

**DRAFT COUNCIL MEETING RECORD**  
**260<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
**June 21-26 & 28-30, 2021**  
Webinar

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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: 6-24-21am1](#) 00:00:11]

#### 1. Opening Remarks – Marc Gorelnik, Chair [[mp3: 6-24-21am1](#) 00:00:18]

Mr. Marc Gorelnik, Council Chair, called the 260<sup>th</sup> meeting of the Pacific Fishery Management Council (Council) to order at 10:00 a.m. on June 24, 2021. A closed session was held before this open session to discuss litigation and personnel matters.

#### 2. Roll Call – Chuck Tracy [[mp3: 6-24-21am1](#) 00:03:56]

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

National Marine Fisheries Service:	Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Kelly Ames, designee Ms. Susan Bishop, designee Mr. Lyle Enriquez, designee
Alaska State Official:	Ms. Rachel Baker, nonvoting designee Ms. Karla Bush, nonvoting designee Ms. Dani Evenson, nonvoting designee Mr. Bill Templin, nonvoting designee
Washington State Official:	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 Mr. Troy Buell, 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 LT Lelea Lingo, nonvoting designee* Mr. Chris German, nonvoting designee*
U.S. Fish and Wildlife Service:	Mr. Mike Clark, nonvoting designee

Dr. Kyle Hanson, nonvoting designee  
Mr. John Netto, 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: 6-24-21am1 00:05:37](#)]**

**A.3, Public Comments** (*If received, Electronic Only*)

**4. Agenda – Marc Gorelnik [[mp3: 6-24-21am1 00:12:06](#)]**

**a. Council Action: Approve Agenda**

**Motion 1** [[mp3: 6-24-21am1 00:12:40](#)]: Adopt [Agenda Item A.4, June 21-26 & 28-30, 2021 Council Meeting Agenda](#).

Phil Anderson/Pete Hassemer (Motion 1 carried unanimously)

**B. Open Comment Period [[mp3: 6-24-21am1 00:14:10](#)]**

**1. Comments on Non-Agenda Items – Chuck Tracy**

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment [[mp3: 6-24-21am1 00:14:32](#)]**

**c. Council Discussion and Comments, as Appropriate**

Staff summary: None

**C. Administrative Matters**

**1. Council Coordination Committee – Chuck Tracy [[mp3: 6-24-21am1 00:34:36](#)]**

**C.1, Attachment 1**: Final Agenda, Council Coordination Committee Meeting, May 18-20, 2021

**C.1, Attachment 2**: Pacific Council Report from the May 2021 Council Coordination Committee Meeting

**a. Reports and Comments of Management Entities and Advisory Bodies**

**b. Public Comment**

**c. Council Action: Consider Report on the Council Coordination Committee Meeting [[mp3: 6-24-21am1 00:44:44](#)]**

**Motion:** None

**Staff Summary:** None



2. **Standardized Bycatch Reporting Methodology – Scoping** – Brett Wiedoff [[mp3: 6-24-21am1 00:56:17](#)]

[C.2, Attachment 1](#): NMFS Final Rule for Standardized Bycatch Reporting Methodology

[C.2, Attachment 2](#): SBRM Scoping Report

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 6-24-21am1 01:09:20](#)]

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

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

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

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

b. **Public Comment** [[mp3: 6-24-21am1 01:23:25](#)]

c. **Council Action: Scope the Need to Amend Fishery Management Plans for Consistency with the Final Rule** [[mp3: 6-24-21am1 01:23:38](#)]

**Motion:** None

**Staff Summary:** The Council considered the scoping document and Management Team reports for potential fishery management plan amendments. It is anticipated that one or more plans may need to be amended to be consistent with NMFS final rule. The Council is examining which Council meeting(s) in 2021 the next review will take place.

3. **Update on Executive Order 14008** – Chuck Tracy [[mp3: 6-29-21pm1 00:00:10](#)]

[C.3, Attachment 1](#): Executive Order 14008

[C.3, Attachment 2](#): Letter regarding EO 14008 216(c) to NMFS

[C.3, Attachment 3](#): Letter regarding EO 14008 216(a) to DOI

[C.3, Attachment 4](#): National Climate Task Force Report: Conserving And Restoring America The Beautiful

a. **Report of the Acting Assistant Administrator for Fisheries – Sam Rauch** [[mp3: 6-29-21pm1 00:05:44](#)]

[C.3.a, Supplemental NMFS Report 1](#): Conserving and Restoring America the Beautiful – *A preliminary report to the National Climate Task Force recommending a ten-year, locally led campaign to conserve and restore the lands and waters upon which we all depend, and that bind us together as Americans*

b. **Reports and Comments of Management Entities and Advisory Bodies**

c. **Public Comment**

d. **Council Action: Review Progress and Provide Comments, as Necessary** [[mp3: 6-29-21pm1 00:27:05](#)]

**Motion:** None

**Staff Summary:** The Council received a presentation by Mr. Sam Rauch on the National Climate Task Force report “[Conserving and Restoring America the Beautiful](#).” One of the report’s

recommendations was that an interagency working group should develop an American Conservation and Stewardship Atlas to measure the progress of conservation, stewardship, and restoration efforts across the United States. Council staff is participating in an Area-Based Management Subcommittee established by the Council Coordination Committee to develop a common understanding among the Councils of area-based management measures and to develop a report on area-based measures in the U.S. Exclusive Economic Zone (EEZ) to assist with the development of the Atlas.

**4. [Marine Planning](#) – Kerry Griffin [[mp3: 6-29-21pm1 01:25:57](#)]**

[C.4, Attachment 1](#): Analysis Of Four State Proposal On Marine Planning Workload

[C.4, Attachment 2](#): DOI press release

[C.4, Attachment 3](#): CA Lands Commission EA Notice

**a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-29-21pm1 01:30:56](#)] and [[mp3: 6-29-21pm2 00:00:03](#)]**

[C.4.a, Supplemental ODFW Report 1](#)

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

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

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

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

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

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

[C.4.a, Supplemental SAS Report 1](#)

[C.4.a, Supplemental EC Report 1](#)

**b. [Public Comment](#) [[mp3: 6-29-21pm2 00:37:04](#)]**

**c. [Council Action: Review Recent Activity and Provide Guidance on a Process and Schedule for Future Council Engagement](#) [[mp3: 6-29-21pm2 00:49:16](#)]**

Preamble in consideration of creating an Ad Hoc Marine Planning Committee (AH-MPC):

*(1) The timelines for NOAA and BOEM data development, analyses, and decisions (on offshore wind [OSW] and aquaculture opportunity areas [AOAs], respectively) are short and do not necessarily align with the Council’s schedule, resulting in potential missed opportunities for PFMC comment. A smaller AH-MPC that could meet during or between Council meetings could be a timely mechanism for the Council family to track and alert the Council members to the need for comment and elevate that need to the PFMC for action. (2) To be effective and responsive to the external planning timelines, the AH-MPC work could be done efficiently via remote meetings. (3) Specific to OSW and engagement with BOEM, state Task Forces are comprised only of government representatives by law; state and federal agencies are participating directly in Task Force processes and bringing related management and research perspectives to the table. The Task Force processes do not include fishing and fishing industry stakeholders yet fishing grounds and fish habitat are resources of particular concern to the PFMC in marine planning and are particularly vulnerable to poorly-informed spatial planning process. A PFMC AH-MPC with a priority on fishery and fishery-related stakeholder voices would fill a gap in and strengthen the BOEM process. (4) The 4 state FW agencies support the following approach.*

**Motion 16** [[mp3: 6-29-21pm2 01:06:26](#)]: Council initiate an Ad Hoc advisory body to engage in immediate needs in marine planning processes for offshore wind (OSW) and aquaculture opportunity areas (AOAs) for at least 2-years. The AH-MPC will provide timely evaluation of these planning processes and facilitate delivery of PFMC input to the action agencies through regularly scheduled PFMC meetings process or through emergency letter process.

**Purpose and function of AH-MPC:**

1. **Purpose.** An Ad Hoc Marine Planning Committee (AH-MPC) PFMC advisory body will provide the Council with an open and transparent process to gather industry and stakeholder input and advice on marine planning, particularly OSW and AOAs, and a mechanism to funnel constructive recommendations to the PFMC for PFMC action and communication with the planning action agency in question.
2. **Composition.** The Ad Hoc committee will be led by a dedicated Council staff member and would include a Council staff or contractor with geographic information system (GIS) expertise. Six committee members would be chosen from existing PFMC Advisory Body (AB) membership (e.g., Groundfish Advisory Subpanel (GAP, Highly Migratory Species Advisory Subpanel (HMSAS), etc.) to serve on the AH-MPC and act as liaisons to their primary AB to facilitate timely and efficient information flow. Four resource managers, three recommended by California Department of Fish & Wildlife (CDFW), Oregon Department of Fish & Wildlife (ODFW), and Washington Department of Fish & Wildlife (WDFW), and one tribal manager recommended by the Council's Tribal representative with expertise in offshore wind and marine special planning would also serve on the AH-MPC.
3. **Function:** The AH-MPC will respond to state-specific processes, which have independent timelines in a manner that facilitates the opportunity for the PFMC to provide comment letters as needed to directly inform the OSW or AOA processes in CA/OR/WA. In addition, the Council staff lead will build a broader network of dedicated specialists from other institutions as appropriate which may include but is not limited to, National Marine Fisheries Service (NMFS), other state and Federal agencies, National Marine Sanctuaries, universities or other marine science and fishery experts to serve as a fluid group of subject matter experts that can provide additional information, analysis, and advice as needed.
4. **Schedule and Meeting Planning:** AH-MPC should meet in conjunction with (but not necessarily during) regularly scheduled PFMC meetings and provide an update report to the Council up to 3 times each year.
  - For travel and cost savings, Council staff should consider the option of virtual meetings, prior to full PFMC meeting agenda starting.
  - When the OSW or AOA process does not align with a regularly scheduled PFMC meeting, the AH-MPC could meet (virtually), and initiate quick response letter process, as determined necessary.
  - Over the next 3 months:
    - Participate in the July working webinars (nomination/approval process for Ad Hoc membership below).
    - Report to the Council in September including a) summary of July webinars, b) recommendations to PFMC on need for comment letter to

BOEM, and c) recommendations to PFMC on further augmentation of AH-MPC membership.

5. **Term:** The AH-MPC would convene for at least 2 years. The PFMC would re-evaluate the need for the AH-MPC after 2 years (determination by the Council).

