phil Anderson: [00:01:47] Heidi.

Heidi Taylor: [00:01:47] Thank you Vice Chair and thank you Mr. Ugoretz for the question. Right, so in March of 2017 and also in September of 2018 NMFS had expressed to the Council, which is consistent with the original operating procedures between the Council and the centers and the regional office that we need at least two meetings after the final range of alternatives is chosen to do a proper analysis on those alternatives such that the Council is in a position to make an informed decision on an FPA, and so at this point if the Council adopts the final range of alternatives at this meeting and they go out for public review, that will trigger an internal process at the region where we can go ahead and scope internally on the level of NEPA that would be required to fulfill this action and, and then after we determine the level of NEPA then we can proceed with some NEPA like analysis to have in front of the Council. We have had many technical conversations with the NEPA program, the general counsel in our office as well as the protected resources division and everybody feels pretty confident that to get an appropriate analysis in front of the Council is more likely in, you know, pending anything unforeseen it's more likely to happen for the advanced briefing book of the June meeting, which is two meetings after this one, rather than the March we just don't think we can put together a proper analysis between November and the February 7th advance briefing book deadline.

Phil Anderson: [00:03:40] John.

John Ugoretz: [00:03:41] Thank you Mr. Chair and thanks Heidi for that answer. So just to be specific, based on that information and understanding the workload associated to get us a document that would be appropriate for us to take action on, would we as the Council need to hear anything more than an update in March, and is there additional discussion or scoping for this issue at that meeting or is it just simply a waiting period?

Phil Anderson: [00:04:10] Heidi.

Heidi Taylor: [00:04:13] Thank you Chairman. Thank you Mr. Ugoretz. At this point pending

anything unforeseen I, I feel as though we can provide an update in a NMFS report on, so we can at least provide you an update on the level of NEPA that we will engage in because we will have had an internal scoping and that will give us information on whether or not we can proceed with an environmental assessment or an EIS, and so at a minimum we can tell you that in March.

Phil Anderson: [00:04:45] Could I just....

John Ugoretz: [00:04:45] Sure.

Phil Anderson: [00:04:46] So the other, the other part of the question I think was whether you would need anything additional from the Council in March.

Heidi Taylor: [00:04:59] I don't think so at this time no.

Phil Anderson: [00:05:02] Go ahead John.

John Ugoretz: [00:05:03] Thank you. I think, as you know based on the discussion we had in September, I feel the Council's been well-informed about this gear type and has an abundance of discussion and information. I voiced quite directly at that meeting a desire to finish in March in order to take on new topics, and I think there are some other topics coming down the road that we'll have to consider if we don't adopt a final preferred in March, but that said I also recognize the need for the appropriate documentation from NMFS, and in order to satisfy NEPA requirements and get them a document and a decision that is based on something they can act on, I think I'm OK with, with that.

Phil Anderson: [00:05:56] And it's, you know, at least from my persep....It's not just NMFS, we as Council members need that full analysis in front of us for making those decisions. Kit.

Kit Dahl: [00:06:11] Yeah, thank you Mr. Chair. Just to clarify, I guess, I think there was mention about from Miss Taylor about at least two meetings is, is the expectation then the Council would choose a preliminary preferred alternative next June and then at a later meeting move to a final preferred alternative or do you feel comfortable with the Council moving directly to a final preferred alternative in June?

Phil Anderson: [00:06:51] Heidi I think that was for you.

Heidi Taylor: [00:07:00] So, yeah. So one of the things also that I should have mentioned earlier when John first asked his question pertaining to the timeline in the NMFS report is that there are some other concerns that NMFS have and so for example if we do our internal scoping and the level of NEPA, it is an EIS, that process could take a little bit more and the information needed for an EIS could be more complex, and so I would worry in that situation that the analysis that we have in front of the Council in June might not include as much information as what we would expect if we had two years of exempted fishing permit data in front of us and that is the message that we're receiving from protected resources and the NEPA program, that there is some concern about the fact that the limited information that we have collected so far with exempted fishing permits would result in an EIS which would be a much longer process, and just so that I'm clear I want to ask Kit if he can repeat his question so I can make sure that I I got it all. Thank you.

Phil Anderson: [00:08:31] Kit.

Kit Dahl: [00:08:31] Mr. Chair. Thank you Miss Taylor. Yeah I was just, I'm actually trying to remember that part of your NMFS report and whether you had mentioned the need for more than one meeting after this one and then also it's not uncommon for the Council to go through a two meeting process, you know where they select a preliminary preferred alternative and then can solicit some more public input before moving to a final preferred alternative, so I was just wondering if the Council decided they, and all of the other considerations you have outlined were addressed, and the Council wanted to move to a final preferred alternative in June to take final action, whether NMFS would be comfortable with that or you would expect another meeting, you know you would expect the Council to take up, choose a preliminary preferred alternative in June and then at a subsequent meeting choose a final preferred alternative.

