

**COUNCIL MEETING RECORD**  
**254<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
**April 4-10, 2020**  
 Web-Based Council Meeting

This meeting was scheduled to be held in Vancouver, Washington, but was rescheduled as a web-based meeting in response to COVID 19 concerns. Gaps in the numbering of Agenda Items are the result of the cancellation or postponement of some non-essential Agenda Items.

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## INTRODUCTION

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

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

## MEETING SUMMARY

### A. Call to Order [[mp3: 4-5-20am1 0:00:08](#)]

#### 1. Opening Remarks – Phil Anderson, Chair [[mp3: 4-5-20am1 0:01:27](#)]

Mr. Phil Anderson, Council Chair, called the 254<sup>th</sup> meeting of the Pacific Fishery Management Council (Council) to order at 9:00 a.m. on April 5, 2020.

#### 2. Roll Call – Chuck Tracy [[mp3: 4-5-20am1 0:05:52](#)]

##### Council Members active (or online only\*) during the meeting week:

National Marine Fisheries Service:	Mr. Barry Thom Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Kelly Ames, designee* Ms. Aja Szumylo, designee Ms. Susan Bishop, designee
Alaska State Official:	Ms. Dani Evenson, nonvoting designee Ms. Rachel Baker, nonvoting designee
Washington State Official:	Mr. Kyle Adicks, designee Ms. Heather Hall, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Rich Lincoln
Oregon State Official:	Mr. Chris Kern, designee Ms. Maggie Sommer, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Mr. Brett Kormos, designee Mr. John Ugoretz, designee Mr. Craig Shuman, designee* Ms. Briana Braby, designee
California Obligatory:	Mr. Robert Dooley
Idaho State Official:	Mr. Virgil Moore, designee
Idaho Obligatory:	Mr. Pete Hassemer
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson, Chair Mr. Louis Zimm Mr. Brad Pettinger Mr. Marc Gorelnik, Vice-Chair
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Scott McGrew, nonvoting designee LCDR Lee Crusius, nonvoting designee* Mr. Chris German, nonvoting designee*
U.S. Fish and Wildlife Service:	Mr. Mike Clark, nonvoting designee Dr. Kyle Hanson, nonvoting designee Mr. David Teuscher, nonvoting designee

**Absent from the Meeting:**

U.S. State Department: Mr. David Hogan, nonvoting designee

**3. Executive Director's Report – Chuck Tracy [[mp3: 4-5-20am1 0:08:07](#)]**

Mr. Tracy introduced the Informational Report and updated the Council on [A.3, Supplemental Attachment 1](#): Draft Minutes of the CCC's Legislative Workgroup Meeting, March 23, 2020.

**4. Agenda – Phil Anderson [[mp3: 4-5-20am1 0:22:09](#)]**

**a. Council Action: Approve Agenda**

**Motion 1** [[mp3: 4-5-20am1 0:22:26](#)]: Adopt [Agenda Item A.4, April 4-10, 2020, Council Meeting Agenda](#).

Marc Gorelnik/Pete Hassemer (Motion 1 carried unanimously)

**B. Open Comment Period**

**1. Comments on Non-Agenda Items – Chuck Tracy [[mp3: 4-5-20am1 0:22:58](#)]**

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-5-20am1 0:23:31](#)]**

[B.1.a, Supplemental NMFS Report 1](#): Update to West Coast Groundfish and Highly Migratory Species Fleets on Observer and Catch Monitor Coverage and COVID-19

[B.1.a, Supplemental USFWS Report 1](#): Comments on Non-Agenda Items

[B.1.a, Supplemental WDFW Report 1](#): Impacts to Fisheries in 2020 Resulting From COVID-19

[B.1.a, Supplemental Tribal Report 1](#): Written tribal testimony on SRKW ESA Consultations

**b. Public Comment [[mp3: 4-5-20am1 0:43:32](#)]**

[B.1.b, Public Comments](#) (*If received, Electronic Only*)

Brent Paine, United Catcher Boats

Mike Okoniewski, Pacific Seafood

Lori Steele, West Coast Seafood Processing Association

Michael Lake, Alaskan Observers, Inc

Geoff Shester, Oceana

David Helliwell presented [B.1.b, Supplemental Public PPT 1](#): 40-10 map (Helliwell)

Heather Mann, Midwater Trawlers Cooperative

**c. Council Discussion and Comments as Appropriate [[mp3: 4-5-20am2 0:00:07](#)]  
and [[mp3: 4-9-20am1 0:13:42](#)]**

**Motion:** None

**Staff Summary:** None

**D. Coastal Pelagic Species Management**

**3. Pacific Sardine Assessment, Harvest Specifications, and Management Measures – Final Action – Kerry Griffin [[mp3: 4-6-20am1 0:02:23](#)]**

[D.3, Attachment 1](#): Stock Assessment Report Executive Summary: Assessment of the Pacific Sardine Resource in 2019 for U.S. Management in 2019-20 (*Full document Electronic Only*)

[D.3, Attachment 2](#): STAR Panel Report (*Electronic Only*)

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-6-20am1 0:07:01](#)]

[D.3.a, Supplemental CDFW Report 1](#): Details on commercial Pacific sardine landings

[D.3.a, Supplemental CDFW Report 2](#): California Coastal Pelagic Species Survey Results from Summer 2017 and 2019 for Pacific Sardine (*Sardinops sagax*) – REVISED 3/11/20

[D.3.a, Supplemental SSC Report 1](#)

[D.3.a, Supplemental CPSMT Report 1](#)

[D.3.a, Supplemental CPSAS Report 1](#)

b. **Public Comment** [[mp3: 4-6-20am1 1:03:56](#)]

[D.3.b, Public Comments](#) (*If received, Electronic Only*)

Theresa Labriola, Wild Oceans

Mike Okoniewski, West Coast Pelagic Group

Ken Franke, Sportfishing Association of California

Ben Enticknap, Oceana presented [D.3.b, Supplemental Public Presentation 3](#): Pacific Sardine Fishery Management Time to Rebuild & Reform (Enticknap-Oceana)

Diane Pleschner-Steele, California Wetfish Producers Association presented [D.3.b, Supplemental Public Presentation 1](#): Sardines in California – Fishery in Crisis (Diane Pleschner-Steele) and [D.3.b, Supplemental Public Presentation 2](#): Sardines California (Diane Pleschner-Steele) available from the Council’s YouTube channel

c. **Council Action: Adopt a Pacific Sardine Assessment, Final Harvest Specifications, and Management Measures for the 2020-2021 Pacific Sardine Fishery** [[mp3: 4-6-20am2 0:00:12](#)]

**Motion 4** [[mp3: 4-6-20am2 0:03:21](#)]: Council adopt:

1. The Pacific Sardine Assessment (Agenda Item D.3, Attachment 1) and OFL of 5,525 mt for the 2020-2021 season, as noted in Agenda Item D.3.a, Supplemental SSC Report 1,
2. A P\* 0.40, ABC of 4,288 mt and an ACL equal to ABC, and an ACT of 4,000 mt as listed in Agenda Item D.3.a, Supplemental CPSMT Report 1, Table 2,
3. A 20 percent incidental catch allowance for commercial CPS fisheries, except live bait and minor directed,
4. Directed take to be allowed for the live bait fishery without incidental limits with a per-trip limit of 1 mt of Pacific sardine if the live bait fishery attains 2,500 mt,
5. If the ACT of 4,000 mt is attained, a 1 mt per trip limit of Pacific sardine would apply to live bait, and a 1 mt per trip limit of incidentally caught Pacific sardine limit would apply to commercial CPS fisheries,
6. An incidental per-trip allowance of 2 mt of Pacific sardine in non-CPS fisheries.