Ad Hoc committee make-up:

**1. Ad Hoc Marine Planning Committee (12 members, with staff):**

- a. Fisheries and habitat representatives (6) – cumulatively include geographic and sector diversity. Each AB nominates the representative and PFMC Chair approves.
  - i. 1 each from HMSAS, Coastal Pelagic Species Advisory Subpanel (CPSAS), GAP, Salmon Advisory Subpanel (SAS)
  - ii. 1 from Ecosystem Advisory Subpanel (EAS), Habitat Committee (HC)
- b. Resource Managers (4 – nominated by the appropriate Department of Fish and Wildlife (DFW) or PFMC Tribal representative; PFMC Chair approves.
  - i. 1 each resource/planning manager from DFW’s CA, WA, OR, with expertise in offshore wind/marine spatial planning
  - ii. 1 nominated by Tribal representative on the PFMC
- c. Council Staff (2)
  - i. 1 Council staff person (TBD)
  - ii. 1 GIS/layers expert
- d. Two co-chairs of AH-MPC are selected from among members by the full AH-MPC: 1 from among the 6 AB seats, and 1 from among the 4 resource manager seats.

Caren Braby/Virgil Moore

**Amendment 1** [[mp3: 6-29-21pm2 01:34:45](#)]: Under Ad-Hoc committee make up – 1.a (Resource Managers) – change to 5 members, iii. Representative for NMFS.

Phil Anderson/Butch Smith (Amendment 1 carried unanimously)

**Amendment 2** [[mp3: 6-29-21pm2 01:53:06](#)]: Under item two, composition by striking the first sentence in the paragraph. Second, under number three, strike the word lead, after staff. Third, under section 1d Ad Hoc committee makeup. Strike the phrase “selected from among members by the full AH-MPC” and replace it with the word “appointed”.

Pete Hassemer/Marc Gorelnik

**Amendment 2a** [[mp3: 6-29-21pm2 02:07:01](#)]: Delete the word “the Council staff” and replace it with “the AH-committee” in number three, function.

Phil Anderson/Caren Braby (Amendment 2a carried unanimously)

(Amendment 2 carried unanimously)

**Amendment 3** [[mp3: 6-29-21pm2 02:12:46](#)]: Make the following changes:

- Add sentence to number two: One conservation representative would be selected from among conservation representatives presently serving on existing Council advisory bodies.
- Edit overall makeup from 13 to 14 members.

- Add section e. Conservation representative (1) - recommended by conservation representatives presently serving on the existing Council advisory bodies.

Marci Yaremko/Mike Clark (Amendment 3 carried, Mr. Moore voted no)  
(Motion 16 as amended, carried unanimously)

**Staff Summary:** The Council received verbal updates on NOAA Aquaculture Opportunity Area planning and Bureau of Ocean Energy Management planning for offshore wind energy development on the West Coast. The Council also considered options for addressing and responding to offshore development activities and established an Ad Hoc Marine Planning Committee (MPC), to track and advise the Council on marine planning issues and their effects on Council managed fisheries, data collection surveys, habitat, and coastal communities.

The MPC will consist of six representatives from current PFMC Advisory Bodies (one each from HMS Advisory Subpanel, CPS Advisory Subpanel, Groundfish Advisory Subpanel, Salmon Advisory Subpanel, Ecosystem Advisory Subpanel, and Habitat Committee); one conservation representative selected from one of the Council’s Advisory Subpanels; three resource managers representing the states of Washington, Oregon, and California; one Tribal representative nominated by the Council’s Tribal representative; and one representative from NMFS.

**5. Regional Operating Agreement – Chuck Tracy [[mp3: 6-30-21am1 00:15:11](#)]**

[C.5, Attachment 1](#): Joint NMFS/Council Staff Report On Major Focus Areas For Revisions To The Regional Operating Agreement

- Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 6-30-21am1 00:19:24](#)]
- Public Comment** [[mp3: 6-30-21am1 00:42:39](#)]
- Council Action: Review Conceptual Changes to the Regional Operating Agreement Proposed by Council and NMFS, and Provide Guidance for Further Development of a Revised Agreement** [[mp3: 6-30-21am1 00:56:52](#)]

**Motion:** None

**Staff Summary:** None

**6. Fiscal Matters – Patricia Crouse [[mp3: 6-30-21am2 00:00:11](#)]**

[C.6, Supplemental Attachment 1](#): Budget Committee Agenda

[C.6, Supplemental Attachment 2](#): Executive Director’s Report to the Budget Committee (June 2021)

- Report of the Budget Committee** – Pete Hassemer
- Reports and Comments of Management Entities and Advisory Bodies**
- Public Comment**

**d. Council Action: Consider Budget Committee Report and Recommendations**  
[\[mp3: 6-30-21am2 00:07:44\]](#)

**Motion 17** [\[mp3: 6-30-21am2 00:08:23\]](#): Council adopt the Budget Committee recommendations as outlined in Agenda Item C.6.a, Supplemental Budget Committee Report 1, June 2021. Pete Hassemer/Marc Gorelnik (Motion 17 carried unanimously)

**Staff Summary:** The Council approved the CY 2021 Operational Budget of \$5,040,430 including the amounts for No-Cost Extension projects. Council also approved the 2020 Audit Results, and recommended scheduling a Budget Committee meeting in September 2021 to identify 2022 budget priorities and in November 2021 to recommend a 2022 provisional budget.

**7. [Legislative Matters](#) – Jennifer Gilden** [\[mp3: 6-30-21am2 00:14:03\]](#)

[C.7, Attachment 1](#): Staff Summary of Federal Legislation

- a. [Report of the Legislative Committee](#) – Dave Hanson [\[mp3: 6-30-21am2 00:15:47\]](#)
- b. [Reports and Comments of Management Entities and Advisory Bodies](#) [\[mp3: 6-30-21am2 00:17:01\]](#)

[C.7.b, Supplemental GAP Report 1](#)

- c. [Public Comment](#) [\[mp3: 6-30-21am2 00:18:09\]](#)
- d. **Council Action: Consider Legislative Committee Report and Recommendations**  
[\[mp3: 6-30-21am2 00:18:13\]](#)

**Motion:** None

**Staff Summary:** None

**8. [Approval of Council Meeting Records](#) – Marc Gorelnik** [\[mp3: 6-30-21am2 00:19:46\]](#)

[C.8, Attachment 1](#): Draft Council Meeting Record: 258th Session of the Pacific Fishery Management Council (March 2-5 & 8-11, 2021)

[C.8, Attachment 2](#): Draft Council Meeting Record: 259th Session of the Pacific Fishery Management Council (April 6-9 & 12-15, 2021)

- a. **Council Action: Approve Previous Council Meeting Records** [\[mp3: 6-30-21am2 00:20:05\]](#)

**Motion 18** [\[mp3: 6-30-21am2 00:20:24\]](#): Council approve the March 2021 and April 2021 meeting records as shown in Agenda Item C.8, Attachment 1: Draft Council Meeting Record: 258th Session of the Pacific Fishery Management Council (March 2 -5 & 8-11, 2021) and Agenda Item C.8, Attachment 2: Draft Council Meeting Record: 259th Session of the Pacific Fishery Management Council (April 6-9 & 12-15, 2021). Pete Hassemer/Louis Zimm (Motion 18 carried unanimously)

**Staff Summary:** None



**9. [Membership Appointments and Council Operating Procedures](#) – Mike Burner  
[\[mp3: 6-30-21am2 00:21:59\]](#)**

[C.9, Attachment 1](#): USCG Letter Regarding Council Designees and Enforcement Consultants

[C.9, Attachment 2](#): Summary of Term-Limited Advisory Body Compositions

[C.9, Attachment 3](#): Council Operating Procedures 1-8 (*Electronic Only*)

**a. Reports and Comments of Management Entities and Advisory Bodies [\[mp3: 6-30-21am2 00:32:53\]](#)**

[C.9.a, Supplemental CDFW Report 1](#): California Vacancy on the Pacific Fishery Management Council, Enforcement Consultants advisory body

[C.9.a, EAS Report 1](#)

[C.9.a, Supplemental SSC Report 1](#)

[C.9.a, Supplemental HC Report 1](#)

[C.9.a, Supplemental SAS Report 1](#)

[C.9.a, Supplemental HMSMT Report 1](#)

[C.9.a, Supplemental HMSAS Report 1](#)

[C.9.a, Supplemental CPSAS Report 1](#)

[C.9.a, Supplemental GAP Report 1](#)

**b. [Public Comment](#) [\[mp3: 6-30-21am2 01:05:01\]](#)**

**c. Council Action: Adopt Proposed Changes to Advisory Body Compositions for Public Review, Consider Appointments to Council Committees and Advisory Bodies, and Adopt Changes to Council Operating Procedures [\[mp3: 6-30-21am2 01:14:28\]](#) and [\[mp3: 6-30-21pm1 00:00:08\]](#)**

**Motion 19 [\[mp3: 6-30-21am2 01:18:57\]](#)**: Council appoint Ms. Abbie Moyer to the National Marine Fisheries Service West Coast Region position on the Groundfish Management Team currently held by Ms. Gretchen Hanshew and appoint Mr. Dan Lawson to represent the West Coast Region on the Groundfish Endangered Species Workgroup.

Ryan Wulff/Pete Hassemer (Motion 19 carried unanimously)

**Motion 20 [\[mp3: 6-30-21am2 01:23:11\]](#)**: Council elect Mr. Marc Gorelnik as the Council Chair and Mr. Brad Pettinger as the Council Vice-Chair for the August 11, 2021 through August 10, 2022 term.

Phil Anderson/Bob Dooley (Motion 20 carried unanimously)

**Motion 21 [\[mp3: 6-30-21am2 01:52:36\]](#)**: Council adopt the following draft revisions to Council Operating Procedures for public review:

- COP 2: Relabel the two HMSAS commercial fisheries At-Large seats as commercial fisheries north and south of Pt. Conception (C.9.a, Supplemental HMSAS Report 1, June 2021)
- COP 2: Add a private recreational seat for north of Pt. Conception to the HMSAS and relabel the existing private recreational seat as south of Pt. Conception (C.9.a, Supplemental HMSAS Report 1, June 2021 and C.9.a, Supplemental SAS Report 1, June 2021)
- COP 2: Change the At-Large seat to Deep-Set Buoy Gear representative (C.9.a, Supplemental HMSAS Report 1, June 2021)

- COP 3: Add a seat for a fishing industry representative on the GESW (C.9.a, Supplemental GAP Report 1, June 2021)
- COP 4: Allow alternates for At-Large SSC members (C.9.a, Supplemental SSC Report 1, June 2021)
- COP 2: Revise section on “REPORTS TO COUNCIL” as follows:
  - Proposed, clean: “Reports will describe areas of consensus and differences. If necessary, reports will present the divergent views of the subpanel. The Subpanel Chair will present the reports to the Council.”
  - Proposed, ~~strikeout~~: “Reports will describe ~~both~~ areas of consensus and differences. If necessary, ~~majority and minority~~ reports ~~may be drafted to~~ will present the divergent views of the subpanel. The Subpanel Chair will present ~~both majority and minority~~ the reports to the Council.”

