

DRAFT COUNCIL MEETING TRANSCRIPTS
253rd Session of the
Pacific Fishery Management Council
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Contents

Meeting Transcript Summary	3
A. Call to Order	4
4. Agenda	4
B. Open Comment Period	5
1. Comments on Non-Agenda Items.....	5
C. Administrative Matters	6
1. Report of the Office of National Marine Sanctuaries (NMS).....	6
2. Marine Planning Update.....	7
3. Approval of Council Meeting Record.....	15
4. Membership Appointments; Statement of Organization, Practices, and Procedures; and Council Operating Procedures	16
5. Future Council Meeting Agenda and Workload Planning.....	18
D. Habitat	26
1. Current Habitat Issues.....	26
E. Salmon Management	31
1. National Marine Fisheries Service Report.....	31
2. Willapa Bay Coho Forecast Methodology Review – Final Action	32
3. Southern Resident Killer Whale Endangered Species Act Consultation.....	36
4. Review of 2019 Fisheries and Summary of 2020 Forecasts.....	44
5. Identify Management Objectives and Preliminary Definition of 2020 Management Alternatives	45
6. Recommendations for 2020 Management Alternatives Analysis.....	50
7. Further Direction for 2020 Management Alternatives.....	53
8. Further Direction for 2020 Management Alternatives.....	56
9. Adopt 2020 Management Alternatives for Public Review	60
10. Appoint Salmon Hearing Officers.....	64
F. Pacific Halibut Management.....	65
1. Annual International Pacific Halibut Commission (IPHC) Meeting Report.....	65

2. Incidental Catch Recommendations: Options for Salmon Troll and Final Recommendations for Fixed Gear Sablefish Fisheries	66
3. Transition of Area 2A Fishery Management	68
G. Ecosystem Management	74
1. California Current Ecosystem and Integrated Ecosystem Assessment (IEA) Report and Science Review Topics.....	74
2. Fishery Ecosystem Plan (FEP) Five-Year Review – Final Action	79
3. Climate and Communities Initiative Workshop Report.....	96
H. Groundfish Management	102
1. National Marine Fisheries Service Report	102
2. Initial Stock Assessment Plan and Terms of Reference	108
3. Update on Exempted Fishing Permit (EFPs) for 2021-22	118
4. Update on 2021-2022 Harvest Specifications and Management Measure	123
5. Inseason Adjustments – Including Shorebased Carryover – Final Action	125
I. Highly Migratory Species Management.....	126
1. National Marine Fisheries Service Report	126
2. Review of Essential Fish Habitat – Scoping.....	127
3. International Management Activities.....	130
4. Drift Gillnet Fishery Hard Caps Update	136

Meeting Transcript Summary

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

A. Call to Order

4. Agenda

Phil Anderson [00:00:00] All right that takes us to A.4 the consideration and approval of our agenda. You have your agenda in front of you I assume. I would just note one thing our inseason adjustment item for groundfish H.5. We've been given a heads up we may not have any recommended adjustments coming forward from the GMT and the GAP but we still have the.....and relative to the shore based carryover, my understanding is that will not be taken up, is not ready to be taken up at this meeting. Is that correct?

Chuck Tracy [00:00:47] That's correct.

Phil Anderson [00:00:48] Okay. That's the, the only note that I have on the agenda that you.....that is out there in and published so if there are no other recommended changes, modifications to the agenda, I'd entertain a motion to approve the agenda. Moved by Virgil Moore, seconded by Pete Hassemer. All those in favor say 'aye'.

Council [00:01:12] Aye.

Phil Anderson [00:01:12] Opposed no? Abstentions? You have an agenda for the meeting.

B. Open Comment Period

1. Comments on Non-Agenda Items

Phil Anderson [00:00:00] Marci.

Marci Yaremko [00:00:01] Thank you Mr. Vice Chair or Mr. Chair. I was thinking we might have a little bit of discussion under open comment. Just as a follow up, I would be remiss if I did not call out the letter that the Council received from Senator Mike McGuire on the topic of prioritizing analysis and discussion of opening the non-trawl rockfish RCA. Several of the speakers here today I think echo the sentiments that are contained in this letter. They have specific on-the-water experience and other suggestions that they'll make to us in the Council process. But I believe this letter from Senator McGuire does reflect kind of a broad base of support for this particular item to be prioritized in the Council's discussion so I just want to thank again all of the California stakeholders that offered input to the briefing book under various agenda items on the topic of rebuilding our non-trawl commercial fisheries. Thank you.

Phil Anderson [00:01:11] Thanks Marci and I apologize if I rushed off to the next agenda item too quickly.

C. Administrative Matters

1. Report of the Office of National Marine Sanctuaries (NMS)

No transcripts for this agenda item.

2. Marine Planning Update

Marc Gorelnik [00:00:00] Do we have any public comments? We have no public comments. There were no written comments in the briefing book. Caren.

Caren Braby [00:00:10] Can I open Council discussion?

Marc Gorelnik [00:00:10] I wish you would.

Caren Braby [00:00:11] Thank you. So I think what Frank's question and Marci's comments and Yvonne's comments and the EWG Report I'll point to is a little bit of uncertainty around the roles of each of the institutions and, and the role of the Council in particular in West Coast planning, particularly for ocean renewable energy, which right now is very much a going topic of concern and is very active and I do appreciate Marci talking particularly about the permitting review, you know, permitting step review role that the Habitat Committee plays for the Council and when issues come up in a permitting process that are relevant to the Council, whether it's for EFH or for impact of fishing activities, those issues are brought to us if it's in the right timeframe for us to have a meeting and to consider it and we often generate comments during that open public comment at whatever stage that is. So, I think that's a really important function but here we're talking about a process that is really directly regulated by BOEM. If we're talking about ocean renewable energy, it's directly regulated by BOEM. It is also directly regulated by the states that are in the territorial sea and the land adjacent to whatever part of the EEZ that BOEM is active in, and so what we have on the West Coast is three different states, California, Oregon and Washington, who are in different stages of considering applications for offshore ocean energy and different stages and conversations with BOEM, who's the regulatory agency, the Federal agency, so currently we have both California and Oregon who have task forces that are comprised of Federal, state, tribal and local governments for Oregon. I actually haven't looked at the California roster to see exactly what the composition is for the California Task Force. But those task forces are actively engaged in talking about these issues, it includes NMFS, it includes NOAA from the Coastal Zone Management Program and so in that way, fisheries and coastal zone management issues are represented in that regulatory discussion. That's different from the West Coast Ocean Alliance, which is non-regulatory, it's a coordination body and it's really about finding common interests and developing political agendas and interests, but not regulating any particular activity. So I just want to really be clear about what those different venues provide in terms of opportunities and I think it's of interest that the regulatory bodies, these two task forces for Oregon and California do include NOAA from two different line offices.

Marc Gorelnik [00:03:50] I'm sorry. Bob. It's late.

Bob Dooley [00:03:55] Thank you Mr. Vice Chair. I think the last time we addressed this, I brought up the idea or the thought of our ocean mapping and how that's being conducted in the data that is being supplied to reflect our historic use of all fisheries on the West Coast, particularly groundfish in the light of we've had rockfish conservation areas for nearly 20 years, very little activity there and I think I talked to you about this, the national movement to get a mapping plan and their data only went back five years, so if you use that to site a wind farm it would look like a pretty target rich area, that whole band down the coast to site something because nothing happens there but that's, that wouldn't protect our futures at all, so I'm wondering if there's been any work in that that area?

Caren Braby [00:04:57] Yeah thanks and I'm not the right one to answer that question. I am not aware of anything that is different in terms of mapping fisheries activities on the West Coast but I don't really keep my finger on the pulse of East Coast planning and when you and I spoke a year ago at this agenda item March of 2019, you were providing insight into some of the East Coast planning by NOAA,

mapping by NOAA, and that could be impacting the types of facilities that Yvonne referenced in terms of potentially disrupting fisheries surveys or things like that on the East Coast. So I think the piece that we as a Council should focus in on is whether the current task force in Oregon and California is sufficient to represent the types of, of fishing interests that the Council would like to have in that regulatory discussion. There're active discussions between BOEM, who's the permitting agency and all of the other agencies that have a nexus with it, right, so that is, that's a good thing. If we didn't have that venue to have that discussion then we wouldn't be having the discussion, right, so we at least have the venue and so I think for the West Coast Ocean Alliance, it being non-regulatory, you know, the Council discussion should be do we want to continue having Council representation there? I support that. In terms of the wind energy issue as one issue of concern then I think that the Council should figure out, have a discussion today or think about in the future whether there needs to be additional fisheries interests represented at that state to BOEM kind of discussion where the regulatory authority essentially lies.

Bob Dooley [00:07:27] Just a response. The...what I shared with you last year was not specific to the East Coast. It's a national program being developed by I think National Ocean Service I believe in Beaufort, North Carolina, but it shows West Coast maps and uses, and fisheries data, I don't know where they got it but it's somewhere and but it only shows five years, so it shows a pretty good freeway out there of open land that they're open, you know, ocean that has no fishing activity and I think that that's something we should be concerned with, but it is a national program and I would hope that through whatever process that we could tap into that because it is being used by BOEM and it's being used by aquaculture in all types of different uses to understand where to put things and I think we're missing a big piece of that so, I know there's a West Coast complimentary part of this that isn't connected with that but it would be nice to circle the wagons and have a comprehensive plan but maybe that's a little too wishful thinking. So thanks, I just wanted to clear that up.

Marc Gorelnik [00:08:47] Louis.

Louis Zimm [00:08:47] Thank you Mr. Vice Chair. I think would behoove us all to focus on what has already occurred on the East Coast. I receive a lot of information regarding work boats and docking facilities, whether you could have, where you have to have U.S. sailors on there or not, and then also a lot of stuff about access lanes for the fleets, the fishing fleets to even go out and then spacing of the actual wind machines so that the fleets can work through there. So there's been a lot already done. Sort of like in the climate and communities get together we had, people were going, well what's going to happen? What's going to happen? I said well look back and look what's happened in the last five, ten years and that'll give you a clue to what's going to happen here, perhaps, so there's a lot of information about what's going on back there. It's very active. The fishermen are very much involved and maybe we can find some way to bring some of that to light here.

Marc Gorelnik [00:10:04] Thanks Louis. Corey.

Corey Niles [00:10:08] Thanks Mr. Vice Chair and just quickly, first, I just start off by thanking Caren for that very thorough overview and as someone who is supposed to, gets paid to, supposed to track these things, it's hard to track the change from the regional planning bodies of the West Coast Ocean Alliance and so that was very helpful and there was a lot of changes there and I don't know if I'll weigh in on, if we want to get into those direct questions but to some of the points Louis and Bob have made, we have our own, we don't have a task force of the type Caren mentioned in Washington but we did spend a lot of time focused on these questions through our state process and our marine spatial plan and myself and Jessie and Heather and others, we actually did what Bob is saying and tried to map our fisheries the best as possible and we have a process that where our legislature gave us a mandate to if there is a new use in the ocean, our director is supposed to make recommendations on how that use

could minimize the impact on fishing. So there is a unique process in Washington and yes all the maps we've done, already done are already out of date and our recommendation is to if there's a need to propose to update that information and look at all that and I can't explain the full legal regulatory side of it, but it's we're to use our authority to the Coastal Zone Management Act to if the Federal project were to ignore its effects on fishing, it would be inconsistent with our state law, so I don't want to go on too long here, but that is a big part of the situation in Washington. Caren's asking how the Council wants to be involved, I don't have an answer at this point myself, but these are issues that we have done a lot of thinking about in my state.

Marc Gorelnik [00:11:59] Thank you Corey. Marci.

Marci Yaremko [00:12:02] Yeah thank you Mr. Vice. Chair. I think I would offer similar comments from California. It's a very active discussion that goes on. BOEM is doing a lot of consulting with the California Energy Commission and in our department, we have some staff that are tracking the proposals and the scoping process that's being undertaken. I know we've had a few of those folks attend our Habitat Committee discussions in recent years. Eric Wilkins, who's on the Habitat Committee as the CDFW rep has been quite active in working with BOEM covering the California proposals as best as possible. Our state will comment on any documents and offer, you know, responses considering to the extent we in fisheries impacts to the extent that we're aware of them. I guess one thing I do want to flag about a more comprehensive effort or engagement on the Council's part, we are servicing data requests, the state of California, we're servicing requests for our fisheries data. When we receive such requests we need to process those requests individually and ensure that we are providing non-confidential data unless there is some specific MOU agreement by which we're sharing that confidential data so it's, you know, we are bound by our own state laws to protect that data, so it's not the kind of thing where we can just hand over all of our fisheries records to some East Coast portal and walk away and hope they do the right thing with it. It doesn't work that way so that's a very big part of the investment that we kind of make in some of these processes as just being able to service the requests that they make of us and for us to be able to process them appropriately. So, we do spend some time on that in our state. I, kind of like Corey, don't have a huge detailed understanding of the specifics, but if that's of interest I can have Eric bring us back more information.

Marc Gorelnik [00:14:31] Thank you Marci. Caren.

Caren Braby [00:14:35] Yeah thanks and thanks for making that point, Marci. Oregon spends a lot of time talking about how to protect proprietary data as well and so that is, that's important for all of the states. That's always an issue, but I want to just kind of go back to what is it that PFMC feels is missing from the current representation in these regulatory bodies that are having discussions about renewable energy siting. If there are gaps that the Council wants to fill, then we need to have that discussion and maybe it's analogous to the Council identifying in the regional planning body under the National Ocean Policy in the Obama administration that the Council is not represented and that there was the potential for that body to be regulatory in some manner and wanting to be part of that regulatory discussion. What we have currently is we don't have a regional planning body anymore, but we do have these two BOEM task forces that are making decisions, are considering how to move forward on ocean renewable energy siting. It is advisory, but it's leading to BOEM making regulatory decisions and if that's something that the Council wants to be more a part of beyond current representation then that, you know, we can identify that as a goal and then look at whether or not that can be realized. For the Oregon Task Force there, like I mentioned, there's a representative from NMFS, there's a representative from the Coastal Zone Management Program at NOAA and then the Oregon Department of Fish and Wildlife is represented on the Oregon BOEM Task Force. I share the seat for ODFW with one of my staff, Delia Kelly, and she and I work on ocean renewable energy issues in Oregon. So that's the representation that is currently there. The U.S. Fish and Wildlife Service is there as well, but that's not a, you know, direct

fisheries per say nexus. So, if we're going to talk about, you know, wanting to enter into that more deeply then that would be my recommendation just from my knowledge of how these bodies are working.

Marc Gorelnik [00:17:27] Rich.

Rich Lincoln [00:17:27] Thank you Vice Chair. Not sure I was paying attention enough earlier, but trying to connect some dots, I'm just curious, it was Marci's question I think to Yvonne that kind of flashed in my mind. I'm just wondering would the representation that currently exists, is there an option that that representation, since it's probably either by people in the Council or potentially raising flags to the, through our normal kind of channels into the Habitat Committee, that it kind of raises a flag when there are, I don't know maybe specific issues or topics that the Council should, could pay additional attention to that would enhance the current representation. So, I'm just wondering if rather than creating something new that we just set up maybe some discipline in that communication channel that funnels things through the Habitat Committee to the Council, but just an idea. It might be naive.

Marc Gorelnik [00:18:35] So just Rich, just clarification on your suggestion, is that we would utilize our existing Habitat Committee and that there are, there are agencies represented on the Habitat Committee that also are represented on these other bodies, these advisory bodies, whatever, they're not regulatory per say, but they influence the regulations, are you suggesting that we merely utilizing the existing construct of the Habitat Committee and supplementing it with better communication?

Rich Lincoln [00:19:15] Thanks Vice Chair. I think that's probably what I was suggesting. It seemed like when this topics come up from the Council before, we have had discussions about what it would take for the Council to have some kind of steady investment in the process and I think maybe that's what you were referring to Caren before when we talked about the regional Council thing that was structured through the Obama administration. I'm just wondering, maybe the Council doesn't have the, doesn't want to, doesn't have the bandwidth or might not choose to have regular engagement but certainly we have enough connections with the people that you described and the agencies that are engaged that there's almost a failsafe kind of radar system there that if just some regular checks or some discipline with the Habitat Committee, if those, if the same people aren't involved, they're certainly closely associated so I'm just wondering, instead of having the Council regularly involved in process, that it's more topic, topically specific when some additional Council influence would be particularly helpful, but I don't know the process so...

Marc Gorelnik [00:20:24] Caren.

Caren Braby [00:00:00] And I don't know the process well enough to say that it's not laid out really clearly like a Council on this topic has a two meeting process and you go to the first meeting and you do this and then you go to the second meeting and you do the final action, not that clear. It also occurs to me that we as a Council may want to invite BOEM to come to a meeting and talk to us about the task forces and the importance of coordination between that leasing agency, BOEM and fisheries activities on the West Coast and Magnuson-Stevens Act implementation. So that's a different tack that's kind of elevating it to above these task forces and asking BOEM directly for engagement with the Council.

Marc Gorelnik [00:01:02] Well assuming that we already have authority under Magnuson to be providing input on all of these things because they impact and I think if I'm sensing this, the question is how do we get that information so we can provide meaningful regular input to BOEM on actions they may be considering. I know it seems to me that our authority under Magnuson may be more influential, maybe, than one of several people on a task force. Corey.

Corey Niles [00:01:35] Thank you Mr. Vice Chair, and I don't want to go too far with this but farther than people are wanting to, but I think there was maybe a nuanced distinction and I'm still not even fully comfortable with it myself about what the EFH authority is under the Magnuson Act versus I think Yvonne was telling us we might care about other things. So let's say, for example, there is a big area off of Oregon and there was going to be a wind farm and that really wasn't having an effect on essential fish habitat itself but it was just totally removing that area from the whiting fleet, for example, so it's not a habitat concern necessarily but it just, it takes those fishing grounds away, so that's a slightly separate set of authorities I think is the point the working group was, one of them was trying to make, and in that situation I think this Council would want to emphasize the importance of that fishery and those fishing grounds. I don't know how we do it or how pressing it is that we figure it out right now. I do believe we would want to weigh in, at least again, underscoring the importance of the fishery.

Marc Gorelnik [00:02:43] Brad, and then Marci.

Brad Pettinger [00:02:46] Thank you Mr. Chair, Vice Chair. I agree with Corey and I think the bigger question is to make sure we win and make sure we do it early enough before things get too far down the pike and it's too late. That'd be my, that'd be a big concern I think here.

Marc Gorelnik [00:03:02] Marci.

Marci Yaremko [00:03:03] Thank you. Just to follow up on Corey's kind of hypothetical here, I guess. As I see it, when a project got to that stage where they had a possible site and a possible schematic, then there would be a public comment period and a notice in the Federal Register and our folks that are tracking these things would be providing that information to us through a Habitat Committee report. That is kind of how I recall this coming to us before where we would have the opportunity to provide a letter outlining concerns that might go beyond just EFH concerns if we were aware of them. But again, I think I have....this issue has come to the Council in various forms over the past several years and I think, you know, I continue to be concerned with the idea of us engaging in a number of groups that are spread geographically across the West Coast. I don't see how we can actively engage in all of those venues fairly and provide comprehensive input early on to shape the course of these activities. So, I think that's just, that's where I'm at with this discussion.

Marc Gorelnik [00:04:49] Caren.

Caren Braby [00:04:51] I agree with the point that Marci just ended on a lot, which is that I think it's going to be difficult, inadvisable perhaps for us to engage as a Council in each of the state task forces. I don't, I don't think it would be damaging but I just don't see that as being the best and highest use of Council time to have a PFMC representative on the Oregon BOEM Task Force, for example, but I do see a lot of value in having a direct conversation with BOEM about the Council's interests and about fisheries on the West Coast and so I think that, that would be the type of discussion where we could have broad discussion, broad setting of priorities as a Council and talking about that with BOEM. They could then also share with us their idea of the best way for the Council to engage with them in whatever process is happening across...

Marc Gorelnik [00:06:09] I'm not sure that... I get the point that we can't really participate in all of these bodies. Are you suggesting we bring BOEM here on a periodic basis to update the Council or provide an avenue for Council input to BOEM on its various activities?

Caren Braby [00:06:32] That's what I'm suggesting and I'm not sure it's periodic. I'm suggesting that we do it once and then figure out what that next step looks like.

Marc Gorelnik [00:06:41] Okay. Does it seem like a good idea to people around the table? And I don't think that takes anything away from stakeholders or those who are involved with those processes to come to the Council when something specific comes up outside of inviting BOEM. So I guess that's something maybe we can take up during workload planning and try to figure out when a good time to do that is or and probably get some input from folks who are involved in the process as to what meeting might be most appropriate and of course we'd have to work with BOEM to see what their schedule is. Does that seem like a good place to leave the discussion for now? Caren.

Caren Braby [00:07:36] I see it as being maybe similar to the National Marine Sanctuary coming and giving us an update. Very similar kind of conversation, just not like a direct nexus, but a lot of shared interest and a lot of common, you know, concerns about the program.

Marc Gorelnik [00:07:54] ...and a process may develop from that when we speak to that.

Caren Braby [00:07:56] Exactly.

Marc Gorelnik [00:07:57] All right. Bob.

Bob Dooley [00:08:06] Thank you Mr. Vice Chair. I know we've talked about this before. There's an organization called RODA. We've talked about that I believe, and it's Responsible Offshore, oh what is it? Responsible Offshore Development Alliance, and there's already this collabora...there's a memorandum of understanding with National Marine Fisheries Service Bureau of Ocean Energy Management and this group collaborate on this very issue. I wonder if that wouldn't be, you know have people that are knowledgeable about that to get that understanding of the wheels already been invented, at least as you might.....and I know that's a national group, I know that, so it might be good to hear that.

Marc Gorelnik [00:08:58] Louis.

Louis Zimm [00:08:59] Thank you Mr. Vice Chair, and thank you Bob for bringing that up. It had slipped my memory, but that's exactly the point I was trying to make, is that there already has been a lot of activity and negotiation on this issue on the East Coast and getting our information either individually or bringing in somebody from the responsible offshore alliance, if we have time, might be good or at least have them come to the Habitat group. Thank you.

Marc Gorelnik [00:09:30] Let me just ask the question. Do you think that the agenda item should perhaps include both that group and BOEM? I guess I'm asking that of anyone here, but since Bob and you have endorsed that group, I'm posing the question to you. Louis.

Louis Zimm [00:09:49] Well I think I'm going to have to defer to Chuck on that as to financing and operations and how feasible that is and fit in.

Marc Gorelnik [00:09:57] Caren.

Caren Braby [00:09:58] Yeah that's kind of where I'm arriving at. I feel like there needs to be a little bit more thinking around what that connectivity could and should be and I think Chuck, you and your staff need to talk about that and what makes the most sense in terms of legal authority and impact and maybe come back with some alternatives or plan to move ahead. I think what I'm hearing today around the Council floor is that there's a lot of concern that there could be a number of impacts, and it's certainly not held to EFH impacts. It's certainly inclusive of fisheries footprints and interference between other uses and fisheries footprints as they exist right now and there's an interest for, from this Council to be more engaged in that in some way and we're struggling with defining what that method might look like.

Marc Gorelnik [00:11:02] Chuck.

Chuck Tracy [00:11:03] Thanks. We have had some contact with RODA, which I think they just recently established sort of their West Coast presence, but I think Kerry might have some.....do you have something you wanted to add there Kerry?

Kerry Griffin [00:11:14] Yeah thank you Mr. Director. I wanted to jump in at this point in the conversation. I appreciate this and I think that what everyone is recognizing here is that, you know, this body really does need to be aware of major developments, you know, whether it's offshore energy or aquaculture or other types of things and I think a little bit of our disconnect might be in that if we have.....it's project specific, really what this body wants to know about and a one year, you know, annual report that's very helpful. With National Marine Sanctuaries we learn a lot, but it's still not really project specific, so I think someone mentioned maybe getting together and putting on our thinking caps with some Council staff and maybe Dr. Braby and some of the Habitat Committee and think about what might be the most effective way to move forward, how to identify projects coming down the pike. We do have a lot of different angles on this from, you know, the state reps and NMFS reps and the Habitat Committee but maybe we, maybe it's time to try to get some, you know, cohesiveness and I'm.....maybe bringing BOEM here to have that conversation would be helpful but sometimes it's hard to have that detailed conversation like that, how do we work together in, you know, sitting here on the Council floor, so maybe some background work might be best and then we could report back to the Council on some recommendations.

Marc Gorelnik [00:12:54] Phil.

Phil Anderson [00:12:55] My suggestion is that we ask the Executive Director to reach out to BOEM and have kind of a scoping discussion with them. Inform them about the Council's concern. Talk about how we might put together some sort of coordination or annual consulta.... I shouldn't use the word consultation, but interaction similar to what we do with the sanctuaries as a starting point and we can, I mean there's been a lot of other ideas expressed in setting up another subgroup to further explore it and all those kinds of things. Out of all this the one takeaway for me in the discussion that I think would be maybe help us understand what a one tool might be is to ask Chuck to have that conversation, comeback, report back to us, see if there's, what is the interest of BOEM to engage with us? And if so, what's the most effective way to do it?

Marc Gorelnik [00:14:01] Look around the table, does that seem like a reasonable way? Thanks for your wisdom there Phil. So, I guess that's what we'll do. Caren was there anything else you wanted to bring up under this agenda item or seek any other guidance from the, from the Council?

Caren Braby [00:14:18] Thank you. I think the only other, the only other comment is that there's a lot of information on the BOEM website, both about the California BOEM Task Force and the Oregon BOEM Task Force, meeting notes, information. BOEM is providing a lot of webinars and information out to the public about what they're doing and about the science that they're doing in addition to just meeting with the states about this topic, so I just encourage people to look at those resources. They've put a lot of effort into providing access to information there.

Marc Gorelnik [00:14:59] All right, thanks for that. Anything else folks want to discuss under this agenda item? Kerry?

Kerry Griffin [00:15:08] Thank you Mr. Vice Chair. I think that's good direction and so I'll be happy to support however is needed and unless there's anything else, I think that concludes your business under this agenda item.

Marc Gorelnik [00:15:23] Okey dokey.

3. Approval of Council Meeting Record

Phil Anderson [00:00:00] We're going to go into a couple of administrative items now and we'll take up C.3, the approval of the Council meeting record. So this is C.3 Attachment 1 the meeting record for the November 2019 Council meeting held in Costa Mesa, California. Chair would entertain a motion to approve the meeting record if someone would be willing to do that? Pete Hassemer.

Pete Hassemer [00:00:32] Thanks Mr. Chair. Excuse me while I get my old mouse moving here. I move the Council approve the November 2019 meeting record as shown in C.3 Attachment 1 draft Council meeting record 252nd session of the Pacific Fishery Management Council.

Phil Anderson [00:00:58] Thank you. Is there a second? Christa Svensson seconds. Any discussion? All those in favor say 'Aye'.

Council [00:01:06] Aye.

Phil Anderson [00:01:06] Opposed no? Abstention? Motion carries unanimously.

4. Membership Appointments; Statement of Organization, Practices, and Procedures; and Council Operating Procedures

Phil Anderson [00:00:00] We'll go to the membership appointments. First up we have the vacant Washington Commercial position on the Coastal Pelagic Species Advisory Subpanel and Kyle.

Kyle Adicks [00:00:17] Thank you Mr. Chair. I don't know if Sandra needs a second to catch up?

Phil Anderson [00:00:24] Yes.

Kyle Adicks [00:00:27] I move the Council appoint Mr. Andrew Babich to the vacant Washington Commercial position on the Coastal Pelagic Species Advisory Subpanel.

Phil Anderson [00:00:34] Thank you. Is there a second? Seconded by Rich Lincoln. All those in favor say 'Aye'.

Council [00:00:39] Aye.

Phil Anderson [00:00:39] Opposed no? Abstention? Motion carries. We have a vacancy in the California position on the Ecosystem Advisory Subpanel. Mr. Gorelnik.

Marc Gorelnik [00:00:54] Thank you Chair Anderson. I move the Council appoint Miss Deborah Wilson-Vandenburg to the vacant California position on the Ecosystem Advisory Subpanel.

Phil Anderson [00:01:06] Thank you. Seconded by Brett Kormos. All those in favor say 'Aye'.

Council [00:01:13] Aye.

Phil Anderson [00:01:13] Opposed no? Abstention? Motion carries. We have a vacant Open Access North of Cape Mendocino position on the Groundfish Advisory Panel. Mr. Kormos.

Brett Kormos [00:01:27] Thank you Mr. Chairman. I move the Council appoint Mr. Harrison Ibach to the vacant Open Access North of Cape Mendocino position on the Groundfish Advisory Subpanel.

Phil Anderson [00:01:39] Thank you Is there a second? Seconded by Louis Zimm. All those in favor say 'Aye'.

Council [00:01:45] Aye.

Phil Anderson [00:01:45] Opposed no? Abstention? Motion carries. We have a vacancy on the Groundfish Management Team for the position for the Washington Department of Fish and Wildlife. Mr. Adicks.

Kyle Adicks [00:02:03] Thank you Mr. Chair. I move the Council appoint Ms. Whitney Roberts to the vacant Washington Department of Fish and Wildlife position on the Groundfish Management Team.

Phil Anderson [00:02:11] Thank you. Is there a second? Seconded by Rich Lincoln. All those in favor say 'Aye'.

Council [00:02:15] Aye.

Phil Anderson [00:02:15] Opposed no? Abstention? Motion carries unanimously. We also have a position, it's an At-Large position on the Scientific and Statistical Committee. Mr. Kern.

Chris Kern [00:02:30] I move the Council appoint Dr. Will White to the vacant At-Large position on the Scientific and Statistical Committee.

Phil Anderson [00:02:35] Thank you. Is there a second? Seconded by Christa Svensson. All those in favor say 'Aye'.

Council [00:02:39] Aye.

Phil Anderson [00:02:39] Opposed no? Abstention? Motion carries. I believe that completes the appointments. Let me check with Mr. Burner to ensure I'm correct?

Mike Burner [00:02:52] Yes.

Phil Anderson [00:02:53] We are? Okay. Also, just Michele Culver was serving as an alternate representative for the Council on the International Pacific Halibut Commission. Maggie Summer will take that responsibility on. We also had, as a result of Michele Culver's leaving the Council process, we had a vacancy on the IPHC Management Strategy Advisory Board and again, Maggie Summer agreed to take that on. Thank you, Maggie. So, I think that takes care of this agenda item?

Mike Burner [00:03:44] Thank you Mr. Chair. I just, I would also point out to the Council we didn't get any nominations for a vacant Washington seat on the Ecosystem Advisory Subpanel and we've also been informed that Miss Linda Buell is resigning her post on the HMS Advisory Subpanel for a Northern Charter Boat position so unless I hear differently from the Council, we'll get those open with the goal of soliciting nominations for your consideration in June.

Phil Anderson [00:04:07] Thank you very much. Now I think we're done with this one.

5. Future Council Meeting Agenda and Workload Planning

Phil Anderson [00:00:00] That concludes public comment on this agenda item so I'm going to turn it back to Chuck.

Chuck Tracy [00:00:10] Thank you Mr. Chair. Okay so we've had a number of reports from management entities and advisory bodies to consider but again, a fairly, hopefully fairly straightforward approach to the April agenda item. I did want to take just a minute, though, and talk a little bit about the California Fish and Wildlife Report and I guess I would just say that, you know, in November we had a pretty lengthy Council discussion about prioritizing a number of groundfish items and that had already been identified as priorities and those are all listed in June, shaded in June. The process we established was to have the GAP do some work on scoping two of those issues, including this one and they did that at this meeting. They worked on that and will continue to work on it in April with the plan being for them to bring back such products as a purpose and need statement and scope of issues to be addressed for this trawl non-trawl RCA issue as well as the mothership utilization issue, and that those would be reported back to the Council under the Groundfish Workload and New Management Measure Update and Prioritization in April and then at that point the Council would then have some information to help them prioritize which of those four items would move forward and when, so I guess I'm a little disappointed that I see this as circumventing that process that we are established and trying to, to do something there, so and the fact that this statement came out late enough in this week that the both the GMT and the GAP, neither one of them had a chance to know about this or to develop comments on this. There's also I think the timing was unfortunate in that regard so those are my thoughts about that particular request.

Phil Anderson [00:02:44] Okay, thanks Chuck.

Chuck Tracy [00:02:49] So moving on then I'd suggest we look at again focusing on the April Council meeting. Look at Supplemental Attachment 4. You'll see there we've got pretty close to, well I guess we've got pretty much exactly four-and-a-half days and then we have one agenda item in the candidate box, the SONC Coho consultation process. Again this is just establishing a process, there's not going...I don't anticipate a lot of work, we put 30 minutes on that. If you'll notice that there's one day with seven and a half hours on it so I think there's, I think there's room to fit that in there. We talked, I think, on the Council floor about perhaps incorporating that into the methodology review topic as we had done that in the past with some other similar sorts of things but I think the fact that this is a court stipulation that the Council weigh in on this and with conversations with NMFS and NOAA GC I think their comfort level would be increased if that was identified as a standalone agenda item, so that was the point of putting that in the candidate box and so I'll be interested in hearing what the Council thinks about doing that, including that for April and then, of course, at that point deciding what the process is and how the Council would or would not move forward, that would be determined at that time.

Phil Anderson [00:04:34] Did I, I may have misheard you? Did you say we have a four-and-a-half-day meeting in April?

Chuck Tracy [00:04:44] Maybe. It might have been a Freudian slip. Five-and-a-half days.

Phil Anderson [00:04:48] Was I the only one that heard that?

Chuck Tracy [00:04:48] We could have four-and-a-half days.

Chris Kern [00:04:48] I was hoping.

Chuck Tracy [00:04:48] Well we'll see what happens.

Phil Anderson [00:04:58] So your suggestion is to put that SONC Coho on Monday, April 6th?

Chuck Tracy [00:05:04] Yeah, yes. So any objections to that or any other thoughts about SONC Coho?

Phil Anderson [00:05:11] Sounds good.

Chuck Tracy [00:05:11] And again, so we don't have anything further out in the agenda although if the Council decides to move forward with the process in April, then we would add that to the Year-at-a-Glance. I don't know that we've had a lot of other requests for specific agenda items in April. We did hear some requests from the GMT in regards to timing of their meetings and the agenda items and I, but I think that the agenda as it stands reflects those requests so I think, I think we're in good shape there. I don't know that we've got any other April business in terms of requests so, Pete.

Pete Hassemer [00:06:28] Thank you Mr. Chair. Executive Director Tracy. I just want to look back quickly at the GMT report. I thought they had requested was it in April meeting two days before? Yes and looking back at April, I'm trying to find where the GMT.....

Chuck Tracy [00:06:59] They meet on Sunday and Monday before the first groundfish item on Tuesday, so I think we've gotten that request.

Pete Hassemer [00:07:06] So is that a consideration because of the workload they could meet before or is it too late for that?

Chuck Tracy [00:07:17] Mr. Hassemer I think the request is to meet two days before their first agenda item and that is the case.

Pete Hassemer [00:07:25] Sorry, I misread that.

Chuck Tracy [00:07:32] Are there any other comments or thoughts about April? Okay that's the way we like it, oh, Bob.

Bob Dooley [00:07:48] Thank you Mr. Executive Director. I, I'm concerned about our EM agenda item and the GEMPAC meeting that's the day before the meeting starts and I remember at our last meeting when we dealt with that, the GEMPAC, we spent the first half of that day or more just catching up and I don't believe we got the report from the GEMPAC on the Council, on the website until it was on the floor and I know there's been a lot of work being done in many fronts on EM and I would hope to make that GEMPAC meeting more fruitful by hopefully getting some information prior to that, and I don't know if it's possible but it would be nice to have a check-in call with the group to, to understand what's been done to date and understand the rule changes that are going to be proposed specifically and things like that so that we might have a more fruitful GEMPAC and more informative instruction when we get to it in the agenda. That was valuable last time we did it. I don't think there's one scheduled this time. It's a tight timeframe, but I would think maybe it would be good to try to find the time to just have a check-in call and have, understand what's been done with the manual, what's been done with the guidelines and how they might relate to some rule changes and there's been talks about EFP extensions and that's part of the agenda item as well and it would be better to have more information in a prior to that. One other issue that's important to note. We have an

overlap with the North Pacific Council next meeting so I don't know if we'll have Dave Hanson here. I know that Heather Mann will not be there available for that GEMPAC meeting and if we had something prior to that it might be, might be more useful and more productive so just a thought and I don't know how it all fits in, but I just wanted to bring it up.

Chuck Tracy [00:10:07] Thank you Mr. Dooley. Maybe a couple of comments on that. I know that the November meeting was a, was a tough one in terms of timing and you know part of that was because some of the briefing materials were, you know, delayed in arriving and so people didn't have a chance to look at that. Some of that was, you know, some unavoidable circumstances with, you know, people being sick and those sorts of things. So to the extent that we could, we can get briefing materials in in advance that should help people be prepared. I know that in the past National Marine Fisheries Services has had some opportunities to communicate with stakeholders and there's been, I would say, various levels of success and participation in that, so that, that might be a possibility. I do know that that Brett worked with Dave Hanson, the Chair of the Committee, to schedule the timing of this GEMPAC meeting. We are right up against the FR meeting notice deadline for the Council meeting and for this particular meeting and so if we filed one today, we could have, we could have a meeting two days earlier, so I don't think that's too much of an option so, you know, in terms of the Council having a meeting of the GEMPAC prior that would, you know we would have to have a notice for that and that's not within our capacity to do at this time, so again I think to the extent we can get those briefing materials and assessments of what's in the documents, I think that would be helpful but I'm not sure how much more the Council can do that but yeah Bob.

Bob Dooley [00:12:19] Thank you. I realize that but that's not what I'm pointing at. I'm pointing at may be trying to have the GEMPAC meeting a little more informed without having to spend a half a day reviewing what is on the table. If we had a conference call type with Melissa Hooper and John McVeigh and NMFS to understand where we are and what's been done with the manual and have a little more information going into the meeting, we won't spend so much time on recap and maybe get some productive comments and understanding how we're going before we show up at a meeting that we know is not going to be well attended by some of the key players. So I just think there might be some value in that and I'm not asking for a Council thing, more I guess, this is more a request from maybe even a request from NMFS to and Brett to possibly arrange some type of a conference call check-in to inform that meeting and that might fall into the same definition, I don't know but I just....that's what I'm trying to put together. So thank you.

Chuck Tracy [00:13:35] Ryan.

Ryan Wulff [00:13:37] Thanks Chuck. Thanks Bob. I'm happy to work with Council staff and with Dave Hanson, the Chair and setting up something like that as long as it's understood that, that's a check-in call and it's merely to help facilitate for the reasons that you've outlined as opposed to that being some action based forum so but I'm happy to work with those folks if that's what the Council wants.

Phil Anderson [00:14:08] Chris.

Chris Kern [00:14:11] If I could go back as a second, thank you. I may have been reading and missed head nods, but did we settle on SONC Coho being part of the April agenda?

Phil Anderson [00:14:20] Yes, it's on Monday .

Chris Kern [00:14:20] Thank you.

Phil Anderson [00:14:21] So is there any objection to the request from Mr. Dooley to have a check-in with the appropriate GEMPAC folks as an informational update to prepare for the GEMPAC meeting? All right. Okay.

Chuck Tracy [00:14:47] Okay. All right. Any other issues or business concerning the April agenda? Yes.

Phil Anderson [00:15:02] I'm probably going to state the obvious. I am concerned about.....I'm just looking at the timing of the final action on salmon management measures on Thursday. We're always flexible and I think this is going to be an exceptionally challenging week for the North of Falcon folks. I'll just leave it at that.

Chuck Tracy [00:15:37] Yes I'm sure it will be and yes, we are flexible in how we approach the salmon agenda item, so to the extent that we need additional floor time or extended floor time we will do our best. If there's nothing else about April then just to move on to the Year-at-a-Glance. Again, the changes that we identified are I guess from June on out would be the Killer Whale ESA Consultation Workgroup Report Preliminary and Final Recommendations, again that was based on Council discussion here. The Climate and Communities Initiative pushing the final out to approximately March, that's shaded so that could move either way depending on how that process occurs, but that we do have a report due to the Council in June still to talk about deepening and focus groups and those sorts of things. We put in the regional operating agreement for November and March. That's our plan at this time to have an update on that. A couple other things that I will mention for June. Just, and if you look at June it's 7.3 days, obviously there's all four of those groundfish items are, those non-trawl area management, mothership sector utilization, Emley/ Platt EFP into regs and trawl, non-trawl Amendment 21 allocations, you know I think it's understood that not all of those things are going to occur in June and that that will be part of what happens in April under the groundfish workload and new management measures prioritization process, but even that, even given that 7.3 days at the bottom there is obviously untenable so some things we'll have to shift. A couple of things I wanted to mention, the Standardized Bycatch Reporting Methodology down at the bottom, that is, that's been shaded and that was put as a placeholder you know if.... and kind of has been moved out as other things have been a higher priority. That is, there is a deadline for that, for doing that which is I think February of 2022 so there's still a fair amount of time for that. The idea here is that there's a new procedural directive on reporting methodology and Councils, all the Councils need to look at their existing FMPs to determine if their current bycatch reporting methodology is consistent with that policy, so that's the task there. We are, we've talked about this a little bit internally to see who the staff lead might be on that and have talked a little bit with National Marine Fisheries Service, but that one's not an urgent one. That's one that I would think could move out and then the other one, the Regional Electronic Technology Plan Review, again I'm not sure what the status of that is. I think it was supposed to be done by June of this year, but we might be able to get an update on that from NMFS at some point to see if that might be a good candidate for moving out as well. So, Ryan do you have any thoughts on that?

Ryan Wulff [00:19:58] I don't have thoughts. I can clarify that it is correct. Our current due date is still June. However, with a number of things going on I am happy to look in to see if there's any flexibility in that date and report back out at April when we look at this in workload planning.

Chuck Tracy [00:20:17] All right. I don't have too much more to say. Oh, I guess one other, one other note is just the hard caps agenda item in September was placed on the Year-at-a-Glance again based on discussions here at this Council meeting so I guess at this point I'd be interested in hearing any other feedback from June through March of next year, if there's any thoughts about priorities there or any low-hanging fruit, for example, that we could deal with here in short order. Louis.

Louis Zimm [00:21:04] Thank you Chuck. I just wanted to inquire on the HMS swordfish work, how many hours and what are we envisioning there? I'm behind the curve on that and that's why I asked the question earlier. I'm unclear what we need to do in June.

Chuck Tracy [00:21:24] That's the Swordfish Management and Monitoring Plan report in June, is that what you're inquiring about specifically?

Louis Zimm [00:21:38] Yes.

Chuck Tracy [00:21:40] I don't have the spreadsheet numbers in front of me. Do you happen to know Mike what that is?

Mike Burner [00:21:45] We're currently planning for two hours on that item.

Chuck Tracy [00:21:50] Two hours and that and that is, you know, there was an assignment to the team to come back with some information that resulted from the shallow-set longline agenda item back in November so there's, there's that and then whatever other issues the Council wants to address in that agenda item.

Louis Zimm [00:22:13] Well I'm just looking at a way to trim that down because we don't know what the Fish and Game Commission is going to come up with and we may be waiting, waiting on their decisions regarding the sport fishery but I'm not sure how closely that affects this particular item. Thank you.

Chuck Tracy [00:22:36] Well, I guess we'll, we'll see how issues develop and have an opportunity and see what goes on that situation summary and Council action. Pete.

Pete Hassemer [00:22:49] Thanks Chuck. I don't have any...I'm not going to suggest any changes to this at this time. I just wanted to think and express some thoughts about the process we go through on this and getting some of the work done. I appreciate your mention the difficulty we had in November when we went through the groundfish and the high priority items and I spent a lot of time thinking about this schedule without looking at it since then and the question is, how do we get some of these items that don't fall into the bin of what I would consider routine items on our schedule? How do we get some work done on them because they are beneficial to the fisheries? You know, aside from the assessments, the management measures, the inseason management, the things we typically do and I just want to restate I think I made what I said in November, the high priority items we have on the groundfish agenda, there's the non-trawl RCA, the Emley/Platt gear modification and the mothership utilization and the reason they're on there, the non-trawl RCA in my perspective, is there because the restrictive regulations that were put in place were effective in rebuilding stocks and there's an opportunity now to improve fisheries. Emley/Platt was an innovation outside of the routine measures that can now, could provide more opportunity for fisheries and that's a good thing to do and the mother utilization and said that. In my perspective, it's because a problem has been identified in how some of the management occurs in that fishery so none of those fall into the bin of routine things and so we struggle to get work done and I understand the, you know, the importance of the spex and the biennial, so to try and think how do we address that at this point I would just ask that maybe NMFS look at their workload schedule as we progress through this and over the course of a year, because of course here in March and when we come back in April, April will be on this Year-at-a-Glance, those are thin. I know in June we have 7.3 days and there are things that are going to be pulled off of there that we try and shoehorn into some of those future dates, so if NMFS can look at this and think about where would be the appropriate place or time to get some of that work done, a little bit of brainstorming. We've tasked the GAP with taking two of the high priority groundfish items, the non-

trawl RCA and the mothership utilization and come back and report to us in April. That would be good, and remember it was the GAP report or the GMT report, there was mention about a different item maybe being pushed into the catch share review that would come up in 2022 and that piqued my interest in terms of what else might fit in to that review block that we.....were obligated to reinitiate that review, there will be time set aside to do the work and as you look across the full year, what other items might fit in there that we could address at that time when there is dedicated time and staff to do it? So with respect to that, since the GAP is looking at those two things, maybe as guidance or thought and the GMT also, they don't have to come back with a product but think about these things over a year, where's the logical place where these might fit in, to me the one that might fit under the catch share review would be the mothership utilization. I think there's some linkage to the issue created there. It's a multi-million dollar issue or benefit if we would resolve it tomorrow, but our schedule shows we're not going to do that and we're not going to do it next week, so I don't want to kick it down the road too far, but I'm just thinking about the advisory bodies and NMFS taking a broader look at this and these things that just don't fit into the routine things, how could we fit those in? And when we come back in April, we're going to take another look at this because some of these others will have moved forward and are we just going to keep pushing them down the road or have a plan where we can actually do it? So just some thoughts about thinking about moving through this.

Chuck Tracy [00:28:27] Well we do have our groundfish workload and new management measure prioritization and update agendas four times a year, so you know we've, that's how we, hopefully, that's how we're going to be addressing those issues. Marc.

