

DRAFT COUNCIL MEETING RECORD
261st Session of the
Pacific Fishery Management Council
September 8-11 & 13-15, 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 Pacific Fishery Management Council (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

1. Opening Remarks – Marc Gorelnik, Chair

Mr. Marc Gorelnik, Council Chair, called the 261st meeting of the Pacific Fishery Management Council (Council) to order at 10:00 a.m. on September 9, 2021. A Closed Session was held before this open session to discuss litigation and personnel matters.

2. Council Member Appointments – Ryan Wulff

Mr. Ryan Wulff confirmed Ms. Corey Ridings and Mr. Bob Dooley with the oath of office.

3. Roll Call – Chuck Tracy

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. Keeley Kent, designee*
	Ms. Susan Bishop, designee
	Mr. Lyle Enriquez, designee
Alaska State Official:	Ms. Karla Bush, nonvoting designee
	Ms. Rachel Baker, nonvoting designee
	Ms. Dani Evenson, nonvoting designee
Washington State Official:	Mr. Kyle Adicks, designee
	Ms. Heather Hall, designee
	Mr. Corey Niles, designee
Washington Obligatory:	Mr. Butch Smith
Oregon State Official:	Dr. Caren Braby, designee
	Mr. Chris Kern, designee
	Ms. Maggie Sommer, designee
	Mr. Troy Buell, designee*
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee
	Mr. John Ugoretz, designee
California Obligatory:	Ms. Corey Ridings
Idaho State Official:	Mr. Virgil Moore, designee
Idaho Obligatory:	Mr. Pete Hassemer
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson
	Mr. Robert Dooley
	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 Brett Ettinger, 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. Roger Root, nonvoting designee*

Absent from the Meeting:

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

4. **Executive Director's Report** – Chuck Tracy

Mr. Tracy provided descriptions of the information reports and discussed the October CCC Meeting and the cancellation of the Council Member Ongoing Development Meeting tentatively scheduled for November.

5. **Agenda** – Marc Gorelnik

a. **Council Action: Approve Agenda**

Motion 1: Council add a new item to the September 2021 meeting agenda on Tuesday, September 14 to consider an emergency action that would extend the sablefish tier fishery regulatory closure date to December 31 and extend the incidental Pacific halibut retention to the last date possible, and move C.7 Groundfish Inseason to Wednesday, September 15.

Maggie Sommer/Corey Niles (Motion 1 carried unanimously)

Motion 2: Adopt [Agenda Item A.5, September 8-11 & 13-15, 2021 Council Meeting Agenda, with the addition due to the prior motion.](#)

Pete Hassemer/Virgil Moore (Motion 2 carried unanimously)

B. Open Comment Period

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

- a. **Reports and Comments of Management Entities and Advisory Bodies**
- b. **Public Comment**
- c. **Council Discussion and Comments, as Appropriate**

Staff summary: None

C. Groundfish Management

1. **National Marine Fisheries Service Report** – Todd Phillips

a. **Regulatory Activities** – Ryan Wulff

[C.1.a, Supplemental NMFS Report 1:](#) Recently Published Groundfish Rulemakings & Workload

[C.1.a, Supplemental NMFS Report 2:](#) Groundfish Fixed Gear Logbooks

[C.1.b, NMFS Report 1:](#) Estimated Discard and Catch of Groundfish Species in the 2020 U.S. West Coast Fisheries

[C.1.b, NMFS Report 2:](#) Groundfish Mortality Report Tables (Excel file, Electronic Only)

[C.1.b, NMFS Report 3:](#) Pacific Halibut Bycatch in U.S. West Coast Fisheries (2002-2020)

[C.1.b, NMFS Report 4](#): Pacific Halibut Bycatch Tables (Excel file, Electronic Only)

b. Fisheries Science Center Activities

[C.1.b, Supplemental NWFSC Presentation 1](#): Science Center Activities (Craig Russell)

c. Reports and Comments of Management Entities and Advisory Bodies

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

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

d. Public Comment

e. Council Discussion and Guidance, as Appropriate

Staff Summary: None

2. [Stock Assessment Methodology Review](#) – John DeVore

[C.2, Attachment 1](#): Proposal for the methodological review of sdmTMB for index standardization

[C.2, Attachment 2](#): Proposal for a Methodology Review of a Combined Visual-Hydroacoustic Survey of Oregon’s Nearshore Semi-Pelagic Black (*Sebastes melanops*), Blue (*Sebastes mystinus*) and Deacon (*Sebastes diaconus*) Rockfish

a. Reports and Comments of Management Entities and Advisory Bodies

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

b. Public Comment

c. Council Action: Adopt Final Topics for Review

Motion 3: Council:

- 1) Adopt the visual-hydroacoustic survey of Oregon’s nearshore semi-pelagic black, blue and deacon rockfish proposed in [Agenda Item C.2, Attachment 2, September 2021](#) for methodology review in 2022, and
- 2) Task the SSC Groundfish Subcommittee with reviewing the sdmTMB for index standardization framework proposed in [Agenda Item C.2, Attachment 1, September 2021](#)

Maggie Sommer/Marc Gorelnik (Motion 3 carried unanimously)

Staff Summary: The Council adopted proposed stock assessment methodology reviews for 1) the [sdmTMB framework for standardizing indices](#), 2) a [hydro-acoustic/visual survey of semi-pelagic nearshore rockfish off Oregon](#), and 3) three workshop topics recommended by the Scientific and Statistical Committee ([SSC](#)). These reviews and workshops will be scheduled for next year.