Maggie Sommer/Marci Yaremko (Motion 21 carried unanimously)

**Motion 22** [[mp3: 6-30-21pm1](#) 00:04:17]: Council create the Ad Hoc Executive Director Selection Committee.

Brad Pettinger/Bob Dooley (Motion 22 carried unanimously)

**Staff Summary:** The Council elected Mr. Marc Gorelnik as the Council Chair and Mr. Brad Pettinger as the Council Vice-Chair for the August 11, 2021 through August 10, 2022 term.

The United States Coast Guard (USCG) announced changes to their Council designees. Lieutenant Commander Scott McGrew will remain RADM Vogt’s first designee, Lieutenant Lelea Lingo will become his second designee, and Mr. Chris German will be his third designee.

The USCG and California Department of Fish and Wildlife (CDFW) announced changes to their Enforcement Consultants. Mr. Chris German and Lieutenant Lelea Lingo will represent the 13th and 11th Districts of the Coast Guard respectively. Captain Eric Kord was appointed as CDFW’s primary Enforcement Consultant and Lieutenant Jason Kraus will serve as CDFW’s alternate designee.

The Council appointed Ms. Abbie Moyer to the NMFS West Coast Region (WCR) position on the Groundfish Management Team formerly held by Ms. Gretchen Hanshew and appointed Mr. Dan Lawson to a NMFS WCR position on the Groundfish Endangered Species Workgroup.

The Council reviewed the Council Operating Procedures, particularly the composition of Advisory Bodies and adopted the following proposed changes for public review.

- Regarding the HMS Advisory Subpanel (HMSAS):
  - Relabel the two HMSAS Commercial At-Large seats as Commercial Fisheries north and south of Pt. Conception.
  - Add a Private Recreational north of Pt. Conception position and relabel the existing Private Recreational position as south of Pt. Conception.
  - Change the At-Large position to a Deep-Set Buoy Gear Position.
- Regarding the Groundfish Endangered Species Workgroup, add a Fishing Industry Representative position.



- Revise COP 4 to allow At-Large Scientific and Statistical Committee members to request an alternate.
- Revise COP 2 to remove language referring to “majority and minority” reports but continue to require Subpanel Chairs to report areas of consensus and differences.

Council Staff will prepare public review drafts of the Council Operating Procedures for potential final adoption by the Council at its September meeting.

In response to Executive Director Chuck Tracy’s announced retirement, the Council created the Ad Hoc Executive Director Selection Committee and, in consultation with the Council, Chair Gorelnik appointed himself, Vice Chair Pettinger, Mr. Phil Anderson, Mr. Pete Hassemer, and Ms. Heather Hall to the Committee. The Council anticipates posting a recruitment announcement for a new Executive Director no later than July 7.

It was also [announced](#) at this meeting that Mr. Phil Anderson, Mr. Bob Dooley, Mr. Joe Oatman and Ms. Christa Svensson will be reappointed, and that Mr. Louis Zimm will be replaced by Ms. Corey Ridings, for the 2021-2024 term on the Pacific Council.

**10. [Future Council Meeting Agenda and Workload Planning](#) – Chuck Tracy [[mp3: 6-30-21pm1 00:14:33](#)]**

[C.10, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[C.10, Attachment 2](#): Draft Proposed Council Meeting Agenda, September 2021

[C.10, Attachment 3](#): Council Staff Proposed September Meeting Arrangements

[C.10, Supplemental Attachment 4](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 06/29/2021; 15:59)

[C.10, Supplemental Attachment 5](#): Draft Proposed Council Meeting Agenda, September 2021 (v. 06/29/2021; 4:22 PM)

**a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-30-21pm1 00:28:01](#)]**

[C.10.a, Supplemental NMFS Report 1](#)

[C.10.a, Supplemental SSC Report 1](#)

[C.10.a, Supplemental CPSMT Report 1](#)

[C.10.a, Supplemental CPSAS Report 1](#)

[C.10.a, Supplemental GMT Report](#)

[C.10.a, Supplemental GAP Report 1](#)

[C.10.a, Supplemental HMSMT Report](#)

**b. [Public Comment](#) [[mp3: 6-30-21pm1 01:38:32](#)]**

**c. [Council Discussion and Guidance on Future Meeting Agenda and Workload Planning](#) [[mp3: 6-30-21pm1 01:48:24](#)] and [[mp3: 6-30-21pm2 00:00:11](#)]**

**Motion:** None

**Staff Summary:** None

## D. Habitat Issues

1. [Current Habitat Issues](#) – Jennifer Gilden [[mp3: 6-24-21am1 01:34:34](#)]
  - a. [Report of the Habitat Committee](#) – Correigh Greene [[mp3: 6-24-21am1 01:35:42](#)]
  - b. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 6-24-21am1 02:00:24](#)]

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

- c. [Public Comment](#) [[mp3: 6-24-21am1 02:04:02](#)]
- d. **Council Action: Consider Habitat Committee Report and Recommendations** [[mp3: 6-24-21pm1 00:00:18](#)]

**Motion:** None

**Staff Summary:** None

## E. Salmon Management

1. [Southern Oregon Northern California Coast Coho Endangered Species Act Consultation](#) – Robin Ehlke [[mp3: 6-24-21pm1 00:27:39](#)]
  - a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 6-24-21pm1 00:30:56](#)] and [[mp3: 6-24-21pm2 00:00:10](#)]

[E.1.a, Workgroup Report 1 \(Electronic Only\)](#): Pacific Fishery Management Council Southern Oregon/Northern California Coast Coho: Fishery Harvest Control Rule Risk Assessment

[E.1.a, Supplemental SONCC Workgroup Presentation 1](#): Fishery Harvest Control Rule Risk Assessment (O'Farrell)

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

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

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

- b. [Public Comment](#) [[mp3: 6-24-21pm2 00:02:08](#)]
- c. **Council Action: Review the Revised Risk Assessment and Adopt a Range of Alternatives, As Appropriate** [[mp3: 6-24-21pm2 00:02:55](#)]

**Motion 2** [[mp3: 6-24-21pm2 02:09:31](#)]: Council to remove Control Rule #12 from consideration. Phil Anderson/Bob Dooley (Motion 2 passed, Ms. Svensson, Mr. Oatman, Ms. Bishop, Mr. Kern, Mr. Hassemer voted no)

**Motion 3** [[mp3: 6-24-21pm2 02:18:25](#)]: Council to remove Control Rule #9 from consideration. Brett Kormos/Bob Dooley (Motion 3 failed, Mr. Oatman voting no)

**Staff Summary:** The Council provided guidance on a range of harvest control rules for Southern Oregon/Northern California Coast (SONCC) coho, based on information provided in the Ad-Hoc SONCC Workgroup's [Fishery Harvest Control Rule Risk Assessment](#).

The Council asked the SONCC Coho Workgroup (Workgroup) to:

1. Focus on total (ocean and freshwater) exploitation rates (exclude alternatives that are 'ocean only')
2. Focus on constant exploitation rates (exclude alternatives that are abundance-based, or matrix-based)
3. Evaluate constant exploitation rates between 7 and 20 percent, with incremental increases on the higher end of the range (~13-20)
4. Include a 'no-fishing' alternative (zero exploitation rate)
5. Include a 'status quo' alternative, and
6. Include in the Risk Assessment a section describing any Workgroup recommendations, and/or evaluation of the pros/cons of the alternatives provided.

The Council is scheduled to review a revised risk assessment of this range of alternative harvest control rules and identify a preliminary preferred alternative at its September 2021 meeting.

## **F. Highly Migratory Species Management**

1. [National Marine Fisheries Service \(NMFS\) Report](#) – Kit Dahl [mp3: [6-25-21am1 00:01:55](#)]

- a. **Regulatory Activities** – Lyle Enriquez [mp3: [6-25-21am1 00:03:21](#)]

### [F.1.a, NMFS Report 1](#)

[F.1.a, NMFS Report 2](#): Observing Unobserved Fishing Characteristics in the Drift Gillnet Fishery for Swordfish

[F.1.a, Supplemental Joint PSMFC-NMFS Presentation 1](#): Observing Unobserved Fishing Characteristics in the Drift Gillnet Fishery for Swordfish June 2021 (Jenny Suter)

- b. **Fisheries Science Center Activities**

- c. **Reports and Comments of Management Entities and Advisory Bodies** [mp3: [6-25-21am1 00:49:12](#)]

### [F.1.c, Supplemental HMSAS Report 1](#)

- d. **Public Comment** [mp3: [6-25-21am1 00:50:56](#)]

- e. **Council Action: Council Discussion and Guidance, as Appropriate** [mp3: [6-25-21am1 00:53:06](#)]

**Motion:** None

**Staff Summary:** None

2. [International Management Activities](#) – Kit Dahl [mp3: [6-25-21am1](#) 00:55:02]

- a. **Report on the Joint Inter-American Tropical Tuna Commission-Western and Central Pacific Fisheries Commission Pacific Bluefin Tuna Working Group – Dorothy Lowman** [mp3: [6-25-21am1](#) 01:05:28]

[F.2, Supplemental Attachment 1](#): Pacific Bluefin Tuna IATTC/WCPFC Northern Committee Joint Working Group Announcement

- b. **Reports and Comments of Management Entities and Advisory Bodies** [mp3: [6-25-21am1](#) 01:09:36]

[F.2.b, National Marine Fisheries Service Report 1](#)

[F.2.b, Supplemental National Marine Fisheries Service Report 2](#)

[F.2.b, Supplemental HMSAS Report 1](#)

- c. **Public Comment** [mp3: [6-25-21am1](#) 01:32:00]

- d. **Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings and Other Forums, as Appropriate** [mp3: [6-25-21am2](#) 00:00:07]

**Motion:** None

**Staff Summary:** The Council recommended that the Inter-American Tropical Tuna Commission (IATTC) adopt status quo catch limits for Pacific bluefin tuna in a one-year measure for 2022. This would allow a future multi-year IATTC resolution to align with the results from a new, benchmark stock assessment scheduled for completion in 2022. Any IATTC resolution would need to be coordinated with complementary measures in the Western and Central Pacific Fisheries Commission (WCPFC) Convention Area through the Joint Working Group process. The Sixth Session of the Joint IATTC and WCPFC-NC Working Group on Management of Pacific Bluefin Tuna is scheduled for July 27 to 29, in advance of the IATTC regular session in August.

The Council also recommended that further development of the interim harvest strategy for North Pacific albacore, based on the results of the recently-completed management strategy evaluation (MSE), be deferred until 2022. This would give managers and stakeholders more time to consider MSE results and identify a preferred harvest control rule and any related management measures.

