DRAFT COUNCIL MEETING RECORD

257th Session of the Pacific Fishery Management Council November 9-10, 12-13, & 16-20, 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: 11-13-20am1 00:00:06]

1. Opening Remarks – Marc Gorelnik, Chair [mp3: 11-13-20am1 00:00:08]

Mr. Marc Gorelnik, Council Chair, called the 257th meeting of the Pacific Fishery Management Council (Council) to order at 9:05 a.m. on November 13, 2020. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Chuck Tracy [mp3: 11-13-20am1 00:04:19]

Council Members present (or online*) during the meeting week:

National Marine Fisheries Service: Mr. Barry Thom

> Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Kelly Ames, designee* Ms. Susan Bishop, designee Ms. Aja Szumylo, designee* Mr. Lyle Enriquez, designee*

Alaska State Official: Ms. Rachel Baker, nonvoting designee

> Ms. Karla Bush, nonvoting designee Ms. Dani Evenson, nonvoting designee

Mr. Kyle Adicks, designee Washington State Official:

> Ms. Heather Hall, designee Mr. Corey Niles, designee

Mr. Butch Smith Washington Obligatory:

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 Crusius, nonvoting designee* Mr. Chris German, nonvoting designee*

U.S. Fish and Wildlife Service: Mr. Mike Clark, nonvoting designee

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Dr. Kyle Hanson, nonvoting designee Mr. John Netto, nonvoting designee* Mr. Roger Root, nonvoting designee Mr. Tom Sinclair, 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: 11-13-20am1 00:06:20]
- 4. Agenda Marc Gorelnik [mp3: 11-13-20am1 00:10:38]
 - a. Council Action: Approve Agenda

Motion 1 [mp3: 11-13-20am1 00:22:59]: Adopt Agenda Item A.4, November 9-20, 2020 Council Meeting Agenda, with cancellation of Agenda Item H.3.

John Ugoretz/Pete Hassemer (Motion 1 failed, Mr. Niles, Mr. Dooley, Dr. Braby, Mr. Anderson, Ms. Svensson, Mr. Smith, and Mr. Pettinger voted no, Mr. Wulff abstained)

Motion 2 [mp3: 11-13-20am1 00:31:54]: Adopt Agenda Item A.4, November 9-20, 2020 Council Meeting Agenda.

Phil Anderson/Butch Smith (Motion 2 carried, Mr. Ugoretz voted no)

B. Open Comment Period

- 1. Comments on Non-Agenda Items Chuck Tracy [mp3: 11-13-20am1 00:33:35]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-13-20am1 0:35:39]
 - b. Public Comment [mp3: 11-13-20am1 0:39:45]

B.1.b, Supplemental Public Presentation 1 (Oceana)

B.1.b, Public Comments (If received, Electronic Only)

c. Council Discussion and Comments, as Appropriate [mp3: 11-13-20am1 00:58:47]

Staff Summary: None

C. Administrative Matters

- 1. <u>Council Coordinating Committee Meeting Report</u> Chuck Tracy [mp3: 11-13-20am1 01:05:18]
- C.1, Attachment 1: Final Agenda, Council Coordination Committee Meeting, September 23-24, 2020
- C.1, Attachment 2: CCC News Release

- C.1, Supplemental Attachment 3: Letter to NOAA from CCC regarding aquaculture
- C.1, Supplemental Attachment 4: Letter to NOAA from CCC regarding National Standard 1
- C.1, Supplemental Attachment 5: Letter to NOAA from CCC regarding NEPA
- C.1, Supplemental Attachment 6: Letter to NOAA from CCC regarding National Seafood Council
- C.1, Supplemental Attachment 7: Letter to NOAA from CCC regarding President's Executive Order 13921
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-13-20am1 01:05:30]
 - b. Public Comment
- C.1.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Consider Recommendations of the Council Coordination Committee Report [mp3: 11-13-20am1 01:18:56]

Staff Summary: None

- 2. National Marine Fisheries Service Report Chuck Tracy [mp3: 11-13-20am2 00:00:07]
- C.2, Attachment 1, Federal Register Notice, Magnuson-Stevens Fishery Conservation and Management Act Provisions; Regional Fishery Management Council Membership; Financial Disclosure and Recusal
 - a. Report on West Coast Regional Priorities Barry Thom [mp3: 11-13-20am2 00:00:21]
- <u>C.2.b</u>, <u>Supplemental NMFS Presentation 1</u>: West Coast Region Update FY2021 Priorities (Barry A. Thom)
- C.2.b, Supplemental NMFS Report 1: NOAA Fisheries West Coast Region Fiscal Year 2020 Accomplishments
- C.2.b, Supplemental NMFS Report 2: NOAA Fisheries West Coast Region Fiscal Year 2021 Priorities
 - b. Report on Recusal Provision Maggie Smith [mp3: 11-13-20am2 00:40:56]
- <u>C.2.b</u>, <u>Supplemental NOAA GC Presentation 1</u>: Briefing on Magnuson-Stevens Act Financial Disclosure and Recusal Requirements
 - c. Reports and Comments of Management Entities and Advisory Bodies
 - d. Public Comment [mp3: 11-13-20am2 01:05:13]
- C.2.d, Public Comments (If received, Electronic Only)
 - e. Council Discussion and Guidance, as Appropriate [mp3: 11-13-20am2 01:14:23]

Staff Summary: None

- 3. <u>Standardized Bycatch Reporting Methodology</u> Brett Wiedoff [mp3: 11-19-20pm1 00:00:16]
- C.3, Attachment 1: NMFS Final Rule for Standardized Bycatch Reporting Methodology
- C.3, Attachment 2: Summary of Final Rule and Criteria for Consistency Review
- C.3, Attachment 3: Coastal Pelagic Species FMP SBRM Information
- C.3, Attachment 4: Pacific Coast Groundfish FMP SBRM Information
- C.3, Attachment 5: Highly Migratory Species FMP SBRM Information
- C.3, Supplemental Attachment 7: Staff Presentation Agenda Item Overview (Wiedoff)
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20pm1 00:08:24]
- C.3.a, Supplemental GMT Report 1
- C.3.a, Supplemental HMSMT Report 1
- C.3.a, Supplemental HMSAS Report 1
- C.3.a, Supplemental CPSMT Report 1
- C.3.a, Supplemental STT Report 1
 - b. Public Comment
- C.3.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Review Fishery Management Plans for Consistency with the Final Rule and Consider Need for Further Action [mp3: 11-19-20pm1 00:23:29]

Staff Summary: None

- 4. Legislative Matters Jennifer Gilden [mp3: 11-19-20pm1 00:43:12]
- C.4, Attachment 1: Staff Summary of Federal Legislation
- C.4, Attachment 2 (*Electronic Only*): Ocean-Based Climate Solutions Act
- C.4, Attachment 3: Staff Summary of Ocean-Based Climate Solutions Act
- C.4, Attachment 4: California Governor Newsom's Executive Order N-82-20
- <u>C.4, Supplemental Attachment 5</u>: Staff presentation to Legislative Committee: "Ocean-Based Climate Solutions Act"
 - a. Report of the Legislative Committee Dave Hanson [mp3: 11-19-20pm1 00:44:36]
 - b. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20pm1 00:45:53]
- C.4.b, Supplemental HMSAS Report 1
- C.4.b, Supplemental GAP Report 1
 - c. Public Comment [mp3: 11-19-20pm1 00:50:04]
- C.4.c, Public Comments (If received, Electronic Only)
 - d. Council Action: Consider Legislative Committee Report and Recommendations [mp3: 11-19-20pm1 00:51:55]

Staff Summary: The Council directed staff to track the Ocean-Based Climate Solutions Act and any related executive orders issued by the Biden Administration, in preparation for responding to any forthcoming requests for Council comment.

- 5. <u>Fiscal Matters</u> Patricia Crouse [mp3: 11-19-20pm1 01:21:48]
- C.5, Supplemental Attachment 1: Budget Committee November 4 agenda
- C.5, Supplemental Attachment 2: Executive Director's Report to the Budget Committee
 - a. Report of the Budget Committee Pete Hassemer [mp3: 11-19-20pm1 01:22:45]
 - b. Reports and Comments of Management Entities and Advisory Bodies
 - c. Public Comment
- C.5.c, Public Comments (If received, Electronic Only)
 - d. Council Action: Consider Budget Committee Report and Recommendations [mp3: 11-19-20pm1 01:28:27]

Motion 16 [mp3: 11-19-20pm1 01:30:05]: Council adopt the Budget Committee recommendations as presented in Agenda Item C.5.a, Supplemental Budget Committee Report 1, November 2020.

