

COMMENTS ON COURT ORDERED RULEMAKING ON HARVEST SPECIFICATIONS
FOR THE CENTRAL SUBPOPULATION OF NORTHERN ANCHOVY

In response to a June 2019 lawsuit, the United State District Court for the Northern District of California issued a September court order vacating the 2019 central subpopulation of northern anchovy (CSNA) catch rule. The National Marine Fisheries Service (NMFS) must promulgate a new rule on CSNA reference points within 120 days of the September court order (Agenda Item H.3, Attachment 1).

If the proposed rule and comment period overlaps with the Pacific Fishery Management Council's (Council) November meeting, Council Advisory Bodies will review the proposed rule and offer comments to the Council. The Council may submit comments on the proposed rule, via the normal public review and comment process.

Council Action:

- 1. Consider the Proposed Rule on CSNA.**
- 2. Provides Comments on the Proposed Rule as Appropriate.**

Reference Materials:

1. Agenda Item H.3, Attachment 1: Order Regarding Motions for Summary Judgment.
2. If received, Public Comments are electronic only ([see e-portal](#)).

Agenda Order:

- H.3 Comments on Court Ordered Rulemaking on Harvest Specifications Kerry Griffin
for the Central Subpopulation of Northern Anchovy
- a. Reports and Comments of Management Entities and Advisory Bodies
 - b. Public Comment
 - c. **Council Action:** Develop Comments to NMFS on Court Ordered Rulemaking on Harvest Specifications for the Central Subpopulation of Northern Anchovy, as Necessary