3. [Pacific Whiting Utilization in the At-Sea Sectors](#) – Brett Wiedoff

[C.3, Supplemental Staff Presentation 1](#) (*Doerpinghaus*)

[C.3, Attachment 1](#): Draft Analytical Document for Pacific Whiting Utilization in the At-Sea Sectors (*Electronic Only*)

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

[C.3.a, Supplemental GMT Report 1](#)

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

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

b. **Public Comment**

c. **Council Action: Adopt a Range of Alternatives and a Preliminary Preferred Alternative, as Appropriate**

Motion 4: Council adopt the following Range of Alternatives and **Preliminary Preferred Alternatives** for Pacific whiting utilization for analysis and public review:

1. Whiting Season Start Date (for all whiting sectors, north of 40° 30' N. lat.)
 - Status Quo: May 15
 - **Alternative 1: May 1, with annual cooperative applications and Salmon Mitigation Plans due 45 days prior to the season start date (PPA)**
2. Mothership Processor Obligation
 - Status Quo: Mothership processor obligation made by November 30 through mothership catcher vessel endorsed limited entry permit renewal
 - **Alternative 1: Remove mothership processor obligation from regulation (PPA)**
3. Mothership Processor Cap
 - Status Quo: 45 percent
 - Alternative 1: 65 percent
 - Alternative 2: 85 percent
 - **Alternative 3: Remove mothership processor cap from regulation (PPA)**
4. Mothership Processor & Catcher/Processor Permit Transfer
 - Status Quo: A vessel cannot be registered to a mothership permit and a catcher/processor permit in the same calendar year
 - **Alternative 1: A vessel can be registered to a mothership permit and a catcher/processor permit in the same calendar year (PPA)**
 - Sub-option A: A vessel can switch between the mothership sector and catcher/processor sector up to two times during the calendar year through permit transfer
 - Sub-option B: A vessel can switch between the mothership sector and catcher/processor sector up to four times during the calendar year through permit transfer
 - **Sub-option C: Unlimited transfers (PPA)**

Maggie Sommer/Bob Dooley (Motion 4 carried unanimously)

Staff Summary: The Council adopted the following range of alternatives and preliminary preferred alternatives (PPA) (in bold):

1. Whiting Season Start Date (for all whiting sectors, north of 40° 30' N. lat.)
 - a. Status Quo: May 15
 - b. **Alternative 1: May 1, with annual cooperative applications and Salmon Mitigation Plans due 45 days prior to the season start date (PPA)**

2. Mothership Processor Obligation
 - a. Status Quo: Mothership processor obligation made by November 30 through mothership catcher vessel endorsed limited entry permit renewal
 - b. **Alternative 1: Remove mothership processor obligation from regulation (PPA)**

3. Mothership Processor Cap
 - a. Status Quo: 45 percent
 - b. Alternative 1: 65 percent
 - c. Alternative 2: 85 percent
 - d. **Alternative 3: Remove mothership processor cap from regulation (PPA)**

4. Mothership Processor & Catcher/Processor Permit Transfer
 - a. Status Quo: A vessel cannot be registered to a mothership permit and a catcher/processor permit in the same calendar year
 - b. **Alternative 1: A vessel can be registered to a mothership permit and a catcher/processor permit in the same calendar year (PPA)**
 - i. Sub-option A: A vessel can switch between the mothership sector and catcher/processor sector up to two times during the calendar year through permit transfer
 - ii. Sub-option B: A vessel can switch between the mothership sector and catcher/processor sector up to four times during the calendar year through permit transfer
 - iii. Sub-option C: Unlimited transfers (PPA)

4. **Electronic Monitoring - Final Action – Brett Wiedoff**

C.4, Attachment 1: Council Recommendation to Delay Final Rule Effectiveness for Electronic Monitoring Program Regulations for the West Coast Until 2023

C.4, Supplemental Attachment 2: Letter from NMFS dated September 3, 2021

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

C.4.a, Supplemental GAP Report 1

b. **Public Comment**

c. **Council Action: Consider Potential Final Action on Delaying Implementation and Extending Exempted Fishing Permits; Provide Additional Guidance on Program Implementation, as Appropriate**

Motion 5: Council recommend to NMFS a two-year delay in the implementation of the groundfish electronic monitoring program for all trip types thereby establishing a start date for the use of EM on fishing trips of no earlier than January 1, 2024. In addition, the Council recommends that NMFS extend the Groundfish Electronic Monitoring EFP through 2023 to collect additional valuable information that will lead to a more successful, stable, and economically viable EM regulation.

Phil Anderson/Bob Dooley (Motion 5 carried unanimously)

Staff Summary: The Council recommended National Marine Fisheries Service delay implementation of the groundfish electronic monitoring program for all trip types for at least two years, thereby establishing a start date for the use of electronic monitoring on fishing trips to be no earlier than January 1, 2024. In addition, the Council recommends extending the use of existing electronic monitoring Exempted Fishing Permits through 2023.