Pete Hassemer/Marci Yaremko (Motion 16 carried unanimously)

Staff Summary: The Council approved a 2021 Provisional Budget of \$5,006,455 for use beginning January 1 and recommended tentatively scheduling a Budget Committee meeting in April 2021.

- 6. Council Meeting Record Marc Gorelnik [mp3: 11-19-20pm1 01:37:00]
- <u>C.6</u>, <u>Attachment 1</u>: Draft Council Meeting Record: 256th Session of the Pacific Fishery Management Council (September 8-11 & 14-18, 2020)
 - a. Council Action: Approve Previous Council Meeting Records [mp3: 11-19-20pm1 01:37:34]

Motion 17: Council approve the September 2020 meeting record as shown in Agenda Item C.6, Attachment 1: Draft Council Meeting Record: 256th Session of the Pacific Fishery Management Council (September 8-11 & 14-18, 2020).

Phil Anderson/Heather Hall (Motion 17 carried unanimously)

Staff Summary: None

- 7. Membership Appointments and Council Operating Procedures Mike Burner [mp3: 11-20-20am1 00:08:11]
- <u>C.7, Supplemental Attachment 1</u>: Letter to Marc Gorelnik, Chair from Barry Thom regarding change in designees
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-20-20am1 00:11:15]
- C.7.a, Supplemental HMSAS Report 1

C.7.a, Supplemental GAP Report 1

b. Public Comment [mp3: 11-20-20am1 00:22:09]

C.7.b, Public Comments (If received, Electronic Only)

c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures [mp3: 11-20-20am1 00:57:09]

Motion 18 [mp3: 11-20-20am1 01:23:06]: Council appoint Ms. Anna Weinstein to the conservation position on the Coastal Pelagic Species Advisory Subpanel formerly held by Ms. Gillian Lyons.

Phil Anderson/Butch Smith (Motion 18 carried unanimously)

Motion 19 [mp3: 11-20-20am1 01:25:05]: Council appoint:

- Ms. Gretchen Hanshew and Mr. Daniel Studt to the two West Coast Region positions on the Groundfish Management Team formerly held by Ms. Abigail Harley and Ms. Karen Palmigiano,
- Dr. Chantel Wetzel, to the vacant Northwest Fisheries Science Center position on the Groundfish Management Team, and
- Mr. Scott Benson to the Sea Turtle Taxa position on the Groundfish Endangered Species Workgroup formerly held by Dr. Tomo Eguchi.

Ryan Wulff/Maggie Sommer (Motion 19 carried unanimously)

Motion 20 [mp3: 11-20-20am1 01:29:40]: Council appoint:

- Ms. Katherine Pierson to the Oregon Department of Fish and Wildlife position on the Groundfish Management Team formerly held by Mr. Patrick Mirick, and
- Ms. Lynn Mattes to the vacant Oregon Department of Fish and Wildlife position on the Groundfish Endangered Species Workgroup.

Maggie Sommer/Brad Pettinger (Motion 20 carried unanimously)

Staff Summary:

The National Marine Fisheries Service (NMFS) appointed Mr. Lyle Enriquez as a Council designee for the agency.

The Council directed Council staff to send a letter to the Secretary of State to request the Presidential appointment of Ms. Christa Svensson as the Council's Appointed Commissioner to the Western and Central Pacific Fisheries Commission (WCPFC) replacing Ms. Dorothy Lowman who plans to resign her appointment following the WCPFC annual meeting in December.

The Council appointed Ms. Heather Hall as an alternate representative to the International Pacific Halibut Commission (IPHC) for the January 2021 IPHC meeting.

The Council made the following appointments to advisory bodies.

Coastal Pelagic Species Advisory Subpanel

• Ms. Anna Weinstein was appointed to the conservation position on the Coastal Pelagic Species Advisory Subpanel formerly held by Ms. Gillian Lyons.

Groundfish Management Team

- Ms. Gretchen Hanshew and Mr. Daniel Studt were appointed to the two NMFS West Coast Region positions formerly held by Ms. Abigail Harley and Ms. Karen Palmigiano,
- Ms. Katherine Pierson was appointed to the Oregon Department of Fish and Wildlife position formerly held by Mr. Patrick Mirick, and
- Dr. Chantel Wetzel was appointed to the vacant Northwest Fisheries Science Center position.

Groundfish Endangered Species Workgroup

- Mr. Scott Benson was appointed to the Sea Turtle Taxa position formerly held by Dr. Tomo Eguchi, and
- Ms. Lynn Mattes was appointed to the vacant Oregon Department of Fish and Wildlife position in addition to her continuing service on the GMT.

Ad Hoc Groundfish Electronic Monitoring Committees

• In consultation with the Council, Chair Gorelnik appointed Mr. Andrew Torres to replace Mr. Brian Corrigan as the NMFS Office of Law Enforcement representative on the Technical Advisory Committee and appointed Mr. Mike Orcutt of Archipelago to replace Mr. Howard McElderry on the Policy Advisory Committee.

Additionally, the Council tasked Council staff with reviewing the Council Operating Procedures pertaining to exempted fishing permit and methodology reviews and to evaluate a proposal for a new advisory body focused on marine planning and offshore development issues.

8. <u>Future Council Meeting Agenda and Workload Planning</u> – Chuck Tracy [mp3: 11-20-20am2 00:00:05]

- C.8, Attachment 1: Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary
- C.8, Attachment 2: Draft Proposed Council Meeting Agenda, March 2021
- C.8, Attachment 3: Draft Proposed Council Meeting Agenda, April 2021
- C.8, Supplemental Attachment 4: Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 11/19/2020)
- <u>C.8, Supplemental Attachment 5</u>: Proposed Pacific Council Meeting Agenda, March 2-5 & 8-11, 2021 VIA Webinar (v. 11/19/2020)
- <u>C.8, Supplemental Attachment 6</u>: Proposed Pacific Council Meeting Agenda, April 6-9 & 12-15, 2021 VIA Webinar (v. 11/19/2020)

a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-20-20am2 00:13:34]

- C.8.a, Supplemental SSC Report 1
- C.8.a, Supplemental CPSMT Report 1
- C.8.a, Supplemental HMSMT Report 1
- C.8.a, Supplemental GMT Report 1
- C.8.a, Supplemental HMSAS Report 1
- C.8.a, Supplemental CPSAS Report 1
- C.8.a, Supplemental GAP Report 1

b. Public Comment [mp3: 11-20-20am2 00:43:58]

C.8.b, Public Comments (If received, Electronic Only)

c. Council Discussion and Guidance on Future Meeting Agenda and Workload Planning [mp3: 11-20-20pm1 00:00:07]

Staff Summary: None

D. Habitat

- 1. Current Habitat Issues Jennifer Gilden [mp3: 11-13-20pm1 00:01:47]
- D.1, Attachment 1: Letter to the ACOE on the Delta Conveyance project
 - a. Report of the Habitat Committee Lance Hebdon [mp3: 11-13-20pm1 00:01:48]
 - b. Reports and Comments of Management Entities and Advisory Bodies
 - c. Public Comment [mp3: 11-13-20pm1 00:12:23]
- D.1.c, Public Comments (If received, Electronic Only)
 - d. Council Action: Consider Habitat Committee Report and Recommendations [mp3: 11-13-20pm1 00:13:31]

Staff Summary: The Council directed staff to develop a comment letter to the Department of Commerce on its proposal for Aquaculture Opportunity Areas and seek Council approval through the Quick Response procedure.