Heidi Taylor: [00:10:00] Thank you. Thank you Kit for asking that question again. I think if hypothetically we chose a preliminary preferred alternative along with a final range of alternatives at today's meeting that it would put us in a position to have a final preferred alternative in June, but I think that's why I went on that other tangent, if you will earlier, is because I'm channeling the conversations and thinking about the conversations that have happened with other NMFS staff and in particular the NEPA program and their, their preference to wait even longer to take final action because we would have more data available and more data in front of us which would make the analysis stronger that we would put in front of the Council and and the Council's ability to make a more informed decision based on two years of EFP data.

Phil Anderson: [00:11:06] John.

John Ugoretz: [00:11:07] Thank you Mr. Chair and Kit. I, I just want to make sure I'm clear. I see in the Council action that we have the option of a preliminary preferred alternative at this meeting, and while it is my understanding that a preliminary preferred alternative is not a NEPA requirement, I think that we probably have enough information to perhaps get there today.

Phil Anderson: [00:11:43] Corey.

Corey Niles: [00:11:46] Thanks Mr. Chair and Heidi on your not having the calendar or the history in my mind on this other train of thought that other individuals in your agency are having about two years of data, like when would that be? When would we have two years of data and so what kind of what...on that train of thinking what timeline are we looking at in terms of 2020, 2021 what is it?

Heidi Taylor: [00:12:15] Thank you Corey for that question. So we issued the first round as you know of EFP's is this midsummer 2018, and so next summer 2019 will be one full year of information and as it stands right now that, the data for the 2018 EFP's will be finalized probably in the April, May time frame and be ready for incorporation into any type of a NEPA analysis that we might do, and then the second year of data that I was referring to would be midsummer 2019 to midsummer 2020, and that would be two full years of EFP data.

Phil Anderson: [00:13:00] Mark Gorelnik.

Marc Gorelnik: [00:13:03] Thank you Mr. Chair. I don't want to get involved in the process discussion. I think that we all have an interest in getting this done as quickly and as correctly as possible. I do want a raise, and this is on the subject of EFP data, is this past March one of the alternatives we asked the management team to analyze was time and area closures and we've heard from our speakers today that there has been at least one incident of conflict on the water between recreational fishers and this gear, and certainly with more gear out there, there's a chance for more

conflict, and so we asked the management team in March to examine whether time and area closures might be a useful tool. The management team came back in June and said there isn't enough EFP data for us to answer the question and I don't know when that answer will be available, but I don't want us to lose sight of that potential tool. I'm not advocating for it, but I think that, to the extent that we may need to limit the amount of gear for a limited amount of time, and for the balance of the calendar allow more gear to be deployed, that's something we should that's that's an option we should be considering. I did look at the calendar of deep-set buoy gear landings and it looks like there isn't a great deal of overlap between that, between that activity and what one of the speakers referred to as the period of time when there could be a greater chance of conflict, but there is some overlap so I just don't want us to lose sight of that.

Phil Anderson: [00:14:59] So I don't want to get into the process conversation either but I don't always get to do what I want to do, so I'm going to. So I think it's really important for us to have some clarity here on what the expectation is to avoid larger problems down the road, and you know we, we set out a schedule with a lot of....after a lot of discussion in September with the idea that we would be taking final action on this in March. National Marine Fisheries Service had a chance to go back and reflect on that and talk internally and has come back and indicated that more time is needed to do the appropriate analysis and have the needed information in front of the Council before we make our decision, and I think we all understand and respect that, and that was coupled with the anticipation that we would be able to take final action in June. And as this conversation has morphed we're now being presented the potential of having it slip to some later date than June. If the NEPA analysis is, if it can....if you conclude that we need to do an EIS, at least that's the way I understand it, so in the absence of, let's say that the conclusion is we have enough, they have enough information and an EIS isn't necessary, you can do it, I think, with a EA, then the plan would be for the Council to take final action on this in June and, and to the, to the extent that the Council feels prepared and wants to identify any PPA's during its deliberations today, it could, it could do so. So I just, that's how I understand the current conversation from a process perspective and I just think we need a lot of....we need to have clarity and we don't want to get to March understanding that, that the question about the EIS is hanging out there but, and yet go off in some other direction. Like to avoid that if we could.

Phil Anderson: [00:17:45] John.

John Ugoretz: [00:17:46] Thank you Mr. Chair and I appreciate that. I, I'd like to ask perhaps a follow up to Heidi or Judson that even if NMFS determines that an EIS is necessary, would you be able to provide us with the framework and background information necessary for the Council to make an adequate decision in June, understanding that after that, NMFS would be engaged in a lengthy process, and could you also let us know about that timeline after we pick a final preferred alternative, an approximation to get to actually issuing these permits?

Heidi Taylor: [00:18:38] Thank you Mr. Ugoretz and yes, thanks for that question and thanks Phil for for your thoughts on process here too it is.....you said it much more eloquently than I said it but I do support, I wanted to be clear that I do support and in the NMFS report we said two meetings after a final range of alternatives and so internally we're thinking June and we would be prepared for, if something in front of the Council for a final action in June. However I just want to be very clear about some of the other forces or some of the other people around me working on these issues and that's why I felt compelled to be clear about, you know other NMFS colleagues reluctance to move forward without adequate data, their view of adequate data, so with that said I think we can, you know I think we can have something in front of the Council, whether it's an E....and EA is the determined level or an EIS. I think the team has done an excellent job in their analysis so far and

that's a really good start, and I think that the advisory sub panel and all the public comment that we've heard over the last couple of years is starting to provide enough information for us to, that we're able to really build on that and get something in front of the Council in time for the June briefing book deadline.