5. **Sablefish Gear Switching** – Jim Seger

[C.5, Supplemental Staff Presentation 1](#) (Doerpinghaus)

[C.5, Attachment 1](#): SaMTAAC Recommended Alternatives

[C.5, Attachment 2](#): Summary of Decision Points Within the Current Gear Switching Action Alternatives

[C.5, Attachment 3](#): Preliminary Analysis of Gear-Switching Alternatives

[C.5, Attachment 4](#): Supplement to Preliminary Analysis of Gear Switching Alternatives

[C.5, Supplemental Attachment 5](#): SaMTAAC Recommended Alternative: Graphic Summary

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

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

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

b. **Public Comment**

[C.5.b, Supplemental Public Presentation 1 \(Gonzales\)](#)

[C.5.b, Supplemental Public Presentation 2 \(Steele\)](#)

[C.5.b, Supplemental Public Presentation 3 \(Lackey\)](#)

c. **Council Action: Adopt a Range of Alternatives and Provide Other Guidance, as Appropriate**

Motion 19: Add the following to the range of alternatives for analysis as the gear-based quota share alternative:

Creation of trawl-only Quota Share (QS): NMFS will create a new management unit from the existing Sablefish North individual fishing quota (IFQ) management unit that will only be eligible to be fished by trawl gears. The existing IFQ management unit will continue to be eligible to be fished with any legal gear. For ease of reference, the resulting QS units are referred to as “trawl only” and “any gear”.

Split of the Sablefish North trawl allocation: After conversion both would be adjusted so that the total pool of QS for each is 90 percent (and 10 percent to the Adaptive Management Program). The QS conversion will achieve the Council’s specified split between the two QS types and then each will receive the specified percentage or amount of the trawl allocation of Sablefish North annually. The two options for analysis include:

- Option 1: 71 percent of the trawl allocation will go to trawl only QS and 29 percent any gear.
- Option 2: The any gear QS will receive the smaller of 29 percent of the trawl allocation or 1.8 million lbs. with the trawl only QS receiving the remainder.

Procedure for converting QS holdings: NMFS will evaluate owners of Sablefish North QS against the fixed gear and IFQ participation criteria and then convert the QS using the following steps:

1. QS acquired by owners after the control date and in excess of what they held on the control date will be converted to trawl only QS.
2. QS owners that do not meet the fixed gear or IFQ participation criteria will have 100 percent of their QS converted to trawl only.
3. QS owners meeting the fixed gear participation criteria will have 0 percent of their QS converted to trawl only QS up to the QS they owned on the control date. QS acquired after the control date will be converted to trawl only QS.
4. QS owners meeting the IFQ participation criteria will have their QS converted at the rate that achieves the Council's recommended allocation between the two QS units.

Participation Criteria: the criteria focus on QS owners with ownership tracked by the QS Permit. The term "vessel" refers to a vessel owned in full or part by the QS owner. Vessel ownership and fishing activity are evaluated based on the Vessel Account. And the term "fished" refers to landings of Sablefish North quota pounds (QP) and activity that qualifies under the control date unless otherwise stated.

Fixed gear participation criteria options for analysis:

- Option 1: The vessel fished with fixed gear.
- Option 2: The vessel fished at least 30,000 QP in each of three or more years with fixed gear.

IFQ participation criteria options for analysis:

- Option 1: All Sablefish North QS owners not meeting the fixed gear participation criteria and irrespective of vessel ownership and fishing activity.
- Option 2: The vessel fished QP with bottom trawl gear in any of the two years prior to the year of QS conversion.

Corey Niles/Phil Anderson (Motion 19 carried, Ms. Yaremko voted no)

Motion 20: Council include the following alternatives (new language underlined, removed language in ~~strikeout~~) in the range adopted for further analysis and review:

No Action Alternative

Gear-Switching Endorsement Alternative (Action Alternative 2)

Overview. In the area north of 36° N. lat., a vessel's gear-switching activity will be restricted based on limits applied to its trawl limited entry permit and the size of the limit will depend on whether or not the permit has a gear-switching endorsement. The amount of sablefish gear switching allowed will be larger for gear-switching endorsed permits than for non-endorsed trawl permits. Gear-switching endorsements will be attached to permits that have and based on a permit or vessel meeting a history of gear switching that meet minimum qualification criteria that include gear switching history and, under some options, linkage between permit, quota share and, or vessel ownership. The endorsement might or might not expire when the permit to which it is attached is transferred. If endorsements expire with permit transfer, the higher gear-switching limits would eventually phase out and all vessels would be restricted to the lower level gear-switching limit provided for permits without gear-switching endorsements.

Full Description

Gear-Switching Endorsement and Qualification. Gear-switching endorsements will be attached to trawl limited entry permits and will not be severable from the permit. The gear-switching endorsement on a permit (or the absence of such an endorsement) will determine the northern sablefish gear-switching limit associated with the permit.

To qualify for a gear-switching endorsement, between January 1, 2011 and September 15, 2017 (the control date) the limited entry trawl permit (Option for further analysis: or VESSEL) must have landed northern sablefish IFQ with fixed gear totaling at least:

- **Endorsement Qualification Option 1:** 10,000 lbs per year in at least 3 years
 - ⊖ Recent Participation Sub-Option: and participated in at least one year from 2016 through 2018.
- **Endorsement Qualification Option 2 1:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years
 - ⊖ Recent Participation Suboption: And participated in at least one year from 2016 through 2018.
- **Endorsement Qualification Option 3:** 30,000 lbs per year in at least 3 years
 - ⊖ and participated in at least one year from 2016 through 2018;
- or caught 90,000 lbs of northern sablefish cumulatively across three years from 2014 to 2018, with at least one gear-switched landing in each of the three years.
- **(NEW) Endorsement Qualification Option 2:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years, AND quota share ownership (any amount) on the control date by the permit owner (option for vessel owner)
- **(NEW) Endorsement Qualification Option 3:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years, AND quota share ownership (any amount) AND vessel ownership on the control date by the permit owner (for vessel owner option: “AND permit ownership on the control date by the vessel owner
- **IF VESSEL used as the qualifying entity, then at implementation, the vessel owner designates a LE trawl permit to carry the gear switching endorsement.**

Sablefish Gear-Switching Limits.