Marc Gorelnik [00:28:48] Thank you Chuck. I appreciate Pete's comments and I'd just like to briefly touch on the subject of the RCA Boundaries. My recollection is this used to be a routine thing as part of spex, is that boundaries would change through the spex process, that changed for this biennium and the sense I get from the CDFW report is they want to make sure this, if it's a separate process, it doesn't get so de-coupled from our biennium process that we can't get these you know, we can't consider them as part of the biennium, so it is now an exceptional project. It's because it's not part of spex but and I appreciate that we're asking for priorities to come in April and perhaps it's now not an appropriate time to throw it on the, the September agenda on Year-at-a-Glance but, you know, I look forward to seeing what the GAP comes back with in April and I'm hoping at that point we do get this stuff back on Year-at-a-Glance for September. We've spent a lot of time over the last year or two working on the trawl RCAs and getting rid of them. We've not really taken the same amount of attention to the non-trawl RCAs which impact both the commercial and the recreational fisheries. So, I do think we need to find the time to do that because that is an important sector that we manage. I don't want to get into comparison, comparing the sizes of these various sectors, but suffice it to say that I think it's time for us to deal with that so that we have, so when we, when we reach our regulations in place for 2021, we've addressed those RCAs to the extent the Council feels is appropriate. Phil.

Phil Anderson [00:00:00] A couple of thoughts on really maybe three different topics. One is on California's request to put this on the, on the workload plan for September. I've talked with Marci and and I've talked with some of the California participants who attended the meeting here this week that were wanting us to move forward on reviewing the RCAs that are applicable to both the non-trawl and the rec fishery both and I appreciate the importance of it. I do not think we ought, that we should be jumping over our process that we've set up. I strongly suspect that they're going to...that this topic's going to rise to the top, among the top things and will get placed on our future workload planning. I just have a concern about jumping over the process that we set out to make those determinations in terms of priorities, so I'm not speaking against moving forward. I'm not speaking against taking that on, but I don't want to jump over our, the process that we've done. I mean if we do it in this case, I mean, it just, then what about the next one and the next one and the next one that some, somebody

else wants to jump over the process so and I don't think by following our process that we're going to lose, that we lose momentum or time so and I you know, I agree with some of the things that Marc said about, you know, we spend a lot of time looking at RCAs, particularly for the trawl sector and it's time to take a look at those same issues for these, for the other two sectors as well. That's one. Two on the SAMTA...or the, the sablefish gear switching south of 36 business area management. What I'm anticipating, which may not come to fruition, but what I'm anticipating is you're going to get a report from the committee in June. We're endeavoring to bring you essentially our final report in response to the assignment we were given and then it is from that point on for the Council to choose how they want to move forward or act upon those recommendations. I'm anticipating there will be alternatives in there in the report for you to consider and I am also anticipating that the Council will go through its normal process of considering those alternatives if it chooses to move forward with the consideration of those but I would not think it'd be a good idea to think that we're going to get into the substance and debate all of the merits of the alternatives. This is a chance to bring the committee's report forward, present it to the Council, the Council takes it and from that point then the GAP and the industry and all of the affected folks will have an opportunity if the Council chooses to move forward at a, you know, in subsequent meetings to debate the merits and whether or not this is the right set of alternatives to put out for public review and those kinds of things, so I and I think if we try to move it to.....this thing has taken on a life of its own and I'm frankly anxious to, to, and it could live on forever if we let it, which I hope we don't but which is why as within the committee, we're trying to complete our assignment and bring it to you and then put it back in your hands, which is some of our hands as well, to decide what to do with it. So I don't know how much time you have set aside for this, but I think we ought to be clear and maybe in April we can put some more definition to it, but be clear about what it is we're going to do in June with this agenda item because it could get, it could be very time consuming if we don't put some sideboards around it. And then my last, my third category is I would encourage Council staff to look at all of these items that we have on the June agenda and prioritize them in a manner that what are the must haves, what are we need to do in order to either meet legal requirements, meet, ensure that our fisheries are implemented in the time period in which we intend such, you know, moving forward with getting final decisions on the spex, the Southern Resident Killer Whale ESA Consultation, I mean the workgroup right now is talking about meetings both before and after the June meeting. This might, we might be able to provide a written update for you rather than, you know, have some sort of a presentation because we will not have the recommendations completed. But, you know, and thinking about what we did this time in terms of finalizing the risk assessment hopefully we'll have the executive summary complete and we can, it would be essentially a final blessing of the risk assessment, but in terms of the recommendations, the fishery recommendations that go along with that, we've got a lot of discussion yet to have and we will not be bringing forward recommendations on that at the June meeting. So, again, putting some sideboards around that topic so that we can ensure that we're staying, we're using only the amount of time needed to move that forward is what I would be advocating.

Chuck Tracy [00:06:27] Thank you. Yes I think we can, I think Council staff can take a run at identifying those priorities and in fact, you know, Council staff and NMFS staff have redoubled our efforts to, to look at our workload planning process. Part of this is, came out of our initial conversations with the Regional Operating Agreement but we will be making sure that we coordinate on that and report to the Council on staff capacity and of course we will be able to identify the must-haves and report back to the Council on that. Sheila.

Sheila Lynch [00:07:21] Thank you. I just wanted to comment quickly on the request to National Marine Fisheries Service to do some sort of informational session with members of the GEMPAC before the April meeting. So it's not really clear I think where the dividing line is between when you're doing a regular meeting that requires notice and when it's something less than that and that's something we'll have to take into account and we'll work with Ryan and his staff to figure out what

the options are but I just wanted to get that issue out there so people didn't have expectations that we can't meet.

Chuck Tracy [00:08:04] Okay. Any other thoughts about Year-at-a-Glance issues or other workload issues? I'm not seeing any so I think based on what I've heard here, I think we will keep the Year-at-a-Glance pretty much the way it is displayed in Supplemental Attachment 3 with the possibility of moving Standardized Bycatch Reporting Methodologies out of June and we will see what National Marine Fisheries Service brings back in our conversations about priorities for Electronic Tech Plan Review so with the Council's indulgent, indulgence, that might change before you see the April briefing materials or it might not. And that's, that's all I've got, I think.

Phil Anderson [00:09:11] Okay thank you very much. That does bring us to the end of our agenda for this meeting.

D. Habitat

1. Current Habitat Issues

Marc Gorelnik [00:00:02] That concludes our reports and public comment on Habitat and brings us to Council action to consider the comments and the recommendations. The Habitat Committee has been, has helpfully identified to us specific areas where it would like direction from the Council, so I'll open the floor and see who wants to kick off discussion. Marci.

Marci Yaremko [00:00:30] Well I guess I will take the first one on salmon rebuilding plans for Klamath fall and Sac fall Chinook. We had some discussion about this item in our delegation meeting this morning and that was a great opportunity to hear from our salmon representatives, including our STT reps and Brett Kormos as well. It sounds like what we would advise is that the first step might be the STT and Habitat Committee Chairs huddle if possible, to determine when they might hold a joint meeting. The STT is fully subscribed in April so it would be kind of a difficult time for them to make a lot of room to get into a detailed discussion, but perhaps June is an appropriate time for either the STT to join an HC discussion or anyway I'd leave that kind of to the Chairs to kind of work out, but ideally what I think we are wanting to aim for is for the Habitat Committee to provide the Council with a report either by the September or November meetings, identifying and recommending additions for the habitat related issues and the gaps that exist in the two rebuilding plans to date. The HC you know wants to spend some time speaking with experts on both systems and work through and identify for us where Council engagement would be most beneficial so that sounds like a task that will take some time potentially over summer and fall, so those were our thoughts about a process forward. We look forward to the Habitat Committee's input and their expertise on this topic.

Marc Gorelnik [00:03:00] Thanks Marci. Just staying on the salmon rebuilding plans for a moment. Are there further comments? Discussion? Chuck.

Chuck Tracy [00:03:13] Thank you Mr. Vice Chair, Marci. So just so people are aware this is an agenda item for the April, on the April agenda right now to have a look at that process so again, you know, I'm not sure, I agree it's going to take some time to come up with, you know, thoroughly digest this and provide some recommendations but April would be an opportunity to get a start on this and so I guess I might suggest that, you know, just having a brief agenda item on the Habitat Committee agenda that the STT Chair could or somebody from the STT could come and give an overview of, you know, basically a guess I don't see the STT having a very large role in this, but I think at least making clear what issues they identified in the course of their assessment of the overfished status of the stock and the causes of that, making sure that, that they're clear what those are and what life stages those would affect so that, that could sort of focus the Habitat Committee's task going forward.

Marc Gorelnik [00:04:38] Marci.

Marci Yaremko [00:04:39] Yes thank you. Yeah, I agree. I think the thing we identified this morning in our discussion is that the STT being the preparer of the documents has kind of the knowledge about where their gaps exist and what the biggest needs are for the HCs analysis so facilitating a discussion between the two groups before the HC sets off on its task is, would be helpful.

Marc Gorelnik [00:05:11] Further discussion on the salmon rebuilding plans and direction to the Habitat Committee? I think what I've heard is that we're going to be, it's on the agenda for April and they'll get some direction hopefully from the STT and I guess maybe we'll hear again from the Habitat Committee if they need further direction. Is that what I'm hearing around the table here? Okay great.

Let's move on then to the Columbia River Draft Environmental Impact Statement. Let's see, start some discussion there. We have two states on the Columbia River plus Idaho with the Snake so do you want to go ahead, Chris?

Chris Kern [00:05:57] Well I guess I'm interested in discussion on potentially sending a letter. We did so for the Central Valley Project fairly recently, keeping in mind that particularly focusing on the Habitat and EFH aspects of the Council's role would be critical, but I'd be supportive of talking about doing something along those lines similar to what we did for Central Valley.

Marc Gorelnik [00:06:21] All right. There is interest from the Habitat Committee to do that. Pete.

Pete Hassemer [00:06:25] Thank you Mr. Vice Chair. I agree there is some interest there. I don't know if it's the letter at this point. As the Habitat Committee pointed out though, a review of that they could come back with a potential letter or at least information. The reason it picks my interest, I guess, is because of all the other things we have going on related to salmon and especially the EIS process for the southern resident killer whales going on, if I remember correctly from prior documents, the primary prey species for killer whales, Snake River, spring, summer Chinook salmon ranked up there about number 13 or something very high on the list, so while not a Council-managed species in terms of providing benefits to that, that would be helpful. Anyway, the Habitat Committee review of the draft EIS could bring information back to us relative to the importance of us commenting on that and how it relates to some of these other salmon related matter. I would support that.

Marc Gorelnik [00:07:46] Kyle.

Kyle Adicks [00:07:46] Thank you Mr. Vice Chair. WDFW was a cooperating agency in development of that DEIS. We commented during its development and as it was finalized. I don't know if our agency is planning on providing comments on the draft that's out during this comment period, but I'd want to do some coordination. Agree getting a report and possibly a draft letter makes sense, but I think it takes some more discussion in April about what letter might go forward.

Marc Gorelnik [00:08:20] Yes go ahead Chris.

Chris Kern [00:08:22] Thanks Mr. Vice Chair. So I'm just looking at the at the April agenda and I guess if there is time to have the committee take a look at this as Mr. Hassemer suggests that that would be fine if the time frame works and then determine whether we take an action on it at that point.

Marc Gorelnik [00:08:41] I get...go ahead Virgil.

Virgil Moore [00:08:43] Mr. Vice Chair, certainly I am in agreement with what's been said here, but I also believe it shouldn't be based on time available. There's an April 13th deadline for these comments. We heard from the committee that they can get that done based on response to the question and I don't think it's if they have time, it is they will present to this to us at the April meeting, their further review and a draft letter for our consideration, consideration and review at that time.

Marc Gorelnik [00:09:18] Right so they're agreeable to doing or putting together a draft letter for the briefing book. Not a lot of time obviously between the two meetings and it's on the agenda for April 5th and I guess we could discuss the draft letter at that time if that's the Council's preference. I guess I have a question for Chuck from, you know, we'll often discuss and have to go to an iteration on a draft and I notice that the last day the Council meeting is April 10th, which is a Friday, the 11th and 12th are a weekend and obviously with salmon there's a lot going on for Council staff, so I guess my question is, if a draft letter were brought in the briefing book, discussed on the Council floor, is it feasible for the

Council to get a letter out by the April 13th deadline?

Chuck Tracy [00:10:10] Thank you Mr. Vice Chair. Well it just depends on how good a letter we get from the Habitat Committee and how much, you know, editing and what not and that it needs to go through that, you know, is a very short timeframe. You know we could take a look at the draft on day one, April 5th and, you know, if it, if the letter needs substantial revisions perhaps that, you know, could identify some folks to work on that over the course of the week and it'd be ideal if, I mean the Council would have to approve that before they left. It'd have to be done on April 10th in order to get it submitted by the 13th so I wouldn't count on anything happening on the 11th, 12th and the 13th would just have to be proof and edited and send it in would be about as much as we could hope for. So again, it's you know, the success of us submitting comments on this would depend largely on the quality of the draft product we got in the briefing book and the ability for folks to get a look at that before day one so that they could be prepared to offer edits and revisions.

Marc Gorelnik [00:11:41] All right so is it the sense of the Council that the Habitat Committee should move forward with the draft letter that will be in the briefing book so that we can take a look at it and have helpful comments on day one? Anyone object to that approach? Chuck.

Chuck Tracy [00:11:57] Let me, let me just address one more point there. So in the briefing book for April, given that the briefing book deadline is basically a couple days after this Council meeting ends and I think the Habitat Committee has adjourned, now that's going to be a bit of a challenge too so you might look at whether I mean, it'd be nice to have it in the advance briefing book but it might need to come supplemental but if that's the case, we will make sure that it gets posted to the Council briefing book on the website as soon as it's available and to provide, you know, at least some lead time for folks to review it and I'll just leave it at that I guess.

Marc Gorelnik [00:12:46] All right. Thanks Chuck. Any further discussion on this? Go ahead, Virgil.

Virgil Moore [00:12:51] Mr. Vice Chair. I guess I certainly understand and appreciate all of that and from a management standpoint the question becomes should the Council or should our leadership and Executive Director see a need can we request an extension in time for submission of comment? I've heard from another, from several other entities that because of the process they have to go through, this compressed time for comments is going to be difficult to get through all of the briefing processes with folks for the timeline and it sounds like we can maybe make it but I would like to be sure the flexibility is there as if it's recognized to maybe put in a letter of request for extension of time frame as is needed. I don't know what that process is. I think you're going to see several of those letters come in from other entities here in the next week or two as well, as they begin to struggle with how do we get thoughtful comments on this down on paper so that they can be submitted?

Marc Gorelnik [00:14:10] Chuck.

Chuck Tracy [00:14:11] Thank you. We can request an extension of the deadline or delay or however you want to characterize it. We've done that in the past. Sometimes we've been successful and sometimes not. I guess just from my past experience if there is a delay, it's going to be probably insufficient to reach the June Council meeting so we will still be looking at getting our business done in April.

Virgil Moore [00:14:47] Understood.

Marc Gorelnik [00:14:50] Any further discussion on this portion of the agenda item? The Columbia River draft EIS. All right, and then is there any further discussion on this agenda item? There are some

comments in the report on Jordan Cove and ecosystem-based fisheries management meeting. Is there any discussion on that, those portions of the Habitat Committee Report? Is there any further discussion on any part of this report or anything else under this agenda item? Brad.

Brad Pettinger [00:15:26] Thank you Mr. Chair. Scott McMullen asked the Habitat Committee to review the letter they submitted to them. It didn't make it on the agenda I guess because they had a pretty full day. He's asked for a letter potentially from the Council addressing the, or commenting on the Ocean Protection Council I believe it was and that is due by March 12th, dealing with just facilitating anchoring of research equipment and that they have policy to contact Sea Grant. I wonder if that's possible to do that? A draft letter probably could be a....I wouldn't be surprised if Scott didn't have a letter maybe already put together. Maybe could help facilitate that. I don't know if we want to do that on this agenda item or if that's a future workload thing, but that dates coming up fairly quickly. Unfortunately, I didn't see it until last week and if we can't do it that's fine to but I just thought if it's possible it would be nice to get that in there because it is an issue.

Marc Gorelnik [00:16:32] March 12th is coming pretty soon. Any thoughts about that? Any interest in our respond to that. Rich.

Rich Lincoln [00:16:49] Thank you Vice Chair. I mean I guess there's kind of the content. There's the topical issue and then the kind of the logistical issue and just separate those two, I just would like to say that the general thought of anchor material being indiscriminately left on the ocean floor seems like something the Council might be interested in, not only from a standpoint of interaction with fishing activities, but potentially as a source of creating a source of lost fishing gear, so certainly something that I, I share an interest in thinking about some constructive resolution to avoiding that. I mean, even avoiding the leaving anchor material, if it's just a matter of just common practice it hasn't been reviewed to find alternatives, so I guess then that leads to....I mean if the Council shared that concern without having yet having had the benefit of seeing the specific policy document that Scott referenced, spoke to us in the timeline et cetera....I mean there may be maybe other alternatives if this is a, if this was a, and I'm not sure I understood clearly, but if this was some kind of NOAA policy document, we have NOAA folks here. It seems like there are ways the Council could express concerns about that and if there's, you know other options besides a letter in the future to share feedback to NOAA to say this is an issue that could use some resolution I'd just like to, maybe we could explore other options. I don't know.

Marc Gorelnik [00:18:39] Thanks Rich. Ryan, you want to respond?

Ryan Wulff [00:18:42] Thank you Mr. Vice Chair. Yeah just to the NOAA aspect of this. This is obviously not an NMFS request, it's a different part of NOAA and it's in conjunction with the White House Office of Science, Technology Policy and CEQ and this is in response to a presidential memorandum. So just to be clear, this request for information and comment is really aimed more at efficiency of permitting and authorizing ocean mapping and research, so while I think you could maybe draw a line here, I don't think this is necessarily the only venue should the Council want to raise issues along these lines to address so I think you could find a way to connect it to the specifics of this request that has the March 12th deadline but I do think there are other mechanisms and maybe other more appropriate places for the Council to weigh in on this issue to NOAA and to other agencies that are permitting or potentially permitting or engage in this kind of activity.

Marc Gorelnik [00:19:52] Louis.

Louis Zimm [00:19:54] Thank you Mr. Vice Chair and thank you Ryan for that input. This is a complicated issue that needs more of a deep dive. There are few alternatives when you're in deeper

water and you've got to put down large instruments to doing it this way, so I think there's a lot to this. I think we'd have to bring the scientific community and the engineering community in, so even though I am very concerned about the problem, I don't see how we can really put it together to get something to this one group by the 12th. Thank you.

Marc Gorelnik [00:20:40] Further.....Chuck.

Chuck Tracy [00:20:45] Thank you Mr. Vice Chair. I think it would be, it might be a good idea to look to kind of explore some of those other venues that might provide an opportunity. One that comes to mind for me is the CCC since there is likely to be national interest in this topic. We do have a May meeting, might get some support from the other regions and might have an opportunity to, to bring it up to NMFS higher ups at that point so just that's one thought of mine so, and then if I may?

Marc Gorelnik [00:21:23] Yes, please.

Chuck Tracy [00:21:24] Just on the extension for the deadline for the Central Valley or the Columbia River DEIS, I didn't hear whether there was any desire to attempt that or not but.....

Marc Gorelnik [00:21:42] I'll tell you what I took from your comment is that it's unlikely we're going to get a long enough extension to be able to take it to another Council meeting. So, does anyone disagree with? Did I get the wrong take on that? Okay. I think bringing this issue to the CCC meeting certainly elevates it. It's going to be an issue for other regions as well and that's certainly something we can do, that May meeting. I'm just not sure we, we're nimble enough to do something by the deadline that's March 13th or 12th or something like that so unless there's desire around the table for us to scramble and, and do something that we really don't have enough information about, are folks around the table content with bringing this to the CCC in May? Chris.

Chris Kern [00:22:47] Yeah Mr. Vice Chair, I think that's actually a pretty good option. It was something that came up in our delegation meeting this morning as an option as well so makes some sense.

Marc Gorelnik [00:22:57] All right. Is there any further discussion on the topic that Scott brought to us during public comment? Is there any other discussion on this agenda item before I turn to Jennifer to see how we're doing? I'm not seeing any hands so I'm going to turn to Jennifer and let us know how we're doing.

Jennifer Gilden [00:23:18] All right Mr. Vice Chair, members of Council. You've covered everything that needs to be covered on the habitat agenda so, or habitat report. The Habitat Committee will coordinate with the STT to begin the process of working on rebuilding plans in April. The Habitat Committee will also start working on a draft letter on the Columbia River DEIS for the April probably supplemental briefing book and yeah, the research anchor issue will be brought before the CCC at its meeting in May.

Marc Gorelnik [00:23:53] Alrighty. Anything else before we close this agenda item and break for lunch? Not seeing any hands. I have 12:10. We're a little behind so we'll try to hold lunch to one hour. We'll be back here at 1:10.

E. Salmon Management

1. National Marine Fisheries Service Report

Marc Gorelnik [00:00:00] Phil.

Phil Anderson [00:00:03] Yeah thanks Mr. Vice Chair. I wanted to go back to the letter regarding the schedule and the, and specifically the change in the date when the package would need to be provided to National Marine Fisheries Service and I just, did I understand you to say that it needed to be delivered to NMFS by April 13th? Or did you say the 15th?

Susan Bishop [00:00:35] Thank you Mr. Vice Chair. The 15th. Thank you for that clarification.

Marc Gorelnik [00:00:45] Any.....go ahead Phil.

Phil Anderson [00:00:48] And previously then I assume the date had been the 17th?

Susan Bishop [00:00:56] The date proposed by the Council had been the 17th.

Phil Anderson [00:01:01] So that would leave...the end of our Council meeting is April 10th, which is a Friday. So that would leave us three working days, assuming that getting it to you by the close of business on the 15th meets that requirement. That gives us three days to get the package to you, correct?

Susan Bishop [00:01:26] Three working days. Yes.

Marc Gorelnik [00:01:27] Chuck.

Phil Anderson [00:01:27] I'd just like a little bit of feedback on the reality check on that schedule.

Chuck Tracy [00:01:38] Well challenging to say the least. I guess I will point out that Council's scheduled to take action not on the 10th, but on the 9th, the morning of the 9th, and I believe the STT will stay in session through April 10th so they will have, you know, a day and a half to get a jump on developing Preseason Report 3 after Council final action, so that does provide a little bit more time but again, we had already planned on that so it's not like that's a response to losing those two days. It's, you know we will do the best we can, and we will try to meet that April 15th request, but I don't know, maybe I'll ask Robin if she has some additional thoughts about, about that.

Robin Ehlke [00:02:45] Thank you Mr. Tracy. It's true that things are pushing, you know, a day or so earlier. Preseason 3 is scheduled to be posted on the 16th and I think if we can get the transmittal letter drafted and ready to go and stay ahead of the curve, we'll be better prepared for it but it is, like you said, you know, pretty, pretty tight schedule and squeezing in a little bit more work in less time is always complicated, but we will always do what we can.

Marc Gorelnik [00:03:30] Before we continue with this Council discussion, let me just ask if there's any public comments on this agenda item or none so we can continue. Discussion on the NMFS report, whether it be the schedule or anything else? Phil.

Phil Anderson [00:03:49] Well I would just suggest that when we start our process in April on the first day, I mean, what Chuck said assumes that everything goes as scheduled and that we're actually done with the motion with final action by midday on the 9th and sometimes things don't always go according

to schedule but we really need to, in this, you know in this particular instance we're really going to need to keep that in mind. We're going to need to make sure the co-managers in the North of Falcon process understand the need to stay on schedule. The need for the Council to be in a position to take action, all those kinds of things in order for us to get our fisheries started on the 6th, so let's not forget to remind ourselves. Not that we would forget.

Marc Gorelnik [00:04:53] Well, that's why we have a staff officer. Is there further discussion? Kyle.

Kyle Adicks [00:05:00] Thank you Mr. Vice Chair. I'll just say Susan mentioned considering any complications if there were emergency action North of Falcon and then thinking through what that would mean for that May period next year, I don't yet know if alternatives developed that we leave here with will include any need for emergency action, but we'll make sure to coordinate and think through all the possibilities there if we do.

Marc Gorelnik [00:05:29] Any...Chuck.

Chuck Tracy [00:05:32] Thank you. Thanks for that Kyle. I guess that does trigger a little thought I had about Amendment 20 and our plan to have that new schedule be in place for 2021. You know part of getting that, doing that was to sort of build in a sort of contingency in the final action that if Amendment 20 is approved and in place then it would start the fisheries on May 15th and this would be the, or 16th or whatever the date was, and this would be the approach we would do. If, and then conversely, if Amendment 20 is not in place for whatever reason, then we would have to fall back to something else, so that is, that's just another little wrinkle that's in final action this year that we usually don't have to deal with and contemplating the emergency action in either one of those cases is another complicating factor so that doesn't, it's not making things any easier for planning for those 20, 21 fisheries and getting all that laid out and in the final action this year.

Marc Gorelnik [00:07:15] Further discussion on the NMFS Report? Okay Robin how are we doing here?

Robin Ehlke [00:07:28] Thank you Mr. Vice Chair. It looks like you've taken the opportunity to discuss some of the issues that were brought forward by the NMFS Report and I think that concludes your work under this agenda item.

Marc Gorelnik [00:07:42] All right. Thank you very much Robin.

2. Willapa Bay Coho Forecast Methodology Review – Final Action

Marc Gorelnik [00:00:00] That brings us to Council discussion. I know there'll be some so who wants to kick us off? Kyle.

Kyle Adicks [00:00:08] Thank you Mr. Vice Chair. I'm kind of torn on this one, to be honest. I think we've got a methodology that performs pretty well compared to a lot of our forecast. This was sort of my first go around with putting a Washington stock forecast through methodology review. I think there were some lessons learned for WDFW staff for the future. We could send something like this back over and over and try to tweak it a little more, answer a few more questions, but I feel a little bit like we're, could be in an endless do loop there. Issues like variables being outside the bounds of past observations, if we have a methodology in place and in a given year something falls outside those bounds, I'm not clear, does that trigger a new SSC review? A new methodology review because of that? So, I'm not sure how much of the discomfort with this model is just because we're in that situation this year. I think we could address the suggestions that have been identified by the SSC pretty easily during methodology review later this year. I also kind of feel like I don't know what the priorities for methodology review will be when we get to that point and given that this forecast seems to perform pretty well, whether it rises to the top of how we want to have staff spending their time, so all that to say I'm still undecided on whether I would move to just adopt this methodology and we always have the flexibility to reassign it in the future if we need to review it again. Don't have the history on whether we've done that in the past but that's kind of my thinking right now.

Marc Gorelnik [00:02:06] Thanks Kyle. Further discussion? I thought there'd be more discussion than that. Not closing the door to discussion, but we should do this by motion. Phil.

Phil Anderson [00:02:31] Well, I did note with interest the difference in the recommendation from the STT and that they endorse the use of the method for use in 2020 and into the future. I am, I would be supportive of moving forward with endorsing the methodology with the understanding that we are going to have an additional discussion in April about methodology review and whether we want to add this back into that methodology review to finish up some of the work that has, that apparently needs to be done. I am concerned about putting ourselves back, given all the work that's been done and the improvements that have been made, I am concerned about putting ourselves potentially back into the same position where there is uncertainty about whether or not we have a methodology that's been approved by the Council to generate the Willapa Bay forecast for 2021, because if we do this a year at a time, that's where we'll end up. So I'm in a similar quandary as Kyle in terms of the appropriate action today, which I know it didn't help make a decision, but...

Marc Gorelnik [00:04:10] I guess what you're saying is you don't want the perfect be the enemy of the good. Is that a way to summarize it?

Phil Anderson [00:04:16] Yeah, we have a variety of methodologies that are used across the spectrum for estimating Coho as we do with Chinook. My guess is not all of them have been submitted to the scrutiny that this one has over the past six, eight months and my guess is if we went and we looked at each one of those different methodologies we would find things that, you know, have occurred that have been outside the bounds and we would find things that we would want to continue to potentially adjust. Is that, does that fall into the definition of a methodology review or is it simply you're going to update your models and the assumptions that go into those models based on additional information as you get it? And that's the line that I'm trying to figure out. We have a, we have a methodology, it's been reviewed, it's been updated, it's been documented. So again, I just am, you know, I guess the easy thing, perhaps the easy thing to.....it's easy for me to say it because I don't have to work, the easy thing to do is to endorse this methodology for 2020 and look forward to April when we're making the assignments into the methodology review and see if this one gets on the list, which I suspect it will, where it gets on

the list in terms of priorities but let's just say that nothing gets done over the course of the summer because other methodology reviews took a higher, had a higher priority than this one then we're back to where we were in November of this year relative to this one.

Marc Gorelnik [00:06:11] Chris.

Chris Kern [00:06:13] Thanks Mr. Vice Chair. This probably also not helpful but and I'm not going to claim any expertise on this particular issue, but as I think about it and how it applies to other methodologies, if this is a substantial improvement as it currently sits over what was previously in there, that seems important, and I agree I'm hesitant to have us go down the road of a one year at a time sort of thing, even if it's by accident, and again I'm thinking about this broadly more towards other topics than necessarily this one in particular, so yeah, again, I suspected this was not going to be a helpful comment, but I'm struggling as well. It seems like if it's better, even though it may not be perfect, as has been pointed out a couple of times, there's a lot of places we have things that are better but not perfect and we continue to try and improve them over the long haul, that's what we should do but we have what we have.

Marc Gorelnik [00:07:17] Chuck.

Chuck Tracy [00:07:21] Thanks Mr. Vice Chair. Well maybe just one process to note and then maybe some, maybe a question for NMFS. So, the process note in April, we for methodology review that step is just to put together a list of potential topics. The prioritization of what gets reviewed in the fall is a decision the Council makes in September based on what got done over the summer, as Phil mentioned, and what you know, and so that depends on agency capacity and priorities and so if this was to get on the wish list in April, it may or may not make the cut in September based on what gets done or what the priorities are and the capacity to do the review. So maybe it would get reviewed again, maybe it wouldn't, but maybe, so the question for National Fisheries Service, perhaps, at least the way I see this is if this methodology that's been presented today were to be adopted as the best scientific information available, presumably without any new methodology being proposed, it would remain the best scientific information available for use until something better was available, so I mean, I can't imagine that we would revert back to the old methodology for 2021 but maybe I'll let the National Marine Fisheries Service speak to the interpretation of the use of BSIA.

Marc Gorelnik [00:09:21] Susan.

Susan Bishop [00:09:22] Thank you Mr. Vice Chair. That sounds right to us at this point with this kind of logic. Our understanding is that both the SSC and the STT have indicated that this methodology is better than the previous methodology and although there may be additional types of approaches that could be investigated, for now this is the best information that we have.

Marc Gorelnik [00:09:50] Thank you Susan. Further discussion or a motion? Kyle.

Kyle Adicks [00:09:57] I think I will make a motion.

Marc Gorelnik [00:09:58] Please.

Kyle Adicks [00:10:01] I move that the Council adopt the forecast methodology for Willapa Bay Coho as presented in Agenda Item E.2, Supplemental Attachment 1.

Marc Gorelnik [00:10:19] Kyle is the language up on the screen accurate?

Kyle Adicks [00:10:22] It is.

Marc Gorelnik [00:10:23] Look for a second. Seconded by Phil. Want to speak to your motion?

Kyle Adicks [00:10:32] Thank you Mr. Vice Chair. Obviously, there's been a lot of discussion on this already. Acknowledgement that this methodology is a big improvement. Recognition that no one's identified a better methodology, just some things we could look at. I think adopting this now and reviewing it in the future makes sense. If we want to identify it in April as something to look into further through methodology review we could certainly do that next fall then look at some of the suggestions made by the SSC, but I think this is the right move for today.

Marc Gorelnik [00:11:05] Any questions for Kyle on his motion? Discussion on the motion? I'm not seeing any hands. Oh, no I do. Phil.

Phil Anderson [00:11:17] Just quickly I'm obviously supportive of the motion. I'm looking at the SSC Report where they state that no clearly superior basis for forecasts in abundance or specifying ABC for this stock is currently available, so that to me means it's the best scientific information available. Certainly open to having a discussion when we get to methodology review about including this in our next cycle, but I think at this point this is the best scientific information available for as a methodology for Willapa Bay Coho, so supporting the motion.

Marc Gorelnik [00:12:03] Thank you Phil...any further discussion on the motion? I'll call the question. All those in favor say 'aye'.

Council [00:12:10] Aye.

Marc Gorelnik [00:12:10] Opposed no? Abstentions? The motion passes unanimously. We have a second bullet there that we've touched on discussion. I think what I've heard is that we at the, at a future Council meeting we may want to put this on the list for methodology review and may in September decide to move further with it. Is that what we heard around the table or is that fine with everyone around the table? Okay so that's guidance. We just have to remember Robin when it comes time for methodology review, we want to put this on the list. Any further discussion on this agenda item? Robin?

Robin Ehlke [00:13:10] Thank you Mr. Vice Chair. I believe you have adopted a forecast methodology for the Willapa Bay Coho that will cover us for 2020 and beyond unless and until a new methodology comes forward, so that completes your work under this agenda item.

Marc Gorelnik [00:13:30] Thanks, everyone.

3. Southern Resident Killer Whale Endangered Species Act Consultation

Marc Gorelnik [00:00:00] All right, so if we bring the situation summary back up, we can see our Council action and we can commence discussions and at the appropriate time have a motion. Who wants to go first? Brett. Thank you, Brett.

Brett Kormos [00:00:28] Don't thank me yet. Thank you. Well first I'd like to say that this risk assessment is a pretty amazing product given the amount of time that the workgroup has had to invest in it. We've made a lot of progress in a relatively short amount of time, although I'm sure for some it feels like it's been a long time and I'd like to offer my endorsement for continuing down the path just a little bit further, as suggested by Jeromy in his presentation on behalf of the workgroup to look into developing an executive summary and also to complete and present some recommendations for Council consideration. Should the rest of the Council agree with me I would ask that in that executive summary, the workgroup specifically identify what new information exists relative to the previous opinion that compels reconsultation, and the reason I ask for that specificity there is that while the report has a substantial amount of information in it and the body of evidence is there, unless you have been a member of the workgroup following it very closely or you are a southern resident killer whale expert, you may not be able to easily identify what is new versus what is preexisting information by reading through the report and I do think that in particular, for those of us who will be asked to make, help make decisions about potential management measures going forward, that specificity might be useful.

Marc Gorelnik [00:02:42] Thanks Brett. I want to take this opportunity to remind the Council that there, while we don't have any public comment here at the meeting, there were three thorough documents submitted for the briefing book from the Center for Biological Diversity, The Wildfish Conservancy, and Oceana. I'm sure everyone's had a chance to consider that. All right thanks for your comments Brett. Let me look around the table, see further discussion on this agenda item? Susan.

Susan Bishop [00:03:17] Thank you Mr. Vice Chair. Just in.....I may have misunderstood what Brett was, what Mr. Kormos was suggesting, but just want to be clear that we have asked the workgroup to assemble the information that's available to inform the biological opinion that we're doing, it's not that NMFS is conducting.....it's not the workgroup's responsibility to address the kind of information that NMFS may have relied on or not relied on to reinitiate or what we may or may not consider a new biological opinions. I think that to the extent that it would not be a workload burden to the workgroup to summarize new information so the most efficient way that could be done from the workgroups perspective, that might be useful, but I don't want to put the workgroup in a difficult position of what people might perceive as speaking for NMFS. So just add that to the discussion.

Marc Gorelnik [00:04:20] Thank you Susan. Brett.

Brett Kormos [00:04:23] Thank you and thank you Susan. That's well understood. In fact the risk assessment does a pretty good job of making that clear and in that document it calls out that new information repeatedly and so we've already, in essence as a workgroup, addressed the issue and just looking for a little help for the rest of us who are going to make recommendations to NMFS for your agency to make those decisions independently.

Marc Gorelnik [00:04:56] Thank you Brett. I can see Phil's got his hand up.

Phil Anderson [00:05:03] Thanks Mr. Vice Chair. Well I would echo others that have expressed their thanks to the workgroup members and there are a few that are, deserve extra thanks. Our analytical folks that are part of that workgroup have done some really outstanding work that have really informed

the risk assessment and I think put a much finer point on the effect of fisheries on the prey base that we otherwise wouldn't have had, and we were able to go down a number of pathways looking for correlations between if this then that, that led to any number of dead ends, caused us to go back and look again. So again, just thanks to our, particularly the analytical and Jeromy and Teresa from National Marine Fisheries Service, who really helped guide the workgroup, helped kept us going in the right direction. We did have a discussion about the value of an executive summary. I think there was general agreement amongst the workgroup members that we thought that would be a good add to the, to the draft. What I'm struggling with a little bit is whether we're talking about adding that to the risk assessment, which is what I thought we were talking about doing but I would ask Brett to affirm whether or not that was his intent when he suggested that. I think he's, Brett is absolutely correct that unless you were involved in it and followed it along, not that everybody isn't really smart and can't grab a document and pull the pieces out of it, but if you were, if obviously if you were part of the workgroup, it's easier to understand kind of what was it, what is in there, and how to pull out the pertinent pieces than if you're just picking it up for the first time, which a lot of people I suspect will do, so I think that the executive summary will add a lot in terms of some of the explanatory pieces that will help members of the public know what's in there, and also the new, kind of new information that was compiled by the workgroup that wasn't a part of previous consultations or the previous consultations didn't benefit from that is a good piece to have as part of that. So I'm supportive of the Council allowing the workgroup to finish up its work and their recommendations are going to be a little tricky, I think, although I think some of the guidance that we got from National Marine Fisheries Service for this year in their guidance letter may help kind of help us put some parameters around what we may want to put in our recommendation section, at least it helped me. So that then leads us to the last piece, which is the Council action today, which I understand is the consideration of approving this draft risk assessment as our final draft, which there's a lot of drafts in there, and I'm not quite certain if that is the appropriate action or whether we're simply, the Council is approving and accepting the risk assessment that has been provided to it by the workgroup, so just want to make sure what....I need some clarity on what the action is and how to characterize the document.

Marc Gorelnik [00:09:44] Robin.

Robin Ehlke [00:09:46] Thank you Mr. Vice Chair. The document is currently called a draft understanding that the workgroup had anticipated to insert that executive summary and so they didn't feel that it could be determined as final, but do acknowledge that all the analytical work is done. It's pens down on that aspect of the document, and so from this point forward the only thing that we as, or the workgroup could see as change would be again adding an executive summary and then making any minor formatting corrections as needed, but if the Council adopted or endorsed the risk assessment as a final draft, then that would just be with the understanding that the technical work is done just, you know, perhaps even characterized as housekeeping to get that executive summary in there by June.

Marc Gorelnik [00:10:49] Phil.

Phil Anderson [00:10:49] Thanks and I was remiss with a capital 'R' in not calling out Robin's contribution to this workgroup as well. She's...I'm not sure we would have ever had a successful meeting without her, but she's really helped keep the workgroup going, so thank you for that great contribution. Okay so I think I understand what is being asked of us here and I guess maybe I would ask Brett if I could in terms of your sense is that we, to ensure that we get an executive summary written that you think that needs to be part of the Council action? That they're, they direct the workgroup to include an executive summary or are you putting that out there as guidance?

Marc Gorelnik [00:11:45] Brett.

Brett Kormos [00:11:52] Thank you Mr. Chairman. I am doing two things, one, endorsing the recommendation from the workgroup and offering this as guidance from the Council, and to answer a question you asked me earlier, yes my intention is consistent with Robin's description and your understanding at this point about the draft and what that means and the addition of the executive summary as the really the only substantive change.

Marc Gorelnik [00:12:24] I have a question. I'm looking at the last page or next to last page of the workgroup PowerPoint and while it does refer to preparing an executive summary, prior to that it says they've begun developing draft recommendations. They need more time to finalize them, so if those recommendations are going to be in the document and we, they're not final yet then what are we approving? Are they, are they a separate work product, Brett?

Brett Kormos [00:13:02] I'll take I'll take a stab at answering that. Thank you, Mr. Vice Chair. What you're endorsing is the risk assessment itself. The recommendations are, as far as I understand it, going to be a separate document and so when I say endorsing the risk, the risk assessment itself, you're endorsing the summary of the status of fisheries, status of the southern resident killer whale, the methodology that was used to evaluate the way that the fisheries affect or don't affect the whales, depending on where and when you're looking, essentially all that exists in that document now. The recommendations again are a separate piece and as I stated just a few minutes ago, I do think that the executive summary should be attached to that risk assessment such that when that piece is added, we do, we do have a final risk assessment to move forward with and the recommendations will be a separate document that exists independent of that but certainly and by all means draws upon all that exists in the risk assessment.

Marc Gorelnik [00:14:11] Thanks Brett. Phil.

Phil Anderson [00:14:15] Totally agree with Brett's answer to the question. Just adding just a little bit more in terms of understanding at least how I understand the difference. So the risk assessment that we did will help inform the biological opinion and the biological opinion is also going to have some actions in it I suspect under the, for incidental take and how we go about responding to certain circumstances that might arise relative to Chinook abundance and so the recommendations will be the Council's action in terms of what it is recommending to National Marine Fisheries Service as they're developing their biological opinion and any of the reasonable and prudent alternatives that are a part or, excuse me, any of the, any of the incidental take permit criteria or conditions is where the recommendations will go that will help. It would be our intent then to provide some guidance from the Council's perspective, given this risk assessment, here's what we recommend. Our actions be from a fishery management perspective under certain circumstances, so that's why they're separate and so I don't know if that helped clarify things or confused it but...

Marc Gorelnik [00:15:58] All right thanks Phil. Further discussion or a motion? Susan.

Susan Bishop [00:16:08] Can I just ask a workload question? You know, the schedule that Jeromy on behalf of the workgroup laid out was to develop, along with all the other business that we have to do, develop between now and June a recommendations for the Council to consider, which is a pretty heavy workload given that many of the same people involved in this process are also key members of the workgroup. So, we have two things that have been suggested here, one is the executive summary, one is the recommendations from a workload perspective. It might be helpful to provide the workgroup priority in terms of which one of those is priority to accomplish between now and June. It's just a suggestion.

Marc Gorelnik [00:17:07] Comments or response to Susan on workload. Phil.

Phil Anderson [00:17:11] Yeah, I really don't want to do that. I think both of them are important. I think they're both things that we need to bring back in June and we'll have to figure out how we're going to get that done but I'm not, I don't know, I'm not particularly supportive of prioritizing one over the other at this point. Obviously, their recommendations are really important. At the same time, the executive summary is an important component of the risk assessment document. I don't know that I can.....unless you're asking which one has a higher priority for June? If that's the question as opposed to do one or the other.

Marc Gorelnik [00:18:08] Susan.

Susan Bishop [00:18:09] Mr. Vice Chair. Yes, thanks for the clarification Chairman Anderson. My point was intended to speak to June.

Marc Gorelnik [00:18:21] Phil.

Phil Anderson [00:18:21] Well as I understand National Marine Fisheries Service process and the development of the biological opinion for the multi-year...why am I losing that term?

Chuck Tracy [00:18:39] Biological opinion?

Phil Anderson [00:18:39] I already said that, but we want a multi-year biological opinion that covers the salmon fisheries under our salmon framework management plan rather than doing this one year at a time and you're going to need those, the recommendations if we wait until September to get you those recommendations you'll be a long ways down the road and so I'm thinking out loud here, so I would put having the recommendations completed as a higher priority for June but that is not to say that I, that, that would mean that we not complete the executive summary.

Marc Gorelnik [00:19:26] Everyone agree with Phil? Of course. Chuck.

Chuck Tracy [00:19:33] Thanks. I agree with Phil, for the record, but I did want to just make the point that, you know, I think the way the timeline for this process was envisioned was that the Council's final recommendations for NMFS consideration and the long term biological opinion would be needed by November, so there would be an opportunity if we got our first look at some recommendations in September for there to be some, an opportunity for, for example, for industry to take a look at those and maybe look at some alternatives to see what the impacts would be to their fisheries given different types of recommendations and provide some exchange on that so that we could get them involved and come up with final recommendations a little further down the road. That was my understanding of the process so if I'm wrong there or if there's other thoughts...

Marc Gorelnik [00:20:47] Brett.

Brett Kormos [00:20:50] Thank you Mr. Vice Chair. Yeah thank you Mr. Tracy. That's more consistent with what my expectation was for the timeline. It wasn't clear that June was represented a deadline for having recommendations for the Council's consideration, but regardless, I certainly don't think that given all that the workgroup has been able to accomplish in the amount of time that they have had that both an executive summary and these recommendations are too lofty a goal to achieve before June or September.

Marc Gorelnik [00:21:36] All right. Susan.

Susan Bishop [00:21:40] If it's possible, I know in the middle but we, NMFS would request an

opportunity for a sidebar conversation if possible.

Marc Gorelnik [00:21:53] I think given we've been at this for two hours, why don't we take a break at this point? And when we come back from the break, maybe we can have any final discussion and a motion and then we can move on to halibut. So, if that makes sense to everyone, I have ten minutes past three. We're still....I guess we've got time. Why don't we take a 15-minute break, we'll be back at 3:25?

Marc Gorelnik [00:00:00] Just before break we...there was a request for a sidebar and let's see what's come of it. Phil.

Phil Anderson [00:00:09] Thanks Mr. Vice Chair. So first in terms of process, provided the Council concurs, we would ask our workgroup to provide to the best of their ability the recommendations portion of their assignment to the Council in June. We would accept the risk assessment that we have in our briefing book, it's agenda item E.3.a, we would accept that and with the understanding that their work is complete relative to the risk assessment with the exception that the workgroup intends to include or add an executive summary and they would bring that document to us, to the Council in June with the executive summary added and at that point the Council could choose to approve, adopt whatever the appropriate word is, but not to entertain a motion today about approving a draft document but recognize that the risk, the work that its assignment relative to the work assessment, excuse me to the risk assessment is complete, again with the exception of their intent to add an executive summary. So, going back then and in addition, we would ask them to bring forward to the best of their ability their recommendations to the Council in June. Between June and September further deliberations on the recommendations would be provided for the public, for the SAS, for management entities, all of the people that and entities that are, would be considering those recommendations and or potentially bring forward additional ideas for recommendations that would be presented to the Council at the September meeting. We would have public process, public comment, the SAS could weigh in. In September management entities, and when I talk about management entities, I'm talking about the broadest consideration, tribal management entities, state management entities would be weighing in with any recommendations that they may have or modifications to the recommendations made by the workgroup. We would leave the September meeting with a what I'll characterize as a preferred suite of recommendations. There may be some additional analytical work that we may or may not need to have done both between June and September and after September, but the final action where we would adopt a suite of recommendations that then would be, which would be the action that National Marine Fisheries would be consulting on would be a November action. So, again, risk assessment accept as final with the exception of the executive summary. We do that today. Workgroup continue your work, complete the executive summary and to the best of your ability bring us your recommendations relative to management measures in June. June to September, if there's some additional analysis associated with the recommendations, along with management entity and public consideration of those recommendations is done, further refinement done in September with the final action being taken in November, which is what NMFS would consult on. So that's the, that's what I got out of our huddle sidebar, whatever that was at the break as a recommended course of action.