In addition, I recommend the Council advise NMFS that we support issuance of the exempted fishing permit requests as submitted in D.3.b, Public Comment by CWPA and by WCPCG (November 2019, Agenda Item D.2, Attachment 2).

Briana Brady/Bob Dooley (Motion 4 carried unanimously)

**Staff Summary:** The Council adopted the 2020 Pacific Sardine [Assessment](#), with the following harvest specifications and management measures:



<b>Pacific Sardine Harvest Specification</b>	<b>2020-21 (mt)</b>
Biomass	28,276
Overfishing Limit (OFL)	5,525
Acceptable Biological Catch (ABC <sub>0.40</sub> )	4,288
Annual Catch Limit (ACL)	4,288
Annual Catch Target (ACT)	4,000

- An incidental sardine catch allowance of 20 percent for commercial coastal pelagic species (CPS) fisheries, except live bait and minor directed fishing;
- Directed take of sardines in the live bait fishery will be allowed. A per-trip limit of 1 mt of Pacific sardine will apply if the live bait fishery attains 2,500 mt;
- If the annual catch target of 4,000 mt is attained, a 1 mt per trip limit of Pacific sardine would apply to live bait, and a 1 mt per trip limit of incidentally caught Pacific sardine would apply to commercial CPS fisheries;
- An incidental per-trip allowance of 2 mt of sardines applies to non-CPS fisheries.

The Council also expressed support for the exempted fishing permit requests as submitted at the [November 2019](#) and [April 2020](#) Council meetings .

## **E. Salmon Management**

### **1. [Tentative Adoption of 2020 Management Measures for Analysis](#) – Robin Ehlke [mp3: 4-5-20am2 0:39:18]**

[Preseason Report II](#): Proposed Alternatives and Environmental Assessment – Part 2 for 2020 Ocean Salmon Fishery Regulations (*Electronic Only*)

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

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

#### **a. Update of Impacts of March 2020 Alternatives – Mike O’Farrell [mp3: 4-5-20am2 0:44:50]**

[E.1.a, Supplemental STT Report 1](#): Update of Estimated Impacts of March 2020 Alternatives for Ocean Salmon Fisheries

#### **b. Summary of Public Hearings – Hearings Officers [mp3: 4-5-20am2 0:48:22]**

[E.1.b, Supplemental Public Hearing Report 1](#): Washington

[E.1.b, Supplemental Public Hearing Report 2](#): Oregon

[E.1.b, Supplemental REVISED Public Hearing Report 3](#): California

#### **c. Recommendations of the U.S. Section of the Pacific Salmon Commission – Phil Anderson [mp3: 4-5-20am2 0:58:21]**

[E.1.c, PSC Report 1](#): Calendar Year Exploitation Rate (CYER) Workgroup Letter for Management Entities

[E.1.c, Supplemental PSC Report 2](#): AABM Fisheries Preseason Abundance Indices and allowable catches for 2020

- d. **Recommendations of North of Falcon Forum – Oregon, Washington, Tribes** [[mp3: 4-5-20am2 1:04:14](#)]
- e. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-5-20pm1 0:00:49](#)]

[E.1.e, Supplemental Tribal Report 1](#): Letter from Yurok Tribe to PFMC re: Klamath River Fall Chinook management objective for 2020

[E.1.e, Supplemental Tribal Report 2](#): Letter from the Confederated Tribes of the Colville Reservation to PFMC comments on salmon fisheries

[E.1.e, Supplemental Tribal Report 3](#): Hoopa Valley Tribal Comments on E.1.e, Salmon Management–Tentative Adoption of 2020 Management Measures for Analysis – Reports and Comments of Management Entities and Advisory Bodies

[E.1.e, Supplemental Tribal Report 4](#): Jamestown S’Klallam Tribe and Port Gamble S’Klallam Tribes’ Concerns with the State of Washington’s Proposal to Increase the Critical Exploitation Rate for the ESA Protected Mid-Hood Canal Chinook Stock

[E.1.e, Supplemental SAS Report 1](#): Proposed 2020 Ocean Salmon Management Measures for Tentative Adoption (April 5, 2020)

- f. **Public Comment** [[mp3: 4-5-20pm1 1:17:20](#)]

George Bradshaw

Sarah Bates, San Francisco Crab Boats Owners Association

Tim Obert

Dan Wolford, Coastside Fishing Club

Doug Laughlin, Coastside Fishing Club

Barry Day

- g. **Council Action: Adopt Tentative 2020 Ocean Salmon Management Measures for Analysis** [[mp3: 4-5-20pm1 1:30:37](#)]

**Motion 2** [[mp3: 4-5-20pm1 1:33:28](#)]: Council to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented in Agenda Item E.1.e, Supplemental SAS Report 1, for STT collation and analysis.

Kyle Adicks/Brett Kormos (Motion 2 carried unanimously)

**Motion 3** [[mp3: 4-5-20pm1 1:50:02](#)]: Council to adopt for STT analysis the proposed salmon management measures for the ocean tribal salmon troll fishery:

- Quinault Treaty Area
  - The following Coho Quota, Option 1: 12,500; Option 2: 10,000 and Option 3: 0. For the period July 1-August 31: Option 1: 12,500; Option 2: 10,000 and Option 3: 0.
  - The following Chinook Total Quota: Option 1: 30,000, Option 2: 25,000 and Option 3: 20,000. For the period May 1- June 30: Option 1: 18,000, Option 2: 15,000 and Option 3: 12,000. For the period July 1-August 31: Option 1: 12,000, Option 2: 10,000 and Option 3: 8,000. The season structure to be split 60/40.
- Makah Tribal Proposal
  - Coho Quota: Option 1: 30,000; Option 2: 22,500 and Option 3: 15,000 for the period July 1-September 15.

- Chinook Total Quota: Option 1: 45,000; Option 2: 35,000 and Option 3: 25,000. Quota for the period May 1-June 30, Option 1: 22,500; Option 2: 17,500 and Option 3: 12,500. Quota for the period July 1-September 15: Option 1: 22,500, Option 2: 17,500 and Option 3: 12,500. The season structure to be split 50/50.

Joe Oatman/Kyle Adicks (Motion 3 carried unanimously)

**Staff Summary:** None

**3. [Southern Oregon/Northern California Coast Coho Endangered Species Act Consultation Process](#) – Robin Ehlke [[mp3: 4-6-20am2 53:48](#)]**

[E.3, Attachment 1](#): Hoopa Valley Tribe and National Marine Fisheries Service Stipulated Agreement and Motion to Stay Case

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-6-20am2 0:59:09](#)]**

[E.3.a, Supplemental NMFS Report 1](#): Ad Hoc Southern Oregon/Northern California Coast Coho Fishery Technical Work Group Draft Terms of Reference and Timeline

**b. Public Comment**

[E.3.b, Public Comments](#) (*If received, Electronic Only*)

**c. Council Action: Consider Establishing a Process to Develop Recommendations on Consultation Standards for Southern Oregon/Northern California Coast Coho [[mp3: 4-6-20am2 1:18:40](#)]**

**Motion 5 [[mp3: 4-6-20am2 1:37:13](#)]**: Council to establish an ad hoc workgroup to review the SONCC harvest control rule and we use the proposed list of members in Agenda Item E.3.a, Supplemental NMFS Report 1 to invite participants to the initial meetings and that the first order of business would be to finalize the Terms of Reference for future Council consideration.  
Chris Kern/Christa Svensson

**Amendment 1 [[mp3: 4-6-20am2 1:45:54](#)]**: Replace the word “review” with “develop”.  
Brett Kormos/Marc Gorelnik (Amendment 1 carried unanimously)  
(Motion 5 carried unanimously)

**Motion 6 (as a substitute to Motion 5) [[mp3: 4-6-20am2 2:01:15](#)]**: Replace the main motion to state “Council to establish an ad hoc workgroup to accomplish the objectives outline in the SONCC TOR as presented in Agenda Item E.3.a, Supplemental NMFS Report 1 pending any modifications made by the workgroup when they begin work” noting that the first order of business would be to finalize the Terms of Reference for future Council consideration.  
Brett Kormos (Motion 6 withdrawn)

**Staff Summary:** The Council formed an ad-hoc workgroup to develop a harvest control rule for southern Oregon/Northern California coast (SONCC) coho that National Marine Fisheries Service (NMFS) could consider in establishing a new Endangered Species Act consultation standard for SONCC coho. A draft [Terms of Reference and Timeline](#) was provided by NMFS, which the ad-hoc workgroup will work to finalize at their first meeting.