Trawl permits with gear-switching endorsements. The annual sablefish north gear-switching limit for a gear-switching endorsed permits is:

- **Endorsement Limit Option 1:** for each qualifying permit (option for vessel), the average percentage of the sablefish north trawl allocation caught with fixed gear for years fished between 2011 and the control date.

- **Endorsement Limit Option 2:** the standard northern sablefish vessel QP limit (the current limit is 4.5 percent but this could change in the future).
- **(NEW) Endorsement Limit Option 2:** Each qualifying permit owner (option for vessel) receives a gear switching limit equivalent to the percentage of quota share owned as of and since the control date; in addition, the difference between the amount thereby allocated and 29 percent will be allocated among all qualifying permits (option for vessel) proportionally to each permit's (option for vessel) average annual gear switched landings (or the qualifying vessels landings) in years fished in the trawl IFQ program before the control date. This additional allocation will be operationalized as an addition to the permit specific limits (option for vessel).
- **(NEW) Endorsement Limit Option 3:** the percent of sablefish north QS owned by the qualifying permit owner (option for vessel owner) as of and since the control date

Trawl permits without gear-switching endorsement. The annual sablefish north gear-switching allowance for a trawl vessel except when fishing under a permit not endorsed for gear switching is 10,000 lbs. 0.5 percent of the sablefish north trawl allocation.

Gear-Switching Limits and Permit Transfers. For both gear-switching endorsed and non-endorsed permits, the gear-switching limits are associated with the permit. If a permit is transferred midyear, fish caught prior to the transfer still count against the permit's limit for the year.

Sequential Permit Registration. ~~A vessel gear switching under non gear switch endorsed permits (non-endorsed permit) may not exceed the 0.5 percent/year gear-switching limit by sequentially registering different non-endorsed permits during the same year. A vessel gear switching under a gear switching endorsed permit may not increase its gear switching limit beyond that allowed under the endorsed permit by sequentially registering a non-endorsed permit during the same year.~~ FOR FURTHER DELIBERATION: Should a vessel be able to expand its gear-switching opportunity by sequentially fishing under multiple gear-switching endorsed permits? Yes

Combination of Trawl Permits. Current management measures allow vessels to combine to permits to create a single permit with a larger vessel length endorsement. If trawl permits are combined and if there is a gear-switching endorsement on either permit, the permit resulting from the combination will have a gear-switching endorsement. If both of the combined permits have a gear-switching endorsement, then the larger of the two limits will be included on the resulting permit.

Gear-Switching Limit Overages.

When a vessel reaches the gear-switching limit (as determined by the permit registered to the vessel), it may retain and sell any sablefish caught in excess of the limit but may not deploy non-trawl gear on any trawl IFQ sector trips taken during the remainder of the year. The gear-switching limits are specified as limits on the maximum amount of sablefish QP that can be used to cover fish caught under the IFQ Program with non-trawl gear. All gear-switching overages must be covered by QP. Any QP a vessel uses for gear switching in

excess of its gear-switching limit will reduce the following year gear-switching limit for its permit by the amount of the excess QP used. This applies to the permit being used by the vessel at the time of the overage.

Suboption: Any QP a vessel uses for gear switching in excess of its gear-switching limit will not reduce the following year gear-switching limit (i.e. eliminate the last two sentences of the above paragraph).

Other Species Gear-Switching Limit. For all trawl permitted vessels, there will not be any gear-switching limits for other IFQ species.

Annual Vessel QP Limit. Regardless of these gear-switching limits, trawl permitted vessels are not allowed to catch amounts in excess of the northern sablefish vessel QP limit (taking into account both the vessel’s trawl and non-trawl QP landings).

Endorsement Expiration.

- **Expiration Option 1:** Gear-switching endorsements will expire when the permit is transferred to a different owner or a new owner is added to the existing permit ownership (ownership-based phase-down of gear switching).
- **Expiration Option 2:** Gear-switching endorsements do not expire when the permit is transferred.

Maggie Sommer/Bob Dooley (Motion 20 carried, Ms. Yaremko voted no)

Staff Summary: The Council passed two motions that established three alternatives: Status quo (no action) and two action alternatives. One action alternative would create gear-specific quota shares (trawl-only and any-gear quota), and the second would establish gear-switching endorsements that would be placed on vessel limited entry (LE) permits. Vessels with permits that have gear-switching endorsements would be able to do more gear-switching than vessels without such endorsements. The Council is tentatively scheduled to receive a preliminary analysis on these alternatives at its March 2022 meeting, at which time there will be an opportunity to provide further guidance on the alternatives and development of the analysis.

