

COUNCIL MEETING RECORD
249th Session of the
Pacific Fishery Management Council
April 9-16, 2019
Doubletree by Hilton Sonoma Wine Country
One Doubletree Drive, Rohnert Park, CA 94928

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INTRODUCTION

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

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

MEETING SUMMARY

A. Call to Order [[mp3: 4-11-19am1 0:00:10](#)]

1. Opening Remarks – Phil Anderson, Chair [[mp3: 4-11-19am1 0:01:05](#)]

Mr. Phil Anderson, Council Chair, called the 249th meeting of the Pacific Fishery Management Council (Council) to order at 9:15 a.m. on April 11, 2019. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Chuck Tracy [[mp3: 4-11-19am1 0:04:07](#)]

Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Kelly Ames, designee Ms. Aja Szumylo, designee Ms. Susan Bishop, designee
Alaska State Official:	Ms. Rachel Baker (nonvoting designee)
Washington State Official:	Mr. Kyle Adicks, designee Ms. Michele Culver, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Rich Lincoln
Oregon State Official:	Mr. Chris Kern, designee Ms. Maggie Sommer, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Mr. Brett Kormos, designee Ms. Briana Brady, designee
California Obligatory:	Mr. Robert Dooley
Idaho State Official:	Mr. Peter Hassemer, designee
Idaho Obligatory:	Mr. Herb Pollard
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson, Chair Mr. Louis Zimm Mr. Brad Pettinger Mr. Marc Gorelnik, Vice-Chair
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Scott McGrew, nonvoting designee LCDR Jason Brand, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Kyle Hanson, nonvoting designee

Absent from the Meeting:

U.S. State Department:	Mr. David Hogan, nonvoting designee
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3. Executive Director's Report – Chuck Tracy [[mp3: 4-11-19am1 0:06:03](#)]

Mr. Tracy discussed the open events at the meeting this week and introduced the informational reports.

4. Agenda – Phil Anderson [[mp3: 4-11-19am1 0:10:51](#)]

a. Council Action: Approve Agenda

Motion 1 [[mp3: 4-11-19am1 0:11:14](#)]: Adopt [Agenda Item A.4, April 9-16, 2019 Council Meeting Agenda](#).

Herb Pollard/ Pete Hassemer (Motion 1 carried unanimously)

B. Open Comment Period

1. [Comments on Non-Agenda Items](#) [[mp3: 4-11-19am1 0:11:53](#)]

a. Reports and Comments of Management Entities and Advisory Bodies

[Agenda Item B.1.a](#): National Marine Fisheries Service Report on the West Coast Region Web Transition

b. Public Comment [[mp3: 4-11-19am1 0:11:59](#)]

[Agenda Item B.1.c, Public Comments \(Electronic Only\)](#)

Jack Gross presented [Agenda Item B.1.b, Supplemental Presentation 1](#): Proposal for Council Review — Improved Accuracy of the 40F Line for Open Access Fishermen off the San Mateo Coast (Jack Gross)

Noah Oppenheim, PCFFA

Geoff Shester, Oceana

Tom Schiff

c. Council Discussion and Comments as Appropriate

Motion: None

Staff Summary: None

C. Habitat

1. [Current Habitat Issues](#) – Jennifer Gilden [[mp3: 4-11-19am1 0:49:18](#)]

a. [Report of the Habitat Committee](#) – Lance Hebdon [[mp3: 4-11-19am1 0:49:49](#)]

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment [[mp3: 4-11-19am1 1:09:08](#)]

Geoff Shester, Oceana

d. Council Action: Consider Habitat Committee Report and Recommendations [[mp3: 4-11-19am1 1:10:40](#)]

Motion: None

Staff Summary: The Council directed the Habitat Committee (HC) to:

- Work with staff to develop a quick response letter to the Bureau of Reclamation on the Central Valley Project Biological Assessment, based on the bullet points included in the HC report.
- Invite Oregon Department of Fish and Wildlife staff to address the HC on beaver issues.
- Report on the National Marine Fisheries Service (NMFS) studies of juvenile salmon use of the Sacramento Delta when relevant.
- Continue tracking the NOAA Aquaculture Science Planning Task Force and related documents.

The Council also directed staff to share information with the other Regional Fishery Management Councils regarding NOAA's Advanced Notice of Proposed Rulemaking soliciting input on ways to streamline the Coastal Zone Management Act Federal Consistency Process.

D. Administrative Matters

1. [National Marine Sanctuary Coordination Report](#) – Kerry Griffin [[mp3: 4-11-19am2 0:00:19](#)]

a. [Report of the National Marine Sanctuary Program](#) – Bill Douros [[mp3: 4-11-19am2 0:01:35](#)]

[Agenda Item D.1.a, Supplemental NMS Presentation 1](#): National Marine Sanctuaries Coordination (Douros)

b. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-11-19am2 0:40:15](#)]

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

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

c. [Public Comment](#)

[Agenda Item D.1.c, Public Comments \(Electronic Only\)](#)

d. [Council Discussion](#) [[mp3: 4-11-19am2 0:43:35](#)]

Motion: None

Staff Summary: None

2. **Saltonstall-Kennedy Grant Program Review** – Mike Burner [[mp3: 4-12-19pm2 1:17:09](#)]

[Agenda Item D.2, Attachment 1](#): Saltonstall-Kennedy Grant Program Feedback Session Announcement

a. **Saltonstall-Kennedy Grant Program Review** – Cliff Cosgrove [[mp3: 4-12-19pm2 1:17:42](#)]

[Agenda Item D.2.a, Supplemental S-K Presentation 1](#): S-K Research Program; Background, Process, and Transparency (*Cosgrove*)

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

c. **Public Comment**

None

d. **Council Discussion** [[mp3: 4-12-19pm2 1:37:00](#)]

Motion: None

Staff Summary: None

3. **Legislative Matters** – Jennifer Gilden [[mp3: 4-13-19am1 0:01:42](#)]

[Agenda Item D.3, Attachment 1](#): Staff Summary of Federal Legislation

a. **Report of the Legislative Committee** – Dave Hanson [[mp3: 4-13-19am1 0:02:18](#)]

[Agenda Item D.3.a, Supplemental Legislative Committee Report 1](#)

b. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-13-19am1 0:09:12](#)]

[Agenda Item D.3.a, Supplemental SAS Report 1](#)

c. **Public Comment**

None

d. **Council Action: Consider Legislative Committee Report and Recommendations** [[mp3: 4-13-19am1 0:11:27](#)]

Motion: None

Staff Summary: The Council discussed the talking points included in the LC report and approved the report as discussion topics for the visit of Representative Huffman.

4. **Allocation Review Procedures – Preliminary** – Jim Seger [[mp3: 4-14-19am1 0:01:31](#)]

[Agenda Item D.4, Attachment 1](#): Policy Directive 01-119: Fisheries Allocation Review Policy

[Agenda Item D.4, Attachment 2](#): Procedural Directive 01-119-01: Criteria for Initiating Fisheries Allocation Reviews (Council Coordinating Committee Allocation Workgroup Guidance Document)

[Agenda Item D.4, Attachment 3](#): Procedural Directive 01-119-02: Recommended Practices and Factors to Consider When Reviewing and Making Allocation Decisions

[Agenda Item D.4, Attachment 4](#): Draft Council Operating Procedure 27, Process for Initiating Allocation Reviews

[Agenda Item D.4 Supplemental Staff Presentation 1](#): (Jim Seger)

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-14-19am1 0:19:22](#)]

[Agenda Item D.4.a, Supplemental GMT Report 1](#)

[Agenda Item D.4.a, Supplemental CPSAS Report 1](#)

[Agenda Item D.4.a, Supplemental GAP Report 1](#)

[Agenda Item D.4.a, Supplemental CPSMT Report 1](#)

- b. **Public Comment**

None

- c. **Council Action – Preliminary Identification of Criteria for Triggering an Allocation Review** [[mp3: 4-14-19am1 0:31:35](#)]

Motion 13 [[mp3: 4-14-19am1 0:44:32](#)]: Council to amend the language under the “Procedure” section of Draft Council Operating Procedure 27 to include:

"Shares of harvest involving treaty-reserved or federally-reserved Indian fishing rights are not subject to Council-determined criteria or procedures under NOAA's directives to reassess equitable allocations under the Magnuson Stevens Act. Rather, tribal shares are subject to treaties (as clarified by case law) or are handled in government-to-government agreements outside the Council process."

Joe Oatman/Phil Anderson (Motion 13 carried unanimously)

Motion 14 [[mp3: 4-14-19am1 0:49:51](#)]: Council adopt the allocation review procedures preliminary draft for public review with the modifications discussed.

Herb Pollard/Pete Hassemer (Motion 14 carried unanimously)

Staff Summary: The Council approved for public review [draft Council Operation Procedure \(COP\) 27](#) with a number of modifications. Among the modifications were eliminating the line in COP 27 Table 1 on salmon bycatch between whiting trawl and all other fisheries and adding language related to amounts of fish harvested by tribes. The updated draft will be posted on the Council website for public review and comment prior to finalization at the June Council meeting.

5. [Fiscal Matters](#) – Patricia Crouse [[mp3: 4-16-19am1 0:02:50](#)]

[Agenda Item D.5, Supplemental Attachment 1](#): Executive Director's Report to the Budget Committee

[Agenda Item D.5, Supplemental Attachment 2](#): Draft Project Narrative Attachment

- a. [Report of the Budget Committee](#) – Pete Hassemer [[mp3: 4-16-19am1 0:03:36](#)]

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

None

- d. **Council Action: Consider Budget Committee Report and Recommendations**
[\[mp3: 4-16-19am1 0:11:18\]](#)

Motion 29 [\[mp3: 4-16-19am1 0:11:33\]](#): Council to adopt the recommendations on pages 2 and 3 of the Budget Committee report, Agenda Item D.5.a, Supplemental BC Report 1, April 2019. Herb Pollard/Pete Hassemer (Motion 29 carried unanimously)

Staff Summary: None

6. Membership Appointments, Statement of Organization, Practices and Procedures and Council Operating Procedure – Mike Burner [\[mp3: 4-16-19am1 0:13:04\]](#)

[Agenda Item D.6, Attachment 1](#): Proposed Changes to Council Operating Procedures

[Agenda Item D.6, Attachment 2](#): Council Staff Summary of Comments Received at the March 2019 Council Meeting Regarding Proposed Revisions to Council Operating Procedures

- a. **Reports and Comments of Management Entities and Advisory Bodies** [\[mp3: 4-16-19am1 0:18:08\]](#)

[Agenda Item D.6.a, Supplemental NMFS Report 1](#): NMFS Report on the SRKW Ad Hoc Workgroup

[Agenda Item D.6.a, Supplemental USCG Report 1](#): Update on recent personnel changes with Coast guard designees to the Pacific Fishery Management Council

[Agenda Item D.6.a, Supplemental HC Report 1](#)

- b. **Public Comment** [\[mp3: 4-16-19am1 0:21:18\]](#)

Corey Ridings, Shems Jud, and Butch Smith

- c. **Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures and Statement of Organization, Practices, and Procedures as Necessary** [\[mp3: 4-16-19am1 0:27:26\]](#)

Motion 30 [\[mp3: 4-16-19am1 0:29:09\]](#): Council modify Council Operating Procedure 4 to add one At-Large position to the Scientific and Statistical Committee (SSC) thereby increasing the number of At-large positions on the SSC from eight to nine. Herb Pollard/Bob Dooley (Motion 30 carried unanimously)

Motion 31 [\[mp3: 4-16-19am1 0:30:54\]](#): Council appoint Dr. Marisol Garcia-Reyes, Dr. Kristen Marshall, and Dr. Jason Schaffler to the three vacant At-Large positions on the Scientific and Statistical Committee. Herb Pollard/Pete Hassemer (Motion 31 carried unanimously)

Motion 32 [[mp3: 4-16-19am1 0:32:53](#)]: Council appoint Ms. Robin Bown to the U.S. Fish and Wildlife Service position on the Groundfish Endangered Species Workgroup formerly held by Ms. Laura Todd.