4. [Clarify Council Direction on 2020 Management Measures](#) – Robin Ehlke [[mp3: 4-6-20pm1 0:00:50](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-6-20pm1 0:01:32](#)]

[E.4.a, Supplemental STT Report 1: Preliminary Analysis of Tentative 2020 Ocean Salmon Fishery Management Measures](#) (April 6, 2020)

[E.4.a, Supplemental STT Report 2: Ramifications of Curtailed Sampling of Ocean Salmon Fisheries in 2020](#)

[E.4.a, Supplemental NMFS Report 1](#)

b. [Public Comment](#) [[mp3: 4-6-20pm1 0:42:24](#)]

[E.4.b, Public Comments](#) (*If received, Electronic Only*)

Joe Polos, Humboldt Area Saltwater Anglers

Alan Serio

Evan Jones

Brian Colgate, Santa Barbara Fish Market, Inc.

Jim Colomy

Ben Hyman

Kat Jones, Ventura Commercial Fisherman's Association

David Moskowitz, The Conservation Angler

Paul Spinale \*not on participant list

Joseph Garrigan, Garrigan Seafood \*not on participant list

Dennis Peck \*not on participant list

c. [Council Guidance and Direction](#) [[mp3: 4-6-20pm1 1:27:56](#)]

**Motion:** None

**Staff Summary:** None

7. [Further Direction on 2020 Management Measures \(part 1\)](#) – Robin Ehlke [[mp3: 4-7-20pm1 0:01:17](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-7-20pm1 0:02:47](#)]

[E.7.a, Supplemental STT Report 1: Preliminary Analysis of Tentative 2020 Ocean Salmon Fishery Management Measures](#) (April 7, 2020)

b. [Public Comment](#) [[mp3: 4-7-20pm1 0:10:36](#)]

[E.7.b, Public Comments](#) (*If received, Electronic Only*)

Brad Miller

Dan Snell

Kim Brown

Kat Jones, Ventura County Commercial Fisherman's Association

Barbara Emley, SF Community Fishing Association

Ben Hyman, Wild Local Seafood Co.

Owen Sunke  
Scott Edson  
Jeremy Streig, Harbor Pride Seafood  
Richard Hagel  
David Moskowitz, Conservation Angler  
Dennis Peck \*not on participant list  
John Bigham \*not on participant list  
Brian Colgate \*not on participant list  
Jason Collins \*not on participant list

c. **Council Guidance and Direction** [[mp3: 4-7-20pm1 0:35:46](#)]

Council provided guidance for further consideration.

7. **[Further Direction on 2020 Management Measures \(part 2\)](#)** – Robin Ehlke [[mp3: 4-8-20pm2 0:56:54](#)]

*Council reopened this agenda item on Wednesday, April 8 for further guidance.*

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-8-20pm2 0:59:08](#)]

[E.7.a, Supplemental STT Report 2](#): Preliminary Analysis of Tentative 2020 Ocean Salmon Fishery Management Measures (April 8, 2020)

b. **Public Comment** [[mp3: 4-8-20pm2 1:08:07](#)]

David Moskowitz, Conservation Angler

c. **Council Guidance and Direction** [[mp3: 4-8-20pm2 1:12:34](#)]

Council provided guidance for further consideration.

7. **[Further Direction on 2020 Management Measures \(part 3\)](#)** – Robin Ehlke [[mp3: 4-9-20pm2 0:00:02](#)]

*Council reopened this agenda item on Wednesday, April 9 for further guidance.*

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-9-20pm2 0:06:38](#)]

[E.7.a, Supplemental STT Report 3](#): Preliminary Analysis of Tentative 2020 Ocean Salmon Fishery Management Measures (April 9, 2020)

b. **Public Comment**

None

c. **Council Guidance and Direction** [[mp3: 4-9-20pm2 0:07:17](#)]

**Motion:** None

**Staff Summary:** None

9. **2020 Management Measures – Final Action** – Robin Ehlke [[mp3: 4-10-20pm1 0:00:32](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-10-20pm1 0:03:06](#)]

- [E.9.a, Supplemental STT Report 1](#): Analysis of Tentative 2020 Ocean Salmon Fishery Management Measures (April 10, 2020)
- [E.9.a, Supplemental Joint State Agency Report 1](#): California, Oregon, and Washington Joint Report on Ocean Salmon Fishery Sampling and Estimation Plans Under Potential COVID-19 Constraints During the 2020 Season
- [E.9.a, Supplemental Tribal Report 1](#): Comments from the Confederated Tribes of the Colville Reservation

b. **Public Comment** [[mp3: 4-10-20pm1 0:40:33](#)]

[E.9.b, Public Comments](#) (*If received, Electronic Only*)

David Moskowitz, Conservation Angler

Francis Estalilla

c. **Council Action: Adopt Final Management Measures for 2020 Ocean Salmon Fisheries** [[mp3: 4-10-20pm1 0:57:41](#)]

**Motion 17** [[mp3: 4-10-20pm1 0:58:30](#)]: Council adopt the 2020 non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from the Oregon/California border to the U.S./Mexico border as presented in Agenda Item E.9.a, Supplemental STT Report 1 dated April 10, 2020, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Brett Kormos/Marc Gorelnik (Motion 17 carried unanimously)

**Motion 18** [[mp3: 4-10-20pm1 1:07:30](#)]: Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in Agenda Item E.9.a, Supplemental STT Report 1 dated April 10, 2020, including all season descriptions, minimum size, and requirements, definitions, restrictions, and exceptions.

Chris Kern/Christa Svensson (Motion 18 carried unanimously)

**Motion 19** [[mp3: 4-10-20pm1 1:04:28](#)]: Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item E.9.a, Supplemental STT Report 1, April 10, 2020.

Kyle Adicks/Rich Lincoln (Motion 19 carried unanimously)

**Motion 20** [[mp3: 4-10-20pm1 1:07:40](#)]: Council adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item E.9.a, Supplemental STT Report 1, April 10, 2020.

Joe Oatman/Bob Dooley (Motion 20 carried unanimously)

**Staff Summary:** The Council adopted management measures for 2020 ocean salmon fisheries and will transmit its recommendations to NMFS for implementation by May 6, 2020. [Detailed management measures](#) and a [press release](#) are posted on the [Council's webpage](#).

## G. Groundfish Management

### 3. [Implementation of the 2020 Pacific Whiting Fishery Under the U.S./Canada Agreement](#) – John DeVore [[mp3: 4-7-20am1 0:03:53](#)]

a. **Joint Management Committee Report** – Frank Lockhart/Phil Anderson [[mp3: 4-7-20am1 0:07:05](#)]

b. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-7-20am1 0:28:01](#)]

#### [G.3.b, Supplemental GAP Report 1](#)

c. **Public Comment**

#### [G.3.c, Public Comments](#) (*If received, Electronic Only*)

d. **Council Action: Consider Necessary Actions for Implementing the 2020 Pacific Whiting Fishery** [[mp3: 4-7-20am1 0:29:48](#)]

**Motion:** None

**Staff Summary:** The Council received a briefing from NMFS on the 2020 Pacific whiting assessment and the U.S./Canada whiting treaty decision-making process. The new assessment indicates the stock is healthy, but with a predicted decrease in abundance as the very strong 2010 and 2014 cohorts begin to wane from the population. The Joint Management Committee, the decision-making body in the U.S./Canada whiting treaty process, failed to reach agreement on a coastwide total annual catch (TAC). Therefore, NMFS will be proposing a U.S. TAC through a rulemaking which is currently under review. The Council did not offer any recommendations on a U.S. TAC. The 2020 whiting fishery is scheduled to begin on May 15 pending the NMFS rulemaking.