3. [Exempted Fishing Permits](#) – Kit Dahl [mp3: [6-25-21am2](#) 00:08:59]

[F.3, Attachment 1](#): EFP Application from Austin and Robert Ashe

[F.3, Attachment 2](#): EFP Application from John Bateman

[F.3, Attachment 3](#): EFP Application from Austin Brown

[F.3, Attachment 4](#): EFP Application from Austin Brown (Mid-Water Snap Gear)

[F.3, Attachment 5](#): EFP Application from Miguel Ferre

[F.3, Attachment 6](#): EFP Application from Scott and Wyatt Hawkins

[F.3, Attachment 7](#): EFP Application from Blake Hermann

[F.3, Attachment 8](#): EFP Application from Markus Medak, Brian Sims, and Daniel Fuller

[F.3, Attachment 9](#): EFP Application from Nathan Perez

[F.3, Attachment 10](#): EFP Application from Matthew Rimel

[F.3, Attachment 11](#): 2020 Exempted Fishing Permit Activity Reports

a. **Reports and Comments of Management Entities and Advisory Bodies [mp3: [6-25-21am2 00:15:28](#)]**

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

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

[F.3.a, Supplemental HMSAS Report 1](#)

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

b. **[Public Comment \[mp3: 6-25-21am2 00:37:02\]](#)**

c. **Council Action: Preliminary Review of Exempted Fishing Permit Applications [mp3: [6-25-21am2 00:59:37](#)]**

**Motion 4 [mp3: [6-25-21am2 01:23:20](#)]: Council:**

1. Move the following deep-set buoy gear (DSBG) EFP requests to the National Marine Fisheries Service (NMFS) for issuance:
  - Attachment 1: Robert Ashe
  - Attachment 3: Austin Brown
  - Attachment 5: Miguel Ferre
  - Attachment 6: Scott and Wyatt Hawkins
  - Attachment 7: Blake Hermann
  - Attachment 8: Markus Medak, Brian Sims, and Daniel Fuller
  - Attachment 10: Matthew Rimel
2. Approve the following EFP requests for final consideration at the September Council meeting, and request that the applicants further clarify the specifics of their requests in writing:
  - Attachment 2: John Bateman
  - Attachment 4: Austin Brown
3. Approve Mr. Nathan Perez's EFP request to fish DSBG and night-set buoy gear inside California State Waters (Attachment 9), requiring 100 percent monitoring for any approved effort in State waters, for final consideration at the September Council meeting.
4. Recommend that NMFS not extend the Deep-Set Short Line EFP issued to Mr. John Hall, set to expire December 31, 2021 as requested in his public comment.

John Ugoretz/Marc Gorelnik (Motion 4 carried unanimously)

**Staff Summary:** The Council recommended National Marine Fisheries Service (NMFS) issue exempted fishing permits (EFPs) for the seven applications received to test deep-set buoy gear (DSBG, [see Attachments 1, 4, 5, 6, 7, 8, and 10](#)). Three other applications ([Attachments 2, 4, and 9](#)) described activities other than testing conventional DSBG. ([Attachment 9](#) is a request to use DSBG and night-set buoy gear in specific areas within California state waters, which is not part of current EFP terms and conditions.) The Council forwarded these applications for further

consideration and final action at the September Council meeting, with the expectation that applicants will provide more detail about the requested activities. The Council also recommended that NMFS reissue expiring EFPs for 2022 and 2023 to current active permit holders. The Council recommended not reissuing the Hall short-line EFP, which is based on the [application](#) reviewed and approved by the Council in 2018, because the EFP recipient was unable to arrange a vessel to implement the EFP and no fishing occurred.

4. [Drift Gillnet Fishery Bycatch Performance Report](#) – Kit Dahl [mp3: [6-25-21am2 01:36:20](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies** [mp3: [6-25-21am2 01:40:37](#)]

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

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

[F.4.a, Supplemental HMSMT Presentation 1](#) (Steve Stohs)

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

[F.4.a, Supplemental CDFW Report 1](#)

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

b. **Public Comment** [mp3: [6-25-21pm1 00:00:28](#)]

c. **Council Action: Review Annual Estimates Against Performance Metrics for Bycatch Species** [mp3: [6-25-21pm1 00:07:33](#)]

**Motion:** None

**Staff Summary:** The Council reviewed bycatch estimates for the California large mesh drift gillnet fishery against previously adopted performance metrics for certain finfish, marine mammal, and sea turtle species as reported by the [HMSMT](#). None of the performance metrics were exceeded in calendar years 2018 or 2019. The Council also endorsed the continued work on the methods to estimate bycatch and detect trends in bycatch levels in the fishery as recommended by the [HMSMT](#).

5. [Drift Gillnet Fishery Hard Caps](#) – Kit Dahl [mp3: [6-25-21pm1 00:12:55](#)]

[F.5, Attachment 1](#): Memorandum Opinion, United States District Court for the District of Columbia, *Gary Burke, et al. v. Wynn Coggins as acting Secretary, U.S. Department of Commerce*

[F.5, Attachment 2](#): December 28, 2016, Letter from Marine Mammal Commission Executive Director Rebecca Lent to Lyle Enriquez, National Marine Fisheries Service

a. **Reports and Comments of Management Entities and Advisory Bodies** [mp3: [6-25-21pm1 00:19:53](#)]

[F.5.a, Supplemental MMC Presentation 1](#): Marine Mammal Hard Caps in the Large-Mesh Drift Gillnet Fishery; Marine Mammal Commission

[F.5.a, HMSMT Report 1](#)

[F.5.a, Supplemental HMSMT Report 2](#)

**b. [Public Comment \[mp3: 6-25-21pm1 01:49:19\]](#)**

**c. Council Action: Adopt a Revised Purpose and Need Statement and Range of Alternatives, as Appropriate [\[mp3: 6-25-21pm2 00:00:09\]](#)**

**Motion 5 [\[mp3: 6-25-21pm2 00:22:20\]](#): Council:**

- 1) Revise its purpose and need for hard caps in the Drift Gill Net Fishery to:

**The purpose is:**

To incentivize fishing practices and tools in an effort to minimize bycatch and bycatch mortality, as well as to conserve other unmarketable non-target species, including ESA-listed species and marine mammals, in the drift gillnet fishery to the extent practicable.

**The need is:**

To ensure that take and bycatch of unmarketable non-target species, including ESA-listed species and marine mammals, in the DGN fishery is minimized to the extent practicable and that such take and bycatch does not result in limitations on the economic viability of the west coast swordfish fishery.

- 2) Direct the Highly Migratory Species Management Team to develop a final range of alternatives that meets this purpose and need while aiming to address the NMFS economic analysis results from the original proposal:
  - a. A no-action alternative as required by NEPA
  - b. Hard Caps equivalent to the original proposal
  - c. Annual Hard Caps equivalent to the original proposal, with varying closure periods
  - d. Hard Caps with varying closure periods that apply to individuals and the fleet as a whole where an individual and all unobservable vessels are prohibited from fishing after the specified cap and the full fleet is closed after the hard cap is exceeded as follows:

<b>Species</b>	<b>Individual Cap</b>	<b>Two-Year Fleetwide Cap</b>
Fin whale	1	2
Humpback whale	1	2
Sperm whale	1	2
Leatherback sea turtle	1	2
Loggerhead sea turtle	1	2
Olive-Ridley sea turtle	1	2
Green sea turtle	1	2
Short-fin pilot whale C/O/W	2	4
Common bottlenose dolphin C/O/W Offshore stock	2	4

John Ugoretz/Caren Braby

**Amendment 1 [\[mp3: 6-25-21pm2 00:42:29\]](#):** Revise statement 2.d to “Hard Caps with varying closure periods that apply to individuals and the fleet as a whole where an individual and all unobservable vessels are prohibited from fishing after the specified cap and the full fleet is closed after the hard cap is exceeded” and delete the table.

Louis Zimm/Virgil Moore (Amendment 1 was withdrawn with consent of the second)  
**Motion 5** carried (Mr. Zimm requested a roll call vote, Mr. Zimm abstained)

**Staff Summary:** The Council adopted the following revised purpose and need statement for the implementation of hard caps for selected protected species taken in the California large mesh drift gillnet (DGN) fishery:

*The purpose* is to incentivize fishing practices and tools in an effort to minimize bycatch and bycatch mortality, as well as to conserve other unmarketable non-target species, including ESA-listed species and marine mammals, in the drift gillnet fishery to the extent practicable. *The need* is to ensure that take and bycatch of unmarketable non-target species, including ESA-listed species and marine mammals, in the DGN fishery is minimized to the extent practicable and that such take and bycatch does not result in limitations on the economic viability of the west coast swordfish fishery.

The Council originally adopted hard caps for the fishery in 2015 but implementing regulations were vacated due to a court order.

The Council also directed its HMSMT to develop a final range of alternatives for adoption by the Council including:

- A no action alternative (as required by the National Environmental Policy Act).
- Hard caps as in the Council’s original 2015 action, which were rolling two-year caps based on observed mortality/injury for five marine mammal and three sea turtle species.
- Annual hard caps based on the hard cap numbers in the original action with sub-options for different closure period durations.
- Hard caps that apply both to individual vessels and the fleet as a whole. When a vessel meets an individual cap, both that vessel and all unobservable vessels would have to stop fishing. All vessels in the fishery would have to stop fishing when a fleet-wide cap is reached. As above, sub-options for different closure period durations will be included. The individual and fleet-wide caps under this alternative are:

Species	Individual Cap	Two-Year Fleetwide Cap
Fin whale	1	2
Humpback whale	1	2
Sperm whale	1	2
Leatherback sea turtle	1	2
Loggerhead sea turtle	1	2
Olive-Ridley sea turtle	1	2
Green sea turtle	1	2
Short-fin pilot whale CA/OR/WA	2	4
Common bottlenose dolphin CA/OR/WA Offshore stock	2	4



## G. Groundfish Management

### 1. [National Marine Fisheries Service Report](#) – Todd Phillips [[mp3: 6-26-21am1 00:00:58](#)]

#### a. [Regulatory Activities](#) [[mp3: 6-26-21am1 00:02:18](#)]

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

#### b. [Fisheries Science Center Activities](#) [[mp3: 6-26-21am1 00:12:13](#)]

[G.1.b, Supplemental NMFS FSC Presentation 1](#): Science Center Activities (Craig Russell)

#### c. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-26-21am1 00:37:18](#)]

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

#### d. [Public Comment](#) [[mp3: 6-26-21am1 00:39:11](#)]

#### e. [Council Discussion and Guidance, as Appropriate](#) [[mp3: 6-26-21am1 00:39:12](#)]

**Motion:** None

**Staff Summary:** None

### 2. [Fixed Gear Catch Share Review – Scoping](#) – Jim Seger [[mp3: 6-26-21am1 00:42:17](#)]

[G.2, Supplemental Staff Presentation 1](#): Fixed Gear Catch Share Review – Scoping (Seger and Doerpinghaus)

[G.2, Attachment 1](#): Limited Entry Fixed Gear Review—Outline for 2021, Including Updated Information from 2014 Review

[G.2, Attachment 2](#): NMFS Procedure 01-121-01: Guidance for Conducting Review of Catch Share Programs

#### a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-26-21am1 01:24:34](#)]

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

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

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

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

#### b. [Public Comment](#) [[mp3: 6-26-21am2 00:00:09](#)]

#### c. [Council Action: Provide Guidance on the Review Process and Scope of Content](#) [[mp3: 6-26-21am2 00:02:15](#)]

**Motion 6** [[mp3: 6-26-21am2 00:05:51](#)]: Council move forward with the 2021 Limited Entry Fixed Gear Review, working from the draft outline provided at this meeting (Agenda Item G.2, Attachment 1, June 2021) and incorporating input from the GAP, GMT, SSC, and EC regarding specific areas of the program as described in their reports provided under this Agenda Item.