Marc Gorelnik [00:05:02] All right thank you Phil. Let me look to Susan or Brett and see if they have anything to add or change to that. I'm not seeing any.....oh there goes Brett.

Brett Kormos [00:05:20] Thank you Mr. Vice Chair. First, just that all sounds fine to me and second, I just want to confirm that we have Council guidance on the content of that executive summary, at least to the extent that it's been offered.

Marc Gorelnik [00:05:38] Susan.

Susan Bishop [00:05:41] I think the process as laid out by Mr. Anderson fits my understanding of our huddle moving forward and what NMFS would be looking for. I do want to clarify a little bit on the executive summary that it will summarize information that is included in the risk assessment we've talked about and that it would.....the reason I'm asking for clarity is I thought I heard Mr. Kormos indicate an intent for the workgroup's executive summary to include that new information that NOAA was looking to consider that led it to reinitiate its consultation and I think that is not included in the workgroup report, the risk assessment and is beyond the workgroup's assignment and so I would like some clarity, at least to that degree, for the workgroup. I understand it's up to the workgroup to design that executive summary.

Marc Gorelnik [00:06:57] Brett.

Brett Kormos [00:07:05] Thank you Mr. Vice Chair. First of all, that's an interesting interpretation about what the scope of the workgroup's assignment is. I have not seen anywhere at any point in time that where we've specified that we wouldn't summarize the information that's in the report and call out in particular what information is new, so you'll have to orient me about on where to find that in the terms of reference or some other place, but I continue to maintain that an executive summary should explicitly summarize everything that's in the report, but with some special attention given to what information is new and I guess I'll just leave it there.

Marc Gorelnik [00:08:06] Well there's a, there is not complete agreement I guess so we need to look around the table. Kyle.

Kyle Adicks [00:08:15] Thank you Mr. Vice Chair. It seems like the executive summary could point out new information without drawing in the entrance to decisions NOAA has made.

Marc Gorelnik [00:08:29] Chris, you're agreeing with...

Chris Kern [00:08:31] Yes Mr. Vice Chair, that's, that was where in general what my comment was going to be.

Marc Gorelnik [00:08:37] Okay, so let me look around the table, what is, what guidance are we providing on the executive summary? Is there agreement or not agreement around the table that it should to some extent, pay attention to new information? Chuck.

Chuck Tracy [00:09:01] Thanks. I guess I'll weigh in here. It seems to me that if there's information in the executive summary that isn't in the rest of the, somewhere in the report, that that's not really a summary, that that's something else. So, I feel that the executive summary should summarize what's in the report to the extent that new information is identified in the report. I think that's fine to bring that out. If you're looking to go beyond that, I would think that there's probably should be a different vehicle to do that. Absent, you know, adding that information into the body of the report somewhere, which would mean that the final draft isn't final.

Marc Gorelnik [00:10:01] I think that's a fair comment. Brett.

Brett Kormos [00:10:05] Thank you Mr. Vice Chair. Yes, I agree that is a fair comment and in conversations about this, separate from the one we're having here on the Council floor, it has been noted several times that the new information that I'm speaking to is in the report so it's just a matter of specifying which of the information that is in the report is also new and that is all that I'm recommending.

Marc Gorelnik [00:10:40] All right. Don't want a motion, just looking for agreement or not around the table or the need for further discussion on guidance for the executive summary. Brett has suggested that there is some new information in the report and that should be in some way, shape, or form mentioned or addressed in the executive summary, since it being a summary wouldn't be in any great detail. Is that what the Council wants to see in the executive summary? And I guess what I'm... if someone objects to that let me know, otherwise I'm going to assume that's the sense of the Council. Phil.

Phil Anderson [00:11:31] Well I don't, first of all I don't object to identifying new information that we developed in putting together our risk assessment. I don't want, you know I prefer to give some lat...to give some flexibility to the workgroup to do its job and if we came here, some of us came here that are part of the workgroup advocating that we develop an executive summary. We had that conversation at our last webinar. I think there was general consensus. I won't say there was agreement, general consensus in an executive summary would be a good idea. I would hope that the Council doesn't get over prescriptive as far as what is in it but I think the general, the sideboards that Mr. Tracy laid out, just in terms of what is in it and what isn't in it is reasonable. If there is a desire to call out certain new information that was uncovered during the development of the risk assessment, seems to me to be a fair, fair thing to do as part of your description of your, of your document and I think with, I'm, if that is what the guidance is from the Council, I'm supportive of that, comfortable with that. We do have this, you know, Chapter 60 integration and synthesis piece that's already in the document, but we want....so I just ask for a little bit of flexibility. Stay within the sideboards as described by Mr. Tracy. You know give us the, I don't know that we need permission or direction to highlight the new information, but if you feel like we need to have that to ensure that, that gets done, then I'm okay with that.

Marc Gorelnik [00:13:49] All right. Thanks Phil. All right, Chris did you have your hand? I'm going to look around the table and see if anyone objects to Phil's, the characterization that Phil has put forward, which I think is the sense of the Council but I don't want to make any assumptions and then I'm going to turn to Robin to see if she has captured that. Robin?

Robin Ehlke [00:14:32] Thank you Mr. Vice Chair. Are you asking if I've captured the conversation and we're ready to wrap up or just relate to the executive summary?

Marc Gorelnik [00:14:40] Not the wrap up. I think we sort of got wrapped around the axle a little bit on the executive summary and so I wanted to make sure we put that to bed because I think there's less controversy as to the rest.

Robin Ehlke [00:14:50] Thank you. I would note that the workgroup themselves did have a conversation about the executive summary and acknowledged that it's really hard to write one when you have multiple authors and how long it might even take to draft such an executive summary with all the different authors there so I just have to acknowledge that also here at the Council, the same, same type of discussion but with that said I heard our Chair, Mr. Anderson, just describe that having some flexibility for the workgroup to develop an executive summary within the sideboards described by Mr. Tracy just to identify what new information is there, not necessarily identifying the basis from a NMFS standpoint, but just here's what's in the document and capturing it in the executive summary with identifying the new information.

Marc Gorelnik All right thanks Robin. Anyone have a problem with that? Phil.

Phil Anderson [00:15:57] I don't have a problem with that. I just, I thought to complete the conversation on the executive summary if they think that's what we're trying to do. We had the earlier conversation between prioritizing what the deliverables for June, recommendations versus executive summary. I offered a perspective that the recommendations would have a higher priority for a deliverable in June. I don't know if there is consensus around that perspective. I want to acknowledge and maybe emphasize

what Robin said. We did have some folks on the workgroup that were very concerned about moving forward with an executive summary because of the workload associated with developing such a document with multiple authors, which means it takes longer, so I think getting that done given what I know about people's schedules between now and the June meeting may be a tall order, but I think we can make some significant progress on it.

Marc Gorelnik [00:17:05] All right thanks Phil. So, I think we have our guidance on the executive summary so let's turn back to the balance here. When we came back from our break, Chair Anderson suggested and I agree that we really don't need a motion on this because we're merely referring to what's still a draft document but our understanding is there won't be any substantive changes to the document, but the executive summary will be added and so is there any.....is that an acceptable path forward with regard to the workgroup report? I guess we would later have a motion at a subsequent meeting to approve the final with the executive summary. So, does anyone have any further guidance on that or any objection to that being our path forward? I'm not seeing any so I'm going to quickly turn to Robin and see if we have addressed both of the Council actions before us on this agenda item.

Robin Ehlke [00:18:14] Thank you Mr. Vice Chair. So it sounds like you're giving approval, if you will, for that draft document that was submitted under this agenda item, E.3 by the workgroup, understanding that no substantial changes, just the addition of an executive summary and then following the conversation that Mr. Anderson, our Chair, pointed out as far as the future work for the workgroup, with June being the next time you'll probably hear from the group work being done through June through September and then September and November, and I'm sure you'll talk about those things under workload planning as well.

Marc Gorelnik [00:18:56] Yes.

Robin Ehlke [00:18:58] So given all of that, yes, thank you Mr. Vice Chair. I think you've wrapped up this agenda item and we'll look forward to seeing you again in June.

Marc Gorelnik [00:19:06] All right thanks Robin. Before we move on, I'm going to.....any last comments on this agenda item? I'm not seeing any thanks very much. That concludes salmon for the day.

4. Review of 2019 Fisheries and Summary of 2020 Forecasts

Phil Anderson [00:00:00] Okay that takes us to our Council action, which is displayed on the screen, informed by the information we've received from both the Salmon Technical Team and Scientific and, the Scientific and Statistical Committee. So, we're ready for consideration of adoption of our stock in abundance forecasts, ABC's and ACL's. Brett Kormos.

Brett Kormos [00:00:39] Thank you Mr. Chairman. I have a motion if it pleases the Council? I move to adopt the 2020 stock abundance forecasts, ABC's and ACL's as recommended by the SSC and outlined in Agenda Item E.4.a, Supplemental STT Report 1 and 2020 Preseason Report 1.

Phil Anderson [00:01:09] Sandra's magical fingers are putting your motion up on the screen and in record time and accuracy, I believe. Does the motion on the screen accurately, or does the language on the screen accurately reflect your motion?

Brett Kormos [00:01:28] Thank you Mr. Chairman. Very nearly, but not quite. Recommended by the SSC and outlined in those other reports. So now it does.

Phil Anderson [00:01:44] All right. Sounds good.

Brett Kormos [00:01:47] Thank you Sandra.

Phil Anderson [00:01:51] We have a motion. Is there a second? Seconded by Kyle Adicks. Speak to your motion.

Brett Kormos [00:02:01] Thank you Mr. Chairman. In short, these reports and documents adequate, adequately describe the forecasts and constraints that we have to reckon with in the 2020 salmon management planning process and I think we're ready to get started.

Phil Anderson [00:02:29] Thank you very much. Are there, is there discussion on the motion? Go ahead and call for the question. All those in favor say 'Aye'.

Council [00:02:38] Aye.

Phil Anderson [00:02:38] Opposed no? Abstentions? Motion carries unanimously. And relative to the second item are there any, is there any action to be proposed relative to stock status determinations? I don't believe there were. All right thank you. Then checking back with Robin on how we're doing on this agenda item?

Robin Ehlke [00:03:11] Thank you Mr. Chairman. I believe you have completed the work stated under this agenda item.

Phil Anderson [00:03:16] All right. Thank you very much.

5. Identify Management Objectives and Preliminary Definition of 2020 Management Alternatives

Phil Anderson [00:00:00] All right so that brings us to our Council action here, being mindful that this is the first step of what I'm sure is several different iterations of this package before we put them out in their final form for public comment to the end of our process during this meeting. So, I am not thinking we need to do this by motion. That's good.

Chuck Tracy [00:00:38] No, you're wrong.

Phil Anderson [00:00:39] I'm wrong?

Chuck Tracy [00:00:40] We do need to do this by motion....

Phil Anderson [00:00:45] I thought we would do it by motion at the end of the week when we had our package defined. I don't understand but you want a motion? The Executive Director wants a motion so knowing that if I don't, I'll pay for it in some other way.

Chuck Tracy [00:01:04] ...and I'm sure I'll pay for it too.

Phil Anderson [00:01:04] I'll hope that my state colleagues are prepared to do this by motion. Oh, look at that. They are. All right. So, let's go ahead and start in the north with Kyle Adicks.

Kyle Adicks [00:01:25] Thank you Mr. Chair. I actually have a motion to cover all three areas.

Phil Anderson [00:01:30] I knew you guys would be organized and ready for this. You've been talking to Chuck.... (laughter)....go ahead, Mr. Adicks.

Kyle Adicks [00:01:41] I move that the Council adopt for STT compilation and analysis the proposed initial salmon management alternatives for the 2020 non-Indian ocean fisheries, as developed by the SAS and described in Agenda Item E.5.a, Supplemental SAS Report 1, March 5th, 2020.

Phil Anderson [00:02:00] Okay we have a motion that's on the screen. Is it accurate?

Kyle Adicks [00:02:05] It is.

Phil Anderson [00:02:05] And is there a second? By Brett Kormos. Speak to your motion as needed.

Kyle Adicks [00:02:14] Thank you Mr. Chair. I'll maybe just speak to North of Falcon than others might have comments for other areas. We're back in a very challenging year with Coho abundances for planning fisheries. That's pretty obvious with alternative 3 closed to fishing for the North of Falcon areas. The other two alternatives are just our starting point for the week. We're going to be working hard to figure out how to craft the best fisheries we can, given this year's forecast, and as always thanks to the SAS for all their work up till now, as well as all the, the STT and all the state, tribal and Federal technical staff that have been scrambling to get this information together over the past couple of weeks.

Phil Anderson [00:02:55] Thank you. Discussion on the motion? Okay we'll go ahead and call for the question. All those in favor say 'Aye'.

Council [00:03:06] Aye.

Phil Anderson [00:03:06] Opposed no? Abstentions? Motion carries unanimously. We do have one more piece of business under this agenda item, which is to consider the treaty troll alternatives. I'm not sure we are ready for that, but I'll look to Joe Oatman to inform me.

Joe Oatman [00:03:35] And I may need to look behind me, Mr. Chairman. Thank you, Mr. Chairman. We would request to have a short break. They haven't quite concluded their discussions and maybe this additional time we may be able to do so.

Phil Anderson [00:04:19] All right. Thanks Joe. So, I think what we'll do is we'll just, we're going to table the agenda item. We'll return to it after we take up our Pacific halibut item, and if we need to have a break after the Pacific halibut item in order to provide sufficient time, we're happy to do that as well. So we're going to table agenda item E.5 for a little bit and we're going to go ahead and move on to a, one of our Pacific halibut agenda items and for that I'm going to pass the gavel to Vice Chair Gorelnik.....(BREAK for agenda item F.2).....

Marc Gorelnik [00:05:11] Mr. Anderson.

Phil Anderson [00:05:20] Thank you very much Vice Chair Gorelnik. We will bring E.5 back in front of the group. E.5 is our Identify Management Objectives and Preliminary Definition of 2020 Management Alternatives. We have heard all of our reports, received public comment, taken action on the non-Indian portion of the action required for Washington, Oregon and California, and that left us with the determination of the treaty troll alternative. So, I will look to Joe Oatman if that is okay with him or even if it's not.

Joe Oatman [00:06:16] Thank you Mr. Chair. Seems like more the latter but we'll see what we can do here.

Phil Anderson [00:06:22] All right.

Joe Oatman [00:06:26] We have received the two tribal reports done with the treaty ocean troll options. They have been meeting to try and see if they can reach agreement on a path forward on that. They have not been able to do that. However, we have prepared a motion for consideration of the Council and as part of that motion, there is to be a revised Tribal Report 3 from the Makah that I believe should have been submitted and it is to be posted here on the website. I'm not too sure if that has occurred yet Mr. Chairman so I'd like to get a confirmation on.

Robin Ehlke [00:07:35] Is it in hand?

Phil Anderson [00:07:35] Believe it has been. I believe it's E.5.e. Is that correct?

Robin Ehlke [00:07:45] My understanding.....sorry.

Phil Anderson [00:07:52] Pardon me. Go ahead Robin.

Robin Ehlke [00:07:53] I was just going to say my understanding is that the report has been turned in and it's being processed.

Phil Anderson [00:07:59] Okay. I was looking at the one that was already there. I apologize. Why don't we take a 15 minute break and we'll come back. That'll give time for us to get the, receive the Makah Tribe's revised report and so we'll see you back here at 4:45.....(BREAK).....Come back in the session here. We are again, we're back on E.5, our Identification of Management Objectives and

Definition of Management Alternatives for 2020. We have one piece of business to complete before we have a package that the team can work with and that has to do with treaty troll. When we broke, we were made aware that there is a revised statement that has been provided by the Makah Tribe and it has now been posted on the website and is available for you to review. Let me first, though, ask Joe Oatman if the Makah Tribe wants to speak to their revised statement.

Joe Oatman [00:09:24] Thank you Mr. Chair and I believe members of the Makah Tribe have already left. If it's helpful for the Council, I can point to the new information in the Revised Tribal Report 3. If you do have that document open, there is now a new sentence directly underneath the table that lays out the three options and the sentence reads, 'This fishery will operate from May 1st through September 15th with a 50/50 split between the May, June and July to September time periods'.

Phil Anderson [00:10:12] And I'm assuming that 50/50 split is with reference to Chinook. Is that correct?

Joe Oatman [00:10:17] Yes, that is my understanding Mr. Chair.

Phil Anderson [00:10:21] Okay, thank you. So we have received testimony both from the Quinault Treaty Area Tribes, which includes Quinault, Quileute and Hoh and their recommendations for a range of alternatives and we have received the input from the Makah Tribe and they are different in both for both Chinook and Coho and so we have, in my memory we have been in this position before. We have always done our best to hold the number of alternatives for, for the team to analyze to 3 and for a number of different reasons, workload being one, but also being able to, to make some sense out of the differences in the changes in exploitation rates and spawning escapements and ocean escapements that are derived from the alternatives, so and I guess the other thing I would say, because I, in talking with Mr. Oatman, I believe he's going to be providing a motion that will suggest that we adopt both of the recommendations, which will mean that we have essentially six model runs to do rather than three, because for each of the non-treaty alternative, you'll have to match up the values from one of the, from the QTA proposal and then the other match up, the values from the Makah proposal, so the workload is obviously, is a consideration and as well as being able to look between the outcome from the outputs from the analysis in terms of trying to ascertain what changes were made and how both in the treaty and non-treaty and how it affected meeting conservation objectives and allocation parameters and other things. So with that is just a bit of a preface and our efforts to try to reach an agreement with a single suite of numbers but that hasn't happened, but I would say that from my perspective at least, that we are going to have to get to that point before we leave our meeting and put out alternatives for public review. So, I don't want to prejudge what the Council does, but.....so with that, I'll turn to Joe Oatman for a motion.

Joe Oatman [00:13:41] Thank you Chair. So, I move the Council adopt for STT analysis all of the proposed initial salmon management alternatives for the 2020 tribal ocean fisheries described an Agenda Item E.5.e, Supplemental Tribal Reports 2 and Revised 3, March 2020.

Phil Anderson [00:14:24] And I'll just ask if the language on the screen accurately reflects your motion?

Joe Oatman [00:14:30] It does Mr. Chair.

Phil Anderson [00:14:31] Thank you. Is there a second? Seconded by Louis Zimm. Speak to your motion as needed.

Joe Oatman [00:14:43] So the tribes involved with the work to try and come up with these alternative

management measures for the tribal ocean fisheries have been unable to reach agreement on this. As such, they have, they want the STT to be able to evaluate both of the proposals as reflected in these Tribal Reports 2 and 3. I recognize the added work and complexity that that introduces into this process and I hope here before we leave this meeting we're able to resolve this.

Phil Anderson [00:15:46] Thank you Joe. Discussion on the motion? I would like to ask the STT reps, representative or plural if more than one would like to come up to the table and ask you a question about the modeling of assignment that are, or what the result if this motion passes in terms of the modeling work that needs to be done and I'll just quickly for a reminder that the Chinook quotas that were suggested by Makah are 45, 35 and 25, and for the Quinault Treaty Area Tribes was for Chinook was 30,000, 25,000 and 20 and on Coho, the Makah Tribe was 30,000, 22.5 and 15,000 and for the QTA tribes it was 12.5, 10,000 and zero. So can you give us if, would it be of any use to give some latitude to the team in terms of how to model these two different regimes alongside the three alternatives that are already been adopted for the non-treaty fisheries or would flexibility in doing that modeling be of any help or is it just a straightforward we take alternative 1 for non-treaty and then we match it up with the two different values for the tribal proposals?

Jon Carey [00:18:02] Thank you Mr. Chair. We think that it should be straightforward enough to potentially provide two separate packets with the non-treaty options. The same in both, one with the Quinault quotas and one with the Makah quotas. The only thing I would note is given that this is the first iteration of getting these models up and running, there is always the potential for some kinks to have to be worked out and having to do twice the amount of work could potentially cause us to not have everything ready on time. I would expect that we can, but just put that out there as a warning that we would potentially be a little bit delayed.

Phil Anderson [00:18:52] The other difference that there is, is relative to Chinook is that the Makah have specified a 50/50 split between May, June and July through September, whereas the QTA is specified a 60/40 split. So I mean that's another variation and I'm wondering again if doing one set, assuming one split in the other set, assuming the others split so that, so that when you do the, when you match the non-treaty alternative 1 up to the QTA proposal you do the 60/40. When you match it up to the Makah proposal, you do the 50/50, so you keep but not try to, you know, do both variations with both sets of quotas, if that makes sense.

Jon Carey [00:19:56] Thank you Mr. Chair. I believe that makes sense. We'll stick with the 60/40 split for the Quinault Treaty Area and a 50/50 split for the Makah.

Phil Anderson [00:20:06] Okay with.....so I just wanted to get that out there just so we had a clear understanding if we approve this motion what the workload implications are and the implications for working through our process this week and having a package at the end. Is there discussion on this motion? Rich Lincoln.

Rich Lincoln [00:20:32] Thank you Chair, and maybe not discussion, but just clarification. It wasn't clear from the comments that you made Joe, whether the, all the parties are still here this week that would need to, that could ostensibly get us to a resolution of this by the end of the week?

Phil Anderson [00:20:57] Go ahead Joe.

Joe Oatman [00:20:58] Thank Mr. Chair and thank you Rich for the question. It is my understanding that representatives for these tribes are still here and that they will continue to discuss this matter.

Phil Anderson [00:21:13] All right any further discussion? Okay we'll call for the question. All those in favor say 'Aye'.

Council [00:21:19] Aye.

Phil Anderson [00:21:19] Opposed no? Abstentions? Motion carries. All right so relative to E.5, I'll turn back to Robin and ask if there is any other business we need to do under this agenda item today.

Robin Ehlke [00:21:49] Thank you Mr. Chair. Looks like we have some SAS proposals adopted for the STT to take a look at and we have a treaty package now. Our inseason action a little too early to do that so I think we've covered all the actions under this agenda item. Thank you.

Phil Anderson [00:22:05] Thank you very much.

6. Recommendations for 2020 Management Alternatives Analysis

Phil Anderson [00:00:00] So this is time for the Council to offer the team any guidance they may have for modifications to the package or if you need additional time to look at the package and confer with constituents before doing that, that's fine as well. Just not sure where folks are. Brett.

Brett Kormos [00:00:29] Thank you Mr. Chairman. I do have guidance to offer.

Phil Anderson [00:00:34] Okay.

Brett Kormos [00:00:38] Before I begin, I'll just say that given the number of changes that I am offering here, I can expect that all of this information will be relayed to the STT.

Phil Anderson [00:00:54] All right.

Brett Kormos [00:00:55] To ensure that we get it right.

Phil Anderson [00:00:57] Okay.

Brett Kormos [00:00:58] I'll be speaking from Agenda Item E.6.a, Supplemental SST Report 1 dated March 6, 2020 and I'm asking for the following changes beginning with the commercial alternatives in table one in the California KMZ. In both Alternatives 1 and Alternatives 3, the 20-21 placeholder language will need to be added. It's my expectation that the SAS will have the leeway they need to work with National Marine Fisheries Service and the STT to properly formulate that language, given that there is some questions around how to do that with quotas and start and stop dates given the May 1 through 5 closure in this year. In alternative 2 replace open seven days per week with open five days per week Friday through Tuesday and add the language 'Landing and possession limit of 20 Chinook per vessel per day'. Moving south to Fort Bragg. Alternative 1, add August 1 through August 28 with a 27-inch minimum size limit. In the 20-21 placeholder language that exists there, change the May 1 date to April 15, and finally add the language 'All salmon must be landed in California'. That same language needs to be added to all three alternatives. In the Alternative 2 in the landing restriction statement, change 24 hours to 48 hours and in Alternative 3 add May 6 to 28 with a 27-inch minimum size limit. Moving south to San Francisco. In Alternative 1, change May 7 to 22 to May 7 to 28. Change June 17 to 30 to June 10 to 30. Change July 12 to 26 to July 12 to 28. Replace the language 'During May, June and July all salmon must be landed south of Point Arena' with 'During September all salmon must be landed south of Point Arena'. And the language regarding the open five days per week, Monday through Friday, has already been added to the package so that looks good there. In Alternative 2 add the following open dates, all with a 27-inch minimum size limit. May 7 to 22, June 17 to 30, July 12 to 26 and August 1 to 28. Also, add the language 'All salmon must be landed south of Point Arena'. And again the language regarding the fall area target zone fishery has already been added. In Alternative 3 change May 7 to 22 to May 6 to 28. Change June 17 to 30 to June 7 to 30. Change July 12 to 21 to July 11 to 22 and change August 1 to 23 to August 1 to 28. Finally add the language 'In September all salmon must be landed south of Point Arena', and once again the fall area target zone language has been taken care of. Moving south once more to the Monterey area. In Alternative 1 change May 1 to 22 to May 1 to 28. Change June 17 to 30 to June 10 to 30. Change July 12 to 26 to July 12 to 28. In Alternative 2 add May 1 to 22, June 17 to 30, July 12 to 26 and August 1 to 28 all with 27-inch minimum size limit and add the language 'All salmon must be landed south of Point Arena'. Moving to Alternative 3, change May 1 through August 28 to the following month specific dates, May 1 to 28. June 1 to 30. July 11 to 22 and August 1 to 28. And that does it for commercial guidance, now I will move to the recreational table. Starting in the north in the California KMZ, in Alternative 1 change July 1 to 15 to June 6 to July

31 and in the 20-21 placeholder language change the April 3 date to May 1. Moving to Alternative 2 change July 1 through August 1 with a 24-inch size limit to June 6 through July 31 with a 20-inch minimum size limit. In Alternative 3 change May 23 to 25 and July 3 to 5 to June 13 through July 31. Moving south to Fort Bragg. In Alternative one change June 13 through July 5 to April 4 to 30. Change August 1 through October 31 to May 1 through October 31. In Alternative 2 change July 1 through August 1 with a minimum size limit of 24 inches to April 11 to 30 and May 1 through October 31 with a 20-inch minimum size limit. In Alternative 3 change April 4 to 30. May 6 to 31. June 27 to July 5. August 1 to Octob.....excuse me, August 1 to October 31 to April 18 through 30 and May 1 through October 31. Moving south again to San Francisco. In Alternative 1 change June 5 through October 31 to April 4 to 30 with a 24-inch minimum size limit. Add May 1 through October 31 with a 20-inch minimum size limit. In Alternative 2 change July 1 through August 1 to April 11 to 30 with a 24-inch minimum size limit and May 1 through October 31 with a 20-inch minimum size limit. In Alternative 3 change April 4 to 30 to April 18 to 30 with a 24-inch minimum size limit and change the May 6 date to May 1. And finally, moving south for the final time to the Monterey area. In Alternative 1 change April 4 through August 30 to April 4 through October 4. In Alternative 2 change April 4 through June 15 to April 4 through September 27, and in Alternative 3 change April 4 through September 7 to April 4 through April 30 with a 24-inch minimum size limit and May 1 to September 7 with a 20-inch minimum size limit. And that concludes my guidance.

Phil Anderson [00:12:08] Thanks. Any questions of Brett on the guidance that he's provided? All right...Oh, Marc Gorelnik, sorry.

Marc Gorelnik [00:12:16] Yeah just real quickly, and maybe Sandra if you could just scroll down. I didn't catch the Alternative 2 in San Francisco.

Brett Kormos [00:12:27] Are you referring to the sport regulations Mr. Gorelnik?

Marc Gorelnik [00:12:29] Correct. Yes.

Brett Kormos [00:12:33] Alternative 2 is change July 1 through August 1 to April 11 to 30 with a 24-inch minimum size limit and May 1 through October 31 with a 20-inch minimum size limit.

Marc Gorelnik [00:12:49] Thank you.

Phil Anderson [00:12:52] Any other questions of Brett? Go ahead Marc.

Marc Gorelnik [00:12:56] One further question. I thought that we were not going to open until May 6 and I'm seeing some May 1 dates in here, so I guess I'm just a little bit curious about that.

Phil Anderson [00:13:06] Go ahead Brett.

Brett Kormos [00:13:07] Thank you for the question Mr. Gorelnik. Yeah, the placeholder language that we had in 2019 for the Fort Bragg and San Francisco areas in the sport fishery simply states that the fishery will open April 4. It does not specify a closure date at the end of April, such that the May 1 through 5 time periods are allowable.

Marc Gorelnik [00:13:34] Thank you very much.

Phil Anderson [00:13:37] Other questions for Brett. Thank you. Chris Kern.

Chris Kern [00:13:42] Thanks I do have a couple....give Sandra a chance to switch here and timely

because the first one is similar to what Mr. Kormos just discussed so this is for the commercial fisheries from Falcon to Humbug. On page 5, table 1 replace May 6 through 31 with May 1 through 26 and on page 6 for the Oregon KMZ, the same change, replace May 6 through 31 with 1 through 26. And then if you could scroll down a little bit. Also on page 6, commercial troll in the Oregon KMZ, under Alternative 1 replace May 6 through 31 with May 6th through the earlier of May 31 or a 500 Chinook quota. That's Alternative 1. And in the first paragraph replace prior to June 1 with prior to May 1. Give me just a second. We may have made a mistake here, but I think we can fix it later. So, in the second paragraph under the same alternative, replace June 6th through July 31, weekly landing with May 6th through July 31 weekly landing. Remainder of the sentence stays the same. In the third paragraph, replace 'All vessels fishing in this area during June and July' with 'All vessels fishing in this area during May, June and July'. The rest of the sentence stays the same. And in the fourth paragraph, replace for all quota managed seasons, June and July with for all quota manages seasons, May, June and July. The remainder stays the same, and I believe that should be the end of them.

Phil Anderson [00:15:59] All right. Thanks Chris. Questions for Chris? All right and Kyle.

Kyle Adicks [00:16:06] Thank you Mr. Chair. I have a couple small changes today and these two are relative to Agenda Item E.6.a, Supplemental STT Report 1 from March 6th, 2020. For Alternative 1 for the recreational fishery in the La Push subarea on page 15, the bullet for the October 1 through 14 fishery should be moved below the paragraph that currently follows it. Things just got out of order there and then for that October 1 through 14 fishery modify the guideline to 150 Chinook and add 'all salmon except Coho one fish per day'. And then on Alternative 2 for the summertime commercial troll fishery, which is on page 4, delete the sentence that begins 'No more than 6,240 of which may' from that paragraph. That's all.

Phil Anderson [00:17:17] All right thanks. Questions for Kyle? All right. Anything from the tribes, Joe?

Joe Oatman [00:17:30] Thank you Mr. Chair. So I do not have any guidance to offer to the Council regarding what is currently reflected in the STT report, so as it is in table 3.a and 3.b. I don't have any guided, guidance or suggested changes on that. I can update the Council that there had been discussions between the QTA tribes and the Makah and it appears at this time that they may not be able to resolve their differences at this meeting.

Phil Anderson [00:18:17] Okay. Thanks Joe. Is there any other guidance that any of the Council members would like to offer the team? All right. Any questions from the team on the guidance that you received?

Mike O'Farrell [00:18:40] Thank you Mr. Chairman. I think that we might have got most of those changes but it would be, I guess it would be great if we could get these paper copies of this so we make sure we have it exactly.

Phil Anderson [00:18:55] And I'm sure you will be provided with paper copies. All right. Kyle.

Kyle Adicks [00:19:02] Thank you Mr. Chair. If I could just take a minute to thank the team and all the modelers that stayed up to the wee hours this morning to get us started.

Phil Anderson [00:19:08] Yeah thanks to everybody. I know there were horror stories of going to bed at 2 o'clock and things like that so the Council very much appreciated all the hard work of all the people that contributed to bringing this package together. Thank you very much and we'll look forward to seeing you again tomorrow. Okay that concludes this agenda item.

7. Further Direction for 2020 Management Alternatives

Phil Anderson [00:00:00] All right we've have our results of the modeling work that was done following the modifications that we made to the package yesterday and so now it's time to take a look at those results and provide any additional direction for analys.....additional analysis to that team and if it's the pleasure of the, my friends to the south, I'll start in California.

Brett Kormos [00:00:42] Thank you Mr. Chairman. Once again, I'll start by saying that we have paper copies of all of these changes that we are ready and able to share with the STT to make sure that they are communicated effectively. I will be speaking from Agenda Item E.7.a, Supplemental STT Report 1, dated March 7, 2020 and I will begin with the commercial alternatives in table 1 in the Fort Bragg management area. For alternative 2 replace alternative 2 with the existing alternative 3 as presented an Agenda Item E.7.a, Supplemental STT Report 1 with the following modification. Remove May 6 to 28. In alternative 3, again, remove May 6 to 28. Moving south to the San Francisco management area. In alternative 1 replace June 10 to 30 with June 13 to 30. Replace July 12 to 28 with July 15 to 28 and replace the language 'Chinook minimum size limit 27 inches total length through July, then 26 inches thereafter' with 'Chinook minimum size limit 27 inches total length through August, then 26 inches thereafter'. In alternative 2 replace alternative 2 with alternative 3 as presented in Agenda Item E.7.a, Supplemental STT Report 1. Moving to alternative 3. Replace May 6 to 28 with May 6 to 31. Replace June 7 to 30 with June 12 to 30. Remove July 11 to 22. Replace August 1 to 28 with August 1 to 20. Replace the first instance of same as alternative 1 with 'Chinook minimum size limit 27 inches total length through August, then 26 inches thereafter'. Moving south again to Monterey, in alternative 1 replace June 10 to 30 with June 13 to 30 and replace July 12 to 28 with July 15 to 28. In alternative 2 replace alternative 2 with alternative 3 as presented an Agenda Item E.7.a, Supplemental STT Report 1. In alternative 3 replace July 11 to 22 with July 12 to 31. Moving on to the recreational alternatives in Table 2 and beginning in the north in the California KMZ, in Alternative 3 replace June 13 to July 31 with July 1 to 19. Moving south to Fort Bragg, in alternative 3 again replace April 18 with April 4. Moving south to San Francisco in alternative 3, replace April 18 to 30 with April 4 to 30. Replace May 1 to Oct. 31 with May 23 through June 30 with a 24-inch minimum size limit. Add July 1 to October 31 with a 20-inch minimum size limit and strike the first instance of the language, same as alternative 1. Moving south once more to the Monterey management area, in alternative 3 replace the language 'Chinook minimum size limit of 24 total inches through April then 20 inches total length thereafter' with 'Chinook minimum size limit of 24 inches total length. And finally, in tables 5A and 5B on pages 27 and 29 respectively, for alternative 3 only adjust the maximum allowable exploitation rate such that it results in a natural area adult spawner total of 40,700. The State of California and CDFW is responsive to the requests by the Yurok tribe to show at least one alternative where we are targeting SMSY for the Klamath Falls Chinook and we concur that there is merit in doing that for the purposes of collecting public comment and examining the full extent of the potential sideboards for this stock given the overfished status going into 2020 and all of those changes that were made to alternative 3 were made with the expectation that it will achieve that objective. That concludes my guidance.

Phil Anderson [00:07:45] Thank you. Any questions for Brett? Chuck Tracy.

Chuck Tracy [00:07:52] Thank you. Sandra, I wonder if you could just page up to the beginning of the changes there. So my question for you Mr. Kormos is for Fort Bragg. If your intent was only to change the season dates or to replace the entire alternative, which would also change the minimum size limit in alternative 2 and change the KMZ language as you know, when the California KMZ fishery is open, all fish caught in the area. It seems like if that was, if you wanted a wholesale change, then alternative 3 and alternative 2 would be identical if I'm reading that correctly.

Brett Kormos [00:08:47] Just one second Mr. Tracy.

Chuck Tracy [00:08:48] Sure.

Phil Anderson [00:08:57] Go ahead Brett.

Brett Kormos [00:08:58] Thank you Mr. Chairman. The short answer to your question is yes Mr. Tracy, it's meant to be a duplicate.

Phil Anderson [00:09:11] Any other questions for Brett? Susan Bishop.

Susan Bishop [00:09:17] Thank you Mr. Chair. I don't have a question for Mr. Kormos. I just want to express NMFS's support for the changes that he's made to alternative 3 to be able to examine for public comment and for continued discussion in regard to an alternative that would achieve the floor of 40,700.

Phil Anderson [00:09:39] Thank you Susan. Any other questions or comments on California's guidance? Okay. Chris Kern.

Chris Kern [00:09:51] Thanks Mr. Chair. Wait for Sandra to find it. Here we go. Thank you. I have a few. First, I'll lead with concurrence with what Miss Bishop just said. We've been having some discussions and we're supportive of, again, targeting a spawner escape goal that's at the 40,700 and making some changes to also help achieve that. So starting with table 1 on the commercial troll for Falcon to Humbug in alternative 3 where it is currently.....there's a, the fourth bullet down that reads August 1 through 14, replace that with one through, August 1 through 6 and then in the second, the bullet right below that, where it reads August 15 through 26, open only Cape Falcon to the south end of Heceta Bank and closed from south end of Heceta Bank to Humbug Mountain with August 7 through 18 only open from Cape Falcon to south end of Heceta Bank closed from south end of Heceta Bank to Humbug Mountain. And moving to the Oregon KMZ alternative 2, add April 15 through 30 and in alternative 3 remove the entire bullet section that starts with June through August 31 closed except for the non-retention study. Table 2 for recreational fisheries in the Falcon to Humbug Coho fishery, in alternative 1 for the marked selective fishery replace June 27 through the earlier of August 9 or 25,000 marked Coho with June 27 through the earlier of August 2 and a 22,000 marked Coho quota, and then in the non-selective section of the same alternative, replace the August 28th, 29th and September 11 through 12th information with September 4 through 5 and open each Friday and Saturday through the earlier of September 30 or 3,000 unmarked selective Coho quota. And the last one in the sport recreational Oregon KMZ in alternative 3, replace June 20 through July 19 with June 20 through July 5. And that completes the guidance for now.

Phil Anderson [00:12:46] Thank you Chris. Any questions for Chris on the guidance that he's provided? Okay Washington. Kyle.

Kyle Adicks [00:12:58] Thank you Mr. Chair. So this is guidance to the STT for analysis of options for non-Indian fisheries north of Falcon as presented in Agenda Item E.7.a, Supplemental STT Report 1, March 7th, 2020. For alternative 1 for the commercial troll fishery change the June 30th ending date to June 28th. On page 3 substitute the following language on the May 2021 fishery. In 2021 the season will open May 1st for all salmon except coho consistent with pre-season regulations as described for this area and subareas for May 6 through June 30th, 2020, including subarea salmon guidelines and weekly vessel limits. These regulations would apply from the opening of the fishery on May 1st, 2021 until modified following Council review at its March and or April 2021 meetings. Catch during this opening will be counted towards quotas set for this area and subareas at the April 2021 meeting. Jumping to the recreational fishery in the La Push subarea, change the subarea Chinook guideline for

the June 29th to September 30th fishery to 1,050. Moving to alternative 2, trade 15 hundred coho from the commercial troll TAC to the recreational TAC and 375 Chinook from the recreational TAC to the commercial TAC. This would give a new commercial troll TAC of 22,875 Chinook and 2,500 coho and a new recreational TAC of 22,125 Chinook and 22,500 coho. Distribute the recreational coho quota between the subareas using the FMP allocation schedule. I'm not sure what the best way to present this in the tables is, but I just want to capture what we're doing and what the team puts in there. For the commercial troll fishery, on page 2 ad 'per open period' to the landing and possession limits. On pages 3 and 4 for those landing and possession limits replace 'per landing week' with 'per open period', and then copy the language on total quota and subarea catch limits from the May 15th to June 30 fishery and add to the May 6th to the May 12th fishery in the preceding cell on page 2, so that's putting that same language for the early opening of the fishery. Finally, for recreational fisheries and Westport and Columbia River subareas, strike the statement 'if Chinook only retention then bag limit would increase to 2 Chinook', and that's all.

Phil Anderson [00:15:51] Thanks. Are there questions of Kyle on the guidance for the area's north of Falcon? Okay thank you. Is there any other guidance that a Council member would like to provide the team? Joe Oatman.

Joe Oatman [00:16:08] Thank you Mr. Chair. Regarding this item and the Supplemental STT Report 1, at this time I do not have any additional direction or guidance for the STT relative to table 3A, the QTA or the table 3B for the Makah treaty and trawl management alternatives.

Phil Anderson [00:16:35] Okay thank you Joe. Is there any other guidance that any Council member would like to suggest for the STT? Okay thank you very much. That'll bring us to the end of this.....this will bring us to the end of this agenda item for today unless the STT has any questions for us. They do not. Okay.

8. Further Direction for 2020 Management Alternatives

Phil Anderson [00:00:01] Okay that concludes public comment on this agenda item, takes us to our Council guidance on the suite of alternatives that have been presented to us by and the analysis presented to us by the team. So, in terms of guidance I'll switch around here and start from the north and ask Kyle whether he has any modifications to the package he wishes to suggest.

Kyle Adicks [00:00:36] Thank you Mr. Chair. I do have some suggestions today and they are now on the screen. So, this is guidance to the STT for analysis of options for non-Indian fisheries north of Falcon as presented in Agenda Item E.8.a, Supplemental STT Report 1, March 8th, 2020. For Alternative 2 for the commercial troll fishery from May 6 to May 12 add or 11,500 Chinook as it is listed for the May 15th to June 30th section. This was just some housekeeping that got missed with my guidance yesterday. For the commercial troll fishery July 3rd through September 29th change 11,370 to 11,375. This was just a rounding issue as we put that trade into Alternative 2 yesterday, and then for the boilerplate language on commercial troll fisheries in the section applicable to vessels fishing or in possession of salmon north of Leadbetter Point on page 4, edit to read 'must land and deliver all species of fish in a Washington port and must possess a Washington troll and or salmon delivery license'. This was language that we added last year, and we missed that we needed to include that 'and or salmon delivery license' to that language. In Alternative 1 for recreational fisheries and all subareas, remove the 6,000 coastwide Chinook guideline for June 14th through 28th portion of the fishery. Adjust the subarea guideline strip to represent guidelines for the entire June 14th to September 30 fishery and then update the language both for the June 14th through 28 and June 29th through September fisheries and all subareas to reflect that season long subarea guidelines, and that's all I have.

Phil Anderson [00:02:28] All right. Thanks Kyle. Any questions on Kyle's guidance? All right. Thank you very much. We'll move on down to Oregon and Chris Kern.

Chris Kern [00:02:39] Thank you Mr. Chair. Sandra I have, I apologize we were scrambling for a couple of them, I have two so in code that Sandra understands it's not the one with yellow highlights. Nobody else will know that until later. Okay thank you that's the one. Okay so starting with commercial troll Falcon to Humbug, in Alternative 1 replace August 1 through 29 with August 1 through 24. For Alternative 2 Cape Falcon to Humbug add the following dates, April 15 through 30 and replace August 1 through 29 with August 1 through 25. Then moving to Recreational, Oregon KMZ in Alternative 2 replace May 23 through July 5 with May 16 through July 5 and then if I could ask to switch to the other document. What's shown in highlight is needed to be added to the season carryover language, so for Alternatives 2 and 3 for both the Falcon to Humbug and the KMZ, Oregon KMZ basically need to add the footnote language after total length referencing the boilerplate, insert the word 'and other restrictions'. Insert the references to boilerplate bullet points for the remainder of the sentence, and I hope I don't have to read all of those, but for troll Humbug to the Oregon California border, Alternative 1, again, updating the footnote bullets for the season minimum size limit. Also the gear restrictions and I will read off that we would add the language for the last sentence that says 'this season would open without a quota or weekly landing limits unless modified following Council review at its March 2021 meeting' and then insertion of the boilerplate bullet at the end of that sentence. Moving down to recreational Falcon to Humbug this is just a housekeeping measure to make sure we have the right footnote at the end of the boilerplate, and I do have one other small....we need to find that Sandra does not have and this is simply there are some typographical errors in Alternative 3 on the commercial Falcon to Humbug fishery and there are some places where there's an 'of' where there should be a "2" and vice versa. So, I'll read what it should look like. I think it will be obvious reading it what the typos are, but it should read August 7 through 18 only open from Cape Falcon to the south end of Heceta Bank. Closed from the south end of Heceta Bank to Humbug Mountain, and I apologize for breaking

them up that way but that is everything.

Phil Anderson [00:06:03] Okay thanks Chris. Are there any questions on Chris's guidance? Okay and now California.

Brett Kormos [00:06:17] Thank you Mr. Chairman. I'll begin with the commercial alternatives in Table 1 and I'll start in the California KMZ. In Alternative 1, we will be replacing the 2021 opener language with the following, in 2021 the season will open May 1 through the earlier of May 31 or a 3,000 Chinook quota Chinook minimum size limit of 27 inches total length. Compliance requirements, open periods, gear restrictions and definitions in landing and possession limits the same as 2020 Alternative 2. Klamath control zone closed, see California State regulations for additional closures adjacent to the Smith and Klamath Rivers. This opening could be modified following the Council review at its March or April 2021 meeting. In Alternative 2 remove May 6 through the earlier of May 30 or a 750 Chinook quota. Replace the 1,000 Chinook quota for the July 1 to 30 period with a 1,250 Chinook quota. Replace the 750 Chinook quota for the August 1 to 29 period with a 1,000 Chinook quota. Moving south to Fort Bragg, in Alternative 1 replace the language Chinook minimum size limit of 27 inches total length with Chinook minimum size limit of 28 inches total length through August then 27 inches total length thereafter. In both alternatives 2 and 3 replace the language same as Alternative 1 relating to the Chinook minimum size limit with Chinook minimum size limit of 27 inches total length. Moving south to San Francisco, in Alternative 1 replace May 7 to 28 with May 7 to 29. Replace June 13 to 30 with June 10 to 30. In alternative 2 replace June 7 to 30 with June 4 to 30. Moving south to Monterey, in Alternative 1 replace May 1 to 28 with May 1 to 29 and replace June 13 to 30 with June 10 to 30. Moving to recreational alternatives in Table 2. In the California KMZ and in Alternative 2 replace June 6 to July 31 with June 11 to July 31. In Fort Bragg, replace April 4 to 30 with April 11-30. Replace May 1 to October 31 with May 1 to November 1. In Alternative 3 in Fort Bragg replace April 4 to 30 with April 11 to 30. Replace May 1 to October 31 with May 1 to October 30. Moving south to San Francisco, in Alternative 1 replace April 4 to 30 with April 11 to 30 and replace May 1 to October 31 with May 1 to November 1, and in Alternative 3 replace April 4 to 30 with April 11 to 30. Replace May 23 to June 30 with May 16 to June 30, and finally replace July 1 to October 31 with July 1 to October 30. And that concludes my guidance for today.