Kyle Hanson/Brad Pettinger (Motion 32 carried unanimously)

Motion 33 [[mp3: 4-16-19am1 0:36:13](#)]: Council adopt the amended COP's from [Agenda Item D.6, Attachment 1](#) with the following amendments

- that when the word “Chairman” (or “Chair”) is used, it should be clear whether the reference is to the Council Chair or the Advisory Body Chair (e.g., point number 7 of the “Termination of Membership” sections.)
- insert the word investigated in front of reports in point number 7 of the “Termination of Membership” section. The revised sentence would read:
The Chairman, in consultation with the Executive Director, determines that a member should be removed for just cause (e.g., violation of marine resource regulation, felony conviction, investigated reports of sexual harassment, etc.; these examples are not all-inclusive.).

And direct council staff to: Post to the Council website, and share with subpanels, teams and committees to ensure that members are fully aware of the expectations of them, the Rules of Conduct for Employees and Advisors and Contractors of Regional Fishery Management Councils, and the U. S. Department of Commerce.

Christa Svensson/Louis Zimm (Motion 33 carried unanimously)

Staff Summary: The U.S. Coast Guard advised the Council of personnel changes noting that LCDR Scott McGrew will remain RADM David Throop's first designee on the Council and Mr. Chris German will replace CDR Jason Brand as RADM Throop's second designee and as an Enforcement Consultant for the USCG. The Council expressed their appreciation for CDR Brand's contributions to the Council and wished him the best in his future endeavors.

The Council recommended adding an additional At-Large SSC position as a means of bringing needed expertise to the committee and approved the following appointments:

- Dr. Marisol Garcia-Reyes, Dr. Kristen Marshall, and Dr. Jason Schaffler were appointed to the three vacant At-Large positions on the Scientific and Statistical Committee
- Ms. Robin Bown was appointed to the U.S. Fish and Wildlife Service position on the Groundfish Endangered Species Workgroup formerly held by Ms. Laura Todd

The Council approved the [proposed revisions to the Council Operating Procedures](#) regarding rules of conduct, staffing expectations, and the Council's new electronic public comment policies with minor language changes and requested that the [Rules of Conduct of Employees and Advisors of Regional Fishery Management Councils](#) and the revised COPs be posted to the Council website as soon as feasible.

- d. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 4-16-19am1 0:49:02](#)]

[Agenda Item D.7, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[Agenda Item D.7, Attachment 2](#): Draft Proposed Council Meeting Agenda, June 19-25, 2019, San Diego, California

[Agenda Item D.7, Supplemental Attachment 3](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (April 15, 2019)

[Agenda Item D.7, Supplemental Attachment 4](#): Draft Proposed Council Meeting Quick Reference Agenda, June 19-25, 2019, San Diego, California (04/15/2019 version)

[Agenda Item D.7, Supplemental Attachment 5](#): Summary of Candidate Items for Future Council Meeting Agenda and Workload Planning

e. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-16-19am1 0:53:59](#)]

[Agenda Item D.7.a, Supplemental NMFS Report 1](#)

[Agenda Item D.7.a, Supplemental NMFS Report 2](#)

[Agenda Item D.7.a, Supplemental SSC Report 1](#)

[Agenda Item D.7.a, Supplemental HMSAS Report 1](#)

[Agenda Item D.7.a, Supplemental CPSMT Report 1](#)

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

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

f. Public Comment [[mp3: 4-16-19am1 1:20:26](#)]

[Agenda Item D.7.b, Public Comments \(Electronic Only\)](#)

Steve Wilson, Coastside Trollers Association

Greg Mueller, Washington Trollers Association

Jonathan Gonzalez, Pacific Seafood presented [Agenda Item D.7.b, Supplemental Public Presentation 1](#): Pacific Seafood

g. Council Action: Discussion and Guidance on Future Meeting Agenda and Workload Planning [[mp3: 4-16-19am2 0:00:03](#)]

Motion: None

Staff Summary: None

E. Coastal Pelagic Species Management

1. [National Marine Fisheries Service Report](#) – Kerry Griffin [[mp3: 4-11-19pm1 0:00:27](#)]

a. Regulatory Activities – Frank Lockhart [[mp3: 4-11-19pm1 0:01:04](#)]

[Agenda Item E.1.a, Supplemental NMFS Report 1](#): Spring 2019 Coastal Pelagic Species Rulemakings

b. Fisheries Science Center Activities – Gerard Dinardo [[mp3: 4-11-19pm1 0:03:49](#)]

[Agenda Item E.1.b, Supplemental SWFSC Presentation 1](#) (DiNardo)

c. Reports and Comments of Management Entities and Advisory Bodies

d. Public Comment [[mp3: 4-11-19pm1 0:41:06](#)]

Geoff Shester, Oceana

e. Council Discussion [[mp3: 4-11-19pm1 0:48:02](#)]

Motion: None

Staff Summary: None

2. [2019 Exempted Fishing Permits \(EFPs\) - Final Approval](#) – Kerry Griffin [[mp3: 4-11-19pm1 0:51:19](#)]

[Agenda Item E.2, Attachment 1](#): California Wetfish Producers Association EFP Proposal

[Agenda Item E.2, Attachment 2](#): West Coast Pelagic Conservation Group EFP Proposal

[Agenda Item E.2, Supplemental Attachment 3](#): CWPA Nearshore Cooperative Survey Progress Report in support of the 2019 EFP

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-11-19pm1 0:54:56](#)]

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

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

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

b. Public Comment [[mp3: 4-11-19pm1 1:04:27](#)]

[Agenda Item E.2.b, Public Comments \(Electronic Only\)](#)

Mike Okoniewski & Diane Pleschner Steele presented [Agenda Item E.2.b, Supplemental Public Presentation 1](#) (Pleschner-Steele)

c. Council Action – Adopt Final EFP Recommendations for 2019 [[mp3: 4-11-19pm1 1:16:44](#)]

Motion 2 [[mp3: 4-11-19pm1 1:17:47](#)]: Council approve the two exempted fishing permits from Agenda Item E2, Attachments 1 and 2.

Briana Brady/Michele Culver (Motion 2 carried unanimously)

Staff Summary: The Council approved the [West Coast Pelagic Conservation Group](#) and the [California Wetfish Producers Association](#) EFP proposals, both designed to advance the science of coastal pelagic species (CPS) stock surveys in the nearshore zone.

3. [Pacific Sardine Assessment, Harvest Specifications and Management Measures – Final Action](#) - Kerry Griffin [[mp3: 4-12-19am1 0:03:20](#)]

[Agenda Item E.3, Supplemental REVISED Attachment 1 \(Full Version Electronic Only\)](#): Stock Assessment Report Executive Summary: Assessment of the Pacific Sardine Resource in 2019 for U.S. Management in 2019-20

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-12-19am1 0:08:15](#)]

[Agenda Item E.3.a, Supplemental NMFS Report 1](#): Guidance on Process for Changing Stock Status, MSA Requirements When a Stock is Declared Overfished, and 2019-2020 Sardine Specifications

[Agenda Item E.3.a, Supplemental CDFW Presentation 1](#): CDFW-CWPA Aerial Survey 2018 Results (PowerPoint)

[Agenda Item E.3.a, Supplemental CDFW Report 1](#): CDFW-CWPA CPS Aerial Survey 2018 Results

[Agenda Item E.3.a, Supplemental CDFW Report 2](#): Pacific Sardine landings 2015-2019

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

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

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

b. Public Comment [[mp3: 4-12-19am1 0:052:47](#)] & [[mp3: 4-12-19am2 0:00:17](#)]

[Agenda Item E.3.b, Public Comments \(Electronic Only\)](#)

Ken Bates, Humboldt Fisherman's Marketing Association presented [Agenda Item E.3.b, Supplemental Public Presentation 5](#) (Ken Bates)

Mike Okoniewski, West Coast Pelagics Conservation Group

Geoff Shester and Ben Enticknap, Oceana presented [Agenda Item E.3.b, Supplemental Public Presentation 7](#) (Oceana)

Diane Pleschner-Steele, California Wetfish Producers Association presented [Agenda Item E.3.b, Supplemental Public Presentation 2](#) (Pleschner-Steele)

Porter McHenry

Rich Mayer, Marcus Food Co Fisheries

Alayna Bellquist, Sportfishing Association of California

Matt Everingham, Everingham Bros Bait Company, presented [Agenda Item E.3.b, Supplemental Public Presentation 4](#) (Everingham video)

James Gardner, Oceanside Bait Company presented [Agenda Item E.3.b, Supplemental Public Presentation 3](#) (James Gardner)

David Yow, Port of San Diego

Paula Sylvia, Port of San Diego

Jaime Diamond, Stardust Sportfishing presented [Agenda Item E.3.b, Supplemental Public Presentation 6](#) (Jaime Diamond)

Ken Franke, Sportfishing Association of California

Corbin Hanson, F/V Cape Blanco presented [Agenda Item E.3.b, Supplemental Public Presentation 1](#) (Corbin video)

Vince, Torre, California Wetfish Producers Association

c. Council Action – Adopt a Pacific Sardine Assessment and Final Harvest Specifications and Management Measures for the 2019-2020 Sardine Fishery
[[mp3: 4-12-19am2 0:47:10](#)]

Motion 7 [[mp3: 4-12-19am2 0:50:03](#)]: Council adopt:

1. The Pacific Sardine Assessment and OFL of 5,816 mt for the 2019-2020 season, as listed in Agenda Item E3, Supplemental CPSMT Report 1, Table 2,
2. A P* 0.40, ABC of 4,514 mt, an ACL equal to ABC, and an ACT of 4,000 mt as listed in Agenda Item E3, Supplemental CPSMT Report 1, Table 2,
3. A 20% incidental catch allowance for the primary directed commercial fishery,
4. Directed take for the live bait fishery without incidental limits. Should Amendment 17 to the CPS FMP not be approved before the July 1, 2019 start date, then live bait would be limited to 15% incidental take for other CPS offloads until Amendment 17 is approved,

5. An incidental per trip allowance of 2 mt of Pacific sardine in non-CPS fisheries,
6. A per trip limit of 1 mt of Pacific sardine if the live bait fishery attains 2,500 mt,
7. If the ACT of 4,000 mt is attained, a 1 mt per trip limit of Pacific sardine would apply to live bait, and a 1 mt per trip limit of incidentally caught Pacific sardine would apply to the primary directed fishery.

Briana Brady/Louis Zimm (Motion carried unanimously).