Phil Anderson: [00:20:09] Chuck.

Chuck Tracy: [00:20:10] Thank you Mr. Chair. Maybe a question to Heidi or the Council in general, but so there's a couple of moving parts I guess in the Council's decision, in terms of standard buoy gear, linked buoy gear limited entry criteria, so as you go about your scoping will you be considering the level necessary to accomplish those various aspects of what's in front of the Council now? In other words if they, there was some opportunity to break this into pieces, would there be some benefit in terms of timing or you know expediting some of the low hanging fruit so to speak I guess, you know I think there's more information available for standard buoy gear than there is for deep-set and so can you address that possibility?

Heidi Taylor: [00:21:15] Thank you Chuck for that question and certainly I think if I am going to channel the NEPA program's perspective on this then it would, the low hanging fruit would be just to analyze standard gear. We, we do have a little bit more information, not a little bit, probably a lot more information on standard as you indicated than we do with linked, and so we might be able to, I mean from a workload perspective, it would.....separating the actions it would be a challenge for us from a workload perspective, but if we continue to move down a path of where we're looking, the final range of alternatives today looks at both gears together and we don't have as much data on linked then that could prolong the process.

Phil Anderson: [00:22:07] John.

John Ugoretz: [00:22:09] Thank you Mr. Chair, and following on Chuck's thought I think understanding that NMFS will have a heavy lift here, regardless of the decision we make, there's a large amount of work needed to be done to get us to having permits fishing on the water. I think that we should be mindful of what we as the Council would do in the interim versus moving forward with some recommendations to NMFS about how to address the relative lack of information for linked buoy gear, and I do think that we could conceive of a process that would authorize the gear as deep-set buoy gear. It is a single gear with two endorsements possible, one for standard two a year and one for linked buoy gear, and that we could recommend that NMFS not approve linked buoy gear endorsements until such a time as they have sufficient data from EFP fishing, which will continue to conduct appropriate Endangered Species Act and Marine Mammal Protection Act consultations, and I think that while that increases the workload on NMFS because they may end up having to do two consultations, one for standard and one for linked, I think it best meets the needs of this Council to move on to other important issues in the swordfish fishery.

Part 2

Phil Anderson: [00:00:05] Corey.

Corey Niles: [00:00:07] Yeah thanks. I think, I think what I'm hearing is that if if we put a framework together, I mean on that, on that piece not just generally on, on, on everything on the package here that we'll hear back and I don't think it's the difference between an EA or an EIS, it's whether we need two more years two full years of data or not, that seems to be.....and hopefully we can hear back if you lay out the framework which pieces might need two years or more of data because other pieces out there I don't know where the Council will go, for example would a phase in approach change the way that you're staggering things in the analysis, so I think I'm understanding now I think, I think laying out a framework now and then coming back and seeing and talking about which elements if any need more, more than the data we have now is a sensible, sensible way forward.

Phil Anderson: [00:01:06] Okay. Where would you like to go from here? John.

John Ugoretz: [00:01:17] Thank you Mr. Chair. I'll offer some thoughts outside of process which as much as neither of us wanted to go there we did, but I think I've heard a lot, and actually I've learned quite a bit at this meeting and today from the public comment and the information provided by the management team and advisory sub panel. I, I feel like we actually have some good information now that indicates limiting entry into this gear type is perhaps useful. I did not feel that way prior to this meeting and I was on the record as saying we didn't have enough information to warrant that. I feel like we now have that information in front of us, and I feel like we've got some good criteria and a range of criteria for how you would issue those permits, with input not only from the management team and advisory sub panel but from the public that we could analyze and that NMFS could look at between now and June, and so I, I think what I'm hearing is, is a gelling around some good ideas and I'll let other people speak to that.

Phil Anderson: [00:02:48] Okay. Thanks John. Dr. Braby.

Caren Braby: [00:02:54] Thanks. Yeah. I just have some reflections as well and I think that one of the kind of uncertain areas that we've had as a Council has been whether or not the limited entry approach made the most sense. I think we've heard a lot over the set of meetings that we've had over the last year, but also a lot this week and today in testimony, and I think there's really good information and experience just from this...this last burst of EFP's that have gotten out on the water this year, and so I feel like we do have good information to move forward with indicating kind of where we have comfort as a Council moving, moving forward recognizing that we have a lot of work to do before we can do final authorization, get, get actual regulations out on the water. So I would, I'd like to see the Council move forward today with not only a final range of alternatives but a preliminary preferred alternative that really signals to the industry where we want to go and that we're serious about getting this done, but then allowing the time that's needed, whether it's June or if things go, get really complex past next June, to get it right and to get the regulations done on a, on a solid footing and path, so I think that we have a lot of uncertainty, and the only way we're going to get certainty is moving forward, and so I feel like we're there and we need to do it.

Phil Anderson: [00:04:47] Thanks Caren. Other general conversation? Thoughts? Perspectives? Okay, Mr. Ugoretz.