E. Pacific Halibut

- 1. <u>2021 Catch Sharing Plan and Annual Regulations Final Action</u> Brett Wiedoff [mp3: 11-13-20pm1 00:32:27]
- E.1, Attachment 1: 2020 Pacific Halibut Catch Sharing Plan for Area 2A
- E.1, Attachment 2: Visual Representation of the 2020 Pacific Halibut Catch Sharing Plan for Area 2A
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-13-20pm1 00:35:59]
- E.1.a, NMFS Report 1: National Marine Fisheries Service Report on the 2020 Pacific Halibut Fisheries in Area 2A
- E.1.a, Supplemental CDFW Report 1: CDFW report on final changes to the 2021 Pacific Halibut Catch Sharing Plan and final update on 2020 recreational fishery
- E.1.a, Supplemental WDFW Report 1: WDFW report on proposed changes to the Pacific Halibut Catch Sharing Plan and 2021 annual regulations
- E.1.a, Supplemental ODFW Report 1: ODFW report on proposed changes to the Pacific Halibut Catch Sharing Plan for the 2021 fishery
- E.1.a, Supplemental GAP Report 1

E.1.a, Supplemental EC Report 1

b. Public Comment

E.1.b, Public Comments (If received, Electronic Only)

- c. Council Action: Adopt Final 2021 Catch Sharing Plan and Annual Regulation Changes [mp3: 11-13-20pm1 00:50:41]
- **Motion 3** [mp3: 11-13-20pm1 00:51:29]: Council adopt the proposed season structure, season dates, and groundfish changes to the Catch Sharing Plan for 2021 as described in Agenda Item E.1, Supplemental WDFW Report 1.

Heather Hall/Phil Anderson (Motion 3 carried unanimously)

Motion 4 [mp3: 11-13-20pm1 00:55:15]: Council adopt a change to the 2021 Pacific Halibut Catch Sharing Plan to allow longleader fishing on the same trip as all-depth halibut fishing in Oregon, as recommended in Agenda Item E.1.a, Supplemental ODFW Report 1, November 2020.

Maggie Sommers/Christa Svensson (Motion 4 carried unanimously)

Motion 5 [mp3: 11-13-20pm1 00:57:07]: Council adopt the proposed season end date for the California recreational fishery for inclusion in the 2021 Catch Sharing Plan as described in Agenda Item E.1, Supplemental CDFW Report 1.

Marci Yaremko/Bob Dooley (Motion 5 carried unanimously)

Staff Summary: The Council adopted final changes to the 2021 Catch Sharing Plan and annual fishing regulations consistent with the recommendations on recreational fisheries provided by <u>California Department of Fish and Wildlife</u>, <u>Washington Department of Fish and Wildlife</u>, and <u>Oregon Department of Fish and Wildlife</u>, including the recommendation for use of longleader gear on the same trip during all-depth halibut fishing in Oregon.

- 2. <u>Transition of Area 2A Fishery Management Final Action</u> Brett Wiedoff [mp3: 11-13-20pm1 00:59:19]
- E.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
- E.2, Supplemental Attachment 2: Staff Presentation "Updated Range of Alternatives for the Proposed Transfer of Management Responsibilities for Area 2A Pacific Halibut Fisheries with Focus on the Non-Tribal Directed Commercial Fishery"
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-13-20pm1 01:12:41]
- E.2.a, Supplemental SAS Report 1
- E.2.a, Supplemental GAP Report 1
- E.2.a, Supplemental EC Report 1
 - b. Public Comment
- E.2.b, Public Comments (If received, Electronic Only)

- c. Council Action: Adopt Final Preferred Alternatives for Transitioning Area 2A Management from International Pacific Halibut Commission to the National Marine Fisheries Service and the Pacific Fishery Management Council [mp3: 11-13-20pm1 01:20:56]
- Motion 6 [mp3: 11-13-20pm1 01:24:36]: Council adopt the following as final 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 E.2, Attachment 1, November 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: 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/Butch Smith (Motion 6 carried unanimously)

Staff Summary: The Council adopted the following final preferred alternatives, as described in the <u>Updated Range of Alternatives</u>, to transfer management of the Area 2A directed halibut fishery from the International Pacific Halibut Commission to National Marine Fisheries Service (NMFS) and the Council:

- 4.1.2 Alternative 2: Consider the directed fishery framework during the Catch Sharing Plan process in September and November; include any guidance for vessel limits and inseason changes for NMFS implementation.
- 4.2.1 Alternative 2: Issue permits for all Area 2A halibut fisheries: 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 accommodate 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 the participant.

- 3. Non-Indian Commercial Directed Fishery Regulations for 2021 Brett Wiedoff [mp3: 11-16-20pm2 00:00:07]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-16-20pm2 00:02:54]
- <u>E.3.a, NMFS Report 1</u>: National Marine Fisheries Report on the Non-Tribal Directed Commercial Pacific Halibut Fishery Bycatch of Yelloweye Rockfish
- <u>E.3.a</u>, <u>Supplemental WDFW Report 1</u>: WDFW report on 2021 non-Indian commercial directed fishery recommendations
- <u>E.3.a, Supplemental IPHC Report 1</u>: IPHC Fishery Regulations: Commercial Fishing Periods (Sect. 9)
- E.3.a, Supplemental SAS Report 1
- E.3.a, Supplemental GAP Report 1
- E.3.a, Supplemental EC Report 1
 - b. Public Comment
- E.3.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Adopt Final Recommendations for the 2021 Season Structure of the Area 2A Non-Treaty Commercial Directed Pacific Halibut Fishery for IHPC Consideration [mp3: 11-16-20pm2 00:28:18]
- Motion 8 [mp3: 11-16-20pm2 00:44:55]: Council recommend that IPHC require participants in the Area 2A directed commercial fishery record on the IPHC fishery logbook the number of yelloweye rockfish caught and discarded on a haul or trip. The Council shall also request that IPHC share that information with NMFS each year prior to the start of each November PFMC meeting.

Recognizing there are existing inseason processes and numerous coordination activities already undertaken by NMFS, IPHC, Tribes and the states to track halibut catch inseason against the respective 2A fishery quotas. I also move the Council direct NMFS to provide information on yelloweye bycatch witnessed by observers in the directed commercial halibut fishery to collaborating 2A agencies inseason, following each directed commercial fishery period opener. Also, direct NMFS to include this information on fishery progress that is supplied to the Council each September.

Marci Yaremko/Bob Dooley (Motion 8 withdrawn with consent of the second)

Motion 9 [mp3: 11-16-20pm2 01:20:57]: Council recommend to the IPHC a season structure for the Area 2A non-tribal directed fishery in 2021 that includes a 58-hour fishing period which begins at 8:00 a.m. on the fourth Tuesday in June and ends at 6:00 p.m. on the subsequent Thursday. If the fishery limit has not been exceeded, the IPHC may announce a second fishing period of up to three fishing days to begin on Tuesday two weeks after the first period, and if necessary, a third fishing period of up to three fishing days to begin on Tuesday four weeks after the first period. Fishing period openings will continue in this manner until the fishery limit for the Area 2A non-treaty directed commercial fishery is taken or November 15, whichever comes first.

Heather Hall/Phil Anderson (Motion 9 carried unanimously)

Staff Summary: The Council recommended a season structure for the 2021 Area 2A non-tribal directed halibut fishery that includes a 58-hour fishing period beginning at 8 a.m. on Tuesday, June 22 and ending at 6 p.m. on Thursday, June 24. If the halibut limit has not been attained in the first period, an additional 58-hour fishing period will be announced beginning Tuesday, July 6 and ending at 6 p.m. July 8, two weeks after the first period. Fishing period openings will continue in this manner until the halibut limit for the Area 2A non-treaty directed commercial fishery is taken or November 15, whichever comes first. This recommendation will be forwarded to the International Pacific Halibut Commission for consideration.

F. Salmon Management

- 1. **2021 Preseason Management** Mike Burner [mp3: 11-16-20am1 00:01:24]
- <u>F.1, Attachment 1</u>: Pacific Fishery Management Council Proposed Schedule and Process for Developing 2021 Ocean Salmon Fishery Management Measures
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-16-20am1 00:07:34]
- <u>F.1.a, Supplemental CDFW Report 1</u>: Report on the Effects of Covid-19 on Sampling the 2020 Ocean Salmon Fishery
- F.1.a, Supplemental STT Report 1
 - b. Public Comment
- <u>F.1.b</u>, <u>Public Comments</u> (*If received, Electronic Only*)
 - c. Council Action: Adopt Final 2021 Preseason Management Schedule [mp3: 11-16-20am1 00:15:00]

Staff Summary: The Council approved the <u>2021 salmon management schedule</u> including the tentative dates and locations for public hearings. However, it is anticipated that all of the meetings and hearings will be conducted by webinar.

