

COUNCIL MEETING RECORD
256th Session of the
Pacific Fishery Management Council
September 8-10 & 14-18, 2020
 Web-Based Council Meeting

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INTRODUCTION

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

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

MEETING SUMMARY

A. Call to Order [[mp3: 9-11-20am1 00:00:18](#)]

1. Opening Remarks – Marc Gorelnik, Chair [[mp3: 9-11-20am1 00:01:29](#)]

Mr. Marc Gorelnik, Council Chair, called the 256th meeting of the Pacific Fishery Management Council (Council) to order at 9:40 a.m. on September 11, 2020. A closed session was held before this open session to discuss litigation and personnel matters.

2. Council Member Appointments – Barry Thom [[mp3: 9-11-20am1 00:05:13](#)]

Mr. Barry Thom presented the new and reappointed Council Members with their certificates of appointment after taking the oath of office.

3. Roll Call – Chuck Tracy [[mp3: 9-11-20am1 00:10:09](#)]

Council Members present (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. Keeley Kent, designee*
Alaska State Official:	Ms. Rachel Baker, nonvoting designee Ms. Karla Bush, nonvoting designee* Ms. Dani Evenson, nonvoting designee
Washington State Official:	Mr. Kyle Adicks, designee Ms. Heather Hall, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Butch Smith
Oregon State Official:	Dr. Caren Braby, designee 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 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 Mr. Louis Zimm Mr. Brad Pettinger, Vice-Chair Mr. Marc Gorelnik, Chair
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Scott McGrew, nonvoting designee LCDR Lee Crusuis, nonvoting designee

U.S. Fish and Wildlife Service: Mr. Chris German, nonvoting designee*
Mr. Mike Clark, nonvoting designee
Dr. Kyle Hanson, nonvoting designee*
Mr. Roger Root, nonvoting designee*
Mr. David Teuscher, nonvoting designee

Absent from the Meeting:

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

4. Executive Director's Report – Chuck Tracy [mp3: 9-11-20am1 00:12:06]

A.4, Supplemental Attachment 1: CCC Draft Agenda (interim fall meeting)

5. Agenda – Marc Gorelnik [mp3: 9-11-20am1 00:24:04]

a. Council Action: Approve Agenda

Motion 1 [mp3: 9-11-20am1 00:39:44]: Adopt Agenda Item A.5, September 8-11 and 14-18, 2020 Council Meeting Agenda with the cancellation of Agenda Item D.3 Impact Analyses Methodology Review.

Maggie Sommer/Pete Hassemer (Motion 1 carried unanimously)

[Agenda Item A.5 Supplemental REVISED Situation Summary: Detailed September 8-11 and 14-18, 2020 Agenda via Online Meeting. This was revised because of Motion 7 under Agenda Item D.2]

B. Open Comment Period

1. Comments on Non-Agenda Items – Chuck Tracy [mp3: 9-11-20am1 00:41:38]

A.4, Supplemental Attachment 1: CCC Draft Agenda (interim fall meeting)

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment [mp3: 9-11-20am1 00:43:36]

Heather Mann, Midwater Trawlers Cooperative presented B.1.b, Supplemental Public PPT 1: Trawl Groundfish Bycatch Year to Date (Mann)

Anna Weinstein, Audubon

Pete Granger

Paul Clampitt, F/V Augustine

Molly Morrissey, San Diego Audubon

Geoff Shester, Oceana

Megan Flaherty, San Diego Audubon

Robert Alverson, Fishing Vessel Owners Association

Robert Osborn, Billfish Foundation, United Anglers, Sportfishing Conservancy

Muriel Spooner, San Diego Audubon Society

c. Council Discussion and Comments, as Appropriate [mp3: 9-11-20am1 01:51:59]

Staff Summary: None

C. Administrative Matters

1. [National Marine Fisheries Service Report](#) – Ryan Wulff [[mp3: 9-11-20pm1 00:01:02](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-11-20pm1 00:59:31](#)]

[C.1, Supplemental NMFS Report 1](#)

[C.1, Supplemental NMFS Report 2](#): NMFS Report on GAP Report Questions

[C.1, Supplemental NMFS PPT 1](#): EO 13921 and Aquaculture Opportunity Area (Wulff)

[C.1.a, NWFSC Report 1](#): Pacific Halibut Bycatch 2002-2019

[C.1.a, NWFSC Report 2](#): Pacific Halibut Mortality Estimates – Workbook (*Electronic Only*)

[C.1.a, NWFSC Report 3](#): Estimated Discard and Catch of Groundfish Species in the 2019 U.S. West Coast Fisheries

[C.1.a, NWFSC Report 4](#): Estimated Discard and Catch of Groundfish Species in the 2019 U.S. West Coast Fisheries – Workbook (*Electronic Only*)

[C.1.a, Supplemental NWFSC PPT 1](#): Estimated Discard and Catch of Groundfish Species in the 2019 U.S. West Coast Fisheries (McVeigh)

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

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

b. [Public Comment](#) [[mp3: 9-11-20pm2 00:00:018](#)]

Heather Mann, Midwater Trawlers Cooperative

Mike Conroy, PCFFA

c. [Council Discussion and Guidance, as Appropriate](#) [[mp3: 9-11-20pm2 00:09:59](#)]

Motion: None

Staff Summary: The Council asked that NMFS review and respond to the [Groundfish Advisory Subpanel \(GAP\) report](#) process recommendations on trawl catch share cost recovery at a future meeting.

2. [Executive Order 13921: Promoting American Seafood Competitiveness and Economic Growth – Final Recommendations](#) – Jim Seger [[mp3: 9-18-20am2 00:00:09](#)]

[C.2, Attachment 1](#): E.O. *Federal Register* Notice; Executive Order 13921 of May 7, 2020: Promoting American Seafood Competitiveness and Economic Growth

[C.2, Attachment 2](#): Summary of E.O. 13921

[C.2, Attachment 3](#): Letter from Chris Oliver to the Regional Fishery Management Councils requesting that each Council respond to Section 4 of EO 13921

[C.2, Attachment 4](#): Guidance for Councils Response to E.O. 13921 Section 4

[C.2, Attachment 5](#): NMFS EO 13921 Recommended Action Template

[C.2, Supplemental Attachment 6](#): Summary of Recommendations Related to the Council Report Required Under Section 4 of E.O. 13921

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-18-20am2 00:05:58](#)]

[C.2.a, Supplemental CDFW Report 1](#)

[C.2.a, Supplemental GMT Report 1](#)

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

[C.2.a, Supplemental GAP Report 1](#)

[C.2.a, Supplemental CPSMT Report 1](#)

[C.2.a, Supplemental CPSAS Report 1](#)

[C.2.a, Supplemental HMSAS Report 1](#)

[C.2.a, Supplemental STT Report 1](#)

[C.2.a, Supplemental SAS Report 1](#)

[C.2.a, Supplemental EWG Report 1](#)

[C.2.a, Supplemental EAS Report 1](#)

[C.2.a, Supplemental HC Report 1](#)

b. **Public Comment** [[mp3: 9-18-20am2 01:07:15](#)]

Diane Pleschner-Steele, California Wetfish Producers Association

Hallie Templeton, Friends of the Earth

Geoff Shester, Oceana

Lori Steele, West Coast Seafood Processors Association

Mike Okoniewski, Consultant for Pacific Seafood

Bob Osborn, Billfish Foundation

c. **Council Action: Adopt Final Recommendations to National Marine Fisheries Service** [[mp3: 9-18-20am2 01:32:07](#)] and [[mp3: 9-18-20pm1 00:00:29](#)]

Motion: None

Staff Summary: Executive Order 13921 requires that by November 2 Councils provide to the Secretary of Commerce a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries, including a proposal for initiating each recommended action within 1 year [5/7/2021].

The Council identified the following actions as responsive to the executive order and prioritized for action on the Council's meeting planner: 1) modifying the non-trawl rockfish conservation areas by reducing the areas, adjusting troll incidental landing limits, and the allowing use of midwater jig gear, and 2) increasing utilization in the whiting mothership sector. The Council will also request that the Secretary of Commerce work with the Department of Interior to modify USFWS rules to reclassify sea urchins and squid as shellfish.

Additionally, the Council identified several crucial funding needs: ongoing survey work needed for groundfish and CPS stock assessments, increased funding for creel surveys and biological sampling of ocean salmon fisheries, and funding for electronic monitoring.

Finally, the Council discussed sections of the executive order related to aquaculture and will be recommending that early in the process an EFH consultation be initiated on the proposed programmatic aquaculture EIS. Additionally, as the development of aquaculture opportunity areas (AOAs) is considered good communication and coordination between the Federal process and

those underway for the state of California should occur. Part of the consideration AOA's should include a review of fishing regulations and fishery patterns with respect to sighting aquaculture projects. Any public comment periods on AOA, specific proposed sites, or environmental review documents, should include dates that overlap a scheduled meeting of the Pacific Council.

3. [Legislative Matters](#) – Jennifer Gilden [[mp3: 9-18-20pm1](#) 01:06:04]

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

- a. [Report of the Legislative Committee](#) – Dave Hanson [[mp3: 9-18-20pm1](#) 01:07:21]
- b. **Reports and Comments of Management Entities and Advisory Bodies**
- c. [Public Comment](#)
- d. **Council Action: Consider Legislative Committee Report and Recommendations** [[mp3: 9-18-20pm1](#) 01:09:20]

Motion: None

Staff Summary: None

4. [Fiscal Matters](#) – Patricia Crouse [[mp3: 9-18-20pm1](#) 01:11:12]

[C.4, Supplemental Attachment 1](#): Budget Committee Agenda

[C.4, Supplemental Attachment 2](#): Executive Director's Report to the Budget Committee, September 2020

- a. [Report of the Budget Committee](#) – Pete Hassemer [[mp3: 9-18-20pm1](#) 01:12:01]
- b. **Reports and Comments of Management Entities and Advisory Bodies**
- c. [Public Comment](#)
- d. **Council Action: Consider Budget Committee Report and Recommendations** [[mp3: 9-18-20pm1](#) 01:20:11]

Motion 20 [[mp3: 9-18-20pm1](#) 01:27:24]: Council approve the Budget Committee recommendations as presented in Agenda Item C.4.a, Supplemental Budget Committee Report 1, September 2020 (which includes the audit).

Pete Hassemer/ Bob Dooley

Amendment 1 [[mp3: 9-18-20pm1](#) 01:32:19] Add to the motion "Direct staff to prepare a 2021 budget alternative that provides support for staff liaison contracts at 2020 funding levels."

Marci Yaremko/Corey Niles (Amendment 1 carried; Mr. Zimm abstained).

Motion 20, as amended, carried unanimously.