### 4. [Biennial Harvest Specifications for the 2021-2022 Fisheries – Final Action](#) – John DeVore and Todd Phillips [[mp3: 4-7-20am1 0:37:36](#)]

[G.4, Supplemental REVISED Attachment 1](#): Excerpted Sections of the Pacific Coast Groundfish Fishery 2021-2022 Harvest Specifications and Management Measures Draft Environmental Assessment

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-7-20am1 0:45:12](#)]

[G.4.a, Supplemental GMT Presentation 1](#): Final Preferred Alternatives for the 2021-2022 Biennial Harvest Specifications

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

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



b. **Public Comment** [[mp3: 4-7-20am1 1:17:01](#)]

[G.4.b, Public Comments](#) (If received, Electronic Only)

Geoff Shester, Oceana

Anna Weinstein, Audubon

c. **Council Action: Adopt Final Preferred Harvest Specifications for 2021-2022 Fisheries** [[mp3: 4-7-20am1 1:29:11](#)] and [[mp3: 4-7-20am2 0:00:09](#)]

**Motion 7** [[mp3: 4-7-20am2 0:00:55](#)]: Council adopt final preferred harvest specifications for groundfish in 2021-2022 as recommended in Agenda Item G.4.a, Supplemental GMT Report 1, April 2020:

- For all stocks except those listed below, adopt the OFL, ABC, and ACL values resulting from default harvest control rules, as shown in Tables 2-2 and 2-3 in Agenda Item G.4, Supplemental REVISED Attachment 1, April 2020. This includes adoption of the No Action alternative for petrale sole (ABC=ABC, P\* = 0.45).
- For the following stocks, adopt the OFL, ABC, and ACL values association with Alternative 1 (PPA) as shown in Table 2-4 in G.4, Supplemental REVISED Attachment 1, April 2020:
  - Cowcod (South of 40°10' N. latitude): ACL = ABC, P\* 0.40
  - Oregon Black Rockfish: “Case-by-case” ABC/ACL = 2020 ABC
  - Sablefish: Coastwide ABC with P\* = 0.45, and Method 2 (5-year avg. bottom trawl survey distribution) to apportion ACLs north and south of 36° N. latitude
  - Shortbelly rockfish: ACL= 3,000 mt; ABC = P\* = 0.40

Maggie Sommer/Marci Yaremko

**Amendment 1** [[mp3: 4-7-20am2 0:21:05](#)]: Shortbelly ACL be set at 2,000 mt maintaining the P\* values that are currently in the main motion.

Phil Anderson/Rich Lincoln (Amendment 1 carried – Maggie Sommer, Brad Pettinger and Bob Dooley voted no, Aja Szumylo abstained)  
(Motion 7, as amended, carried unanimously)

**Staff Summary:** The Council adopted final 2021 and 2022 harvest specifications for all actively managed West Coast groundfish stocks and stock complexes. They adopted the No Action alternative for all stocks as shown in Tables 2-2 and 2-3 in the [draft EA](#), except for cowcod south of 40° 10' N. lat., sablefish, black rockfish in Oregon, and shortbelly rockfish. For cowcod south of 40° 10' N. lat., sablefish, and black rockfish in Oregon, the Council selected Alternative 1 harvest specifications, as shown in Table 2-4, and for shortbelly rockfish, the Council chose an annual catch limit (ACL) of 2,000 mt, which was within the range of ACLs analyzed. These new harvest specifications are anticipated to be implemented on January 1, 2021 pending NMFS approval.

5. **[Electronic Monitoring Program Review](#)** – Brett Wiedoff [[mp3: 4-8-20am1 0:06:17](#)]

[G.5, Attachment 1](#): Final Regulations for West Coast EM Program (*Electronic Only*)

[G.5, Attachment 2](#): Council Recommendation to Delay EM Final Rule Effectiveness

[G.5, Attachment 3](#): NMFS Response to Delay of EM Final Rule Effectiveness



[G.5. Supplemental Attachment 4](#): NMFS Procedure 04-115-03; Third Party Minimum Data Retention Period in Electronic Monitoring Programs for Federally Managed U.S. Fisheries

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-8-20am1 0:08:52](#)]

[G.5.a, NMFS Report 1](#): Electronic Monitoring Regulatory Changes

[G.5.a, Supplemental NMFS Presentation 1](#) (Hooper/Alger)

[G.5.a, Supplemental GEMPAC Report 1](#)

[G.5.a, Supplemental GAP Report 1](#)

[G.5.a, Supplemental EC Report 1](#)

b. **Public Comment** [[mp3: 4-8-20am1 1:00:22](#)]

[G.5.b, Public Comments](#) (*If received, Electronic Only*)

Heather Mann, Midwater Trawlers Cooperative

Brent Paine, United Catcher Boats

Kate Kauer, The Nature Conservancy

Melissa Mahoney, Environmental Defense Fund

c. **Council Action: Provide Guidance on Regulatory Changes, Exempted Fishing Permit Extensions or Other Issues, as Appropriate** [[mp3: 4-8-20am1 1:31:57](#)] and [[mp3: 4-8-20am2 0:00:11](#)]

**Motion 9** [[mp3: 4-8-20am2 0:27:58](#)]: Council adopt for public review the following regulatory amendments to the groundfish electronic monitoring regulations and an extension of the EM Experimental Fishery Permit for 2021 and guidance relative to the process NMFS uses in the development and comprehensive review of the program guidelines and manual:

1. As recommended by the GEMPAC in Agenda Item G.5.a, Supplemental GEMPAC Report 1, regarding Items 1-8 in Agenda Item G.5.a, NMFS Report 1:
  - Item 1: Hard Drive Deadline: Support the NMFS recommendations to increase the hard drive submission deadline to 72 hours from beginning of the offload.
  - Item 2: Reusing Hard Drives: Support the NMFS recommendation to require EM data is removed before reusing hard drives only if end-to-end encryption is not used.
  - Item 3: Limit on Switching between EM and Observers for Whiting: Support the NMFS recommendation to remove the limit on switching between observers and EM for whiting vessels.
  - Item 4: Mothership/Catcher Vessel Endorsement: Support the NMFS recommendation to remove the requirement for a MS/CV endorsement to use EM on mothership catcher vessel trips.
  - Item 5: Pre-departure Test: Do not support the NFMS recommendation to remove the pre departure requirement as this test is a useful requirement for the vessel operator to ensure that systems are working before leaving the dock on a trip.
  - Item 6: Logbook Processing: Support the NFMS recommendation allowing EM providers to receive and enter logbook information, rather than go through NMFS.
  - Item 7: Reporting Deadlines for EM Service Providers: Support the NFMS recommendations to require deadlines for EM service provider reports of technical assistance, logbook data, vessel operator feedback, EM summary and data compliance reports, and other as specified elsewhere.