Staff Summary: The Council approved the 2019 Pacific sardine [stock assessment](#), and applied the following harvest specifications and management measures described in Supplemental CPSMT [Report 1](#):

Biomass	27,547mt
Overfishing Limit (OFL)	5,816mt
P*	0.40
Acceptable Biological Catch (ABC)	4,514mt
Annual Catch Limit (ACL)	4,514mt
Annual Catch Target (ACT)	4,000mt

- A 20 percent incidental catch allowance applies to the primary directed commercial fishery
- Directed take of sardines in the live bait fishery will be allowed. However, if Amendment 17 to the CPS Fishery Management Plan is not approved before the July 1, 2019 start date, the live bait fishery will be limited to 15 percent incidental take of sardines, until Amendment 17 is approved
- A per-trip limit of 1 mt of sardines in the live bait fishery will apply if the live bait fishery attains 2,500 mt
- A per-trip limit of 1 mt of incidentally-caught sardines would apply to both the live bait and primary directed CPS fisheries, if the annual catch target of 4,000 mt is attained
- An incidental per-trip allowance of 2 mt of sardines applies to non-CPS fisheries

The biomass estimate falls below the overfished threshold and NMFS is expected to declare the stock overfished in the near future. Once that occurs, the Council and NMFS are required to develop and implement a rebuilding plan within two years.

4. Central Subpopulation of Northern Anchovy Management Update - Kerry Griffin
[mp3: 4-12-19am2 1:18:11]

Agenda Item E.4, Attachment 1: Emsy Methodology

Agenda Item E.4, Attachment 2: White Paper on Frequency of OFL Updates

a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 4-12-19am2 1:22:50] & [mp3: 4-12-19pm1 0:00:04]

Agenda Item E.4.a, Supplemental REVISED SWFSC Report 1 (Electronic Only): NOAA Technical Memorandum NMFS: Distribution, Biomass, and Demography of Coastal Pelagic Fishes in the California Current Ecosystem During Summer 2017 Based On Acoustic-Trawl Sampling (NOAA-TM-NMFS-SWFSC-610)

Agenda Item E.4.a, Supplemental SWFSC Report 2 (Electronic Only): NOAA Technical Memorandum NMFS: Distribution, Biomass, and Demography of Coastal Pelagic Fishes in the California Current Ecosystem During Summer 2018 Based On Acoustic-Trawl Sampling (NOAA-TM-NMFS-SWFSC-613)

Agenda Item E.4.a, Supplemental USFWS Report 1: Central Subpopulation of Northern Anchovy Management Update

b. Public Comment [mp3: 4-12-19pm1 0:15:57]

Agenda Item E.4.b, Public Comments (Electronic Only)

Geoff Shester, Oceana presented Agenda Item E.4.b, Supplemental Public Presentation 2 (Oceana)

Diane Pleschner-Steele, California Wetfish Producers Association presented Agenda Item E.4.b, Supplemental Public Presentation 1 (Pleschner-Steele)

Porter McHenry

Rich Mayer, Marcus Food Co Fisheries

Corbin Hanson, F/V Cape Blanco

Anthony Russo, F/V King Phillip

Julie Thayer, Farallon Institute presented Agenda Item E.4.b, Supplemental Public Presentation 3 (Farallon Institute)

Gilly Lyons, PEW Charitable Trusts

c. Council Action – Review Nearshore Assessment Methodologies; Provide Guidance on a Timeline, Process and Methods for Establishing Revised Harvest Specifications [mp3: 4-12-19pm1 1:10:36]

Motion 8 [mp3: 4-12-19pm1 1:22:07]: Council schedule a meeting including the CPSMT, CPSAS, SSC CPS Subcommittee, and SWFSC to determine the nearshore estimation methodologies necessary to complement the ATM survey, review Dr. Punt's analysis of frequency to revisit OFLs and recommend an appropriate frequency for CSNA, develop alternatives for accountability measures that would be triggered at specific stock levels, and determine which data to use to analyze whether a trigger has been reached. Report to the Council in November 2019.

Briana Brady/Marc Gorelnik (Motion 8 carried unanimously)

Staff Summary: The Council directed the CPS Management Team, CPS Advisory Subpanel, Scientific and Statistical Committee CPS Subcommittee, and the Southwest Fisheries Science Center to schedule a meeting to determine the nearshore estimation methodologies necessary to

complement the Acoustic trawl survey, review Dr. André Punt's [analysis](#) of frequency to revisit overfishing limits and recommend an appropriate frequency for the central subpopulation of northern anchovy, develop alternatives for accountability measures that would be triggered at specific stock levels, and determine which data to use to analyze whether a trigger has been reached. These groups are scheduled to report to the Council at the November 2019 meeting.

5. [Central Subpopulation of Northern Anchovy Litigation Response](#) - Kerry Griffin
[[mp3: 4-12-19pm2 0:00:02](#)]

[Agenda Item E.5, Attachment 1](#): Court Order to Enforce Judgment

[Agenda Item E.5, Attachment 2](#): Court Order on Schedule

[Agenda Item E.5, Supplemental Attachment 3](#): Proposed Rule: Multi-Year Harvest Specifications for the Central Subpopulation of Northern Anchovy

[Agenda Item E.5, Supplemental Attachment 4](#): PFMC Comments on Proposed Rule to Established OFL, ABC, and ACLs for Central Subpopulation of Northern Anchovy

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-12-19pm2 0:04:36](#)]

[Agenda Item E.5.a, Supplemental NMFS Report 1](#): Anchovy Litigation Response

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

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

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

b. Public Comment [[mp3: 4-12-19pm2 0:23:57](#)]

[Agenda Item E.5.b, Public Comments \(*Electronic Only*\)](#)

Gilly Lyons, PEW Charitable Trusts

Andrea Treece, Earth Justice and Geoff Shester, Oceana

c. Council Action – Review the National Marine Fisheries Service Response to Litigation and Comment as Necessary [[mp3: 4-12-19pm2 0:37:47](#)] & [[mp3: 4-15-19pm1 1:05:12](#)]

Motion: None

Staff Summary: The Council developed [comments](#) on the proposed rule, which include descriptions of the tasks the Council assigned under Agenda Item E.4 as well as the expected June products on CPS management categories and a stock assessment prioritization process. The comments will be submitted via the NMFS rulemaking portal, on behalf of the Council.

F. Salmon Management

1. [Tentative Adoption of 2019 Management Measures for Analysis](#) – Robin Ehlke [[mp3: 4-11-19pm2 0:00:18](#)]

[Preseason Report II](#): Proposed Alternatives and Environmental Assessment – Part 2 for 2019 Ocean Salmon Fishery Regulations (**Electronic Only**)

[Agenda Item F.1, Attachment 1](#): Emergency Changes to the Salmon FMP

[Agenda Item F.1, Attachment 2](#): FR 97-22094: Policy Guidelines for the Use of Emergency Rules

- a. **Update of Estimated Impacts of March 2019 Alternatives – Michael O’Farrell**
[[mp3: 4-11-19pm2 0:04:21](#)]

[Agenda Item F.1.a, Supplemental STT Report 1](#): Update of Estimated Impacts of March 2019 Alternatives for Ocean Salmon Fishery Management Measures, April 11, 2019

- b. **Summary of Public Hearings – Hearings Officers** [[mp3: 4-11-19pm2 0:06:06](#)]

[Agenda Item F.1.b, Supplemental Public Hearing Report 1](#): Washington Salmon Public Hearing

[Agenda Item F.1.b, Supplemental Public Hearing Report 2](#): Oregon Salmon Public Hearing

[Agenda Item F.1.b, Supplemental Public Hearing Report 3](#): California Salmon Public Hearing

- c. **Recommendations of the U.S. Section of the Pacific Salmon Commission – Phil Anderson** [[mp3: 4-11-19pm2 0:12:34](#)]

[Agenda Item F.1.c, Supplemental PSC Report 1](#): AABM Fisheries Preseason Abundance Indices for 2019 and Post-Season Abundance Indices for 2018

[Agenda Item F.1.c, Supplemental PSC Report 2](#): Comprehensive Coho management guidelines for Puget Sound regional primary natural coho management units

- d. **Recommendations of North of Falcon Forum – Oregon, Washington, Tribes**
[[mp3: 4-11-19pm2 0:17:24](#)]

- e. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-11-19pm2 1:20:36](#)] & [[mp3: 4-11-19pm3 0:00:23](#)]

[Agenda Item F.1.e, Supplemental NMFS Report 1](#): Southern Resident Killer Whale Assessment of 2019 PFMC Salmon Fisheries

[Agenda Item F.1.e, Supplemental NMFS Report 2](#): NMFS Report on 2019 Salmon Management Schedule

[Agenda Item F.1.e, Supplemental NMFS Report 3](#): Revised 2019 Guidance for Sacramento Fall, Klamath Fall, and Puget Sound Chinook – *April 11, 2019*

[Agenda Item F.1.e, Supplemental NMFS Presentation 1](#): Assessment of 2019 PFMC Salmon Fisheries on SRKW (Jording)

[Agenda Item F.1.e, Supplemental CRITFC Report 1: Testimony of the Columbia River Treaty Tribes Before the PFMC, April 11, 2019](#)

[Agenda Item F.1.e, Supplemental Colville Tribal Report 1](#)

[Agenda Item F.1.e, Supplemental Hoopa Valley Tribal Report 1](#): Letter dated March 19, 2019 to NOAA re: Hoopa Valley Tribe v. Ross — April Mediation Meeting

[Agenda Item F.1.e, Supplemental Hoopa Valley Tribal Report 2](#): Letter dated March 28, 2019 to PFMC re: Tentative Adoption of 2019 Management Measures for Analysis

[Agenda Item F.1.e, Supplemental Hoopa Valley Tribal Report 3](#): Comments on Tentative Adoption of 2019 Management Measures for Analysis

[Agenda Item F.1.e, Supplemental Yurok Tribal Report 1](#): Letter dated March 15, 2019 to PFMC re: Yurok Tribal management objective for 2019

[Agenda Item F.1.e, Supplemental Tribal Troll Report 1](#): TABLE 3. 2019 Treaty Indian Troll Management Alternatives for Ocean Salmon Fisheries – Tribe proposed (*April 11, 2019*)

[Agenda Item F.1.e, Supplemental SAS Report 1](#): Proposed 2019 Ocean Salmon Management Measures For Tentative Adoption

- f. **Public Comment** [[mp3: 4-11-19pm3 0:19:11](#)]

[Agenda Item F.1.f, Public Comments \(Electronic Only\)](#)

Ben Enticknap presented [Agenda Item F.1.f, Supplemental Public Presentation 1: 2019 Salmon Fishery Management: Accounting for the needs of endangered orca? \(Enticknap\)](#)

Dan Hurt, F/V Trolli

Duncan MacLean

Barry Day

- g. **Council Action: Adopt Tentative 2019 Ocean Salmon Management Measures for Analysis** [[mp3: 4-11-19pm3 0:46:45](#)]

Motion 3 [[mp3: 4-11-19pm3 0:48:32](#)]: Council tentatively adopt the management measures for non-Indian fisheries NOF as presented in Agenda Item F.1.e, Supplemental SAS Report 1 with the following modifications:

- U.S./Canada Border to Cape Falcon, May 6-June 28:
 - In the area between the U.S./Canada border and the Queets River, May 6 through May 15, the landing and possession limit is 100 Chinook per vessel for the open period, then May 16 through June 28, the landing and possession limit is 50 Chinook per vessel per landing week (Thurs.-Wed.) (C.1, C.6).
 - In the area between Leadbetter Point and Cape Falcon, May 6 through May 15, landing and possession limit of 100 Chinook per vessel for the open period, then May 16 through June 28, landing and possession limit of 50 Chinook per vessel per landing week (Thurs.-Wed.) (C.1, C.6).
- U.S./Canada Border to Cape Falcon, Jul 1 – Sep 30:
 - Delete line referencing Chinook landing and possession limit in area between U.S./Canada border and Queets River. (There will be no Chinook landing/possession limits to start the summer season in any area.) Coho landing/possession limit of 150 for entire area remains unchanged.