Staff Summary: The Council approved the 2019 Audit Results and holding a November 2020 Budget Committee Meeting to recommend a 2021 Provisional Budget and discuss a potential No-

Cost Extension for 2021. Council also directed staff to prepare an alternative 2021 budget showing liaison support funding at the 2020 level.

5. Council Meeting Record – Marc Gorelnik [[mp3: 9-18-20pm1 01:41:47](#)]

C.5, Attachment 1: Draft Council Meeting Record: 255th Session of the Pacific Fishery Management Council (June 10-12 & 15-19, 2020)

a. Council Action: Approve Previous Council Meeting Record [[mp3: 9-18-20pm1 01:42:04](#)]

Motion 21 [[mp3: 9-18-20pm1 01:42:55](#)]: Council approve the June 2020 meeting record as shown in C.5, Attachment 1: Draft Council Meeting Record: 255th Session of the Pacific Fishery Management Council (June 10-12 & 15-19, 2020).

Pete Hassemer/Virgil Moore (Motion 21 carried; Mr. Smith abstained)

Staff Summary: None

6. Membership Appointments and Council Operating Procedures – Mike Burner [[mp3: 9-18-20pm1 01:44:49](#)]

C.6, Attachment 1: Proposed Changes to COP 9, Schedule 6, Annual Administrative Management Cycle and Activities

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 9-18-20pm1 01:56:40](#)]

C.6.a, Supplemental HMSAS Report 1

b. Public Comment [[mp3: 9-18-20pm1 01:57:58](#)]

Corey Ridings, Ocean Conservancy, Audubon, PEW and Oceana
Mike Conroy, Pacific Coast Federation of Fisherman's Association
Geoff Shester, Oceana
Mike Okoniewski, Outside Consultant for Pacific Seafood
Steve Scheiblauer, Marine Alliances Consulting

c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures [[mp3: 9-18-20pm1 02:17:24](#)]

Motion 22 [[mp3: 9-18-20pm1 02:32:30](#)]: Council adopt the proposed changes to COP 9 as shown in Agenda Item C.6, Attachment 1, September 2020.

Maggie Sommer/Brad Pettinger (Motion 22 carried unanimously)

Motion 23 [[mp3: 9-18-20pm1 02:36:14](#)]: Council appoint Dr. Phil Levin to the vacant Washington position on the Ecosystem Advisory Subpanel formerly held by Mr. Paul Dye.

Phil Anderson/Corey Niles (Motion 23 carried unanimously)

Motion 24 [[mp3: 9-18-20pm1 02:37:36](#)]: Council appoint Mr. Glen Spain to the vacant Commercial Fishery position on the Habitat Committee formerly held by Mr. Noah Oppenheim.

Marci Yaremko/Bob Dooley (Motion 24 carried unanimously)

Motion 25 [[mp3: 9-18-20pm1 02:39:00](#)]: Council appoint Ms. Amber Rhodes to the National Marine Fisheries Service West Coast Region position on the Highly Migratory Species Management Team formerly held by Mr. Lyle Enriquez.

Ryan Wulff/Louis Zimm (Motion 25 carried unanimously)

Motion 26 [[mp3: 9-18-20pm1 02:40:55](#)]: Council appoint Mr. Michael Sawin to the Washington Charter Boat Operator position on the Salmon Advisory Subpanel formerly held by Mr. Butch Smith.

Phil Anderson/Butch Smith (Motion 26 carried unanimously)

Motion 27 [[mp3: 9-18-20pm1 02:42:28](#)]: Council appoint Dr. Fabio Caltabellotta to the vacant Oregon Department of Fish and Wildlife position on the Scientific and Statistical Committee formerly held by Dr. David Sampson.

Maggie Sommer/Virgil Moore (Motion 27 carried unanimously)

Staff Summary: Regarding Council Standing Committees, the change in Council Officers resulted in Chair Gorelnik replacing Mr. Phil Anderson on the Budget Committee (BC). Chair Gorelnik appointed Mr. Corey Niles to the Washington Department of Fish and Wildlife position on the BC and Mr. Phil Anderson to the Legislative Committee.

Regarding Advisory Body membership, the Council appointed:

- Dr. Phil Levin to the vacant Washington position on the Ecosystem Advisory Subpanel formerly held by Mr. Paul Dye,
- Mr. Glen Spain to the vacant Commercial Fishery position on the Habitat Committee formerly held by Mr. Noah Oppenheim,
- Ms. Amber Rhodes to the National Marine Fisheries Service West Coast Region position on the Highly Migratory Species Management Team formerly held by Mr. Lyle Enriquez,
- Mr. Michael Sawin to the Washington Charter Boat Operator position on the Salmon Advisory Subpanel formerly held by Mr. Butch Smith, and
- Dr. Fabio Caltabellotta to the vacant Oregon Department of Fish and Wildlife position on the Scientific and Statistical Committee formerly held by Dr. David Sampson.

The Council approved [revisions to Council Operating Procedure 9, Schedule 6](#), regarding the review of the compositions of Advisory Bodies and the appointment of representatives for three-year terms. Every three years beginning in 2021, this process will occur over three meetings (June, September, November) rather than the currently stipulated two-meeting process (September, November).

7. Future Council Meeting Agenda and Workload Planning – Chuck Tracy [[mp3: 9-18-20pm2 00:00:02](#)]

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

[C.7, Attachment 2](#): Draft Proposed Council Meeting Agenda, November 2020 Via Webinar

[C.7, Supplemental Attachment 3](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 09/17/2020; 4:10 PM)

[C.7, Supplemental Attachment 4](#): Draft Proposed Council Meeting Agenda, November 2020 Via Webinar (v. 09/17/2020; 4:18 PM)

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 9-18-20pm2 00:02:25](#)]

[C.7.a, Supplemental GMT Report 1](#)

[C.7.a, Supplemental GAP Report](#)

[C.7.a, Supplemental SSC Report 1](#)

[C.7.a, Supplemental HMSAS Report 1](#)

[C.7.a, Supplemental HMSMT Report 1](#)

[C.7.a, Supplemental CPSMT Report 1](#)

[C.7.a, Supplemental CPSAS Report 1](#)

[C.7.a, Supplemental EWG Report 1](#)

b. Public Comment [[mp3: 9-18-20pm2 00:47:24](#)]

Brent Paine, United Catcher Boats

Jeff Lackey

Jon Gonzalez, Pacific Seafood

Megan Flaherty, San Diego Audubon

Robert Waller, San Diego Audubon

Heather Mann, Midwater Trawlers Cooperative

Anna Weinstein, Audubon

Mark Rydman, Ocean Gold Seafoods

John Koeppen, Santa Cruz, Fort Bragg, Moss Landing and Half Moon Bay Fishermen's Association*

Mike Okoniewski, Consultant for Pacific Seafood

Lori Steele, West Coast Seafood Processors Association

Geoff Shester, Oceana

Paul Clampitt, F/V Augustine*

(*Not on webinar or unable to testify)

c. Council Discussion and Guidance on Future Meeting Agenda and Workload Planning [[mp3: 9-18-20pm2 01:33:31](#)]

Motion: None

Staff Summary: None

D. Groundfish Management

1. [Gear Switching and Sablefish Area Management Scoping](#) – Jim Seger [[mp3: 9-11-20pm2 00:25:07](#)]

[D.1, Supplemental Staff Presentation 1](#): Gear Switching & Sablefish Area Management Scoping –Staff Presentation (Doerpinghaus & Seger) September 2020

[D.1, Attachment 1](#): Preliminary Assessment of Trawl Under-Attainment Issues and SaMTAAC Alternative Qualification Criteria (UPDATED), August 2020

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-11-20pm3 00:00:38](#)]

[D.1.a, SaMTAAC Report: Final Report to the Council](#)

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

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

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

b. [Public Comment](#) [[mp3: 9-14-20am1 00:04:02](#)] and [[mp3: 9-14-20am2 00:00:07](#)]

Jon Gonzalez, Pacific Seafood

Lori Steel, West Coast Seafood Processors Association

Joe Sullivan

Mike Anderson, F/V Triple Star

Rex Leach

Paul Kujala

Lynn Langford Walton, All Gear Group

David Lethin

Tom Libby, California Shellfish Company, Inc

Frank Dulcich, Pacific Seafood

Ken Johnson, F/V Grumpy J

Jim Caito, Caito Fisheries Inc

Andrew Bornstein, Bornstein Seafoods

John Corbin, Buck & Ann Fisheries

Chris Retherford

Mike Okoniewski, Outside Consultant for Pacific Seafood

Paul Clampitt, F/V Augustine

Michael Retherford Jr.

Mike Retherford, F/V Excalibur

Robert Alverson, Fishing Vessel Owners Association

Michele Eder, F/V Timmy Boy

Mark Cooper, Pacific Fisheries Inc

Heather Mann, Midwater Trawlers Cooperative

Travis Hunter

Rick Harris, Pacific Seafood*

Bruce Campbell, F/V Sea Princess*

Kevin Dunn, F/V Iron Lady*

Carl Campbell, F/V Madeline*

(*Not on webinar or unable to testify)

- c. **Council Action: Provide Guidance on Whether to Move Forward and if so, Adopt a Purpose and Need Statement and Consider Further Development of Alternatives** [[mp3: 9-14-20pm3 00:00:09](#)]

Motion 4 [[mp3: 9-14-20pm3 00:43:07](#)]: Council move forward with considering potential modification of regulations regarding the use of fixed gear to catch sablefish in the trawl IFQ fishery north of 36° N.

Maggie Sommer/Phil Anderson (Motion 4 carried unanimously)

Motion 5 [[mp3: 9-14-20pm3 00:49:36](#)]: Council adopt the statement of Purpose and Need presented in Agenda Item D.1.a, SaMTAAC Report, September 2020, as shown below:

This action is needed because the Shorebased Individual Fishing Quota (IFQ) Program has under attained most of its allocations since the inception of the program in 2011. The under attainment for some northern stocks may be due to the allowance to use fixed gear to harvest shorebased IFQ, declining trawl vessel participation, and the lack of market and infrastructure. Specifically, participants engaging in gear switching are using northern sablefish quota that may otherwise be used by trawl gears; this may lead to uncertainty in trawl access to sablefish, thereby affecting the development of markets and infrastructure.

Working within the guidance and authority provided by the MSA (§303A(c))2 and the Pacific Coast Groundfish Fishery Management Plan (FMP) goals and objectives, the purpose of this action would be to keep northern sablefish gear switching from impeding the attainment of northern IFQ allocations with trawl gear, while considering impacts on current operations and investments. Under attainment results in the Shoreside IFQ Program being unable to meet Management Goals 2 and 3 of the FMP which respectively seek to maximize the value of the groundfish resource as a whole and to achieve the maximum biological yield of the overall groundfish fishery. Additionally, this action would seek to improve the program towards the goal of Amendment 20 to the FMP, which created the Shorebased IFQ Program, of providing for full utilization of the trawl sector allocation.