John Ugoretz: [00:05:01] Mr. Chair if it pleases you I do have a motion on this. It may please you less when you see it but.....(laughter).... I'll give it a shot. Okay. Wow, nobody's pleased.

Phil Anderson: [00:05:19] I'm feeling pretty pleased.

John Ugoretz: [00:05:25] Thank you, and you know it, because of even my eyesight I'm going to pull it up in bigger font here for myself. Okay thank you. I move that the Council adopt a final range of alternatives for authorizing use of deep-set buoy gear as described in the Highly Migratory Species Management Team Report 1, including modifications and the range of qualification ranking found in the Supplemental Highly Migratory Species Management Team Report 2, except that alternative three, a standalone drift gillnet permit trade in is removed from the range, and both the alternative proposed in the Highly Migratory Species Advisory Sub Panel Report 1, and the public comment provided by Miss Tara Brock in agenda item J4b Supplemental Comment 2 are added to that range. The Council's preliminary preferred alternative for authorization includes the following revised limited entry components. One, a limited entry permit for deep-set buoy gear fishing in Federal waters east of 120 degrees 28 minutes 18 seconds West Longitude. All other Federal waters offshore California and Oregon would be open access. Two, individuals may only be issued a single deep-set buoy gear limited entry permit. Three, for the limited entry permit, up to 50 permits will be issued in the first permit year with up to 25 permits issued annually in subsequent years until either A, a maximum of 300 permits are issued, B, The National Marine Fisheries Service determines less than 300 are necessary to ensure compliance with Endangered Species Act and Marine Mammal Protection Act, or C, the Council recommends to National Marine Fisheries Service that less than three hundred permits are necessary to meet the stakeholder needs. Four, qualifying criteria, alternative one, revised as, limited entry permits for the area east of 120 degrees 28 minutes 18 seconds West Longitude will be issued using the following ranking categories in the order listed. Active participation, 10 observed fishing sets under a deep-set buoy gear EFP prior to December 31st, 2018. Two, active drift gillnet permit holders at, or swordfish land and using large mesh drift gillnet gear between April 1st, 2013 and March 31st, 2018 who have voluntarily permanently surrendered their state and Federal drift gillnet permits. Three, active participation, 10 observed fishing sets under a deep-set buoy gear EFP prior to the date of the final rule. Four, active California harpoon fishery participants with at least one sharper swordfish landing using harpoon gear between April 1st, 2013 and March 31st, 2018. Five, active drift gillnet permit holders who have not surrendered their state and Federal permits. Six, inactive drift gillnet permit holders who have voluntarily permanently surrendered their state and Federal drift gillnet permits. Seven, inactive drift gillnet permit holders who have not surrendered their state and Federal permits. Eight, other applicants with swordfish landings or demonstrated experience between April 1st, 2013 and March 31st, 2018. Nine, other applicants not identified above. The Council shall recommend that NMFS proceed with deep-set buoy gear analysis with the exception that no linked buoy gear endorsements would be issued for deep-set buoy gear permits until such a time that sufficient data are available for NMFS to complete a protected species consultation for linked buoy gear. The Council shall consider adoption of a final preferred alternative at its June 2019 meeting and in building future Council agendas will revise the timeline for swordfish fishery management adopted under item H6 at the Council's September 2018 meeting by moving shallow set long line geared considerations to begin after the adoption of deep-set buoy year final preferred alternative. That concludes my motion.

Phil Anderson: [00:09:41] Thank you. Language on the screen accurately reflects your motion?

John Ugoretz: [00:09:48] It does.

Phil Anderson: [00:09:48] Thank you. Is there a second? Seconded by Caren Braby. Go ahead and speak your motion please.

John Ugoretz: [00:09:57] Thank you Mr. Chair. The Council has been examining the deep-set buoy gear fishery for several years and while we do not have the amount of EFP fishing data we had anticipated, we do have substantial information that provide me the comfort in moving towards adopting a final preferred alternative. It's time to get this issue off the Council's plate and into NMFS's to proceed with what will be another lengthy NEPA FMP amendment and regulatory process. With regards to the need for limited entry, this year type fits the requirements for implementing a limited entry program defined in Magnuson-Stevens Act Section 303 v 6, and in accordance with the National Standard Guidelines for National Standards 4 and 5. Limited entry into this fishery can certainly help reward the pioneers of this gear type and the proposed permit issuant rankings that I just read do that. As we've heard there's potential for crowding and other user conflicts particularly in the Southern California bight which would be significantly exacerbated in an open access fishery in that area. The proposed maximum limit and phased in approach to permit issuance can both limit those concerns and allow the agency to react if issues become more apparent. There have also been concerns raised regarding market implications of too many participants leading to decreased cost differential for buoy gear fish compared to other gear types, and finally though the gear is clearly relatively low bycatch, there have been marine mammal and sea turtle interactions with the gear in the Southern California bight that will need to be considered when conducting protected species consultations under the Endangered Species Act and Marine Mammal Protection Act. With regards to the need for ranking a drift gillnet permit trade in higher than simply drift gillnet possession, permit possession, the Council has already indicated its desire to reduce bycatch in the drift gillnet fishery and one way to do that is to limit effort in the fishery by reducing the number of drift gillnet permits. Providing a higher priority for a deep-set buoy gear permit issuance to drift gillnet permit holders who surrender their permit will help achieve the Council's stated goals without requiring such permit surrender to occur. With regard to splitting the EFP's into two types of participants, it allows more rapid access to the second tier drift gillnet permit participants with later access by more recent EFP participants. It does not prioritize individuals who merely possess an EFP, but rather rewards both the first EFP participants and more recent EFP participants for their activities. This also allows other swordfish fishery, fishery participants such as crew with a higher priority than the general public. With regards to finishing this in June, I think there will be a lengthy NEPA ESA MMPA consultation process and we should really get that started to finish this in a timeframe that allows the fishery to get onto the water. I'd finish by saying that we have a good range of alternatives to examine, and while I have offered a preliminary preferred alternative, changes based on the rest of the range can be made when we determine our final preferred alternative based on the public comment we receive at that time.