- 2. Southern Resident Killer Whale Endangered Species Act Consultation Final Action Mike Burner [mp3: 11-16-20am2 00:00:06]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-16-20am2 00:05:39]
- <u>F.2.a, SRKW Workgroup Report 1</u>: Pacific Fishery Management Council Salmon Fishery Management Plan Impacts to Southern Resident Killer Whales: Draft Range of Alternatives and Recommendations with Strikeout
- F.2.a, SRKW Workgroup Report 2: Updated list of responses
- F.2.a, SRKW Workgroup Report 3: Forecast accuracy report
- F.2.a, Supplemental Workgroup Presentation 1 (Jeromy Jording)
- <u>F.2.a, Supplemental NMFS Report 1 (*Electronic Only*)</u>: Analytical Document of the Range of Alternatives for Potential Pacific Salmon Fishery Management Plan Action to Address Impacts of Council Salmon Fisheries on Southern Resident Killer Whales

- <u>F.2.a, Supplemental NMFS Presentation 1</u>: NMFS Southern Resident Killer Whale Report (Jeromy Jording)
- F.2.a, Supplemental SAS Report 1
- F.2.a, Supplemental GAP Report 1
 - b. Public Comment [mp3: 11-16-20am3 00:01:44]
- F.2.b, Supplemental Public Presentation 1 (Oceana)
- <u>F.2.b</u>, <u>Public Comments</u> (*If received, Electronic Only*)
 - c. Council Action: Adopt a Final Preferred Alternative [mp3: 11-16-20am3 01:19:25] and [mp3: 11-16-20pm1 00:00:30]

Motion 7 [mp3: 11-16-20pm1 00:01:18]: Council adopt the following measures from Agenda Item F.2.a, SRKW Workgroup Reports 1 and 2, November 2020, as the final preferred alternative for amendment of the Salmon Fishery Management Plan:

- Establish a threshold for annual pre-fishing Chinook salmon abundance in the area North of Cape Falcon below which management actions will be triggered.
 - O Alternative 3.1.2.c –The threshold is based on the arithmetic mean of the seven lowest years of abundance in the data series considered by the SRKW Workgroup in its Risk Assessment (1994-1996, 1998-2000 and 2007). This value is 966,000 using current models, but as noted this value is subject to change if FRAM or Shelton et al. models are recalibrated. The methodology for determining the value will remain the same if the models are recalibrated.
- When a year's preseason abundance projection for the area North of Cape Falcon in FRAM time-step one falls below the established threshold, the following management actions will be implemented through the annual management measures for that year, as described in Agenda Item F.2.a, SRKW Workgroup Report 2, November 2020:
 - Alternative 3.1.2.e, Option 1A Reduce quotas for non-treaty fisheries North of Falcon to not exceed the value generated by regression analysis of historic timestep 1 Chinook abundance and non-treaty Chinook quotas.
 - Alternative 3.1.2.e, Option 2A No more than 50 percent of the commercial troll Chinook salmon quota will be assigned to the spring (May-June) period.
 - Alternative 3.1.2.e, Option 3A Close the expanded area of the Columbia River control zone as described to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
 - Alternative 3.1.2.e, Option 3B Close the Grays Harbor control zone to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
 - o Alternative 3.1.2.e, Option 5A Delay the start of the commercial troll fishery between Cape Falcon and the Oregon/California border until April 1.
 - Alternative 3.1.2.e, Option 5B Close the Oregon waters of the Klamath Management Zone to commercial and recreational salmon fisheries from October 1 through March 31 of the following year.
 - Alternative 3.1.2.e, Option 6A Close commercial and recreational salmon fisheries in the Monterey management area from October 1 through March 31 of the following year.
 - Alternative 3.1.2.e, Option 6B Beginning October 1 through March 31 of the following year close commercial and recreational fisheries in the California waters of the KMZ.

o Alternative 3.1.2.e, Option 6C – Increase the duration of the Klamath Control Zone area expansion beginning September 1 through March 31 of the following year.

Kyle Adicks/Brett Kormos (Motion 7 carried unanimously)

Staff Summary: The Council adopted a final preferred alternative to address the effect of Council-area ocean salmon fisheries on the Chinook salmon prey base of Southern Resident Killer Whales.

The Council adopted the arithmetic mean of the seven lowest years of pre-fishing Chinook salmon abundance in the area North of Cape Falcon (1994-1996, 1998-2000, and 2007, currently estimated at 966,000) as a management threshold.

When a year's preseason abundance projection falls below the established threshold, the following management actions will be implemented through annual regulations:

- Reduce quotas for non-treaty fisheries North of Falcon to not exceed the value generated by <u>a regression analysis of historic time-step 1 Chinook abundance and non-treaty Chinook quotas.</u>
- No more than 50 percent of the non-treaty commercial troll Chinook salmon quota will be assigned to the spring (May-June) period.
- Close the expanded area of the Columbia River control zone as described to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
- Close the Grays Harbor control zone to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
- Delay the start of the commercial troll fishery between Cape Falcon and the Oregon/California border until April 1.
- Close the Oregon and California waters of the Klamath Management Zone to commercial and recreational salmon fisheries from October 1 through March 31 of the following year.
- Increase the duration of the Klamath Control Zone area expansion beginning September 1 through March 31 of the following year.
- Close commercial and recreational salmon fisheries in the Monterey management area from October 1 through March 31 of the following year.

The Council also scheduled future consideration of recommendations to re-evaluate conservation objectives for Sacramento River fall Chinook and Klamath River fall Chinook and to develop an age-structured stock assessment for Sacramento River fall Chinook, when feasible.

3. Southern Oregon/Northern California Coast Coho Endangered Species Act (ESA)
Consultation – Mike Burner [mp3: 11-16-20pm1 00:39:53]

F.3, Attachment 1: Workgroup Terms of Reference and Timeline

a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-16-20pm1 00:43:52]

F.3.a, Workgroup Report 1: Progress Report

<u>F.3.a, Supplemental Workgroup Report 2</u>: Fishery Harvest Control Rule — Risk Assessment

- <u>F.3.a, Supplemental SONCC WG Presentation 1</u>: Preliminary Risk Assessment (*Michael O. Farrell*)
- F.3.a, Supplemental SAS Report 1
 - b. Public Comment
- <u>F.3.b</u>, <u>Public Comments</u> (*If received, Electronic Only*)
 - c. Council Action: Consider Risk Assessment Update and Development of a Range of Alternatives [mp3: 11-16-20pm1 01:23:50]

Staff Summary: The Council reviewed an update on progress towards developing a new harvest control rule for Southern Oregon/Northern California Coast coho stocks listed under the ESA, including a summary of available data, a description of the proposed risk assessment methods, and a review of a preliminary range of harvest control rules. The Council commended the efforts to date and requested that future work consider environmental variables as harvest control rules are further developed. The Council will receive an update at its April 2021 meeting and is scheduled to adopt a range of alternatives at its June 2021 meeting.

G. Groundfish Management

- 1. <u>Gear Switching for Sablefish in the Trawl Catch Share Fishery</u> Jim Seger [<u>mp3: 11-17-20am1</u> 00:09:59]
- G.1, Attachment 1: SaMTAAC Recommended Alternatives
- <u>G.1, Attachment 2</u>: Summary of Decision Points Within the Current Gear Switching Action Alternatives
- <u>G.1, Attachment 3</u>: Preliminary Analysis of Gear Switching Alternatives
- G.1, Supplemental Staff Presentation 1 (Seger and Doerpinghaus)
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-17-20am2 00:00:08]
- G.1.a, Supplemental WDFW Report 1
- G.1.a, Supplemental GMT Report 1
- G.1.a, Supplemental GAP Report 1
 - b. Public Comment [mp3: 11-17-20am2 01:04:27] and [mp3: 11-17-20pm1 00:00:07]
- G.1.b, Public Comments (If received, Electronic Only)
- G.1.b, Supplemental Public Presentation 1: Pacific Seafoods (J. Gonzalez)
 - c. Council Action: Adopt a Range of Alternatives and Provide Guidance, as Necessary [mp3: 11-17-20pm1 00:58:49] and [mp3: 11-17-20pm2 00:00:18]

Motion 10 [mp3: 11-17-20pm2 00:27:20]: Council:

1. Request that the analytical team provide information on the impacts of the following levels of fixed gear attainment of northern sablefish in the IFQ fishery: 0, 12 percent, 20 percent, 33 percent, unrestricted.