Maggie Sommer/Pete Hassemer (Motion 5 carried unanimously)

Staff Summary: The Council voted to move forward with considering potential modification of regulations regarding the use of fixed gear to catch sablefish in the trawl individual fishing quota fishery north of 36° N. lat. (gear switching for sablefish). The Council also adopted a statement of [purpose and need](#) and scheduled adoption of a range of alternatives for its November 2020 meeting.

2. [Workload and New Management Measures Priorities – Including the Scoping of Mothership Utilization Issues](#) – Todd Phillips, Jim Seger and Brett Wiedoff [[mp3: 9-15-20am1 00:01:43](#)]

[D.2, Supplemental Staff PPT1](#) Agenda Overview (Phillips)

[D.2, Attachment 1](#): Conceptual Design of Groundfish New Management Measure Prioritization Process

[D.2, Attachment 2](#): Program Review Planning: Limited Entry Fixed Gear Permit Stacking

D.2, Attachment 3: Joint Council/NMFS Staff Mothership Utilization Scoping Paper – Things to Consider

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-15-20am1 00:20:36](#)] and [[mp3: 9-15-20am2 00:00:04](#)]

[D.2.a, Supplemental NMFS Report 1](#)

[D.2.a, Supplemental CDFW Report 1](#)

[D.2.a, GMT Report 1](#): Groundfish Management Team Report on Workload and New Management Measures Update

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

[D.2.a, Supplemental GMT Report 3](#)

[D.2.a, Supplemental REVISED GMT Report 4](#)

[D.2.a, Supplemental GAP Report 1](#)

- b. **Public Comment** [[mp3: 9-15-20am2 01:19:36](#)] and [[mp3: 9-15-20pm1 00:01:10](#)]

Heather Mann, Midwater Trawlers Cooperative presented [D.2.b, Supplemental Public PPT 1: MTC \(Mann\)](#)

Lori Steele, West Coast Seafood Processors Association

Robert Alverson, Fishing Vessels Owners Association

Michele Eder, F/V Timmy Boy

Dan Yoakum

Daniel Lee

David Toriumi

Brent Paine, United Catcher Boats

Mike Okoniewski, Pacific Seafood Consultant

Sarah Nayani, Arctic Storm

Daniel Platt

Mark Smith, Coastal Conservation Association California

Tyler Goodnight, Northport Fisheries

Miles Smith, Dana Besecker Company

Paul Clampitt, F/V Augustine

Ernest LeRoy Ludahl*

Bill James, PSLCFA*

(*Not on webinar or unable to testify)

- c. **Council Action: Review the List of Proposed Projects, Amendments, and New Management Measures; Consider Overall Workload and Provide Guidance on Priorities and Schedules; Scope Issues Regarding Pacific Whiting Utilization in the Mothership Sector and Consider Adopting a Purpose and Need Statement** [[mp3: 9-15-20pm1 01:06:18](#)] and [[mp3: 9-15-20pm2 00:00:02](#)]

Motion 6 [[mp3: 9-15-20pm2 00:12:11](#)]: Council adopt for public review the following purpose and need statement regarding Pacific Whiting utilization in the Mothership Sector:

This action is needed because the mothership (MS) sector of the Pacific whiting fishery has experienced low attainment of its allocation since the start of the trawl catch share program, particularly since 2015, leading to social and economic losses for participants. The Council's five-year review of the Trawl Rationalization Program confirmed that mothership sector participants were not realizing the same economic gains as their counterparts in the shoreside

and catcher processor whiting sectors. During the last five seasons, more than 350 million pounds of whiting worth more than \$28 million in ex-vessel revenue has been left unharvested in the mothership sector. Some catcher vessels have been unable to harvest and deliver their full MS sector allocations and, in certain cases, catcher vessels have been stranded without a mothership processor to deliver to for a season or year. Many whiting MS sector participants, including all six MS processor vessels and several MS catcher vessels, participate in the Alaska pollock fishery. The Alaska pollock fishery's record high catch limits in recent years has limited the availability of processor vessels and some catcher vessels to participate in the Pacific whiting fishery during the primary whiting season, between May 15 and December 31. This reduced availability of processor vessels has coincided with record high catch limits in the Pacific whiting fishery.

These factors, combined with regulatory barriers that have hindered flexibility, have contributed to decreased utilization rates in the mothership sector. The purpose of this action is to improve MS sector utilization and flexibility, and better meet elements of the Council's Trawl Rationalization Program goals to "create and implement a capacity rationalization plan that increases net economic benefits, creates individual economic stability, [and] provides for full utilization of the trawl sector allocation."

Pete Hassemer/Bob Dooley

Amendment 1 [[mp3: 9-15-20pm2 00:21:19](#)]: Add the following language to the end of the purpose and need statement: The purpose is to address the underutilization in the MS Sector. However, alternatives such as an earlier season start date would apply to or could at least indirectly affect all whiting sectors through participants in common.

Heather Hall/Phil Anderson

Amendment 1a [[mp3: 9-15-20pm2 00:45:29](#)]: After start date delete "would apply to or could at least indirectly affect" and replace with "may apply to".

Phil Anderson/Butch Smith (Amendment 1a carried unanimously)

Amendment 1 carried unanimously

Motion 6, as amended, carried unanimously.

Motion 7 [[mp3: 9-15-20pm2 00:51:46](#)]: Council add another agenda item to the September 2020 Council Meeting Agenda to consider an emergency action that would extend the primary sablefish tier season from October 31, 2020 until December 31, 2020.

Heather Hall/Christa Svensson (Motion 7 carried unanimously)

Staff Summary: The Council confirmed its [prioritization](#) of the whiting mothership (MS) utilization, non-trawl rockfish conservation area revisions, Emley-Platt EFP gear regulations, and sablefish gear switching issues. The Council also included the limited entry fixed gear (LEFG) permit stacking program review as a priority, but later confirmed that the [report](#) sufficed as the initiation step in that process. The Council deprioritized the Amendment 21 allocations but noted they may be addressed during a future biennial management process.

For the mothership utilization issue, the Council adopted a [purpose and need statement](#) for public review and will continue to scope the following issues: 1) Primary whiting season start date (which could apply to other whiting sectors), 2) Processor obligation deadline, 3) MS processor cap, and 4) MS/Catcher-Processor permit transfers. The Council delayed further consideration of at-sea

processing south of 42° N. lat. due to the potential impact on salmonids and other managed species, but may consider an exempted fishing permit as part of the 2023-2024 biennial management measure process.

3. [Impact Analyses Methodology Review](#) – John DeVore - CANCELLED

- a. Reports and Comments of Management Entities and Advisory Bodies
- b. [Public Comment](#)
- c. Council Action: Identify Preliminary Methodology Review Topics for Impact Analyses Proposed to Inform Decisions in the Biennial Specifications Process

4. [Assessment Methodology Review – Final Action](#) – John DeVore [[mp3: 9-16-20pm3 00:00:45](#)]

[D.4, Attachment 1](#): 2020 Methodology Review of ROV Survey Designs and Methodologies

[D.4, Attachment 2](#): Assessment Methodology Review of Length-Based Assessment Methods

- a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 9-16-20pm3 00:03:56](#)]

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

- b. [Public Comment](#)
- c. Council Action: Adopt Final Methodologies for Stock Assessments [[mp3: 9-16-20pm3 00:19:54](#)]

Motion 9 [[mp3: 9-16-20pm3 00:20:24](#)]: Council adopt the fishery-independent visual survey methodologies using remotely operated vehicles developed by the Oregon and California Departments of Fish and Wildlife for use in stock assessments, as endorsed by the SSC in Agenda Item D.4.a, Supplemental SSC Report 1, September 2020.

Maggie Sommer/Marci Yaremko (Motion 9 carried unanimously)

Staff Summary: The Council adopted the visual survey methods for nearshore groundfish stocks using remotely operated vehicles (ROVs) proposed by the California and Oregon Departments of Fish and Wildlife as recommended by the [Scientific and Statistical Committee](#) (SSC). The SSC did not endorse the [proposed length-based assessment methods](#) pending further analysis and review as detailed in their recommendations.

5. [Inseason Adjustments – Final Action](#) – Todd Phillips [[mp3: 9-16-20pm3 00:29:20](#)]

[D.5, REVISED Attachment 1](#): Corrected Sablefish Annual Catch Limits For 2021 And 2022 Harvest Specifications and Management Measures

- a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 9-16-20pm3 00:35:00](#)]

[D.5.a, Supplemental NMFS Report 1](#)

[D.5.a, Supplemental ODFW Report 1](#)
[D.5.a, Supplemental GMT Report 1](#)
[D.5.a, Supplemental REVISED GAP Report 1](#)

b. **[Public Comment \[mp3: 9-16-20pm3 01:15:44\]](#)**

Heather Mann, Midwater Trawlers Cooperative

c. **Council Action: Adopt Final Inseason Adjustments, as Necessary, to Achieve but Not Exceed Annual Catch Limits and Other Management Objectives [\[mp3: 9-16-20pm3 01:16:09\]](#)**

Motion 10 [\[mp3: 9-16-20pm3 01:17:16\]](#): Council adopt the following (referring to D.5.a, Supplemental GMT Report 1, and D.5.a, Supplemental REVISED GAP Report 1):

1. Open Access DTL Fixed Gear Sablefish North of 36° N. latitude: GMT Alternative 1: 600 lbs./day or one landing per week up to 2,000 lbs., not to exceed 4,000 lbs./2 months.
2. Limited Entry DTL Fixed Gear Sablefish North of 36° N. latitude: GMT Alternative 1: 2,500 lbs./week, not to exceed 7,500 lbs./2 months.
3. Pacific Halibut: GAP recommendation to increase retention amounts to 250 lbs. per 1,000 lbs. of dressed sablefish plus two fish, through October 31. Halibut retention after October 31 would be prohibited.
4. The Technical Correction for Sablefish in the 2021-2022 Harvest Specifications shown in Agenda Item D.5, REVISED Attachment 1, September 2020.

Marci Yaremko/Louis Zimm

Amendment 1 [\[mp3: 9-16-20pm3 01:37:18\]](#): Strike the last sentence under item #3.

Phil Anderson/Bob Dooley (Amendment 1 carried unanimously)

Motion 10, as amended, carried unanimously

Staff Summary: The Council adopted inseason adjustments to 1) increase the sablefish daily trip limit (DTL) for the open access fixed gear fishery north of 36° N. lat. to 600 lbs./day or one landing per week up to 2,000 lbs., not to exceed 4,000 lbs./2 months; 2) increase the sablefish DTL for the limited entry fixed gear fishery north of 36° N. lat. to 2,500 lbs./week, not to exceed 7,500 lbs./2 months; and 3) increase incidental retention limit of Pacific halibut in the primary tier sablefish fishery north of Point Chehalis, WA from 200 to 250 lbs. of Pacific halibut per 1,000 lbs. of sablefish, and maintain the limit of up to two additional Pacific halibut in excess of the ratio.