Phil Anderson: [00:13:37] Thank you John for that. Go ahead and have some discussion? I had a question. The, there's a reference to the alternatives that were brought forward by Tara Brock and I wanted to make sure that my understanding is those were represented in agenda item J4b Supplemental Public Comment 2 and it might be helpful to make sure we filled in a reference to that so we have something to.... people understand what that is, what those elements are, but, Kit.

Kit Dahl: [00:14:41] Thank you Mr. Chair. Just a couple of clarifying questions. So one is in the HMSMT range of alternatives in their report, they had the two sub options under alternative one and alternative two and I just wanted to confirm as I read your motion that you would include both

of those sub options under each of those alternatives as part of the range of alternatives, and then also they had recommended that if a sort of the limit in the number of permits, so for example under your preliminary preferred it's 50 off in the first year, if that fell in the middle of a tier category, the eligible people would be ranked by landings to figure out who would get a permit and I just, just confirming that also, that would be, I mean you've referred, you've incorporated their report, but I just want to confirm those two elements are part of it.

Phil Anderson: [00:15:53] John.

John Ugoretz: [00:15:53] Thank you Mr....Dr. Dahl. To the first part of your question, No I would not include all of the alternatives discussed by the team but rather their recommendations at the end of their report which are specified in the report, and then noting that in the preliminary preferred alternative I have essentially created another alternative that blends some pieces of a variety of alternatives, so that is an alternative and then I have added the advisory sub panel alternative and the one from public comment. With regards to your second question, yes, we are incorporating, or I am incorporating the Supplemental Report 2 language with regards to how you would rank within a individual rank if you do not have enough permits that year.

Phil Anderson: [00:17:06] Christa.

Christa Svensson: [00:17:07] One question. Thank you Mr. Chairman and thank you Mr. Ugoretz. This is well thought out and timely.....I, I do have a question particularly with regards to Mr. Humphries coming in and testifying today and I want to thank you for taking the time. You did mention crew as part of this and I, perhaps it's because I can only see the first three criteria, but I do want to know where those guys fit in. Is it in number eight? Is it in number nine? Because I do see crew as, as very integral in terms of potential new entrants for any fisheries.

Phil Anderson: [00:17:47] John.

John Ugoretz: [00:17:47] Thank you Mr. Chair and thank you Christa. Yes, I would include crew in criteria eight. They have either swordfish landings or they have demonstrated experience and it is my understanding that both EFP logbooks and other logbooks can and have included crew names so they can actually document that experience and demonstrate it to the agency when looking for a permit, but I would absolutely put those crew members above the general public who have no swordfish fishing experience.

Phil Anderson: [00:18:27] Christa go ahead.

Christa Svensson: [00:18:27] Then....thank you Mr. Chairman. Then I think this is just me being new. Policy procedure, is it worth having an amendment so that it is officially in the preferred alternatives or is just the commentary today enough and sufficient?

Phil Anderson: [00:18:51] Well my, my opinion would be that our discussion around the meaning of number eight is sufficient to make it clear that we are, that in that category we are including crew members.

Christa Svensson: [00:19:06] Perfect. Thank you.

Phil Anderson: [00:19:09] I had two other, well I have one question for Judson that where we're

including a date qualifying criteria that is retrospective, for example in number four, well it's in number two and number four and number eight, is that a problem?

Judson Feder: [00:19:44] So the pros.....you're asking about the prospective ones like....

Phil Anderson: [00:19:52] Well I think March 31st, 2018 is behind us I....

Judson Feder: [00:19:58] Behind us...

Phil Anderson: [00:19:58] believe, and assuming that is the case, what I'm, when we set a qualifying period is nine months, or whatever the number is, earlier than the date in which we selected and we haven't provided any previous notice about the potential of that, of looking at that. I'm just asking if that's a legal problem?

Judson Feder: [00:20:27] Thank you. Thank you for raising that. I think that, that's a consideration but it's not a fatal flaw. If there's a record, there's a good record for making the cut off the way, the way that we are suggesting, or the way that this would suggest if it's supported by the record, if the cost benefit analysis indicates that this is the way to go. I don't see a legal problem with it.