6. [Adopt Stock Assessments](#) – John DeVore

[C.6, Attachment 1](#): Draft Executive Summary of “Status of lingcod (*Ophiodon elongatus*) along the northern U.S. west coast in 2021”

[C.6, Attachment 1; Full Assessment Electronic Only](#): “Status of lingcod (*Ophiodon elongatus*) along the northern U.S. west coast in 2021”

[C.6, Attachment 2](#): Draft Executive Summary of “Status of lingcod (*Ophiodon elongatus*) along the southern U.S. west coast in 2021”

[C.6, Attachment 2; Full Assessment Electronic Only](#): “Status of lingcod (*Ophiodon elongatus*) along the southern U.S. west coast in 2021”

[C.6, Attachment 3](#): Lingcod Stock Assessment Review (STAR) Panel Report

[C.6, Attachment 4](#): Draft Executive Summary of “The Status of Vermilion Rockfish (*Sebastes miniatus*) and Sunset Rockfish (*Sebastes crocotulus*) in U.S. waters off the Coast of California South of Pt. Conception in 2021”

[C.6, Attachment 4; Full Assessment Electronic Only](#): “The Status of Vermilion Rockfish (*Sebastes miniatus*) and Sunset Rockfish (*Sebastes crocotulus*) in U.S. waters off the Coast of California South of Pt. Conception in 2021”

[C.6, Attachment 5](#): Draft Executive Summary of “The Status of Vermilion Rockfish (*Sebastes miniatus*) and Sunset Rockfish (*Sebastes crocotulus*) in U.S. waters off the Coast of California North of Pt. Conception in 2021”

[C.6, Attachment 5; Full Assessment Electronic Only](#): “The Status of Vermilion Rockfish (*Sebastes miniatus*) and Sunset Rockfish (*Sebastes crocotulus*) in U.S. waters off the Coast of California North of Pt. Conception in 2021”

[C.6, Attachment 6](#): Draft Executive Summary of “Status of Vermilion Rockfish (*Sebastes miniatus*) Along the U.S. West – Oregon Coast in 2021”

[C.6, Attachment 6; Full Assessment Electronic Only](#): “Status of Vermilion Rockfish (*Sebastes miniatus*) Along the U.S. West – Oregon Coast in 2021”

[C.6, Attachment 7](#): Draft Executive Summary of “Status of Vermilion Rockfish (*Sebastes miniatus*) Along the U.S. West – Washington Coast in 2021”

[C.6, Attachment 7; Full Assessment Electronic Only](#): “Status of Vermilion Rockfish (*Sebastes miniatus*) Along the U.S. West – Washington Coast in 2021”

[C.6, Attachment 8](#): Vermilion and Sunset Rockfishes Stock Assessment Review (STAR) Panel Report

[C.6, Attachment 9](#): Catch Only Projection for Arrowtooth Flounder (*Atheresthes stomias*) in 2021

[C.6, Attachment 10](#): Catch Only Projection for Petrale Sole (*Eopsetta jordani*) in 2021

[C.6, Attachment 11](#): Catch Only Projection for Canary Rockfish (*Sebastes pinniger*) in 2021

[C.6, Attachment 12](#): Catch Only Projection for Darkblotched Rockfish (*Sebastes crameri*) in 2021

[C.6, Attachment 13](#): Yelloweye Rockfish Catch Report for 2015-2020

a. Reports and Comments of Management Entities and Advisory Bodies

[C.6.a, Supplemental STAR Panel Presentation 1](#): Vermilion and Sunset Rockfishes

[C.6.a, Supplemental STAR Panel Presentation 2](#): Data-Moderate: Copper, Quillback, Squarespot

[C.6.a, Supplemental STAR Panel Presentation 3](#): North and South Lingcod

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

[C.6.a, Supplemental SSC Report 1](#)

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

b. [Public Comment](#)

[C.6.b, Supplemental Public Presentation 1 \(Merit McCrea\)](#)

c. Council Action: Adopt Stock Assessments for 2023 and Beyond

Motion 13: Groundfish Subcommittee evaluate and make recommendations on the stock delineations for copper, quillback, and vermilion/sunset rockfish at the Sept. 29-30 mop-up review panel - with participation from the stock assessors - for SSC review in November. The SSC statement in November would then be used to inform the Council adoption of harvest specifications by geographic area.

Kelly Ames/Maggie Sommer (Motion 13 carried unanimously)

Motion 14: Council adopt the following stock assessments and stock categories for use in 2023 and beyond (provided in the Council’s September 2021 Briefing Book, Agenda Item C.6) as recommended in Agenda Item C.6.a, Supplemental SSC Report 1, September 2021:

Full assessments for

- Lingcod, northern and southern, both category 2
- Vermilion and sunset rockfishes off California south of Pt. Conception, and off Washington; both category 2
- Vermilion and sunset rockfishes off California north of Pt. Conception, and off Oregon; both category 1
- Squarespot rockfish off California, category 2

Catch-only projections for arrowtooth flounder, petrale sole, canary rockfish (with corrected sigma value as noted in C.6.a, Supplemental SSC Report 1 p.6), and darkblotched rockfish. Maggie Sommer/Phil Anderson (Motion 14 carried unanimously)

Staff Summary: The Council adopted new stock assessments, stock category designations, and catch-only projections recommended by the [Scientific and Statistical Committee](#) (SSC) as follows:

- Lingcod [north](#) and [south](#) of 40° 10' N. lat.;
- Vermilion and sunset rockfishes assessments for California [south](#) and [north](#) of Point Conception, [Oregon](#), and [Washington](#);
- [Squarespot rockfish in California](#); and
- Catch-only projections for [arrowtooth flounder](#), [petrale sole](#), [canary rockfish](#), and [darkblotched rockfish](#).

The SSC also informed the Council the [yelloweye rockfish catch report](#) indicates rebuilding progress has been adequate. These assessments and catch-only projections will inform management for fisheries in 2023 and beyond.