Heather Hall/Maggie Sommer (Motion 6 carried unanimously)

**Staff Summary:** The Council directed analysts to move forward with development of a public review draft of the 2021 Limited Entry Fixed Gear Review, working from the [draft outline](#) provided at this meeting and incorporating input from the [Enforcement Consultants](#), [Groundfish Advisory Panel](#), [Groundfish Management Team](#), [Scientific and Statistical Committee](#) reports. This topic is tentatively scheduled for the November 2021 Council meeting, at which time the Council could approve a draft document for public review and consider potential program modifications that would be listed in the review document for possible future action. Program changes requiring minimal analytical support and regulatory change might be scheduled for development at the same time the review is being completed. Input will also be sought on research and data needs related to the fixed gear catch share program.

**3. [Electronic Monitoring Update](#) – Brett Wiedoff [[mp3: 6-26-21am2 00:16:09](#)]**

**a. NMFS Report on the Draft Electronic Monitoring Procedural Directive on Applying Information Law – Brett Alger [[mp3: 6-26-21am2 00:20:23](#)]**

[G.3.a, NMFS Report 1](#): Draft NOAA Fisheries Procedural Directive for Council Review

[G.3.a, Supplemental NMFS Report 2](#): Electronic Monitoring Implementation Update

[G.3.a, Supplemental NMFS Presentation 1](#): Applying Information Law to Electronic Monitoring Data in U.S Fisheries (Brett Alger)

[G.3.a, Supplemental NMFS Presentation 2](#): PowerPoint for Supplemental NMFS Report 2 (Melissa Hooper)

**b. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 6-26-21am2 01:46:08](#)]**

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

**c. [Public Comment](#) [[mp3: 6-26-21pm1 00:00:07](#)]**

**d. Council Action: Provide Guidance on Program Implementation and Comments on the Procedural Directive [[mp3: 6-26-21pm1 01:10:29](#)]**

**Motion 7 [[mp3: 6-26-21pm1 01:33:53](#)]**: Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an EM program that effectively meets our goals and objectives with particular emphasis on the cost-effectiveness of the program for the groundfish industry and the wise use of public funds, and
2. References the apparent changes in NMFS' policies relative to the use of a sole source contract model with the PSMFC based on the recent action taken by the NPFMC and the use of cost recovery dollars to fulfill an industry cost obligation, and
3. Asks NMFS for a specific explanation of why the PFMC cannot use the model that the NPFMC is pursuing relative to sole source contracting with PSMFC and the funding alternatives for the industry to meet its obligations, and
4. States the Council's position that it is imperative that a change is made to the EM rule of June 2019 prior to its implementation that, among other things, removes the third-party model contained in the rule, and
5. Recognizes that, NMFS can move forward with implementing the final EM rule including the guidelines and program manual consistent with the implementation date of

- January 1, 2022 even if the Council believes a new direction needs to be taken, and
6. Emphasizes the need to modify the rule before it is implemented to meet the program goals and objectives and one that is accepted and embraced by the fishing industry to ensure high participation rates, and
  7. Emphasizes the importance of using all the tools at our disposal to achieve a cost-effective EM program and linking that outcome to the future success of the groundfish fishery, and
  8. Expresses support to use cost recovery dollars up to the 3 percent cap to offset NMFS' costs associated with the grant to PSMFC for video review and storage under the EFP and in the longer term when the program is under permanent regulations.
  9. Requests that NMFS delay implementation of the EM regulations until such time that the Council can develop a recommendation to amend the final rule in a manner that takes full advantage of the ability to implement the program utilizing a sole source contract with PSMFC for video review and data storage, and addresses the concerns associated with data confidentiality, and
  10. Request the 2021 EM EFP be extended through 2022 with the addition that cost recovery dollars be charged to the Mothership and Shorebased sectors to reimburse NMFS for the PSMFC's actual cost for video review and data storage. If insufficient funds are available from cost recovery, EFP sponsors will be responsible for the balance identified by NMFS based on the PSMFC's actual annual cost.

Phil Anderson/Bob Dooley (Motion 7 carried, Mr. Wulff abstained)

**Staff Summary:** The Council directed staff to draft a letter to NMFS requesting a delay in electronic monitoring (EM) Program implementation and extension of the EM exempted fishing permits through 2022. In addition, the Council would like NMFS to examine the potential use of West Coast catch share cost recovery funds to support the EM Program video review and storage through a grant contract with Pacific States Marine Fisheries Commission. The Council is scheduled to discuss these potential changes at the September 2021 Council meeting.

4. [Groundfish Endangered Species Workgroup Report](#) – Todd Phillips [[mp3: 6-28-21pm1 00:39:28](#)]

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-28-21pm1 01:04:09](#)]

[G.4.a, Groundfish Endangered Species Act Workgroup Report](#)

[G.4.a, Supplemental GESW Presentation 1 \(Brian Hooper\)](#)

[G.4.a, NMFS Report 1: Snapshot – Monitoring ESA-listed Species in West Coast Groundfish Fisheries](#)

[G.4.a, NMFS Report 2: Observed and Estimated Bycatch of Eulachon in 2002–2019 U.S. West Coast Groundfish Fisheries](#)

[G.4.a, NMFS Report 3: Observed and Estimated Bycatch of Green Sturgeon in 2002–2019 U.S. West Coast Groundfish Fisheries](#)

[G.4.a, NMFS Report 4: Estimated Humpback Whale Bycatch in the U.S. West Coast Groundfish Fisheries, 2002-2019](#)

[G.4.a, NMFS Report 5: Leatherback Sea Turtle Bycatch in U.S. West Coast Groundfish Fisheries 2002-2019](#)

[G.4.a, NMFS Report 6](#): Estimated Short-tailed Albatross Bycatch in U.S. West Coast Groundfish Fisheries 2002-2019

[G.4.a, NMFS Report 7](#): Fishing Effort in the 2002-2019 U.S. Pacific Coast Groundfish Fisheries

[G.4.a, NMFS Report 8](#): Fishing Effort in the 2002-2019 U.S. Pacific Coast Groundfish Fisheries – Data. (*Excel file, Electronic Only*)

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

b. [Public Comment \[mp3: 6-28-21pm1 01:08:25\]](#)

c. **Council Action: Consider the Recommendations of the Groundfish Endangered Species Workgroup and Identify Measures to be Considered in Planning for the 2023-2024 Biennial Management Process or Other Actions as Appropriate** [\[mp3: 6-28-21pm1 01:31:35\]](#) and [\[mp3: 6-28-21pm2 00:00:07\]](#)

**Motion 10** [\[mp3: 6-28-21pm1 01:40:40\]](#): Council request NMFS make the following new information available for review and consideration by the GESW at its 2023 meeting:

1. Any new Short-Tailed Albatross telemetry and observer data south of 36° N. latitude, for purposes of considering whether the current exemption from the streamer requirement in this area remains appropriate.
2. Updates on fulfilling the terms and conditions of the Incidental take statement for humpback whales.
3. Updates on research into avoidance and minimization measures to reduce bycatch from floating longline gear. Specifically, funded research in FY 2022 currently being planned by NMFS, Oregon Sea Grant, and industry collaborators.

Additionally, the Council recommends that NMFS continues its financial support of the eulachon spawning stock biomass survey, conducted annually by WDFW.

Marci Yaremko/Maggie Sommer (Motion 10 carried unanimously)

**Motion 11** [\[mp3: 6-28-21pm1 02:08:48\]](#): Council write a letter to the Federal Communications Commission encouraging them to reconsider their prohibition of the use of AIS to mark fishing gear.

Phil Anderson/Heather Hall (Motion 11 carried, Ms. Ames abstained)

**Staff Summary:** The Council requested NMFS provide the following information to be available for review by the Groundfish Endangered Species Workgroup (GESW) at their 2023 meeting:

1. Updates to any telemetry and observer data for short-tailed albatross south of 36° N. lat.
2. Status of fulfilling the humpback whale Incidental Take Statement Terms and Conditions.
3. Updated seabird avoidance and bycatch minimization research results for floating longline gear, notably the cooperative NMFS, Oregon Sea Grant, and industry research funded for FY2022.

The Council recommended NMFS continue their funding of the WDFW Columbia River eulachon spawning stock biomass survey.

The Council also directed staff to write a letter to the Federal Communications Commission regarding their [proposed rule](#) on the use of Automatic Identification Systems (AIS) devices to

mark fishing equipment and encourage them to reconsider their current prohibition of using AIS as a gear marking device.