Phil Anderson: [00:20:50] I just had one other question and I'll go to others. Down toward the, if you could scroll down a little bit Sandra, the last paragraph, "The Council shall consider adoption of a final preferred at its June 2019 meeting", given our previous discussion which involve the potential that the appropriate NEPA document and process wouldn't necessarily have been completed at that point, is that, and I think John you also spoke when we were having that conversation about well if it isn't completed could we go ahead and take our action, so I just wanted the word "shall" was, was troubling me but that we are, that regardless of what happens or what the circumstances may be, that we shall consider adoption, now it stops short of saying we shall adopt, so maybe that's okay. Mr. Zimm.

Louis Zimm: [00:22:08] Thank you Mr. Chairman. Back to number eight. It was my understanding from National Marine Fisheries Service that this EFP did not officially start with these, this current set of applicants until this last summer, so I am a little concerned about cutting off the "demonstrate experience" at March 31st, 2018 before the current crop of people was actually involved.

Phil Anderson: [00:22:47] John could you speak to that concerning.

John Ugoretz: [00:22:50] Thank you Mr. Zimm. I think you're right. I think in terms of other swordfish experience the qualifying window, as it were, need not be that discreet. I would certainly entertain a friendly amendment to change that to the date of a final rule for the end date, or simply remove all of the dates and say, by the date of the final rule. And with regard to the earlier question associated, I would like to say for the record that there is intent behind that window of demonstrated experience. We do not want to create a rush to participate additionally in this fishery unnecessarily, and we, I took in the motion the most recent complete fishing year, fishing season which would have ended in March of this year, and that was the rationale for using that date.

Part 3

Phil Anderson: [00:00:01] Louis.

Louis Zimm: [00:00:03] Thank you Mr. Chairman. I would like to offer a friendly amendment. This would be for number eight. Other applicants with swordfish landings or demonstrated experience by the date of the final rule.

Phil Anderson: [00:00:25] So while Sandra is doing that, I've heard the term friendly amendment a couple of times this afternoon. We don't have any such thing. You can make an amendment and propose it to the body. You can call it friendly or not but it won't change the fact that we need to vote on it. Chuck.

Chuck Tracy: [00:00:52] Just a, just a question of clarification on your proposed amendment here. So, well and you're probably going to get asked this, but uh, well a couple of questions, so we've eliminated both the April 1, 2013 date, so we're going back to the beginning of time and then you're moving ahead to some date out in the future and if there is some concern about creating a race to qualify, that might be a consideration too.

Phil Anderson: [00:01:32] Okay let's stop right, right there and let me first ask Mr. Zimm if the language on the screen accurately reflects his intent for his amendment?

Louis Zimm: [00:01:45] Thank you Mr. Chairman. No, the language on the screen does not accurately portray my intent. I then would like to revise what I have. May I do that or you may I ask for somebody else to do it for me?

Phil Anderson: [00:02:04] No you.....we have not seconded the motion which is why I cut off the conversation about it, so you are free to make, to revise the language until such time there is a second.

Louis Zimm: [00:02:18] Thank you Mr. Chair. So I would like to revise number eight to read, other, number eight, other applicants with swordfish landings or demonstrated experience between April 1st, 2013 and the date of the final rule.

Phil Anderson: [00:03:00] So would that be the public the date of, that the final rule is published or implementation?

Louis Zimm: [00:03:11] Thank you Mr. Chair and thank you very much for your advice. We do have to put a limit on it, and uh I would like to say that is the publication of the final rule.

Phil Anderson: [00:03:31] Would be date of the publication of the final rule.

Louis Zimm: [00:03:41] Thank you Mr. Chairman. That does now accurately depict my intent.

Phil Anderson: [00:03:51] Is there a second? Seconded by Mark Gorelnik. Go ahead and speak to your motion, your amendment, excuse me.

Louis Zimm: [00:04:01] Thank you Mr. Chairman. I would like to say that I value very much the experience of the, of the people that have been involved in the swordfish fishery here in the last five years and are present in our present generation of fishermen, and I do very much believe that

we need to look toward the future and that the crewmen and crewwomen that have been involved in this need to have a future. As I already spoke, the former number eight did not encompass folks that had worked in this last year since the present crop of swordfishermen of deep-set buoy gear people had had been put on the water or allowed to go on the water and I think this accomplishes the all, all of our intent. That's all I have. Thank you.

Phil Anderson: [00:05:16] Discussion of the amendment. Corey Niles.

Corey Niles: [00:05:20] Thanks and I don't know who this is a question for the Chair, or NMFS or the parliamentarian and Louis, first of all I think the intent and the spirit is good, but my question is more the one that Mr. Anderson raised about well similar to the retrospective dates but maybe me and, if I can ask the question maybe to the maker of the motion, but in the way these alternatives are supposed, we are supposed to have a range of alternatives correct, and then any kind of change we make before we do our final recommendation if it's consistent with that range we can, we can make that recommendation without having to do new analysis, so I'm just not....in my mind I don't see how if just simple book ends with dates, are there other, how to....what is our flexibility to, to pick different dates within the range when it comes time though, because I think what Judson's answer to Mr. Anderson's was you've got to consider the factors of, that that Mr. Ugoretz mentioned in section 303, whatever it is, but you know current and historical participation, and so I think that has to be a consideration of weighing of different dates, and I'm not understanding what the setup of the alternatives, if we're just dealing with one set of dates or if that first paragraph creates a broader range of possible dates.