Phil Anderson [00:11:02] Thank you very much Brett. Are there any questions of Brett's guidance? Okay is there any other guidance that any Council member wishes to put on the table? Susan.

Susan Bishop [00:11:22] Thank you Mr. Chair. This is not guidance related to the management alternatives, but it is a request to the STT, I'm not sure if this is the correct time to do that or not?

Phil Anderson [00:11:30] I think this is a perfect time.

Susan Bishop [00:11:32] All right. All right. I, as you know the other day NMFS gave its, provided its guidance letter. Among that for Klamath Chinook was the note that under the FMP the Council was required to consider a following, consider a set of factors in setting its allowable de minimis level and we discussed what that list looked like at that time but I was remiss in requesting the STT for follow up information on each of those factors and so I would like to do that now. I'd like to make that request to the STT to provide information tomorrow under E.9 related to the factors on stock status and environmental condition. I do note that there is one factor referenced for minimal needs for tribal fisheries but I will leave the tribes to speak to that factor. And that concludes my request.

Phil Anderson [00:12:35] Dr. O'Farrell did you understand the request? Have any questions?

Mike O'Farrell [00:12:43] Thank you Mr. Chairman. I do understand it. I have no questions.

Phil Anderson [00:12:46] Thank you. Chris.

Chris Kern [00:12:52] Mr. Chair I apologize. I was just advised of a mistake in a portion of our guidance. Is it appropriate for me to correct that at the moment?

Phil Anderson [00:13:01] It is.

Chris Kern [00:13:02] So this is in the recreational fishery in table 2 for Humbug to Oregon California border KMZ, what I meant to say was replace May 23 through July 5 with May 16 through July 9.

Phil Anderson [00:13:20] Okay.

Chris Kern [00:13:20] And I apologize. Thank you for indulging.

Phil Anderson [00:13:25] Not a problem. Okay. Joe Oatman.

Joe Oatman [00:13:31] Thank you Mr. Chair. I don't have any additional guidance or direction as it relates to the treaty Indian troll management alternatives. However, I do know that the treaty tribes are discussing this matter and may have some additional guidance to provide possibly by the end of today.

Phil Anderson [00:14:03] Okay.

Joe Oatman [00:14:03] I respectfully request that some additional time to allow these discussions to continue.

Phil Anderson [00:14:09] Okay thanks Joe. That's good, good to hear. Let me just ask if there were a, if there was a change in the treaty troll numbers that were being put forward by the tribes and if that came in later today, understanding that we're not going to be reconvening or addressing salmon again until tomorrow under our final action, I'm just trying to think of how to, that wouldn't then if we wait until tomorrow to present it to the Council floor, it's not going to be included in the analysis that we get back following this guidance and is there an opportunity or a process by which we could get such a recommendation into the STT absent reconvening the Council?

Chuck Tracy [00:15:18] Thank you Mr. Chair. Well, let me see. So as I kind of sift through my memory banks here, I know that in the past the Council has directed, for example, directed the SAS to work with the STT to make some changes in absent of direct Council floor time, you know, so I think a process, something like that could work. Whether the SAS is the proper entity to do that or perhaps just the tribal co-managers or Mr. Oatman directly but I think as long as the Council is aware of the direction and the intent of the changes that would be made, and I think that would.....and given that we are in guidance mode here, just a Council guidance situation and not having to adopt something by motion and then have it change, that would not be appropriate but I think given that we're in the guidance phase still, I think that the Council direction here with a clear understanding would be acceptable.

Phil Anderson [00:16:55] Okay and let me ask the team. I know if there was a change, I know that you would want it sooner rather than later. Is there a kind of a, I don't want to use the term 'drop dead', but is there a deadline in terms of time that would still allow within reason the modeling a different set of treaty troll numbers, assuming that what would be coming back is a single set rather than the two sets. Do you have any, other than sooner the better.

Mike O'Farrell [00:17:47] Thank you Mr. Chairman. I think if we received guidance before five o'clock today, we should be able to do the analysis presented in the morning.

Phil Anderson [00:17:59] So my recommendation to the Council is that we.....what's the right word, ask Joe Oatman to provide any updates that come out of the discussions between the treaty tribes on the treaty troll numbers to the team and that they be allowed to incorporate those in their next model run with the understanding that they would need to receive those by five o'clock and in the event that they're not received by five o'clock then you, the tribes would bring them to the Council floor in the morning. So, if that's a fair way to deal with the potential of having a new set of numbers to match up to the non-treaty numbers north of Falcon, that's what I would propose. Are the Council members comfortable with that approach? Okay Joe would that work for you?

Joe Oatman [00:19:13] Thank you Mr. Chair. I think that works. I really appreciate kind of both the patience as well as commitment to allowing these additional discussions to occur such that hopefully we'll be able to provide something to the STT by 5pm.

Phil Anderson [00:19:37] Okay. All right and thanks to the tribes for their efforts and their further discussions, we very much appreciate that and wish you well in those discussions. Is there anything else that we need to do under this agenda item, either looking to Dr. O'Farrell if there's any additional guidance you need or want? I'm suspecting no, but...

Mike O'Farrell [00:20:08] Thank you Mr. Chairman. That's correct. No.

Phil Anderson [00:20:10] Okay and Robin anything else you need from the Council relative to the package?

Robin Ehlke [00:20:17] No. Thank you Mr. Chairman.

Phil Anderson [00:20:18] Okay. All right. So that brings us to the, we've completed this agenda item.

9. Adopt 2020 Management Alternatives for Public Review

Phil Anderson [00:00:00] So I think that takes us to our Council action relative to adopting alternatives for public review for our 2020 ocean salmon fisheries. So, I will start in the north and call on Mr. Adicks.

Kyle Adicks [00:00:25] Thank you Mr. Chair. I do have a motion. I move to adopt for public review the alternatives for non-Indian commercial and recreational fisheries in the area north of Cape Falcon as presented in Agenda Item E.9.a, Supplemental STT Report 1, March 9th, 2020 with the following modifications. In Alternative 1 for the commercial fishery from July 1st to September 30th change the Chinook landing and possession limit for all subareas to 75 Chinook per vessel per landing week, and also in Alternative 1 for the recreational fishery remove the October 1st through 14th fishery in the La Push subarea and adjust the subarea guideline for the June 29th to September 30th fishery accordingly.

Phil Anderson [00:01:16] Thank you Kyle. The language on the screen accurately reflects your motion?

Kyle Adicks [00:01:21] It does.

Phil Anderson [00:01:22] And is there a second? Seconded by Rich Lincoln. Speak to your motion as needed.

Kyle Adicks [00:01:26] Thank you Mr. Chair. It's obviously another very challenging year for fishery planning north of Falcon. Coho abundance is very low this year and the low Coho quotas in Alternatives 1 and 2 and the no fishing in Alternative 3 reflect that. Wanted to point out a couple of things in the alternatives. There's been possibly a little confusion about the quota and subarea caps in Alternative 2 for the spring troll fishery. There's a quota and subarea caps that are listed twice. Those numbers apply to the entire season, not separately to each portion of the season, so if the team thinks that's not clear and could suggest a modification to make sure it's clear I would appreciate that as they finalize the language. There is also a trade in Alternative 2 that is consistent with the salmon FMP and the allocations after that trade are consistent with the FMP so I don't believe anything in these alternatives would require emergency rule as we move forward. We obviously still have some inside outside fishery planning to do between now and April, but I'm confident with these alternatives we can have a package by the end of the April meeting the meets all of our conservation objectives for all stocks, and as always thanks to the STT, the SAS, all the State, Tribal, Federal staff that helped get us here. We've been missing a few familiar faces in the Washington room this week as people deal with family and personal health emergencies so our thoughts are with those people and thanks to everyone that stepped up and filled their shoes and got us through the week.

Phil Anderson [00:03:05] Thank you Kyle. Is there discussion on the motion? All right I'll call for the question. All those in favor say 'Aye'.

Council [00:03:14] Aye.

Phil Anderson [00:03:14] Opposed no? Abstentions? Motion carries unanimously. Now we'll move to further south. We'll come back to the treaty troll in a moment. Move to the Oregon and Chris Kern.

Chris Kern [00:03:32] Thank you Mr. Chair. I move to adopt for public review alternatives for ocean commercial non-Indian troll and ocean recreational salmon fisheries between Cape Falcon and the

Oregon California border, as described in Agenda Item E.9.a, Supplemental STT Report, dated March 9, 2020.

Phil Anderson [00:03:52] Thank you and the language on the screen accurately reflects your motion?

Chris Kern [00:03:56] Yes, there appears to be an extra word in front of agenda.

Phil Anderson [00:03:59] Okay.

Chris Kern [00:04:00] If you could strike the word 'two' from there. Right. There we go.

Phil Anderson [00:04:07] Thank you and is there a second? Seconded by Christa Svensson. Speak to your motion as needed.

Chris Kern [00:04:13] Briefly, I concur with Kyle's comments about all the hard work this week, it is as often the case a challenging year so folks were working very hard all week, the SAS members, technical teams and everybody else around the table, so really appreciate that. I also wanted to agree with our thoughts for folks who are struggling this week and either couldn't come or had to go home early and all those things, we continue to think about them and wish them the best so thank you.

Phil Anderson [00:04:46] Thanks Chris. Discussion on this motion? Okay all those in favor say 'Aye'.

Council [00:04:53] Aye.

Phil Anderson [00:04:53] Opposed no? Abstentions? Motion carries unanimously. I'm moving further south to California and Brett Kormos.

Brett Kormos [00:05:06] Thank you Mr. Chairman. I move to adopt for STT collation, analysis and public review the salmon management measures for the 2020 commercial and recreational ocean fisheries in the area from the Oregon California border to the U.S. Mexico border as presented in Agenda item E.9.a, Supplemental STT Report 1, dated March 9, 2020, including the commercial and recreational requirements, definitions, restrictions or exceptions with the following correction, in Table 2 in the recreational alternatives and specifically in Alternative 3 in the San Francisco management area, replace the April 4 start date with April 11.

Phil Anderson [00:05:56] Thank you Brett and the language on the screen accurately reflects your motion?

Brett Kormos [00:06:00] Yes it does.

Phil Anderson [00:06:00] Thank you. Is there a second? Seconded by Marc Gorelnik. Speak to your motion.

Brett Kormos [00:06:05] Thank you Mr. Chairman. I think that these alternatives reflect an appropriate range of conservation. The first two given the status and abundance of the Klamath River fall Chinook and it being the primary constraint in California and Oregon fisheries in the south, at least, we have two alternatives that meet the FMP objective for that stock and one that takes an even more conservative approach, and I think that's appropriate given all of the factors that were identified in the STT Report. I'd also like to offer my thoughts to those who couldn't be with us or had to leave early. They were missed and we'll look forward to having them back again soon.

Phil Anderson [00:07:01] Thanks Brett. Discussion on this motion? Okay all those in favor say 'Aye'.

Council [00:07:08] Aye.

Phil Anderson [00:07:08] Opposed no? Abstentions? Motion carries unanimously. And now for the treaty troll fishery. Joe Oatman.

Joe Oatman [00:07:19] Thank you Mr. Chair. I move the Council adopt for public review both the QTA's and the MPA's proposed salmon management alternatives for the 2020 tribal ocean fisheries, as described in Agenda Item E.9.a, Supplemental STT Report 1, Tables 3A and 3B.

Phil Anderson [00:07:48] Thank you and the language on the screen accurately reflects your motion?

Joe Oatman [00:07:53] Yes it does Mr. Chair.

Phil Anderson [00:07:54] Seconded by Kyle Adicks. Speak to your motion?

Joe Oatman [00:08:00] Thank you Mr. Chair and Council. As I mentioned yesterday the treaty tribes have been discussing these management alternatives. They were not able to reach a resolution on that. As the Council may understand, now they're having some fairly difficult discussions, challenging discussions relative to how to strike a balance I think that meets their respective needs and with this motion, this will provide some additional time for them to continue with those discussions leading into next meeting in April. So, I recognize that this is not an ideal situation, but given where things are at the moment, I think this is the appropriate motion to move forward with.

Phil Anderson [00:09:08] Thank you Joe. Is there discussion on Joe's motion? Okay all those in favor say 'Aye'.

Council [00:09:17] Aye.

Phil Anderson [00:09:17] Opposed no? Abstentions? Motion carries unanimously. I did want to just speak briefly to an aspect that was contained in the National Marine Fisheries Service guidance letter to the Council as it relates to southern resident killer whales. You'll recall that in that guidance letter, NMFS expressed its expectation that the Council would continue to manage the fisheries as it has done in the past to meet conservation objectives for our salmon stocks managed under the FMP, and that we would continue to be responsive to changes in abundance in a manner that is similar to what we have done over the past decade, and I just think I want to offer a few thoughts about that in recognition of the motions that have just been adopted putting out alternatives for public review that this is a clear demonstration of the intent of the Council to act in a manner that is consistent with that guidance as it pertains to southern resident killer whales. I was, have been part of the Southern Resident Killer Whale Work Group. All of you have seen the work that has been produced by that work group and the analysis that has come forward. Council fisheries have been taking a lower proportion of the abundance available to southern resident killer whales as prey over time in the last decade, about 93 percent on average of the Chinook prey in Council waters remains available to killer whales after Council fisheries have taken place. Again, I believe with the action taken it demonstrates the commitment of the Council to continue managing in a conservative manner and to meet both the conservation objectives for salmon as well as recognizing the prey base needs of southern resident killer whales. There was also a threshold identified in the guidance, and we have the STT has been looking at the, what we call the first time step abundance that's identified on page 30, both for there's a numerical value there under the Makah, the two different treaty troll proposals as, and as they are modeled for the suite of alternatives and we are, that threshold was identified at 972,000 fish and you can see that we are at, we are over that number, we're at

1,250,900, so both in recognition of where we are relative to the prey base and in recognition of the conservative approach that these three alternatives represent, I believe we are acting in a manner that is consistent with the guidance that we received from National Marine Fisheries Service to consider the needs of southern resident killer whales in our management. I would now turn to Robin and ask if there are, if there are additional actions that are needed by the Council to complete this agenda item.

Robin Ehlke [00:13:20] Thank you Mr. Chair. I think you've completed everything under this action. The STT will move to make the corrections and adjustments and any other fine editing points, but we'll get the package produced and out for public review. Hope to have something like that posted by the end of the day.

Phil Anderson [00:13:41] Okay thank you very much and again, thanks to everyone that has made this possible, were at the end of the pipeline, so to speak, because of all the hard work that all of you out there do to help us from the people that are doing spawning surveys to the people generating the run size forecast, forecast to the STT doing the analysis to our advisors and the members of the public that are advising us on how to put these alternatives together, we are in debt to you, and so that'll close out this agenda item.

10. Appoint Salmon Hearing Officers

Phil Anderson [00:00:00] Do we have any public comment? No. Okay so I refer you to the table attachment, excuse me, Agenda Item E.10, Attachment 1, March 2020, which has the list of the scheduled hearings for those three locations that Robin referenced and maybe just starting with Westport, understanding that there's a potential that there may be a change in the team's representative but Kyle, you would act as the hearings officer?

Kyle Adicks [00:00:41] Yes.

Phil Anderson [00:00:42] Okay and Lieutenant Commander Scott McGrew would be there from the Coast Guard presumably.

LCDR Lee Crusius [00:00:50] Presumably sir.

Phil Anderson [00:00:50] Yeah, I know these are all.....we're in a weird place with the coronavirus and all the travel restrictions and all that business so.....and then I think I'm planning also to attend that meeting with Kyle. In Oregon, Coos Bay, Chris Kern. Okay. I'm assuming National Marine Fisheries Service will be providing names at some point in time? Okay, and then the Coast Guard Chris, and Robin your the staff officer, and we're assuming Craig Foster will join as the STT rep, and then in Eureka, Brett, you'd be the hearings officer? Commander Crusius would be the Coast Guard, Robin, and then Alex and Jennifer from the team. Brett.

Brett Kormos [00:01:57] Thank you Mr. Chairman. For the Salmon Team it will be neither Alex Letvin or Jennifer Simon. It will be Peter McHugh.

Phil Anderson [00:02:07] Okay.

Robin Ehlke [00:02:07] It was a good guess on my hand.

Phil Anderson [00:02:08] Peter McHugh. Okay.

Brett Kormos [00:02:10] My apologies.

Phil Anderson [00:02:12] And understanding that there's flexibility here to if we need to change due to unforeseen circumstances, that we have the flexibility to do that. Susan.

Susan Bishop [00:02:27] Thank you Mr. Chair. At this time, I'd like to appoint Jeromy Jording as the for NMFS representative at the Westport hearing and Peggy Mundy as the NMFS representative at the Coos Bay and Eureka hearings.

Phil Anderson [00:02:41] Okay Robin and Peggy. Okay. All right anything else we need to do in terms of appointing hearing officers?

Robin Ehlke [00:02:52] Nothing else Mr. Chairman.

Phil Anderson [00:02:53] Okay that closes out this agenda item.

F. Pacific Halibut Management

1. Annual International Pacific Halibut Commission (IPHC) Meeting Report

Marc Gorelnik [00:00:00] So that takes us to our Council action, which is to discuss information relative.....and there was the talk about the report we got from Mr. Keith and Chair Anderson. So, I'll open the floor and we don't have any other action here. Frank.

Frank Lockhart [00:00:20] Just extending the praise offered by Phil to maybe a couple other people specifically. First is Bob Alverson. I think he.... I just wanted to highlight seeing him interact with a few people. I think he did a really great job this year. I think there, it was not a slam dunk that we were going to have the agreement continued forward and just think Bob did a great job. I wanted to point that out, and then although Phil did mention it very eloquently already, just the whole team, the group of 2A folks that went up there, including the tribes. All of us worked really well together and it was a very, it was a good process, so I appreciated all of that so that's it. Thank you.

Marc Gorelnik [00:01:15] Thank you Frank. Further discussion on this agenda item? Kyle, Corey rather.

Corey Niles [00:01:21] Yeah thanks Mr. Vice Chair. I would just also echo the thanks. I can honestly thank other people for doing because I have no involvement, but it seems like it's been a multi-year effort from all of 2A including our tribal co-managers. I would just take, I think this is an example that we should maybe look to, I'm on some thin ice here not knowing the specifics of halibut, but this reminds me of a situation of the type we've been pointing to this agreement giving 2A some stability is something that might not be possible under the Magnuson Act, Magnuson-Stevens Act, but it's something that's still scientifically based and responsible and wanted to get that thought out there in the air. There are creative ways of doing things flexibly well, so meeting your conservation, long term observation, conservation objectives, so, yeah just echoing the thanks and the respect for all the effort that's gone onto this.

Marc Gorelnik [00:02:26] Thank Corey. Maggie.

Maggie Sommer [00:02:26] Thanks Vice Chair Gorelnik. I just wanted to thank Mr. Keith for the excellent summary of information you provided on the meeting, stock assessment and other information and thank the commission for sending you here to provide that to us.

Marc Gorelnik [00:02:46] All right. Any further discussion on this agenda item? I'm not seeing any. Robin.

Robin Ehlke [00:02:56] Thank you Mr. Vice Chair. I think that does complete the agenda item. We have a FCEY now for area 2A as an outcome of the annual IPHC meeting and a season for that directed commercial halibut fishery coming up in 2020 so looking forward to how that plays out. So with that, yes, you've covered everything under this agenda item....(BACKGROUND NOISE)...Donuts.

Phil Anderson [00:03:22] Gotcha! Got you in the queue. (LAUGHTER)

Marc Gorelnik [00:03:32] All right. Well, unless there's anything else on this agenda item, we will conclude this halibut agenda item.

2. Incidental Catch Recommendations: Options for Salmon Troll and Final Recommendations for Fixed Gear Sablefish Fisheries

Marc Gorelnik [00:00:00] Public comment takes us to Council discussion and action. There are the tasks we have ahead of us, and I will open the floor to discussion. Maggie.

Maggie Sommer [00:00:21] Thank you Vice Chair Gorelnik. I want to thank the Salmon Advisory Subpanel and Groundfish Management Team and Groundfish Advisory Subpanel for their consideration and recommendations on this. They're very helpful and I'm prepared to make a couple of motions based on those. I move the Council adopts the alternatives for incidental retention of Pacific halibut in the salmon troll fishery, proposed in Agenda Item F.2.a, Supplemental SAS Report 1, March 2020 for public review.

Marc Gorelnik [00:00:57] Thank you Maggie. Is the language on the screen reflect your motion?

Maggie Sommer [00:01:00] It does. Thank you.

Marc Gorelnik [00:01:01] Okay. I will look for a second? Seconded by Christa. Please speak to your motion.

Maggie Sommer [00:01:08] Thanks Mr. Vice Chair. Appreciate again the SAS's development of these noting that there are three alternatives there. Number 1, status quo which is the one halibut plus one per two Chinook with a total limit of 35. Alternative 2 differs in that has a total limit of 30, and alternative 3 has a total limit of 25. So, we will have those out for public review and comment for final action in April if the Council approves this range. I also want to note that the SS, pardon me SAS recommended that the current incidental Pacific halibut limits retain, remain in place for the period of April 1st through 30th, 2020 and that's the one halibut per two Chinook plus one halibut not required to meet that ratio with a total of 35 halibut per trip and I would confirm that it is our intent to maintain that.

Marc Gorelnik [00:02:10] All right. Any questions for Maggie or discussion on this motion? I'm not seeing any, so I will call the question. All those in favor say 'Aye'.

Council [00:02:23] Aye.

Marc Gorelnik [00:02:24] Opposed no? Abstentions? Motion passes unanimously. Thanks Maggie. We still have the sablefish fishery to deal with. Maggie.

Maggie Sommer [00:02:37] Thanks Mr. Vice Chair. Sandra. I move the Council adopt a final trip limit ratio of 200 pounds of Pacific halibut per 1,000 pounds of sablefish, plus two additional Pacific halibut for the primary sablefish fishery north of Point Chehalis, Washington as recommended in Supplemental GMT Report 1 and Supplemental GAP Report 1 under Agenda Item F.2.a, March 2020.

Marc Gorelnik [00:03:09] All right. Is the language on the screen reflect your motion?

Maggie Sommer [00:03:11] It does. Thank you.

Marc Gorelnik [00:03:12] I'll look for a second. Seconded by Heather Hall. Please speak to your motion.

Maggie Sommer [00:03:18] Thanks Vice Chair. I don't think it needs much. This will be a final change

to the incidental landing limits for this fishery based on the work presented to us in the GMT report revising it downward from last year's amount based on last year's overage in the modeling that they did. I want to acknowledge the discussion we had about probably leaving the 200 pounds in place throughout the season but then also Joel's public comment about the variability we are seeing in ocean conditions and fishery response and appreciate the inseason tracking that goes into this and we will adjust if needed to not exceed the allocation.

Marc Gorelnik [00:04:02] Thank you Maggie. Questions for Maggie or any discussion on this motion? Heather Hall.

Heather Hall [00:04:08] Thank you. I just wanted to add to the inseason tracking component of that and say that WDFW has the tools in place to do that so we can keep our eye on it, alert the Council if catch is progressing quicker than we expect, and we can take inseason action if needed to avoid what happened in 2019.

Marc Gorelnik [00:04:27] Thank you Heather. Any further discussion on this motion? I'm not seeing any. I'll call the question. All those in favor say 'Aye'.

Council [00:04:37] Aye.

Marc Gorelnik [00:04:37] Opposed no? Abstentions? Motion passes unanimously. Thank you, Maggie. Are there any further motions or discussion on this agenda item? I will turn to Robin. Have we ticked all the boxes?

Robin Ehlke [00:04:58] Thank you Mr. Vice Chair. Yes, we have. We have no change in the pre-May fisheries for the salmon troll fishery. Those will remain in place. We've adopted three options for the salmon halibut troll incidental retention for halibut. We'll take final action on that in April, and for the fixed gear sablefish fishery we've adopted the final landing restrictions which are consistent with the GAP and GMT recommendations.

Marc Gorelnik [00:05:28] All right. Thank you, Robin. Any last words from anyone before we conclude this agenda item? Thanks everyone.

3. Transition of Area 2A Fishery Management

Phil Anderson [00:00:00] All right, then that will take us back to our situation summary and the actions that we need to consider which are, is on your screen. Before we get into the entertaining a motion, are there any other questions or discussion around the presenta.....on the document or the presentation that Robin provided us? I had two questions. One is in terms of setting the trip limits, I think it was on Slide 8, you don't necessarily need to go to it, what is envisioned in terms of who will be determining the trip limits? I mean, IPHC has performed that function in the past, is that something that would be assumed by NMFS or the States or how would that work?

Robin Ehlke [00:01:08] Thank you Mr. Chair. Within the document itself, it probably describes it a little bit better, but there are options of who may be doing that work. As you know right now IPHC does it. There is an option to where NMFS would just take on that role and there's other options where it could be part of the catch sharing plan, where there's more Council discussion and stakeholder input on who might be doing that role.

Phil Anderson [00:01:40] Okay thank you. I'll pass on my other question, I think I..... Okay so first is to review the range of alternatives for transition, so let's take that up first unless there's a, I don't know what may be out there in your minds in terms of a motion but we need the purpose and need. We need to determine the scope and there was a third one, and the range of alternatives. So maybe taking it in that order might be.....but there may be some thinking around the table by my colleagues as a more efficient way to get at it and I'm assuming Maggie will bail me out here shortly. I'm hoping that she will. Go ahead.

Maggie Sommer [00:02:42] Well thanks Mr. Chair. I have been assuming that we might want a little discussion before we get into motions. Maybe I'm not correct on that. I would say overall that I think the purpose and need and the description of scope in the document are appropriate. I think they describe the intent of what we're doing and they encompass what we are, what we're intending to achieve and describe why and how here so I would be comfortable moving that we approve those and then, you know, I don't know if we have any more discussion anyone wants to have on the alternatives before we get into moving those forward.

Phil Anderson [00:03:34] I think we're looking for an affirmative decision by the Council of the purpose and need as well as the scoping, the scope of the document and then maybe take up the range of alternatives in a second motion? Is that? Maggie.

Maggie Sommer [00:03:58] Thank you Mr. Chair. That sounds good and I would be prepared to offer a motion on purpose and need and scope if Sandra would be willing to type. It won't be long. I move the Council approve the purpose and need and scope of action for transferring management responsibilities for area 2A Pacific halibut fisheries presented in Agenda Item F.3, Attachment 2.

Phil Anderson [00:05:05] Okay. Confirming the language on the screen accurately reflects your motion?

Maggie Sommer [00:05:13] It does. Thank you.

Phil Anderson [00:05:14] Is there a second? Seconded by Bob Dooley. Go ahead and speak to your motion as needed.

Maggie Sommer [00:05:22] Thanks Mr. Chair. I just want to note that we are both responding to a

request from IPHC for this management transfer and also note that the statement of the purpose of this action includes addresses providing area 2A managers and stakeholders a more direct role in the management of halibut fisheries and I think the scope, which includes development of a licensing system for all 2A Fisheries and development of regulatory authority and a process for managing the directed commercial fishery aligns with that purpose and need and I think they're adequate. Thank you.

Phil Anderson [00:06:02] Thank you. Discussion on this motion? Go ahead and call for the question. All those in favor say 'Aye'.

Council [00:06:09] Aye.

Phil Anderson [00:06:09] Opposed no? Abstentions? Motion carries unanimously. Thanks Maggie. So let's go ahead and take up the discussion around any potential action on the range of alternatives. Maggie.

Maggie Sommer [00:06:43] Thank you Mr. Chair. I could offer a motion on that too, which it will take me 30 seconds to get over to Sandra.

Phil Anderson [00:06:50] No problem. Bob Dooley.

Bob Dooley [00:06:57] Thank you Mr. Chair. I would just like to maybe think about eliminating that option there, that requirement for safety requirements in the permitting process. I, vessels are already required to have a five-year safety sticker in regulation right now with the Coast Guard regulations in a separate and apart from that, so to make that a condition of a permit seems different and redundant. I mean and I agree with Bob Alverson's interpretation that you know, if you have to have an observer, it shortens it, you have to have a two-year sticker. So I would also, you know, let the Council know here that in legislation now the Coast Guard bill on the House side is actually going to require as it's written if it passes alternative safety compliances for vessels from 50 to 79 feet. That's in the works on the, on the House side. On the Senate side it's not required. The Senate side is looking at taking the five-year requirement down to two years so I think it's all covered there and I don't think it needs to be a permit requirement.

Phil Anderson [00:08:17] Well when we get the motion in front of us, if it still includes that, then you're free to make an amendment to the motion to remove it.

Bob Dooley [00:08:26] Thank you.

Phil Anderson [00:08:28] Maggie.

Maggie Sommer [00:08:30] Thanks Mr. Chair. I'd be happy to start that discussion with the motion. Sandra? I know it should be on its way.

Phil Anderson [00:09:49] Marci.

Marci Yaremko [00:09:50] Thank you Mr. Chair. I may ask Robin a question. Can you point us to the language in the actual range of alternatives document that speaks to this safety requirement?

Phil Anderson [00:10:09] I'm so glad you asked that Marci because I've been trying to find it myself. Robin.

Robin Ehlke [00:10:15] Thank you. It's on the very top of page 12. The first sentence under that option

C. So in fact it's not necessarily included in the language of any of the options. It was just an overlying statement and so as we develop the preliminary preferred, we would just be sure to not include that text as a precursor to any of the preliminary preferred. I think that would cover it. I think the statement in there is just being naïve about what exactly is required, and we were just again wanting to make sure we covered all the bases.

Phil Anderson [00:10:52] Okay, thank you and I'm happy to take a 10-minute break if that would help? It's, we have, we're well within our scheduled allotment of time for this agenda item so why don't we do that? It's 9:12. Let's get back at 9:25 and we'll continue with this agenda item.

Phil Anderson [00:00:00] Okay we are on F.3. We've gone through all of our reports and we are in the midst of our action. We had already approved a motion, made a motion, and approved the purpose and need and the scope and we have the range of alternatives yet to go and I'll turn back to Maggie Sommer.

Maggie Sommer [00:00:22] Thanks Mr. Chair. I move the Council adopt the range of alternatives, Sandra if you could help me out here, described in, would you please replace that document with Agenda Item F.3, Attachment 2, March 2020 comma with the following modifications. In Section 3.1 Council Process to Transfer Management and Associated Tasks, on page 7 of that document include an option for a joint halibut subcommittee as proposed in Agenda Item F.3.a, Supplemental GAP Report 1, March 2020. In section 3.2.1 Preseason Management Process, do not include alternative 2.C, and in section 3.3.5 proof of permit alternative 2, would you please strike the word 'two', leave the number, strike the word, following the number 2, specify that a hard copy permit must be onboard the fishing vessel as recommended an Agenda Item F.3.a, Supplemental EC Report 1, March 2020 regardless of whether additional formats are available.

Phil Anderson [00:02:31] Okay. Thank you and just confirming the language on the screen accurately reflects your motion?

Maggie Sommer [00:02:37] Yes thank you.

Phil Anderson [00:02:38] Thank you. Is there a second? Four of them. Christa Svensson seconded. Go ahead and speak to your motion.

Maggie Sommer [00:02:50] Thank you Chair Anderson and thank you very much Sandra. You know in response to the request for the Council to consider whether the range presented in the document that's been in the briefing book adequately encompasses what we'd like to see, I believe it does and I would in general am approving the range. I would suggest that the project team is sufficient to accomplish the transition related tasks and keep the Council informed throughout transition. In general I'll note that I think as I did before, it seems like some of the alternatives include quite a few permutations and I would propose that we give the project team the leeway and flexibility to work within this range to refine and or restructure the alternatives consistent with the purpose and need statement and any Council guidance we offer both within and after this motion in order to clarify and distinguish options for public review and our consideration in September. I have a minor specific request to please renumber the alternative so that the numbers are all unique, even though, even across different sections. Speaking to the specific modifications I'm recommending, the first one is to include the GAP's recommendation of a joint halibut subcommittee. I appreciate their intent to provide for advice from relevant participants in an efficient and cost-effective manner. I would suggest that the project team determine how to integrate this with existing options. For example, whether it might be a sub option of 2.A and 2.B or, or something new, I wasn't quite sure whether it was already encompassed within the range there, but I would just like to highlight through this motion that I would like the opportunity to consider that further and hear from GAP and SAS members and others as well as Council staff on whether we think this is a good, might

be good approach. In section 3.2.1, this is a minor one. This is just striking the April and June schedule for decisions on the upcoming commercial directed fishery. I think that's too late to be effective for that fishery, and then in section 3.3.5 including the Enforcement Consultant's recommendation that vessels must be required to have a hard copy permit onboard the vessel, regardless of whether they were originally provided the permit in electronic form and may have it in some other form, but that they would need to print out something or receive something in paper from the National Marine Fisheries Service to carry on the vessel. I would also note that this may affect the 3.3.4 options notification of issuance of permit and would just expect that the project team can also integrate this with those alternatives to come up with something that makes sense. And then just a few general comments on some of the alternatives. You know I asked a question earlier about whether the current range gives us the opportunity to consider establishing advisory bodies now for work through the transition or later on to address ongoing annual and inseason halibut management and I think we would like to have the option to consider both, but I would note that following the GMT's report that I certainly agree that they have no capacity for additional work now and I would not be looking to the GMT to be involved during the transition. They did comment that the GMT or a subset of them may be able to take on some tasks related to halibut management following the transition and I think we can certainly consider that in the future. And then finally, on the alternatives under 3.3.3 alternative 2.C, let me take a moment to pull that one up, this is the one that includes, this is on development of an application process and alternative 2.C is the one that includes.....

Robin Ehlke [00:07:29] Top of page 12.

Maggie Sommer [00:07:30] Thank you, along with any additional supplemental documents that may be required, I think we will need some specificity on what those might be in September if we are going to move forward on this. I think up to this point it has as I again, I asked a question earlier, I think this is in here as a placeholder in case the project team wants to recommend that we add any requirements to the application process for halibut licenses and if so we can consider any specific recommendations from the team in September but if there are none at that point, I would expect this to be struck. This is also the one, I think, where there was some discussion of the safety requirements or pardon me, inspections, et cetera, being a requirement for halibut licensing and that's not included in any of the alternatives. I would just recommend that the project team remove those from the descriptive document before it comes back to us. Finally, actually I think that's all. I think we may as a group have some general comments overall on the process and timeline after the motion. So that's all I have on the motion in front of us. Thank you.

Phil Anderson [00:08:48] Thanks Maggie. Discussion on the motion? Marci.

Marci Yaremko [00:08:55] Thank you Mr. Chair. Yes, I certainly support the motion. Appreciate Maggie's fine work on this item. Just a couple of things that are going through my mind as this project proceeds. I want to thank the GMT and the GAP for identifying possible efficiencies with regard to how we can figure advisory and technical support for this process noting that the GMT is definitely already maxed out and adding analysis of the transition to their plate is really not a lift that they can absorb. I think they point out that after the alternatives is complete, they may be able to assume some of the load with kind of ongoing monitoring and management, but the transition piece is a big, big question mark in their mind. So, I appreciate that we had some discussion here and that we haven't resolved some of those details. The question Phil asked regarding inseason and assumption of that workload and whether it would fall to the States or NMFS, that's another kind of biggie in my mind that's unanswered and I trust that the project team will be continuing to explore these options and come up with the most efficient and expeditious process that is the least time consuming and makes the most sense, so I encourage the team to continue to think about these things as we refine and analyze the range of alternatives. I also can't go without noting the question about regulatory capacity. We heard from

Frank that there is a, you know that is still, you know a need that will need to be addressed and permitting is potentially, you know, involving staff and the permitting branches, a likely need into the future. I guess the input that I have is I want to see this program stay within its lane in line with our other priorities, particularly with regard to groundfish. I'm looking at the project team and I understand that, you know, Brett Wiedoff was brought in to assist because he was working to help get this set of alternatives off the ground but I do have some concern longer term about continuing to pull for more and more existing staff. So we just need to keep, you know, that in mind as folks, as this activity kind of proceeds to develop over time, kind of in the background in the summer time period that is identified as the kind of key time to continue to develop the alternatives. I guess I'd also suggest that maybe Council staff and NMFS explore possibilities with regard to contracting any of this work. That might be a possibility. That has been a solution for us in the past that has helped us get things over the finish line for kind of short-term projects, so that might be something to examine. I'd like to really compliment the PowerPoint presentation that laid this process out very nicely and cleanly and I can't help but say I really wish we had something like that for the groundfish specifications process because it is a struggle and this type of clarity is really helpful as we consider this particular process for halibut. So, you know I like this work. I think good work is yet to come in the background and I trust the project team will continue to build this program and the alternatives, but I do have concerns about keeping it in line with our other priorities. Thanks.

Phil Anderson [00:13:50] Okay. Further discussion on the motion? Heather Hall.

Heather Hall [00:13:54] Thank you. I just want to also say that I support the motion and think the range of alternatives look good. I definitely appreciate removing the option 2.C in reflecting the GMT workload going forward and similar to Marci, I have some things that are floating around in my mind about how this goes forward and in particular what I'm thinking about is that time period from May to August, Robin, that you mentioned and how that aligns with the concept of the subcommittees or working groups in terms of providing input during the transition development, so as I read the document I saw there's kind of two things going on, the transition and then post-transition once we're in implementation and how we get input from advisory bodies and the public and so I'm not sure exactly how that works for May through August and that could be a conversation for later but definitely appreciate that the GAP and the SAS want to be involved as, as things go forward so.....

Phil Anderson [00:15:12] Maggie.

Maggie Sommer [00:15:14] Thanks Mr. Chair. Listening to Heather's comments, I realized I may not have been entirely clear, and I want to make sure I was. The alternative 2.C that I'm proposing to remove is the one that would use an April and June schedule for determining the structure of the fishery and trip limits. The alternative 2.C under an earlier section, 3.1, the Council Process, which is the one the GMT had recommended removing. I left that in because that alternative says expand current advisory bodies in general. It wasn't specific only to the GMT. I thought we may want to leave it in at this point and allow the project team some leeway to structure that. I didn't want to eliminate the option at this point of doing that and also in term, in the context of thinking about it as we may want to form or use these approaches to utilize our advisory bodies not now for a transition, but in the future. So, for all those reasons I left it in but as I said in my comments and speaking to the motion, I really would not be in favor of using the GMT now during transition because of their workload and capacity is limited.

Heather Hall [00:16:40] Thank you. Thank you for pointing that out. I did just gloss over that and it kind of goes back to one of the other comments I think you made about maybe having these uniquely numbered, so thank you.

Phil Anderson [00:16:52] Any other discussion on the motion? Marci.

Marci Yaremko [00:16:57] Thank you Mr. Chair. Apologies, I forgot to specifically reference the issue of the Enforcement Consultant's recommendation about the hard copy of the permit aboard. I just want to I think respond to a question that Mr. Gorelnik raised with regard to paper copies of commercial licenses aboard vessels. The State of California requires that already both for commercial fishing vessels as well for CPFV's, so requiring a hard copy be aboard and available is consistent with other permitting programs already in existence.

Phil Anderson [00:17:38] Other discussion on the motion? Okay we'll go ahead and call for the question. All those in favor say 'aye'.

Council [00:17:47] Aye.

Phil Anderson [00:17:47] Opposed no? Abstentions? Motion carries unanimously. Okay I guess I'll check in with Robin and see how we're doing on our business under this agenda item?

Robin Ehlke [00:18:05] Thank you Mr. Chair and thank you Council for working through this, I really appreciate it. So, the Council has adopted both a purpose and need statement and the scope of action and has provided direction on the range of alternatives provided in the document. I have a list of those outlined here as detailed in the motion and so the project team will move forward to work on those over the spring and summer months and come back to you in September.

Phil Anderson [00:18:36] Okay. Maggie.

Maggie Sommer [00:18:39] Thanks Mr. Chair and thanks Robin. I just have one final comment. Just wanted to acknowledge the point the GAP brought up that as details are developed it will be important to keep everybody in the loop and it may require further discussion, so while I appreciate the timeline that has been laid out for us, I also recognize the optimistic nature of that and I would say certainly our priority is making sure that we do have adequate time for comment and involvement and that's going to be important as we go through this.

Phil Anderson [00:19:19] Okay. Well does that wrap this agenda item up?

Robin Ehlke [00:19:23] That wraps it up. Thank you.

Phil Anderson [00:19:25] Okay. Before we leave Pacific halibut, I just wanted to offer one more thought. We have, this Council, being we, have had a very close working relationship with the International Pacific Halibut Commission. We've taken on a number of different issues and the reason that, a primary reason that we have had that really healthy, strong relationship with the Halibut Commission is because of Steve Keith, and Steve is going to be retiring here at the end of the month and so which I'm happy for Steve that he's doing that but at the same time I'm, we're going to miss you and I'm hopeful that your, whomever the Commission decides to replace you with in terms of the interaction with this Council will be half as good as you have been. So congratulations on your retirement and a big thank you from all of us for all that you have done to keep our, to the Council and the Commission working closely together.....(APPLAUSE)..... All right so we are going to move to groundfish.

G. Ecosystem Management

1. California Current Ecosystem and Integrated Ecosystem Assessment (IEA) Report and Science Review Topics

Marc Gorelnik [00:00:00] The conclusion of public comment that takes us to Council discussion and action and get the, get that up on the screen. All right. Caren.

Caren Braby [00:00:16] I'll jump in and get us started. Thank you. I've been quiet this morning and just enjoying the presentation and the question and answer and the reports from our advisors and so appreciate the growth and maturity in this report and I agree with all of the comments, just appreciating how informative it is in providing us an ecosystem context for the decisions that we're making and I appreciate the struggle of trying to understand exactly how this fits into our Council's day to day decision making, but I think it's terribly important and filters in in lots of certainly indirect way and so just general thanks and appreciation for all of the work that this takes to bring to us. I also wanted to make a couple of specific comments, in particular the appreciation from the Ecosystem Working Group on the importance of long term data series and how crucial that is for us to maintain as a Council and for the West Coast and this report demonstrates the value of those long term data sets. Unless we have long term information on species and people in the system, we don't know what normal and anomalous is and so just underscoring the importance of the efforts that we have in place to monitor our system and making sure that those are sustained in the future, especially things that are at risk, potentially the groundfish trawl survey for example, just as one example of potentially being financially insecure and the importance of this Council and making sure that those types of activities continue. I think generally I would just approve or ask that the thoughts and recommendations of all of our advisory groups move forward to the IEA team for consideration and I do appreciate Toby's comments about moving and Chris's comments about moving from, you know, a whole bunch of time series, which are really important, but moving those into integrated synthetic visualizations of what the ecosystem is doing and I'm glad to hear that they have some ideas of how to do that. It's challenging and so I wish them a lot of luck and good thinking power to get that done and appreciate how much has already been built into the report. Additionally, I really like the comments that have come forward about kind of socializing the report a little bit ahead of the March Council meeting and how valuable those conversations have been, as well as the thoughts about the role of the September council meeting and preparing for the next year's report and I encourage, I encourage all of that because there is so much here that it is hard to kind of get your head around each of the indicators, let alone all of them together and so I appreciate the team's time in putting extra work into socializing it and helping us there and then I want to end this part of my comments, at least on this idea of how important this report is becoming to be outside of the Council arena and I commented on that yesterday during our marine planning agenda item and discussion. There are a lot of groups that are starting to turn to this report and really finding value here and so that's a credit to the IEA team. It's a credit to this Council that we are providing something that is of value not only for ourselves, but outside of here, and we are influencing thought in what we find important in the California current ecosystem outside of the Council process and that's a really great thing and so I commend all of us for continuing to make that effort. I'll end there. Thanks.

Marc Gorelnik [00:05:24] Thank you Caren. Further discussion around the table? Frank.

Frank Lockhart [00:05:35] Following up on Caren's comments and I agree with all of them especially the praise so I won't belabor that, but I'm also wanted to pick up on something that Pete said in his questions, which is kind of taking a step back and I think it's consistent with what Caren was just saying. We have so much really great information in front of us, but it's on a coastwide basis and these thoughts occurred to me just as Pete was talking and spurred by his comments so they're not fully formed yet but I guess I'm intrigued by his idea of taking a step back and also the fact that other people are beginning

to use it and I'm wondering if now that it is a more mature vehicle for us, that maybe, maybe we could start looking at ideas of beginning to use the or look at the IEA by FMP, maybe having an annual review by the FMP, I don't know how to do that, like I said not fully formed here, or even having kind of bringing it out to the community somehow and having them kind of how do they use the IEA, teach them about the IEA. Again, these are not full thoughts but just beginning to wonder if it's time to, like Pete said, take that step back and look at other ways of looking at the IEA. I know there's resource concerns from us as well but, you know, I think it is at a really good stage. It is beginning to get useful and I will tell a very short story of a long time ago when I used to work for Congressman Studds and the Weather Service put out these weather buoys in the middle of the ocean off of Cape Cod. The people that used them the most were fishermen because it gave them a really good indicator if they could go fishing. In fact, to the point where when the weather buoys went out, I would hear from the fishermen within minutes often and I would tell the Weather Service that your buoy was out before they knew when in their own internal way so getting that information out there and having it get used I think is really kind of important and so I guess I'm interested in exploring that. I don't know how to do that right now, but the only other comment given our task, I thought the topics that were raised by the SSC seemed very appropriate and doable. They seemed like they could handle that. I'm very supportive of that going forward as the topics for September so thank you.