**5. [Adopt Stock Assessments](#) – John DeVore [[mp3: 6-28-21pm2 00:06:10](#)]**

[G.5, Attachment 1](#): Draft Executive Summary of “Status of Dover sole (*Microstomus pacificus*) along the U.S. West Coast in 2021” (**Electronic Only**)

[G.5, Attachment 1: FULL ASSESSMENT](#) of “Status of Dover sole (*Microstomus pacificus*) along the U.S. West Coast in 2021” (**Electronic Only**)

[G.5, Attachment 2](#): Dover Sole Stock Assessment Review (STAR) Panel Report (**Electronic Only**)

[G.5, Attachment 3](#): Draft Executive Summary of “Status of the Pacific Spiny Dogfish shark resource off the continental U.S. Pacific Coast in 2021” (**Electronic Only**)

[G.5, Attachment 3: Draft FULL ASSESSMENT](#) of “Status of the Pacific Spiny Dogfish shark resource off the continental U.S. Pacific Coast in 2021” (**Electronic Only**)

[G.5, Attachment 4](#): Spiny Dogfish Stock Assessment Review (STAR) Panel Report (**Electronic Only**)

[G.5, Attachment 5](#): Draft Executive Summary Status of Sablefish (*Anoplopoma fimbria*) along the US West coast in 2021 (**Electronic Only**)

[G.5, Attachment 5: Draft FULL ASSESSMENT](#) Status of Sablefish (*Anoplopoma fimbria*) along the US West coast in 2021 (**Electronic Only**)

[G.5, Attachment 6](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of California south of Point Conception in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 7](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of California north of Point Conception in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 8](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Oregon in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 9](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Washington in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 10](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of California in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 11](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Oregon in 2021 using catch and length data (**Electronic Only**)

[G.5, Supplemental REVISED Attachment 12](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Washington in 2021 using catch and length data (**Electronic Only**)

[G.5, Attachment 13](#): Draft Stock Assessment of the Squarespot Rockfish (*Sebastes hopkinsi*) along the California U.S. West Coast in 2021 using catch, length, and fishery-independent abundance data (**Electronic Only**)

**a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-28-21pm2 00:10:54](#)] and [[mp3: 6-28-21pm3 00:00:03](#)]**

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

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

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

**b. [Public Comment](#) [[mp3: 6-28-21pm3 00:30:00](#)] and [[mp3: 6-29-21am1 00:02:26](#)]**

**c. Council Action: Approve Stock Assessments for use in 2023 and Beyond [mp3: 6-29-21am1 00:54:23] and [mp3: 6-29-21am2 00:00:04]**

**Motion 12 [mp3: 6-29-21am1 01:29:17]: Council:**

1. Defer approval of Data Moderate assessments today for stocks off California: copper rockfish north and south of Conception, quillback rockfish off CA, and squarespot rockfish off CA.
2. Direct NMFS' science centers to re-engage the STATs to do the following:
  - a. The sensitivity analyses for all stocks requested in G.5.a, CDFW Supplemental Report 1.
  - b. For copper: Re-consider the stock delineation used at Pt. Conception for appropriateness. Determine if there is any information to support distinct copper rockfish stocks north and south of Conception, and whether a statewide assessment for purposes of determining stock status would be more appropriate.
  - c. For quillback and copper north and south, evaluate if:
    - i. There are errors in point estimates of annual catch in the catch data streams for quillback, show clear outliers in Table 1 and Figure 1 of the assessment. CDFW has reason to believe these inputs are errors (CDFW Supp 2), and which may be affecting scale as described in the draft assessment. Resolve these errors and re-run the model if necessary.
    - ii. For copper, consider if including additional catch indices are appropriate to better inform catch (CDFW Supp 2).
3. Task the SSC-GF Committee to re-review any revisions (e.g., either in August or at the mop-up meeting), and then for review by the SSC, before re-submission to the Council for future decision making.

Marci Yaremko/Bob Dooley

**Amendment 1 [mp3: 6-29-21am1 02:05:54]:** Under Item #2, replace the word “Direct” with “Request”

Kelly Ames/Phil Anderson (Amendment 1 carried unanimously)  
(Motion 12, as amended, carried unanimously)

**Motion 13 [mp3: 6-29-21am2 00:04:24]:** Council adopt the stock assessments for Dover sole, sablefish, and copper and quillback rockfish in Oregon and Washington, as referenced below, and the stock categories recommended in [G.5.a, Supplemental SSC Report 1](#), for use in 2023 and beyond.

- [G.5, Attachment 1: FULL ASSESSMENT](#) Status of Dover sole (*Microstomus pacificus*) along the U.S. West Coast in 2021
- [G.5, Attachment 5: Draft FULL ASSESSMENT](#) Status of Sablefish (*Anoplopoma fimbria*) along the U.S. West coast in 2021
- [G.5, Attachment 8](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Oregon in 2021 using catch and length data
- [G.5, Attachment 9](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Washington in 2021 using catch and length data
- [G.5, Attachment 11](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Oregon in 2021 using catch and length data



- [G.5, Supplemental REVISED Attachment 12](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Washington in 2021 using catch and length data Maggie Sommer/Corey Niles (Motion 13 carried unanimously)

**Motion 14** [[mp3: 6-29-21am2 00:16:06](#)]: Council request that the spiny dogfish Stock Assessment Team conduct additional analyses to further investigate the West Coast Groundfish Bottom Trawl Survey catchability coefficient (q) assumed in the assessment, similar to those described in G.5.a, Supplemental SSC Report 1, prior to Council consideration of adopting of the assessment.

Maggie Sommer/Butch Smith (Motion 14 carried unanimously)

**Staff Summary:** The Council adopted a new full assessment of [Dover sole](#), an update assessment of [sablefish](#), data-moderate assessments of copper rockfish in [WA](#) and [OR](#), and data-moderate assessments of quillback rockfish in [WA](#) and [OR](#). The Council delayed adoption of a new full assessment of [spiny dogfish](#) and requested further evaluation of the scale of the population by investigating the choice of the catchability (q) of spiny dogfish in the West Coast Groundfish Bottom Trawl survey. The Council also delayed adoption of data-moderate assessments of copper rockfish in CA [south](#) and [north](#) of Pt. Conception, a data-moderate assessment of [quillback rockfish in CA](#), and a data-moderate assessment of [squarespot rockfish in CA](#). The Council requested further evaluation of the CA data-moderate rockfish assessments with a review of the sensitivity analyses outlined in [CDFW Report 1](#), apparent errors in catch streams that may affect scale estimates as outlined in [CDFW Report 2](#), and an evaluation of the appropriate stock delineation of Pt. Conception used in the copper rockfish assessments. The Groundfish Subcommittee of the Scientific and Statistical Committee is scheduled to review any additional assessment analyses at a virtual meeting scheduled for August 17.

**6. [2023-2024 Harvest Specifications and Management Measures Planning](#) – Todd Phillips/John DeVore [[mp3: 6-29-21am2 00:28:43](#)]**

[G.6, Supplemental REVISED Attachment 1](#): Proposed Schedule for Developing the 2023-2024 Groundfish Harvest Specifications and Management Measures

**a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 6-29-21am2 00:34:22](#)]**

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

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

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

**b. [Public Comment](#) [[mp3: 6-29-21am2 00:54:57](#)]**

**c. [Council Action: Initial Scoping of Issues and Adoption of a Process for Developing Harvest Specifications and Management Measures for 2023-2024 Fisheries](#) [[mp3: 6-29-21am2 00:59:59](#)]**

**Motion 15** [[mp3: 6-29-21am2 01:28:26](#)]: Council adopt the detailed process and schedule for the development of harvest specifications and related management measures for 2023-2024 groundfish fisheries as described in Agenda Item G.6, Attachment 1.

Heather Hall/Marci Yaremko (Motion 15 carried unanimously)

**Staff Summary:** The Council adopted the proposed schedule for developing the [2023-2024 Groundfish Harvest Specification and Management Measure](#) and discussed potential management measure items for inclusion. The Council is scheduled to adopt preliminary harvest specifications and resume discussion of preliminary management measures at their September 2021 meeting.

7. **[Inseason Adjustments – Final Action](#)** – Todd Phillips [[mp3: 6-29-21pm1 00:50:57](#)]
  - a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 6-29-21pm1 00:52:54](#)]  
[G.7.a, Supplemental ODFW Report 1](#)  
[G.7.a, Supplemental CDFW Report 1](#)  
[G.7.a, Supplemental GMT Report 1](#)  
[G.7.a, Supplemental GAP Report 1](#)
  - b. **[Public Comment](#)**
  - c. **Council Action: Adopt Final Inseason Adjustments for 2021, as Necessary, to Achieve but Not Exceed Annual Catch Limits and Other Management Objectives** [[mp3: 6-29-21pm1 01:10:24](#)]

**Motion:** None

**Staff Summary:** The Council received one request to increase the open access canary rockfish trip limits north of 40° 10' N. lat., but based on reports from the [GMT](#) and the [GAP](#) the Council did not recommend any inseason adjustments.

## H. Coastal Pelagic Species Management

1. **[National Marine Fisheries Service Report](#)** – Kerry Griffin [[mp3: 6-28-21am1 00:00:54](#)]
  - a. **Regulatory Activities** [[mp3: 6-28-21am1 00:02:44](#)]
  - b. **Fisheries Science Center Activities** – Kristen Koch and Dale Sweetnam [[mp3: 6-28-21am1 00:03:37](#)]  
[H.1.b, Supplemental SWFSC Presentation 1](#) (Sweetnam)
  - c. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 6-28-21am1 00:44:32](#)]  
[H.1.c, Supplemental CPSMT Report 1](#)  
[H.1.c, Supplemental CPSAS Report 1](#)
  - d. **[Public Comment](#)** [[mp3: 6-28-21am1 00:52:57](#)]
  - e. **Council Discussion and Guidance, as Appropriate** [[mp3: 6-28-21am1 01:00:52](#)]

**Motion:** None

**Staff Summary:** None



2. **[Pacific Mackerel Assessment and Management Measures](#)** – Kerry Griffin [**[mp3: 6-28-21am1 01:07:58](#)**]

[H.2, Attachment 1](#): Pacific Mackerel Catch-Only Projection Estimate

[H.2, Supplemental Attachment 2](#): ADDENDUM to Agenda Item H.2, Attachment 1 – Pacific mackerel catch-only update Revised Table 3

a. **[Reports and Comments of Management Entities and Advisory Bodies](#)** [**[mp3: 6-28-21am1 01:10:56](#)**]

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

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

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

b. **[Public Comment](#)** [**[mp3: 6-28-21am1 01:24:29](#)**]

c. **[Council Action: Adopt Final Harvest Specifications and Management Measures for the 2021-2022 and 2022-2023 Fisheries](#)** [**[mp3: 6-28-21am2 00:00:09](#)**]

**Motion 8** [**[mp3: 6-28-21am2 00:07:57](#)**]: Council:

1. Approve the Pacific Mackerel catch-only stock assessment for U.S. management in 2021-2022 and 2022-2023 (June 2021, Agenda Item H.2, Attachment 1).
2. Adopt Tables 1 and 2 in Supplemental CPSMT Report 1 (June 2021, Agenda Item H.2.a).
3. If the Annual Catch Target is met, adopt a 45 percent incidental landing allowance when Pacific Mackerel are landed with other CPS, with an exception that up to 3 mt of Pacific Mackerel per landing could be landed in non-CPS fisheries.