- Item 8: Retention of EM Data: Support the NMFS recommendation to amend the retention requirements for EM data in the final rule to align with the requirements proposed in the NMFS National Procedural Directive on EM Data Retention.
2. Correct the reference to “a NMFS-accepted EM Service Plan” under 660.603(a)(1) to 660.603(b)(1)(vii).
  3. Change the implementation date, for both the electronic monitoring provider permits and responsibilities, and the vessel and first receiver responsibilities, to no earlier than January 1, 2022, in the regulations as amended.
    - Further, the Council recommends NMFS approve the continuation of the existing EM Exempted fishing permits (EFPs), modified as necessary, until the effective date of the amended regulations. This with the understanding that new entrants will be allowed to join the extended EM EFPs.
    - The Council also recommends NMFS, in consultation with the Council, conduct a comprehensive review of program guidelines and manual consistent with the revised proposed rule that will reflect the proposed changes and the final procedural directive on data retention and any other relevant directives.

Phil Anderson/Bob Dooley (Motion 9)

**Amendment 1** [[mp3: 4-8-20am2 0:56:51](#)]: Strike Item 8 from the main motion

Marci Yaremko/Virgil Moore (Amendment 1 carried – Mr. Pettinger, Ms. Sommer, Mr. Zimm, Ms. Svensson, Mr. Dooley, and Mr. Anderson voted no)

**Amendment 2** [[mp3: 4-8-20am2 1:03:09](#)]: Strike the last bullet from Section 3

Marci Yaremko/Louis Zimm (Amendment 2 failed, Ms. Yaremko voted yes, Mr. Wulff abstained) (Motion 9, as amended, carried; Mr. Wulff abstained)

**Staff Summary:** The Council adopted for public review potential changes to West Coast electronic monitoring (EM) Program regulations. These include the following items :

1. Change the implementation date to be no earlier than January 1, 2022, in the EM Program regulations for both the electronic monitoring provider permits and responsibilities, and the vessel and first receiver responsibilities.
2. Continuation of existing EM EFPs, modified as necessary, until the effective date of the amended regulations with the understanding that new entrants will be allowed to join the extended EM EFPs.
3. The following recommendations from [NMFS](#):
  - Item 1: Hard Drive Deadline: increase the hard drive submission deadline to 72 hours from the beginning of the offload.
  - Item 2: Reusing Hard Drives: require EM data to be removed before reusing hard drives only if end-to-end encryption is not used.
  - Item 3: Limit on Switching Between EM and Observers for Whiting: remove the limit on switching between observers and EM for whiting vessels.
  - Item 4: Mothership/Catcher Vessel (MS/CV) Endorsement: remove the requirement for an MS/CV endorsement to use EM on mothership catcher vessel trips.

Item 6: Logbook Processing: allow EM providers to receive and enter logbook information, rather than submitting to NMFS.

Item 7: Reporting Deadlines for EM Service Providers: require deadlines for EM service provider reports of technical assistance, logbook data, vessel operator feedback, EM summary and data compliance reports, and other as specified elsewhere.

The Council also recommends that NMFS, in consultation with the Council, conduct a comprehensive review regarding the EM Program Guidelines and EM Provider Manual to ensure consistency with NMFS procedural directives. The Council is expected to finalize recommendations at the June 2020 Council meeting.

**6. Preliminary Preferred Management Measure Alternatives for 2021-2022 Fisheries – Todd Phillips/John DeVore [[mp3: 4-8-20am3 0:00:36](#)]**

[G.6, Attachment 1](#): Action Item Checklist

[G.6, Attachment 2](#): 2021-2022 Management Measure Analytical Document (*Electronic Only*)

[G.6, Attachment 3](#): Yellowtail Rockfish Retention within the Non-Trawl RCA in the Salmon Troll Fishery North of 40°10' N. lat. Analysis

[G.6, Supplemental Attachment 4](#): Joint Analyst Report: Analysis of Additional Management Measures for 2021-22

[G.6, Supplemental Attachment 5](#): DRAFT Socioeconomic Analysis

[G.6, Supplemental Attachment 6](#): Corrections to Tables in Agenda Item G.6, Attachment 2

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-8-20am3 0:11:43](#)] and [[mp3: 4-8-20pm1 0:04:28](#)]**

[G.6.a, ODFW Report 1](#)

[G.6.a, CDFW Report 1](#)

[G.6.a, Supplemental CDFW Report 2](#)

[G.6.a, Supplemental WDFW Report 1](#)

[G.6.a, Supplemental Tribal Report 1](#): Preliminary 2021-2022 Tribal Management Measures

[G.6.a, Supplemental GMT Presentation 1](#): 2021-2022 Management Measures PPA

[G.6.a, Supplemental GMT Report 1](#)

[G.6.a, Supplemental GMT Report 2](#)

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

[G.6.a, Supplemental EC Report 1](#)

**b. Public Comment [[mp3: 4-8-20pm1 0:01:56](#)]**

[G.6.b, Public Comments](#) (*If received, Electronic Only*)

Steve Wilson, Coastal Trollers Association

Sarah Nayani, Arctic Storm Management Group

Tom Hafer, Morro Bay Commercial Fisherman's Organization

Chris Retherford

Heather Mann, Midwater Trawlers Cooperative

Anna Weinstein, Audubon California

Mark Cooper

Mike Okoniewski, Pacific Seafood  
Geoff Shester, Oceana  
Bill James, PSLCFA \*Chose not to testify  
Jeff Lackey  
Dan Waldeck, Pacific Whiting Conservation Cooperative  
Jonathan Gonzalez, Pacific Seafood

**c. Council Action: Adopt Any Remaining Harvest Specifications and Preliminary Preferred Alternatives for Management Measures in 2021-2022 Fisheries [[mp3: 4-8-20pm2 1:22:58](#)]**

**Motion 10 [[mp3: 4-8-20pm2 1:27:25](#)]:** Council adopt the treaty set-asides, harvest guidelines and allocations within G.6.a, Supplemental Tribal Report 1 as preliminary preferred management measure alternatives for 2021-2022.

Joe Oatman/Bob Dooley (Motion 10 carried unanimously)

**Motion 11 [[mp3: 4-8-20pm2 1:31:09](#)]:** Council select all GMT recommendations for non-tribal fisheries in Agenda Item G.6.a, Supplemental GMT Reports 1 and 2, April 2020, as Preliminary Preferred Alternatives for management measures in 2021-2022 groundfish fisheries.

Maggie Sommer/Brad Pettinger

**Amendment 1 [[mp3: 4-8-20pm2 1:48:29](#)]:** With regard to widow rockfish, I move the Council adopt a non-trawl allocation of 400 mt instead of 300 recommended in the GMT Report.

Marci Yaremko/Louis Zimm (Amendment 1 carried unanimously)

**Amendment 2 [[mp3: 4-8-20pm2 1:53:44](#)]:** Relative to shortbelly rockfish, under action item #11 add a recommendation to add a shortbelly rockfish ACT of 1,000 mt that would serve the purpose of indicating unusual catch and the need for evaluation but would not trigger closure or necessitate inseason action.

Heather Hall/Rich Lincoln (Amendment 2 failed; Mr. Lincoln, Mr. Gorelnik, and Ms. Hall voted yes)

**Amendment 3 [[mp3: 4-8-20pm2 2:28:52](#)]:** GMT continue to develop an ACT alternative for shortbelly rockfish that would close a portion of the trawl fleet upon attainment as recommend by the GAP in Agenda Item G.6.a, Supplemental GAP Report 1.

Marci Yaremko/Marc Gorelnik (Amendment 3 carried unanimously)

(Motion 11, as amended, carried unanimously)

**Motion 12 [[mp3: 4-8-20pm2 2:38:38](#)]:** Council adopt an ACT for cowcod of 50 mt as the PPA.  
Marci Yaremko/Louis Zimm (Motion 12 carried unanimously)

**Staff Summary:** The Council adopted the preliminary preferred management measures for 2021 and 2022, as specified by the [Tribes](#), and recommended by the GMT ([Report 1](#) and [Report 2](#)). The Council modified two GMT recommendations: to increase the widow rockfish non-trawl allocation from 300 mt to 400 mt, and to add a 50 mt annual catch target (ACT) for cowcod. Additionally, the Council recommended that the GMT further develop an ACT alternative for shortbelly rockfish that would close a portion of the trawl fleet upon attainment. The GMT was

given guidance to change the wording of their open access sablefish trip limit to mirror the language used for limited entry fixed gear trip limits. The Council will take final action on 2021-2022 groundfish management measures in June 2020.