Phil Anderson: [00:06:50] So before we take that issue on, valid, valid issue, I think we need to take action on the amendment because I think, as I understand it, the concern that you brought forward is not only associated with the amendment, it would be associated with other parts of the motion, so I'd like to go ahead and work with the amendment first and then come back to that, okay? Further discussion on the amendment? Bob Dooley.

Bob Dooley: [00:07:23] Thank you Mr. Chair. I'm just thinking about this. If there's not 300 applicants the first, in the first qualification period here, we're going forward then maybe in future years of trying to rank people who are eligible for permits and we may have people that are crewing on boats in the future up until the time the 300 permits is, a potential 300 permits are subscribed or applied for, and so I hate to almost put a date on this in the end because I think it's very valuable to have this procedure that gives people that are working on these boats, the crewmen and things of, people with experience, the priority over just the general public and it seems like with a sunset date on it regardless of what it is, and us not knowing when these permits are really going to be applied for, we may be excluding the experience thing that we're trying to include, so I just, I might have it all wrong and please correct me if I'm wrong but I, I just point that out.

Phil Anderson: [00:08:44] My only thought to that Bob is that number nine is open ended without dates and other applicants could be applicants that acquire experience after the window that is represented in the amendment that is before us, so after that rule or after that date passes by if there are additional applicants in the future that have experience, they seem like they would fit under number nine but wouldn't have necessarily the priority that you're speaking of. Bob.

Bob Dooley: [00:09:27] That's exactly my point, and I think they, in my opinion they should.

Phil Anderson: [00:09:35] Okay we've got an amendment in front of us. I want to make sure we're sticking to that. And we....you were, not criticizing. Heidi.

Heidi Taylor: [00:09:47] I'm sorry I forgot who made this amendment. Can I ask Louis a question on your amendment and maybe if, I mean I don't think it's appropriate to ask the maker of the motion yet this question, but there is some question amongst NMFS staff right now about what "demonstrated experience" means, does that mean one, that the crew or that one, that one trip has been recorded in the logbook or two trips has been recorded. Just a little more clarity on what the intent of demonstrated experience means?

Phil Anderson: [00:10:31] So I think, if I may, I'm trying to keep this....us taking an issue at a time. Fair question. It's not part of the amendment. It is part of the main motion. The part, what we're dealing with right now an amendment, to the amendment is the time period in which the, the other applicants with swordfish landings or demonstrated experience, what, what window does that apply to, so that's what I would like to deal with. It's a fair question.

Heidi Taylor: [00:11:11] Thank you.

Phil Anderson: [00:11:11]but if we could deal with the amendment. So further discussion on the amendment? Okay I'm going to call for the question on the amendment. All those in favor say Aye.

Group: [00:11:25] Aye.

Phil Anderson: [00:11:25] Opposed no?

Group: [00:11:32] No.

Phil Anderson: [00:11:32] The 'ayes' have it. The amendment carries. I have one 'No', Mr. Lincoln and Mr. Dooley. I have two 'no's'. Did I get....did anyone else vote against the amendment that I missed. I want to make sure I have the record clear. Okay Dave.

Dave Hansen: [00:11:52] Different, different subject.

Phil Anderson: [00:11:55] Okay so the amendment carries. We had two issues come up during the discussion about the amendment, so I'm gonna go to those unless Dave you want to interject.

Dave Hansen: [00:12:10] Well it interacts with this.

Phil Anderson: [00:12:12] Okay.

Dave Hansen: [00:12:14] If we go back to crew for a minute. I would suggest that crew fit under number three. I would put them definitely ahead of a California harpoon fisherman, their fishery is not being impacted at all. They can continue that as well as drift gillnetting or a deep-set buoy gear, but a crewman who's been there at least 10 sets I think deserves more consideration than some of them between four and and eight..

Phil Anderson: [00:12:51] Okay. Let's ask the maker of the motion if his intent in number three would include crew?

John Ugoretz: [00:13:00] Thank you Mr. Chair. No it was not my intent to include crew in number three. I do feel like crew members should have a higher priority than an average member of the public, but it was not my intent to put them in any of those higher ranks, not because of any

feeling that those crew are less appropriate, but that we are offering priority to a certain group of people, and I had intent. I would also say that this is my proposed preliminary preferred alternative. The teams and advisory sub panel and one member of the public have offered alternatives that I have included in the range. Those alternatives include separate types of criteria for active and for demonstrated that we can consider, and so while there may be discussion about which the best one is, I don't know that, that necessarily affects this particular motion.

Phil Anderson: [00:14:18] So just let me ask. Dr. Hansen you raised an issue. Do you wish to make an amendment?

Dave Hansen: [00:14:25] No.

Phil Anderson: [00:14:26] Okay. I had, we had two other issues come up here and I want to deal with. One was brought forward by Corey Niles so would you like to speak to that again Corey?