The Council also adopted the [technical corrections](#) for sablefish in the 2021-2022 harvest specifications tables for annual catch limits and the coastwide apportionment of the acceptable biological catch.

6. **[Update on Humpback Whale Endangered Species Act Consultation](#) – Todd Phillips [\[mp3: 9-15-20pm2 01:01:53\]](#)**

[D.6, Attachment 1](#): Groundfish ESA Workgroup Report: Excerpted Humpback Whale Section

a. **Reports and Comments of Management Entities and Advisory Bodies [\[mp3: 9-15-20pm2 01:06:43\]](#)**

[D.6.a, NMFS Report 1](#): Update on Humpback Whale Endangered Species Act Consultation

[D.6.a, Supplemental NMFS PPT 1](#): Update on Humpback Whale ESA Consultation (Lawson, Hooper et al)

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

- b. **Public Comment** [[mp3: 9-15-20pm2 01:51:29](#)]

Michele Eder, F/V Timmy Boy

- c. **Council Action: Council Discussion and Guidance, as Appropriate** [[mp3: 9-15-20pm2 01:56:16](#)]

Motion: None

Staff Summary: The Council recommended National Marine Fisheries Service (NMFS) include the [prospective conservation measures](#) in the biological opinion and to identify which of the measures affect the sablefish fishery.

7. Emergency Action to Consider a Season Extension for the 2020 Limited Entry Fixed Gear Primary Sablefish Fishery – Mike Burner [[mp3: 9-17-20pm3 00:00:18](#)]

[D.7, Supplemental Attachment 1](#): FR 97-22094: Policy Guidelines for the Use of Emergency Rules

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-17-20pm3 00:10:43](#)]

[D.7.a, Supplemental GMT Report 1](#)
[D.7.a, Supplemental GAP Report 1](#)
[D.7.a, Supplemental EC Report 1](#)

- b. **Public Comment** [[mp3: 9-17-20pm3 01:01:10](#)]

Bob Alverson, Fishing Vessel Owners Association
Paul Clampitt, F/V Augustine
Tyler Goodnight, Northport Fisheries
Michele Eder, F/V Timmy Boy
Lynn Langford Walton, All Gear Group

- c. **Council Action: Consider Emergency Action to Extend the Limited Entry Fixed Gear Primary Sablefish Fishery for 2020; Including Incidental Pacific Halibut Landing Restrictions** [[mp3: 9-17-20pm3 01:13:21](#)]

Motion 19 [[mp3: 9-17-20pm3 01:30:10](#)]: Council request that the National Marine Fisheries Service:

- 1) Initiate an Emergency Rule to extend the primary sablefish season from October 31, 2020 to December 31, 2020; and
- 2) Extend the period allowed for incidental halibut retention until November 15, 2020 (the maximum allowed by the International Pacific Halibut Commission (IPHC) regulations).

The Council's request for item 2 is contingent upon it not interfering with timely implementation of item 1 or the Council's recommendations made under Agenda Item D.5.

Corey Niles/Phil Anderson

Amendment 1 [[mp3: 9-17-20pm3 01:54:38](#)]: under item #2: delete the period following “regulations” and replace with: “, with an incidental landing ratio of 250 lbs. halibut per 1,000 lbs. sablefish landed and up to 2 halibut in excess of the limit.”

Maggie Sommer/Christa Svensson (Amendment 1 carried unanimously)
Motion 19, as amended, carried (Ms. Ames voted no)

Staff Summary: The Council modified its September 2020 agenda to consider emergency action for an extension of the primary sablefish fishery to allow LEFG primary sablefish vessels to access the remainder of their allocations in the West Coast LEFG fishery after many vessels that also participate in Alaska fishery encountered fishery delays in that fishery due to COVID-19 issues.

The Council recommended that NMFS implement emergency rulemaking to amend the groundfish regulations to temporarily allow an extension of the 2020 primary sablefish fishery end date from October 31, 2020 to December 31, 2020. The Council recommended allowing incidental Pacific halibut allowance for this fishery north of Point Chehalis, Washington from November 1, 2020 through noon, November 15, 2020 of 250 pounds of Pacific halibut per 1,000 pounds of sablefish with up to two additional Pacific halibut in excess of the ratio contingent upon it, not interfering with the timely implementation of the inseason actions recommended under Agenda Item D.5 or the extension of the primary sablefish season end date.

E. Highly Migratory Species Management

1. [Recommend International Management Activities](#) – Kit Dahl [[mp3: 9-14-20pm1 00:00:14](#)]

[E.1, Attachment 1](#): ISC20 Plenary Report

[E.1, Attachment 2](#): Letter from Ms. Dorothy Lowman and Mr. Masa Miyahara, Co-Chairs of the Joint Working Group on the Management of Pacific Bluefin Tuna

[E.1, Supplemental Attachment 3](#): Virtual 5th Meeting of the IATTC-WCPFC Northern Committee Joint Working Group

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-14-20pm1 00:09:50](#)]

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

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

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

b. [Public Comment](#) [[mp3: 9-14-20pm1 00:22:25](#)]

Bob Osborn, Billfish Foundation

c. [Council Action: Provide Recommendations to Upcoming International Forums Including Inter-American Tropical Tuna Commission](#) [[mp3: 9-14-20pm1 00:29:09](#)]

Motion: None

Staff Summary: None

2. Exempted Fishing Permits – Kit Dahl [[mp3: 9-14-20pm1 00:36:22](#)]

[E.2, Attachment 1](#): Summary of DSBG EFP applications received for the September 2020 Council meeting

[E.2, Attachment 2](#): EFP Application from Tim Athens

[E.2, Attachment 3](#): EFP Application from Kevin Dell

[E.2, Attachment 4](#): EFP Application from Todd Dillman

[E.2, Attachment 5](#): EFP Application from James Eberhardt

[E.2, Attachment 6](#): EFP Application from Paul Fischer

[E.2, Attachment 7](#): EFP Application from Romolo Ghio

[E.2, Attachment 8](#): EFP Application from Nick Haworth and David Haworth

[E.2, Attachment 9](#): EFP Application from Marc Herman

[E.2, Attachment 10](#): EFP Application from Mark Lebeck

[E.2, Attachment 11](#): EFP Application from Arthur Lorton and J. Anthony Lorton

[E.2, Attachment 12](#): EFP Application from Robert Medland and James Castenada

[E.2, Attachment 13](#): EFP Application from Troy Pack

[E.2, Attachment 14](#): EFP Application from Nathan Perez and Thomas Carson

[E.2, Attachment 15](#): EFP Application from Nathan Perez and Thomas Carson

[E.2, Attachment 16](#): EFP Application from Andres Saraspe

[E.2, Attachment 17](#): EFP Application from Andrii Sidielnikov

[E.2, Attachment 18](#): EFP Application from Nicolas Tharp

[E.2, Attachment 19](#): EFP Application from Andrew Volaski

[E.2, Attachment 20](#): EFP Application from Miles Wallace

[E.2, Attachment 21](#): EFP Application from Steve Weiser

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 9-14-20pm1 00:40:18](#)]

[E.2.a, Supplemental NMFS Report 1](#)

[E.2.a, Supplemental HMSMT Report 1](#)

[E.2.a, Supplemental HMSAS Report 1](#)

[E.2.a, Supplemental EC Report 1](#)

b. Public Comment [[mp3: 9-14-20pm1 01:01:28](#)]

Theresa Labriola, Wild Oceans

Nathan Perez

c. Council Action: Review Exempted Fishing Permit Proposals and Consider Final Recommendations [[mp3: 9-14-20pm1 01:19:18](#)]

Motion 2 [[mp3: 9-14-20pm1 01:29:49](#)]: Council recommend:

- 1 That NMFS issue the following EFPs for DSBG as requested in the applications (SBG and LBG): Attachments 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 15, 16, 17, 18, 19, and 21.
- 2 That NMFS issue EFPs for Mr. Lebeck and Mr. Wallace (Attachments 10 and 20) for DSBG (SBG and/or LBG) to fish during the day, but do not approve night fishing or fishing at shallower depths.
- 3 That the above applicants be given priority for EFP issuance over previously approved applicants who did not complete the process for obtaining their permits.
- 4 That NMFS reject the NSBG application from Mr. Haworth (Attachment 8).

- 5 Recommend to NMFS that Mr. Perez and Mr. Carson (Attachment 14) be permitted to fish NSBG on either the currently approved vessel or the additional vessel, but not on both vessels simultaneously.
- 6 Recommend to NMFS that they modify the Terms and Conditions for all DSBG and NSBG EFPs (new and existing) to include a mandatory lost gear reporting requirement and clear marking of gear between DSBG and NSBG, as requested in the E.2.a, Supplemental EC Report 1.

John Ugoretz/Christa Svensson (Motion 2 carried; Mr. Wulff abstained)

Staff Summary: The Council reviewed [20 EFP applications](#) to use standard and linked DSBG and recommended 19 in part or whole for issuance. Four applications proposed using DSBG at night, but the Council did not recommend additional night fishing until data from the one previously-approved EFP becomes available in 2021. The Council did recommend that the previously-approved night fishing EFP be allowed to be fished on another vessel owned by the applicant, but not on both vessels simultaneously. The Council recommended that NMFS prioritize these applications for EFP issuance over previously approved applicants who have not completed the process for obtaining their permits.

The Council also recommended NMFS modify the Terms and Conditions for all DSBG and night-set buoy gear (NSBG) EFPs (new and existing) to include a mandatory lost gear reporting requirement and clear marking of gear to distinguish between DSBG and NSBG.

3. [Biennial Harvest Specifications and Management Measures - Preliminary](#) – Kit Dahl [[mp3: 9-14-20pm2 00:00:02](#)]

[E.3, Attachment 1](#): Draft HMS Stock Assessment and Fishery Evaluation (SAFE) Document, Status of Stocks

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-14-20pm2 00:11:41](#)]

[E.3.a, Supplemental Joint NMFS-SWFSC Report 1](#)

[E.3.a, Supplemental HMSMT Report 1](#)

[E.3.a, Supplemental HMSMT PPT 1](#): HMSAS Albacore Vessel Length Data Request

b. [Public Comment](#)

c. [Council Action: Review Preliminary Reference Point Values and Make Recommendations on Their Use in Determining Stock Status; Consider the Need to Develop Annual Catch Limits or Other Harvest Objectives and/or Management Measures](#) [[mp3: 9-14-20pm2 00:31:45](#)]

Motion: None

Staff Summary: The Council requested its SSC review proxy values selected by NMFS to make status determinations for Eastern Pacific Ocean (EPO) bigeye and yellowfin tuna pending Inter-American Tropical Tuna Commission (IATTC) adoption of its new benchmark stock assessments for these stocks in advance of the November Council meeting.