Kyle Adicks/ Rich Lincoln (Motion 3 carried unanimously)

Motion 4 [[mp3: 4-11-19pm3 0:54:23](#)]: Council tentatively adopt for STT analysis Alternative 1 for the 2019 North of Falcon tribal ocean fisheries as described in Agenda Item F.1.e, Supplemental Tribal Troll Report 1, April 11, 2019 with the following modification:

- coho quota from July 1 through September 15 should be 55,000 coho

Joe Oatman/Herb Pollard (Motion 4 carried unanimously)

Motion 5 [[mp3: 4-11-19pm3 0:56:36](#)]: Council tentatively adopt for STT collation and analysis the salmon management measures for the 2019 commercial and recreational ocean fisheries in the area from Cape Falcon south to the Oregon/California border as presented in Agenda Item F.1.e, Supplemental SAS Report 1, dated April 11, 2019.

Chris Kern/Christa Svensson (Motion 5 carried unanimously)

Motion 6 [[mp3: 4-11-19pm3 0:57:36](#)]: Council tentatively adopt for STT collation and analysis the proposed initial salmon management measures for the 2019 commercial and recreational ocean fisheries in the area from the Oregon/California border to the U.S./Mexico border as presented in Agenda Item F.1.e, Supplemental SAS Report 1 dated April 11, 2019, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Brett Kormos/Bob Dooley (Motion 6 carried unanimously)

Staff Summary: None

2. Clarify Council Direction of 2019 Management Measures – Robin Ehlke [[mp3: 4-13-19pm2 0:26:23](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-13-19pm2 0:27:38](#)]

[Agenda Item F.2.a, Supplemental STT Report 1](#): Preliminary Analysis of Tentative 2019 Ocean Salmon Fishery Management Measures (April 12, 2019)

b. Public Comment [[mp3: 4-13-19pm2 0:31:45](#)]

John Koeppen & James Stone, with Oregon/California SAS Members, [Agenda Item F.2.b, Supplemental Public Presentation 1](#): 2019 Economic Impact of Changes in Spawning Escapement Guidance (Koeppen et. al)

c. Council Action: Council Guidance and Direction [[mp3: 4-13-19pm2 0:39:11](#)]

Motion: None

Staff Summary: None

3. Southern Resident Killer Whale Endangered Species Act Consultation Reinitiation Update – Robin Ehlke [[mp3: 4-13-19pm1 0:00:28](#)]

[Agenda Item F.3, Attachment 1](#): NMFS Guidance Letter on SRKW

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-13-19pm1 0:03:16](#)]

[Agenda Item F.3.a, Supplemental NMFS Report 1](#): Draft Proposed Southern Resident Killer Whale Ad Hoc Workgroup Terms of Reference

[Agenda Item F.3.a, Supplemental Tribal Report 1](#)

[Agenda Item F.3.a, Supplemental Tribal Report 2](#): CRITFC

[Agenda Item F.3.a, Supplemental SAS Report 1](#)

b. Public Comment [[mp3: 4-13-19pm1 0:44:01](#)]

[Agenda Item F.3.b, Public Comments \(Electronic Only\)](#)

Ben Enticknap, Oceana

Duncan MacLean

c. Council Action: Approve a Process and Schedule for Collaboration with NMFS on Reconsultation on Effects to SRKW From Council Area Fisheries [[mp3: 4-13-19pm1 0:52:37](#)]

Motion 10 [[mp3: 4-13-19pm1 1:09:06](#)]: Council create SRKW ad hoc workgroup
Chris Kern/Brad Pettinger (Motion 10 carried unanimously)

Staff Summary: The Council formed an *ad-hoc* workgroup to help NMFS reassess the effects of Council area ocean salmon fisheries on the Chinook salmon prey base of Southern Resident Killer Whales. A draft [terms of reference and timeline](#) to accomplish pertinent tasks and a list of participants was also endorsed by the Council.

4. [Methodology Review Preliminary Topic Selection](#) – Robin Ehlke [[mp3: 4-13-19pm2 0:00:05](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-13-19pm2 0:03:01](#)]

[Agenda Item F.4.a, Supplemental SSC Report 1](#)

[Agenda Item F.4.a, Supplemental STT Report 1](#)

[Agenda Item F.4.a, Supplemental MEW Report 1](#)

[Agenda Item F.4.a, Supplemental SAS Report 1](#)

b. Public Comment [[mp3: 4-13-19pm2 0:12:28](#)]

David Helliwell, F/V Corregidor

c. Council Action: Council Guidance on Potential Methodologies to Review in 2019 [[mp3: 4-13-19pm2 0:16:01](#)]

Motion 11 [[mp3: 4-13-19pm2 0:17:47](#)]: Council tentatively adopt items 1-5 in Agenda Item F.4.a, Supplemental STT Report 1.

Brett Kormos/Marc Gorelnik (Motion 11 carried unanimously)

Staff Summary: The Council supported the list of items for review submitted by the Salmon Technical Team (STT) that included:

1. Complete the documentation of the development of the new Chinook Fishery Regulation Assessment Model (FRAM) base period including algorithms, and review and update the FRAM documentation and User Manual that is currently on the [Council website](#) (assigned to Model Evaluation Workgroup, MEW).
2. Develop a framework for evaluating post-season metrics of model performance for FRAM (assigned to MEW).
3. Conduct the technical analysis needed to inform a change of the salmon management boundary line from latitude 40° 05' (Horse Mountain, California) five miles north to latitude 40° 10' (assigned to STT).
4. Examine the data and models used to forecast impacts on Columbia River summer Chinook to determine whether a change in methodology is warranted (assigned to MEW).
5. Provide documentation of the abundance forecast approach used for Willapa Bay natural coho (assigned to STT).

The Council also endorsed a joint work session during the October 2019 salmon methodology review meeting with the MEW to provide to the SSC Salmon Subcommittee and the STT a detailed presentation of the FRAM and associated documentation to facilitate the model evaluation process.

5. Salmon Rebuilding Plan Update – Robin Ehlke [[mp3: 4-13-19pm2 0:47:40](#)]

[Agenda Item F.5, Attachment 1 \(Electronic Only\)](#): Draft Salmon Rebuilding Plan – Klamath River Fall Chinook

[Agenda Item F.5, Attachment 2 \(Electronic Only\)](#): Draft Salmon Rebuilding Plan – Sacramento River Fall Chinook

[Agenda Item F.5, Attachment 3 \(Electronic Only\)](#): Draft Salmon Rebuilding Plan – Strait of Juan de Fuca Coho

[Agenda Item F.5, Attachment 4 \(Electronic Only\)](#): Draft Salmon Rebuilding Plan – Queets River Coho

[Agenda Item F.5, Attachment 5 \(Electronic Only\)](#): Draft Salmon Rebuilding Plan – Snohomish River Coho

[Agenda Item F.5, Attachment 6](#): Potential Timeline for Completing the Salmon Rebuilding Plans

[Agenda Item F.5, Supplemental Attachment 7](#): Memo dated April 1, 2019 to State-Tribal Comanagers, from Chuck Tracy, PFMC Executive Director re: Salmon Plan Rebuilding Schedules

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-13-19pm2 0:51:27](#)]

[Agenda Item F.5.a, Supplemental SSC Report 1](#)

[Agenda Item F.5.a, Supplemental STT Report 1](#)

[Agenda Item F.5.a, Supplemental SAS Report 1](#)

b. Public Comment

None

c. Council Action – Review and Comment on Preliminary Salmon Rebuilding Plans for Five Stocks and Consider Adopting Plans for Public Review [[mp3: 4-13-19pm2 1:01:03](#)]

Motion 12 [[mp3: 4-13-19pm2 1:01:56](#)]: Council adopt the Sacramento and Klamath River Fall chinook rebuilding plans as drafts for public review.

Brett Kormos/Louis Zimm (Motion 12 carried unanimously)

Staff Summary: The Council adopted the salmon rebuilding plans for [Klamath River fall Chinook](#) and [Sacramento River fall Chinook](#) as drafts for public review. In June 2019, final action is scheduled for these two plans and adoption of public review drafts are scheduled for Queets, Strait of Juan de Fuca, and Snohomish coho.

6. Further Direction on 2019 Management Measures – Robin Ehlke [[mp3: 4-14-19pm2 0:01:25](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-14-19pm2 0:01:47](#)]

[Agenda Item F.6.a, Supplemental STT Report 1](#): Preliminary Analysis of Tentative 2019 Ocean Salmon Fishery Management Measures (*April 14, 2019*)

b. Public Comment

None

c. Council Action: Council Guidance and Direction [[mp3: 4-14-19pm2 0:03:43](#)]

Motion: None

Staff Summary: None

7. Final Action on 2019 Management Measures – Robin Ehlke [[mp3: 4-15-19pm2 0:00:08](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19pm2 0:02:27](#)]

[Agenda Item F.7.a, Supplemental STT Report 1](#): STT Analysis of Tentative 2019 Ocean Salmon Fishery Management Measures

[Agenda Item F.7.a, Supplemental Tribal Report 1](#): CRITFC
Colville Tribe verbal statement

b. Public Comment

[Agenda Item F.7.b, Public Comments \(Electronic Only\)](#)

c. Council Action: Adopt Ocean Final Management Measures for 2019 Ocean Salmon Fisheries [[mp3: 4-15-19pm2 0:38:29](#)]

Motion 23: Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item F.7.a, Supplemental STT Report 1, April 15, 2019.

Kyle Adicks/ Rich Lincoln (Motion 23 carried unanimously)

Motion 24: Council adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item F.7.a, Supplemental STT Report 1, April 15, 2019.

Joe Oatman/Kyle Adicks (Motion 24 carried unanimously)

Motion 25 [[mp3: 4-15-19pm2 0:43:29](#)]: Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in Agenda item F.7.a, Supplemental STT Report 1 dated April 15, 2019, including all season descriptions, minimum size, and requirements, definitions, restrictions, or exceptions with the following change:

- Change the open dates in the Humbug Mt. to OR/CA border all salmon except coho recreational season from May 18-September 2 to May 25-September 2.