Briana Brady/Bob Dooley (Motion 8 carried unanimously)

**Staff Summary:** The Council adopted harvest specifications and management measures for Pacific mackerel for the 2021-22 and 2022-23 fishing years, which run July 1 through June 30. Should the directed fishery realize the Annual Catch Target (ACT), the directed fishery will close and shift to an incidental-only fishery for the remainder of the fishing year, with a 45 percent incidental landing allowance when Pacific mackerel are landed with other coastal pelagic species (CPS). Up to 3 mt of Pacific mackerel per landing could be landed in non-CPS fisheries.

**Table 1. CPSMT Proposed 2021-22 Pacific Mackerel Harvest Specifications (mt)**

Biomass	57,832
OFL	12,145
ABC <sub>0.45</sub> (Tier 3)	9,446
ACL (=ABC)	9,446
HG	8,323

ACT	7,323
Incidental	1,000

**Table 2. CPSMT Proposed 2022-2023 Pacific Mackerel Harvest Specifications (mt)**

Biomass	45,925
OFL	9,644
ABC <sub>0.45</sub> (Tier 3)	7,501
ACL (=ABC)	7,501
HG	5,822
ACT	4,822
Incidental	1,000

**3. [Management Framework for the Central Subpopulation of Northern Anchovy](#) – Kerry Griffin [[mp3: 6-28-21am2 00:17:13](#)]**

**a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 6-28-21am2 00:22:35](#)]**

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

[H.3.a, Supplemental CPSMT Report 2](#)

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

[H.3.a, Supplemental CPSMT Presentation 1](#) (Gregory Krutzikowsky)

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

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

**b. [Public Comment](#) [[mp3: 6-28-21am2 01:37:40](#)] and [[mp3: 6-28-21pm1 00:00:08](#)]**

**c. Council Action: Review the Proposed Management Framework and Flowchart and Provide Guidance [[mp3: 6-28-21pm1 00:16:20](#)]**

**Motion 9 [[mp3: 6-28-21pm1 00:30:42](#)]:** Request the CPSMT to provide draft text in COP 9 to the Council in November 2021 that includes the proposed framework for the central subpopulation of northern anchovy from CPSMT Report 1 and Supplemental CPSMT Report 2.

Briana Brady/Bob Dooley (Motion 9 carried unanimously)

**Staff Summary:** The Council considered a proposed framework for frequency of conducting stock assessments, and triggers for revising acceptable biological catch levels in response to changes in stock abundance indices. The Council directed the Coastal Pelagic Species Management Team to develop draft language incorporating the framework into Council Operating Procedure 9, for consideration at the November 2021 meeting.

## INFORMATIONAL REPORTS

[Informational Report 1](#): 2020 NOAA Science Report (*Electronic Only*)

[Informational Report 2](#): FY20 Annual Enforcement Report to the Pacific Fishery Management Council West Coast Enforcement Division

[Informational Report 3](#): North Pacific Fisheries Commission (NPFC) Activity Status Report to PFMC

[Informational Report 4](#): 2020-2021 PIER Research Update

[Supplemental Informational Report 5](#): Council Sponsors Successful Sablefish Management Strategy Evaluation Workshop

[Supplemental Informational Report 6](#): West Coast Region Update on Issuance of Observer and Catch Monitor Waivers

[Supplemental Informational Report 7](#): California Fish and Game Commission Meeting Announcement

## VOTING LOG

**Motion 1:** Adopt [Agenda Item A.4, June 21-26 & 28-30, 2021 Council Meeting Agenda](#)  
Phil Anderson/Pete Hassemmer (Motion 1 carried unanimously)

**Motion 2:** Council to remove Control Rule #12 from consideration.  
Phil Anderson/Bob Dooley (Motion 2 passed, Ms. Svensson, Mr. Oatman, Ms. Bishop, Mr. Kern, Mr. Hassemmer voted no)

**Motion 3:** Council to remove Control Rule #9 from consideration.  
Brett Kormos/Bob Dooley (Motion 3 failed, Mr. Oatman voting no)

**Motion 4:** Council:

1. Move the following deep-set buoy gear (DSBG) EFP requests to the National Marine Fisheries Service (NMFS) for issuance:
  - [Attachment 1](#): Robert Ashe
  - [Attachment 3](#): Austin Brown
  - [Attachment 5](#): Miguel Ferre
  - [Attachment 6](#): Scott and Wyatt Hawkins
  - [Attachment 7](#): Blake Hermann
  - [Attachment 8](#): Markus Medak, Brian Sims, and Daniel Fuller
  - [Attachment 10](#): Matthew Rimel

2. Approve the following EFP requests for final consideration at the September Council meeting, and request that the applicants further clarify the specifics of their requests in writing:
  - [Attachment 2](#): John Bateman
  - [Attachment 4](#): Austin Brown
3. Approve Mr. Nathan Perez’s EFP request to fish DSBG and night-set buoy gear inside California State Waters ([Attachment 9](#)), requiring 100 percent monitoring for any approved effort in State waters, for final consideration at the September Council meeting.
4. Recommend that NMFS not extend the Deep-Set Short Line EFP issued to Mr. John Hall, set to expire December 31, 2021 as requested in his [public comment](#).

John Ugoretz/Marc Gorelnik (Motion 4 carried unanimously)

**Motion 5: Council:**

- 1) Revise its purpose and need for hard caps in the Drift Gill Net Fishery to:
 

**The purpose is:** To incentivize fishing practices and tools in an effort to minimize bycatch and bycatch mortality, as well as to conserve other unmarketable non-target species, including ESA-listed species and marine mammals, in the drift gillnet fishery to the extent practicable.

**The need is:** To ensure that take and bycatch of unmarketable non-target species, including ESA-listed species and marine mammals, in the DGN fishery is minimized to the extent practicable and that such take and bycatch does not result in limitations on the economic viability of the west coast swordfish fishery.
- 2) Direct the Highly Migratory Species Management Team to develop a final range of alternatives that meets this purpose and need while aiming to address the NMFS economic analysis results from the original proposal:
  - a. A no-action alternative as required by NEPA
  - b. Hard Caps equivalent to the original proposal
  - c. Annual Hard Caps equivalent to the original proposal, with varying closure periods
  - d. Hard Caps with varying closure periods that apply to individuals and the fleet as a whole where an individual and all unobservable vessels are prohibited from fishing after the specified cap and the full fleet is closed after the hard cap is exceeded as follows:

Species	Individual Cap	Two-Year Fleetwide Cap
Fin whale	1	2
Humpback whale	1	2
Sperm whale	1	2
Leatherback sea turtle	1	2
Loggerhead sea turtle	1	2
Olive-Ridley sea turtle	1	2
Green sea turtle	1	2
Short-fin pilot whale C/O/W	2	4
Common bottlenose dolphin C/O/W Offshore stock	2	4

John Ugoretz/Caren Braby (Motion 5 carried, Mr. Zimm requested a roll call vote, Mr. Zimm abstained)

**Motion 6:** Council move forward with the 2021 Limited Entry Fixed Gear Review, working from the draft outline provided at this meeting ([Agenda Item G.2, Attachment 1, June 2021](#)) and incorporating input from the [GAP](#), [GMT](#), [SSC](#) and [EC](#) regarding specific areas of the program as described in their reports provided under this Agenda Item.

Heather Hall/Maggie Sommer (Motion 6 carried unanimously)

**Motion 7:** Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an EM program that effectively meets our goals and objectives with particular emphasis on the cost-effectiveness of the program for the groundfish industry and the wise use of public funds, and
2. References the apparent changes in NMFS' policies relative to the use of a sole source contract model with the PSMFC based on the recent action taken by the NPFMC and the use of cost recovery dollars to fulfill an industry cost obligation, and
3. Asks NMFS for a specific explanation of why the PFMC cannot use the model that the NPFMC is pursuing relative to sole source contracting with PSMFC and the funding alternatives for the industry to meet its obligations, and
4. States the Council's position that it is imperative that a change is made to the EM rule of June 2019 prior to its implementation that, among other things, removes the third-party model contained in the rule, and
5. Recognizes that, NMFS can move forward with implementing the final EM rule including the guidelines and program manual consistent with the implementation date of January 1, 2022 even if the Council believes a new direction needs to be taken, and
6. Emphasizes the need to modify the rule before it is implemented to meet the program goals and objectives and one that is accepted and embraced by the fishing industry to ensure high participation rates, and
7. Emphasizes the importance of using all the tools at our disposal to achieve a cost-effective EM program and linking that outcome to the future success of the groundfish fishery, and
8. Expresses support to use cost recovery dollars up to the 3 percent cap to offset NMFS' costs associated with the grant to PSMFC for video review and storage under the EFP and in the longer term when the program is under permanent regulations.
9. Requests that NMFS delay implementation of the EM regulations until such time that the Council can develop a recommendation to amend the final rule in a manner that takes full advantage of the ability to implement the program utilizing a sole source contract with PSMFC for video review and data storage, and addresses the concerns associated with data confidentiality, and
10. Request the 2021 EM EFP be extended through 2022 with the addition that cost recovery dollars be charged to the Mothership and Shorebased sectors to reimburse NMFS for the PSMFC's actual cost for video review and data storage. If insufficient funds are available from cost recovery, EFP sponsors will be responsible for the balance identified by NMFS based on the PSMFC's actual annual cost.

Phil Anderson/Bob Dooley (Motion 7 carried, Mr. Wulff abstained)

**Motion 8:** Council:

1. Approve the Pacific Mackerel catch-only stock assessment for U.S. management in 2021-2022 and 2022-2023 ([June 2021, Agenda Item H.2, Attachment 1](#)).

2. Adopt Tables 1 and 2 in [Supplemental CPSMT Report 1 \(June 2021, Agenda Item H.2.a\)](#).
3. If the Annual Catch Target is met, adopt a 45 percent incidental landing allowance when Pacific Mackerel are landed with other CPS, with an exception that up to 3 mt of Pacific Mackerel per landing could be landed in non-CPS fisheries.

Briana Brady/Bob Dooley (Motion 8 carried unanimously)

**Motion 9:** Request the CPSMT to provide draft text in COP 9 to the Council in November 2021 that includes the proposed framework for the central subpopulation of northern anchovy from [CPSMT Report 1](#) and [Supplemental CPSMT Report 2](#).

Briana Brady/Bob Dooley (Motion 9 carried unanimously)

**Motion 10:** Council request NMFS make the following new information available for review and consideration by the GESW at its 2023 meeting:

1. Any new Short-Tailed Albatross telemetry and observer data south of 36° N. latitude, for purposes of considering whether the current exemption from the streamer requirement in this area remains appropriate.
2. Updates on fulfilling the terms and conditions of the Incidental take statement for humpback whales.
3. Updates on research into avoidance and minimization measures to reduce bycatch from floating longline gear. Specifically, funded research in FY 2022 currently being planned by NMFS, Oregon Sea Grant, and industry collaborators.