Without IATTC action, NMFS would be unable to implement domestic measures to address the stock status of Pacific bluefin and EPO yellowfin under the Tuna Conventions Act and the Council would then consider its obligations pursuant to Magnuson-Stevens Act (MSA) Section 304(i), when a stock “is overfished or approaching a condition of being overfished due to excessive international fishing pressure, and for which there are no management measures to end overfishing under an international agreement to which the United States is a party.” This could include implementing domestic catch limits “taking into account the relative impact of vessels of other nations and vessels of the United States.” As a precaution, the Council directed the Highly Migratory Species Management Team, in coordination with the Highly Migratory Species Advisory Subpanel, to examine options for taking action under the MSA and report to the Council at its November 2020 meeting.

4. [Essential Fish Habitat – Phase 1 Report](#) – Kerry Griffin [[mp3: 9-14-20pm2 00:38:36](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-14-20pm2 00:42:34](#)]

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

[E.4.a, Supplemental HMSMT Report 2](#)

[E.4.a, Supplemental HMSMT PPT 1](#): SWFSC Literature Review to Suggest Potential Changes to the Highly Migratory Species Essential Fish Habitat Descriptions

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

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

b. [Public Comment](#)

c. **Council Action: Review Phase 1 Report and Determine If Modifications to Essential Fish Habitat Provisions are Needed** [[mp3: 9-14-20pm2 01:03:12](#)]

Motion 3 [[mp3: 9-14-20pm2 01:08:12](#)]: Council proceed to Phase II of the EFH review for HMS and direct the HMSMT to develop a scope of work, including, but not limited to, consideration of the Habitat Committee’s E.4.a, Supplemental Report 1, an updated bibliography, revised maps, and a markup version of the FMP with proposed EFH revisions.

John Ugoretz/Christa Svensson (Motion 3 carried unanimously)

Staff Summary: The Council considered the highly migratory species essential fish habitat review Phase 1 [report](#), and approved moving forward with Phase 2, in which modifications to highly migratory species essential fish habitat will be considered. The Council will consider a Phase 2 scope of work and Fishery Management Plan amendment process at its March 2021 meeting.

F. Ecosystem Management

1. [Climate and Communities Initiative Update](#) – Kit Dahl [[mp3: 9-16-20am1 00:04:30](#)]

[F.1, Supplemental Scenarios Update Presentation 1](#): Developing Future Scenarios for Climate Change in the California Current Ecosystem (Star)

[F.1, Attachment 1](#): Scenarios for West Coast Fisheries in 2040

F.1, Attachment 2: Climate Change Scenarios for West Coast Fishing: Proposal for Implications Workshops

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-16-20am1 00:20:08](#)]

[F.1.a, Supplemental EWG Report 1](#)
[F.1.a, Supplemental EAS Report 1](#)
[F.1.a, Supplemental SAS Report 1](#)
[F.1.a, Supplemental GAP Report 1](#)
[F.1.a, Supplemental CPSAS Report 1](#)
[F.1.a, Supplemental HMSAS Report 1](#)

- b. **Public Comment** [[mp3: 9-16-20am1 00:46:27](#)]

Corey Ridings, Ocean Conservancy, The Nature Conservancy, Wild Oceans

- c. **Council Action: Review Progress on the Development of Four Scenarios and Provide Guidance on Next Steps** [[mp3: 9-16-20am1 00:49:43](#)]

Motion: None

Staff Summary: The Council recommended a preface describing the background and intent of the scenario planning exercise be added to the final draft description of [climate change scenarios for the California Current Ecosystem](#), which would then be a stand-alone document. The Council also endorsed [Phase II workshops](#), recognizing the limitations of conducting these virtually, but scheduled a final report on the workshop results in March 2021, although the Council could consider follow-on activities as needed. The Climate and Communities Core Team will plan the Phase II workshops at its [September 29 meeting](#).

2. **Fishery Ecosystem Plan Five - Year Review** – Kit Dahl [[mp3: 9-16-20am1 00:58:11](#)]

F.2, Supplemental Pre-Recorded Video: Briefing Update on Fishery Ecosystem Plan (deReynier) – *from Council's YouTube channel*

F.2, Attachment 1: Proposed Outline of Fishery Ecosystem Plan Chapters 4 and 5 (Excerpted from Agenda Item G.2.a, Supplemental EWG Report 1, March 2020)

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-16-20am1 01:02:00](#)]

[F.2.a, EWG Report 1](#): Draft Revised Fishery Ecosystem Plan Chapter 3
[F.2.a, Supplemental EWG Report 2](#)
[F.2.a, Supplemental EWG PPT 1](#): Fishery Ecosystem Plan Update (deReynier)
[F.2.a, Supplemental SSC Report 1](#)
[F.2.a, Supplemental GMT Report 1](#)
[F.2.a, Supplemental EAS Report 1](#)
[F.2.a, Supplemental CPSAS Report 1](#)

- b. **Public Comment** [[mp3: 9-16-20am1 01:40:03](#)]

Phillip Levin, University of Washington, and Nature Conservancy
Geoff Shester, Oceana

- c. **Council Action: Review Draft Chapter 3, Proposed Revisions to Chapters 4 and 5, and Provide Guidance** [[mp3: 9-16-20am1](#) 01:52:17]

Motion: None

Staff Summary: The Council recommended the Ecosystem Workgroup provide a streamlined draft of [Chapter 3](#), a draft of [Chapter 4, and an outline of Chapter 5](#), with the option of making the latter a stand-alone document, at the March 2021 Council meeting.

G. Coastal Pelagic Species Management

1. **[Pacific Sardine Rebuilding Plan – Final Action](#)** - Kerry Griffin [[mp3: 9-16-20am2](#) 00:00:09]

[G.1, Attachment 1](#): Pacific Sardine Rebuilding Plan Preliminary Environmental Analysis

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-16-20am2](#) 00:13:05]

[G.1.a, NMFS Report 1](#): Pacific Sardine Rebuilding Analysis Based on the 2020 Stock Assessment

[G.1.a, CPSMT Report 1](#)

[G.1.a, Supplemental CPSMT Report 2](#)

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

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

[G.1.a, Supplemental CPSMT PPT 1](#): CPSMT Presentation on the Pacific Sardine Rebuilding Plan

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

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

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

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

- b. **Public Comment** [[mp3: 9-16-20am2](#) 01:20:01] and [[mp3: 9-16-20pm1](#) 00:02:13]

Ken Franke, Sportfishing Association of California

Corbin Hanson, Commercial Fisherman

Mike Okoniewski, Consultant for Pacific Seafood

Heather Mann, Midwater Trawlers Cooperative

Lori Steele, West Coast Seafood Processors Association

Theresa Labriola, Wild Oceans

Geoff Shester, Oceana presented [G.1.b, Supplemental Public PPT 2](#) (Shester)

Mark Smith, California Conservation Association California

Jamie Ashley, Long Beach Bait Co.

Tim Ekstrom, Royal Star Sport Fishing

James Gardner, Oceanside Bait Co, Inc.

Donna Kalez, Dana Wharf Sportfishing

Matt Everingham, Everingham Bros Bait Company

Frank Ursitti, H & M Landing

Markus Medack, New Lo-An Sportfishing

Rick Oefinger, Marina del Rey Sportfishing

Diane Pleschner-Steele, California Wetfish Producers Association presented [G.1.b, Supplemental Public PPT 1](#) (Pleschner-Steele)

Gilly Lyons, The PEW Charitable Trusts
Jamie Diamond, Stardust Sportfishing
Neil Guglielmo, Commercial Fisherman*
Ernest Prieto, Oceanside SEA Center*
Alayna Siddall, Sportfishing Association of California*
(*Not on webinar or did not testify)

c. **Council Action: Adopt a Final Preferred Alternative for a Pacific Sardine Rebuilding Plan** [[mp3: 9-16-20pm2 00:00:08](#)]

Motion 8 [[mp3: 9-16-20pm2 00:21:19](#)]: Council adopt:

- Alternative 1 for rebuilding sardine
- Rebuilding Target = 150,000 mt 1+ biomass
- T_{min} = 12 years
- T_{max} = 24 years
- T_{target} = 14 years

Briana Brady/Bob Dooley (Motion 8 carried unanimously)

Staff Summary: The Council adopted a rebuilding plan for Pacific sardine, selecting Alternative 1 (Status quo) as the preferred management alternative. The Council also adopted the following rebuilding reference points:

T_{min} = 12 years

T_{max} = 24 years

T_{target} = 14 years

Rebuilding target = 150,000mt age-1+ biomass

The Council directed the Executive Director and Council staff to develop Fishery Management Plan amendment language consistent with the adopted rebuilding plan, for transmittal to NMFS.

H. Salmon Management

1. **Reintroduction Above Grand Coulee Dam** – Robin Ehlke [[mp3: 9-16-20pm2 00:47:29](#)]

[H.1, Attachment 1](#): Fish Passage and Reintroduction into the U.S. and Canadian Upper Columbia Basin (*Electronic Only*)

[H.1, Attachment 2](#): Fish Passage and Reintroduction Phase 1 Report: Investigations Upstream of Chief Joseph and Grand Coulee Dams (*Electronic Only*)

a. **Report of the Confederated Tribes of the Colville Reservation – Rodney Cawston** [[mp3: 9-16-20pm2 00:49:21](#)]

[H.1.a, CTCR Report 1](#): Letter to Pacific Fishery Management Council Chair Marc Gorelnik from Randy Cawston, Chair of the Business Council for The Confederated Tribes of the Colville Reservation

[H.1.a, Supplemental CTCR PPT 1](#): Reintroduction of Salmon Upstream of Chief Joseph and Grand Coulee Dams (Cawston & Baldwin)

- b. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-16-20pm2 01:25:46](#)]

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

[H.1.b, Supplemental HC Report 1](#)

- c. **Public Comment**

- d. **Council Action: Council Discussion and Guidance, as Appropriate** [[mp3: 9-16-20pm2 01:28:58](#)]

Motion: None

Staff Summary: None

2. **[Amendment 20: Management Schedule and Klamath Management Zone Boundary Change – Final Action](#) – Robin Ehlke** [[mp3: 9-17-20pm1 00:00:08](#)]

[H.2, Supplemental Staff Presentation 1](#) (Ehlke)

[H.2, Attachment 1](#): Analytical Document Organized as a Preliminary Draft Environmental Assessment with Updated Range of Alternatives for Amendment 20 of the Pacific Coast Salmon Fishery Management Plan: Proposed Change to the Preseason Schedule and to the Klamath Management Zone Boundary, August 2020

[H.2, Supplemental REVISED Attachment 2](#): Pacific Coast Salmon Fishery Management Plan: Amendment 20: Proposed housekeeping changes

[H.2, Supplemental Attachment 3](#): Amendment 20 — Potential Changes for Review

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-17-20pm1 00:22:10](#)]

[H.2.a, Supplemental STT Report 1](#)

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

[H.2.a, Supplemental EC Report 1](#)

- b. **Public Comment** [[mp3: 9-17-20pm1 00:32:15](#)]

David Helliwell, F/V Corregidor

- c. **Council Action: Adopt Final Preferred Alternatives** [[mp3: 9-17-20pm1 00:36:00](#)]

Motion 17 [[mp3: 9-17-20pm1 00:59:52](#)]: Council adopt the ‘housekeeping’ edits as presented in Agenda Item H.2, Supplemental REVISED Attachment 2, adopt the final preferred alternatives 4.1.3, 4.1.4, and 4.2.2 as presented in Agenda Item H.2, Attachment 1, and adopt the related FMP language presented in Agenda Item H.2, Supplemental Attachment 3, allowing for minor edits by the project team to ensure the intention of the action carries through to the updated FMP, with the following modifications:

- **Introduction Section, Draft language describing Amendment 20:**

On page 1 - Strike the following language: In response to this boundary change, additional criteria was added to the de minimis provisions for Klamath River Fall Chinook that would allow for a closure of those five nautical miles to commercial salmon troll fishing as deemed necessary by the Council.