Chris Kern/Christa Svensson (Motion 25 carried unanimously)

Motion 26 [[mp3: 4-15-19pm2 0:45:40](#)]: Council adopt the 2019 non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from the Oregon/California border to the U.S./Mexico border as presented in Agenda Item F.7.a, Supplemental STT Report 1 dated April 15, 2019, including the commercial and recreational requirements, definitions, restrictions, or exceptions.
Brett Kormos/Marc Gorelnik (Motion 26 carried unanimously)

Staff Summary: None

G. Groundfish Management

1. [National Marine Fisheries Service Report](#) – Todd Phillips [[mp3: 4-13-19am1 0:45:10](#)]

a. [Regulatory Activities](#) – Aja Szumylo [[mp3: 4-13-19am1 0:47:51](#)]

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

[Agenda Item G.1.a, Supplemental NMFS Report 2](#): Spreadsheet of Current Rulemakings and Activities

b. [Fisheries Science Center Activities](#) [[mp3: 4-13-19am1 1:06:26](#)]

[Agenda Item G.1.b, Supplemental NWFSC Presentation 1](#): Groundfish Science Report (Hastie)

c. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-13-19am2 0:00:18](#)]

[Agenda Item G.1.c, Supplemental GMT Report](#)

d. [Public Comment](#) [[mp3: 4-13-19am2 0:05:22](#)]

Heather Mann, Midwater Trawlers Cooperative

e. [Council Discussion](#) [[mp3: 4-13-19am2 0:06:57](#)]

Motion: None

Staff Summary: None

2. [Endangered Species Act Mitigation Measures for Seabirds – Preliminary Action](#) – Kit Dahl [[mp3: 4-13-19am2 0:34:10](#)]

[Agenda Item G.2, Attachment 1](#): Initial Review Draft, Regulatory Impact Review/Initial Regulatory Flexibility Analysis for Proposed Regulatory Amendment under the Pacific Coast Groundfish Fishery Management Plan

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-13-19am2 0:41:21](#)]

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

[Agenda Item G.2.a, Supplemental EC Report 1](#)

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

b. [Public Comment](#) [[mp3: 4-13-19am2 1:23:41](#)]

[Agenda Item G.2.b, Public Comments \(*Electronic Only*\)](#)

Anna Weinstein, Audubon

- c. **Council Action: Review Mitigation Measures for Seabird Interactions in Groundfish Fisheries Pursuant to the 2017 United States Fish and Wildlife Service Biological Opinion and Adopt a Preliminary Preferred Alternative** [[mp3: 4-13-19am2 1:28:26](#)]

Motion 9 [[mp3: 4-13-19am2 1:38:14](#)]: Council adopt Alternative 1 with options A, C, and D, with the following modifications as its preliminary preferred alternative.

- **Alternative 1:** Require non-tribal vessels 26 feet and greater length overall (LOA) using bottom longline gear as defined under 50 CFR 660.11, fishing in the limited entry fixed gear or open access fixed gear fisheries, or fishing with longline gear under the gear switching provisions of Shorebased IFQ Program to either use streamer lines according to the Alaska streamer line requirements or deploy gear between one hour after local sunset and one hour before local sunrise when declared into a federal fishery and fishing in Federal waters.
- **Option A**, when fishing south of 36° N. latitude, vessels would be exempted from the requirement to deploy streamer lines or night set.
- **Option C**, vessels using floated mainline gear would be restricted to deploying gear between one hour after local sunset and one hour before local sunrise.
- **Option D**, a weather safety exemption for vessels 26 to 55 feet LOA under a National Weather Service Small Craft Wind Advisory (Sustained winds or frequent gusts ranging between 25 and 33 knots).

Aja Szumylo/Corey Niles (Motion 9, as amended carried unanimously)

Amendment 1 [[mp3: 4-13-19am2 1:55:42](#)]: insert after the word “gear” that do not include streamer lines that are at least 300 feet in length

Phil Anderson/Christa Svensson (Amendment 1 carried unanimously)

Amendment 2 [[mp3: 4-13-19am2 2:05:56](#)]: add the words “or greater” after the parenthetical

Christa Svensson/Bob Dooley (Amendment 2 carried unanimously)

Staff Summary: The Council adopted its preliminary preferred alternative (PPA) responding to the 2017 U. S. Fish and Wildlife Service [Biological Opinion](#) on short-tailed albatross take in commercial groundfish longline fisheries. The PPA (based on [Alternative 1](#)) requires non-tribal commercial groundfish vessels 26 feet and greater length overall using bottom longline gear to either use streamer lines according to the [Alaska streamer line requirements](#) or deploy gear between one hour after local sunset and one hour before local sunrise when declared into a Federal fishery and fishing in Federal waters. Under the PPA:

- When fishing south of 36° N. latitude, vessels would be exempted from the requirement to deploy streamer lines or night set.
- Vessels using floated mainline gear, if not using streamer lines that are at least 300 feet in length, would be restricted to deploying gear between one hour after local sunset and one hour before local sunrise.

- For vessels 26 to 55 feet length overall, compliance with the requirement to deploy streamer lines or night set would exempt when a National Weather Service Small Craft, or more severe, wind advisory is in effect.

3. Endangered Species Act Mitigation Measures for Salmon – Todd Phillips [[mp3: 4-14-19am2 0:52:55](#)]

Agenda Item G.3, Attachment 1: Incidental Take Statement Excerpted from Endangered Species Act (ESA) Section 7(a)(2) Biological Opinion; Reinitiation of Section 7 Consultation Regarding the Pacific Fisheries Management Council's Groundfish Fishery Management Plan; December 11, 2017

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-14-19am2 0:59:43](#)] & [[mp3: 4-14-19pm1 0:00:15](#)]

Agenda Item G.3.a, GMT Report 1: Salmon Mitigation Measures for the Groundfish Fishery and Discussion of Potential Range of Alternatives

Agenda Item G.3.a, Supplemental GMT Report 2: Description of Range of Alternatives

Agenda Item G.3.a, Supplemental GMT Report 3: Final ROA

Agenda Item G.3.a Supplemental GMT Presentation 1: Salmon Mitigation Measures (ROA Summary PowerPoint)

Agenda Item G.3.a, Supplemental GAP Report 1

Agenda Item G.3.a, Supplemental SAS Report 1

b. Public Comment [[mp3: 4-14-19pm1 0:32:28](#)]

Travis Hunter, Fisherman's Marketing Association

Dan Waldeck, Arne Fuglvog, Trent Harthill, Mike Luchino, Pacific Whiting Conservation Cooperative

Heather Mann, Midwater Trawlers Cooperative & Brent Paine, United Catcher Boats

Kristin McQuaw, Shoreside Whiting Cooperative

Mike Okoniewski, Pacific Seafood

Jeff Lackey, F/V Miss Sue

c. Council Action: Review Mitigation Measures for Salmon Interactions in the Groundfish Fisheries Pursuant to the 2017 NMFS Biological Option That Were Not Addressed Through the 2019-2020 Biennial Management Process and Adopt a Range of Alternatives, As Appropriate [[mp3: 4-14-19pm1 1:29:27](#)]

Motion 17 [[mp3: 4-14-19pm1 1:49:12](#)]: Council adopt the Purpose and Need statement and range of alternatives recommended in Agenda Item G.3.a, Supplemental GMT Report 3 April 2019 for further review, with the following modifications:

- Include the alternatives for **Automatic Authority to Close the Trawl Sectors and Preserve 500 Chinook Salmon for Fixed Gear and Recreational Fisheries** as described in G.3.a, Supplemental GMT Report 2 April 2019 and shown here:
 - No Action: The Council would not develop an action which would preserve 500 Chinook salmon for the fixed gear and recreational sectors. Instead, the only automatic action authority in regulation would be the one which would close. One or both of the whiting or non-whiting sectors of the groundfish fishery would

close upon that sector having exceeded its annual Chinook salmon bycatch guideline and the reserve.

- Alternative 1: Develop an automatic action authority that would close the trawl sectors as follows:
 1. Close bottom and mid-water trawl upon attainment of 8,500 Chinook salmon
 2. Close the whiting trawl sectors upon attainment of 14,000 Chinook salmon
 3. Close all trawl fisheries upon attainment of 19,500 Chinook salmon
- Instead of the alternatives under **Development of Reserve Rule Provision** in G.3.a, Supplemental GMT Report 3 April 2019, use the following action alternative:

A sector may only access the reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to reaching its Chinook salmon bycatch guideline.

Maggie Sommer/Brad Pettinger

Amendment 1 [[mp3: 4-14-19pm1 2:17:25](#)]: Add a bullet that reads:

- Regarding the block area closure (BAC) tool, include in the Range of Alternatives and supporting analysis the ability to allow extension of any BAC seaward to the western boundary of the exclusive economic zone, rather than the 250-fathom waypoint line.

Marci Yaremko/Louis Zimm (Amendment 1 Carried unanimously)
(Motion 17 as amended carried unanimously)

Staff Summary: The Council adopted a purpose and need statement and a range of alternatives (ROA) recommended by the [Groundfish Management Team](#) (GMT) for consideration in addressing the outstanding terms and conditions 2b (inseason measures) and 3a (use of the reserve) from the [2017 Biological Opinion](#) to mitigate salmonid interactions in the groundfish fishery. A clarification was made that “A sector may only access the reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to reaching its Chinook salmon bycatch guideline.” Additionally, the BAC tool would be analyzed to allow for an extension of any BAC seaward to the western boundary of the Exclusive Economic Zone instead of the 250 fathom waypoint line currently analyzed.

4. [Amendment 26-Blackgill Rockfish Management – Final Action](#) – John DeVore
[\[mp3: 4-14-19pm2 0:09:39\]](#)

[Agenda Item G.4, Attachment 1](#): Draft Environmental Assessment: Allocation of Harvest Opportunity Between Sectors of the Pacific Coast Groundfish Fishery of Blackgill Rockfish and Other Species Managed in the Slope Rockfish Complex South of 40°10' N. Latitude

[Agenda Item G.4, Attachment 2](#): Blackgill Rockfish Accumulation Limits: Alternatives and Draft Impact Analysis

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-14-19pm2 0:17:22](#)]

[Agenda Item G.4.a, Revised NMFS Report 1](#): National Marine Fisheries Service Report on Updates to Blackgill-Slope Rockfish Complex Reallocation and Accumulation Limits (Amendment 26)

[Agenda Item G.4.a, Supplemental NMFS Presentation 1](#): Updates to Blackgill – Slope Rockfish Complex Reallocation and Accumulation Limits (Amendment 26) Brian Hooper/Daniel Erickson

[Agenda Item G.4.a, Supplemental GMT Report 1](#)

[Agenda Item G.4.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 4-14-19pm2 1:34:26](#)]

Gerry Richter, SBCFLC

Michelle Norvell, Fort Bragg Groundfish Association

Mark Worley, F/V Golden Chalice

c. Council Action: Review Updated Analyses and Consider Reaffirming the Final Preferred Alternative under Amendment 26; Consider Revising IFQ Accumulation Limits for Blackgill Rockfish [[mp3: 4-14-19pm2 1:52:21](#)]

Motion 18 [[mp3: 4-14-19pm2 1:58:56](#)]: Council rescind its final action taken on Amendment 26 in November 2015.