Corey Niles: [00:14:40] Yeah. Thanks Mr. Chair and I mean I should have now I maybe should have beat Louis to the punch but I think it might have, obviously the need for that motion motion, but the question is whether, we're just like John just said, with the dates here are doing a setting indication of the preliminary preferred alternative, but I'm also wondering whether it's hard to envision with what John just said, with a different, there's three different sets of alternatives out here and the range that then creates together. My main, my question was do we have, are we, is there adequate, where there are dates in the preliminary preferred, are those the only options we have, or with, or the range broad enough in the whole package that we'll be able to have the required debate about what the right qualifying window is or not, so I'm thinking we need to have, you know a good range of where we can have a, we can weigh different window periods or if, and I don't know, and again, I don't know if we have that because I'm having a hard time putting all of the different proposals together at once.

Phil Anderson: [00:15:48] I would just note that, for example in the Supplemental Public Comment 2 that was forwarded, brought forward by PEW and Tara Brock, there are different dates under the qualification criteria that are in that, which is included in the motion, so there is, there is some broader qualifying periods than what is in the preliminary preferred portion of this motion. Heidi I want to go back to your concern that you raised. If you could speak to that again?

Heidi Taylor: [00:16:41] Yes there's just a question about whether or not, and it could be, this could be included in the team's report or in the advisory sub panel's report and I've overlooked it, but there's a question about what is "demonstrated experience".

John Ugoretz: [00:17:00] Thank you Mr. Chair and Miss Taylor, I was intending for this category to be fairly broad and that demonstrating experience could use a variety of methods, as I mentioned when speaking to the motion, if you are a crew member you could be documented on a log book. If you are a fishery participant you could document a landing. You could hold some other permit that allows you to take swordfish. I think there's a variety of ways to document or demonstrate experience. Again the intent here is this is a, a low level within the list of potential participants, but it is above someone who has absolutely no experience with swordfish whatsoever.

Heidi Taylor: [00:17:57] Thank you.

Phil Anderson: [00:17:59] Brad Pettinger.

Brad Pettinger: [00:18:01] Thank you Chair Anderson. John when you talk about the swordfish landings, are you talking about the swordfish landings in the, in Southern California, because there are swordfish landings around the world, and I would think you probably, but I don't want the mud, but and it is pretty far down the list.

Phil Anderson: [00:18:25] No it's it's a fair point. I'm sorry it just struck me funny and so it's okay. When you said around the world I just.....Sorry. Good question. John.

John Ugoretz: [00:18:38] Fair, fair question and should we get an applicant from the South African swordfish fishery we can touch on that, however within the management teams framework if we have more applicants than permits available they would be ranked by landings and therefore someone with no California experience would rank lower than someone with California experience, so I do still feel that as written the motion achieves my intent.

Phil Anderson: [00:19:18] Okay. Further discussion on this motion? Okay seeing none we'll go ahead and call for the question. All those in favor of the main motion as amended signify by saying Aye.

Group: [00:19:40] Aye.

Phil Anderson: [00:19:42] Those opposed no? Abstentions? Motion carries unanimously. Dr. Dahl I would need some help in identifying any other actions or matters that we need to take up under this agenda item?

Kit Dahl: [00:20:18] Thank you Mr. Chair. As far, as far as I can tell I think you've covered the necessary ground. So you've adopted through this motion the range of alternatives for qualifying criteria. I suppose the one issue as I think about it that maybe just perhaps would help some verbal confirmation if you do intend to, for this to be the adoption of of the final range of alternatives, of course there's the whole package of, and I can't remember if Mr. Ugoretz's, maybe your motion referenced the HMSMT report in the briefing book. Okay good. So we're covered there, so yeah with that clarification from for my benefit I guess, I think you've, you've covered everything, you have all the elements for a final range of alternatives, you've identified a preliminary preferred alternative within that range and I would just suggest that, you know, if not, if nothing else it's probably not a bad idea for the team and NMFS and so on, so on to do another iteration of the description of the full range of alternatives along with the identification of your preliminary preferred alternative and that could be brought back in March just to make sure that it's characterized properly before we move on to the analysis and and the choice of a, you know final action on this, so I know I may be getting a little bit ahead of, in planning but I just note that thought as something to anticipate or consider in workload planning.

Phil Anderson: [00:22:29] What did... I'm sorry. I'm not sure I know what you just said?

Kit Dahl: [00:22:37] It was probably too wordy at all, I was just saying I, I think it might, I think it would be a good idea for the team to pull together what, the work you've done today along with the all the existing decisions that you've made in choosing a range of alternatives, bring that in, back in March and just confirm that it's been accurately captured so that when it, so that when NMFS does the analysis and brings it back, they've analyzed the right thing but....

Phil Anderson: [00:23:16] Well I'm not wanting to wait till March to, for the analysis to start, and so if you're suggesting that we have to wait to put our stamp of approval on it before it starts, that's,

to me that's a problem.

Kit Dahl: [00:23:38] Thank you Mr. Chair. Fair enough.

Phil Anderson: [00:23:41] Yeah I think we have the good record, we have a good motion, we have the documents that we were referenced in the motion that are included, so if there are some outstanding questions let us know and we'll do our best to clarify.

Kit Dahl: [00:24:01] Thank you Mr. Chair. That's probably a better way of characterizing it then I think it gets at what I was suggesting so with that I think we're done.

Phil Anderson: [00:24:08] All right. Thank you.