Marc Gorelnik [00:08:11] All right thank you Frank. Further discussion around the table? Pete.

Pete Hassemer [00:08:18] Thank you Mr. Vice Chair and maybe just to follow up on that. The IEA team had three topics for the SSC to consider. The SSC added in the fourth, the Central Valley and including that, and I don't know what the process is, how we direct that work, but I think looking at that Central Valley Chinook Indicator might be a first step, a fall, a small step at getting what Frank was just talking about at an FMEP level, or a FMP level and looking at how the indicators work. It's one we have, you know, not trying to be salmon centric or specific, but it's one of the cases where we have indicators linked to a specific species or a stock assemblage, and it could set the example for future reviews that we do how that goes so I would support the SSC looking at that central indicator, and the other thing on this line of how do we step back? For me, also, it's a thought and process, how do we accomplish that? And part of my thinking was having the SSC or and maybe the EWG or a combination of them to take the time to just think about that and what would the process be to review and how much time would it take? Where would we start or how would we perform it rather than being prescriptive and saying what they would actually look at. Think about how you take that look at it from 100,000 feet instead of the 20,000 feet level we're at, so that's it, I support the work that the SSC suggested in there with the addition of the Central Valley piece.

Marc Gorelnik [00:10:22] Thank you Pete. Further discussion? Corey.

Corey Niles [00:10:27] Yeah thank you Mr. Vice Chair and yeah thank you for, I mean I don't want to duplicate comments here. Very well said Caren, Frank and Pete. I will just point we did have our initiative, number two, which was very focused on how to do some of these things and the conclusion I took away from that was that it's just going to keep, it's going to keep requiring this dialog every year and thinking over and over again and I think Dr. Garfield said it's going to be a 10 year process in his mind and so I think it's, this is how it, how it's going to work is just keep coming back and having discussions. On that I want to, just the one thing I wanted to thank the IEA folks for was they don't just show up here and give the reports and I don't know if I've ever heard anyone talk about socializing a report before, maybe that's what Caren means but I want to thank them for having the dialogs with all the workgroups and advisory bodies and in our Ecosystem Workgroup talked about more webinars and more interaction and so that is to me where a lot of the value comes in. We see just the tip of the iceberg here in terms of what they do to put the report together but we are only seeing a portion of the dialog and the more that staff and they can do to make more opportunity for dialogs between our advisory

bodies and teams, the better, because really good conversations hap there, happen there and I want to I want to thank them for taking the time to do that.

Marc Gorelnik [00:11:57] All right. Thanks Corey. Further discussion? So, what I think I've heard is an endorsement of the research topics that the SSC have in their report. Pete did suggest adding if time allows, I guess also a review of the Central Valley Fall Chinook stoplight. Is there any disagreement on that? And I think that Caren suggested that we ask that the advisory body reports also go forward for consideration. Have I captured the sense of the Council guidance here? Does anyone have anything to add? Louis.

Louis Zimm [00:12:55] Thank you Mr. Vice Chair. I just want us to keep in mind our public comment from Mr. Joel Kawahara talking about considering also the southern resident killer whale status and also the status of the returns to the tribes. I'm not asking for that to be specifically included, but I want to give a shout out to I think that's a good thing to bring up and we need to think about that as well. Thank you.

Marc Gorelnik [00:13:33] Thanks Louis. Anything further from around the table? Joe.

Joe Oatman [00:13:39] Thank you Mr. Vice Chair. I too have been reflecting somewhat on the public comment from Joel relative to what's in the report now relative to socioeconomic indicators and maybe a need to explore whether something like that might be expanded to include information that would be relevant to tribes and tribal well-being and how the California ecosystem may affect that in terms of fish and how those fish may or may not be meeting the socioeconomic needs of the tribes and so I appreciate the comment and one that, you know, I haven't had discussions with the tribes I represent relative to that but it is something that may be of interest for the tribes to maybe follow up on at a later point.

Marc Gorelnik [00:14:50] All right thanks Joe. So that's a point that both Joe and Louis made that perhaps we'd like to see a little more socioeconomic analysis in future reports. Is there. Is that? Virgil.

Virgil Moore [00:15:07] Yes Mr. Vice Chairman. I totally agree and I think...

Frank Lockhart [00:15:10] Your microphone...your microphone.

Virgil Moore [00:15:12] Oh sorry. I totally agree that we need to flesh that out and I do believe it includes a tighter look at the sport fishery that goes along very heavily I think with what the tribal fisheries are. How do you get a handle on that relative to the illustrations that were in the graphics here? So, I do believe we need to take a deeper look at that.

Marc Gorelnik [00:15:40] Okay. So I guess to summarize, there's interest in having the team in the future consider socioeconomic impacts and we're not limiting it to any specific sector just a broad look and we'll see what kind of information we can get out of that. That would be for the tribes, for the commercial, and for the sport. Any further discussion on this agenda item, any further topics? Brad.

Brad Pettinger [00:16:09] Thank you Mr. Vice Chair. I'd just like to thank the team for a fantastic presentation. Very informative and really is, in my mind it kind of cements why we went down this path and just the maturation of this project of why we have the existing management plan. This is really good and it's gotten better every year and it's just lights out.

Marc Gorelnik [00:16:34] All right. Thanks Brad. Dani and then Marci. Dani.

Dani Evenson [00:16:41] Thank you Mr. Vice Chair. I, in reflecting on this presentation I actually dug up the last presentation that the North Council, the North Pacific Fishery Management Council received and I'd like to echo the comments of others and point out that it's really amazing to have such a wonderfully rich and robust dataset from which to work with and I really appreciate all those integrated pieces, stoplights, and the social pieces of it and I think there's a lot of potential moving forward, and from what I'm hearing around the table and the suggestions and I might actually make some of those suggestions to the folks who are producing the North Pacific Fishery Management Council Report as well, because I think these things are really useful in a management context and have a lot of potential. So thank you.

Marc Gorelnik [00:17:40] Marci.

Marci Yaremko [00:17:42] Thank you Mr. Vice Chair. I just want to acknowledge something that I believe Toby referenced during their presentation and I think it was regarding the 'sea floor contact with trawl gear' slide where he indicated that they kind of debated whether or not to include the information this year because, and then in light of discussions surrounding siting of offshore renewable energy facilities, felt that the information might be useful and relevant. What I took from that brief interchange is that the authors spent quite a bit of time taking a hard look at what their view is of priorities and what is important to us as well as the general public and I hear.....we've heard a lot of suggestions today, but I do want to acknowledge that I think our folks producing this report do an excellent job sifting through a lot of voluminous material and yet bringing us something that is within our 20 page limit each year that does reflect the overall highest priority, so I just want to acknowledge the hard work that it takes behind the scenes to prioritize and I think you've done an excellent job doing that and I appreciate, you know, our ability to provide input, but ultimately respect that you have probably the best handle on what the greatest priority needs are looking at each year individually and what the changes are in the data streams year to year so I just want to appreciate your efforts to do that and keep the highest priority things on the list and not everything is going to be the highest priority every year. So thank you.

Marc Gorelnik [00:19:36] Thank you Marci. Louis.

Louis Zimm [00:19:40] Thank you Mr. Vice Chair. I also want to give a shout out to the team and convey to everybody that they have been presenting their work to people outside our Council process. I was lucky to attend a few days of the ocean sciences meeting in San Diego where I believe we had almost a thousand people there, top people in all the ocean sciences discipline and ran into Toby numerous times in the hall, so he was there working telling them all about what was going on so we may hear a lot more about this from other disciplines and other fields. So thank you very much for that outside work.

Marc Gorelnik [00:20:22] All right. Are there is any further council discussion on this agenda item? Kit, how we doing?

Kit Dahl [00:20:32] Thank you Mr. Vice Chair. I think you've completed this item and provided some guidance. There was one thing I wasn't entirely clear on. There was some discussion about this high level review possibly involving the SSC and the EWG, but I wasn't sure if that was really the sense of the entire Council or part of the guidance and I just sought clarification because if it were, then we'd need to think about how to organize that.

Marc Gorelnik [00:21:06] Is this....you're referring to the request from the EAS?

Kit Dahl [00:21:10] Well there was I think comment from perhaps Mr. Lockhart and others, Mr. Hassemer about this step back and high-level look at the contents of the report. There was some

discussion there. I just wasn't....and a mention of perhaps the process would involve some, something with the EWG and the SSC and I just, I wasn't sure if that was....

Marc Gorelnik [00:21:41] Unless I've missed something, I mean there were several comments made about things we can do in the future. I didn't interpret them as a Council action at this time. Maybe it's something we can take up in a future discussion, workload planning or some other place so....

Kit Dahl [00:22:03] Okay. Thanks for that clarification and with that we're done.

Marc Gorelnik [00:22:07] All right. Thanks everyone. It's always a great agenda item every year. It's now 10:18. I'm going to hand the gavel back to Chair Anderson and let him choose the length of our breaks.

2. Fishery Ecosystem Plan (FEP) Five-Year Review – Final Action

Marc Gorelnik [00:00:00] That concludes public comment and takes us to Council discussion and action. We've received quite a few suggestions for changes and I'm not sure how best to proceed other than to initially open up the floor for discussion and see what thoughts the Council has. Frank.

Frank Lockhart [00:00:31] Actually just the question I think for Kit. I tried to find this and I couldn't really. Could you remind me just about the overall schedule for this effort of reviewing the chapters and then potentially a Council decision on revising the FEP? I just, I couldn't find it.

Kit Dahl [00:00:57] Yeah sure Mr. Lockhart. So....well my understanding is that according to the Year-at-a-Glance, the idea was that this would be wrapped up in September of this year, as and so the first two chapters would be adopted at this meeting and then the revisions to the remaining chapters would be reviewed and adopted in September. You've heard from your advisers some ideas that it may, that schedule may need to be extended somewhat. The proposal of the EWG was to come back in September with just a.....they would just focus on Chapter 3, which is the you know kind of the substantial, at least in terms of page length, the substantial portion of the FEP and focus between now and September on revisions to that chapter and then move on to the remaining three chapters after September.

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

Marc Gorelnik [00:02:20] Caren.

Caren Braby [00:02:22] Thank you Mr. Vice Chair. I have some thoughts before getting into specific decisions. I feel like I need to kind of take a step back and think about what we, what we're trying to do generally and I've asked a couple of questions today about the role of a fishery ecosystem plan revision relative to the use of the FEP as an initiative driven process and particularly are increasing work towards improving the status reports each year and our discussion around ecosystem function related to the status report and kind of trying to understand in my own mind what I think those two bodies of work should include and I think that the vision of the Council in thinking about these two bodies of work in our discussion today will dictate the extent to which revisions of the EFP are needed and so I think we need to kind of talk about that first before we get into like the specifics of guidance to the teams about what to do with the revisions, the timeline, all of that and I have a, I have some thoughts about that, that I'll just start off with if that is something that you would like us to discuss first off, and my thoughts are that, you know the FEP as an umbrella document is valuable and we all recognize how dynamic ocean changes are at this point and how our stocks are reacting in unpredictable ways in many cases and what I would like to see is our work focus on revisions to the FEP that are constant over time to the best of our ability to judge and that we focus our attention on ocean change issues not within the FEP, but in our annual discussions with the IEA team around the status report and in forming that kind of ongoing discussion on an annual basis versus a five or what I would like to see perhaps a 10 year revision of this more kind of umbrella document. So that's, those are some thoughts about where I'm thinking just to start discussion and see if we can define that as a Council.

Marc Gorelnik [00:05:20] Well thanks Caren it sounds like it's a good place to start. Pete.

Pete Hassemer [00:05:31] Thank you Mr. Vice Chair. Maybe two things I'd like to share some thoughts also similar to Caren's, but before that a question to Kit similar to Frank's question. I understand the process to finalize this step of the review and I should know I just can't remember, is there an automatic trigger for another review five years down the road or 10 years or is this the only review we have scheduled right now?

Kit Dahl [00:06:12] Yeah thank you Mr. Hassemer. So if I recall the wording in the FEP, it says that it should be reviewed every five years, something like that or I think the implication in there is that it will be periodically reviewed on that 5-year basis. There wasn't, it wasn't specific to just initiate a five review, 5-year review in 2018. We started this current review at that time because that was five years after when the Council adopted the FEP so.....

Marc Gorelnik [00:06:54] Caren.

Caren Braby [00:06:56] Thank you Mr. Vice Chair, I would just note that the EWG Report specifically does not specify what that would be in the revised FEP chapter 2. So, I think that's an important point of discussion for today.

Marc Gorelnik [00:07:14] Pete.

Pete Hassemer [00:07:15] Good...well thank you for that clarification and on that point I agree with Caren's prior statement about we should get some things, if I'm paraphrasing this correctly, get some things locked in and not focus on changes to the FEP, but to what's happening in the ecosystem and the ocean environment that we move ahead with that so maybe broader comments. The first time we saw this, this set of objectives, goals and objectives that went out for public review was last September. We were, we had a different set in March and through the work we did, and it was deliberate. We saw them in September, and I apologize for not giving due diligence at that time to fully reviewing. We didn't have a lot of time but it's not faulting anything in the process. We did approve the goals and objectives to go out in September for public review and there was a lot of time for the public, the EWG, and our advisory bodies to review that and looking at the substance in the comments that we got, the recommendations, they did put a lot of time into that and I really value the input from all of the entities, the input we received on that and looked very hard at that. There's a lot of information and it can be daunting or confusing to put together, but I think they've provided some good guidance to us to move forward and at some point I suspect we have a lot of discussion to go through but I notice by our action items there, we need to adopt some final updates on the vision statement, revised set of goals and objectives. I don't know if you want to take those sequentially. I will foreshadow I put some work into goals and objectives specifically. We did hear from, I'm trying to think, remember here on others from the GAP on the vision statement and we have some guidance on that but I don't want to preclude discussion because we have a lot of material information and I'd like to hear from others first before we get into any action. Thank you.

Marc Gorelnik [00:10:01] All right, well thanks Pete. Let's, I think we have more to discuss before we get to that. Caren did you have your hand up? No, we just agree.

Caren Braby [00:10:11] Just agreeing.

Marc Gorelnik [00:10:11] All right. Frank.

Frank Lockhart [00:10:14] Agreed with the comments but just want to focus on one thing and that is the FEP, in addition to kind of having a vision statement and goals and objectives, chapter 3 is kind of a very interesting chapter. It provides an amazing resource. If you want to kind of get an introduction and get up to speed quickly on something, chapter 3 is a great way to get started and I think it's really important for us to.....one of the focuses of our efforts should be to get that up to date. A lot, as we have heard every March with our IEA updates, things change fast and I think it is an important thing for us to consider what's the best way to do that and we've heard from all of the advisory bodies and including as well as the public comment that, you know, there's a need for an addition of technical expertise to the Ecosystem Work Group. By the way, I went in to the Ecosystem Work Group yesterday

and in my mind they were a much bigger group than they turned out to be so I think it's not just a technical expertise, but the number of bodies that they have to actually work on this and especially kind of given the timeline that Kit laid out, they need enthusiastic writers and more of them with technical expertise so I think that's an important, that should be an important goal of ours today. Thank you.

Marc Gorelnik [00:11:54] Thanks. Rich Lincoln.

Rich Lincoln [00:11:59] Thanks Vice Chair. So just trying to keep this discussion thread moving along. I think those are all good ideas, and I think Caren, if I'm interpreting your opening comments, you're perhaps thinking about a revised ecosystem plan that to the extent that it can provide kind of a solid foundation that helps guide maybe a more dynamic or annual review of how we're progressing against some of those goals and objectives, perhaps trying to use the annual IEA or kind of associated things with that, that maybe separate the monitoring and tracking and the more dynamic things about how we're progressing and so to the extent that we can do that, I think that's a, I think that's a good idea and I think it moves, it kind of evolves some of our thinking along that of kind of this integration interest that the Council's had all along in terms of how to take best advantage of the FEP in different ways and thinking about how to integrate it with the annual IEA process so I think that's really good thinking. The idea about how, I mean how solid a foundation we can lay with the FEP and Frank's comments, I think kind of highlighted there's a lot of things have changed so it's important to update chapter 3 and so that's right, so we may not build a hardware exactly what the review timeframe looks like, and there were some, I think maybe it was you or someone else asked the question earlier about whether how.....I think it was a question that was really oriented towards how frequently would we really need to review and refine the objectives themselves and I think that is almost a similar question in terms, similar to how often might we need to refine information that's in something like chapter 3. So, to the extent that we can stabilize some of those things and use those as a basis to monitor and review our progress towards meeting ecosystem objectives, I think that's a really good goal. It may be hard to define how frequently we may need to do some of that review and revision just based on the understanding that things are changing fast so solidify things to the extent that we can, recognizing that we may have to be a bit adaptive if things surprise us and major things in the ecosystem change but I like the idea.

Marc Gorelnik [00:14:52] Thank you Rich. Further questions, comments, discussion? Virgil.

Virgil Moore [00:15:04] Mr. Vice Chairman. Just....

Frank Lockhart [00:15:05] Your microphone.

Virgil Moore [00:15:07] I'm new to this process I haven't been involved in it.....oh excuse me I'm still in training here. I really liked what we heard from the public comments from the Wild Oceans, Nature Conservancy and Ocean Conservancy in their presentation, particularly the focus they have on the initial vision. I think it's important we get that aspect done and I do agree that it has to be aspirational, as should many of the goals. It's got to go beyond the authority of the Council to tell people what we think this ecosystem needs and we've got that pieces in here but I do believe there's a heck of a lot of wording changes that do need to be incorporated in this that get us to that. There's an awful lot of task oriented or soft worded goals that don't really get at what I believe is appropriate in terms of what we want. Are we going to study things, are we going to elucidate things or are we going to do things and doing maybe even beyond the authority of the Council but that doing is simply being sure we're an advocate for the ecosystem so that it can produce the benefits that are out there and so, it's kind of a feel good speech but the point being is we've got to look at the vision and we got to look at the goals and be sure in my mind that they're aspirational and there's been a lot of work done by the various groups to get us there and I think we need to be thoughtful in terms of how we put that together, recognizing this is always going to be a document in transition. Thank you.

Marc Gorelnik [00:17:03] John.

John Ugoretz [00:17:04] Thank you Mr. Vice Chair. Yeah, I agree there's been quite a bit of work done. I actually see a lot of convergence in the various groups. There's little differences here and there and what we've seen is, you know, multiple tables from the various parties comparing the different goals and objectives and which ones they support. It is unfortunately a big menu so pulling it together in a way that the Council all understands and agrees what we're doing is difficult but I.....we're close and I personally don't have a way to easily get through this and so I don't know if we have to go piece by piece to discuss it or if we need a little time to sidebar and see if we can pull something together because I'd hate to spend the rest of this morning spinning on this item.

Marc Gorelnik [00:18:09] And nor can we afford to because we not only have the language changes, but there are a few other points raised during the reports so I don't want to foreclose discussion but I do think, John, your idea of having a sidebar, in other words, we'll take a break and then hopefully come back, have any further discussion as necessary and then perhaps at that time we'll be ready for a motion to converge these various proposals and menus into something into a single, into a single motion. So, unless someone has something they want to say before we take a break, we will take a 15 minute break. I have 9:20. We'll be back at 9:35. Is that for your participants in the sidebar? All right so we'll take a break, we'll be back at 9:35.....(BREAK)..... We're back on Agenda Item G.2 and I'll look around the table to see if there's any further discussion or if someone has a motion. First let me just see if there's any discussion so we don't cut it off with a motion. I'm not seeing any so if there is a motion here on Agenda Item G.2, probably want to start with the first of the Council actions to adopt the final updates to chapters 1 and 2. Pete.

Pete Hassemer [00:20:05] Thank you Mr. Vice Chair. I'm not sure if we want to start with the vision, or well let me take the vision first.

Marc Gorelnik [00:20:12] Okay fair enough.

Pete Hassemer [00:20:14] Sandra we'll have to type this one out and I will refer to my documents here. I move the Council adopt as the final vision statement the GAP recommendation presented in Agenda Item G.2.a, Supplemental GAP Report 1, March 2020.

Marc Gorelnik [00:21:12] Pete, is the language on the screen complete and accurate?

Pete Hassemer [00:21:15] Yes.

Marc Gorelnik [00:21:16] All right do I have a second? Seconded by John Ugoretz. Please speak to your motion as necessary.

Pete Hassemer [00:21:23] Thank you Mr. Chair. We, looking through my notes in preparation for this meeting. We had a long discussion at the September meeting about the vision statement. I think we got that down for the public review draft to something we all agreed on and I appreciate the review and the comments that came in and recognize that recommendation from the GAP for a minor wording change in what the public reviewed, I agree with that and note that the GAP in their report recognized also that, that recommendation came from the letter that was provided by the Ocean Conservancy, Wild Oceans, and the Nature Conservancy so I think we are good on that vision statement.

Marc Gorelnik [00:22:14] All right. Thanks very much Pete. Are there questions for maker of the motion? Council discussion on the motion? I'm not seeing any hands. I'll call the question. All those in favor say 'Aye'.

Council [00:22:27] Aye.

Marc Gorelnik [00:22:27] Opposed no? Abstentions? The motion passes unanimously. So, we have a vision statement. Pete.

Pete Hassemer [00:22:44] Thanks Mr. Chair. I'm going to take a step for a minute over the purpose and need, we can come back to that I think but because we have a vision, some goals and objectives, and I'd like to make a motion regarding those, please. Sandra if you could put up the motion. Bear with me It will sound a bit confusing, but trust me, it is not. I move the Council adopt as final goals and objectives for the Fishery Ecosystem Plan the following. From Agenda Item G.2.a, Supplemental EWG Report 1, March 2020. Goal 1 and objectives 1A, 1B and 1C. Goal 2 and objectives 2B and 2D. Goal 3 and objectives 3A and D, objective 4C. Goal 5 and objective 6B. From Agenda Item G.2.a, Supplemental ESA Report 1, March 2020. Objective 3C goal 4 adding 'to the extent practicable' to the end of the statement. Objective 4B, objective 5A, strike 'assess' at the beginning of the sentence and replace with 'review' and strike 'and understand' and replacing it with 'to facilitate understanding'. Objective 5C which is also EWG objective 5C, adding 'to the extent practicable' to the end of the statement and goal 6, replacing 'ensure that fishery management is' at the beginning of the statement with 'promote fishery management that is', and scrolling down, from public comments submitted to the advance briefing book, the website E portal under Agenda Item G.2, objectives 6A and 6B.

Marc Gorelnik [00:25:05] Thank you Pete. Is the language that has scrolled before us complete and accurate?

Pete Hassemer [00:25:10] Yes.

Marc Gorelnik [00:25:11] I'll look for a second? Second by Virgil. Please speak to your motion.

Pete Hassemer [00:00:03] Thank you Mr. Vice Chair. As we said, I talked a little bit about in our discussion, the public, our advisory bodies and others, a lot of work has been into reviewing this set of goals and objectives, the drafts that we forwarded it out for public review. I appreciate all that comment and because of the work that was put into to it by the entities, I thought it certainly deserved some due diligence and a hard look at that to see how we could incorporate that into a final set of goals and objectives. I want to point out that changes in the selection of goals and objectives that I have referenced here strive to get some goals that are aspirational and objectives that describe what we can do and fit within the Council's roles and responsibilities, but have that ecosystem focus or perspective. Recognizing that, you know under the lens that the FEP is an umbrella document that branches over all of the other FMP's or connects them and as I said, hopefully these are all consistent and aligned with the Council's roles and responsibilities. I think adopting these as a final set of goals and objectives, these will work for five years, 10 years down the road. Should we elect to modify them sooner, we can always choose to do that but I think this describes, very well describes our pathway for a reasonable period of time, whatever we choose it to be. As I said these are also, I tried to select wording in them that reflects outcome driven goals and objectives. As we heard in the public comment that helped to drive and inform our Council decision making. With that, this is simply a recipe or a set of instructions that if followed precisely, Sandra if you can go to the other document, just to clarify what this would look like, I've tried to organize it and show you not a side by side comparison what was there, but what these would be and I'll just take a minute to go through some of these and explain why they were chosen. Conveniently, goal one and its objectives is an easy place to start because there were very few changes. There was one wording change in the goal that was supported, the EWG brought it in. It was also noted in the EAS Report, the public comment we received and other places. Aside from that minor change, the goal and objectives 1A and 1B and 1C are as were published in the public review draft so there are no changes there. In goal 2 there I selected there the EWG recommendation. There were some, a few

wording changes the EWG provided in their report. They were the same as the changes suggested in the public comment letter. I thought that those suggested changes brought some clarity and made this goal more aspirational. Those changes were also supported by the EAS in there and I do want to clarify it's difficult to say where some of these changes originated or who supported them because as was mentioned across many of these documents the language is the same. So, for simplicity, I in my list of goals and objectives that we are adopting, I was specific to a source document that could point to exactly to that language. So minor change in Goal 2, but that, I believe that had across the board support. For.....excuse me while I sort through my papers here, for the objectives there, there was from the EWG Report the goal, excuse me objective to be, which was to map trophic energy flows, that was, there's no change from the public review draft and that was supported by the EAS also. Also included from the EWG Report objective 2D. There was no change from what went out for public review. It was also supported by the EAS and the public review draft. There was a suggestion in some of the comments to move that under goal 3. I looked hard at that and felt it could go either place, but I felt it did fit very nicely under this goal and so left it there. Under goal 3, went with the EWG recommendation. There was one word in there, word change, excuse me in there that instead of 'to promote fisheries management', to 'implement fisheries management', that ensures continued ecosystem services and I think that's all I have to say about that. Under the objectives, the first objective was from EWG, the EWG Report. There was no change from the public comment there. I have a note here there may have been one word change and I'm sorry I have to try and find that. Also including there what you see on the board, agenda item G.2, EAS report, objective 3C and that was also included in the public comment and it was also supported by the GAP and I would like to note on that particular one, the changes that were suggested there by the EAS, the public comment, the language was changed to say 'continue to monitor and engage in opportunities', that phrase 'engage in opportunities' was lacking in the, was not included in the public review draft nor the EWG comments and after our discussion Monday afternoon on marine planning, when we talked about all of these other processes, I thought including that phrase 'to engage in them' fit very nicely with that discussion we had at that time, talking about marine planning and other bodies that deal with ocean issues. Also, then, including from the EWG Report, their objective 3D, which was not changed from the public reviewed draft and again that was included in recommendations from the public, the EIS, or excuse me, the EAS also. Moving on to objective, excuse me, goal 4, I have proposed here a slight modification from what was proposed by the EAS and that modification was just to add at the end of that the words 'to the extent practical', so it says 'protect and restore marine habitat, diversity and integrity to the extent practicable'. Under that goal objective 4, excuse me I have to look, 4A is to maintain the diverse portfolio. That comes from the EAS report objective 4B and I believe the wording that the EAS has suggested provides clarity. It also mentions fishing communities and that is also what was, is consistent with what is the public comment recommendation, it is their objective 4A, it's confusing but it is very similar to that so there was support for including that, and then also including objective 4C from the EWG report, that is not changed from when, what went out for the public review. Getting towards the end here, goal 5 taking what was in the EWG report and I see there was no change from the public review draft, including with their objective 5A, which was from the ESA report, their objective 5A, but a slight change to that. First changing 'assess the status' to 'review the status' and then I included, changed the words there to facilitate understanding their role rather than the more specific to understand their role, and the other objective is modified EWG and EAS objective 5C to manage and minimize bycatch. That wording is the same. The modification I proposed there was adding 'to the extent practicable' at the end of that and that was also supported in the public comments. Lastly, Goal 6, this had probably the greatest deviation from what went out for public draft, but it does not differ very much in the intent or what the Council had there as content. What I propose here is taking what was language in the public review draft objective 6C and modifying that so I will read that now. It says 'promote fishery management that is sufficiently adaptive to account for the effects of climate variability and change, ocean acidification, marine heatwaves, harmful algal blooms and hypoxia'. As I looked across the document, reviewed the objectives and the goals, I thought I felt that this particular goal got more at FMEP, excuse me FMP

level objectives and that's why I looked at objective 6C and I thought that better reflects where we would want to be at some point in time, having fishery management that is adaptive to some of these changes, then with that change to the goal picking up from.....make sure I have this right. Objective 6 A from the public comment. Objective 6B from the public comment and from the EWG report objective 6B and well, again if we'd take the time to look across all of the comments, I think you'll see there is support for including those three objectives as they are presented here. So in closing, I hope that brought some clarity to it. There was a lot of information before us to sort through. I made an attempt to condense that and bring something that in some cases was more concise. In all cases, I tried to find things that were more outcome driven or quantifiable, as we heard in the comments, and reflect what the Council's roles and responsibilities are. This does not capture everything that was in the documents. There are objectives that are left out. I'm proposing only to include these. Those are also important. Those things that were left behind are important to our processes but in some case, in many cases I feel like they are things we are already doing either under other FMEP's or as part of our normal processes, some of the reviews and the assessments. Some of them prescribed engaging or implementing actions that I thought were premature relative to our developing and understanding of the ecosystem, how it behaves and how it changes and so a lot of this focuses on building and understanding, and I felt gaining that understanding with this set of goals and objectives would not preclude us to use that information or let it inform our decision making process is that we did not have to include that in there. I hope that we do not lose this full set of information that we gained from the comment because it is, it will be as applicable in the future as it is now and we can certainly gain some guidance from that, even though it was not specifically included in this set of goals and objectives, so Mr. Vice Chair, I'd be happy to try and clarify anything. I apologize for the length of it but there was a lot of stuff here to, to try and pull together.

Marc Gorelnik [00:17:03] Thanks Pete for that comprehensive motion. Are there questions for maker of the motion? Frank.

Frank Lockhart [00:17:12] So it just kind of a, not quite a process question, but so this is the motion and then you went through that table. Is the table part of the motion or how should we treat that?

Marc Gorelnik [00:17:31] Pete.

Pete Hassemer [00:17:31] Thank you Mr. Vice Chair. Thank you, Mr. Lockhart for the question. I, Maybe I'm stepping out here describing process, but my expectation is the motion is the specific set of directions and I said if you follow that exactly you would end up with a table that looks like I used for the clarification. I would let the EWG and the staff working on this do the other editing process to get the right numbering and everything in there, but these are the specific words that would be captured and put into the document.

Frank Lockhart [00:18:17] Thank you.

Marc Gorelnik [00:18:19] Further questions for the maker of the motion or discussion? Brad.

Brad Pettinger [00:18:24] Thank you Mr. Vice Chair. Pete, I see in the goal 6 in your motion, it doesn't refer to the objective 6C as it does in the addendum that you went over and so you might want to refer to that because it talks about replacing language with other language but there's nothing there about replacing it with the text from objective 6C of the EAS.

Marc Gorelnik [00:19:04] Pete.

Pete Hassemer [00:19:05] Thank you Mr. Vice Chair. I see that. You're speaking specifically to the goal?

Brad Pettinger [00:19:22] Yes. You do refer to it in your addendum here you went over explicitly but I'm not sure that's good enough, but just for to make sure.

Pete Hassemer [00:19:44] Oh excuse me. Sandra can you scroll up just a little bit? I think it's clear. Yes, so if you look what we're capturing is from Agenda Item G.2.a, Supplemental ESA Report 1 and scroll down now. What the ESA is recommending is language for goal 6 except replacing so going to the ESA report, taking their recommendation for the goal language except modifying it as I indicated.

Marc Gorelnik [00:20:32] Brad did you have a follow up question?

Brad Pettinger [00:20:36] I don't think that is the language, that language isn't there.

Marc Gorelnik [00:20:43] Caren.

Caren Braby [00:20:45] Thank you Mr. Chair. I think that the, perhaps the language is instead from the EAS Report 6C and then modified?

Pete Hassemer [00:20:59] Yes.

Marc Gorelnik [00:21:04] So Pete do you think you want, do you think we need to make a change here to make it accurate.

Pete Hassemer [00:21:19] Yes. It's an easy fix.

Marc Gorelnik [00:21:20] All right. Since the motion has been made and seconded we have two courses of action. One is an amendment and that may be the simplest way to go. So, would someone like to offer an amendment? Caren.

Caren Braby [00:21:35] Thank you Mr. Chair. I move that the Council revise the language for Goal 6 above to refer to objective 6C from the Supplemental EAS Report 1 and make this the high-level goal 6 with the wording changes as above.

Marc Gorelnik [00:22:46] Caren is the language there complete and accurate? Is there a second? Seconded by Brad Pettinger. Please speak your amendment as necessary.

Caren Braby [00:22:56] Yes thank you. We discussed it prior to me making this amendment, but the language that was in the table that Mr. Hassemer went over in great detail was incorrectly labeled as goal 6 in the original motion and so this is just a housekeeping amendment to make sure that the reference is accurate to pull in the language from the EAS objective 6C and make that the goal for section 6.

Marc Gorelnik [00:23:37] Thank you Caren. Any discussion on the amendment? I'm not see any. I'll call the question. All those in favor say 'Aye'.

Council [00:23:48] Aye.

Marc Gorelnik [00:23:48] Opposed no? Abstentions? The amendment passes unanimously. We're now back to the motion as amended. Further discussion? Caren.

Caren Braby [00:24:03] Thank you. I just want to speak to this motion generally. I think that the goals and objectives work that Pete has done pulling this motion together is a really nice reflection of the collaborative work from public comment, from our teams, from the Council and I very much appreciate the time it took for you to put this together, so thank you for that. I think that it makes progress in achieving more specific goal-oriented goals and objectives throughout. So, I'm planning on voting for this and just wanted to express thanks and that this is consistent with our, in my view, with our previous discussion.

Marc Gorelnik [00:24:50] Thank you Caren. Further discussion on the motion? Frank.

Frank Lockhart [00:24:56] I'll just say ditto and then but just also, I would like guidance on this to have the EAS and the EWG look at this just kind of for consistency and kind of report back to us the next time we deal with this just to make sure that there was nothing created here. I applaud Pete's job here. I couldn't find anything, but I just, it would be nice if you could look at it and come back to us, so thank you.

Marc Gorelnik [00:25:29] This agenda item will return later in the year. Further discussion on the motion as amended? I'm not seeing any. I'm going to call the question. All those in favor say 'Aye'.

Council [00:25:43] Aye.

Marc Gorelnik [00:25:43] Opposed no? Abstentions? The motion passes unanimously. Thanks, Pete, for the motion and thanks Caren. Caren you have your hand up.

Caren Braby [00:25:54] Sorry. Yes, I have another motion to offer.

Marc Gorelnik [00:25:58] Please.

Caren Braby [00:25:58] That relates to our work on chapter 2 which I'll read. I move that the Council adopt Chapter 2 of the FEP as described an Agenda Item G.2, Attachment 1, March 2020 except revise page 5 and the related timeline references from in quotes 'until at least twenty XX' close paren to open paren 'until 2029' close paren. Add language on page 5 to formalize the recommended practice for a September meeting among the SSC, the IEA team, the EWG and the EAS. This is not a requirement, but rather guidance, and Sandra that actually is page 5, not page, I mean sorry page 7, not page 5. Thank you.

Marc Gorelnik [00:27:25] All right. Caren is the language on the screen complete and accurate?

Caren Braby [00:27:29] It is.

Marc Gorelnik [00:27:30] Do I have a second? Seconded by John Ugoretz. Please speak to your motion.

Caren Braby [00:00:03] Thank you. So the Chapter 2 of the FEP is about process and I've suggested that we think about formal FEP revisions at a 10-year time frame instead of a 5-year time frame given the additional annual check-ins that we have on the annual California Current Ecosystem Report and so I am suggesting that we provide guidance to the team, to the EWG in particular, that we're interested in a longer time frame for plugging in to the FEP for an automatic revision process. Additionally, I wanted to give a shout out for what's become a routine practice at the September Council meeting where the SSC, the IEA, the EAS and the EWG have come together to talk about the upcoming California Current Ecosystem Status Report and just formalize that in the FEP to indicate that this is a routine

practice and is part of our ongoing consideration and speaks to the value of the collaborative nature of that report but that need might change over time. I don't want to make it a requirement that it happen every September, but that, that is our recommended guidance.

Marc Gorelnik [00:01:34] Thank you Caren. Are the questions for maker of the motion? Corey.

Corey Niles [00:01:45] Thanks Mr. Vice Chair and I've been pretty quiet here as I'm a member of the Ecosystem Work Group and put all my thoughts there and thought Yvonne did an incredible job of conveying those thoughts to you all. It's a question for Caren. I think, you spoke pretty nicely at the beginning of all this about, and I'm not going to speak as nicely as you did, but the goal was to, you know, in my mind I think of it and it was very consistent with ideas we've talked at the work group level about this is to make this, the revisions here are to make a more living document back and forth between the annual report and the goals and objectives and I understand and I can agree with the 10-year timeline, but if that dialog more back and forth reveals the need or it's appropriate to take some goals and objectives along the lines, and even in a smaller picture of what Mr. Lockhart asked about, if we find inconsistencies in any of this stuff, I mean, you're not saying in no way should we never, ever think about revising this if it's good cause and that dialog leads to opening some of this material. Sorry went on too long there but I don't think you would mean that but what you really are is trying to put some, not a hard line but a soft workload order here on what, how often we do this all over again.

Marc Gorelnik [00:03:17] Caren.

Caren Braby [00:03:19] Thanks for that question. That is my intent to kind of remove the hard, hard wired, you can't revise this until language, which is how it was previously, but it was related to a 5-year plan time horizon. Here I want to extend it, but I don't want to lock us in and I think that it would be subject to the Council's desire to revise it earlier than this time but that's a question for Chuck and the parliamentarian perhaps, I'm not sure but that's my understanding and my intent.

Marc Gorelnik [00:03:58] Further questions, comments? Virgil and then Chuck.

Virgil Moore [00:04:05] Well I'll certainly support this with a word that all plans need to be visited routinely enough that the decision-making body, this Council has ownership. Over the period of my career I've seen a number of plan documents that had the sunset longer than the term of the policymakers that had to approve it and it lost any meaning to them and we were ad hoc messing around with it. The interim reports and gaining ownership of this document, given the three-year term and the end of the three term limits of many of the positions here, a 10-year horizon then gets beyond that depending on where you're at in that cycle to where they either never acted on the original or don't have ownership in it, so it's just a caution over that time frame to be sure that these check-ins emphasize the ability to take ownership of these documents.

Marc Gorelnik [00:05:12] Thank you Virgil. Chuck. Caren.

Caren Braby [00:05:17] Thank you and I did not include in my rationale but I would like to hear that additional work that we do on considering new initiatives for the FEP and that happens every two to three years and so that it provides a time for all of us to reconnect with the FEP that gives me an additional desire to kind of expand that formal FEP revision time horizon, so thanks for your comments but that's additional rationale for me.

Marc Gorelnik [00:05:51] Chuck.

Chuck Tracy [00:05:52] Thank you Mr. Vice Chair. So, in regards to the motion itself, you know, the sentence now says the Council does not anticipate initiating an FEP review process until at least 2029.

So that's an anticipation but it's not a requirement so I think there's, I don't think you've precluded any action by the Council to initiate something sooner. I will point out that a little not very much further down in the language, there is a list of bullets that the Council will do at each years Council's March meeting the Council and its advisory bodies will, colon, and then there's the list of five bullets, the last of which is in March 20XX assess whether to initiate a review and update of the FEP, so there's another spot with a vacant date in there and I'm not sure how that, so that is a little more specific as to when the Council will consider it next, so that's maybe another aspect of this issue that probably should be addressed and then I guess just lastly, I will point out this is only the next review. This is not a recurring cycle or you know that, I think we heard some statements earlier in the Council discussion or maybe during before a Council discussion that the FEP was scheduled to be reviewed every five years. I don't believe that's the case. I believe it says that on our website, but I don't believe that's the case in the FEP at this point so anyway just kind of want to add to the discussion here of things that need to be addressed.

Marc Gorelnik [00:07:43] Caren.

Caren Braby [00:07:46] Thank you, and just to the point about the bullet further down on this page, it's the fifth bullet on the page. It does say in March 20XX and my intent was to change it as well if this motion passed, so that is part of the intent there.

Marc Gorelnik [00:08:11] Well, we should probably make that intent to expressed through an amendment. John Ugoretz.

John Ugoretz [00:08:17] I've got an amendment to the motion.

Marc Gorelnik [00:08:19] Please proceed.

John Ugoretz [00:08:23] I move that the bullet labeled 20XX be revised to state 2029.

Marc Gorelnik [00:08:49] Is that language on the screen complete and accurate? I'm not looking at the page you're looking at so.....

John Ugoretz [00:08:55] Yeah, I'm hoping it's complete enough. Let's say the bullet in G.2, Attachment 1, March 2020 last bullet on page five. Thank you.

Marc Gorelnik [00:09:28] Okay.

John Ugoretz [00:09:28] That's complete enough.

Marc Gorelnik [00:09:30] Thank you, thank you John. Is there a second? Seconded by Bob Dooley. Please speak to your amendment as necessary.

John Ugoretz [00:09:38] As we just discussed the initial motion was changing the date and this reflects that change.

Marc Gorelnik [00:09:45] All right. Any questions for John on the motion to amend or any discussion on the motion to amend? Not seeing any I'll call the question all those in favor say 'Aye'.

Council [00:09:56] Aye.

Marc Gorelnik [00:09:56] Opposed no? Abstentions? The motion to amend passes unanimously. We're back to the main motion as amended. Further discussion? Corey.

Corey Niles [00:10:07] Just thanks Mr. Chair. Thank you for the motion. Again, I've heard Caren's response to my thoughts there and I'm not a, I'll vote for this. I'm not a fan of hard deadlines. I think Virgil said it really well. I think the dialog is going to help us take ownership of this but if it doesn't, I fully expect that the public and others to come forward and tell us that we need to own this more but I will support this motion.

Marc Gorelnik [00:10:37] Any further discussion? I'll call the question. All those in favor say 'Aye'.

Council [00:10:43] Aye.

Marc Gorelnik [00:10:43] Opposed no? Abstentions? Motion passes unanimously. Thanks Caren for the motion and John for the clarification. Further work on this agenda item? John.

John Ugoretz [00:10:59] Thank you Mr. Vice. Chair. I think chapter 3 would be appropriate now in the order of things.

Marc Gorelnik [00:11:05] Absolutely.

John Ugoretz [00:11:06] I do have a motion for chapter 3. I move that the Council direct the Ecosystem Work Group to continue reviewing and revising chapter 3 of the Fisheries Ecosystem Plan and bring a final recommendation for changes to the Council for adoption at the September 2020 meeting. In addition, the Council approves the addition of up to 7 new Ecosystem Work Group members and directs the Ecosystem Work Group and National Marine Fisheries Service to bring specific recommendations for new members to the Chair for potential appointment.

Marc Gorelnik [00:11:40] Thank you John. Is the language on the screen complete and accurate?

John Ugoretz [00:11:42] Yes.

Marc Gorelnik [00:11:43] Thank you. Is there a second? Seconded by Bob Dooley. Please speak to your motion.

John Ugoretz [00:11:49] I think the group has done significant work on this chapter. I think they're ready to move towards finalization. We've heard that in order to complete that chapter additional expertise would help and I'm confident that the Ecosystem Work Group working with National Marine Fisheries Service can get a list together of the types of expertise they need to do that and that if they can bring those recommendations to the Chair and he appoints them, that will get them to the goal of September 2020, having something final for us to look at.

Marc Gorelnik [00:12:30] Thank you John. Questions for maker of the motion? Caren.

Caren Braby [00:12:36] Thank you. John, I wanted to understand if your intent was for all new members to be recommended from the National Marine Fisheries Service or whether it is just them working with the EWG to identify appropriate expertise needed?

Marc Gorelnik [00:12:54] John.

John Ugoretz [00:12:56] Thank you Mr. Vice Chair and thanks Caren for the question. Yes, it's them working with National Marine Fisheries Service, both of those two entities could recommend whoever they think is appropriate.

Caren Braby [00:13:08] Thanks.

Marc Gorelnik [00:13:10] Further discussion on the motion? I have a process question. Do the proposed, and I guess this is for Kit, do the revisions need to go out for public review before adoption by the Council or if not Kit, maybe someone can answer that question?

Kit Dahl [00:13:40] I'm hearing from the Chair of the EWG behind me, her view is that, that would not be necessary. I think we can bring a draft to September. I'm sure there'll be comments on it and that the Council can consider whatever comments are received and whether they merit further revisions I guess so....that's a wishy-washy answer.

Marc Gorelnik [00:14:08] All right thanks Kit. All right unless there's any further discussion, I'll call the question on this motion. All those in favor say 'Aye'.

Council [00:14:17] Aye.

Marc Gorelnik [00:14:17] Opposed no? Abstentions? This motion passes unanimously. Thanks John. I'm going to go back to our list of Council actions, but I'll also ask Kit to see how we're doing on this agenda item?

Kit Dahl [00:14:40] Yes thank you Mr. Vice Chair. I think you've provided sufficient guidance and also adopted changes to the, based on the public review draft of chapters 1 and 2 so we can incorporate those changes and assume that, that is the final version of that chapter. Obviously, at any time you can, there are additional changes that is left open until this process concludes and I believe you've given guidance to the EWG in terms of their work between now and September and express your preference that we look at expanding the membership of the EWG, so I think we can work with the Chair and the Executive Director and as referenced in Mr. Ugoretz motion to identify and appoint those additional members and that can be reported back to the Council at an appropriate time. So, I think we have enough to move forward to the next stage.

Marc Gorelnik [00:16:00] All right thanks Kit. Let me ask the Council if there's further discussion? Karen, Caren rather.

Caren Braby [00:16:06] I have a couple of comments, kind of post motion discussion on chapter 3 and then I have questions about chapters 4, 5 and 6.

Marc Gorelnik [00:16:17] All right.

Caren Braby [00:16:17] And a potential motion for those. So my post motion discussion on chapter 3 is that I very much appreciate the work of the EWG in working to shorten and that chapter 3 in particular and connect it to real time data sources rather than importing static data sources into the FEP and I wanted to explicitly say that I encourage and appreciate that continuing and moving forward to make it continue to be a more living document and I think that's consistent with much of what we've heard today, and then I have a motion for 4, 5 and 6....

Marc Gorelnik [00:17:07] Please.

Caren Braby [00:17:08] If that pleases you.

Kit Dahl [00:17:14] Sorry. Sandra is telling me she doesn't have some motion language to choose.