Marci Yaremko/Bob Dooley (Motion 18 carried unanimously)

Motion 19 [[mp3: 4-14-19pm2 1:59:49](#)]: Council:

1. Take no action on Amendment 26 to remove blackgill rockfish from the slope rockfish complex south of 40° 10' N. latitude nor take action to reallocate blackgill rockfish and the remaining species in the Southern Slope Rockfish Complex between trawl and non-trawl sectors.
2. Maintain existing accumulation limits for the slope rockfish complex south of 40° 10' N. latitude.
3. To provide relief to the non-trawl sector as soon as possible, direct the GMT to evaluate Limited Entry Fixed Gear and Open Access inseason trip limit increases, for use in 2019 and 2020, under Agenda Item G.9.
4. Recognizing the interest in reallocating some portion of the slope rockfish complex south of 40° 10' N. latitude., and the analytical work done in support of this regulatory action that will not proceed, in the 2021-22 biennial specifications process, direct the GMT to analyze removing the slope rockfish complex south of 40° 10' N. latitude. from the list of species and species groups for which the Amendment 21 allocations apply (Trawl v Non-Trawl), and allow the allocations of this complex to be established biennially.
5. Direct the GMT to evaluate the need to maintain the blackgill harvest guideline within the southern slope complex into the next biennium, and report back to the Council during the 2021-22 Biennial Specifications process.

Marci Yaremko/Marc Gorelnik (Motion 19 carried unanimously)

Staff Summary: Amendment 26 to the Groundfish Fishery Management Plan (FMP) considered removing blackgill rockfish from the Slope Rockfish complex south of 40° 10' N. latitude and changing the trawl/non-trawl allocations of blackgill rockfish and the remaining species in the southern Slope Rockfish complex. The Council rescinded their [final action on Amendment 26](#)

[from November 2015](#) and recommended No Action given improved blackgill rockfish stock status and potential impacts to the trawl fishery. The Council requested the GMT explore higher non-trawl trip limits under inseason action at this meeting to provide greater access to blackgill rockfish. Further, the Council would like to explore removing the formal trawl/non-trawl allocations for the southern Slope Rockfish complex from the FMP and making biennial allocations in the 2021-2022 biennial specifications process.

5. [Science Improvements and Methodology Review Report](#) – John DeVore [[mp3: 4-15-19am1 0:01:27](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19am1 0:04:31](#)]

[Agenda Item G.5.a, Supplemental SSC Report 1](#)

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

b. Public Comment

None

c. Council Action: Review and Approve Science Improvements and New Methodologies for Use in Management [[mp3: 4-15-19am1 0:24:06](#)]

Motion 20 [[mp3: 4-15-19am1 0:30:51](#)]: Council accept the recommendations as described in Agenda Item G.5.a, Supplemental SSC Report 1 and Agenda Item G.5.a, Supplemental GMT Report 1

Marci Yaremko/Bob Dooley (Motion 20 carried unanimously)

Staff Summary: The Council adopted the recommendations of the [Scientific and Statistical Committee](#) and the [Groundfish Management Team](#) on science and methodology improvements that will inform future Council groundfish management decisions.

6. [Electronic Monitoring: Implementation Update](#) – Brett Wiedoff [[mp3: 4-15-19am1 0:38:32](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19am1 0:40:16](#)]

[Agenda Item G.6.a, Supplemental NMFS Report 1](#)

[Agenda Item G.6.a, Supplemental NMFS Presentation 1](#): Electronic Monitoring: Implementation Timeline Update (Palmigiano)

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

b. Public Comment [[mp3: 4-15-19am1 1:01:27](#)]

Kate Kauer and Michelle Norvell, California Groundfish Collective

c. Council Action: Review Progress and Program Implementation Including Regulatory Activities and Provide Guidance on Future Program Development [[mp3: 4-15-19am1 1:11:42](#)]

Motion: None

Staff Summary: The Council scheduled electronic monitoring items for the June, September, and November 2019 Council meetings and recommended the groundfish electronic monitoring committee meet as necessary to review NMFS forthcoming electronic monitoring program national procedural directives and West Coast Region draft electronic monitoring program guidance documents.

7. Vessel Movement Monitoring Update – Brett Wiedoff [[mp3: 4-15-19am2 0:01:12](#)]

a. Report of the National Marine Fisheries Service – Aja Szumylo and Brian Corrigan [[mp3: 4-15-19am2 0:01:33](#)]

[Agenda Item G.7.a, NMFS Report 1](#): Update on Vessel Movement Monitoring Action

[Agenda Item G.7.a, Supplemental NMFS Presentation 1](#): NMFS Update on VMM Action

b. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19am2 0:26:21](#)]

[Agenda Item G.7.b, Supplemental GMT Report 1](#)

[Agenda Item G.7.b, Supplemental GAP Report 1](#)

[Agenda Item G.7.b, Supplemental EC Report 1](#)

Agenda Item G.7.b Supplemental SAS Report 1 (verbal only)

c. Public Comment [[mp3: 4-15-19am2 0:42:24](#)]

John Corbin

d. Council Action: Consider NMFS Report and Recommendations [[mp3: 4-15-19am2 0:45:22](#)]

Motion 21 [[mp3: 4-15-19am2 0:59:04](#)]: Council rescind its action taken at the April 2016 meeting relative to final action to adjust management measures related to vessel movement and monitoring.

Phil Anderson/Bob Dooley (Motion 21 carried unanimously)

Motion 22 [[mp3: 4-15-19am2 1:01:36](#)]: Council affirm its action taken at the April 2016 meeting relative to final action to adjust management measures related to vessel movement and monitoring as represented in Agenda Item G.7.a., NMFS Report 1, Table 1 modified by removal of Management Measure 1, Alternative 2 that would allow the use of non-type approved VMS units. In addition, the Council supports NMFS moving forward with implementing regulations relative to Management Measures 2 and 3.

Phil Anderson/Louis Zimm (Motion 22 carried unanimously)

Staff Summary: The Council took action to remove Management Measure 1, Alternative 2 - *Allow the use of enhanced [non type-approved] vessel monitoring system units* - from the vessel movement monitoring [regulatory package](#). The Council recommended that NMFS implement all other measures and alternatives as soon as practicable.

[Congressman Jared Huffman addressed the Council regarding the interests of the Council]
[[mp3: 4-15-19am2](#) 1:01:36 (approx.)]

8. [Cost Recovery Report](#) – Jim Seger [[mp3: 4-15-19pm1](#) 0:02:15]

a. NMFS Cost Recovery Report – Chris Biegel [[mp3: 4-15-19pm1](#) 0:03:16]

[Agenda Item G.8.a, NMFS Report 1](#): Trawl Rationalization Program Cost Recovery Annual Report Fee Calculation for 2019 and Fishing Year 2018 Payments

[Agenda Item G.8.a, Supplemental NMFS Presentation 1](#): 2018-2019 Cost Recovery Annual Report Trawl Rationalization Program (*Chris Biegel*)

b. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19pm1](#) 0:41:55]

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

c. Public Comment [[mp3: 4-15-19pm1](#) 0:45:14]

Mike Okoniewski, Pacific Seafood

Lori Steele, West Coast Seafood Processors Association

d. Council Action: Discuss Cost Recovery Report and Provide Guidance, As Needed [[mp3: 4-15-19pm1](#) 0:50:23]

Motion: None

Staff Summary: The Council reviewed the NMFS report covering 2018 costs and fees collected and the fees that would be charged for 2019. The Council endorsed the suggestions in the [GAP Report](#) which covered: (1) renewing a request that NMFS explore options for reducing observer and catch monitoring costs, (2) for future management actions, including in the analyses a statement on expected impacts on cost recovery, and (3) holding ongoing NMFS/industry meetings to evaluate the processes that are the cost drivers for the catch share program and make recommendations on where efficiencies can be improved to the benefit of both industry and NMFS.

9. [Final Inseason Management, Including Shorebased Carryover and Salmon Caps for Midwater Trawl Exempted Fishing Permits \(EFP\) – Final Action](#) – Todd Phillips [[mp3: 4-15-19pm2](#) 0:50:37]

[Agenda Item G.9, Attachment 1](#): Excerpt from 50 CFR 660.140 Identifying the Carryover Provision

[Agenda Item G.9, Attachment 2](#): Excerpt from 83 FR 6229: Groundfish Trawl and Midwater Trawl Gear in the Trawl Rationalization Program Final Rule

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-15-19pm2](#) 0:57:17]

[Agenda Item G.9.a, Supplemental NMFS Report 1](#): Update on 2019 EFPs

[Agenda Item G.9.a, Supplemental CDFW Report 1](#): Lingcod South of 40°10' N. Latitude

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

b. Public Comment [[mp3: 4-15-19pm2 1:50:50](#)]

Dan Wolford, Coastside Fishing Club
Danielle Cloutier, American Sportfishing Association
Bob Ingles, GGFA
Tom Marking
Merit McCrea, Sportfishing Association of California

c. Council Action: Adopt Final Inseason Adjustments for 2019, Including Shorebased Carryover and Salmon Bycatch Caps for Midwater Trawl Exempted Fishing Permits, as Necessary, to Achieve, but Not Exceed, Annual Catch Limits and Other Management Objectives [[mp3: 4-15-19pm2 2:07:50](#)]

Motion 27 [[mp3: 4-15-19pm2 2:17:03](#)]: Council adopt the recommendations contained in Agenda Item G.9.a, Supplemental GMT Report 1, noting that any discrepancies in the GMT report surrounding historic annual catch limits (ACL) and harvest guidelines (HG) for blackgill should be resolved in favor of language contained in the final rules for biennial specifications.

Modify bullet #3 of the GMT recommendations as follows: Adopt option 1 of the limited entry fixed gear (LEFG) and open access (OA) sectors for 2019 as shown in Supplemental CDFW Report 1 and a two-fish recreational fishery bag limit South of 40° 10' for lingcod for the remainder of 2019 and 2020.

Marci Yaremko/Marc Gorelnik (Motion 27 withdrawn with consent of the second)

Motion 28: Council adopt recommendations contained in Agenda Item G.9.a, Supplemental GMT Report 1, noting that any discrepancies in the GMT report surrounding historic ACLs and HGs for blackgill should be resolved in favor of language contained in the final rules for biennial specifications.

Modify bullet #3 of the GMT recommendations as follows: Adopt option 1 of the LE FG and OA sectors for 2019 as shown in Table 3 of Supplemental GMT Report 1 and a two-fish recreational fishery bag limit south of 40° 10' for lingcod for the remainder of 2019 and 2020.

Marci Yaremko/Marc Gorelnik (Motion 28 carried unanimously)

Staff Summary: As part of this [agenda item](#), the Council considered adoption of inseason adjustments, shorebased IFQ carryover, and new salmon bycatch caps for midwater trawl exempted fishing permits (EFP). Further, the Council was also asked to consider three additional items: 1) corrections to the existing Emley-Platt EFP; 2) increases to trip limits for blackgill rockfish south of 40° 10' N. Latitude; and 3) changes to current lingcod catch limits in California south of 40° 10' N. Latitude.

The Council adopted the recommendations of the [GMT](#) as follows:

- NMFS to issue the maximum amount of carryover for 2019 for all eligible species.
- Move 1 mt of lingcod south of 40° 10' N. Latitude annually from the research set-aside and 0.5 mt from the incidental open access sector totaling 1.5 mt, to the Emley-Platt EFP for 2019 and 2020.

- Blackgill Rockfish south of 40° 10' N. Latitude:
 - Increase LE trip limits to 4,000 lbs./2 months.
 - Increase OA trip limits to 800 lbs./2 months.
- Do not make adjustments to the salmon caps for midwater trawl EFP.
- For lingcod south of 40° 10' N. Latitude., adopt option 1 for the LE fixed gear and open access sectors for 2019 as shown in Table 3 of the GMT Report 1 and a two-fish recreational fishery bag limit for the remainder of 2019 and 2020.