- 2. At a future meeting, consider the information provided in response to #1, and identify a maximum level of gear switching to be used in further development/refinement of any action alternatives.
- 3. At a subsequent meeting, adopt a range of alternatives for the 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 10 carried unanimously)

Staff Summary: The Council decided to defer selection of a range of action alternatives to limit gear switching in the shorebased trawl IFQ program and instead, asked for analysis to help identify a maximum level of gear switching that would be allowed. That analysis will evaluate gear switching levels of zero (no gear switching), 12 percent, 20 percent, 33 percent, and the continuation of unrestricted gear switching. The Council is tentatively scheduled to identify a maximum gear switching level at its April 2021 meeting before evaluating action alternatives that would limit the fishery to that maximum and select a range of alternatives at the June 2021 Council meeting.

- 2. National Marine Fisheries Service Todd Phillips [mp3: 11-18-20am1 00:01:57]
 - a. Regulatory Activities Ryan Wulff [mp3: 11-18-20am1 00:04:51]
- <u>G.2.a, NMFS Report 1</u>: Cost Recovery Calculations for the Mothership and Catcher-Processor Sectors
- <u>G.2.a, NMFS Report 2</u>: NMFS Response to the September 2020, Supplemental GAP Report on Cost Recovery
- G.2.a, Supplemental NMFS Report 3: Recently Published Groundfish Rulemakings
 - b. Fisheries Science Center Activities
- <u>G.2.b, NMFS Report 1:</u> Cover Sheet: Observed and Estimated Total Bycatch of Salmon in the 2002-2019 U.S. West Coast Fisheries
- <u>G.2.b, NMFS Report 2</u>: Observed and Estimated Total Bycatch of Salmon in the 2002-2019 U.S. West Coast Fisheries Data (*Excel File, Electronic Only*)
- G.2.b, NMFS Report 3: Seabird Bycatch in the U.S. West Coast Fisheries (2002-2018)
- <u>G.2.b, NMFS Report 4:</u> Seabird Bycatch in the U.S. West Coast Fisheries (2002-2018) Data (*Excel File, Electronic Only*)
 - c. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20am1 00:23:04]
- G.2.c, Supplemental GAP Report 1
 - d. Public Comment [mp3: 11-18-20am1 00:33:49]
- G.2.d, Public Comments (If received, Electronic Only)
 - e. Council Discussion and Guidance, as Appropriate [mp3: 11-18-20am1 00:50:13]

Staff Summary: The Council received a <u>report</u> from NMFS that included a statement of its intent to proceed with a modification to cost recovery regulations to specify that cost recovery from the at-sea fleet would be based on whiting catch, rather than all species delivered. The Council will

make a final recommendation on this change under the cost recovery agenda item at its April 2021 meetings. Also related to cost recovery, at its March 2021 meeting the Council will consider prioritizing its Cost Recovery Committee to work with NMFS in evaluating the implementation of the cost recovery program.

- 3. <u>Inseason Adjustments for 2020 and 2021 Including Pacific Whiting Set-Asides for 2021 Final Action</u> Todd Phillips [mp3: 11-18-20am2 00:00:11]
- G.3, Attachment 1: Historical Mortality of Pacific Whiting in Research and Pink Shrimp, 2011-2019
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20am2 00:03:28]
- G.3.a, Supplemental NMFS Report 1: Update On the 2020 Trawl Gear EFP
- G.3.a, Supplemental CDFW Report 1: Report on Inseason Adjustments for 2021
- G.3.a, Supplemental CDFW Report 2: 2020 Groundfish Harvest in California
- <u>G.3.a, Supplemental WDFW Report 1</u>: Report on Inseason Update for Recreational Cabezon/Kelp Greenling Complex
- G.3.a, Supplemental GMT Report 1
- G.3.a, Supplemental GAP Report 1
 - b. Public Comment
- G.3.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Adopt Final Inseason Adjustments for 2020 and 2021, as Necessary, to Achieve but Not Exceed Annual Catch Limits and Other Management Objectives, and Adopt Pacific Whiting Yield Set-Asides for 2021 [mp3: 11-18-20am2 01:14:52]
- **Motion 12** [mp3: 11-18-20am2 01:15:51]: Council adopt the following recommendations, as described in Agenda Item G.3.a, Supplemental GMT Report 1:
 - 1. Set the Pacific whiting set-aside for research activities and the pink shrimp fishery at the GAP-recommended 750 mt for 2021.
 - 2. For sablefish DTL in 2021:
 - a. Adopt Option 1 for Open Access north of 36° N. lat. 600 lbs. / day, or 1 landing per week of up to 2,000 lbs., not to exceed 4,000 lbs. /2 months (no action needed for Limited Entry North)
 - b. Adopt Option 1 for Limited Entry south of 36° N. lat. 2,500 lbs. per week, and for Open Access South at 2,000 lbs. per week, not to exceed 6,000 lbs. / 2 months
 - 3. Adopt Option 1 for both LEFG and OA trip limits for lingcod south of 40° 10′ N. lat. in 2021: LEFG at 1,600 lbs. / 2 months, and OA at 700 lbs. / month
 - 4. Adopt Option 1 for OA shortspine and longspine thornyhead south of 34° 27′ N. lat. in 2021: daily trip limit of 100 lbs. / day and not more than 1,000 lbs. / 2 months.

Marci Yaremko/Maggie Sommer (Motion 12 carried unanimously)

Staff Summary: The Council considered inseason adjustments to the 2020 and 2021 groundfish management measures. The Council did not recommend any changes for the remainder of 2020, but adopted the following inseason adjustments for 2021:

- Sablefish north of 36° North latitude (N. lat.) daily trip limit
 - o Limited Entry Fixed Gear (LEFG): No adjustment
 - Open Access (OA): 600 lbs. / day, or 1 landing per week of up to 2,000 lbs., not to exceed 4,000 lbs. /2 months
- Sablefish south of 36° N. lat. daily trip limit
 - o LEFG: 2,500 lbs. per week
 - OA: 2,000 lbs. per week, not to exceed 6,000 lbs. / 2 months
- Lingcod south of 40° 10′ N. lat. trip limits in 2021:
 - o LEFG at 1,600 lbs. / 2 months
 - OA at 700 lbs. / month
- Shortspine and longspine thornyhead south of 34° 27′ N. lat. in 2021:
 - OA daily trip limit of 100 lbs. / day and not more than 1,000 lbs. / 2 months

Additionally, the Council recommended reducing the 2021 Pacific whiting set-aside for research activities and the pink shrimp fishery from 1,500 mt to 750 mt.

- 4. <u>Sablefish Management Strategy Evaluation Update</u> John DeVore [mp3: 11-18-20am2 01:37:32]
- G.4, Attachment 1: Report on the 2018 International Sablefish Workshop
- G.4, Attachment 2: A Transboundary Operating Model for Northeast Pacific Sablefish
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20am2 01:44:01] and [mp3: 11-18-20pm1 00:00:12]
- <u>G.4.a, Supplemental NMFS Presentation 1</u>: Northeast Pacific Sablefish Management Strategy Evaluation
- G.4.a, Supplemental SSC Report 1
- G.4.a, Supplemental GAP Report 1
 - b. Public Comment [mp3: 11-18-20pm1 00:18:53]
- G.4.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Review the Management Strategy Evaluation and Provide Guidance, as Necessary [mp3: 11-18-20pm1 00:24:15]

Staff Summary: The Council received a briefing on an international initiative to develop a spatially explicit management strategy evaluation (MSE) of sablefish across its range in the Northeast Pacific. The Council recommended a workshop in the spring of 2021 engaging West Coast stakeholders to determine alternative management strategies and management performance metrics to be analyzed in the MSE. The Council recommended a future workshop be planned to engage stakeholders from all the jurisdictions that manage sablefish from Alaska, British Columbia, and the West Coast to better understand how regional management strategies informed by regional assessments affect the stock throughout its range.