Caren Braby [00:17:20] Thank you it was in the body of the email and I'm happy to dictate it. Thank you. Want me to dictate? Yes. I move that the Council request the EWG to move forward and gather public comment on chapter 4 and chapter 5 revisions outline as in Agenda Item G.2, Attachment 1, March 2020, comma, and bring revised approach to revisions to the Council in September 2020, comma, or at a later date if needed, period. Additionally, comma, do not move forward with public comment or revisions to chapter 6 at this time.

Marc Gorelnik [00:18:43] Caren is the language on the screen accurate and complete?

Caren Braby [00:18:47] It is.

Marc Gorelnik [00:18:48] Thank you very much. Is there a second? Seconded by John Ugoretz. Please speak to your motion.

Caren Braby [00:18:56] Thank you. We heard strong interest in retaining and updating chapter 4 and chapter 5, which are important statements of where the Council wants to go in terms of management and influencing or communicating with our partners outside of the Council arena and I think that those chapters in particular, the outlines may be of interest for a public comment beyond the Council and before we initiate revisions and drafting of those that it would be good to understand what that full interest is. I specified September 2020 or at a later date, just not really having a clear understanding of what timeline is reasonable, but wanting to kind of give some period of time or a little bit more if the team needs that in order to achieve that outcome. And then for chapter 6 and I haven't spoken to this much yet this morning, but for chapter 6 I have concerns about starting on a revision of that given the changes that we have made to move research and data needs outside of the FEP and not really wanting to make decisions today about how we balance that workload or that focus and I think that, that deserves more Council discussion and consideration.

Marc Gorelnik [00:20:39] Thank you. Are there questions for the maker of the motion? Frank.

Frank Lockhart [00:20:44] I have two questions. On the first half, so are you looking at by requesting the EWG to move forward and gather public comment? Do you, by that do you mean the Council will publish it to the Council website and then the EWG will look at those comments, is that what you were intending?

Caren Braby [00:21:05] Thank you for the question. Yes, that's the intent.

Frank Lockhart [00:21:07] And then on the bring revised approach to revisions to the Council. I'm, are you saying that they will suggest to the Council an approach to how to make those revisions or just kind of present those revisions and their suggestions on how to respond to them?

Caren Braby [00:21:31] Thank you for that question. So my anticipation is that if there's interest from the public in making comment or from the advisory bodies, that those would come forward and might alter the recommended approach from the EWG, which is presented in Attachment 1 and so I would ask that, that then come back to us with those public comments incorporated at a later time so that we then have a comprehensive outline with some public comment on what we should be including in those sections.

Frank Lockhart [00:22:09] Thank you.

Marc Gorelnik [00:22:10] Further questions for maker of the motion or discussion on the motion? Kit.

Kit Dahl [00:22:18] Thank you Mr. Vice Chair, Miss Braby. I'm just seeking clarification. That reference, should it be the Supplemental EWG Report? Attachment 1 just is the public review draft of chapters 1 and 2 unless I'm misunderstanding something and then the Supplemental EWG Report provided their annotated outline of chapters 3 through 6.

Caren Braby [00:22:47] Yes thank you Kit. That's my error.

Marc Gorelnik [00:22:50] All right. So do you want to simply withdraw your motion to make the change or do we want an amendment? Does someone want to offer an amendment?

Caren Braby [00:23:05] I would take an amendment that doesn't have to be.....

Marc Gorelnik [00:23:08] John.

John Ugoretz [00:23:08] I'll take a shot. Give me one second here to make sure I reference it right.

Marc Gorelnik [00:23:20] Chuck.

Chuck Tracy [00:23:21] Thank you. I guess I would suggest while your, as long as you are making your amendment to note that the public comment will be gathered by the Council and not the Ecosystem Work Group.

John Ugoretz [00:23:40] Ready for an amendment?

Marc Gorelnik [00:23:41] All right John go ahead.

John Ugoretz [00:23:44] I move that the motion be revised to strike 'EWG' in the first sentence and replace with 'Council' and that the referenced agenda item be modified to refer to Agenda Item G.2.a, Supplemental EWG Report 1.

Marc Gorelnik [00:24:27] All right John. Is the language there complete and accurate?

John Ugoretz [00:24:30] Yes, it is.

Marc Gorelnik [00:24:32] Is there a second? Seconded by Bob Dooley. Please speak to your motion to amend.

John Ugoretz [00:24:38] As we discussed, just clarifying the motion to its appropriate intent.

Marc Gorelnik [00:24:43] All right. Any questions for the maker of the motion, or maker of the motion to amend or discussion on that motion to amend? I'm not seeing any. I'll call the question all those in favor say 'Aye'.

Council [00:24:54] Aye.

Marc Gorelnik [00:24:55] Opposed no? Abstentions? Motion to amend passes unanimously. We're now back to the main motion as amended. Further discussion? Corey.

Corey Niles [00:25:10] Thanks Caren. I'm just wondering if you could elaborate a little more on the type of public comment you're expecting? Is it members of the fishing communities, entities having gone through this? As part of the Ecosystem Work Group and on the Council we tend not to get a whole

lot of comment. Are there particular, is there a particular type of public comment you're seeking, or I think you also said you just you want to see what's out there? So yeah if you have you have specific people to reach out to, I think that might be helpful, at least in terms of guidance or if not, then that's good to know as well.

Marc Gorelnik [00:25:48] Caren.

Caren Braby [00:25:49] Thank you for the question. I think we've heard a significant amount of concern at this meeting about human activities, in particular offshore renewable energy as an example, but there may be others and so this would be just a continuation of that for chapter 4 and then I think that the chapter 5, I don't have any particular ideas in mind but I do support and want to roll out a phased approach to amendments to the EWG and so we clearly have checked off chapter 1 and 2 today. We have strong opinions about chapter 3 moving forward in terms of expertise and drafting and these I would want to start on subsequently.

Marc Gorelnik [00:26:51] Chuck.

Chuck Tracy [00:26:52] Thank you Mr. Vice Chair, Dr. Braby. So if I'm interpreting this motion correctly, then if you're going to consider an approach to additional revisions and not adopt the final revisions then, you know, right now we've got tentatively scheduled, I mean it's shaded but, you know, final action on the FEP revisions in September, so I guess based on what I'm hearing here that we would probably need to reconsider a more distant finalization date, perhaps under workload planning but I just kind of want to make sure I understand the process that you're suggesting.

Marc Gorelnik [00:27:39] Caren.

Caren Braby [00:27:40] Thank you and my, the process I'm suggesting is, input on the outline, not a draft that goes out to public comment so I just want to make sure that I'm being clear because I've already had John clean up my motion once. So, the intent here is taking this document, putting it on pause for additional public comment and reflection and considering that along with the additional input that we get relative to expertise and approach for chapter 3 in September, for example.

Marc Gorelnik [00:28:15] Chuck.

Chuck Tracy [00:28:16] So it does sound like we would not be able to complete the FEP review as a whole in September based on that presumption?

Caren Braby [00:28:28] Thank you and that's my understanding of the motions that we made relative to chapter 3 as well, that, that's not going to be a finished draft maybe.

Marc Gorelnik [00:28:42] John.

John Ugoretz [00:28:43] Thank you Mr. Vice Chair and yeah I think it's a little uncertain at this point but I appreciate your bringing that up that we probably need to keep it shaded and you know think about it as we get closer and as we see what's produced in draft in terms of what the final timeline might be.

Marc Gorelnik [00:29:09] Further discussion on the motion? I'm not seeing any. I'll call the question. All in favor of the motion as amended say 'Aye'.

Council [00:29:20] Aye.

Marc Gorelnik [00:29:21] Opposed no? Abstentions? Motion as amended passes unanimously. Let me look around the table see if there's any further discussion, motions, anything else from the Council under this agenda item. I'm not seeing any hands. Kit, we're good?

Kit Dahl [00:29:43] Yes Mr. Vice Chair. I think you've covered your bases here.

Marc Gorelnik [00:29:47] All right. Thanks. Thanks everyone.

3. Climate and Communities Initiative Workshop Report

Marc Gorelnik [00:00:00] We'll resume our formalities here on item H.4 we have in front of us on the screen. Kit do you have anything you want to say before I throw the table open for discussion?

Kit Dahl [00:00:20] I think you've had a lot of ideas and advice from the advisory body reports. There is, I think one of the questions is, the amount of time to spend on the further validation and deepening of the scenarios that came out of the workshop versus moving on to the application phase, presumably through some kind of focal group process. So that is a key decision that seems to have emerged out of the advisory body reports. Beyond that I don't have any concrete advice.

Marc Gorelnik [00:01:10] Okay. Well I know that everyone was thinking about it during lunch to focus their thoughts for this discussion, so I'm going to look around the table and see who wants to kick us off. John.

John Ugoretz [00:01:28] I'll start. Just some kind of general thoughts but, and I appreciate all we've heard today. I do think there's still a lot of confusion about what scenario planning is and what it is not. I heard it even at the workshop from some of the constituents there asking the question, you know, so does this end with an FMP amendment and, you know, the answer to that is resoundly no. In fact I think our original CSI report mentioned that, that is not what's expected out of this and also, I think you know, it's a very difficult process to describe to people who have not sat there in the room and done it. The more I've been involved, the more I've understood it and that's taken quite a bit of effort, but I think the people who were at the workshop have a better feeling, but maybe still not a complete feeling for it. All of that said, a lot of good work has occurred. I don't want this process to stretch on forever, though we do not have a hard, fast deadline to complete it by some specific date and I think that the core team working with the facilitator can bring something out of this in a reasonable amount of time to have a product that really assists the Council in considering the climate future and how we should react.

Marc Gorelnik [00:03:10] Thank you John. Further discussion? Caren.

Caren Braby [00:03:18] Thank you. I agree with John's comments and so I want to also reflect on kind of the sense that the Council family and my sense is that everybody feels a little bit unprepared to move to the next step right now today and that we need to maybe adjust our expectations of a reasonable timeline to bring everyone along and I think that we can do that and still get through this initiative in a reasonable amount of time, sometime between now and a year from now, which is extending it a little bit but not dramatically and that we'll build in some additional socialization of the issues, just to bring a word from the other day, but also allow some time for people to absorb this because it is so novel and vague, kind of the process that we've taken to get to this point, unless you've done it, it's hard to get your head around and so that will allow some space and some time for some additional input. So, I think that's my general impression of where we are right now, and I think there's a good couple of ways that we could move forward to get there.

Marc Gorelnik [00:04:53] Thanks Caren. Rich.

Rich Lincoln [00:04:59] So maybe I'll just build on those two comments by just in agreement with those ideas in that there has been a lot of good and very specific kind of feedback from some of the advisory groups and management teams that I guess will, would help, materially help inform the next process steps and one of the, I think to build on what John and Caren said is that one of the ideas that we have is that we already have a work group call scheduled for March 20th and so I think what we would probably suggest is that to the extent that the Council is so far, I don't know if I'd use the word

happy, but thinks that there has been kind of reasonable progress, the kind of scope of the work makes sense, I mean we should have a little bit of Council discussion about that. Within that context that Caren framed of trying to make, trying to figure out what the process steps specifically look like between, say, now and trying to conclude this by next March, for instance, that we can, that the work group could take the feedback that we've got from the advisory groups and the Council discussion here and deal with the specific questions about what, so how do we design the deepening? Is that, I mean we've got opportunities, for instance, to use some of the ideas that Jonathan displayed in the last couple of slides to bring back some of those tools and the, for instance, assign some work to the advisory groups that wouldn't necessarily require Council floor time but something that could occur, say, between now and June, at the June meeting? We have that opportunity to talk about, well, is that all sequential or is there a way to design the process with some of the broader public engagement that makes that efficient? So there's that a little bit of kind of the deepening and validation that also occurs in the context of that, of those discussions about what are the implications of these scenarios, the Council management and fishing communities, so we haven't had that time to debrief since the workshop, since it was just held but with the feedback that we've gotten hopefully the discussion that we'll have here, I think we have the fodder for our March 20th call to really start talking more specifically, what are those steps look like? What's the opportunity for both the design and nature of that engagement opportunity, but even the context of logistically what's that look like? You know there some uncertainties there with coronavirus and et cetera, et cetera but thinking about the efficiency of designing the process and I think the value of having the core team with Jonathan have some time to talk about those design options, making sure we're kind of optimize the investment of time and make sure the design is creative and flexible in terms of getting the most value out of the process, which I think we've heard a lot from the advisory groups that people really want to see some tangible results from some tangible things that the Council can use as a result of this process so I guess I'd just add those few points.

Marc Gorelnik [00:08:47] Frank.

Frank Lockhart [00:08:49] Agree with all the comments. Only one I would add is that I found it very useful EWG Report 1, the supplemental one, when they reminded, and I definitely needed reminding, that you know that this is a tool but the goal of the initiative was to consider strategies for improving the flexibility and responsiveness of our management actions to near term climate shift and long term climate change and strategies for increasing the resiliency of our managed stocks and fisheries to those changes. So, for me, that helped set the frame for a lot of these discussions. This tool is to address the initiative. It's not a be all end all in itself, so I thought that was a very useful comment by the EWG. Thank you.

Marc Gorelnik [00:09:39] Christa.

Christa Svensson [00:09:41] Thank you Vice Chairman. I want to start by saying thank you for allowing me to participate. I was really impressed with the quality of the workshop and the variety of folks that were there. I will admit I really came thinking it was going to be about the environment and that we'd be talking a lot more about habs and marine plastics and those types of items and it was very heartening to hear so much interest in community type activity, whether it was graying of the fleet, infrastructure seemed to be a very, very large one and I am in agreement with the folks here that have commented in terms of timeline. I think that this is a timely issue. I think a lot of us in fishing communities and, you know, that doesn't really matter whether it's a commercial person or a recreational person or somebody that's relying on fish for subsistence. I think a lot of us are struggling with a lot of these issues right now. I know a number of us in talking about it it's like, wow, I feel like I'm living in quadrant three, which is probably not the happiest place to be and so I do think that we haven't talked a lot about what we heard in either the EAS or the GAP statement in terms of stakeholder engagement and we do need to be mindful that folks are struggling and reaching out to them and getting that

information in a lot of cases could be a little more challenging because they may not have the resources to have six hours, I think I heard at one point, to sit down and talk with us and we should not be deterred from that. And the last item I really would like to highlight in terms of what I heard at that workshop that really resonated with me was that a lot of our scenarios had a fair amount of doom and gloom that went with them. I mean, I think I heard nuclear holocaust more than once. I know I was the one that was pretty adamant we needed a cataclysmic event card and that was before covid19, which certainly has the feeling of a cataclysmic event, but the takeaway that I heard from numerous people was don't go back and talk about how terrible things are, that we should have hope, we have a future, and that scenario planning does allow us to create that future, so that is the message that I do want to end on in terms of my guidance for reaching out to stakeholders and to continue moving forward in a positive manner.

Marc Gorelnik [00:12:23] Thanks Christa. Virgil.

Virgil Moore [00:12:27] So for me the product of this was interesting to look at. The quadrant diagrams help to illustrate the various pieces that the work group came up with. I think the question becomes is, is that a useful predictive tool for what we think the future could do? Not that it's going to do it but could do it. And then secondarily, are the existing management strategies we have in place for all of the management activities that we make decisions on able to be responsive to those four quadrants? Based on what I know most of our plans are. I mean we're data driven. We're getting information. We're looking at how those biotic systems are responding. To me what we need to do is look at the output from this work and see whether our management plans and strategies have that flexibility to be responsive to the extremes that are illustrated in those quadrants. I think we are. I think we're a very responsive group. It's just a question of have we built in the responsiveness needed based on some of the game playing that we're doing for the extremes that are out there. Can we put enough boats out to harvest all the fish if we get the best-case scenario? You know and stocks expand. We're always talking about the downside of it but what if and what would we do if confronted with that? And so those are the kinds of things I think our management plans, though, are sensitive to, so I, the end point of this is I think we need to bring this to completion and closure, but use it within our various technical groups to look at, have them look at, okay the stuff you're advising us on, is it sensitive to this?

Marc Gorelnik [00:14:38] Thank you Virgil. Bob Dooley.

Bob Dooley [00:14:42] Thank you Mr. Vice Chair. Thank you, Virgil for saying that, that's been exactly on my mind. When we talked about this last time on the floor, I think my comments were, we are agile. We deal with change all the time as a Council and my expectation of the deliverable from this exercise was identifying the tools that we don't have in our toolbox for the extremes we may encounter on the way. It wasn't, it wasn't in and of itself an exercise, it was to identify that in my mind. From that part about it I also, I remember commenting, saying we better leave some breadcrumbs behind as we go down the trail because we may be back here. So don't forget where we are or we might be. So I think that quadrant exercise really did send that home, and I don't know how much fine tuning is to, how much deepening is going to be required to identify what we need to do in any one of those quadrants so I would hope we get....that 's the answers I'm looking for is what are we short of? But I and I agree with Virgil absolutely that I think we're pretty darn nimble and we deal with change all the time. The conversation about being quicker, I don't know that we, I don't know that we can be but, you know, just because of all of the requirements and NEPA and all the things we do but I don't see us falling off the shelf either because of anything that's coming unexpected in the future that will happen tomorrow except for maybe the virus so thank you.

Marc Gorelnik [00:16:26] It's always the unexpected that gets you though. John.

John Ugoretz [00:16:31] Thank you Mr. Vice Chair and thanks for that Bob. Yeah I actually don't

know that this is about being nimble and quick, but more about broadening our perspective to the what ifs for future scenarios that we haven't considered yet that, that could be different than, I promised Caren I wouldn't but Christa brought it up, so you know what if there's a nuclear war and, you know, fallout and you know, how would that change our fisheries and I was amazed at the workshop to see that there are papers about changes to ocean acidification in the event of nuclear war, which is just amazing that people are thinking about that but anyway, I do think there's value to this. I do think it's asking us to think differently than the way we currently manage things and the one thing I did hear, I agree that maybe we don't need a huge amount of deepening or fleshing out of the scenarios but there are some voices that we haven't heard from and we've heard from a lot of our advisors that we need to be sure we reach out to those people at least and so I think maybe there's a way we can get, with the help of the core team and the facilitator and using a mixture of existing Council process and outside facilitated process to get us to a better final product that people understand more, and important to that is having generated a tool that we don't have yet to really export this to a lot of different people and maybe we can get the core team in facilitator to work on something like that.

Marc Gorelnik [00:18:23] Thanks John. I guess I'll offer my two cents. I was at the Scenario Planning Workshop and it was really eye opening on the one hand, and on the other hand we had a divergence, in a sense, of thoughts as is the more scenarios you contemplate and I do think we need to make an effort to try to converge that process into a more useful tool. I heard Rich suggesting the core team's going to have a call in March and, you know, I'll just throw out there maybe we can ask the core team to provide some direction back to the Council, I think in June? When are we back on the agenda for this or are we? Chuck.

Chuck Tracy [00:19:12] Thank Mr. Vice Chair, I think we're not back on this until, excuse me, until September and I can check here real quick. That's.....no we've got Climate and Communities Initiative in June, yes we do, tentatively in June. We've got the FEP in September so we are on for June. While I've got the floor though I guess I might suggest that perhaps after the, or as part of the call and the follow up from that, if there could be a report suggesting some scheduling and workload assignments that, if that could be available to us at the April Council meeting so that we could do our workload planning based on their advice, that would probably be helpful.

Marc Gorelnik [00:20:02] I think that's a good idea too. So speaking of converging on this agenda item, our task here is to provide guidance. There seems to be agreement around the room that the core team will take this up and provide something back to the Council in terms of workload planning and what not in time for our April meeting. Is there further guidance that we need to provide under this agenda item? I suspect there may be but I'm going to look to the core team or anyone else around the table. Caren.

Caren Braby [00:20:50] I don't think I have guidance per say, but I just wanted to kind of reiterate a little bit about how I'm thinking this is going to work and John's spoken to the deepening, he's not sure exactly how much is needed. We've heard from the teams. We're not quite ready to go out there, so it's one set of questions and the other is going outside of the Council family to these focal groups and really having a meaningful experience there. And for the deepening I feel like the core team is a good set of guinea pigs, so to speak, to do a little bit of work on the deepening, put some more thought into the timeline, put some more thought into what the focal group process, whatever that looks like, could be. Whether that comes back as a report I don't have an opinion on that, but you know just thinking about that and yet at the same time I'm sensitive to the fact that if we create a really complex set of focal group experiences across space and time that, that is going to get unruly, hard for people to track, hard for people to participate, hard for us to participate and so just kind of floating an idea right now of maybe we think about two town halls that are associated with Council meetings, for example, our September meeting and our November meeting, not part of the Council floor but kind of a separate add on meeting

that could include Council family, but also other people and maybe a third one because that's California, Washington and then inland Washington, and then we wouldn't have anything on the coast in the Pacific Northwest so maybe adding something there. So just floating that idea but I think if we can have some sidebars from this discussion today for the core team, get the core team to kind of do some initial deepening, I think having that AB's have another go at the deepening and, and then moving forward after June seems like a comfortable approach.

Marc Gorelnik [00:23:23] Sounds good. Is everyone fine with that? Everyone fine with what we've discussed with so far? Corey.

Corey Niles [00:23:33] Yeah thanks Mr. Vice Chair and thanks Caren. I think having the core team take this up makes a lot of sense. Just maybe one logistical issue and Caren you, maybe I'm reading too much into what you said, but if we, our next step is June check in with the Council, you also said engaging advisory bodies to perhaps we could come back in April or the Council could designate the authority of the core team to, to task the AB's in time for June is what I'm thinking, if we want the advisory bodies to do something for June. Can the core team ask that on our own or with Council staff coordination of course or should we, we could also come back in April, workload planning, I guess, with ideas of how we would engage advisory bodies before that June meeting.

Marc Gorelnik [00:24:25] Caren.

Caren Braby [00:24:25] And thanks that's great and Rich already brought this up, but the two slides at the end of Jonathan's presentation are kind of going through my head as being a really good device to kind of do some of that additional work in a fairly explicit way. I think that the core team could use some time talking about whether that's something we wanted to do as an assignment to ourselves, to you know request of the AB's to participate in for June, something like that and a synthesis of that, to kind of round out the scenarios. That's what I'm thinking and if we can come to some decisions on recommendations on that and put that in a report to the Council in April for workload planning that could work.

Marc Gorelnik [00:25:22] Further discussion around the table? I think we have a game plan, at least the next step in the game plan. Kit.

Kit Dahl [00:25:37] Yes thank you Mr. Vice Chair. I think this has been a good discussion and there are the outlines of a plan for moving forward that the intent is we have scheduled this webinar on March 20th of core team and so they can take this discussion and maybe build a little more specificity into the logistics of I guess I've heard about engaging with advisory bodies, deepening the scenarios but not getting too sidetracked in doing that, and also thinking about the focus group application implications, discussions and how that might work in the second half of this year so and that so try to grapple with all of that stuff and at that core team webinar, generate a report with intentions and recommendations coming out of that webinar to provide to the Council at the April meeting, perhaps mostly as a FYI thing but certainly any guidance or feedback as feasible in April would be welcome and used and then be looking at a fuller report and probably moving finalizing any of this sort of initial engagement with advisory bodies, flushing out the scenarios, deepening the scenarios, having a fuller report on that June, in June along with a concrete plan for the focal group process in the second half of the year keeping with the intention of wrapping up this exercise by the end of this year or early next. So that's what I heard. I hope it's not a complete misrepresentation of the discussion.

Marc Gorelnik [00:27:51] All right thanks Kit. Caren.

Caren Braby [00:27:54] Yeah, I just have a clarifying question. If we're bringing a workload report in

April and we have this CCI scheduled right now for the Council floor in June, I am not sure I'm clear on what there might be an expectation for, for Council time and do we need Council time?

Marc Gorelnik [00:28:17] In April you mean or in June?

Caren Braby [00:28:19] June.

Marc Gorelnik [00:28:20] Isn't it? Go ahead Chuck.

Chuck Tracy [00:28:22] Thank you. Well so that's the placeholder for final action on this. It sounds like we're not going to be taking final action so I think I mean well so we wouldn't, we'll definitely move that out. I think it depends on what the CCI discussion is in March and what the recommendations are in April and what the Council priorities are during April workload planning when we set the June, finalize the June agenda, so I think there's, you know, there's a lot to do in June right now but I think there's also some, you know, there's some room for, you know, possibly if there's utility in it to having some business associated with this item or some other ecosystem stuff in June.

Marc Gorelnik [00:29:09] Caren.

Caren Braby [00:29:09] Yeah, I can see it kind of going either way. I can see us kind of asking the Council family to finish up input into the deepening and asking Jonathan and the core team to kind of wrap that up and move forward with focal groups or I could see us thinking that maybe we need another check in with the Council itself in June and I think that's something that could work either way, so I'm just kind of raising that as a potential parallel set of paths and we'll make recommendations, I guess, on that for the April meeting.

Marc Gorelnik [00:29:49] All right. Anything further around the table? Thanks everyone. I think we've completed our work on ecosystem and I'm going to hand the gavel back to Chair Anderson I think for a little groundfish.

H. Groundfish Management

1. National Marine Fisheries Service Report

Marc Gorelnik [00:00:00] That concludes public comment and takes us to our Council action, which here is merely discussion. So, I'll look around the table to see who wants to get us started with discussion and if there's no discussion, there's no discussion. Corey.

Corey Niles [00:00:27] Thanks. I'll get us started Mr. Vice Chair and a question for Ryan and based on, I think it was my second question to the GAP about they have some concerns about the SMP's, which I keep forgetting what that actually stands for, Salmon Mitigation Plan, and in the options for responding, if the flexibility that we are expecting is not there and I would agree generally that we are hoping these plans are flexible so they can continue to do the type of reacting in real time management that they've done, but can you just explain what the avenues speak to there, that concern about what we could do in response to the proposed rule?

Ryan Wulff [00:01:17] Thank you Mr. Vice Chair. Thank you, Mr. Niles, for the question. Yeah, I'm happy to clarify. I mean I understand they'd love to be involved at every step of the process but just to be clear, you know, we as we're developing, as we were developing the action, the public, the GAP, the Council's had opportunity to comment on this through multiple Council meetings. As we got to final preferred, NMFS did provide a draft of the regulations for the November FPA discussion, which gave a very strong indication of where we were going and then we got Council final action. So just to be clear, I think where the, maybe where the disconnect is at that point, then we're taking that into the rulemaking process and so they will have a chance to comment again as they noted on the proposed rule when it comes out, and of course before that NMFS will be doing the deeming process and ensuring that it's matches Council intent, so it's not like we're going to be putting in all new things or a suite of things that were not discussed. So I appreciate the comment. We will have the, we are in the rulemaking process. We're happy to receive whatever comments we get through the proposed rule, which is expected to come out, I believe, at the end of this month.

Marc Gorelnik [00:02:47] Further discussion? Marci.

Marci Yaremko [00:02:55] Thank you Mr. Vice Chair. On the topic of the VMS discussion want to acknowledge appreciation for the GAP's deliberation on this topic and they're documenting that we expect its 55 participants in our Groundfish and HMS fisheries that utilize the Omnitracs units that would be in need of replacement by April and also documenting that the expected cost of that to each vessel owner is 4,000 dollars per unit. I appreciate the GAP offering us a couple of ideas with regard to examining the possibility of a waiver on the duplicative reimbursement clause and noting that the replacement units, the need to replace the units wasn't due to either the fishing industry or the government. This is just what happens when you rely on technology and having, you know, an ongoing program like this one. It requires continuous technical support. I wish I had a solution here. I know that this is just a, this item is not a, an action item in any way so there's really not a lot of direction to give here or action that we can pursue, but just in the course of general discussion, I would like more information on this and what approach we might consider. I brought up the idea of a letter. I don't know if that is something that we could consider, and maybe the letter would suggest that we would support this idea of a waiver of the duplicative reimbursement clause if that's a possibility, so I'm not.....given that this is not an action item I'm a little at a loss on what to recommend here but would note that, you know, this, the cost of this is immediate and very real.

Marc Gorelnik [00:05:25] Christa.

Christa Svensson [00:05:28] Thank you Vice Chairman, and I want to touch for a moment on both the

items I raised in the at-sea hake observer salmon sampling. The first being that we heard from Heather Mann, we heard from the GAP in terms of census versus sampling and how to move that conversation forward rather than just have a discussion about it and that's sort of the end of it, so this is starting the discussion on how to qualify that and how to start that process or where to put that. And then the second item is the donation type program similar to what Alaska is doing and I did want to put a little bit of color around that. I have been involved in the Oregon Boat to School Program since basically the inception of that and had the privilege of going to the Farm to School Conference in February where there were a number of schools, but the schools have also partnered in the last year with a lot of institutions, including hospitals and in some cases, and this is all in terms of purchasing programs like SeaShare, so while I have not spoken specifically to see SeaShare or other food banks, there is at least initial interest on that side of the line in terms of developing some sort of programing and so how to move again from having a one line in a topic like this and whether that's an offline discussion or not, I don't know but just having a little conversation as to what that process is would be helpful, at least for me, in terms of facilitating that.

Marc Gorelnik [00:07:15] Thank you Christa. Further discussion particularly on the points that Marci and Christa raised? Bob Dooley.

Bob Dooley [00:07:25] Thank you Mr. Vice Chair. It seems to me, you know, is I've had experience both on this coast and in Alaska. There are, a lot of these issues are already being taken care of in the North Pacific region and I believe that like the salmon sampling issue, that's front and center in Alaska, and individual accountability is paramount, and we have census counts and I think that we should maybe try to reach out and figure out what the roadblocks are, or if there's a road map to help us have similar things here. I do believe that those counts are really critical to be accurate for numerous reasons, not only from a fleet perspective, a captain's perspective, but from an outward perspective because those numbers come in the co-op reports that we receive at this Council, they're public, a person can look there, see exactly what a vessel caught and if those aren't accurate and if there's a mistake in it, might be in the big picture it just evens out, but in that particular persons point of view it doesn't, and it's out there for the world to see and I think that does a disservice. I'd like to talk a little bit about the rulemaking process. I remember that when we did Amendment 20,21, really complex. Got final decision, I believe it was in San Diego, and then it was time to put it to paper and it was, there's a lot that was, a lot of iterations, but there was a real working relationship between all of the different participants and the Council and that weighed into that in what was called then the deeming process but it was actually, did the record, did the rule that as translated from the final decision, was it accurately reflected, and I remember sitting looking at the mothership part of this particularly at UCB sitting down and line by line, going back and forth with Jamie Goen to understand that and get it right, and it really helped the process and I'm wondering, you know, I've seen now through two different rulemaking, you know that we've had EM as well as the, sorry it evades me now, but the one before that, that we've wanted to see the rule, the EM rule as well as the, it could be EM rule, yeah that's what it was, and we would want to see it for like a year to see if it just reflected and now here we are looking at rule changes that were talked about a year and a half ago at the Council meeting and we're working on them now and they could have been corrected during that whole year of downtime. It seems like that we need to work together as partners and get these things right and do what we can to get them right to streamline the process so we don't have to go back and forth so much, that we understand what's being written. If there's problems with it, they're illuminated quickly. So, I guess I'd leave it at that, but I think we need to really, we need to pursue getting the right at-sea observer counts. They need to be whole hauled census. As far as cost, the vessels are paying for the cost anyhow, so if it costs more, they're willing to take that I think it looks like to me they're asking for it. So they're paying for observers. They're paying for all of that. We ought to do our best to make sure we give them that, give them those counts and that they're accurate for the benefit of everyone. So thank you.

Marc Gorelnik [00:11:23] Thank you, Bob. Corey.

Corey Niles [00:11:29] Thanks Mr. Vice Chair. I know there's some few ideas dancing around. I don't want to try to take and respond to all of them that I want to lose what Marci was saying on the VMS and I do agree there's, I don't fully grasp all the situations but there might be some fairness there with what maybe Brad was getting at with new owners can get reimbursed, but this situation and no fault of their own the fishermen might not be able to get reimbursed but also hear from Ryan that it's a pretty settled matter. But what I just will quickly speak to thanks to the both the at-sea sectors and to the Science Center for working on these issues and I want to again fully emphasize the individual accountability and how impressed we are with how that has performed in the fleets, but I'm also very impressed with the at-sea observer program, and I was, I skimmed through the report last night and they've been doing it, that observing for longer than I've been alive, which I did not realize, so it's been a long, long standing program and they have cost concerns as well and so what I'm saying here is I hope you all continue have that dialog and if the census is, you can do it for without cost to both then why not, but if there are costs I really do think, and I understand what Heather is saying, it's tough to understand but if you catch 100 salmon and you only do subsampling, you really didn't, it's very unlikely that actually, you actually caught 100 salmon, you caught 100 to 200 roughly speaking, somewhere in between, so it's tough to understand and think that way, but I think they can do it if with which I'm encouraging those discussions and appreciate those discussions. So I hope they keep happening and then I don't want to, I don't, I heard Ryan say that the deeming process is going to go on for this SMP issue so I'm happy to hear that too, but sorry I don't want to keep, add more issues out there, but that does of respondents, the ones that I heard. And I think that's all, that'll be my comments.

Marc Gorelnik [00:13:29] Thank you, Corey. Brad.

Brad Pettinger [00:13:33] Yeah thank you Mr. Vice Chair. I really appreciate, you know, Heather's testimony and industries need to get the right number because it really it's, that number is a personal number because it's attributed to an individual or a vessel. You know this whole entire, this Council process operates on statistical measurement and estimation and we're good with that because it's not necessarily personal but it's the best we got for what we're doing, and most efficient way obviously. I would like, I'd like to hear more about what they do in the Bering Sea and if that's applicable or somehow be applicable here, especially with the issues with the salmon season we have this year, I mean it's a hot topic every year but more so this year I believe and so I'd like to see some movement or maybe more exploration towards that.

Marc Gorelnik [00:14:26] Thank you Brad. Marci.

Marci Yaremko [00:14:32] Thank you Mr. Vice Chair. I was hoping that my kick off of the discussion of VMS would invite other Council members to offer creative solutions here that we might pursue, but it doesn't sound like there are many out there with regard to the VMS so I guess my thoughts are I would sure like to see NMFS see what they can do, whether it's pursuing the viability of a waiver for these folks with regard to the duplicate reimbursement clause. The other thing I guess I would suggest is, you know, has NMFS actually pursued all of the regulatory alternatives that might be available to you in the sense of, you know, could you consider some sort of letter of authorization, waiving the unit for some period of time until a new unit can be type approved. It seems like where there is a will, there's a way in cases like this and I guess, you know, just on behalf of the fact that many of these are small California vessels that are having difficulty making ends meet. You know they have invested in VMS units. They're not trying to avoid the responsibility of participating in the program. They're willing to participate in the program. They have service agreements to do so. It would just be nice if we could find a way to not, or to reimburse them if they need to fork out this amount of money upfront for a new unit. Thanks.

Marc Gorelnik [00:16:27] Ryan you want to respond?

Ryan Wulff [00:16:31] Yeah, I've just been collecting responses to all the various things that have gone around the table waiting. So, if that's okay I can respond to Marci and then actually some of the other points that were made. So, on the VMS issue again, just to be clear this wasn't a government change regulations, this was a company that decommissioned some of its units and there's multiple other companies that the units that can be used. As far as next steps, I mean it's totally up to the Council if they want to send a letter or something more stronger, a statement to NMFS I would recommend, if so, that that go to the Office of Law Enforcement and Headquarters but that aside, I understand the points that have been made. I'm happy to look into this issue further. I'm not 100 percent certain whether it is a formal waiver. I mean I would have to defer to OLE or what the process would be on that. It's my understanding, right, the whole intent behind the duplicate policy is that you're prioritizing that everyone around the country, whether it's new fishery rules or otherwise, gets a chance to utilize this fund of which there are limited money available to get a VMS unit and so therefore you want to prioritize giving everyone a chance versus giving someone two. I mean that's my understanding of the intent. I'm happy to explore that with OLE. I'm also happy to at least do some brainstorming based on reg alternatives or at least your latter point and bring it back to the Council at a future date. Regarding the salmon mitigation plans and that rule, again, I can't state it clearly enough, we gave the draft regs to the Council just at the last meeting. I mean, it is a very strong indication of what is going to come out, especially based on the discussion that has happened. Again, we are also trying to get that in place so that should some of those salmon bycatch measures be needed in the 2020 fishing year that, that's available and in regulation. If the Council wants to delay that and not have those available for the 2020 fishing year, there is nothing that would stop you from having the deeming process occur at a future Council meeting before the proposed rule will go out, that's your decision. But again, we had final action in November. We're trying to get this out at least as soon as we could in the 20 fishing year so that would be available. And then regarding the sampling protocol issue, just to be clear from the West Coast Region's perspective, we agree with the Northwest Fisheries Science Center. We believe that their current approach is a statistically valid approach. We don't see it's necessary to change the sampling protocols at this time, that's at least our current position. But I've heard comments around the table. I know the concern as it relates to the buy-op, NMFS is happy to explore if the Council wants to and some of that might be, you know, we'd have to look into some of the donations or some of the other things that were talked about, but if you're actually talking about pursuing changes to the regs, you know that would have to be discussed and prioritized amongst all of the other measures that this Council has before us and would involve a little bit more deep dive if you were to shift more towards the census side or something similar to Alaska, what that might mean, not just on how we would get that through from a workload perspective, but also the various burdens and costs associated both on industry and potentially NMFS with some of those options, but again, happy to have those conversations or at least start learning a little bit more about the situation in Alaska and some of the comments that have been raised here and happy to participate in future discussions as the Council sees fit. And I'll stop there. I think I addressed the three main issues that were around the table but I'm happy to go further into detail if folks have other issues.

Marc Gorelnik [00:20:44] Okay with that, with that pause any further comments to Ryan? Maggie.

Maggie Sommer [00:20:54] Thanks Mr. Vice Chair. I'll just weigh in on topics also. Regarding the salmon mitigation, I understand that providing the draft regs last November was a pretty unusual step, but it was very welcome. I thought it was very helpful in having an understanding of exactly how the measures that we were adopting would play out in regulation. I think there has been adequate opportunity to understand and weigh in on where we're going or where the measures and the regs are going and in my sense, it is appropriate that the next step is review and comment on the proposed rule so I don't have concerns about the path that the, these salmon mitigation measures going into regulation are taking. On the VMS issue, you know, I find that one pretty challenging. I have a lot of sympathy for the affected participants and I appreciate the financial difficulty that having to purchase a new unit

would be for them, however to just kind of stepping back and conceptually, since it is not a problem caused by the federal government and any regulatory change, I am not sure that requiring the federal government to reimburse participants for the purchase of a new unit when it was a private business decision to discontinue the operation of those is the appropriate way to go but I'm struggling a little bit with that one. And my thoughts on the salmon sampling issue. I understand very much the perception concerns and the, you know, in the cases when it occurs, potentially real concerns around the estimation issue. I do continue to support the different approach as a valid bycatch estimation methodology and I guess I'm not yet seeing that high bycatch events like the one that brought this to our attention last fall and the salmon estimation associated with those are a pervasive problem that rises to a priority high enough for us to want to explore some change from our perspective but again I will also, I guess, recollect John McVeigh's pointing out in his presentation that we are seeing an increase in bycatch overall, probably reflective of increasing abundance of rebuilt stocks along with potentially other factors and that's something that will continue to be a part of this mix and we'll continue to think about as we go on into the future, but I would not suggest that we, it's a high priority from my perspective to, for the Council to get involved in salmon sampling procedures at this time.

Marc Gorelnik [00:24:04] Thank you Maggie. Louis Zimm.

Louis Zimm [00:24:07] Thank you Mr. Vice Chair, and thank you Maggie for that 20,000-foot look at these things in front of us. I, in my limited local experience in San Diego, I am particularly worried about this VMS situation. We have in San Diego small boats that are trying to reestablish their markets and reestablish some sort of fishery in San Diego and I'm afraid that this may be the straw that breaks the back of a number of these vessels. So Miss Yaremko suggested that we come up with some sort of innovative ideas and I would like to put forward that we might want to approach the non-governmental organizations who have helped us before and serve our objectives, like, for instance, EDF or Nature Conservancy, to see if they could put together some sort of program to at least mitigate or cut down this 4,000 dollar cost. If you look at it, a boat that is one person or maybe two people and has gross receipts of 50, 60 thousand dollars a year and that's to support the family of that one person and to get the boat repainted, the bottom, keep the maintenance up and then put this 4,000 dollars on them all of a sudden without any prior planning through no fault of anybody's, apparently the satellite blinked out, is really a problem so I think this call for an innovative solution to not pay for it, but perhaps mitigate it in some way. I'd really like to see that. Thank you.

Marc Gorelnik [00:26:22] Thank you, Louis. Brad.

Brad Pettinger [00:26:25] Thank you Mr. Vice Chair, thank you. Do you know if the Omnitrac unit, is that a special unit as far as for smaller vessels or is....I should actually ask, well I'm not sure who I would ask as far as public testimony, but it seems to me that the price of 4,000 dollars, I just actually texted one of my electronic supplier and you can get a VMS unit for 25 hundred dollars this month, so not 4,000. But I'm also curious, is Omnitrac is the, I notice that's pulled out here as far as maybe get their unit up and going. Are they going to offer a special deal to people who have used that and now have been kind of left with a short stick because their unit isn't going to be supported? Are they planning on doing that and is that why you're trying to expedite them because I am a fisherman and I would've bought Omnitrac if they were going to give me some type of a special deal, I don't think if I would buy them again, so I just kind of fooled me once, anyway it's just kind of interesting but the price is 25 dollars this month if you do it now, so anyway so it's not four which helps. On the flip side under these circumstances, I mean it'd be kind of nice and I understand what Maggie was talking about as far as it's not the government's responsibility, but I can certainly understand everybody's pain but maybe for instances like this where it's a supplier fails in upholding their end of the bargain that maybe a reimbursement of a smaller amount to help get them over the, over the hump may be a way to maybe mitigate this to some certain extent for this particular deal, not when one breaks down just because

doesn't work anymore but where it's basically a system failure to provide service.

Marc Gorelnik [00:28:30] Thanks Brad. You had some questions in there, I'm not sure if they were rhetorical...

Brad Pettinger [00:28:36] Rhetorical.

Marc Gorelnik [00:28:37] Okay thank you. Further discussion? It's been a good discussion. We're a little over time but that's fine because these are important things to talk about but I want to look around the table and see if there's any further discussion or if Ryan, you have further responses to any of the discussion you've heard here? Phil.

Phil Anderson [00:29:03] Well I hesitate to weigh in on this at this late time in the agenda item but, so I went on the website too. I looked at the McMurdo's and they've got this Omnicom unit that's coming online and what I read in National Marine Fisheries Service Report was that they're going to try to expedite their review and approval of that but they don't have any timeline, which I'm not sure why there isn't a timeline but to get that done or some estimate of what it takes to review it or whether they're waiting for the unit from the manufacturer to test it or what the, what the problem is there but there might be some leverage perhaps in certifying their new unit given that their old unit that you guys, that NMFS certified, it performed, you know, until the satellite, whatever they did, shut it down, it quit working, whatever the problem was so now these units that were certified by Marine, Marine Fisheries Service or Office of Law Enforcement no longer work and so I don't know if there's any leverage to be had about giving a discount to the people who had those units associated with the recertification process, but I mean even if they got, you know, a thousand dollars off a replacement one or something that would help it seems like in a significant way but, you know we can only do so much kicking this around this table but, and we've probably done about as much as we can do, but it seems to me, and I'm not sure what, I'm not sure if there's some money even available within OLE for reimbursement. If you were you, you know if you're a new entrant, is there, do they have a pot of money there that they....is there anything in terms of a letter or a recommendation or request that the Council could make that some portion of the replacement of these units that were certified that are now not working be made available to the, to these individuals? You know there's, I mean there are different potential different ways to get at this and lessen the economic burden on the people that have these units that through no fault of their own no longer work so I'll stop there.

Marc Gorelnik [00:31:48] Thanks Phil. Is there anything further on this agenda item? Okay Todd.

Todd Phillips [00:31:57] Yes thank you Mr. Vice Chair. I believe that this item has been dealt with and you've completed your task for today on this particular item. Thank you.

Marc Gorelnik [00:32:08] All right. Thank you very much.

2. Initial Stock Assessment Plan and Terms of Reference

Marc Gorelnik [00:00:00] There was no public comment so that will take us to our significant Council action here which is on the screen. John DeVore do you have any comments before we start Council discussion?

John DeVore [00:00:18] Thank you Mr. Vice Chair. Listening very closely to the questions from Council members to our advisors, there was one issue that I thought probably needs a little bit more discussion and that's the issue of exceeding OFL contributions for some of these data poor stocks and in particular on the list I noticed, you know, Tree fish and Squarespot rockfish and listening to Dr. Hastie's presentation I sort of concluded, but you know it might be wise for the Council to have a discussion with Dr. Hastie regarding the potential to do anything better than we can do now with Tree fish and Squarespot in particular, but I don't know if that's a point of interest for the Council at this stage or not but given some of the questions that were asked that might be advised.

Marc Gorelnik [00:01:24] Well let's find out. Open the floor for discussion and see who wants to get us started. Corey.

Corey Niles [00:01:34] Thanks Mr. Vice Chair. Since I was the one asking those questions, I'll start off and I've been asking these questions for many, many years and I so I was going to ask John how do we, John DeVore and John Field, how we get some advice from the SSC on that? I think, and I didn't, I wasn't gonna quibble with the GMT, but they put it in there too about they agree that this is a de minimis catch but then I think the question is raised, if it's de minimis, why do we have an OFL in the first place? And if you follow the logic, everyone's just saying that we think the OFL's are too low and too conservative, and that may be the case but it's still one of the cleanup's in our system that is left to be had and I think the proper way not to be discuss it now, but maybe to have the, and this is my opinion of course, to have the SSC bring us back some, at least a discussion or some advice on how they, how that discussion could be had and it doesn't, I don't think it has to be happened fast, but again I think it's something we just, it looks to the public like if we're going twice or almost two times over an OFL then why is it okay to be in a stock complex, but if that were a single stock then we would be hearing a much different, different tune there. So yeah question to John is how do we get this taken up by the SSC process-wise?

Marc Gorelnik [00:03:03] All right. John DeVore.

John DeVore [00:03:07] Thank you Mr. Vice Chair and Mr. Niles. I think just raising that question and asking the SSC to weigh in is adequate guidance and certainly this comes back to the Council and the SSC and all the other advisors in June so we could make sure that in June there's a bit of an SSC discussion on that in particular.