H. Pacific Halibut Management

1. [Incidental Catch Limits for 2019 Salmon Troll Fisheries – Final Action](#) – Robin Ehlke [mp3: 4-14-19am1 0:53:24]

[Agenda Item H.1, Attachment 1](#): Summary of Pacific Halibut Incidental Catch Management

- a. **Reports and Comments of Management Entities and Advisory Bodies** [mp3: 4-14-19am1 1:00:00]

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

- b. **Public Comment**

None

- c. **Council Action: Adopt Final Incidental Catch Recommendations for 2019 and April 2020 Non-Indian Salmon Troll Fisheries** [mp3: 4-14-19am1 1:03:46]

Motion 15 [mp3: 4-14-19am1 1:05:20]: Adopt as the final landing restrictions for Pacific halibut caught incidentally in the non-Indian salmon troll fishery:

May 1, 2019 through the end of the 2019 salmon troll fishery, and April 1-30, 2020, license holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Herb Pollard/Michele Culver (Motion 15 carried unanimously)

Staff Summary: The Council adopted final incidental landing restrictions as follows: May 1, 2019 through the end of the 2019 salmon troll fishery, and April 1-30, 2020, license holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

2. [Commercial Directed Fishery Workshop Planning](#) – Robin Ehlke [mp3: 4-14-19am2 0:00:02]

[Agenda Item H.2, Supplemental Attachment 1](#): Recommendations for scope of Commercial Halibut Fishery Workshop

[Agenda Item H.2, Supplemental Attachment 2](#): Letter dated March 21, 2019 to IPHC from PFMC re: Area 2A Non-Indian Commercial Directed Fishery Dates

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-14-19am2 0:11:56](#)]

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

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

- b. **Public Comment** [[mp3: 4-14-19am2 0:20:51](#)]

Harrison Ibach, Humboldt Fisherman's Marketing Association

- c. **Council Action: Identify Scope and Provide Direction for Planning a Workshop to Explore Issues and Ideas for Potential Changes to the Area 2A Commercial Directed Halibut Fishery** [[mp3: 4-14-19am2 0:30:03](#)]

Motion 16 [[mp3: 4-14-19am2 0:35:41](#)]: Council:

1. Express to the International Pacific Halibut Commission (IPHC) our intent to pursue management of the commercial directed halibut fishery.
2. Request that representatives from NMFS, WDFW, ODFW, CDFW, and Council staff coordinate to identify the questions we have for IPHC regarding the logistics (e.g., issuance of permits) associated with a potential transition plan. The intent is for this group of management representatives to have a conference call in advance of a meeting with IPHC staff, for the meeting to occur prior to the June Council meeting, and for the representatives to report back to the Council in June.
3. Schedule a Council discussion for June relative to a stakeholder workshop that would occur later this year. The purpose of the workshop would be to review and discuss regulatory alternatives for the commercial directed halibut fishery for the 2020 season (e.g., opening date, season structure, vessel limits).
4. Request NMFS provide an initial report describing the process, timeline, and workload associated with transitioning the management of the directed commercial fishery from IPHC to the Council with status quo fishery structure (i.e., open access, trip limit fishery) under two scenarios:
 - a. Permits continued to be issued by IPHC, and
 - b. Creation of federal halibut permit.

The purpose of the report is to have a general sense of the amount of work that it will take to complete the transition of the management of the fishery to the Council, and what timeline estimates would be. This report would be provided for the November 2019 meeting.

Michele Culver/Bob Dooley (Motion 16 carried unanimously)

Staff Summary: The Council directed:

1. Leadership express to the IPHC the Council's intent to pursue management of the commercial directed halibut fishery.
2. Prior to the June 2019 Council meeting, representatives from NMFS, Washington Department of Fish and Wildlife, Oregon Department of Fish and Wildlife, California Department of Fish and Wildlife, and Council staff (i.e., workgroup) will meet to identify

questions regarding the logistics associated with a potential directed fishery transition plan. Those questions will then be posed to the IPHC Secretariat, and the workgroup will report the results of their findings at the June 2019 Council meeting.

3. Add Pacific halibut to the 2019 June Council meeting schedule to discuss plans for a stakeholder workshop that would occur in 2019 to review and discuss regulatory alternatives for the commercial directed halibut fishery for the 2020 season (e.g., opening date, season structure, vessel limits) and consider the results of the workgroup assignment above.
4. Add Pacific halibut to the September 2019 Council meeting for a report on the stakeholder workshop.
5. NMFS will provide an initial report at the 2019 November Council meeting describing the process, timeline, and workload associated with transitioning the management of the commercial directed halibut fishery, and to develop recommendations to IPHC for their interim and annual meetings.

INFORMATIONAL REPORTS

[Informational Report 1](#): NOAA Fisheries Priorities and Annual Guidance 2019

[Informational Report 2](#): TRat Compliance Summary, 2018

[Supplemental Informational Report 3](#): IPHC News Release; Open call for Expressions of Interest: IPHC Scientific Review Board Membership 21 March 2019

[Supplemental Informational Report 4](#): IPHC News Release; IPHC Notification of Potential Pacific Halibut sales in 2019, Seeking Buyers Interested in Research Fish Sales 21 March 2019

[Supplemental Informational Report 5](#): Pacific Whiting Conservation Cooperative Amendment 20 Catcher/Processor Cooperative Annual Report 2018; Submitted to NMFS March 2019

[Supplemental Informational Report 6 \(*Electronic Only*\)](#): Whiting Mothership Cooperative Amendment 20 Mothership Catcher Vessel Cooperative Final Report on the 2018 Pacific Whiting Fishery; Submitted to NMFS & PPMC March 2019

[Supplemental Informational Report 7](#): Public Comment Invited by Aquaculture Science Planning Task Force

[Supplemental Informational Report 8](#): Agenda – CCC Meeting May 14-16, 2019

[Supplemental Informational Report 9](#): TRat Compliance Summary, 2018: TRat Fishery Overview (Catcher Processors)

VOTING LOG

Motion 1: Adopt [Agenda Item A.4, April 9-16, 2019 Council Meeting Agenda](#).
Herb Pollard/ Pete Hassemer (Motion 1 carried unanimously)

Motion 2: Council approve the two exempted fishing permits from [Agenda Item E.2, Attachments 1 and 2](#).
Briana Brady/Michele Culver (Motion 2 carried unanimously)

Motion 3: Council tentatively adopt the management measures for non-Indian fisheries NOF as presented in [Agenda Item F.1.e, Supplemental SAS Report 1](#) with the following modifications:

- U.S./Canada Border to Cape Falcon, May 6-June 28:
 - In the area between the U.S./Canada border and the Queets River, May 6 through May 15, the landing and possession limit is 100 Chinook per vessel for the open period, then May 16 through June 28, the landing and possession limit is 50 Chinook per vessel per landing week (Thurs.-Wed.) (C.1, C.6).
 - In the area between Leadbetter Point and Cape Falcon, May 6 through May 15, landing and possession limit of 100 Chinook per vessel for the open period, then May 16 through June 28, landing and possession limit of 50 Chinook per vessel per landing week (Thurs.-Wed.) (C.1, C.6).
- U.S./Canada Border to Cape Falcon, Jul 1 – Sep 30:
 - Delete line referencing Chinook landing and possession limit in area between U.S./Canada border and Queets River. (There will be no Chinook landing/possession limits to start the summer season in any area.) Coho landing/possession limit of 150 for entire area remains unchanged.

Kyle Adicks/ Rich Lincoln (Motion 3 carried unanimously)

Motion 4: Council tentatively adopt for STT analysis Alternative 1 for the 2019 North of Falcon tribal ocean fisheries as described in [Agenda Item F1e, Supplemental Tribal Troll Report 1](#), April 11, 2019 with the following modification:

- coho quota from July 1 through September 15 should be 55,000 coho

Joe Oatman/Herb Pollard (Motion 4 carried unanimously)

Motion 5: Council tentatively adopt for STT collation and analysis the salmon management measures for the 2019 commercial and recreational ocean fisheries in the area from Cape Falcon south to the Oregon/California border as presented in [Agenda Item F.1.e, Supplemental SAS Report 1](#), dated April 11, 2019.

Chris Kern/Christa Svensson (Motion 5 carried unanimously)

Motion 6: Council tentatively adopt for STT collation and analysis the proposed initial salmon management measures for the 2019 commercial and recreational ocean fisheries in the area from the Oregon/California border to the U.S./Mexico border as presented in [Agenda Item F.1.e, Supplemental SAS Report](#) dated April 11, 2019, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Brett Kormos/Bob Dooley (Motion 6 carried unanimously)

Motion 7: Council adopt:

1. The Pacific Sardine Assessment and OFL of 5,816 mt for the 2019-2020 season, as listed in [Agenda Item E.3, Supplemental CPSMT Report 1](#), Table 2,
2. A P* 0.40, ABC of 4,514 mt, an ACL equal to ABC, and an ACT of 4,000 mt as listed in [Agenda Item E.3, Supplemental CPSMT Report 1](#), Table 2,
3. A 20% incidental catch allowance for the primary directed commercial fishery,
4. Directed take for the live bait fishery without incidental limits. Should Amendment 17 to the CPS FMP not be approved before the July 1, 2019 start date, then live bait would be limited to 15% incidental take for other CPS offloads until Amendment 17 is approved,

5. An incidental per trip allowance of 2 mt of Pacific sardine in non-CPS fisheries,
6. A per trip limit of 1 mt of Pacific sardine if the live bait fishery attains 2,500 mt
7. If the ACT of 4,000 mt is attained, a 1 mt per trip limit of Pacific sardine would apply to live bait, and a 1 mt per trip limit of incidentally caught Pacific sardine would apply to the primary directed fishery.

Briana Brady/Louis Zimm (Motion 7 carried unanimously).

Motion 8: Council schedule a meeting including the CPSMT, CPSAS, SSC CPS Subcommittee, and SWFSC to determine the nearshore estimation methodologies necessary to complement the ATM survey, review Dr. Punt's analysis of frequency to revisit OFLs and recommend an appropriate frequency for CSNA, develop alternatives for accountability measures that would be triggered at specific stock levels, and determine which data to use to analyze whether a trigger has been reached. Report to the Council in November 2019.

Briana Brady/Marc Gorelnik (Motion 8 carried unanimously)

Motion 9: Council adopt Alternative 1 with options A, C, and D, with the following modifications as its preliminary preferred alternative.

- **Alternative 1:** Require non-tribal vessels 26 feet and greater LOA using bottom longline gear as defined under 50 CFR 660.11, fishing in the limited entry fixed gear or open access fixed gear fisheries, or fishing with longline gear under the gear switching provisions of Shorebased IFQ Program to either use streamer lines according to the Alaska streamer line requirements or deploy gear between one hour after local sunset and one hour before local sunrise when declared into a federal fishery and fishing in Federal waters.
- **Option A,** when fishing south of 36° N. Latitude, vessels would be exempted from the requirement to deploy streamer lines or night set.
- **Option C,** vessels using floated mainline gear that do not include streamer lines that are at least 300 feet in length, would be restricted to deploying gear between one hour after local sunset and one hour before local sunrise.
- **Option D,** a weather safety exemption for vessels 26 to 55 feet LOA under a National Weather Service Small Craft Wind Advisory (Sustained winds or frequent gusts ranging between 25 and 33 knots) or greater.