- 5. Assessment Methodology Review Final Action John DeVore [mp3: 11-17-20pm2 00:56:21]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-17-20pm2 00:59:34]
- G.5.a, SSC Groundfish Subcommittee Report 1: The Scientific and Statistical Committee's Groundfish Subcommittee Report on Terms of Reference for the Groundfish and Coastal Pelagic Species Stock Assessment Process for 2021 and 2022
- G.5.a, Supplemental SSC Report 1
 - b. Public Comment
- G.5.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Adopt Final Methodologies for Stock Assessments [mp3: 11-17-20pm2 01:08:27]

Motion 11 [mp3: 11-17-20pm2 01:14:30]: Council adopt:

- 1. The final length-based assessment methods.
- 2. The proposed minor changes to the Groundfish and CPS Stock Assessment Terms of Reference language as described in Supplemental SSC Report G.5.a.

Marci Yaremko/Virgil Moore (Motion 11 carried unanimously)

Staff Summary: The Council adopted the length-based assessment methods and language in the Terms of Reference for Groundfish and Coastal Pelagic Species Stock Assessment Review Process for 2021-2022 pertaining to length-based assessments endorsed by the <u>Scientific and Statistical Committee</u>. These methods are anticipated to be used to assess spiny dogfish, copper rockfish, quillback rockfish, and squarespot rockfish in 2021.

H. Coastal Pelagic Species Management

- 1. Preliminary Review of New Exempted Fishing Permits for 2021 Kerry Griffin [mp3: 11-18-20pm1 00:32:11]
- <u>H.1, Attachment 1</u>: West Coast Pelagic Conservation Group Notice of Intent and Proposal for Biological Sampling
- <u>H.1, Attachment 2</u>: California Wetfish Producers Association Notice of Intent and Proposal for Aerial Survey Point Sets
- H.1, Attachment 3: California Wetfish Producers Association Notice of Intent and Proposal for Biological Sampling
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20pm1 00:35:58]
- H.1.a, Supplemental SSC Report 1
- H.1.a, Supplemental CPSMT Report 1
- H.1.a, Supplemental CPSAS Report 1
 - b. Public Comment [mp3: 11-18-20pm1 00:43:44]
- H.1.b, Public Comments (If received, Electronic Only)

c. Council Action: Adopt Preliminary EFPs for Public Review [mp3: 11-18-20pm1 00:52:11]

Motion 13 [mp3: 11-18-20pm1 00:55:26]: Council adopt the preliminary exempted fishing permit proposals in Agenda Item H.1, Attachments 1, 2, and 3 for public review. Briana Brady/Bob Dooley (Motion 13 carried unanimously)

Staff Summary: The Council approved three exempted fishing permit (EFP) proposals for public review: two that addressed biological sampling of ongoing EFPs, and one that addressed aerial survey point sets. The Council is scheduled to make its final EFP recommendations at the April 2021 meeting.

- 2. Methodology Review Topic Selection Kerry Griffin [mp3: 11-18-20pm1 00:57:30]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20pm1 01:00:33]

H.2.a, CPSMT Report 1

H.2.a, Supplemental CPSMT Report 2

H.2.a, CPSAS Report 1

H.2.a, Supplemental CPSAS Report 2

b. Public Comment [mp3: 11-18-20pm1 01:13:28]

H.2.b, Public Comments (If received, Electronic Only)

c. Council Action: Approve Topics for Review in 2021 [mp3: 11-18-20pm1 01:20:57]

Staff Summary: The Council directed Council staff to review Council Operating Procedure 26 on CPS methodology reviews, to discuss targeted process improvements with other relevant advisory bodies, and to provide suggested revisions for consideration at the April 2021 Council meeting.

- 3. Comments on the Court Ordered Rulemaking on Harvest Specifications for the Central Subpopulation of Northern Anchovy Kerry Griffin [mp3: 11-18-20pm2 00:00:07]
- H.3, Attachment 1: Order Regarding Motions for Summary Judgment
- <u>H.3, Supplemental Attachment 2</u>: Proposed rule to revise the annual reference points, including the overfishing limit, acceptable biological catch and annual catch limit, for the central subpopulation of northern anchovy
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-18-20pm2 00:05:17]

H.3.a, Supplemental NMFS Report 1

H.3.a, Supplemental CPSMT Report 1

b. Public Comment [mp3: 11-18-20pm2 00:16:37]

H.3.b, Supplemental Public Presentation 1 (Pleschner-Steele) H.3.b, Public Comments (If received, Electronic Only)

c. Council Action: Develop Comments to NMFS on Court Ordered Rulemaking on Harvest Specifications for the Central Subpopulation on Northern Anchovy, as Necessary [mp3: 11-18-20pm2 00:38:39]

Staff Summary: The Council was briefed on the proposed rule for harvest levels on the central subpopulation of northern anchovy. The publication date of the proposed rule did not allow for adequate review by the Council and its Advisory Bodies; therefore, the Council declined to submit comments to NMFS during the public comment period.

- I. Highly Migratory Species Management
 - 1. National Marine Fisheries Service Report Kit Dahl [mp3: 11-19-20am1 00:04:12]
 - a. Regulatory Activities Ryan Wulff [mp3: 11-19-20am1 00:04:41]
- I.1.a, Supplemental NMFS Report 1: Report on HMS Activities
 - b. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20am1 00:10:30]
- I.1.b, Supplemental HMSAS Report 1
 - c. Public Comment [mp3: 11-19-20am1 00:11:40]
- I.1.c, Public Comments (If received, Electronic Only)
 - d. Council Discussion and Guidance, as Appropriate [mp3: 11-19-20am1 00:23:12]

Staff Summary: The Council was briefed by NMFS on several aspects of its final preferred alternative (FPA) for the deep-set buoy gear limited entry program that require clarification. The Council tasked the Highly Migratory Species Management Team (HMSMT), in consultation with the HMS Advisory Subpanel (HMSAS), with investigating these issues and identifying options to revise these elements for implementation. The Council would consider modifications to its FPA at its March 2021 meeting.

- 2. Recommend International Management Activities Kit Dahl [mp3: 11-19-20am1 00:30:33]
- <u>I.2, Attachment 1:</u> Chairs' Summary of the 5th Joint IATTC and WCPFC-NC Working Group Meeting on the Management of Pacific Bluefin Tuna
- I.2, Attachment 2: Provisional Annotated Agenda, Seventeenth Regular Session of the WCPFC
- I.2, Attachment 3: Recommendations from the Permanent Advisory Committee to the U.S. Section to the Western and Central Pacific Fisheries Commission Web Conference October 14-16, 2020

- <u>I.2, Supplemental Attachment 4</u>: WCPFC Northern Committee Sixteenth Regular Session, 8 October 2020 Summary Report
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20am1 00:39:55]
- <u>I.2.a</u>, <u>Supplemental NMFS Report 1</u>: Report on International HMS Activities
- <u>I.2.a</u>, <u>Supplemental NMFS Report 2</u>: Report on Pacific Bluefin Tuna Management
- I.2.a, Supplemental HMSMT Report 1
- I.2.a, Supplemental HMSAS Report 1
 - b. Public Comment [mp3: 11-19-20am1 00:54:29]
- I.2.b, Public Comments (If received, Electronic Only)
 - c. Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings of the Western and Central Pacific Fisheries Commissions and Other Forums, as Appropriate [mp3: 11-19-20am1 01:07:48]

Motion 14 [mp3: 11-19-20am1 01:17:20]: Council recommend the following measures for domestic management of Pacific bluefin tuna in 2021, should the IATTC adopt rollover regulations for 2021 as anticipated which would provide the U.S. with a catch limit of 425 mt.