Marc Gorelnik [00:03:30] All right. So, we have a little bit of guidance there. Further discussion around the table? Marci.

Marci Yaremko [00:03:39] Sure. Thank you, Mr. Vice Chair. Yeah, I would support not limiting ourselves to only the top 10 items that are identified in some of our reports and lists for that reason. I think we have a lot of information to consider here and there's more to come when we take this up for final action. I feel like we got an exhaustive look at the....or there's been a lot of work done just to prepare for this agenda item and there's a lot of considerations to be made and new information to come to light, I think, before we make final decisions here, so I support keeping the options open with regard

to those stocks but maybe didn't make the top 10 list here on the GMT's priority list. So, yeah, I look forward to more.

Marc Gorelnik [00:04:42] Further discussion? Maggie.

Maggie Sommers [00:04:46] Thanks Mr. Vice Chair. Maybe a question to Marci based on your last comment. I think our task is to adopt a preliminary list of stocks for assessment to provide for public review and further comment and in my mind that certainly allows for refining that list, including adding things to it that aren't on it now. I'm wondering if you are meaning something more or different than that before we get into more discussion or eventually making motions on this item?

Marc Gorelnik [00:05:27] Marci.

Marci Yaremko [00:05:28] Yeah. Thank you, Mr. Vice Chair. Well I, you know again I acknowledge that the NMFS Top 10 list differs from the GMT top 10 list. There's other information contained in the NMFS Report and the list rankings go down much further, so I guess in terms of adopting for public review a preliminary list, I'm just looking for a list that is inclusive that will allow us to consider some of these other discussions that I think have yet to be had with regard to why some of these criteria might raise species up higher on a list. I agree with Corey that we haven't had a very detailed conversation about the OFL contribution, and you know, when what catch is de minimis and if that warrants a higher or lower priority. We heard a little bit of that from Dr. Hastie, but I don't know that I'm ready to throw all of the weight behind one method or other. I had some of the.... when I asked Dr. Hastie the question about how the information was incorporated into his ranking of constituent, whatever the term was that he used with regard to constituent input regarding prioritization, I took away from that discussion that there was a fair amount of subjectivity and in that ranking determination so I guess I have some concerns with the methodology that was used. It's in, the overall takeaway message is certainly informative but maybe not conclusive, so I think some of those ideas need a little more discussion over the course of the next couple of months and I guess again, I just would support keeping our preliminary list larger rather than smaller.

Marc Gorelnik [00:07:49] Thank you Marci. Further discussion? John.

John DeVore [00:07:55] Thank you Mr. Vice Chair, Miss Yaremko. I just want to note that the prioritization rankings that the Science Center provided are simply informative, they're not prescriptive. They never were meant to be so, you know, there are many different factors to consider perhaps beyond what Dr. Hastie presented and certainly everybody around here might weight things differently, different factors so I don't think that it's necessarily inadvisable to go further down the ranking list if for some reason you think a stock is more important. I mean, that is your judgment call in the long run so I wouldn't get too hung up on the rank order that's in that prioritization workbook.

Marc Gorelnik [00:08:50] Thanks for that input. Marci.

Marci Yaremko [00:08:53] I agree. Thank you.

Marc Gorelnik [00:08:55] Okay.

Marci Yaremko [00:08:55] I just want to make sure it's part of the list.

Marc Gorelnik [00:08:58] Phil did you? No. Further discussion? My vision often fails me when I have the gavel, so I have to look twice or a motion? Maggie.

Maggie Sommer [00:09:19] Thanks Mr. Vice Chair. I'd offer a motion. I move the Council adopt the draft terms of reference for groundfish and coastal pelagic species stock assessments as presented in Agenda Item H.2.a, Supplemental SSC Report 1, March 2020 for public review.

Marc Gorelnik [00:09:52] All right Maggie. Is that language accurate on the screen?

Maggie Sommer [00:09:55] It is.

Marc Gorelnik [00:09:56] And I have a second? Do I have a second? Seconded by Marci. Please speak to your motion.

Maggie Sommer [00:10:03] Thanks. Appreciate the SSC's review of the terms of reference and in particular, I liked the inclusion of some more information, or at least at this point some exploration of how to characterize uncertainty in relation to the decision tables. I think moving down that road will be very helpful to the Council as we get to making policy choices about harvest levels. That's all. Thanks.

Marc Gorelnik [00:10:35] All right. Are there questions for the maker of the motion or discussion on the motion? Corey.

Corey Niles [00:10:43] Thanks Mr. Chair. I don't want to be identified in this case, I do just to echo what Maggie and I too I hope they will do that, look into that area as well, and thank you for the motion.

Marc Gorelnik [00:10:56] Any further discussion on the motion? If not, I'll call the question. All those in favor say 'Aye'.

Council [00:11:04] Aye.

Marc Gorelnik [00:11:04] Opposed no? Abstentions? Motion passes unanimously. Thank you for the motion Maggie. That takes care of the draft terms of reference. We have a few other items to take care of so I will invite a motion. Maggie.

Maggie Sommer [00:11:23] Thank you Vice Chair Gorelnik. I move the Council adopt the preliminary list of stocks to be assessed in 2021, presented an Agenda Item H.2.a, Supplemental GMT Report 1, March 2020, for public review, and I have copied the table from the GMT report. And adopt the following preliminary list of stocks for assessment in 2023 based on recommendations in H.2.a, Supplemental GMT Report 1, March 2020, and H.2.a, supplement, supplemental....Sandra would you please make that one GAP? Yep right where you're hovering. Thanks. Supplemental GAP Report 1, March 2020. Black rockfish, Quillback rockfish, Bank rockfish and Brown rockfish.

Marc Gorelnik [00:12:10] Thank you Maggie, is the language accurate?

Maggie Sommer [00:12:12] It is. Thanks.

Marc Gorelnik [00:12:13] All right. I'll look for a second? Seconded by Bob Dooley. Please speak to your motion.

Maggie Sommer [00:12:19] I want to thank Dr. Hastie and the Science Center for the presentation and all the work in developing the prioritization information for us and the spreadsheet tool, workbook tool with many spreadsheets as well as the GMT and for all the information they provided in terms of their rationale for the selection of the stocks they recommended for assessment in 2021. I do want to recognize the comments Marci made earlier and my intent certainly would not be to restrict

consideration to only these stocks. I am confident in the GMT's expertise and their deliberations on the relative priorities which included the NMFS ranking as well as other factors they brought into it, so I think this is a good list to move forward with as a preliminary list for 2021 for public review and we certainly have the NMFS prioritization information as a tool to help explorations of any changes we might want to make to that list or that our public and stakeholders want to provide comments to us in advance of June. As far as these stocks for 2023, as the GMT noted, they only recommended a few of the nearshore stocks for the primary purpose of alerting the states, which are responsible for much of the age reading of nearshore age structures. What to start working on in advance if possible. The GMT had suggested Black, Quillback and Bank rockfishes and the GAP added Brown rockfish to that list so this I would certainly see as a pre-preliminary list and certainly will be subject to change. I also want to acknowledge that nearshore assessments can be particularly work intensive as we get to them, and so we almost certainly will not end up with a final 2023 stock assessment schedule that includes this many nearshore stocks, but these are the ones that I would say our advisory bodies have brought to our attention at this point as probably high priority for consideration. Thanks.

Marc Gorelnik [00:14:35] Thank you Maggie. Marci.

Marci Yaremko [00:14:39] Yeah thank you Mr. Vice Chair. Thank you, Maggie for the motion. I think where I'm having some difficulty is understanding how we are to incorporate the information that is to come out of the Data Limited Stock Assessment Workshop and Methodology Review in May. That workshop, as I understand it, is aimed to provide methods that would you utilize length information in addition to historical catch and might aid us with data moderate assessments and so some species like Quillback rockfish I understood to be candidates for this type of data moderate assessment and what I'm not clear on is what year that..... I mean if it, if it's taken up in that method's review then maybe it wouldn't be appropriate for the 2023 list, so that's where I'm having difficulty is kind of taking the outcome from that workshop and how we use that information in finalizing our list and so maybe you have some thoughts on that. You might know much more about that than I do.

Marc Gorelnik [00:16:00] Maggie.

Maggie Sommer [00:16:02] Thanks Mr. Vice. Chair. It's possible I might. I might phone a friend too. It's my understanding that the recommendations the GMT presented us with took into account what, the fact that we are awaiting some results from that workshop and that resulted in there to be determined recommendations for the type of assessment for dover and petrale here. I don't know whether and how that might connect to the 2023 preliminary, preliminary recommendation for Quillback rockfish and I would suggest that that's something we would have the opportunity to revisit in June or later as after we, our, and after we see what the results of that workshop are and hear some updated recommendations at that point from any of our advisors.

Marc Gorelnik [00:17:08] Does that respond to your.....

Marci Yaremko [00:17:10] Thank you. It's helpful. I agree, I mean I just, I think I'm looking for the outcome of that workshop before we make decisions on lists and I recognize these are all preliminary lists and they will change and I certainly understand that what you're offering here is not intended to be an exclusive list of what would be assessed in 2023 and a lot of things will change between now and then. I guess that's why I'm questioning the utility of adopting a preliminary list for 2023 at this particular juncture in time. I feel like the content that's available in our reports this meeting kind of provides adequate notice of the considerations that are out there and what species might be appropriate, but I don't oppose this short list just based on the discussions and the team reports but just not, just questioning the necessity I guess.

Marc Gorelnik [00:18:14] John DeVore.

John DeVore [00:18:16] Yes thank you Mr. Vice Chair, Miss Yaremko. It's not just a data limited workshop that's being contemplated for early May, it's also a formal methodology review of some length based assessment methods. So pending the outcome of that methodology review and then if there's a favorable endorsement of those new methods and the SSC agrees and endorses that you would have new assessment tools that could be used for 2021 and beyond so that's how that fits together, and it was intentionally scheduled to be before the June meeting so that you had that tool potentially available for next year's assessments.

Marc Gorelnik [00:19:01] Marci.

Marci Yaremko [00:19:02] Yes thank you. I appreciate your eloquent recap of the events that are to come, which is again why I think I am a little hesitant to put out a narrow list for a public review right at this point in time because I do think we will be learning a lot from that workshop and the methods review to follow and we've heard a lot about that workshop and what it may yield and I think we're all looking forward to it. So again I just question the utility of putting out a narrow list at this time, particularly for 2023. Thank you.

Marc Gorelnik [00:19:39] Maggie.

Maggie Sommer [00:19:40] Thanks Mr. Vice. Chair. Thanks for your comments Marci. I think that you are really right on target that there will be a lot more information that will inform our thinking on which stocks to be assessed in 2023. I don't think we are under any obligation to adopt a preliminary list at this point. You know as you noted our, probably our discussions at this point will be information for those who need it, that these are reasonably likely candidates and that if we have the opportunity to improve our data available for assessments for these species, we can get started on that. I do want to note that one thing that your questions and discussion highlighted for me is that this motion as written might give someone the impression that these are the only stocks we would want to see assessed in 2023 and I would not want to give that impression and I would welcome an amendment of some form or another or be happy to withdraw it if that would be the appropriate approach.

Marc Gorelnik [00:20:47] Thanks for that Maggie. Further discussion on this motion? An amendment? Corey.

Corey Niles [00:20:59] Well I have a separate issue, and on that and on that concern that Marci and Maggie just expressed, I think this is so, this is so early in the process and it says preliminary and I'm not, this is not limiting in June so I think we.... 2023 is a long time from now, so I think we could come back in June and I see the concern. I'm not that concerned and I think we should expect people just to expect it to be added to when we get information, but that's just me. On the other issue, a question for the maker of the motion. There's a lot of excellent discussion in the GMT Report. Dr Hastie also mentioned it a little bit in his presentation, but the past few cycles and especially for the nearshore species we've done, and this is.... maybe Patrick's answer was maybe a little bit, I think I understood what he was saying, but people might not understand what Copper rockfish full means, so I think the nearshore rockfish assessments have at least done a state by state look at least sub stocks or specific separate assessments for each state or even within California, multiple areas, and we've also explained like with Black rockfish, Washington is working on a survey that just got going. We started pilot work on it in 2014, but it was just a couple years ago that it's, we started to run it routinely and it's not been reviewed yet by the SSC, so we in general we have that same concern about doing a full assessment on nearshore rockfish until that survey has been reviewed and has a longer time series, I think we'll have five years by 2023. So question for Maggie, sorry for that long winded wind up there, but by full

assessment you mean to capture the GMT's intent that Washington you can look at doing something different for the sub stock if appropriate off of Washington. Am I correctly capturing the intent there?

Marc Gorelnik [00:23:16] Maggie.

Maggie Sommers [00:23:17] Thanks Mr. Vice Chair. Yes.

Marc Gorelnik [00:23:24] All right. Further discussion on the motion? Louis Zimm.

Louis Zimm [00:23:26] Thank you Mr. Vice Chair. Maggie I'd just like to ask you as the maker of this motion, does this preclude a member of the public coming in and proposing another completely different stock for our consideration in June?

Marc Gorelnik [00:23:46] Maggie.

Maggie Sommer [00:23:47] Thank you, Mr. Vice Chair. No.

Marc Gorelnik [00:23:50] It's a preliminary list so we shouldn't get too hung up.

Louis Zimm [00:23:56] I just want to make sure....

Marc Gorelnik [00:23:56] Yeah no. Fair enough. Fair question, and a warning to members of the public. Further discussion on the motion? I'm not seeing any hands, Oh Phil.

Phil Anderson [00:24:11] On the second part of the motion the 'and adopt the following'. If I were to interpret that to be in consider among others the following preliminary lists that would capture the intent of the language there. Is that correct?

Marc Gorelnik [00:24:34] Maggie.

Maggie Sommers [00:24:35] Yes.

Marc Gorelnik [00:24:39] Anyone want to offer an amendment or..... All right, anything further on this motion? Marci.

Marci Yaremko [00:24:53] Thank you. Before I do this I guess maybe I will ask what the, what others around the table think? I'm just wondering if maybe we adopt potential lists of stocks to be assessed in 21 or 23 as described in the reports that we have in front of us. Or is that too broad for folks liking? I would entertain a motion to that effect but if we need more specificity than that, then I won't go down that path.

Marc Gorelnik [00:25:37] Rich.

Rich Lincoln [00:25:40] Thank you Vice Chair. I just, I mean offer my opinion Marci. I guess it's kind of if it includes everything we've heard, which includes the report that Jim gave to us, I mean there's an unlimited list of stocks there with information that I think the benefit for me of having something here for perhaps to target a little bit of public review, it doesn't limit other information or the possibility to bring in other stocks, but to just leave all the information out there and let people go through the whole discussion again seems to me to perhaps have wasted a bit of time this week. I mean, if we were just going to wait till June to have people to provide some of their initial insights to help focus public review, it would have been, I mean it seems like we wouldn't even have bothered having people look at this,

this week. I don't know, it just.... I guess my preference would be to vote on the motion as it exists and if you have strong feelings maybe you should just go for it, go for an amendment, but I think it, I think it is perhaps helpful to help focus a little bit of attention on what potential intent might be. I've had a lot of discussion here but I think I haven't heard any discussion or opinion from anyone that is proposing that these lists would limit the things that we would consider in June if there's some good reason to look at some other, some other species but I guess I might be more compelled if you had some specific recommendations about potential stocks that you think might be excluded from future consideration by adopting these preliminary lists.

Marc Gorelnik [00:01:52] Thanks Rich. Louis.

Louis Zimm [00:02:00] Thank you Mr. Vice Chair. I would like to see something that made clear that we welcome further input on different species in that. I think it's clear from our discussion and from the record, but I'm not sure if the public is going to pursue that record. So I'm hoping that somebody could come up with a one sentence amendment saying something to the effect of 'and other species that may be of interest'.

Marc Gorelnik [00:02:37] Brad.

Brad Pettinger [00:02:39] Thank you Mr. Vice Chair. This is a preliminary list. I think it is, it may be provocative to some and that's good in a sense that they could weigh in and give the rationale why some stocks maybe should be on the list or not. I'm trying to think about who the public is that we're thinking about. It is someone entirely outside this process? Most people I think have been through this enough that they understand what we have here and it seems like we're making this harder than we should, but I think that it is a preliminary list and that's the best information or the best we have for today. There's much more information coming down the pike and we'll work through that and we'll have a list in June.

Marc Gorelnik [00:03:26] Corey and then Marci and then Phil.

Corey Niles [00:03:33] I was, I can.....if Mr. Anderson has a plan I will defer, but I was going to ask Mr. DeVore. I think if you interpret this in the light of the process here and how you communicate to the public, do you think that was possible to do what Brad said and how you go out to the public with in the Council newsletter or Council decision document? To me, it's in context, it's totally clear exactly what Brad said so but....

Marc Gorelnik [00:03:56] John.

John DeVore [00:04:00] Yes I would agree with that. I mean our process is set up where a preliminary decision like this is advertised so that we do solicit focused public comment so, you know, we do everything in our means to do that, including publishing the decision document. We can make it very clear in that summary that we are soliciting public comment and final decisions in June and that sort of thing and that's very typical of the process and it's kind of underscores the importance of a preliminary preferred alternative just so that we can get focused comment.

Marc Gorelnik [00:04:37] Marci.

Marci Yaremko [00:04:38] Thank you Mr. Vice Chair. So back to Rich's comment, I just want to offer maybe a specific example of what concerns me with the motion if it were to stand alone without the context of this entire discussion. I do agree with Mr. Zimm's remarks in that regard. Bank rockfish is a species for which I'm hoping is one that will be scrutinized in the May workshop and with any luck, potentially may be one that is selected for a data moderate assessment that is conducted in 2021. My

concern with the motion as written is that it implies our intent that we're going to take that up in 2023 and I wouldn't want to limit or I wouldn't want to convey that intent to this workshop when it convenes that it shouldn't look at Bank rockfish if in fact that is one of the species they opt to look at and assess in 2021. So maybe that's an example of where my concern lies that's a little more tangible and again, maybe I would recommend that we not adopt a constraining list for 2023 and kind of on the fence about 2021, but anyway those are my thoughts. Thank you.

Marc Gorelnik [00:06:11] All right Phil and then we'll see where we are after Phil speaks.

Phil Anderson [00:06:21] Well my initial.....when I raised my hand I was thinking along the lines that Corey and John's exchange was and that is to in our decision document that we clearly identify that we're looking to the public for their comments on this list of stocks, along with the others that we have in the supporting materials that we reviewed at this session so that is, that that's made clear, so that was my initial thought. My thoughts in listening to both Corey as well as Marci were to consider maybe a modification of a couple of the words in the motion that softened it a little bit and clearly indicated that the full suite of stocks were under consideration but that's as far as I got.

Marc Gorelnik [00:07:29] Well I'm going to make a suggestion here, coached by our excellent Executive Director. We have all the salmon people are in the room and it seems like maybe there may be a desire to have some fine tuning here and we'll have all the folks from the states on this groundfish item, we'll be able to caucus perhaps and we can bring the salmon folks in and get them on their way because they have yet another round of analysis to do so I guess I don't find the need to do this by motion. Yes. Dr. Hanson.

Dave Hanson [00:08:14] Mr. Chairman I move the following changes to this document. Where it says 'and adopt' add 'for public review the following tentative preliminary list'. Does that take care of the concerns? If I get a second.

Marc Gorelnik [00:08:36] Let's get the motion on the screen first.

Dave Hanson [00:08:50] And adopt for public review the following preliminaries.

Marc Gorelnik [00:08:59] All right. Is the language there accurate and complete?

Dave Hanson [00:09:05] I believe so.

Marc Gorelnik [00:09:06] All right. Is there a second? Seconded by Louis Zimm. Please speak your motion as necessary.

Dave Hanson [00:09:16] I don't think it's necessary. I was just trying to pick up on the concerns that I've heard and offer some language that hopefully would take care of it.

Marc Gorelnik [00:09:23] All right. Any questions for the maker of the motion or on the amendment or discussion on the amendment? Marci.

Marci Yaremko [00:09:32] Thank you Mr. Vice Chair. No, unfortunately that does not resolve my concern with Bank rockfish and the signal that is sent to the methods review in May that we expect this assessment to be taken up in 2023. I'd like them to have the latitude to explore it in 2021.

Marc Gorelnik [00:09:55] Further discussion on the amendment? Not seeing any hands I'll call the question on the amendment. All those in favor say 'Aye'. Opposed no?

Council [00:10:08] No.

Marc Gorelnik [00:10:10] Abstentions? Ryan Wulff abstains. The amendment fails. And with that we will suspend this agenda item. I will hand the gavel back to Chair Anderson who has responsibility for agenda item E.6, a salmon item and then when we're done with that I will come back and try to wrap up agenda item H.2.....(BREAK)..... When we last left this agenda item, there was a pending motion and then some discussion about possibly some additional language So I'm going to see what great minds have put together. Marci.

Marci Yaremko [00:11:04] Thank you Mr. Vice Chair. I'll look to Sandra to see if she's received an amendment. Thank you. So I would move that..... I would move the following amendment to the motion shown in yellow. Add to this 2021 list the following species, Bank rockfish, Squarespot rockfish and Brown rockfish. The Council would like to note that its final recommendations on prioritizations of full data moderate and data poor assessments to be conducted in 2021 is likely to be informed by the upcoming workshop and methods review on data limited assessments. And regarding the preliminary 2023 list, strike Bank rockfish, strike Brown rockfish and add 'The Council expects to offer a more complete tentative 2023 list in its final action on stock assessment priorities.

Marc Gorelnik [00:12:20] So Marci the language, the highlighted language on the screen, does it accurately reflect your amendment to the main motion?

Marci Yaremko [00:12:28] Yes it does. Thank you.

Marc Gorelnik [00:12:30] All right. Is there a second? Seconded by Bob Dooley. Please speak to your amendment as necessary.

Marci Yaremko [00:12:37] Sure. Thank you Mr. Vice. Chair. This amendment should clarify that we intend the 2021 assessment list to be informed by the outcome of the workshop that's tentatively scheduled for May of 2020 that hopefully will provide some new tools for us to incorporate into our data limit assessments. I'd like to acknowledge that the list as shown here in this preliminary 2021 list is quite long and most likely there would not be an ability to accommodate all of those assessments in 2021 so I'd expect some of those to move to the 2023 list, but as shown I think this motion allows the flexibility for that workshop to occur and for us to weigh in on priorities following its outcome.

Marc Gorelnik [00:13:38] Thank you. Are there questions for makers of the motion or the maker of the motion? No questions? Any discussion? I'll call the question on the amendment. All those in favor of the amendment say 'Aye'.

Council [00:13:55] Aye.

Marc Gorelnik [00:13:55] Opposed no? Abstentions? The motion on the amendment passes unanimously. We're now back to the main motion as amended. Is there any further discussion on the main motion as amended? I'm not seeing any hands. I'll call the question. All those in favor say 'Aye'.

Council [00:14:18] Aye.

Marc Gorelnik [00:14:18] Opposed no? Abstentions? The main motion as amended passes unanimously. Thanks for the work you guys did while we were on salmon. So let's go back to our Council action on this agenda item. Looks like we ticked off number one and two. Do we have any action on three or four where those terms of reference somehow incorporated in a prior motion that I was unaware? John.

John DeVore [00:15:00] You may notice that in the SSC statement they're recommending no changes to those two terms of reference and the GMT and GAP agreed with the SSC's recommendations in general on terms of reference so right now we would make the major change of changing the dates on the cover page of those two terms of reference pending final decisions in June.

Marc Gorelnik [00:15:29] So do we need a motion to adopt those for review or not?

John DeVore [00:15:32] No.

Marc Gorelnik [00:15:33] Okay. All right, well then I guess we've ticked off those items. Before concluding the agenda item I want to look around the table and see if there's any further discussion to be had? Corey.

Corey Niles [00:15:46] Yeah thanks Mr. Vice Chair and a couple thoughts here and first thanks to Mr. DeVore for the earlier back and forth on getting the SSC to give us some more guidance on how we deal with these data poor OFL's and I want to make sure it's clear that I was not meaning to imply that anyone here who was trying to hide overfishing or anything like that. I think this is a tricky issue and fully respect the challenge that we're dealing with and just it's been one of these things that has been put aside because the workload and I'm really grateful for all the work that Dr. Hastie and others have put into thought into that and I'm looking forward to more. On that note, and I also wanting to acknowledge that earlier that the Ocean Conservancy had a nice public comment about data collection and California had a really thorough report on data collection and just wanted to quickly note the, just acknowledge how important that is for in all three states and I think Caroline in the end said that they had, they had enough samples for sufficient for stock assessment, but I think if we would've asked her, would you want more? That was the general, the general thrust there is yes, we would want more. Funding has been a challenge. I think the PACFIN funding levels that we've, all three states use to do port sampling and collect this information has been flat funded for, I don't know, 15, 20 years, it's putting pressure on all the states and for these, a lot of these stocks where we don't have the fishery independent surveys, which is like the nearshore rockfish and, and the shelf rockfish, that species that don't live in trawlable habitats, that's where most of the information is coming from on the status of the stocks and now it's going to, getting close to out of my area of expertise, but it seems a good deal of the signal on how our stocks are doing are coming from the catch and the sampling and so thanks to California for putting that information together and just wanted to acknowledge that it's the same. California has a bigger challenge in terms of its size of its state, of course, but it's a challenge and in our state as well.

Marc Gorelnik [00:18:02] Thank you Corey. Further discussion? John.

John DeVore [00:18:14] Thank you Mr. Vice Chair, Council members. You successfully accomplished the tasks under this agenda item. You've adopted a preliminary list of stock assessment priorities for '21 and '23 subject to change in June pending new information from our data limited workshop and methodology review of link based assessment methods. We have a draft terms of reference for stock assessments out for public review and of course the draft terms of reference for methodology reviews and rebuilding analyses are still out there for public review with no changes recommended at this time. So with that, we're prepared for a June action with some further data explorations.

Marc Gorelnik [00:19:01] All right. Thanks very much John. Well thanks for everyone's cooperation, we've now completed agenda item H.2.

3. Update on Exempted Fishing Permit (EFPs) for 2021-22

Marc Gorelnik [00:00:00] Okay that concludes public comment on this agenda item and brings us to Council action, which is up there on the screen and so I will look around the table and see who wants to kick our discussion off. Corey. Thank you.

Corey Niles [00:00:23] Thanks Mr. Vice Chair and I think I'll, I just want to make a quick statement about our WDFW EFP. Dr. Seger hit it right on the head about what the change was so I don't think it was worth speaking to, but I just want to, again I think I said this last time this came up, but we are doing this EFP because that's the avenue that NMFS recommended and it was, we see it as a very important program for collecting more data on Yelloweye. I just spoke a moment ago in the last agenda item about the importance of that data that we don't have and so I'm just going to again emphasize it is looking at it, looking at this together with the other 2021, 22 management measure workload we would rank this one of highest priority from our perspective. So, I just wanted to again echo that high priority importance of the data on this EFP, but it was just a minimal change at this time.

Marc Gorelnik [00:01:15] Thank you Corey. Is there any additional guidance Council wishes to offer on these EFP's? Bob Dooley.

Bob Dooley [00:01:29] Thank you Mr. Vice Chair. We heard in the public testimony by Heather and Kate about the desire to put a placeholder down to extend the EFP should there be a delay in implementation. I guess the procedure to do that is unclear to me, you know, but I understand the need. If the rule is delayed, definitely needing a continuance of the EFP, so I guess I would ask Ryan if he, if all that's doable or just something prescriptive that we need to do should there be a delay in the rule prior to the beginning of next year, that is that happens for whatever reason to put a placeholder that allow us to get an EFP in place in a relatively quick manner should it be needed?

Marc Gorelnik [00:02:22] Ryan.

Ryan Wulff [00:02:23] Thank you Mr. Vice Chair. Thank you, Bob, for the question. So maybe I'll address a few things just related to the EFP including your question here. So just very quickly, to clarify the letter exchange and I think we heard about this, but some of the public comment, you know, our intent was not to necessarily dismiss out of hand an EFP before receiving it as pointed out by some of the public comment. We weren't clear based on some of the items put in the Council letter since they weren't in our regs currently that you needed an exempted fishing permit for them and I think you've heard that from the folks that discussed today. If you were, as far as your process question, submitting an EFP can be done at any time to NMFS. It is a separate process as we've discussed on our many agenda items so if you don't have one at this point in time that doesn't mean that we can't receive one and we have stated as in the letter and then I can reiterate, we will seriously consider any application that would come to us at any point in time. Regarding that connection to a delay in effectiveness, if there was a delay it would have to be as part of the two meeting process we've got scheduled for the cleanup rule for April and June. It would have to be wrapped into that from a technical and process perspective, that as far as amending the regs and then the EFP would just have to be completed sometime prior to implement.....prior to the 2021 fishing year, so we would have some time, but again from NMFS perspective our preference is still to maintain and to implement the current regulations and all three points can still be done. The steam time, the halibut discard mortality rates as a part of the manual, we can still have those discussions. Pacific States in maintaining them, it is our understanding that there is a mechanism for them to receive funding. We have stated on the record before that they can apply as a third-party provider. So, there is nothing that would stop us moving forward with implementation and so we still would have that as our preference versus a delay. We are sensitive to a

lot of the discussion that has happened around cost and some of the points that were raised even today, so we are looking at the NMFS review roll, I'll call it, you know on the electronic monitoring side we are looking to see for every possible way to reduce costs to industry. We realize that we will have to be adaptive in the first year of the program and do what we can to make it as efficient as possible and we will continue to do that, and again also noting, of course there are a number of other issues that are not relevant for this agenda item that are specific, that have already been identified, that do need to be changed or at least discussed regarding the existing regs and that's on the schedule for April and June and we would be happy to come back at the April meeting when that discussion starts and have a more detailed discussion on this issue.

Marc Gorelnik [00:05:55] Bob.

Bob Dooley [00:05:55] So the way I understand it then there really is no need to have a place marker at this meeting today because if there should be a delay that is implemented in August, we'd have September and November to get an EFP on the road. Is that my correct understanding?

Marc Gorelnik [00:06:15] Ryan.

Ryan Wulff [00:06:15] Yes. Thank you, Mr. Vice Chair. Yes, that is correct. An EFP process is separate from this and can be done, you know, in conjunction with the future discussions that are already scheduled.

Bob Dooley [00:06:29] Thank you Ryan.

Marc Gorelnik [00:06:35] Further guidance? Questions? Discussion? Phil.

Phil Anderson [00:06:41] I was confused by that last exchange. I thought Mr. Dooley asked if we needed to put, if we needed to have a placeholder or a whiting EFP at this meeting and I thought I heard you say yes but then following that you said we can enter it into a process later as we go through.....so could you clarify that?

Ryan Wulff [00:07:11] Yeah thank you Mr. Vice Chair. Thanks, but no, sorry, if I wasn't clear. We don't need a placeholder. I think we have the discussion that has already happened. An EFP process, like I said, is technically separate so you don't need a placeholder at this point in time.

Phil Anderson [00:07:25] Thank you.

Marc Gorelnik [00:07:27] Chuck.

Chuck Tracy [00:07:29] Well I'll just chime in here a little bit and say that well, we have a placeholder for April and June. It's on the agenda to look at potential regulatory changes and implementation and EFP extension, so that's what's on the April agenda and that's what's on the June agenda so I think we're covered.

Marc Gorelnik [00:07:54] Thanks for that clarification. Further discussion? Guidance on this agenda item? There was a point made by the GMT about the request from Real Good Fish for an additional piece of cowcod and the GMT had a concern with that. Is there any Council discussion about that or guidance? Marci.

Marci Yaremko [00:08:29] Thank you Mr. Vice Chair. Looking at the updated application for Real Good Fish as shown in Agenda Item H.3, Attachment 7, the only mention I see in this document about

the updated request is captured on page one where it says update from November 2019 meeting. Based on the recommendation of the GMT we've removed the requests for the VMS exception. We also changed the set aside requests for cowcod from .015 to .5 given the rebuilt status of that stock, so I guess my question may be for Council staff. Was there other communications or correspondence that further went into detail about what the need is for this increase. I'm not seeing a need in the document. I just.....sounds like the need that was characterized by the GMT is that it may increase participation but I didn't, I don't know how that was, who made such a determination.

Marc Gorelnik [00:09:52] Jim.

Jim Seger [00:09:54] Thank you Mr. Vice Chairman. So in addition to the cowcod rebuilding, I think one of the other factors is the withdrawal of the, that the CCA EFP in terms of the cowcod being available. But then the applicants were with the GMT and had a discussion about just the constraints and concerns that they had, that the participants had about being able to prosecute the EFP with that .015 amount of cowcod and so just what is reflected in the GMT report came out of a discussion with the applicants and there was no additional discussion of need I think is the bottom line answer.

Marc Gorelnik [00:10:39] Brad.

Brad Pettinger [00:10:39] Thank you Mr. Vice Chair. Jim was the concern about the low cowcod number was because they're having a hard time recruiting vessels to queue up for that and then worry about being shut down prematurely and then thus losing out on their investment without being able to participate.

Jim Seger [00:11:06] Mr. Vice Chairman I don't have a specific recollection of that detail of the conversation. I'm sorry.

Marc Gorelnik [00:11:16] Jim, I've got a question for you. Do we need to provide guidance at this time on the requests by Real Good Fish?

Jim Seger [00:11:25] My, at this point what you're doing is providing guidance on the EFP's in general to go out for public review and receive comments and you're coming back in June for your final action. What my take on this is that if you are happy with the EFP's, that they are adequate for public comment at this point, including the change in that cowcod amount, if that's adequate for public comment at this point then you can just kind of say you're satisfied with what's been represented to you and move ahead. If I may as well the question was brought up as to what other EFP's might also want a cowcod increase, so I just took a quick look at the GMT's November report that in their table that has all of the EFP's listed and the set aside amounts for those EFP's, and the only other EFP that has a cowcod set aside as I look across for south of the 40 10 area is the Platt/Emley EFP. They have a .15 metric ton amount, so that that would be the only other one.

Marc Gorelnik [00:12:42] All right and were the applicants for that latter EFP involved in these discussions about Real Goods request?

Jim Seger [00:12:54] Not, Mr. Vice Chairman, not to my knowledge. Again, the EFP was withdrawn was a total of 7 metric tons. Half a metric ton is the request for Real Good Fish so it sounds like there is a buffer there if other increases or if you desire to have other increases.

Marc Gorelnik [00:13:16] Okay. All right is there further guidance here? Marci.

Marci Yaremko [00:13:24] Yeah thank you Mr. Vice Chair. Jim, maybe you can elaborate? The GMT

indicates that this alteration is somewhat outside of the step of the process, as EFP check-ins typically address previously raised concerns and that was what this agenda item was all about was addressing the previously raised concern so but maybe you can help me understand what the, what the process is because it sounds to me like this is an additional proposal that, I mean, how procedurally what does this entail? Revisions to the scorecards? What are what are we talking about here since the GMT is identifying that this is outside the step in the process.

Marc Gorelnik [00:14:19] Jim.

Jim Seger [00:14:21] Thank you Mr. Vice Chairman. So just with respect to the revision of the scorecard, I wouldn't anticipate there would be need to revise a scorecard again because you lost the 7 metric tons from the CCA EFP and you're only picking up some of that so I don't think this generates a need to revise scorecards. In terms of the general process, you know the Council Operating Procedure again is this, you know, November adopt for public review and then June finalize and all EFP's are supposed to be on the table at the, at the November meeting. In the past, however, when something has happened during the process and you felt it appropriate, you have made other changes between the November and June meeting to the extent of even adding entire EFP's to the process. So a few years back, or a few cycles back, there was somebody who didn't quite understand that they had to renew their EFP and so you kind of made a judgment that it was a reasonable thing to do and to allow that, given all the impacts and so forth, that, that worked for the process and you allowed that so you have your process and then you have exceptions that have been made in the past based on your evaluation in specific situations.

Marc Gorelnik [00:15:44] Louis.

Louis Zimm [00:15:45] Thank you Mr. Vice Chair. I think this request for a half a ton is a reasonable request and I'll tell you the reason why. This EFP is going to be targeting in deeper waters than the Emley/Platt EFP, which was generally targeting in shallower waters on the top of banks for yellowtail rockfish, so this one is looking to use salmon type gear, wire and heavy sinkers to get down to the chilipeppers and canaries and possibly vermillion, but I think when you start aiming for chilipeppers, you're getting down to that 90 to 100 fathom area where we don't know how much cowcod there is from Monterey south, they'd be working down to our Point Sur. So, this is, I think, a reasonable thing to consider because we don't have any data yet on what kind of encounters they might have. We have not had a hook and line survey in that area and certainly the trawl surveys have not been able to access that area so this might be reason to give a little bit of slack here.

Marc Gorelnik [00:16:55] Thanks Louis. There may be a process issue, but there's not a conservation issue here. Further discussion? Marci.

Marci Yaremko [00:17:13] Thank you Mr. Vice Chair. I guess question for Jim again. You outlined kind of what the process would be, but I think what you are saying is that there's virtually no workload associated with this ask, but I'm not sure. I want to be very clear about that before making a recommendation on this.

Marc Gorelnik [00:17:38] Jim.

Jim Seger [00:17:38] Mr. Vice chairman. If there was a GMT member here I would be more comfortable, but that is because it's, and I'm not a GMT member, but that is my understanding that because this basically does not change the set asides and that's what would cause a workload.

Marc Gorelnik [00:17:58] Marci.

Marci Yaremko [00:18:00] Okay and then with regard to the recommendation of the GMT that if an increase is afforded to Real Good Fish a similar increase should be afforded to other EFP's, would we similarly be able to provide an increase to the Emley/Platt EFP despite the fact they haven't requested one?

Jim Seger [00:18:29] Through the Vice Chair. Yes my expectation would be that, you know, these are out for public review and comment and often as part of that review and comment process you also get comment from the EFP applicants saying, hey you know, since last November, it's now June, since last November we've realized we want to make this modification and that modification and then you take those into account and incorporate them in the final. Again, given that you have basically at least six metric tons that have been freed up from the set aside, if the Emley/Platt's folks after hearing this discussion decided, hey, you know, we would like some of that too, it seems like you would have the ability to do that without messing up any of your ACL's or allocations and all the other analysis that's been done.

Marc Gorelnik [00:19:18] Marci.

Marci Yaremko [00:19:19] Thank you, and so just to clarify, the time to do that would be now or June.

Jim Seger [00:19:25] My take on this is that we are in this process where the applicants would have an opportunity to come forward in June along with the rest of the public and say we would like this modification to the EFP and coming out of this meeting, you know we would, there would be some kind of a notice that the modification had been made for Real Good Fish and so folks would be aware of what the possibilities are.

Marc Gorelnik [00:19:56] All right. Any further discussion on this agenda item at all? Corey.

Corey Niles [00:20:05] Just real quick, it's not on that issue but I don't think anyone spoke to this but I think everyone thinks it is, I just want to thank NMFS staff and the industry for working on this EM cost issue and we're listening and looking for the April but that's, I want thank you for all for continuing to work that out.

Marc Gorelnik [00:20:26] Thanks Corey. I think we all join you in that. If there are no further comments from the Council floor, I'll turn to Jim and see how we're doing?

Jim Seger [00:20:36] Thank you Mr. Vice Chairman. I think you've covered the issue of a placeholder for the EM EFP's in your previous discussion and it sounds like you are satisfied with the EFP's as they've been modified to be sent out for public review and then coming back and looking at them in June for final adoption.

Marc Gorelnik [00:20:55] All right. That concludes this agenda item at 4:56 p.m. so we're actually four minutes ahead.

4. Update on 2021-2022 Harvest Specifications and Management Measure

Phil Anderson [00:00:00] That'll complete public comment on this agenda item takes us to our Council action, which is guidance. We received a really good report from both the GMT and the GAP and the GAP did a nice job of summarizing their recommendations as they usually do at the bottom of their report, so both of those documents may help organize your thoughts and provide any guidance on the questions that were posed to us. So we could, if it would help we could either get the summary of the questions that the GMT had up in front of us, as well as I suspect we all have electronic copies of the GAP's recommendations and we could walk through those and I guess I would want to ask my Executive Director whether he thinks we need motions here or just guidance, clarification.

Chuck Tracy [00:01:05] Thank you. I think just guidance is what's on the agenda at this time.

Phil Anderson [00:01:09] Okay. Well...Marci.

Marci Yaremko [00:01:16] Sure I'll kick us off that is the pleasure. With regard to the yelloweye ACT I think the answer is yes, we want to go ahead and affirm the ACT values. We continue to manage in a precautionary manner for this overfished stock and when we embarked on our plan, what was it three years ago, four years ago now, to manage conservatively, I don't see that anything needs to change at this stage so I'm very comfortable with us maintaining the harvest guidelines that we have taken great care to establish and work within. Item two with regard.....

Phil Anderson [00:02:04] Let me just hesitate for each one and because I'm going to look around the table and ask if there's any objections or different opinions about the one that Marci has offered. Everyone concurs with that? Okay.

Marci Yaremko [00:02:23] Okay. Moving along.

Phil Anderson [00:02:27] Yes.

Marci Yaremko [00:02:27] The yelloweye research set aside at 2.92 metric tons based on the anticipated research needs rather than the historic high. We've used that 2.92 number in years past and there doesn't appear to be any need to deviate from that path so that does it.

Phil Anderson [00:02:50] So there's a recommendation we keep set aside at 2.92 metric tons of yelloweye rockfish. Everybody good with that? Okay. You're on a roll.

Marci Yaremko [00:03:01] Great. Okay number three. Confirming Alternative 2 for shortbelly and petrale. Those alternatives, as I understand it, have already been analyzed. The work is done. I don't see any point in pulling those out of the analysis at this time. There, the work is done. Let's consider them as we move forward.

Phil Anderson [00:03:24] Okay the recommendation is to keep Alternative 2 for both shortbelly rockfish and petrale sole. Any objections to that. Corey.

Corey Niles [00:03:33] No objection. Thanks Mr. Chair and thanks Marci and I understand what Mr. DeVore is saying maybe we weren't as clear in our motions and with matching the teams and other reports language. Yeah I agree with Marci but I'm still thinking the guidance here should be helpful in having the GMT do things or the Council staff do things between now and our next meeting and so yep that's the guiding thought I have in my head and as Marci said I don't see any use except for John's

clarifying point of making it consistent throughout the document. So yeah if there's, if there are things that are missing and that aren't.... would be helpful to the team and Council staff for doing more between now and April. I hope they will chime in too and correct my misunderstanding there.

Phil Anderson [00:04:20] Okay. Seeing head nods from Mr. DeVore down the table there. Back to you Marci.

Marci Yaremko [00:04:28] All right. Additional limited entry, fixed gear and open access trip limits for analysis. Yes, a resounding yes. The GMT, I'd love to see the GMT move forward with this. I want to really thank Patrick and Mel for their hard work over winter on this and Patrick's acknowledgement of the need to clean these antiquated tables up. They have been hanging around in virtually the same condition for 20 years and certainly there is more opportunity to be had. We did hold an additional stakeholder hearing on Thursday night in our delegation room where we got into some of the detail of these trip limit alternatives to vet them with our folks in these sectors of the non-trawl fishery and they were very interested in exploring these alternatives and they indicated to us that it potentially could provide us more opportunity in the next biennium and then beyond should we consider additional RCA adjustments under a different agenda item so making the changes now in the spex process seems most advantageous. This is the time we are supposed to make these bread and butter changes to our fundamental management measures so appreciate the hard work that has gone on behind the scenes to prepare us a robust range of alternatives.

Phil Anderson [00:06:08] Okay. The question was whether we want to move forward with the proposed new limited entry and fixed gear open access trip limits and analysis proposed by the GMT. Recommendation is yes. Is there any objections to that? Okay. There is a one on.....there's two more on the list that were provided by The GAP. One is number five, the for analysis consider combining the nearshore non-nearshore harvest guidelines for Canary rockfish to reduce constraints as was detailed by the GMT in their presentation. Is there a perspective on this. Corey.

Corey Niles [00:07:02] Thanks Mr. Chair. I think this is the thing that we would.....I'm interested in hearing more about it but I think April will be the time to get informed a lot more thoroughly on that but I'm all for the GMT bringing forward the information and having time to think about it so I don't object to looking at it in April, but I think April would be the place to discuss the merits of that.

Phil Anderson [00:07:27] Yeah I'm not suggesting we discuss the merits. It's whether or not we are confirming or not the GMT's recommendation to look at the analysis, and the last one on the GAP's list was a new, was new, an at sea set aside option utilizing a three year average. Your perspective on that proposal. Chris.

Chris Kern [00:08:05] Thanks Mr. Chair. If necessary, I think I'd support moving that forward. that would be my perspective.

Phil Anderson [00:08:11] Okay. Everyone good with moving that forward and adding that. All right. Okay so let me go back to Todd and ask him what additional work we need to do to complete this agenda item?

Todd Phillips [00:08:33] Yes thank you Mr. Chair. Excuse me. I believe you've given us the guidance that we did have questions on so we very much appreciate that. As far as anything else, I believe that the Council has adequately covered the materials today and we are set to go forth.

Phil Anderson [00:08:50] All right very good. Thanks for all the hard work by our GMT and GAP and the public, members with public that participated in that.

5. Inseason Adjustments – Including Shorebased Carryover – Final Action

Marc Gorelnik [00:00:00] That takes us to our Council action, which is minimal, so let's see if there's any discussion here. I'm not hearing any suggestions for adjustments so I don't want to foreclose any discussion or action but I'm going to look around the table and see if anyone raises their hand. Phil.

Phil Anderson [00:00:24] I just wanted to say thanks to the GMT for that thorough report and giving us an update on how the performance of the various groundfish sectors is progressing and highlighting some of the issues associated with prices and markets along with the updated scorecards and the update on salmon bycatch, so I appreciate the content of the report very much. Thanks.

Marc Gorelnik [00:00:54] Thanks Phil. Any further discussion on this agenda item?

Marc Gorelnik [00:01:00] Corey.

Corey Niles [00:01:02] Yeah thanks Mr. Vice Chair and thanks Phil. I will echo those thanks to the GMT. I just, as I have many times before, I'm going to on GMT's comments about the legal situation with carryover. I understand what NMFS has been telling us, but I logically speaking, if your program is going to on average come under your ABC every year, I don't see what the logical or biological issue is with carryover. You can if you issue quota and you know with high confidence that not all of it's going to be used, you can project that it's going to be less than your ABC so you can over allocate on paper and come under in reality, just like the people do on the Pacific Whiting Treaty every time, so I just wanted to let people know that, that issue is still one I think is important and I'm just noting it that it's not forgotten, but I appreciate the effort to keep the carryover going as it is now. So thank you.