Aja Szumylo/Corey Niles (Motion 9, as amended carried unanimously)

Motion 10: Council create SRKW Ad Hoc workgroup.

Chris Kern/Brad Pettinger (Motion 10 carried unanimously)

Motion 11: Council tentatively adopt items 1-5 in [Agenda Item F.4.a, Supplemental STT Report 1](#).

Brett Kormos/Marc Gorelnik (Motion 11 carried unanimously)

Motion 12: Council adopt the [Sacramento](#) and [Klamath River](#) Fall chinook rebuilding plans as drafts for public review.

Brett Kormos/Louis Zimm (Motion 12 carried unanimously)

Motion 13: Council to amend the language under the "Procedure" section of [Draft Council Operating Procedure 27](#) to include:

"Shares of harvest involving treaty-reserved or federally-reserved Indian fishing rights are not subject to Council-determined criteria or procedures under NOAA's directives to reassess equitable allocations under the Magnuson Stevens Act. Rather, tribal shares are subject to treaties (as clarified by case law) or are handled in government-to-government agreements outside the Council process."

Joe Oatman/Phil Anderson (Motion 13 carried unanimously)

Motion 14: Council adopt the allocation review procedures preliminary draft for public review with the modifications discussed.

Herb Pollard/Pete Hassemer (Motion 14 carried unanimously)

Motion 15: Adopt as the final landing restrictions for Pacific halibut caught incidentally in the non-Indian salmon troll fishery:

- May 1, 2019 through the end of the 2019 salmon troll fishery, and April 1-30, 2020, license holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Herb Pollard/Michele Culver (Motion 15 carried unanimously)

Motion 16: Council:

1. Express to the International Pacific Halibut Commission (IPHC) our intent to pursue management of the commercial directed halibut fishery.
2. Request that representatives from NMFS, WDFW, ODFW, CDFW, and Council staff coordinate to identify the questions we have for IPHC regarding the logistics (e.g., issuance of permits) associated with a potential transition plan. The intent is for this group of management representatives to have a conference call in advance of a meeting with IPHC staff, for the meeting to occur prior to the June Council meeting, and for the representatives to report back to the Council in June.
3. Schedule a Council discussion for June relative to a stakeholder workshop that would occur later this year. The purpose of the workshop would be to review and discuss regulatory alternatives for the commercial directed halibut fishery for the 2020 season (e.g., opening date, season structure, vessel limits).
4. Request NMFS provide an initial report describing the process, timeline, and workload associated with transitioning the management of the directed commercial fishery from IPHC to the Council with status quo fishery structure (i.e., open access, trip limit fishery) under two scenarios:
 - a. Permits continued to be issued by IPHC, and
 - b. Creation of federal halibut permit.

The purpose of the report is to have a general sense of the amount of work that it will take to complete the transition of the management of the fishery to the Council, and what timeline estimates would be. This report would be provided for the November 2019 meeting.

Michele Culver/Bob Dooley (Motion 16 carried unanimously)

Motion 17: Council adopt the Purpose and Need statement and range of alternatives recommended in [Agenda Item G.3.a Supplemental GMT Report 3](#) April 2019 for further review, with the following modifications:

- Include the alternatives for **Automatic Authority to Close the Trawl Sectors and Preserve 500 Chinook Salmon for Fixed Gear and Recreational Fisheries** as described in G.3.a, Supplemental GMT Report 2 April 2019 and shown here:
 - No Action: The Council would not develop an action which would preserve 500 Chinook salmon for the fixed gear and recreational sectors. Instead, the only automatic action authority in regulation would be the one which would close. One or both of the whiting or non-whiting sectors of the groundfish fishery would close upon that sector having exceeded its annual Chinook salmon bycatch guideline and the reserve.
 - Alternative 1: Develop an automatic action authority that would close the trawl sectors as follows:
 1. Close bottom and mid-water trawl upon attainment of 8,500 Chinook salmon
 2. Close the whiting trawl sectors upon attainment of 14,000 Chinook salmon
 3. Close all trawl fisheries upon attainment of 19,500 Chinook salmon
- Instead of the alternatives under **Development of Reserve Rule Provision** in [G.3.a, Supplemental GMT Report 3](#) April 2019, use the following action alternative:

A sector may only access the reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to reaching its Chinook salmon bycatch guideline.
- Regarding the BAC Tool, include in the Range of Alternatives and supporting analysis the ability to allow extension of any BAC seaward to the western boundary of the EEZ, rather than the 250-fathom waypoint line.

Maggie Sommer/Brad Pettinger (Motion 17, as amended carried unanimously)

Motion 18: Council rescind its final action taken on Amendment 26 in November 2015.

Marci Yaremko/Bob Dooley (Motion 18 carried unanimously)

Motion 19: Council:

1. Take no action on Amendment 26 to remove blackgill rockfish from the slope rockfish complex south of 40° 10' N. Latitude, nor take action to reallocate blackgill rockfish and the remaining species in the Southern Slope Rockfish Complex between trawl and non-trawl sectors.
2. Maintain existing accumulation limits for the slope rockfish complex south of 40° 10' N. Latitude.
3. To provide relief to the non-trawl sector as soon as possible, direct the GMT to evaluate Limited Entry Fixed Gear and Open Access inseason trip limit increases, for use in 2019 and 2020, under Agenda Item G.9.
4. Recognizing the interest in reallocating some portion of the slope rockfish complex south of 40° 10' N. Latitude., and the analytical work done in support of this regulatory action that will not proceed, in the 2021-22 biennial specifications process, direct the GMT to analyze removing the slope rockfish complex south of 40° 10' N. Latitude from the list of species and species groups for which the Amendment 21 allocations apply (Trawl v Non-Trawl), and allow the allocations of this complex to be established biennially.

5. Direct the GMT to evaluate the need to maintain the blackgill harvest guideline within the southern slope complex into the next biennium, and report back to the Council during the 2021-22 Biennial Specifications process.

Marci Yaremko/Marc Gorelnik (Motion 19 carried unanimously)

Motion 20: Council accept the recommendations as described in [Agenda Item G.5.a, Supplemental SSC Report 1](#) and Agenda Item G.5.a, Supplemental GMT Report 1

Marci Yaremko/Bob Dooley (Motion 20 carried unanimously)

Motion 21: Council rescind its action taken at the April 2016 meeting relative to final action to adjust management measures related to vessel movement and monitoring.

Phil Anderson/Bob Dooley (Motion 21 carried unanimously)

Motion 22: Council affirm its action taken at the April 2016 meeting relative to final action to adjust management measures related to vessel movement and monitoring as represented in [Agenda Item G.7.a, NMFS Report 1](#), Table 1 modified by removal of Management Measure 1, Alternative 2 that would allow the use of non-type approved VMS units. In addition, the Council supports NMFS moving forward with implementing regulations relative to Management Measures 2 and 3.

Phil Anderson/Louis Zimm (Motion 22 carried unanimously)

Motion 23: Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in [Agenda Item F.7.a, Supplemental STT Report 1](#), April 15, 2019.

Kyle Adicks/ Rich Lincoln (Motion 23 carried unanimously)

Motion 24: Council adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on [Agenda Item F.7.a, Supplemental STT Report 1](#), April 15, 2019.

Joe Oatman/Kyle Adicks (Motion 24 carried unanimously)

Motion 25: Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in [Agenda item F.7.a, Supplemental STT Report 1](#) dated April 15, 2019, including all season descriptions, minimum size, and requirements, definitions, restrictions, or exceptions with the following change:

- Change the open dates in the Humbug Mt. to OR/CA border all salmon except coho recreational season from May 18-September 2 to May 25-September 2.

Chris Kern/Christa Svensson (Motion 25 carried unanimously)

Motion 26: Council adopt the 2019 non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from the Oregon/California border to the U.S./Mexico border as presented in [Agenda Item F.7.a, Supplemental STT Report 1](#) dated April 15, 2019, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Brett Kormos/Marc Gorelnik (Motion 26 carried unanimously)

Motion 27: Council adopt the recommendations contained in [Agenda Item G.9.a, Supplemental GMT Report 1](#), noting that any discrepancies in the GMT report surrounding historic ACLs and HGs for blackgill should be resolved in favor of language contained in the final rules for biennial specifications.

Modify bullet #3 of the GMT recommendations as follows: Adopt option 1 of the LE FG and OA sectors for 2019 as shown in [Supplemental CDFW Report 1](#) and a two-fish recreational fishery bag limit South of 40° 10' for lingcod for the remainder of 2019 and 2020.

Marci Yaremko/Marc Gorelnik (Motion 27 withdrawn with consent of the second)

Motion 28: Council adopt recommendations contained in [Agenda Item G.9.a, Supplemental GMT Report 1](#), noting that any discrepancies in the GMT report surrounding historic ACLs and HGs for blackgill should be resolved in favor of language contained in the final rules for biennial specifications.

Modify bullet #3 of the GMT recommendations as follows: Adopt option 1 of the LE FG and OA sectors for 2019 as shown in Table 3 of [Supplemental GMT Report 1](#) and a two-fish recreational fishery bag limit South of 40° 10' for lingcod for the remainder of 2019 and 2020.

Marci Yaremko/Marc Gorelnik (Motion 28 carried unanimously)

Motion 29: Council to adopt the recommendations on pages 2 and 3 of the Budget Committee report, [Agenda Item D.5.a, Supplemental BC Report 1, April 2019](#).

Herb Pollard/Pete Hassemer (Motion 29 carried unanimously)

Motion 30: Council modify Council Operating Procedure 4 to add one At-Large position to the Scientific and Statistical Committee (SSC) thereby increasing the number of At-Large positions on the SSC from eight to nine.

Herb Pollard/Bob Dooley (Motion 30 carried unanimously)

Motion 31: Council appoint Dr. Marisol Garcia-Reyes, Dr. Kristen Marshall, and Dr. Jason Shaffler to the three vacant At-Large positions on the Scientific and Statistical Committee.

Herb Pollard/Pete Hassemer (Motion 31 carried unanimously)

Motion 32: Council appoint Ms. Robin Bown to the U.S. Fish and Wildlife Service position on the Groundfish Endangered Species Workgroup formerly held by Ms. Laura Todd.

Kyle Hanson/Brad Pettinger (Motion 32 carried unanimously)

Motion 33: Council adopt the amended COP's from [Agenda Item D.6, Attachment 1](#) with the following amendments

- that when the word "Chairman" (or "Chair") is used, it should be clear whether the reference is to the Council Chair or the Advisory Body Chair (e.g., point number 7 of the "Termination of Membership" sections.)
- insert the word investigated in front of reports in point number 7 of the "Termination of Membership" section. The revised sentence would read.

The Chairman, in consultation with the Executive Director, determines that a member should be removed for just cause (e.g., violation of marine resource regulation, felony

conviction, investigated reports of sexual harassment, etc.; these examples are not all-inclusive.).

And direct Council staff to: Post to the Council website, and share with subpanels, teams and committees to ensure that members are fully aware of the expectations of them, the Rules of Conduct for Employees and Advisors and Contractors of Regional Fishery Management Councils, and the U. S. Department of Commerce.

Christa Svensson/Louis Zimm (Motion 33 carried unanimously)

ADJOURN

The Council meeting adjourned on Tuesday, April 16, 2019 at 11:10 am.



Phil Anderson
Council Chair

10/2/2019

Date