- 1) Remove the pre-trip notification requirement
- 2) Maintain 24-hour E-tix submission for all commercial landings
- 3) For trip limits:

Set an Initial trip limit of 20 mt

- During the first quarter The catch limit is reduced to 15 mt when annual landings reach 250 mt. The trip limit is then reduced to 2 mt when annual landings reach 325 mt.
- During the second quarter The catch limit is reduced to 15 mt when annual landings reach 275 mt. The trip limit is then reduced to 2 mt when annual landings reach 350 mt.
- During the third quarter The catch limit is reduced to 15 mt when annual landings reach 300 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.
- During the fourth quarter- The catch limit is reduced to 15 mt when annual landings reach 325 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.

John Ugoretz/Marc Gorelnik

Amendment 1 [mp3: 11-19-20am1 01:20:38]: Change "During the third quarter- The catch limit is reduced to 15 mt when annual landings reach 325 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt." to "During the fourth quarter- The catch limit is reduced to 15 mt when annual landings reach 325 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt."

Marc Gorelnik/Christa Svensson (Amendment 1 carried unanimously) (Motion 14, as amended, carried unanimously)

Staff Summary: The Council recommended a trip limit regime for Pacific bluefin tuna (PBF) fisheries premised on the Inter-American Tropical Tuna Commission adopting a resolution setting a 425 mt PBF catch limit for the U.S. in 2021. The current pre-trip notification requirement would be eliminated while the current requirement that electronic fish tickets be submitted within 24-hours of the landing would be maintained. Trip limits would be as follows:

Set an Initial trip limit of 20 mt

- During the first quarter (January 1 March 31) The catch limit is reduced to 15 mt when annual landings reach 250 mt. The trip limit is then reduced to 2 mt when annual landings reach 325 mt.
- During the second quarter (April 1 June 30) The catch limit is reduced to 15 mt when annual landings reach 275 mt. The trip limit is then reduced to 2 mt when annual landings reach 350 mt.
- During the third quarter (July 1 September 30) The catch limit is reduced to 15 mt when annual landings reach 300 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.
- During the fourth quarter (October 1 December 31) The catch limit is reduced to 15 mt when annual landings reach 325 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.
- 3. <u>Biennial Harvest Specifications and Management Measures</u> Kit Dahl [mp3: 11-19-20am2 00:00:07]
- 1.3, Attachment 1: Draft Status of Stocks Section from the HMS SAFE Document
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20am2 00:06:36]

I.3.a, Supplemental NMFS Report 1

I.3.a, Supplemental SSC Report 1

I.3.a, Supplemental HMSMT Report 1

b. Public Comment

<u>I.3.b</u>, <u>Public Comments</u> (*If received, Electronic Only*)

c. Council Action: Adopt Available Stock Status Determination Criteria; Consider the Need to Develop Annual Catch Limits or Other Harvest Objectives and/or Management Measures [mp3: 11-19-20am2 00:18:00]

Staff Summary: The Council directed its SSC to work with NMFS, and in consultation with IATTC scientific staff, to review stock status determination criteria (SDC) proxies for Eastern Pacific Ocean yellowfin and bigeye tunas and make recommendations for the Council to consider in March 2021. Over the long term the SSC could recommend standardized methods for identifying SDC for stock assessments that use a probabilistic framework, as is the case with the two aforementioned stocks.

- 4. <u>Drift Gillnet Fishery Hard Caps Update</u> Kit Dahl [mp3: 11-19-20am2 00:22:51]
 - a. Reports and Comments of Management Entities and Advisory Bodies [mp3: 11-19-20am2 00:26:39]

I.4.a, Supplemental NMFS Report 1: NMFS Report on DGN Fishery Hard Caps

I.4.a, Supplemental HMSMT Report 1

I.4.a, Supplemental HMSAS Report 1

b. Public Comment [mp3: 11-19-20am2 00:51:59]

<u>I.4.b</u>, <u>Public Comments</u> (*If received, Electronic Only*)

c. Council Action: Review NMFS Report on the Response to Comments on the Final Rule and a Range of Viable Rulemaking Measures for Council Consideration [mp3: 11-19-20am2 00:23:29]

Motion 15 [mp3: 11-19-20am2 01:24:10]: Council task the Highly Migratory Species Management Team and Highly Migratory Species Advisory Subpanel to develop potential options for clarifying the Purpose and Need for hard caps in the large-mesh drift gillnet fishery and to develop alternative hard cap approaches that address NMFS' concerns regarding potential negative economic impacts while still meeting the Council's goal to incentivize fishing behavior that minimizes bycatch for the June 2021 meeting.

John Ugoretz/Phil Anderson (Motion 15 carried unanimously)

Staff Summary: The Council received a report from NMFS on implementation of hard cap regulations for the California large mesh drift gillnet fishery. It tasked the HMSMT and Highly Migratory Species Advisory Subpanel with developing potential options for clarifying the Purpose and Need for this action and to develop alternative hard cap approaches that address NMFS' concerns regarding potential negative economic impacts. Any such alternatives must still meet the Council's goal to incentivize fishing behavior that minimizes bycatch. The Council will consider these issues at its June 2021 meeting.

INFORMATIONAL REPORTS

<u>Informational Report 1</u>: Federal Register Notice; Innovative Technologies and Practices for the Agriculture Innovation Agenda

<u>Informational Report 2</u>: Report on the Ageing and Data Preparation Coordination Meeting to Support 2021 Groundfish Stock Assessments

<u>Informational Report 3</u>: Development of a Research and Data Needs Database for Use by the Pacific Fishery Management Council

<u>Supplemental Informational Report 4</u>: Announcement of Request of Information for Aquaculture Opportunity Areas

Supplemental Informational Report 5: Notice; request for comments: HMS EFPs

<u>Supplemental Informational Report 6</u>: Status Report of the 2020 Ocean Salmon Fisheries off Washington, Oregon, and California

VOTING LOG

Motion 1: Adopt <u>Agenda Item A.4</u>, <u>November 9-20, 2020 Council Meeting Agenda</u>, with cancellation of Agenda Item H.3.

John Ugoretz/Pete Hassemer (Motion 1failed, Mr. Niles, Mr. Dooley, Dr. Braby, Mr. Anderson, Ms. Svensson, Mr. Smith, and Mr. Pettinger voted no, Mr. Wulff abstained)

Motion 2: Adopt Agenda Item A.4, November 9-20, 2020 Council Meeting Agenda

Phil Anderson/Butch Smith (Motion 2 carried, Mr. Ugoretz voted no)

Motion 3: Council adopt the proposed season structure, season dates, and groundfish changes to the Catch Sharing Plan for 2021 as described in <u>Agenda Item E.1</u>, <u>Supplemental WDFW Report 1</u>.

Heather Hall/Phil Anderson (Motion 3 carried unanimously)

Motion 4: Council adopt a change to the 2021 Pacific Halibut Catch Sharing Plan to allow longleader fishing on the same trip as all-depth halibut fishing in Oregon, as recommended in Agenda Item E.1.a, Supplemental ODFW Report 1, November 2020.

Maggie Sommers/Christa Svensson (Motion 4 carried unanimously)

Motion 5: Council adopt the proposed season end date for the California recreational fishery for inclusion in the 2021 Catch Sharing Plan as described in <u>Agenda Item E.1</u>, <u>Supplemental CDFW Report 1</u>.

Marci Yaremko/Bob Dooley (Motion 5 carried unanimously)

- **Motion 6**: Council adopt the following as final 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 <u>Agenda Item E.2</u>, Attachment 1, November 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: 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/Butch Smith (Motion 6 carried unanimously)

- **Motion 7:** Council adopt the following measures from <u>Agenda Item F.2.a, SRKW Workgroup</u> <u>Reports 1 and 2</u>, November 2020, as the final preferred alternative for amendment of the Salmon Fishery Management Plan:
 - Establish a threshold for annual pre-fishing Chinook salmon abundance in the area North of Cape Falcon below which management actions will be triggered.
 - O Alternative 3.1.2.c –The threshold is based on the arithmetic mean of the seven lowest years of abundance in the data series considered by the SRKW Workgroup in its Risk Assessment (1994-1996, 1998-2000 and 2007). This value is 966,000 using current models, but as noted this value is subject to change if FRAM or Shelton et al. models are recalibrated. The methodology for determining the value will remain the same if the models are recalibrated.