The Council further tasked the SSC to provide advice in November on how to determine appropriate stock delineations for copper, quillback, and vermilion/sunset rockfish given new assessments for these species.

7. [Inseason Adjustments – Final Action](#) – Todd Phillips

a. Reports and Comments of Management Entities and Advisory Bodies

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

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

[C.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**

Motion 21: Council adopt the inseason adjustments as recommended by the Groundfish Management Team (GMT) as shown in C.7.a, Supplemental GMT Report 1, September 2021

1. Option 2 (4,500 lbs./week not to exceed 9,000 lbs./2 months) for the LEN sector of the sablefish DTL fishery, to be implemented as soon as possible through the end of the year.

2. Option 1 (600 lbs. daily, or 1 landing per week up to 3,000 lbs., not to exceed 6,000 lbs./2 months) for the OAN sector of the sablefish DTL fishery, to be implemented as soon as possible through the end of the year.
3. Option 1 for lingcod trip limits in the LE/OA sectors North of 42° N. lat.
4. Using an average of the years with observer data (2017-2020; 2.66 mt) as the projected impacts on yelloweye rockfish mortality from the Pacific halibut fishery for 2021.

Marci Yaremko/Virgil Moore (Motion 21 carried unanimously)

Staff Summary: The Council adopted the following inseason changes to the limited entry fixed gear (LEFG) and open access (OA) daily trip limits (DTL) for sablefish, and LEFG/OA trip limits for lingcod:

Sablefish DTL North of 36° N. lat. :

LEFG North of 36° N. lat. DTL Sablefish

- 4,500 lbs./week not to exceed 9,000 lbs./2 months

OA North of 36° N. lat. DTL Sablefish

- 600 lbs. daily, or 1 landing per week up to 3,000 lbs., not to exceed 6,000 lbs./2 months

Lingcod trip limits North of 42° N. lat. :

LEFG North of 42° N. lat. Lingcod

- 5,000 lbs./ 2 months

OA North of 42° N. lat. Lingcod

- 2,500 lbs./ month

For the projected impacts on yelloweye rockfish mortality in the 2021 Pacific halibut fishery the Council adopted 2.66 mt, which is the average of years with observer data (2017-2020).

The Council recommended these changes to be implemented as soon as possible, recognizing the emergency rule for a season extension of the 2021 limited entry fixed gear primary sablefish fishery (under Agenda Item C.9, below) would take precedence.

8. [Initial Harvest Specifications and Management Measure Actions for 2023-2024 Management](#) – Todd Phillips, John DeVore

[C.8, Supplemental REVISED Attachment 1](#): 2023 and 2024 Groundfish Harvest Specifications under Default Harvest Control Rules

[C.8, Attachment 2](#): Harvest Specification Projections for Select West Coast Groundfish Stocks in 2023 and Beyond Informed by the New Sigmas Implemented in 2020

[C.8, Supplemental Attachment 3](#): Joint Council Staff and National Marine Fisheries Service Report on Harvest Specifications and Management Measure Documentation

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

[C.8.a, ODFW Report 1](#): ODFW Report on 2023-2024 Preliminary Groundfish Harvest Specifications and Management Measures

[C.8.a, Supplemental CDFW Report 1](#)

[C.8.a, GMT Report 1](#): Groundfish Management Team Report on 2023-24 Biennial Harvest Specifications and Management Measures

[C.8.a, REVISED Supplemental GMT Report 2](#)

[C.8.a, Supplemental GMT Report 3](#)

[C.8.a, Supplemental SSC Report 1](#)

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

[C.8.a, Supplemental HC Report 1](#)

b. **Public Comment**

[C.8.b, Supplemental Public Presentation 1](#) (Oceana)

c. **Council Action: Adopt Final Overfishing Limits, a Range of P*/Acceptable Biological Catches, and Annual Catch Limits for Stocks that may Depart from Default Harvest Control Rules; Adopt a Preliminary List of Potential Management Measures Necessary to Implement Harvest Specifications to be Included in the 2023-2024 Regulation Process**

Motion 17: Council conditionally adopt the 2023-2024 OFLs, stock categories, and P* values presented in Agenda Item C.8, Supplemental REVISED Attachment 1, September 2021, except those highlighted in that document (spiny dogfish, California copper rockfish, California quillback rockfish, and California squarespot rockfish). The Council will confirm or update these values after receiving results of the SSC's review of all values in November 2021.

In addition, for the stocks indicated below, request projections associated with the alternative harvest control rules presented in Table 1 in Agenda Item C.8.a, REVISED Supplemental GMT Report 2, September 2021 (reproduced below) prior to the November Council meeting, to inform adoption of a range of alternative harvest control rules at that time. Maggie Sommer/Phil Anderson (Motion 17 carried unanimously)

Motion 18: Council adopt the Preliminary Range of Management Measures outlined in Table 1 and 2 of C.8.a, GMT Supplemental Report 3, for public review. Marci Yaremko/Maggie Sommer (Motion 18 carried unanimously)

Staff Summary: The Council conditionally adopted the [2023-2024 overfishing limits \(OFLs\), stock categories, and P* values](#) for West Coast groundfish stocks and stock complexes, except for spiny dogfish, California copper rockfish, California quillback rockfish, and California squarespot rockfish. The Council will confirm or update these values after receiving results of the SSC's review of all values in November 2021.