**8. Inseason Adjustments – Final Action – Todd Phillips [[mp3: 4-9-20pm1 0:02:35](#)]**

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-9-20pm1 0:04:56](#)]**

[G.8.a, Supplemental NMFS Report 1](#): 2020 trawl gear exempted fishing permit

[G.8.a, Supplemental CDFW Report 1](#): Inseason Adjustments to Fisheries in 2020 Due to COVID-19

[G.8.a, Supplemental ODFW Report 1](#): Inseason Adjustments to Fisheries in 2020 Due to COVID-19

[G.8.a, Supplemental ODFW/CDFW Report 1](#): Joint Groundfish Inseason Report

[G.8.a, Supplemental GMT Report 1](#): Informational Report on Early COVID-19 Impacts to Fisheries

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

**b. Public Comment [[mp3: 4-9-20pm1 1:00:45](#)]**

[G.8.b, Public Comments](#) (*If received, Electronic Only*)

Merit McCrea, CCA-Cal, Sportfishing Association of California

John Koeppen, Santa Cruz Fishermen’s Association

Harrison Ibach, Humboldt Fisherman’s Marketing Association

Daniel Lee, F/V Lornel

George Bradshaw, PCFFA

David Toriumi

Mike Hyde, American Seafoods

Brent Paine, United Catcher Boats

Heather Mann, Midwater Trawlers Cooperative

Lisa Damrosch, Half Moon Bay Commercial Marketing Association

**c. Council Action: Adopt Final Inseason Adjustments for 2020, as Necessary, to Achieve Conservation-Objectives [[mp3: 4-9-20pm1 1:26:12](#)]**

**Motion 13 [[mp3: 4-9-20pm1 1:58:34](#)]**: Council to adopt Option 2 inseason adjustments as recommended by the GAP in Agenda Item G.8 as described in the Joint ODFW/CDFW report (Agenda Item G.8.a, Supplemental ODFW/CDFW Report 1), and transmit these recommendations to NMFS for implementation as an inseason action.

Marci Yaremko/Maggie Sommer (Motion 13 carried unanimously)

**Motion 14 [[mp3: 4-9-20pm1 2:15:43](#)]**: Council to amend a previous action under Agenda Item A.4, Approval of Agenda that will add Agenda Item J entitled “Mothership/Catcher Processor Seasonal Processing Limitations”.

Phil Anderson/Pete Hassemer (Motion 14 carried unanimously)

**Staff Summary:** The Council adopted the Option 2 inseason adjustments recommended by the states of [Oregon and California](#) addressing limited entry fixed gear trip limits and minor

modifications to the non-trawl rockfish conservation area. NMFS will review the recommended inseason adjustments and respond as appropriate considering agency workload, the supporting analyses, and the Council record.

## H. Pacific Halibut Management

### 1. [Incidental Catch Limits for 2020 Salmon Troll Fishery](#) – Robin Ehlke [[mp3: 4-7-20am2 0:40:16](#)]

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

#### a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 4-7-20am2 0:44:11](#)]

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

#### b. [Public Comment](#)

[H.1.b, Public Comments](#) (*If received, Electronic Only*)

#### c. [Council Action: Adopt Final Incidental Pacific Halibut Catch Recommendations for 2020 and Early 2021 Non-Indian Salmon Troll Fisheries](#) [[mp3: 4-7-20am2 0:46:01](#)]

**Motion 8** [[mp3: 4-7-20am2 0:49:58](#)]: Council adopt Option 1 for incidental retention of Pacific halibut in the non-Indian salmon troll fishery from May 1, 2020, through the end of the 2020 salmon troll season, and prior to the effective date of the 2021 management measures unless modified through inseason action as proposed in Agenda Item H.1.a, Supplemental SAS Report 1, April 2020.

Heather Hall/Rich Lincoln (Motion 8 carried unanimously)

**Staff Summary:** The Council adopted final incidental halibut catch limits as follows: Open May 1, 2020, through the end of the 2020 salmon troll fishery, and beginning April 1, 2021, until modified through inseason action or superseded by the 2021 management measures.

License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

## I. Administrative Matters

### 4. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 4-9-20am2 0:00:55](#)]

[I.4, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[I.4, Attachment 2](#): Draft Proposed Council Meeting Agenda, June 12-18, 2020, San Diego, California

[I.4, Attachment 3](#): Summary of Candidate Agenda Items for the June 2020 Council Meeting and Non-Routine Agenda Items Postponed from the April 2020 Council Meeting

[I.4, Supplemental Attachment 4](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 4/8/20 18:46)



[I.4, Supplemental Attachment 5](#): Proposed Pacific Council Meeting Agenda, June 12-18, 2020 in San Diego, California (v. 4/8/2020 7:49 PM)

[I.4, Supplemental Attachment 6](#): Candidate Agenda Items for the June 2020 Council Meeting and Non-Routine Items Postponed from the April 2020 Council Meeting

[I.4, Supplemental Attachment 7](#): Draft Letter Requesting Observer Coverage Waiver for West Coast Fisheries

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 4-9-20am2 0:18:49](#)]

[I.4.a, Supplemental NMFS Report 1](#): Rulemaking and Other Major Activities Schedule

[I.4.a, Supplemental Tribal Report 1](#): Letter from the Confederated Tribes of the Colville Reservation request to reschedule presentation until September PFMC meeting

[I.4.a, Supplemental SSC Report 1](#)

[I.4.a, Supplemental CCCT Report 1](#): Climate and Communities Initiative Future Steps

[I.4.a, Supplemental CPSMT Report 1](#)

[I.4.a, Supplemental CPSAS Report 1](#)

[I.4.a, Supplemental GMT Report 1](#)

[I.4.a, Supplemental GAP Report 1](#)

b. **Public Comment** [[mp3: 4-9-20am2 0:58:34](#)]

[I.4.b, Public Comments](#) (*If received, Electronic Only*)

Mike Hyde, American Seafood

Mike Retherford, F/V Excalibur

Brent Paine, United Catcher Boats

Lori Steele, West Coast Seafood Processors Association

Sarah Nayani, Arctic Storm

Barbara Emley, San Francisco Community

John Koeppen, Santa Cruz Fisherman's Association

Anna Weinstein, Audubon

Heather Mann, Midwater Trawlers Cooperative

Jonathan Gonzalez, Pacific Seafood

Mike Okoniewski, Pacific Seafood

Jeff Lackey

Ben Enticknap, Oceana

Gilly Lyons, The Pew Charitable Trusts

Scott McMullen, Oregon Cable

c. **Council Discussion and Guidance on Future Meeting Agenda and Workload Planning** [[mp3: 4-10-20am1 0:05:21](#)] and [[mp3: 4-10-20am2 0:00:10](#)]

**Motion 15** [[mp3: 4-10-20am2 0:34:43](#)]: Council approve and send the letter requesting observer coverage waiver for West Coast Fisheries, Agenda Item I.4, Supplemental Attachment 7 with clarifying edits from Council discussion to National Marine Fisheries Services, West Coast Regional Office.

**Christa Svensson/Bob Dooley** (Motion 15 carried, Mr. Wulff abstained)

**Staff Summary:** In addition to the COVID-19 related actions taken under other agenda items, under open public comment, the Council heard significant testimony on the actual and potential

impacts of COVID-19 on West Coast fishing fleets, processors, and coastal communities. In response, in order to minimize the spread of COVID-19 during the initial outbreak, the Council wrote a letter requesting that NMFS suspend Federally authorized at-sea observer coverage for all West Coast fisheries (including Highly Migratory Species and groundfish at-sea sectors) and trawl catch share shoreside catch monitors. The suspension is requested for the period of time and geographic areas covered by “shelter-in-place” or similar orders by the governors of Washington, Oregon and/or California, or any local government.