- When a year's preseason abundance projection for the area North of Cape Falcon in FRAM time-step one falls below the established threshold, the following management actions will be implemented through the annual management measures for that year, as described in Agenda Item F.2.a, SRKW Workgroup Report 2, November 2020:
 - Alternative 3.1.2.e, Option 1A Reduce quotas for non-treaty fisheries North of Falcon to not exceed the value generated by regression analysis of historic timestep 1 Chinook abundance and non-treaty Chinook quotas.
 - Alternative 3.1.2.e, Option 2A No more than 50 percent of the commercial troll Chinook salmon quota will be assigned to the spring (May-June) period.
 - Alternative 3.1.2.e, Option 3A Close the expanded area of the Columbia River control zone as described to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
 - Alternative 3.1.2.e, Option 3B Close the Grays Harbor control zone to salmon retention from the start of non-treaty ocean salmon fisheries until June 15.
 - o Alternative 3.1.2.e, Option 5A Delay the start of the commercial troll fishery between Cape Falcon and the Oregon/California border until April 1.
 - Alternative 3.1.2.e, Option 5B Close the Oregon waters of the Klamath Management Zone to commercial and recreational salmon fisheries from October 1 through March 31 of the following year.
 - o Alternative 3.1.2.e, Option 6A Close commercial and recreational salmon fisheries in the Monterey management area from October 1 through March 31 of the following year.
 - Alternative 3.1.2.e, Option 6B Beginning October 1 through March 31 of the following year close commercial and recreational fisheries in the California waters of the KMZ.
 - Alternative 3.1.2.e, Option 6C Increase the duration of the Klamath Control Zone area expansion beginning September 1 through March 31 of the following year.

Kyle Adicks/Brett Kormos (Motion 7 carried unanimously)

Motion 8: Marci Yaremko/Bob Dooley (Motion 8 withdrawn with consent of the second)

Motion 9: Council recommend to the IPHC a season structure for the Area 2A non-tribal directed fishery in 2021 that includes a 58-hour fishing period which begins at 8:00 a.m. on the fourth Tuesday in June and ends at 6:00 p.m. on the subsequent Thursday. If the fishery limit has not been exceeded, the IPHC may announce a second fishing period of up to three fishing days to begin on Tuesday two weeks after the first period, and if necessary, a third fishing period of up to three fishing days to begin on Tuesday four weeks after the first period. Fishing period openings will continue in this manner until the fishery limit for the Area 2A non-treaty directed commercial fishery is taken or November 15, whichever comes first.

Heather Hall/Phil Anderson (Motion 9 carried unanimously)

Motion 10: Council:

1. Request that the analytical team provide information on the impacts of the following levels of fixed gear attainment of northern sablefish in the IFQ fishery: 0, 12 percent, 20 percent, 33 percent, unrestricted.

- 2. At a future meeting, consider the information provided in response to #1, and identify a maximum level of gear switching to be used in further development/refinement of any action alternatives.
- 3. At a subsequent meeting, adopt a range of alternatives for the 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 10 carried unanimously)

Motion 11: Council adopt:

- 1. The final length-based assessment methods
- 2. The proposed minor changes to the Groundfish and CPS Stock Assessment Terms of Reference language as described in G.5.a, Supplemental SSC Report 1

Marci Yaremko/Virgil Moore (Motion 11 carried unanimously)

Motion 12: Council adopt the following recommendations, as described in <u>Agenda Item G.3.a</u>, Supplemental GMT Report 1:

- 1. Set the Pacific whiting set-aside for research activities and the pink shrimp fishery at the GAP-recommended 750 mt for 2021.
- 2. For sablefish DTL in 2021:
 - a. Adopt Option 1 for Open Access north of 36° N. lat. 600 lbs. / day, or 1 landing per week of up to 2,000 lbs., not to exceed 4,000 lbs. /2 months (no action needed for Limited Entry North)
 - b. Adopt Option 1 for Limited Entry south of 36° N. lat. 2,500 lbs. per week, and for Open Access South at 2,000 lbs. per week, not to exceed 6,000 lbs. / 2 months
- 3. Adopt Option 1 for both LEFG and OA trip limits for lingcod south of 40° 10′ N. lat. in 2021: LEFG at 1,600 lbs. / 2 months, and OA at 700 lbs. / month.
- 4. Adopt Option 1 for OA shortspine and longspine thornyhead south of 34° 27′ N. lat. in 2021: daily trip limit of 100 lbs. / day and not more than 1,000 lbs. / 2 months.

Marci Yaremko/Maggie Sommer (Motion 12 carried unanimously)

Motion 13: Council adopt the preliminary exempted fishing permit proposals in <u>Agenda Item H.1</u>, <u>Attachments 1, 2</u>, and <u>3</u> for public review.

Briana Brady/Bob Dooley (Motion 13 carried unanimously)

- **Motion 14**: Council recommend the following measures for domestic management of Pacific bluefin tuna in 2021, should the IATTC adopt rollover regulations for 2021 as anticipated which would provide the U.S. with a catch limit of 425 mt.
 - 1) Remove the pre-trip notification requirement
 - 2) Maintain 24-hour E-tix submission for all commercial landings
 - 3) For trip limits:

Set an Initial trip limit of 20 mt

- During the first quarter The catch limit is reduced to 15 mt when annual landings reach 250 mt. The trip limit is then reduced to 2 mt when annual landings reach 325 mt.
- During the second quarter The catch limit is reduced to 15 mt when annual landings reach 275 mt. The trip limit is then reduced to 2 mt when annual landings reach 350 mt.

- During the third quarter The catch limit is reduced to 15 mt when annual landings reach 300 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.
- During the fourth quarter- The catch limit is reduced to 15 mt when annual landings reach 325 mt. The trip limit is then reduced to 2 mt when annual landings reach 375 mt.

John Ugoretz/Marc Gorelnik (Motion 14, as amended, carried unanimously)

Motion 15: Council task the Highly Migratory Species Management Team and Highly Migratory Species Advisory Subpanel to develop potential options for clarifying the Purpose and Need for hard caps in the large-mesh drift gillnet fishery and to develop alternative hard cap approaches that address NMFS' concerns regarding potential negative economic impacts while still meeting the Council's goal to incentivize fishing behavior that minimizes bycatch for the June 2021 meeting.

John Ugoretz/Phil Anderson (Motion 15 carried unanimously)

Motion 16: Council adopt the Budget Committee recommendations as presented in <u>Agenda Item C.5.a</u>, <u>Supplemental Budget Committee Report 1</u>, <u>November 2020</u>.

Pete Hassemer/Marci Yaremko (Motion 16 carried unanimously)

Motion 17: Council approve the September 2020 meeting record as shown in <u>Agenda Item C.6</u>, <u>Attachment 1: Draft Council Meeting Record: 256th Session of the Pacific Fishery Management Council (September 8-11 & 14-18, 2020).</u>

Phil Anderson/Heather Hall (Motion 17 carried unanimously)

Motion 18: Council appoint Ms. Anna Weinstein to the conservation position on the Coastal Pelagic Species Advisory Subpanel formerly held by Ms. Gillian Lyons.

Phil Anderson/Butch Smith (Motion 18 carried unanimously)

Motion 19: Council appoint:

- Ms. Gretchen Hanshew and Mr. Daniel Studt to the two West Coast Region positions on the Groundfish Management Team formerly held by Ms. Abigail Harley and Ms. Karen Palmigiano,
- Dr. Chantel Wetzel, to the vacant Northwest Fisheries Science Center position on the Groundfish Management Team, and
- Mr. Scott Benson to the Sea Turtle Taxa position on the Groundfish Endangered Species Workgroup formerly held by Dr. Tomo Eguchi.

Ryan Wulff/Maggie Sommer (Motion 19 carried unanimously)

Motion 20: Council appoint:

- Ms. Katherine Pierson to the Oregon Department of Fish and Wildlife position on the Groundfish Management Team formerly held by Mr. Patrick Mirick, and
- Ms. Lynn Mattes to the vacant Oregon Department of Fish and Wildlife position on the Groundfish Endangered Species Workgroup.

Maggie Sommer/Brad Pettinger (Motion 20 carried unanimously)

ADJOURN					
The Council meeting adjourned on Friday, November 20, 2020 at 1:21 p.m.					
Marc Gorelnik	Date				
Council Chair					