- **Introduction Section, Table 1:**

On page 2 - Strike the following language: 4) Include an additional conservation measure for consideration when the de minimis provisions of the Klamath River fall-run Chinook (KRFC) salmon Control Rule are implemented.

- Section 3.3.6:

On page 3 - Strike the following language: When recommending an allowable de minimis exploitation rate in a given year, the Council should also consider additional conservation measures for the area from 40° 05' N. lat. to 40° 10' N. lat. which was closed to commercial salmon troll fishing for 30 years when the area was included in the Klamath Management Zone prior to the boundary change implemented in 2021.

- Chapter 9, Process and Schedule Table:

On page 6, bottom of table: Replace 'second week of May' with 'second or third week of May'.

On page 6, Footnote a/: - Strike the following language: *The Council will strive to transmit recommendations to NMFS so that NMFS will have at least 24-days to approve and implement the annual management measures.*

- Throughout the document:

Replace: May 1X with May 16.

Brett Kormos/Kyle Adicks (Motion 17 carried unanimously)

Staff Summary: The Council adopted final preferred alternatives for Amendment 20 of the Pacific Coast Salmon Fishery Management Plan (FMP). Alternatives [4.13](#), [4.1.4](#), and [4.2.2](#) were adopted that: 1) changed the effective date of annual salmon fisheries from May 1 to May 16, 2) maintained the status quo of no fixed transmittal date in the FMP, and 3) modified the southern boundary of the Klamath Management Zone from Horse Mountain (40° 05' N. lat.) to 40° 10' N. lat. In addition, several [housekeeping](#) items were also adopted.

3. [Southern Resident Killer Whale Endangered Species Act Consultation](#) – Robin Ehlke [[mp3: 9-17-20pm1 01:12:24](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 9-17-20pm1 01:16:58](#)] and [[mp3: 9-17-20pm2 00:00:07](#)]

[H.3.a, SRKW Workgroup Report 1](#): Pacific Fishery Management Council Salmon Fishery Management Plan Impacts to Southern Resident Killer Whales: Draft Range of Alternatives and Recommendations

[H.3.a, Supplemental SRKW Workgroup Presentation 1](#) (Jording)

[H.3.a, Supplemental NMFS Report 1](#)

[H.3.a, Supplemental CRITFC Tribal Report 1](#)

[H.3.a, Supplemental Joint Tribal Report 1](#)

[H.3.a, Supplemental SAS Report 1](#)

[H.3.a, Supplemental GAP Report 1](#)

b. [Public Comment](#) [[mp3: 9-17-20pm2 00:07:40](#)]

Deborah Giles, Wild Orca

Ryan Johnson, Washington Trawlers Association, presented [H.3.b, Supplemental Public Presentation 2](#) (Ryan Johnson)

Verner Wilson, Friends of the Earth, US

Cindy Hansen, Orca Network*

Gloria Pancrazi, Coextinction Foundation*
Heather Mann, Midwater Trawlers Cooperative
Whitney Neugebauer, Whale Scout
Sophia Ressler, Center for Biological Diversity
Ben Enticknap, Oceana, presented [H.3.b, Supplemental Public Presentation 1](#) (Oceana)
Chris Connolly, Endangered Species Coalition*
Glen Spain, PCFFA
(*Not on webinar or did not testify)

c. Council Action: Adopt a Range of Management Alternatives for Public Review
[\[mp3: 9-17-20pm2 01:24:50\]](#)

Motion 18 **[\[mp3: 9-17-20pm2 01:38:02\]](#)**: Council adopt for public review the range of management alternatives for Council salmon fisheries as described in Agenda Item H.3.a, SRKW Workgroup Report 1, including the recommendations included in that report.
Kyle Adicks/Phil Anderson (Motion 18 carried unanimously)

Staff Summary: The Council adopted for public review the following [range of alternatives and recommendations](#):

- A suite of management strategy alternatives including status quo and a series of options establishing a Chinook abundance threshold within the area North of Cape Falcon, OR, and a list of potential actions that could be taken if abundance fell below that threshold.
- Re-evaluate conservation objectives for Sacramento River fall Chinook and for Klamath River fall Chinook.
- Improve stock assessment analytic methods by developing an age-structured stock assessment for Sacramento River fall Chinook using cohort reconstruction methods.

I. Pacific Halibut

1. [2021 Catch Sharing Plan and Annual Regulations](#) – Robin Ehlke [\[mp3: 9-17-20am1 00:01:45\]](#)

[I.1, Attachment 1](#): 2020 Pacific Halibut Catch Sharing Plan for Area 2A

[I.1, Attachment 2](#): Visual Representation of the 2020 Area 2A Catch Sharing Plan for Pacific Halibut

[I.1, Attachment 3](#): Draft template of the updated Area 2A Pacific Halibut Catch Sharing Plan

a. Reports and Comments of Management Entities and Advisory Bodies [\[mp3: 9-17-20am1 00:04:17\]](#)

[I.1.a, NMFS Report 1](#): Report on the 2020 Pacific Halibut Fisheries in Area 2A

[I.1.a, CDFW Report 1](#): Report on the 2020 Recreational Pacific Halibut Fishery

[I.1.a, Supplemental CDFW Report 2](#): Proposed Changes to the 2021 Pacific Halibut Catch Sharing Plan

[I.1.a, ODFW Report 1](#): Report on the Proposed Changes to the Pacific Halibut Catch Sharing Plan for the 2021 Fishery

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

[I.1.a, Supplemental WDFW Report 2](#)

[I.1.a Supplemental SAS Report 1](#)

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

b. **Public Comment** [[mp3: 9-17-20am1 00:52:51](#)]

Paul Clampitt, F/V Augustine

c. **Council Action: Adopt Proposed 2021 Catch Sharing Plan and Annual Regulations for Public Review** [[mp3: 9-17-20am1 00:53:32](#)]

Motion 11 [[mp3: 9-17-20am1 01:08:30](#)]: Council adopt the proposed season structure and changes to the Catch Sharing Plan for public review as described in Agenda Item I.1, Supplemental WDFW Reports 1 and 2, including allowing retention of lingcod on halibut trips in the Columbia River subarea north of 46°10' N. lat.

Heather Hall/Butch Smith

Amendment 1 [[mp3: 9-17-20am1 01:10:25](#)]: Strike the words “including allowing” and replace with “except do not include the proposal that would allow”.

Maggie Sommer/Christa Svensson (Amendment 1 carried, Ms. Yaremko, Ms. Hall, Mr. Smith, Mr. Lockhart, and Mr. Zimm voting no, Mr. Gorelnik abstained)

Motion 11, as amended, carried unanimously

Motion 12 [[mp3: 9-17-20am1 01:23:27](#)]: Council adopt for public review the proposed changes to the Pacific halibut Catch Sharing Plan for 2021 as presented in Agenda Item I.1.a, ODFW Report 1, September 2020.

Maggie Sommer/Phil Anderson (Motion 12 carried unanimously)

Motion 13 [[mp3: 9-17-20am1 01:27:14](#)]: Council adopt for public review the proposed change to the California recreational fishery season end date for incorporation into the 2021 Catch Sharing Plan, as presented in Agenda Item I.1.a, Supplemental CDFW Report 2, September 2020.

Marci Yaremko/Bob Dooley (Motion 13 carried unanimously)

Staff Summary: The Council adopted for public review the following proposed changes to the 2020 Area 2A Catch Sharing Plan (CSP) and annual fishing regulations in Washington, Oregon, and California recreational fisheries:

1. In the Columbia River subarea, allow the retention of yellowtail, widow, canary, redstriped, greenstriped, silvergray, chilipepper, bocaccio, and blue/deacon rockfishes, Pacific cod, flatfish species, and lingcod north of the Washington – Oregon border, on all-depth halibut days.
2. Remove the description of the South Coast Recreational Yelloweye Rockfish Conservation Area (YRCA) and the Westport Offshore YRCA from section 6.9.3.h of the CSP.
3. Coastwide in Oregon allow all-depth halibut fishing and longleader gear fishing on the same trip.
4. Change the end date in the California sport fishery from October 31 to no later than November 15.

2. **[Transition of Area 2A Fishery Management](#)** – Robin Ehlke [**[mp3: 9-17-20am2 00:00:43](#)**]

[I.2, Supplemental PPT 1](#): Updated Range of Alternatives for the Proposed Transfer of Management Responsibilities for Area 2A Pacific Halibut Fisheries with Focus on the Non-Indian Directed Commercial Fishery (Ehlke)

[I.2, Attachment 1](#): Updated Range of Alternatives for the Proposed Transfer of Management Responsibilities for Area 2A Pacific Halibut Fisheries with Focus on the Non-Indian Directed Commercial Fishery

a. **[Reports and Comments of Management Entities and Advisory Bodies](#)** [**[mp3: 9-17-20am2 00:21:09](#)**]

[I.2.a, Supplemental GAP Report 1](#)

[I.2.a, Supplemental EC Report 1](#)

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

c. **[Council Action: Adopt Preliminary Preferred Alternatives](#)** [**[mp3: 9-17-20am2 00:34:03](#)**]

Motion 14 [**[mp3: 9-17-20am2 00:45:17](#)**]: Council adopt the following as preliminary preferred alternatives for the transition of the directed halibut fishery from the International Pacific Halibut Commission to the National Marine Fisheries Service and the Pacific Fishery Management Council as described in Agenda Item I.2, Attachment 1, September 2020:

- 4.1.2 Alternative 2: Consider the directed fishery framework during the CSP process in September and November; including any guidance for vessel limits and inseason changes for NMFS implementation.
- 4.2.1 Alternative 2: Issue permits for all Area 2A halibut fisheries including commercial directed, incidental salmon troll, incidental sablefish, and recreational charter halibut fisheries.
- 4.2.2 Alternative 2: Allow NMFS to determine the appropriate application deadlines for all commercial halibut applications, set to coincide with Council meetings and NMFS processing time.
- 4.2.5 Alternative 1: Status quo (revised). Require proof of permit to be onboard fishing vessel and made readily available upon request, regardless of the type of permit (e.g., paper, or electronic). NMFS to provide access to permit in a printable format or send paper copy directly to participant.