During the open comment discussion, the United States Coast Guard reported to the Council on a March 16, 2020 [Marine Safety Information Bulletin](#) that identifies the illness of a person on board any vessel as a hazardous condition (under 33 CFR 160.216) that may adversely affect the safety of a vessel or port facility. Vessels are required to immediately notify the nearest United States Coast Guard Captain of the Port if any person on board exhibits symptoms of COVID-19 or other flu-like illnesses.

**J. [Mothership and Catcher-Processor Seasonal Processing Limitations](#) (EMERGENCY ACTION) – John DeVore [[mp3: 4-10-20am2 0:44:35](#)]**

**[J.1, Supplemental Attachment 1](#): FR notice – Policy Guidelines for the Use of Emergency Rules**

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 4-10-20am2 0:50:30](#)]**

- [J.1.a, Supplemental GMT Report 1](#)
- [J.1.a, Supplemental GAP Report 1](#)

**b. Public Comment**

None

**c. Council Action: Consider Emergency Action to Amend Groundfish Fishery Management Plan to Temporarily Allow Relaxation of the Seasonal Processing Limitations for Whiting Mothership and Catcher-Processors [[mp3: 4-10-20am2 1:01:01](#)]**

**Motion 16 [[mp3: 4-10-20am2 1:09:23](#)]**: Council request that the National Marine Fisheries Service initiate an Emergency Rule to allow an at-sea Pacific Whiting processing platform to operate as both a mothership and catcher processor in the same calendar year during the 2020 Pacific Whiting fishery.

Phil Anderson/Corey Niles (Motion 16 carried; Ms. Szumylo voted no)

**Staff Summary:** The Council modified their agenda to allow consideration of an emergency action to recommend NMFS allow an at-sea Pacific whiting processing platform to operate as both a Mothership and a Catcher-processor in the same calendar year during the 2020 Pacific whiting fishery. This action was taken at the request of industry representatives and the [Groundfish Advisory Subpanel](#) after a Mothership processor decided to abandon that sector this year to mitigate their risk associated with the current COVID-19 pandemic. That decision left three catcher vessels in the Mothership sector without a processing platform, potentially stranding 24 percent of the entire shoreside whiting sector’s quota, which would result in significant economic impacts. Allowing a Catcher-processor vessel to temporarily operate as an at-sea processor in the



Mothership sector mitigates the impacts associated with the current processing limitations in these two sectors.

## INFORMATIONAL REPORTS

[Informational Report 1](#): U.S. Coast Guard 2019 Report (April 2020)

[Informational Report 2](#): Letter from WDFW appointing Ron Warren as designee

[Supplemental Informational Report 3](#): Letter to The Honorable Donald J. Trump from Seafood Producers Coalition re: Domestic Seafood Infrastructure

[Supplemental Informational Report 4](#): Pacific Whiting Conservation Cooperative – Amendment 20 Catcher/Processor Cooperative Annual Report 2019

[Supplemental Informational Report 5](#): Whiting Mothership Cooperative; An Amendment 20 Mothership Catcher Vessel Cooperative Final Report on the 2019 Pacific Whiting Fishery

[Supplemental Informational Report 6](#): Staff Summary of CARES Act and Other Efforts to Assist Fishing Businesses

[Supplemental Informational Report 7](#): NOAA Fisheries Coronavirus (COVID-19) Update

[Supplemental Informational Report 8](#): U.S. Coast Guard – Novel Coronavirus – Update (Change 3)

## VOTING LOG

**Motion 1:** Adopt [Agenda Item A.4, April 4-10, 2020 Council Meeting Agenda](#).

Marc Gorelnik/Pete Hassemer (Motion 1 carried unanimously)

**Motion 2:** Council to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented in [Agenda Item E.1.e, Supplemental SAS Report 1](#), for STT collation and analysis.

Kyle Adicks/Brett Kormos (Motion 2 carried unanimously)

**Motion 3:** Council to adopt for STT analysis the proposed salmon management measures for the ocean tribal salmon troll fishery:

- Quinault Treaty Area
  - The following Coho Quota, Option 1: 12,500; Option 2: 10,000 and Option 3: 0. For the period July 1-August 31: Option 1: 12,500; Option 2: 10,000 and Option 3: 0.
  - The following Chinook Total Quota: Option 1: 30,000, Option 2: 25,000 and Option 3: 20,000. For the period May 1- June 30: Option 1: 18,000, Option 2: 15,000 and Option 3: 12,000. For the period July 1-August 31: Option 1: 12,000, Option 2: 10,000 and Option 3: 8,000. The season structure to be split 60/40.
- Makah Tribal Proposal
  - Coho Quota: Option 1: 30,000; Option 2: 22,500 and Option 3: 15,000 for the period July 1-September 15.
  - Chinook Total Quota: Option 1: 45,000; Option 2: 35,000 and Option 3: 25,000. Quota for the period May 1-June 30, Option 1: 22,500; Option 2: 17,500 and Option 3: 12,500. Quota for the period July 1-September 15: Option 1: 22,500, Option 2: 17,500 and Option 3: 12,500. The season structure to be split 50/50.

Joe Oatman/Kyle Adicks (Motion 3 carried unanimously)

**Motion 4:** Council adopt:

1. The Pacific Sardine Assessment ([Agenda Item D.3, Attachment 1](#)) and OFL of 5,525 mt for the 2020-2021 season, as noted in [Agenda Item D.3.a, Supplemental SSC Report 1](#),
2. A P\* 0.40, ABC of 4,288 mt and an ACL equal to ABC, and an ACT of 4,000 mt as listed in [Agenda Item D.3.a, Supplemental CPSMT Report 1](#), Table 2,
3. A 20 percent incidental catch allowance for commercial CPS fisheries, except live bait and minor directed,
4. Directed take to be allowed for the live bait fishery without incidental limits with a per-trip limit of 1 mt of Pacific sardine if the live bait fishery attains 2,500 mt,
5. If the ACT of 4,000 mt is attained, a 1 mt per trip limit of Pacific sardine would apply to live bait, and a 1 mt per trip limit of incidentally caught Pacific sardine limit would apply to commercial CPS fisheries,
6. An incidental per-trip allowance of 2 mt of Pacific sardine in non-CPS fisheries.

In addition, I recommend the Council advise NMFS that we support issuance of the exempted fishing permit requests as submitted in D.3.b, Public Comment by CWPA and by WCPCG ([November 2019, Agenda Item D.2, Attachment 2](#)).

Briana Brady/Bob Dooley (Motion 4 carried unanimously)

**Motion 5:** Council to establish an ad hoc workgroup to develop the SONCC harvest control rule and we use the proposed list of members in [Agenda Item E.3.a, Supplemental NMFS Report 1](#) to invite participants to the initial meetings and that the first order of business would be to finalize the Terms of Reference for future Council consideration.

Chris Kern/Christa Svensson (Motion 5, as amended, carried unanimously)

**Motion 6 (as a substitute to Motion 5):** Replace the main motion to state “Council to establish an ad hoc workgroup to accomplish the objectives outline in the SONCC TOR as presented in [Agenda Item E.3.a, Supplemental NMFS Report 1](#) pending any modifications made by the workgroup when they begin work” noting that the first order of business would be to finalize the Terms of Reference for future Council consideration.