Marc Gorelnik [00:02:12] Thank you. Any further discussion? Anything on this agenda item before we close it out? Todd.

Todd Phillips [00:02:22] Thank you Mr. Vice Chair. I believe you've covered all the actions and we are completed. Thank you.

Marc Gorelnik [00:02:30] All right. Thanks everyone.

I. Highly Migratory Species Management

1. National Marine Fisheries Service Report

No transcripts for this agenda item.

2. Review of Essential Fish Habitat – Scoping

Phil Anderson [00:00:00] So that takes us to our Council action. We have the EFH Review Action Plan and our action here is to consider that plan for adoption to move forward. Caren.

Caren Braby [00:00:19] Thank you Mr. Chair. I am intrigued by the idea of combining the CPS and HMS EFH first if that's feasible? I'm not sure how to resolve that question right now around the Council floor so if there are any ideas on how to resolve that procedural or policy, that would be helpful for me.

Phil Anderson [00:00:56] So maybe from a process perspective, either Kerry or Chuck want to speak to that? I'd flip a coin and see who loses.

Chuck Tracy [00:01:08] Kerry lost.

Kerry Griffin [00:01:08] I lost the stare down. You know that's an excellent question. There's a few pieces of the puzzle yet to fall into place. We mentioned the idea, I think Steven mentioned the possibility of getting some internal NMFS funding that could potentially be used to hire a contractor and if we got that funding or hired a contractor for some other reason, then it might depend on who the contractor is. Do they have the capacity? Could they work with the Southwest Center? So there are, you know, some of those logistics that I think as they fall into place over the next month or two or thereabouts, that might give us a better indication of whether it would make sense to combine the two or not and then, of course, there would probably be some timeline implications. This phase one report is due in September of this year and the CPS phase one report is due in November, so not to get too far ahead but that might mean that we'd make them both in November or something like that. So I guess that's my roundabout way of saying let's sort of see what happens over the next month or two and, you know, we can have some internal discussions and, you know, circle back with the Council about what, whether that would make sense.

Phil Anderson [00:02:35] Okay so that sounds like an item that could be considered with a little bit more passage of time and work. John.

John Ugoretz [00:02:47] Thank you. You just sort of said what I was thinking that I'm not certain that combining the two makes sense. I get it that both are oceanic habitats, but there are certainly differences and even the expertise behind understanding them may not be the same but I would say that regardless, I think the schedule in the action plan might need to be adjusted.

Phil Anderson [00:03:21] So I guess I would....Chuck.

Chuck Tracy [00:03:25] Thanks. Well I think I like Kerry's idea of, you know, kind of proceeding down this plan 'A' path for now. I do note that both the HMS and CPS folks meet in June. It might be possible to have a discussion with them on the status of the EFH process at that time and have them if they, we should have a better knowledge of where we stand in June. Perhaps submitting a report under workload planning for the June meeting that could modify the schedule set forth in the action plans. We've got one action plan in front of us today and we'll have another one in April for the CPS so maybe June would be an opportunity to consider merging those since everybody will be together at the same time.

Phil Anderson [00:04:25] My other question was whether that might also be a time when we can have some more definition on the need for adjusting the timeline perhaps rather than making that adjustment today. The team has indicated some concern about meeting that September timeframe, perhaps by June

there'll be some more certainty in that, and we could make a formal adjustment to the timeline if that makes sense? John.

John Ugoretz [00:04:55] Can we reflect that in the action plan? I just, I'm a little concerned about formally adopting the action plan the way it's written right now with a very clear deadline of the advance briefing book for September.

Phil Anderson [00:05:13] Good point. Caren did you have your hand up?

Caren Braby [00:05:20] Thank you. Yeah, I just wanted to kind of maybe state the obvious that it's, that we have concurrence. That we're moving forward with the action plan generally and we're kind of getting stuck on process and timeline a little bit but I would just offer my comments that I think we're looking forward to reviewing EFH generally and let's work on the nuts and bolts of it. I agree with John that I think clarifying inconsistencies in the action plan today would be helpful, even if it's just to make it big.

Phil Anderson [00:06:00] So if we adopted the action plan with the understanding that the schedule that is contained within that plan is subject to change that, that would give the latitude to make that change perhaps in June when we have some more definitive idea of how much, you know, how to modify it. Do we change it to November? Do we, or do we do something else? Seeing head nods does that mean an acceptable way to move forward? Okay but in terms of adopting the action plan with that caveat, is someone prepared to suggest that? John.

John Ugoretz [00:06:50] Never good at this, but I'll try a motion on the fly here. Are you ready for me? Sure. I move that the Council adopt the EFH, HMS EFH Action Plan with the understanding that the schedule will be reevaluated at the June Council meeting. Yep.

Phil Anderson [00:07:36] Okay. We thank you Sandra for getting that up on the screen for us and I believe the language on the screen accurately reflects your motion?

John Ugoretz [00:07:45] Thank you.

Phil Anderson [00:07:46] Is there a second? Seconded by Bob Dooley. Discussion on the motion? Caren Braby.

Caren Braby [00:07:56] Question for the maker of the motion. Does this include an option of considering combination of CPS and HMS depending on the team discussion in June?

John Ugoretz [00:08:12] I don't think it precludes it. Yeah it doesn't specifically say that, but it certainly doesn't preclude it.

Caren Braby [00:08:18] Thank you.

Phil Anderson [00:08:22] Any other discussion on the motion? Okay. All those in favor say 'Aye'.

Council [00:08:27] Aye.

Phil Anderson [00:08:27] Opposed no? Abstentions? Motion carries unanimously. Kerry back to you. How are we doing on this agenda item?

Kerry Griffin [00:08:40] Thank you Mr. Chair. That does conclude your business or your required

business under this agenda item. Clearly, we'll be having some more conversations. We'll be back in April and discuss this topic for the CPS EFH review and we might have a little more information at that time but you adopted the action plan with the scope and objectives with the caveat about the schedule and so I think unless there's other discussion topics that concludes your business for this item.

Phil Anderson [00:09:14] Very good. Thank you very much.

3. International Management Activities

Marc Gorelnik [00:00:00] We're on international management activities and we have up there, thank you Sandra, our Council action. We have the U.S. albacore, U.S. - Canada Albacore Treaty. We have the international forum that Dorothy and Christa informed us about and there was some public comment, so let's start discussions and in the interest of trying to keep things organized, let's first focus on the U.S. - Canada Albacore Tuna Treaty. I'll look around the room to see who wants to get us started with the discussion and then eventually leading to perhaps to some guidance, recommendations. Phil.

Phil Anderson [00:00:54] Thanks Mr. Vice Chair. I just had a question for Mr. Hogan. Of course, you had an opportunity to, to review the remarks from our advisory panel and as I understand, it, had a chance to meet with all or some of them yesterday. You had one question about the rationale around the suggestion to change the dates of the Canadian fishing season. I'm just, I'm assuming that the balance of the items that they brought forward are items that you have discussed with them and are aware of in terms of concerns from the U.S. industry. Is that a correct assumption?

David Hogan [00:01:38] Thanks very much Mr. Anderson. Indeed, a number of, well in fact, all of the points that were contained in the advisory subpanel report are issues that we have discussed in some varying degrees of detail. In fact, the question I asked about the change of dates was more to elicit some rationale for the understanding of the Council. There are a number of points within the report that in fact we've addressed but understand it was important for the advisory subpanel to bring them forward, nevertheless. I think that there are a couple of things in there that might benefit from some further elaboration with regard to the Council's deliberations. Of importance to the advisory subpanel and all of the stakeholders is the impending stock assessment, which is done through an international process. The concern with regard to the harvesting sector in particular is whether a negative stock assessment, if that is the outcome, would trigger the need for more restrictive management either at the international or national level. In one of the previous regime negotiations with Canada, reflecting concerns by the harvesting sector of the potential for management measures that might contradict or negatively affect U.S. benefits under the treaty, we introduced a mechanism whereby a party, United States or Canada, could terminate the reciprocal fishing and port access regimes if there is international or domestic management that results in a circumstance that is counter to or undermines the treaty. This was specifically introduced as a mechanism to protect U.S. interests with regard to a management action that might be required under the Magnuson-Stevens Act or something developed at the Interamerican Tropical Tuna Commission so that we would not have a circumstance where U.S. fishing effort, which is currently unmanaged as far as a domestic management system goes, we do have the IATTC measure as mentioned by one of the speakers, or if we had Magnuson Act restrictions or for example, introducing limited entry or some kind of effort or catch limitation that would prevent anyone who's participating in the open access albacore fishery from fishing in the U.S. and still have Canadian vessels fishing offshore in the U.S. we understand that would be untenable at some level so we have that backstop in the event that the stock assessment would necessitate some management measure that would disadvantage or preclude U.S. fishing....we have the option to protect our rights in that case and I think that is worth considering and looking at the uncertainty that was raised by the point about the stock assessment in the advisory subpanels report. There were a couple other points that are not directly relevant to the treaty implementation but are of concern to the sector, including the two cases, enforcement cases that were mentioned. One of the enforcement cases regards, as the WFI representative articulated, a U.S. vessel owner operator who apparently, and it's still under investigation, so this is just the speculation had not had the proper permit it had not been on the list at the time that they entered the Canadian EEZ to fish. So while that is under investigation by Canada's government, I did want to comment that Canada did advise the United States of that enforcement case and they similarly advised the United States of the second case with regard to, I guess it's a food safety

issue on the nature of the importation of product from the South Pacific vessel. Neither of those two things are relevant in terms of the implementation of the terms of the parameters of the treaty. The notification requirement under the treaty was satisfied by notification between the governments. We have not necessarily gotten into a lot of detail about that with the stakeholders simply because it is a bilateral matter between the two governments as far as when that notification occurs but the entire set of U.S. stakeholders was aware of those cases essentially at the same time that we were, so it's also a bit redundant for us to notify them again. There are a number of external factors in terms of the market uncertainty, the economics that are relevant to the outlook of the sector and the U.S. stakeholders as far as competition in the marketplace for the resource that they are harvesting. Our interest is in looking at any specific problems related to the implementation of the treaty itself. We seem to have addressed some of the crowding issues and some of the other issues that had been very acute in the past and so we are welcoming of the report because it gives us a sense of the specific interests of the sector but I can also see how some of these matters might be an indirect effect rather than a direct effect relative to the treaty. I'm also happy to answer any other questions. Thank you.

Phil Anderson [00:07:07] I have one follow up.

Marc Gorelnik [00:07:08] Thank you Mr. Hogan. Phil.

Phil Anderson [00:07:09] Just a follow up. Thanks Dave, for that response. In the advisers report they brought forward the concerns around the lack of what I'll call reciprocity, I guess, in terms of the hail in hail out requirements as well as the permitting requirements. Could you speak to either one of those points?

David Hogan [00:07:33] Sure. So, the requirements that were established by Canada for license for port access and a license for fishing were done under the Coastal Fisheries Protection Act and were independent of implementation of the treaty. There were regulations that Canada had promulgated in part I believe also because of the steps that Canada was taking for implementation of the Port State Measures Agreement, among other steps to ensure that their laws that were already on the books were being fully implemented. It is the prerogative of Canada to introduce and implement measures like that and similarly, it is the prerogative of the United States government to put in place any requirements for access to the U.S. EEZ. The treaty already creates the opportunity but the administrative mechanisms that any government chooses are their prerogative. It is not something that is prescribed, or I should say the treaty is not prescriptive as to whether or not a government has those measures, it is their own decision. I would have to defer to other U.S. government agencies, Coast Guard in particular, with regard to the viability and the effectiveness of introducing the hail in hail out measure. It's not something that I see as burdensome for the Canadian fleet but at the same time it's also not something that the treaty calls for as one of the elements of reciprocity, it really is up to the United States as to whether that is something that is important. I understand that the discussion centering around this is related to the introduction by Canada of their license agreement so it may be that the harvesters feel like we need to have some balance on that point, but it is certainly not a foreign policy matter that would concern us.

Phil Anderson [00:09:21] Thanks Dave.

Marc Gorelnik [00:09:24] Further discussion? Christa.

Christa Svensson [00:09:28] Excuse me. Thank you, Vice Chairman and this is also a question for Mr. Hogan. I'm wondering about timeline. If you can give us any kind of update on that because I haven't heard that, anything about that in the reporting and June first is coming rapidly.

David Hogan [00:09:44] Certainly. So, the timeline can be very short in terms of steps to renew the

regime. For example, as I described in the November 1st letter, if we are simply renewing the regimes as they stand without change, that's a very straightforward process. We would simply exchange diplomatic notes and even while we were concluding the steps to give legal effect to the amended regimes with the new dates, we can use the practice we have used previously, which is to provisionally apply that so that as of June we would be operating under those terms. If we were to make changes that would require a more, more steps in the process, including multiple bilateral conversations if not negotiating sessions in person, we do have time to accomplish that. We've done that in the past and as long as we had some kind of arrangement that was mutually agreed before June, we could again have drafted diplomatic notes established and have an exchange of letters between the governments that would implement the regime, even while we were concluding the steps on each side to essentially confirm the entry into force of the amendments. So the timeline right now would be ideally to reach some kind of, to reach a U.S. government position with regard to the future regime, have consultations with stakeholders both directly with the harvesting associations, other stakeholders directly, and then as a collective delegation function. Make our decision on the way forward and if it is simply renewal, then have a bilateral conversation with Canada to seek their concurrence and proceed and that would take, you know a matter of weeks. If we are in a position to seek any changes, we would need to schedule a little bit more time for that but ideally we would, in either scenario, be able to conclude that before June.

Marc Gorelnik [00:11:57] Christa.

Christa Svensson [00:11:57] Yeah thank you Vice Chairman. Just one more question I hope in terms of the timeline. In terms of reach out to stakeholders are you thinking that's going to be telephone or are you thinking more of in person? And the reason I'm asking is folks do need time if it is involving travel to gather travel plans together, so having an understanding of when that might be could be very helpful.

David Hogan [00:12:25] Under normal circumstances we would have teleconferences to conduct those consultations. The only travel that I would foresee is if we are, if we end up in a position where we need significant changes to the regime that would require or benefit the United States from having a face to face negotiation with Canada, but in terms of the stakeholder consultations our usual approach is to have teleconferences and so the idea would be to have a series of teleconferences with each of the stakeholder associations to understand their positions and have discussions and answer questions and then have a collective teleconference of all the stakeholders as a delegation function to make sure that all the stakeholders understand where their counterparts are and have any final discussions before we reach a conclusion on our position.

Christa Svensson [00:13:22] Thank you.

Marc Gorelnik [00:13:23] Further discussion around the table and or specific recommendations to provide on the U.S. Canada Albacore Tuna Treaty? We do have very specific comments from the AS but I don't know that the Council has adopted them here yet. John.

John Ugoretz [00:13:48] Thank you Mr. Vice Chair, and I don't know that I would propose adopting the AS statement but I think voicing to the U.S. folks who are listening here that will be there that we support those recommendations, that they be considered in the process is worthwhile.

Marc Gorelnik [00:14:19] Seeing Corey nod his head. Does anyone disagree with that? One thing that was mentioned in the AS report, but has not been further discussed, is this potential designation of an offshore Pacific area of interest, which I gather from the AS report comprises a great portion of the Albacore fishing grounds in Canadian waters and so there is a, the concern is that, that does remain

open to surface fishing activity and so since that's in the AS report, I just want to confirm that that's also can be considered a recommendation to Mr. Hogan and others that we ensure that, that opportunity remains available through language in the treaty. Do we have anything further on....Phil.

Phil Anderson [00:15:19] Well I'll just briefly say that from at least from my perspective and Mr. Hogan addressed it, but I think it's extremely important to structure a potential future agreement in a manner that allows us to be responsive to the new stock assessment and I think that's going to be really important. We might set up a regime that had we known that the stock assessment was going to turn out the way it, you know, maybe something that's more on the restrictive side that we would, we would want to be able to respond to that quickly and not be locked into a regime that didn't serve the best interests of the U.S. I was surprised to learn there wasn't a hail in requirement for Canadian vessels entering the U.S. EEZ given that there is a limitation on the number of vessels that can be participating in the U.S. under the regime, so I'm not surprised that Canada requires it, but I am surprised the U.S. does not require it and I guess I would push back a little bit with the, with the argument that it is up to the Coast Guard and not under, and not within the interest of the State Department and as it relates to this agreement, because I think it would be an important tool to ensure that the regime is being implemented and tracked timely and that there is a constant understanding and knowledge of the number of Canadian vessels that are in the U.S. EEZ participating under the terms of the agreement, and that along with the point that the Vice Chair brought up about ensuring that our surface fisheries are going to be able to continue as they have been in the event that this closure area is put in place to protect bottom habitat.

Marc Gorelnik [00:17:37] Thanks Phil. Anything further on the U.S. - Canada Albacore Tuna Treaty? And Mr. Hogan do you think you've received adequate recommendations from the Council?

David Hogan [00:17:52] Thank you. Yes, indeed I, well I have received them. Their adequacy I would defer to the Council to determine that, but I certainly have heard them, and we do intend to seek to address them generally. I wanted to touch on at least one of the points that Mr. Anderson made. My understanding is that there are, in fact, efforts to verify that there are no Canadian vessels fishing in the U.S. EEZ. They're not authorized to do so under the treaty. It is the entry and exit from U.S. waters specifically that I think you're advising we take a look at for purposes of determining whether we could implement that, we should implement that and then the means by which we would do that, and so I will take it under advisement and engage with my interagency counterparts to determine whether and how we might consider that for purposes of the U.S. position, but certainly we have and will continue to engage with the government of Canada on the scope of any MPA that might be adopted. I think they have received the signal loud and clear that if there is a change in the deliberations in Canada to include restriction on surface fishing, that would have a very significant impact on the benefit to the United States of the treaty given that, as the Vice Chair said, it is a big part of the area where the U.S. fishes and I think the indication of a preference for responsiveness within any future regime to take into account options that we may wish to exercise if we have a negative stock assessment. The mechanism that's there now would kick in after we take action so that we have an assessment of whether that action does, in fact, disadvantage the United States, but I think we could think creatively about timing and sequencing of the regimes so that we would be in a position to act even before we had a full-fledged management plan amendment for the U.S. fishery.

Marc Gorelnik [00:19:49] Thank you. Anything further on this treaty? Okay.

Corey Niles [00:20:01] Thanks Mr. Vice Chair and yeah thanks for all the comments and from what I've heard today and thanks Mr. Hogan for being here, that our views are being listened to and I have full confidence that the Department of State will ensure that we're getting, continue to get mutual benefit out of this treaty so I didn't say a lot there, but thank you I appreciate the discussion. Tangentially I just

want to quickly speak to Doug Fricke's testimony, which we've talked about more than a year ago but this, what they're seeing on the fishing grounds in terms of recreationally, boats built for recreational fishing entering the albacore fishery, and I want to say, just quickly say that I'm volunteering us and to work with Council staff to look at that and it has been over a year since we looked, but there it does seem to show up in the data and if questions of effort were to come up in the international realm, it does, it would seem to be good to look at more than a unit of vessel day as effort, because these vessels, if they're increasing the vessel days, they don't have the same catching power, but I just want to quickly acknowledge what Doug said and volunteer to help get that analysis done and talking to the HMS Management Team offline I know they're extra busy so but we will look at that.

Marc Gorelnik [00:21:24] Thanks Corey. Anything further? Christa.

Christa Svensson [00:21:34] So this doesn't necessarily directly pertain to U.S. Canada treaty. It does kind of vicariously and it speaks to the question that you asked earlier Marc, which was with regard to processing product in Canada and how that was labeled. So that is a process, and this is speaking from kind of the processing background called substantial transformation, where you're taking a whole product and turning it into something else. So you can bring product in from a number of countries, we do this in the United States as well, cut it into like I say canned product or an Albacore loin and then it becomes the product of that country. So, you know, fish from Alaska going to China becomes product of China. Fish from China going into Canada could become product of Canada. So on the one hand, it is making it more difficult for our fishermen to compete against possibly lower priced product coming in and being cut, and the exception of that in the United States, we cannot bring product into the U.S., cut it and label it as product of U.S., that still remains a product of the country of origin. That being said, this process does allow Canadian buyers to come in and purchase product from U.S. fishermen and Canadian fishermen and take that product home to cut, because in many cases they have negotiated different tariff rates and those tariff rates into other countries allows them to pay more for their fish because U.S. processors, if we are cutting our own Albacore loins, for example, we may have to pay 22 percent and they may not pay any duty on that, so that difference does in some cases actually benefit U.S. fishermen in terms of allowing outside buyers to come in and so I don't know how far down the path we really want to go on this one. I mean I understand that it is concerning for many of our stakeholders in terms of fishermen saying, hey, we're worried about imports coming in and believe me processors are worried about it as well, but I do want to acknowledge that there is some benefit to U.S. fishermen in that process as well.

Marc Gorelnik [00:24:01] All right thanks Christa, and I raised it because it was something I had heard it, but product labeling is not contained within the Magnuson Act and fortunately it's not a Council responsibility to enforce, but thanks for that clarification. If there's nothing further on the Albacore Treaty, I'd like to turn to the topic of other forums. I believe that we were told that there'll be some meetings and perhaps June might be a better time to pick this up, but I want to open the floor for discussion if any, and I'm not seeing any. I don't want to force anyone's hand but if there's no discussion on this, let me just say is there any further discussion around the table on this agenda item? Corey.

Corey Niles [00:25:05] Thanks Mr. Vice Chair. I just want silence to stand there, but I just want to thank Dorothy and Christa and Kit, especially as the HS Management Team said, there's an opportunity for some of us to go to far away Portland, Oregon, to witness these meetings and it was a sight to see for sure and now I have a much better understanding of what they're doing for us and it makes me all the more grateful that we have them and silences here means just that I know they're very ably representing the Council's views on these issues and it's appreciated.

Marc Gorelnik [00:25:48] Here here. Louis.

Louis Zimm [00:25:52] Thank you Mr. Vice Chair and I want to echo Corey's comment there. This is a real commitment in time to travel these, to these areas across the Pacific and want to keep in mind that these people are doing this work have also got a lot of other things to do, so I'm not wearing my hat but if I was wearing my hat, I would take it off to them. I thank them very much.

Marc Gorelnik [00:26:21] All right if there's no further discussion I'll turned to Kit and see if we've done our work here on Agenda Item I.3?

Kit Dahl [00:26:33] Thank you Mr. Vice Chair. Yeah, I think you have. You had an exchange with Mr. Hogan with some, about some of the concerns related to the U.S. - Canada Treaty and the upcoming negotiation of a fishing regime and as you noted, as far as some of the processes under the RFMO's and probably June, your June meeting would be a more fruitful time to get into those discussions so there'll be more information available at that time probably related to, for example, what's happening with Pacific Bluefin and so on. So, I think we're good for now.

Marc Gorelnik [00:27:22] All right. Thank you very much Kit. Well that concludes this HMS agenda item.

4. Drift Gillnet Fishery Hard Caps Update

Phil Anderson [00:00:00] That concludes public comment on this agenda item. Takes us to our potential Council action. It's listed on the screen. I'm assuming there's some discussion to be had. John.

John Ugoretz [00:00:29] Thank you Mr. Chair. You know we've been talking about this issue for a long time now and we've had a variety of opportunities to reevaluate and recommit to our past decision on this item. I know that the State of California's position has not changed and that, you know, we have voted to that effect on multiple occasions. That said, I hear what National Marine Fisheries Service is saying. I understand the rationale behind a need to provide input on the adopted final rule. I would, however, say that I hesitate to make that initially a Council process. We've gone through the process. We've had the team deliberate that process for a long period of time and come up with an answer that we provided as a Council to NMFS only to be told that it didn't work, so given that I think it would be safer to ask National Marine Fisheries Service to provide us some input, some actual examples of how they think this could work and then conduct a Council deliberative analysis of the possibilities. That would prevent us from wasting team and Council time on a lengthy process and then not have it meet the needs at the end. So I think we can move forward and I think we should move forward but I think the process by which we do so needs to be carefully developed.

Phil Anderson [00:02:45] So just a couple questions on that John, so I'm not entirely clear on what your suggestion is that, number one, we would not use the Council as the vehicle to provide comments on the rule. That's what I thought I heard you say at the outset and then asking NMFS for some, for some of their perspective on what changes might address their concern and then the third piece was then we can move ahead. So, I'm trying to figure out how that works.

John Ugoretz [00:03:42] Thank you Mr. Chair. Yeah, the first part's tricky. I'm honestly not clear on whether we need to make a formal comment on the final rule and if so, what the timeframe of that is. If there is a mandated time frame for comments on a final rule? Other than that, I think that if a change to the adopted final rule is necessary, which NMFS is telling us it is, then NMFS should be providing us examples of alternative ways to do this that would meet the needs and purpose that we already established while also addressing the issues that developed during the regulatory process, and if we have those examples then we can start considering them.

Phil Anderson [00:04:54] Ryan maybe you could answer the question on the deadline, if there is one, on comments for the final rule.

Ryan Wulff [00:05:03] Yes. Thank you, Chair Anderson. Comments are due by March 23rd.

Phil Anderson [00:05:10] Okay. So there's a couple of things that were said that, well let me back up, I made some statements, I think it was at the November meeting about the difficulty for the Council to come to the conclusion it did back in 2015 and that I recognized and acknowledged there's a, there's differences in each one of the, of my colleagues that are sitting around the table in terms of their involvement and whether they were on the Council at the time and so there's a different, likely a different perspective or ownership of the decision that was made and NMFS did some additional analysis, came to the conclusion that there were concerns that rose to the level of them withdrawing the rule and then of course, we all know the litigation that took place following that decision and now today we're losing...well I am at least learning that a lawsuit was recently filed against National Marine Fisheries Service challenging this final rule and so back into the courts this issue goes and now we are at the same time deliberating understanding that the final rule, the comment period for the final rule is on March 23rd. Seems challenging for us to develop comments and provide them to the, to National

Marine Fisheries by that date, that seems at least challenging to me and so we're at the same time being asked to go down a new road and consider or reconsider the decision that we made back in 2015 with having this backdrop of the litigation going on, challenging the rule that was, that the final rule that's been out for final review and going to be implemented here pretty soon. So it's with that backdrop to now re-initiate a process to look at the decision that we made in 2015 understanding that we're not only, and I don't want to use workload as the sole reason for moving forward with an action or not or an initiative or not but we also know that we have a number of issues that we have assigned to our management team to work on. We have, of course, the program that's going on within the state. We don't know what the outcome of that's going to be and so it's, I'm struggling with initiating a new process to go and look and review the decision that we made almost five years ago, so, but those are just some of my thoughts and apprehensions about moving forward with the backdrop of the litigation and the buyback and whether and if that moves forward, then I suspect that a new analysis with a smaller number of participants would probably come out with a much, with a different, I shouldn't say much, but a different outcome in terms of the potential of this, these hard caps being hit and the subsequent economic impact but, so it's a challenging environment in my mind to start down a pathway where we have things going on outside the Council process beyond our control that affect what we may or may not do. Chuck.

Chuck Tracy [00:10:56] Thank you Mr. Chair. I have a question for National Marine Fisheries Service and on the final rule in the comment period, just in terms of the process, what are NMFS's options moving forward, should they receive comments that would, that they would think should change the existing rules? So, you're taking comment on the final rule, which is a little bit unusual, so you get a comment that you think's a good idea, what are your procedural options for changing the rule? I'll just leave it there.

Phil Anderson [00:11:43] Go ahead Ryan.

Ryan Wulff [00:11:43] Thank you Mr. Chair. Thank you, Chuck, and we do take comments on, on final rules in situations different than this as well. Again, like I said in my opening remarks, we would take any comments whether a good idea or otherwise and that would feed into hopefully a Council process to deliberate and discuss what would be, from your question, a process perspective of a regulatory amendment and I think you could do that procedurally through any one of the three suggestions in the MT Report. You could do that process through as Phil outlined a new process. You could set up a separate agenda item and get the final preferred alternative where that any comments we receive would play into that discussion. You could also fold it into either the SMMP discussions in June or the spex process that starts in September. So I think procedurally there are a number of places you could put it for but either way, whether it's another idea or something we receive as a comment on the final rule, we would anticipate that going hopefully through the Council and through a reg amendment process. Does that answer your question?

Phil Anderson [00:12:54] Go ahead Chuck.

Chuck Tracy [00:12:56] Not, not quite. So I recognize there's a number of options if it goes through the Council. I guess I was asking what NMFS's options are outside of the Council process? Is it just a secretarial amendment or it would be the only other option for National Marine Fisheries Service if it did not go through the Council process?

Ryan Wulff [00:13:20] Thank you Chuck for your question. I mean those are the two processes I think that at least we prepared. I mean Magnuson....you know I'm on the record saying we still believe there is a conservation management need. Magnuson says that the Council has a reasonable amount of time to address that, and that would be through the processes I just outlined. If they're given no action, would

a secretarial amendment be an option? Yes. Again, that's not our preferred approach and I'm not sure what other options might be available to NMFS.

Phil Anderson [00:13:57] Caren.

Caren Braby [00:13:59] Thank you and it's a little bit shocking looking around the table and realizing that I am one of few people who was on the Council at the time that this hard cap decision was made and I do want to just bring back my perspective on the intent because I think it's gotten lost along the pathway over the last five years, at least in our kind of day to day thinking about this and you know I appreciate Gary Burke coming back again. I know this is a painful topic for him and his colleagues. The intent, from my perspective, was to try and devise a way that we could regulate this fishery and not only mandate full accountability, but essentially in mandating full accountability, giving them the fishery back if they could achieve the criteria that we set before them and so it's been difficult to watch that intent winnow away through the subsequent discussions and at the time we made the decision, we recognized it was a very strict set of criteria and it was going to have economic impact if those triggers were met, but the DGN fishermen said we can do it. Give us this chance for this fishery. Give us this chance and you know that said, trying to meet the cost of 100 percent observers and things like that were never looked at as being easy to achieve but it was at least an option. So now we're at this crossroads where we have all of these different pressures again on the future or the next steps for this fishery and I agree with your comments Phil. I have a lot of apprehension, not from a workload perspective, but taking the next step without some very significant signaling on what is going to work and I think that we can achieve that perhaps by letting the comment period go by and requesting of NMFS that you analyze that and bring back alternatives and bring back alternatives to then give us the information we need on whether we want to move forward with hard caps or not and what those viable alternatives might look like and I heard September could be a viable month meeting for that and it feels a little bit like we're just delaying the decision but I don't feel like we have the information in front of us to even really make a good decision today on this and I don't want to send our management team searching for answers that may not be the right answers ultimately, so I think that, that is a viable path forward. That's one that I would be interested in resolving today.

Phil Anderson [00:18:26] Caren, could I ask you to repeat what your thinking is about what we would be requesting of NMFS?

Caren Braby [00:18:39] Thanks for the question. I think my anticipation is that the open comment period that's closing March 23rd would result in a number of comments on how to revise that rule. I think that additionally, NMFS has ideas about what might work in terms of reducing the undue economic hardship that they have identified in the rule from NMFS's perspective, and so taking those two bodies of thought and building a good set of alternatives for us, bringing that information back to us. Right now we have what I would characterize from NMFS as a request for comment generally just to reduce economic hardship, but not any specifics about what would meet that criteria and so I'm looking for more information on how to do that.

Phil Anderson [00:19:52] Thank you. Brad.

Brad Pettinger [00:19:58] Thank you Mr. Chairman. I really appreciate all the discussion here because I wasn't on the Council when this went down and so it's been really enlightening as far as a better understanding of what we have here. I'm assuming the caps were based on biological information in 2015, I'm assuming and if that's true, it's now 2020 and obviously it sounds like from the information that Gary shared with us about the Loggerhead turtle, the constraints on the Hawaii fisheries been eased, or is going to be eased, so I'm assuming that the biological status of that stock is viewed differently now that it was in 2015. So if this was put in place in 2015, I'm just kind curious what is the.....when would

we've looked at this and maybe adjusted these caps based on the biological information, the new biological information and so moving forward it's, I'm trying to think if this goes into place now and there's a whole bunch more turtle around than there used to be, the concerns that the industry has brought before us is much different today than it would have been five years ago. They said, yes we could do this and so I just kind of throw it out there, because I'm not sure, I would think that NMFS would want to look at what is the status in 2015 compared to today and how might the proposing be adjusted potentially either up or down. So just, anyway that's just my thoughts.

Phil Anderson [00:21:45] Corey.

Corey Niles [00:21:49] Thanks Mr. Chair and yeah, thanks Brad. That's another example of new information coming in. First of all, I have a lot of thoughts try to get them out in order here, but I really appreciate the constructive approach I'll say that from National Marine Fisheries Service and bringing us back to this and working through the Council process. This is where we should have been in June 2017 and I think that's what NMFS was telling us in June 2017. We have, I remember I think I was at the back table here, but I remember NMFS announcing that they disapproved the action and there was no discussion from the Council. It was pretty remarkable but what I think what NMFS was asking us for is we have these concerns, let's talk about them, and I agree that seems like the constructive way forward here. So again, thank you, thank, thank you for that. I am hearing Caren and John's and others feeling a bit bring me another rockfish on this one so I'm not going to disagree with that, and I'm always happy for NMFS to bring in alternatives and invent creative options as examples but I do trust our management team to figure it out. NMFS gave pretty clear guidance back in 2017 on what might work but yet if NMFS wants to start that process that's great but the theme here I'm trying to get at is I trust this Council process to get it right. I'm also legally trained and really a fan of our litigation system as a check on the government but I've also this Council place, this is the place to figure these issues out and the normal way to do that, the normal way we do it, this was a controversial issue that went sideways but the process is going to work and we should just trust the process again to be rational and consider the economic information and come up with options and Caren thank you for speaking to the intent because I think that does get lost. I think I might try to articulate my, our departments intent was to create an incentive to not do more harm than is necessary in catching these fish and we believe these incentives work. We've seen it work in the groundfish world. I think public comment we heard about the analysis that was going to only result in the closure in one in thirteen seasons or one in fifteen, whatever it was, that was assuming that no one changed their behavior at all and so we were thinking the incentive was going to work and we still think it could work and for the reasons Brad said, for Phil said and John said about the different, the changed circumstances we can look at, at how to keep that incentive, creative ways of doing that through the regular Council process, which I think we all sitting at this table and respect very much but I had one more thought there, but I think I'll just leave it. I hope we do have a process to consider this and I have confidence that we can.

Phil Anderson [00:25:00] Christa.

Christa Svensson [00:25:02] Thank you Mr. Chairman. You know we've recognized that we have a lot of new faces around the Council table, but I think we also need to recognize that we have new faces in the fishery itself. There are a number of younger fishermen that have either begun fishing or are thinking about being more involved and the other thing that we have that's new is, I mean, we had a very, very brief public comment from Jacob and Fly Wire. I know that he spent a fair amount of time here at the meeting, had a nice presentation that was really more geared, and I'm looking at you Mr. Dooley, geared towards groundfish and I attended that and thought, wow this could be applicable to drift gillnet or any other HMS fishery because it is a smaller footprint and it was encouraging to me to see today that you guys have pursued down that path, at least in terms of intent. I don't know that it will go anywhere but it is, I think, important to recognize that we do have some new entrants, new

participants and new people that are interested in really working towards solutions in this fishery potentially if we can find a way forward.

Phil Anderson [00:26:18] Marc Gorelnik.

Marc Gorelnik [00:26:19] Thank you Chair Anderson. We do have a lot of new faces around here with respect to when the decision was made in 2015. We also have some moving pieces at the state level. My recollection is that what the court objected to is that NMFS needed to consult in a meaningful way with the Council and I take John's comments to heart that it may not be productive for us to task our limited resources with throwing darts at a board trying to come up with something that might be acceptable when we're, you know, a bit blindfold because we're not exactly sure what would be acceptable, so I do think that, you know, there's no decision that we ever make is cast in stone, but there does need to be a reason to change the decision and there is interest in perhaps changing the hard caps maybe, maybe not. I don't know what the Council will end up doing, but I do think it would be most productive for NMFS perhaps to provide some specific, in its consultation, to provide some specific examples, as John put it, of things that would be acceptable from a financial or economic consideration, which I understand was the basis of the, of NMFS's objection, and then I think the Council can take those up as time allows and consider them and perhaps make a different decision.

Phil Anderson [00:28:20] Rich Lincoln.

Rich Lincoln [00:00:00] I guess everybody's going to get a shot at this one, thanks. So as I usually do, I'm trying to kind of thread through some of the discussions and what, I guess what my thoughts are listening to the discussion and thinking about where we came from, where we've been, kind of what's in front of us with a bit of uncertainty on the what's in front of us standpoint from what's happening with the kind of nature of the fishery and some of the other things that we've discussed that are, that we can't predict or control, litigation type things, but I mean essentially I think what we're discussing and maybe struggling with a little bit is just a thought about whether and for what purpose and in what time frame we might, the Council might want to consider something about the rule that NMFS has in place and I guess what, I guess my thoughts about that are, one is that NMFS has presented us with basically with a conclusion that the Council's recommended action and now embedded in the final rule as a result of the response to the court action has some issues with it and I, I mean thinking about a Council decision, whether to respond to that statement, a part of the information I think I would want to have in front of me to consider that, and maybe this is partly what John and Caren first spoke to was really what the rationale for that is? What is the, what was the additional analysis that was done in terms of short term economic impacts and maybe there will be some more and maybe there would be some more information about that, that NMFS would collect from comments on its, on the final rule. So for me I'm not thinking like were necessarily inviting something back from NOAA with the intent to proceed, but looking for some information to make an informed decision and for me the timing of that is that some, I mean in terms of investing Council process and moving ahead, it seems like we, the Council would want to have a clear enough kind of deck that they knew what the moving parts were in the fishery to understand that a new process and some new decision would be in a stable enough environment that we wouldn't find ourselves into, in some new place that changed again, that things are just moving right now and I, and a bit unpredictable so the things that John discussed earlier in the California report in terms of where is the, where might the fishery be if there is a buyback? As just one, as one example, not understanding kind of where the, what that looks like is pretty difficult to even imagine what an impact analysis might look like in terms of different options for the fishery if the Council was to reconsider things so I don't know I guess my thought was that NOAA has, NMFS has from Ryan's report and the discussion that we've had certainly has an interest and intent to bring some idea back to the Council of wanting to do something and right now, all we have described to us is we have that interest and intent, and I don't think we have enough information to consider whether that provides

enough logic for us to start a process with some intent that we both know the scope of something that we might consider and also be able to assess the likelihood that we've got an operating environment that would allow us to successfully tackle that topic and take it somewhere. So if I was going to just describe some guidance, I would, in my mind, the one that would feel the most logical to me that if at some future point in time, and I think it's almost defined by NMFS's interest and intent in evaluating the analysis that it did after the Council's action and maybe newly informed by some more information on a response to the rule and also considering the operating environment as uncertain as it may be right now, if at some future point they want to come, come back and provide a rationale for the Council about the reason that the Council might reconsider some aspect of that rule and maybe some scope and examples of what that might mean that I think we'd be in a better position to make a decision about whether we initiate some Council process or when we do that or what it looks like, but at this point I don't really, it doesn't seem like we have the, really have the information from us to make much of an informed decision at this point and I think that's, if I'm reading some of John's initial comments, it really related to that, that I'm not necessarily inviting NMFS to bring back something with an interest to do something because I can't see the clear pathway to get somewhere that we can be successful but I wouldn't preclude that if we're presented with a set of information that looked like we could go somewhere with it that was logical I'd consider that, but I just don't know what that looks like right now.

Phil Anderson [00:06:13] Brad.

Brad Pettinger [00:06:15] Thank you Mr. Chairman. It kind of occurred to me is NMFS, is the issue of the hard caps is that the issue? Or is it the amount of species, or the amount animals that are basically allocated to the hard caps?

Phil Anderson [00:06:39] Ryan.

Ryan Wulff [00:06:39] Thank you Chair. Thank you, Mr. Pettinger, for the question. No, as we stated when we came back to the Council with the disapproval, I mean it wasn't with the specific caps themselves or the numbers themselves, it was the economic effects. So that's the issue that we outlined and we specified in that disapproval letter and other times with the Council that they could address our concern there by looking at things such as specifying reduced time area closures, things like that so again, that was targeting the economic impacts, not the biological caps.

Phil Anderson [00:07:26] Louis.

Louis Zimm [00:07:28] Thank you Mr. Chair. One piece of information that may have changed in the last five years is the amount of DGN observer coverage and I note the testimony that we're looking at maybe increasing the observer coverage considerably and then also with some boats, I would suspect smaller boats getting out of the fishery through the California program. I note that in the rule it says that the Council recommended hard cap values while DGN observer coverage is less than 75 percent. Then it goes on to say the Council will revisit hard cap values when observer coverage becomes greater than 75 percent. So, I'm just throwing that out as another one of these balls that are in the air right now on this. Thank you.

Phil Anderson [00:08:34] Ryan.

Ryan Wulff [00:08:34] Thank you Chair. I wanted to wait until everyone had their turn. We have heard a number of comments requesting additional information, again, because of the litigation and the speed we had to put together the final rule and we weren't anticipating being able to present those at this meeting but we do understand that it would be helpful to have a little bit more specifics than you've

received from us. We have done some thinking about that and we'd be happy to come back to the Council with some modifications, you could take into account also this discussion and other relevant information that folks have raised. Again, we would strongly prefer to do that through the Council process. We could do that with any one of the options presented by the MT so I'm not really at your discretion for guidance there but June is pretty quick to turn something around, but if that's what the Council wanted, we could wrap that in to the SMMP discussion, but perhaps a more reasonable time frame would be to look at either the spex process in September where we could present or if there's a completely separate agenda item whenever that the Council wanted to choose.

Phil Anderson [00:09:58] Okay. Thank you for responding to the requests that have been made by several Council members for that additional information to help inform where we go. I think we can, I don't know that we need to decide today whether it's a separate agenda item or part of the spex process. My sense is that it would be best to do as a separate agenda item given the interest in the topic, and my sense is that taking that up in September rather than trying to jam it into June would also be preferable in at least in my thinking and then at that point that would help us have some further dialog and deliberations about next steps. Bob Dooley.

Bob Dooley [00:11:04] Thank you Mr. Chair. I would hope in the, if we do get some advice from NMFS on this issue that it appears to me I was not one of the Council members who were here obviously when this was decided on and it looks, the caps on the chart on the table in table 1 look very arbitrary. There's a bunch of twos and a button and a couple fours and I didn't look like there was a lot of, it doesn't address what Brad was talking about, that things might have changed since then and it'd be nice to have some input of what is or might be reasonable from you know, is there any reasonable advice to these, whether they're too high or too low, either way to understand that, but that's maybe me showing a little bit of my not knowing about this subject so much, but they appear very arbitrary and I assume they were generated from the Council, not from the, maybe what might be more fresh information now.

Phil Anderson [00:12:17] I'm trying not to take the bait about the characterization of the numbers as being arbitrary without thought or justification. That is not the case. While they may appear to be that way to you, and I don't necessarily want to go down and repeat Caren's conveying of the intent and what we were trying to do in terms of preserve this fishery given the pressures it is under and has been under but Caren you had your hand up.

Caren Braby [00:13:07] Yes I'm not going to, I'm not going to go down that discussion path but I just wanted to go back to the economic analysis again and in my earlier comments I asked explicitly for ideas from NMFS on what alternatives could work, but I think we've heard around the table today a lot of interest in the economic analysis, more details on the economic analysis that drove the disapproval letter and so I think that it would be reasonable to have some kind of presentation in more detail about that and what those issues were when we revisit this issue, which sounds like maybe in September, not with SMMP.

Phil Anderson [00:14:00] Corey.

Corey Niles [00:14:02] Thanks Mr. Chair. I want to keep the focus also and thank you for your efforts to find the place to have this discussion in the future. I do just want to make a couple of things clear, and these are the things I forgot to say earlier, is on that economic analysis is one, don't want to leave the impression that similarly on the lines of the numbers being arbitrary, but that we agree with NMFS's conclusion. I think Caren might've implied that but from my perspective I'll state it point blank, I think it was a forecast of an outcome and a consequence and that is a policy call to be decided by the vote of the Council. I'll leave it like that, so and we don't want to leave this implication that this rule is somehow illegal. I think it is not and but that's, I don't want to get into that discussion now, but just want to make

sure that it's not, where reasonable people disagree I think it's a policy decision and one for the Council's vote but it was, we believe it is a valid rule. And the other thing I really wanted to say are looking over across this table at Brad and Bob and Louie and we've seen in the groundfish fisheries where we've had incentives and come out of hard places. Then the Council gets get in and as Phil was saying, the pressures that those were, those were present in different forms and in the groundfish fisheries but when they respond to the incentives and we're convinced that they are, the fishery is trying as hard as it can to achieve our policy goals, then this Council becomes a cheerleader.

Phil Anderson [00:15:49] So let me just....had a lot of good discussion. Had a response from Ryan relative to bringing some of the, I'll call it new information since the rule was adopted or since the Council took its action in September of fifteen along with including potentially ideas that come out of the public comment period that ends for this particular rule on March 23rd and agendizing this in September. Looking forward to having that additional information further inform us on our next steps, whatever that might be. Is that a fair characterization of where we are? John.

John Ugoretz [00:16:52] Thank you Mr. Chair. I appreciate that summary. I just, I think I heard it but I want to make sure that NMFS is including in what they bring to us some specific examples of changes that would meet the purpose and need and address economic concerns so that we're not just then trying to come up with something on our own.

Phil Anderson [00:17:20] Yes thanks for that clarification, John, and I'm seeing a head nod from Ryan that that would be a part of the information that he would, they would be bringing forward. Is there, did I accurately capture the will of the Council here on this item for where we are today with clarification that John provided the acknowledgement from Ryan to that clarification, so I'm going to stop there and ask Kit whether there is additional action or discussion or guidance that we need to give to this agenda item today?

Kit Dahl [00:18:07] Thank you Mr. Chair. No, I don't believe so. You have succinctly stated the key points in the discussion just now. I don't need to go at length to reiterate that, but what I heard was that your intent is to revisit this in September, of course always subject to your agenda planning going forward and you've asked NMFS to bring forward some information that could help you at that time determine what action, if any, you want to initiate.

Phil Anderson [00:18:40] Thank you very much.