In addition, the Council requested projections associated with the alternative harvest control rules for [sablefish](#), [lingcod](#), [dogfish](#), [Oregon black rockfish](#), [vermillion/sunset rockfish](#), [California copper rockfish](#), and [quillback rockfish](#) prior to the November Council meeting to inform adoption of a range of alternative harvest control rules at that time.

The Council also adopted the preliminary range of management measures for 2023 and 2024 [recommended by the Groundfish Management Team](#) for public review. The Council is soliciting input from the public for its consideration in November on the priorities for these management measures, recognizing the workload associated with analyzing impacts of the full range may be beyond the capacity of available staff resources.

9. **[Emergency Action to Consider a Season Extension for the 2021 Limited Entry Fixed Gear Primary Sablefish Fishery – Todd Phillips](#)**

[C.9, Supplemental Attachment 1](#): FR 97-22094: Policy Guidelines for the Use of Emergency Rules

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

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

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

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

c. **Council Action: Consider Emergency Action to Extend the Limited Entry Fixed Gear Primary Sablefish Fishery for 2021, Including Incidental Pacific Halibut Landing Restrictions Motion 16: Council request that the National Marine Fisheries Service:**

Motion 16: Council request that the National Marine Fisheries Service:

- 1) Initiate an Emergency Rule to extend the primary sablefish season from October 31, 2021, to December 31, 2021; and
- 2) Extend the period allowed for incidental halibut retention until noon local time on December 7, 2021, continuing the current allowance of 225 pounds per 1,000 pounds of sablefish, plus 2 fish and employing the standard inseason process to manage to the 70,000 pound limit.

Corey Niles/Phil Anderson (Motion 16 carried, Ms. Yaremko voted no)

Staff Summary: The Council modified its September 2021 agenda to consider emergency action for an extension of the primary sablefish fishery to allow limited entry fixed gear primary sablefish vessels to access the remainder of their allocations in the West Coast limited entry fixed gear fishery after many vessels, which also participate in the Alaska fixed gear sablefish fishery, encountered unforeseen fishery delays and restrictions due to COVID-19 issues. The Council recommended National Marine Fisheries Service implement emergency rulemaking to amend the groundfish regulations to temporarily allow an extension of the 2021 primary sablefish fishery end date from October 31, 2021 to December 31, 2021. The Council also recommended continuing the incidental Pacific halibut allowance for this fishery north of Point Chehalis, Washington through noon local time December 7, 2021. The current landing limit is 225 pounds (dressed weight) of

Pacific halibut per 1,000 pounds of sablefish (dressed weight) with up to two additional Pacific halibut in excess of the ratio.

D. Highly Migratory Species Management

1. [National Marine Fisheries Service Report](#) - Kit Dahl

a. Regulatory Activities - Lyle Enriquez

[D.1.a, Supplemental NMFS Report 1](#): HMS Activities

b. Fisheries Science Center Activities

c. Reports and Comments of Management Entities and Advisory Bodies

d. [Public Comment](#)

e. Council Discussion and Guidance, as Appropriate

Staff Summary: None

2. [International Management Activities](#) - Kit Dahl

[D.2, Attachment 1](#): Report of the Twenty-First Meeting of the International Scientific Committee for Tuna and Tuna-Like Species in the North Pacific Ocean (Electronic Only)

[D.2, Attachment 2](#): Chairs' Summary of the 6th Joint IATTC and WCPFC-NC Working Group Meeting on the Management of Pacific Bluefin Tuna

[D.2, Attachment 3](#): Update on Management Strategy Evaluation of Pacific Bluefin Tuna

[D.2, Supplemental Attachment 4](#): Draft Conservation and Management Measure for Pacific Bluefin Tuna

[D.2, Supplemental Attachment 5](#): Proposal IATTC-98 G-2

[D.2, Supplemental Attachment 6](#): Requests to the ISC (WCPFC-NC17-2021/DP-01)

a. Report on the Joint Inter-American Tropical Tuna Commission -Western and Central Pacific Fisheries Commission – Northern Committee Working Group on the Management of Pacific Bluefin Tuna - Dorothy Lowman

b. Reports and Comments of Management Entities and Advisory Bodies

[D.2.b, Supplemental NMFS Report 1](#): International HMS Activities

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

c. [Public Comment](#)

d. Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings and Other Forums, as Appropriate

Staff Summary: None

3. [Exempted Fishing Permits](#) - Kit Dahl

[D.3, Attachment 1](#): Revised Exempted Fishing Permit Application for Pelagic Hook Gear Received from Mr. John Bateman

[D.3, Attachment 2](#): Revised Exempted Fishing Permit Application for Midwater Snap Gear Received from Mr. Austen Brown

[D.3, Attachment 3](#): June 2021 Exempted Fishing Permit Application to Use Deep-Set Buoy Gear in State Waters Received from Mr. Nathan Perez

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

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

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

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

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

[Public comment video – Douglas Johnson](#)

c. **Council Action: Adopt Final Recommendations on Exempted Fishing Permit Applications**

Motion 6: Council recommend that the National Marine Fisheries Service approve the Highly Migratory Species Exempted Fishing Permit applications submitted by Mr. Bateman and Mr. Brown including the recommended protective measures and conditions from the California Department of Fish and Wildlife [D.3.a, REVISED Supplemental CDFW Report 1](#), corrected to allow for a maximum of 150 hooks, and from the Enforcement Consultants [D.3.a, Supplemental EC Report 1](#).

John Ugoretz/Marc Gorelnik (Motion 6 carried, Ms. Ridings voted no)

Motion 7: Council recommend the NMFS approve the Nathan Perez EFP request for activities occurring outside state waters.