Heather Hall/Maggie Sommer (Motion 14 carried unanimously)

Staff Summary: The Council adopted for public review the following as preliminary preferred **[alternatives](#)** :

1. 4.1.2 - Alternative 2: Consider the directed fishery framework during the CSP process in September and November, including any guidance for vessel limits and inseason changes for NMFS implementation.
2. 4.2.1 Alternative 2: Issue permits for all Area 2A halibut non-Indian fisheries (commercial directed, incidental salmon troll, incidental sablefish, and recreational charter).
3. 4.2.2 Alternative 2: Allow NMFS to determine the appropriate application deadlines for all commercial halibut applications, set to coincide with Council meetings and NMFS

processing time.

4. 4.2.5 Alternative 1: Status quo (revised). Require proof of permit to be onboard fishing vessel and made readily available upon request, regardless of the type of permit (e.g., paper or electronic). NMFS to provide access to permit in a printable format or send paper copy directly to the participant.

3. **[Commercial-Directed Fishery Regulations for 2021](#)** – Robin Ehlke [[mp3: 9-17-20am2 00:54:10](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-17-20am2 00:56:06](#)]

[I.3.a, ODFW Report 1](#): ODFW Report on 2021 the Directed Commercial Halibut Fishery Recommendations

[I.3.a, ODFW Report 2](#): ODFW Report on 2021 the Directed Commercial Halibut Fishery Recommendations

[I.3.a, Supplemental WDFW Report 1](#)

[I.3.a, Supplemental GAP Report 1](#)

[I.3.a, Supplemental EC Report 1](#)

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

c. **Council Action: Adopt Proposed 2021 Regulation Changes for Public Review** [[mp3: 9-17-20am2 01:26:14](#)]

Motion 15 [[mp3: 9-17-20am2 01:27:04](#)]: Council adopt for public review a preliminary recommendation to the International Pacific Halibut Commission for the nontribal directed commercial fishery in Area 2A in 2021 as follows:

- 58-hour fishing period duration (0800 Day 1 to 1800 Day 3), to be open either:
 - Option 1: Mondays – Wednesdays
 - Option 2: Tuesdays - Thursdays
- Season start: fourth Monday in June

Maggie Sommer/Heather Hall (Motion 15 carried unanimously)

Motion 16 [[mp3: 9-17-20am2 01:43:52](#)]: Council adopt for public review a 10-hour fishery period option.

Marc Gorelnik/Marci Yaremko

Amendment 1 [[mp3: 9-17-20am2 02:05:57](#)]: add the letter “s” to “period”

Louis Zimm/Butch Smith (Amendment 1 carried unanimously)

(Motion 16, as amended, carried unanimously)

Staff Summary: The Council adopted for public review two options for the 2021 Area 2A non-tribal directed commercial halibut fishery periods: 1) 10-hour periods and 2) 58-hour periods (0800 on day 1 to 1800 on day 3) starting on the fourth Monday in June, but could be open either: Suboption 1: Mondays – Wednesdays; Suboption 2: Tuesdays - Thursdays.

J. Habitat

1. [Current Habitat Issues](#) – Jennifer Gilden [[mp3: 9-18-20am1 00:04:09](#)]

[J.1, Attachment 1](#): Draft letter to the California Energy Commission

- a. [Report of the Habitat Committee](#) – Lance Hebdon [[mp3: 9-18-20am1 00:06:08](#)]
- b. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 9-18-20am1 00:30:20](#)]

[J.1.b, Supplemental CPSAS Report 1](#)

[J.1.b, Supplemental HMSAS Report 1](#)

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

[J.1.b, Supplemental EWG Report 1](#)

[J.1.b, Supplemental EAS Report 1](#)

- c. [Public Comment](#) [[mp3: 9-18-20am1 00:43:28](#)]

Gloria Pancrazi, Coextinction Foundation*

(*Not on webinar or did not testify)

- d. **Council Action: Consider Habitat Committee Report and Recommendations** [[mp3: 9-18-20am1 00:43:50](#)]

Motion: None

Staff Summary: The Council approved the [letter](#) to the California Energy Commission on wind energy project siting as written, and directed the Habitat Committee to prepare quick response letters to the U.S. Army Corps of Engineers on two topics: the Corps' proposed Nationwide Permits on aquaculture, and the Sacramento Delta Conveyance Project.

INFORMATIONAL REPORTS

[Informational Report 1](#): National Standard 1 Technical Guidance for Designing, Evaluating, and Implementing Carry-over and Phase-in Provisions (NMFS Technical Memo)

[Informational Report 2](#): NOAA News release; Update to West Coast Groundfish and Highly Migratory Species Fleets on Observer and Catch Monitor Coverage during COVID-19

[Informational Report 3](#): NOAA News release; Pacific Coast Groundfish Buyback

[Informational Report 4](#): Marine Fisheries Advisory Committee Letter to Wilbur Ross, Secretary DOC regarding offshore wind development

[Informational Report 5](#): California Offshore Renewable Energy project

[Informational Report 6](#): Wind energy workshop flyer, Save the Date: October 15, 16, & 30, 2020

[Supplemental Informational Report 7](#): Letter from Quinault Indian Nation

[Supplemental Informational Report 8](#): Informational Outreach Meeting Invitation: Central Coast Offshore Wind Energy

[Supplemental Informational Report 9](#): News release; USDA Supports U.S. Seafood Industry Impacted by Retaliatory Tariffs

[Supplemental Informational Report 10](#): Final rule to amend regulations that address disclosure of financial interests by, and voting recusal of, Council Members appointed by the Secretary of Commerce

[Supplemental Informational Report 11](#): Proposed rule – Regulations for Listing Endangered and Threatened Species and Designating Critical Habitat

[Supplemental Informational Report 12](#): Status Report of the 2020 Ocean Salmon Fisheries off Washington, Oregon, and California; Preliminary data through August 31, 2020

VOTING LOG

Motion 1: Adopt [Agenda Item A.5, September 8-11 and 14-18, 2020 Council Meeting Agenda](#) with the cancellation of Agenda Item. D.3 Impact Analyses Methodology Review.
Maggie Sommer/Pete Hassemer (Motion 1 carried unanimously)

Motion 2: Council recommend:

- 1 That NMFS issue the following EFPs for DSBG as requested in the applications (SBG and LBG): Attachments [2](#), [3](#), [4](#), [5](#), [6](#), [7](#), [9](#), [11](#), [12](#), [13](#), [15](#), [16](#), [17](#), [18](#), [19](#), and [21](#)
- 2 That NMFS issue EFPs for Mr. Lebeck and Mr. Wallace (Attachments [10](#) and [20](#)) for DSBG (SBG and/or LBG) to fish during the day, but do not approve night fishing or fishing at shallower depths
- 3 That the above applicants be given priority for EFP issuance over previously approved applicants who did not complete the process for obtaining their permits
- 4 That NMFS reject the NSBG application from Mr. Haworth ([Attachment 8](#))
- 5 Recommend to NMFS that Mr. Perez and Mr. Carson ([Attachment 14](#)) be permitted to fish NSBG on either the currently approved vessel or the additional vessel, but not on both vessels simultaneously
- 6 Recommend to NMFS that they modify the Terms and Conditions for all DSBG and NSBG EFPs (new and existing) to include a mandatory lost gear reporting requirement and clear marking of gear between DSBG and NSBG, as requested in the [E.2.a, Supplemental EC Report 1](#)

John Ugoretz/Christa Svensson (Motion 2 carried; Mr. Wulff abstained)

Motion 3: Council proceed to Phase II of the EFH review for HMS and direct the HMSMT to develop a scope of work, including, but not limited to, consideration of the [Habitat Committee's E.4.a, Supplemental Report 1](#), an updated bibliography, revised maps, and a markup version of the FMP with proposed EFH revisions.

John Ugoretz/Christa Svensson (Motion 3 carried unanimously)

Motion 4: Council move forward with considering potential modification of regulations regarding the use of fixed gear to catch sablefish in the trawl IFQ fishery north of 36° N.

Maggie Sommer/Phil Anderson (Motion 4 carried unanimously)

Motion 5: Council adopt the statement of Purpose and Need presented in [Agenda Item D.1.a, SaMTAAC Report, September 2020](#), as shown below:

This action is needed because the Shorebased Individual Fishing Quota (IFQ) Program has under attained most of its allocations since the inception of the program in 2011. The under attainment for some northern stocks may be due to the allowance to use fixed gear to harvest

shorebased IFQ, declining trawl vessel participation, and the lack of market and infrastructure. Specifically, participants engaging in gear switching are using northern sablefish quota that may otherwise be used by trawl gears; this may lead to uncertainty in trawl access to sablefish, thereby affecting the development of markets and infrastructure.

Working within the guidance and authority provided by the MSA (§303A(c))2 and the Pacific Coast Groundfish Fishery Management Plan (FMP) goals and objectives, the purpose of this action would be to keep northern sablefish gear switching from impeding the attainment of northern IFQ allocations with trawl gear, while considering impacts on current operations and investments. Under attainment results in the Shoreside IFQ Program being unable to meet Management Goals 2 and 3 of the FMP which respectively seek to maximize the value of the groundfish resource as a whole and to achieve the maximum biological yield of the overall groundfish fishery. Additionally, this action would seek to improve the program towards the goal of Amendment 20 to the FMP, which created the Shorebased IFQ Program, of providing for full utilization of the trawl sector allocation.