Additionally, the Council recommends that NMFS continues its financial support of the eulachon spawning stock biomass survey, conducted annual by WDFW.

Marci Yaremko/Maggie Sommer (Motion 10 carried unanimously)

**Motion 11:** Council write a letter to the Federal Communications Commission encouraging them to reconsider their prohibition of the use of AIS to mark fishing gear.

Phil Anderson/Heather Hall (Motion 11 carried, Ms. Ames abstained)

**Motion 12:** Council:

1. Defer approval of Data Moderate assessments today for stocks off California: copper rockfish north and south of Pt. Conception, quillback rockfish off CA, and squarespot rockfish off CA.
2. Request NMFS' science centers to re-engage the STATs to do the following:
  - a. The sensitivity analyses for all stocks requested in [G.5.a, CDFW Supplemental Report 1](#).
  - b. For copper: Re-consider the stock delineation used at Pt. Conception for appropriateness. Determine if there is any information to support distinct copper rockfish stocks north and south of Pt. Conception, and whether a statewide assessment for purposes of determining stock status would be more appropriate.
  - c. For quillback and copper north and south, evaluate if:
    - i. There are errors in point estimates of annual catch in the catch data streams for quillback, show clear outliers in Table 1 and Figure 1 of the assessment. CDFW has reason to believe these inputs are errors ([CDFW Supp 2](#)), and

which may be affecting scale as described in the draft assessment. Resolve these errors and re-run the model if necessary.

- ii. For copper, consider if including additional catch indices are appropriate to better inform catch ([CDFW Supp 2](#)).
3. Task the SSC-GF Committee to re-review any revisions (e.g., either in August or at the mop-up meeting), and then for review by the SSC, before re-submission to the Council for future decision making.

Marci Yaremko/Bob Dooley (Motion 12, as amended, carried unanimously)

**Motion 13:** Council adopt the stock assessments for Dover sole, sablefish, and copper and quillback rockfish in Oregon and Washington, as referenced below, and the stock categories recommended in [G.5.a, Supplemental SSC Report 1](#), for use in 2023 and beyond.

- [G.5, Attachment 1: FULL ASSESSMENT](#) Status of Dover sole (*Microstomus pacificus*) along the U.S. West Coast in 2021
- [G.5, Attachment 5: Draft FULL ASSESSMENT](#) Status of Sablefish (*Anoplopoma fimbria*) along the US West coast in 2021
- [G.5, Attachment 8](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Oregon in 2021 using catch and length data
- [G.5, Attachment 9](#): The status of copper rockfish (*Sebastes caurinus*) in U.S. waters off the coast of Washington in 2021 using catch and length data
- [G.5, Attachment 11](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Oregon in 2021 using catch and length data
- [G.5, Supplemental REVISED Attachment 12](#): Draft Status of quillback rockfish (*Sebastes maliger*) in U.S. waters off the coast of Washington in 2021 using catch and length data

Maggie Sommer/Corey Niles (Motion 13 carried unanimously)

**Motion 14:** Council request that the spiny dogfish Stock Assessment Team conduct additional analyses to further investigate the West Coast Groundfish Bottom Trawl Survey catchability coefficient (q) assumed in the assessment, similar to those described in [G.5.a, Supplemental SSC Report 1](#), prior to Council consideration of adopting of the assessment.

Maggie Sommer/Butch Smith (Motion 14 carried unanimously)

**Motion 15:** Council adopt the detailed process and schedule for the development of harvest specifications and related management measures for 2023-2024 groundfish fisheries as described in [Agenda Item G.6, Attachment 1](#).

Heather Hall/Marci Yaremko (Motion 15 carried unanimously)

**Motion 16:** Council initiate an Ad Hoc advisory body to engage in immediate needs in marine planning processes for offshore wind (OSW) and aquaculture opportunity areas (AOAs) for at least 2-years. The AH-MPC will provide timely evaluation of these planning processes and facilitate delivery of PFMC input to the action agencies through regularly scheduled PFMC meetings process or through emergency letter process.

**Purpose and function of AH-MPC:**

1. **Purpose.** An Ad Hoc Marine Planning Committee (AH-MPC) PFMC advisory body will provide the Council with an open and transparent process to gather industry and stakeholder input and advice on marine planning, particularly OSW and AOAs, and a



mechanism to funnel constructive recommendations to the PFMC for PFMC action and communication with the planning action agency in question.

2. **Composition.** Six committee members would be chosen from existing PFMC AB membership (e.g., GAP, HMSAS, etc.) to serve on the AH-MPC and act as liaisons to their primary AB to facilitate timely and efficient information flow. Four resource managers, three recommended by CDFW, ODFW, and WDFW, and one tribal manager recommended by the Council's Tribal representative with expertise in offshore wind and marine special planning would also serve on the AH-MPC. One conservation representative would be selected from among conservation representatives presently serving on existing Council advisory bodies.
3. **Function:** The AH-MPC will respond to state-specific processes, which have independent timelines in a manner that facilitates the opportunity for the PFMC to provide comment letters as needed to directly inform the OSW or AOA processes in CA/OR/WA. In addition, the AH-committee will build a broader network of dedicated specialists from other institutions as appropriate which may include but is not limited to, National Marine Fisheries Service (NMFS), other state and Federal agencies, National Marine Sanctuaries, universities or other marine science and fishery experts to serve as a fluid group of subject matter experts that can provide additional information, analysis, and advice as needed.
4. **Schedule and Meeting Planning:** AH-MPC should meet in conjunction with (but not necessarily during) regularly scheduled PFMC meetings and provide update report to the Council up to 3 times each year.
  - For travel and cost savings, Council staff should consider the option of virtual meetings, prior to full PFMC meeting agenda starting.
  - When the OSW or AOA process does not align with a regularly scheduled PFMC meeting, the AH-MPC could meet (virtually), and initiate quick response letter process, as determined necessary.
  - Over the next 3 months:
    - Participate in the July working webinars (nomination/approval process for Ad Hoc membership below)
    - Report to the Council in September including a) summary of July webinars, b) recommendations to PFMC on need for comment letter to BOEM, and c) recommendations to PFMC on further augmentation of AH-MPC membership.
5. **Term:** The AH-MPC would convene for at least 2 years. The PFMC would re-evaluate the need for the AH-MPC after 2 years (determination by the Council).

Ad Hoc committee make-up:

2. **Ad Hoc Marine Planning Committee (14 members, with staff):**
  - a. Fisheries and habitat representatives (6) – cumulatively include geographic and sector diversity. Each AB nominates the representative and PFMC Chair approves.
    - i. 1 each from HMSAS, CPSAS, GAP, SAS
    - ii. 1 from EAS, HC
  - b. Resource Managers (5 – nominated by the appropriate Department of Fish and Wildlife (DFW) or PFMC Tribal representative; PFMC Chair approves.
    - i. 1 each resource/planning manager from DFW's CA, WA, OR, with expertise in offshore wind/marine spatial planning
    - ii. 1 nominated by Tribal representative on the PFMC



- iii. 1 Representative for NMFS
- c. Council Staff (2)
  - i. 1 Council staff person (TBD)
  - ii. 1 GIS/layers expert
- d. Two co-chairs of AH-MPC are appointed: 1 from among the 6 AB seats, and 1 from among the 4 resource manager seats.
- e. Conservation representative (1) - recommended by conservation representatives presently serving on the existing Council advisory bodies.

Caren Braby/Virgil Moore (Motion 16 as amended, carried unanimously)

**Motion 17:** Council adopt the Budget Committee recommendations as outlined in [Agenda Item C.6.a, Supplemental Budget Committee Report 1, June 2021](#).

Pete Hassemer/Marc Gorelnik (Motion 17 carried unanimously)

**Motion 18:** Council approve the March 2021 and April 2021 meeting records as shown in [Agenda Item C.8, Attachment 1: Draft Council Meeting Record: 258th Session of the Pacific Fishery Management Council \(March 2 -5 & 8-11, 2021\)](#) and [Agenda Item C.8, Attachment 2: Draft Council Meeting Record: 259th Session of the Pacific Fishery Management Council \(April 6-9 &12-15, 2021\)](#).

Pete Hassemer/Louis Zimm (Motion 18 carried unanimously)

**Motion 19:** Council appoint Ms. Abbie Moyer to the National Marine Fisheries Service West Coast Region position on the Groundfish Management Team currently held by Ms. Gretchen Hanshaw and appoint Mr. Dan Lawson to represent the West Coast Region on the Groundfish Endangered Species Workgroup.

Ryan Wulff/Pete Hassemer (Motion 19 carried unanimously)

**Motion 20:** Council elect Mr. Marc Gorelnik as the Council Chair and Mr. Brad Pettinger as the Council Vice-Chair for the August 11, 2021 through August 10, 2022 term.

Phil Anderson/Bob Dooley (Motion 20 carried unanimously)

**Motion 21:** Council adopt the following draft revisions to Council Operating Procedures for public review:

- COP 2: Relabel the two HMSAS commercial fisheries At-Large seats as commercial fisheries north and south of Pt. Conception ([C.9.a, Supplemental HMSAS Report 1, June 2021](#))
- COP 2: Add a private recreational seat for north of Pt. Conception to the HMSAS, and relabel the existing private recreational seat as south of Pt. Conception ([C.9.a, Supplemental HMSAS Report 1, June 2021](#) and [C.9.a, Supplemental SAS Report 1, June 2021](#))
- COP 2: Change the At-Large seat to Deep-Set Buoy Gear representative ([C.9.a, Supplemental HMSAS Report 1, June 2021](#))
- COP 3: Add a seat for a fishing industry representative on the GESW ([C.9.a, Supplemental GAP Report 1, June 2021](#))
- COP 4: Allow alternates for At-Large SSC members ([C.9.a, Supplemental SSC Report 1, June 2021](#))

- COP 2: Revise section on “REPORTS TO COUNCIL” as follows:
  - Proposed, clean: “Reports will describe areas of consensus and differences. If necessary, reports will present the divergent views of the subpanel. The Subpanel Chair will present the reports to the Council.”
  - Proposed, strikeout: “Reports will describe both areas of consensus and differences. If necessary, ~~majority and minority~~ reports ~~may be drafted to~~ will present the divergent views of the subpanel. The Subpanel Chair will present ~~both majority and minority~~ the reports to the Council.”

Maggie Sommer/Marci Yaremko (Motion 21 carried unanimously)

**Motion 22:** Council create the Ad Hoc Executive Director Selection Committee.

Brad Pettinger/Bob Dooley (Motion 22 carried unanimously)

## ADJOURN

The Council meeting adjourned on Wednesday, June 30, 2021 at 5:09 p.m.

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Marc Gorelnik  
Council Chair

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Date