Brett Kormos (Motion 6 withdrawn)

**Motion 7:** Council adopt final preferred harvest specifications for groundfish in 2021-2022 as recommended in [Agenda Item G.4.a, Supplemental GMT Report 1, April 2020](#):

- For all stocks except those listed below, adopt the OFL, ABC, and ACL values resulting from default harvest control rules, as shown in Tables 2-2 and 2-3 in [Agenda Item G.4, Supplemental REVISED Attachment 1, April 2020](#). This includes adoption of the No Action alternative for petrale sole (ABC=ABC, P\* = 0.45).
- For the following stocks, adopt the OFL, ABC, and ACL values association with Alternative 1 (PPA) as shown in Table 2-4 in [G.4, Supplemental REVISED Attachment 1, April 2020](#):
  - Cowcod (South of 40°10' N. latitude): ACL = ABC, P\* 0.40
  - Oregon Black Rockfish: “Case-by-case” ABC/ACL = 2020 ABC
  - Sablefish: Coastwide ABC with P\* = 0.45, and Method 2 (5-year avg. bottom trawl survey distribution) to apportion ACLs north and south of 36° N. latitude
  - Shortbelly rockfish: ACL= 2,000 mt; ABC = P\* = 0.40

Maggie Sommer/Marci Yaremko (Motion 7, as amended, carried unanimously)

**Motion 8:** Council adopt Option 1 for incidental retention of Pacific halibut in the non-Indian salmon troll fishery from May 1, 2020, through the end of the 2020 salmon troll season, and prior to the effective date of the 2021 management measures unless modified through inseason action as proposed in [Agenda Item H.1.a, Supplemental SAS Report 1, April 2020](#).

Heather Hall/Rich Lincoln (Motion 8 carried unanimously)

**Motion 9:** Council adopt for public review the following regulatory amendments to the groundfish electronic monitoring regulations and an extension of the EM Experimental Fishery Permit for 2021 and guidance relative to the process NMFS uses in the development and comprehensive review of the program guidelines and manual:

1. As recommended by the GEMPAC in [Agenda Item G.5.a, Supplemental GEMPAC Report 1](#), regarding Items 1-8 in [Agenda Item G.5.a, NMFS Report 1](#):
  - Item 1: Hard Drive Deadline: Support the NMFS recommendations to increase the hard drive submission deadline to 72 hours from beginning of the offload.
  - Item 2: Reusing Hard Drives: Support the NMFS recommendation to require EM data is removed before reusing hard drives only if end-to-end encryption is not used.
  - Item 3: Limit on Switching between EM and Observers for Whiting: Support the NMFS recommendation to remove the limit on switching between observers and EM for whiting vessels.
  - Item 4: Mothership/Catcher Vessel Endorsement: Support the NMFS recommendation to remove the requirement for a MS/CV endorsement to use EM on mothership catcher vessel trips.
  - Item 5: Pre-departure Test: Do not support the NFMS recommendation to remove the pre departure requirement as this test is a useful requirement for the vessel operator to ensure that systems are working before leaving the dock on a trip.
  - Item 6: Logbook Processing: Support the NFMS recommendation allowing EM providers to receive and enter logbook information, rather than go through NMFS.
  - Item 7: Reporting Deadlines for EM Service Providers: Support the NFMS recommendations to require deadlines for EM service provider reports of technical assistance, logbook data, vessel operator feedback, EM summary and data compliance reports, and other as specified elsewhere.
2. Correct the reference to “a NMFS-accepted EM Service Plan” under 660.603(a)(1) to 660.603(b)(1)(vii).
3. Change the implementation date, for both the electronic monitoring provider permits and responsibilities, and the vessel and first receiver responsibilities, to no earlier than January 1, 2022, in the regulations as amended.
  - Further, the Council recommends NMFS approve the continuation of the existing EM Exempted fishing permits (EFPs), modified as necessary, until the effective date of the amended regulations. This with the understanding that new entrants will be allowed to join the extended EM EFPs.
  - The Council also recommends NMFS, in consultation with the Council, conduct a comprehensive review of program guidelines and manual consistent with the revised proposed rule that will reflect the proposed changes and the final procedural directive on data retention and any other relevant directives.

Phil Anderson/Bob Dooley (Motion 9, as amended, carried; Mr. Wulff abstained)

**Motion 10:** Council adopt the treaty set-asides, harvest guidelines and allocations within [G.6.a, Supplemental Tribal Report 1](#) as preliminary preferred management measure alternatives for 2021-2022.

Joe Oatman/Bob Dooley (Motion 10 carried unanimously)

**Motion 11:** Council select all GMT recommendations for non-tribal fisheries in [Agenda Item G.6.a, Supplemental GMT Reports 1 and 2](#), April 2020 as Preliminary Preferred Alternatives for management measures in 2021-2022 groundfish fisheries with the following changes:

- With regard to widow rockfish, I move the Council adopt a non-trawl allocation of 400 mt instead of 300 recommended in the GMT Report.
- GMT continue to develop an ACT alternative for shortbelly rockfish that would close a portion of the trawl fleet upon attainment as recommend by the GAP in [Agenda Item G.6.a, Supplemental GAP Report 1](#).

Maggie Sommer/Brad Pettinger (Motion 11, as amended, carried unanimously)

**Motion 12:** Council adopt an ACT for cowcod of 50 mt as the PPA.

Marci Yaremko/Louis Zimm (Motion 12 carried unanimously)

**Motion 13:** Council to adopt Option 2 inseason adjustments as recommended by the GAP in [Agenda Item G.8](#) as described in the Joint ODFW/CDFW Report ([Agenda Item G.8.a, Supplemental ODFW/CDFW Report 1](#)), and transmit these recommendations to NMFS for implementation as an inseason action.

Marci Yaremko/Maggie Sommer (Motion 13 carried unanimously)

**Motion 14:** Council to amend a previous action under Agenda Item A.4, Approval of Agenda that will add Agenda Item J entitled “Mothership/Catcher Processor Seasonal Processing Limitations”.

Phil Anderson/Pete Hassemer (Motion 14 carried unanimously)

**Motion 15:** Council approve and send the letter requesting observer coverage waiver for West Coast Fisheries, [Agenda Item I.4, Supplemental Attachment 7](#) with clarifying edits from Council discussion to National Marine Fisheries Services, West Coast Regional Office.

Christa Svensson/Bob Dooley (Motion 15 carried, Mr. Wulff abstained)

**Motion 16:** Council request that the National Marine Fisheries Service initiate an Emergency Rule to allow an at-sea Pacific Whiting processing platform to operate as both a mothership and catcher processor in the same calendar year during the 2020 Pacific Whiting fishery.

Phil Anderson/Corey Niles (Motion 16 carried; Ms. Szumylo voted no)

**Motion 17:** Council adopt the 2020 non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from the Oregon/California border to the U.S./Mexico border as presented in [Agenda Item E.9.a, Supplemental STT Report 1, dated April 10, 2020](#), including the commercial and recreational requirements, definitions, restrictions, or exceptions.

Brett Kormos/Marc Gorelnik (Motion 17 carried unanimously)

**Motion 18:** Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in [Agenda item E.9.a, Supplemental STT Report 1, dated April 10, 2020](#), including all season descriptions, minimum size, and requirements, definitions, restrictions, and exceptions.

Chris Kern/Christa Svensson (Motion 18 carried unanimously)

**Motion 19:** Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in [Agenda Item E.9.a, Supplemental STT Report 1, April 10, 2020](#).

Kyle Adicks/Rich Lincoln (Motion 19 carried unanimously)

**Motion 20:** Council adopt the Treaty Indian Troll fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on [Agenda Item E.9.a, Supplemental STT Report 1, April 10, 2020](#).

Joe Oatman/Bob Dooley (Motion 20 carried unanimously)

## ADJOURN

The Council meeting adjourned on Friday, April 10, 2020 at 2:51 p.m.



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Phil Anderson  
Council Chair

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July 21, 2020  
Date