Maggie Sommer/Pete Hassemer (Motion 5 carried unanimously)

Motion 6: Council adopt for public review the following purpose and need statement regarding Pacific Whiting utilization in the Mothership Sector:

This action is needed because the mothership (MS) sector of the Pacific whiting fishery has experienced low attainment of its allocation since the start of the trawl catch share program, particularly since 2015, leading to social and economic losses for participants. The Council's five-year review of the Trawl Rationalization Program confirmed that mothership sector participants were not realizing the same economic gains as their counterparts in the shoreside and catcher processor whiting sectors. During the last five seasons, more than 350 million pounds of whiting worth more than \$28 million in ex-vessel revenue has been left unharvested in the mothership sector. Some catcher vessels have been unable to harvest and deliver their full MS sector allocations and, in certain cases, catcher vessels have been stranded without a mothership processor to deliver to for a season or year. Many whiting MS sector participants, including all six MS processor vessels and several MS catcher vessels, participate in the Alaska pollock fishery. The Alaska pollock fishery's record high catch limits in recent years has limited the availability of processor vessels and some catcher vessels to participate in the Pacific whiting fishery during the primary whiting season, between May 15 and December 31. This reduced availability of processor vessels has coincided with record high catch limits in the Pacific whiting fishery.

These factors, combined with regulatory barriers that have hindered flexibility, have contributed to decreased utilization rates in the mothership sector. The purpose of this action is to improve MS sector utilization and flexibility, and better meet elements of the Council's Trawl Rationalization Program goals to "create and implement a capacity rationalization plan that increases net economic benefits, creates individual economic stability, [and] provides for full utilization of the trawl sector allocation. The purpose is to address the underutilization in the MS Sector. However, alternatives such as an earlier season start date may apply to all whiting sectors through participants in common."

Pete Hassemer/Bob Dooley (Motion 6, as amended, carried unanimously)

Motion 7: Council add another agenda item to the September 2020 Council Meeting Agenda to consider an emergency action that would extend the primary sablefish tier season from October 31, 2020 until December 31, 2020.

Heather Hall/Christa Svensson (Motion 7 carried unanimously)

Motion 8: Council adopt:

- Alternative 1 for rebuilding sardine
- Rebuilding Target = 150,000 mt 1+ biomass
- T_{min} = 12 years
- T_{max} = 24 years
- T_{target} = 14 years

Briana Brady/Bob Dooley (Motion 8 carried unanimously)

Motion 9: Council adopt the fishery-independent visual survey methodologies using remotely operated vehicles developed by the Oregon and California Departments of Fish and Wildlife for use in stock assessments, as endorsed by the SSC in [Agenda Item D.4.a, Supplemental SSC Report 1, September 2020](#).

Maggie Sommer/Marci Yaremko (Motion 9 carried unanimously)

Motion 10: Council adopt the following (referring to [D.5.a, Supplemental GMT Report 1](#), and [D.5.a, Supplemental REVISED GAP Report 1](#)):

1. Open Access DTL Fixed Gear Sablefish North of 36° N. latitude: GMT Alternative 1: 600 lbs./day or one landing per week up to 2,000 lbs., not to exceed 4,000 lbs./2 months.
2. Limited Entry DTL Fixed Gear Sablefish North of 36° N. latitude: GMT Alternative 1: 2,500 lbs./week, not to exceed 7,500 lbs./2 months.
3. Pacific Halibut: GAP recommendation to increase retention amounts to 250 lbs. per 1,000 lbs. of dressed sablefish plus two fish, through October 31.
4. The Technical Correction for Sablefish in the 2021-2022 Harvest Specifications shown in [Agenda Item D.5, REVISED Attachment 1, September 2020](#).

Marci Yaremko/Louis Zimm (Motion 10, as amended, carried unanimously)

Motion 11: Council adopt the proposed season structure and changes to the Catch Sharing Plan for public review as described in [Agenda Item I.1, Supplemental WDFW Reports 1 and 2](#), except do not include the proposal that would allow retention of lingcod on halibut trips in the Columbia River subarea north of 46°10' N. lat.

Heather Hall/Butch Smith (Motion 11, as amended, carried unanimously)

Motion 12: Council adopt for public review the proposed changes to the Pacific halibut Catch Sharing Plan for 2021 as presented in [Agenda Item I.1.a, ODFW Report 1 September 2020](#).

Maggie Sommer/Phil Anderson (Motion 12 carried unanimously)

Motion 13: Council adopt for public review the proposed change to the California recreational fishery season end date for incorporation into the 2021 Catch Sharing Plan, as presented in [Agenda Item I.1.a, Supplemental CDFW Report 2, September 2020](#).

Marci Yaremko/Bob Dooley (Motion 13 carried unanimously)

Motion 14: Council adopt the following as preliminary preferred alternatives for the transition of the directed halibut fishery from the International Pacific Halibut Commission to the National Marine Fisheries Service and the Pacific Fishery Management Council as described in [Agenda Item I.2, Attachment 1](#), September 2020:

- 4.1.2 Alternative 2: Consider the directed fishery framework during the CSP process in September and November; including any guidance for vessel limits and inseason changes for NMFS implementation.
- 4.2.1 Alternative 2: Issue permits for all Area 2A halibut fisheries including commercial directed, incidental salmon troll, incidental sablefish, and recreational charter halibut fisheries.
- 4.2.2 Alternative 2: Allow NMFS to determine the appropriate application deadlines for all commercial halibut applications, set to coincide with Council meetings and NMFS processing time.
- 4.2.5 Alternative 1: Status quo (revised). Require proof of permit to be onboard fishing vessel and made readily available upon request, regardless of the type of permit (e.g. paper, or electronic). NMFS to provide access to permit in a printable format or send paper copy directly to participant.

Heather Hall/Maggie Sommer (Motion 14 carried unanimously)

Motion 15: Council adopt for public review a preliminary recommendation to the International Pacific Halibut Commission for the nontribal directed commercial fishery in Area 2A in 2021 as follows:

- 58-hour fishing period duration (0800 Day 1 to 1800 Day 3), to be open either:
 - Option 1: Mondays – Wednesdays
 - Option 2: Tuesdays - Thursdays
- Season start: fourth Monday in June

Maggie Sommer/Heather Hall (Motion 15 carried unanimously)

Motion 16: Council adopt for public review a 10-hour fishery periods option.

Marc Gorelnik/Marci Yaremko (Motion 16, as amended, carried unanimously)

Motion 17: Council adopt the ‘housekeeping’ edits as presented in [Agenda Item H.2, Supplemental REVISED Attachment 2](#), adopt the final preferred alternatives 4.1.3, 4.1.4, and 4.2.2 as presented in [Agenda Item H.2, Attachment 1](#), and adopt the related FMP language presented in [Agenda Item H.2, Supplemental Attachment 3](#), allowing for minor edits by the project team to ensure the intention of the action carries through to the updated FMP, with the following modifications:

- Introduction Section, Draft language describing Amendment 20:

On page 1 - Strike the following language: In response to this boundary change, additional criteria was added to the de minimis provisions for Klamath River Fall Chinook that would allow for a closure of those five nautical miles to commercial salmon troll fishing as deemed necessary by the Council.

- Introduction Section, Table 1:

On page 2 - Strike the following language: 4) Include an additional conservation measure for consideration when the de minimis provisions of the Klamath River fall-run Chinook (KRFC) salmon Control Rule are implemented.

- Section 3.3.6:

On page 3 - Strike the following language: When recommending an allowable de minimis exploitation rate in a given year, the Council should also consider additional conservation measures for the area from 40° 05' N. lat. to 40° 10' N. lat. which was closed to commercial salmon troll fishing for 30 years when the area was included in the Klamath Management Zone prior to the boundary change implemented in 2021.

- Chapter 9, Process and Schedule Table:

On page 6, bottom of table: Replace 'second week of May' with 'second or third week of May'.

On page 6, Footnote a/: - Strike the following language: The Council will strive to transmit recommendations to NMFS so that NMFS will have at least 24-days to approve and implement the annual management measures.

- Throughout the document:

Replace: May 1X with May 16.

Brett Kormos/Kyle Adicks (Motion 17 carried unanimously)

Motion 18: Council adopt for public review the range of management alternatives for Council salmon fisheries as described in [Agenda Item H.3.a, SRKW Workgroup Report 1](#), including the recommendations included in that report.

Kyle Adicks/Phil Anderson (Motion 18 carried unanimously)

Motion 19: Council request that the National Marine Fisheries Service:

- 1) Initiate an Emergency Rule to extend the primary sablefish season from October 31, 2020 to December 31, 2020; and
- 2) Extend the period allowed for incidental halibut retention until November 15, 2020 (the maximum allowed by the International Pacific Halibut Commission (IPHC) regulations), with an incidental landing ratio of 250 lbs. halibut per 1,000 lbs. sablefish landed and up to 2 halibut in excess of the limit.

The Council's request for item 2 is contingent upon it not interfering with timely implementation of item 1 or the Council's recommendations made under Agenda Item D.5.

Corey Niles/Phil Anderson (Motion 19, as amended carried; Ms. Ames voted no)

Motion 20: Council approve the Budget Committee recommendations as presented in [Agenda Item C.4.a, Supplemental Budget Committee Report 1, September 2020](#) (which includes the audit). Direct staff to prepare a 2021 budget alternative that provides support for staff liaison contracts at 2020 funding levels.

Pete Hassemer/ Bob Dooley (Motion 20, as amended, carried unanimously)

Motion 21: Council approve the June 2020 meeting record as shown in [C.5, Attachment 1](#): Draft Council Meeting Record: 255th Session of the Pacific Fishery Management Council (June 10-12 & 15-19, 2020).

Pete Hassemer/Virgil Moore (Motion 21 carried; Mr. Smith abstained)

Motion 22: Council adopt the proposed changes to COP 9 as shown in [Agenda Item C.6, Attachment 1, September 2020](#).

Maggie Sommer/Brad Pettinger (Motion 22 carried unanimously)

Motion 23: Council appoint Dr. Phil Levin to the vacant Washington position on the Ecosystem Advisory Subpanel formerly held by Mr. Paul Dye.
Phil Anderson/Corey Niles (Motion 23 carried unanimously)

Motion 24: Council appoint Mr. Glen Spain to the vacant Commercial Fishery position on the Habitat Committee formerly held by Mr. Noah Oppenheim.
Marci Yaremko/Bob Dooley (Motion 24 carried unanimously)

Motion 25: Council appoint Ms. Amber Rhodes to the National Marine Fisheries Service West Coast Region position on the Highly Migratory Species Management Team formerly held by Mr. Lyle Enriquez.
Ryan Wulff/Louis Zimm (Motion 25 carried unanimously)

Motion 26: Council appoint Mr. Michael Sawin to the Washington Charter Boat Operator position on the Salmon Advisory Subpanel formerly held by Mr. Butch Smith.
Phil Anderson/Butch Smith (Motion 26 carried unanimously)

Motion 27: Council appoint Dr. Fabio Caltabellotta to the vacant Oregon Department of Fish and Wildlife position on the Scientific and Statistical Committee formerly held by Dr. David Sampson.
Maggie Sommer/Virgil Moore (Motion 27 carried unanimously)

ADJOURN

The Council meeting adjourned on Friday, September 18, 2020 at 7:05 p.m.



Marc Gorelnik
Council Chair

January 15, 2021

Date