John Ugoretz/Bob Dooley (Motion 7 carried unanimously)

Staff Summary: The Council recommended that the National Marine Fisheries Service issue a single exempted fishing permit (EFP) covering the activities proposed in the applications submitted by [Mr. John Bateman](#) and [Mr. Austen Brown](#). When issuing the EFP, associated Terms and Conditions should incorporate the protective measures described in the [California Department of Fish and Wildlife Report](#), but with a maximum of 150 hooks per set (rather than the 75 hooks stated in the report), and the [Enforcement Consultant Report 1](#), which were submitted under this agenda item.

The Council did not take action on the portion of the application submitted by [Mr. Nathan Perez](#) for fishing in selected areas in California state waters. A Federal EFP is not applicable for activities in state waters; however, the Council did recommend reissuance of his existing EFP for activities in Federal waters.

E. Administrative Matters

1. Marine Planning - Kerry Griffin

[E.1, Attachment 1](#): BOEM Notice California Offshore Wind Leasing Process

[E.1, Attachment 2](#): California State Lands Commission Notice of Public Review of a Draft Environmental Assessment

[E.1, Supplemental Attachment 3](#): DRAFT letter on Morro Bay Call Area Extensions

[E.1, Supplemental Attachment 4](#): DRAFT letter on Humboldt Bay Wind Energy Area

[E.1, Supplemental Attachment 5](#): Letter to California State Lands Commission

a. Reports and Comments of Management Entities and Advisory Bodies

[E.1.a, Supplemental Marine Planning Committee Report 1](#)

[E.1.a, Supplemental ODFW Report 1](#): ODFW Comments on OROWindMap Fishery Data Layers

[E.1.a, Supplemental ODFW Report 2](#): ODFW Comments on OROWindMap Biological, Human (non-fishing) and Physical Data Layers

[E.1.a, Supplemental BOEM Presentation 1](#): Offshore Wind Energy Planning and Leasing

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

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

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

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

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

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

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

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

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

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

b. Public Comment

c. Council Action: Review Recent Activity, Provide Comments to the Bureau of Ocean Energy and Management on Wind Energy Planning Activities, and Provide Guidance on a Process and Schedule for Future Council Engagement

Staff Summary: The Council approved sending [comment letters](#) to the Bureau of Ocean Energy Management (BOEM) on the Morro Bay Extensions and the Humboldt Wind Energy Area, and a letter to the California State Lands Commission on two pilot projects proposed in state waters off Vandenberg Air Force Base. The letters express concern about potential impacts to fisheries, habitat, and coastal economies, from commercial offshore wind farms. The Council also asked the Marine Planning Committee to develop comments for a potential letter to BOEM on future offshore wind planning off Oregon. The Council intends to continue work on marine planning during its November 2021 meeting where it is anticipated the Council will receive updates on recent developments and plan for future engagement.

2. Fiscal Matters - Patricia Crouse

[E.2, Supplemental Attachment 1](#): Budget Committee Agenda

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

a. **Report of the Budget Committee - Pete Hassemer**

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

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

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

d. **Council Action: Consider Budget Committee Report and Recommendations**

Motion: None

Staff Summary: None

3. **[Legislative Matters](#) - Jennifer Gilden**

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

[E.3, Attachment 2](#): H.R. 4690, the Sustaining America's Fisheries for the Future Act (Electronic Only)

[E.3, Attachment 3](#): MSA with changes proposed in H.R. 4690 (Electronic Only)

[E.3, Attachment 4](#): Staff comparison of H.R. 4690 and discussion draft

[E.3, Attachment 5](#): Section-by-section summary of H.R. 4690

[E.3, Supplemental Attachment 6](#): Letter from Congress re: H.R. 4690

[E.3, Supplemental Attachment 7](#): Draft Legislative Committee Letter on H.R. 4690

a. **[Report of the Legislative Committee](#) - Dave Hanson**

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

[E.3.b, Supplemental HMSAS Report 1](#)

[E.3.b, Supplemental SAS Report 1](#)

[E.3.b, Supplemental HC Report 1](#)

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

[E.3.b, Supplemental CPSMT Report 1](#)

[E.3.b, Supplemental CPSAS Report 1](#)

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

d. **Council Action: Consider Legislative Committee Report and Recommendations**

Motion: None

Staff Summary: The Council directed staff to finalize a letter responding to Representative Huffman's request for comment on H.R. 4690, Sustaining America's Fisheries for the Future Act, and to submit the letter by the deadline of September 30 using the quick response approval process.

4. **[Approval of Council Meeting Record](#) - Marc Gorelnik**

[E.4, Attachment 1](#): Draft Council Meeting Record: 260th Session of the Pacific Fishery Management Council (June 21-26 & 28-30, 2021)

a. **Council Action: Approve Previous Council Meeting Record**

Motion 22: Council approve the June 2021 meeting record as shown in Agenda Item E.4.a, Draft Council Meeting Record: 260th Session of the Pacific Fishery Management Council (June 21-26 & 28-30, 2021).

Phil Anderson/Virgil Moore (Motion 22 carried unanimously)

5. **Standardized Bycatch Reporting Methodology** - Brett Wiedoff

E.5, Attachment 1: Draft Amendment to the Fishery Management Plan for West Coast Fisheries for Highly Migratory Species

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

E.5.a, Supplemental STT Report 1

E.5.a, Supplemental CPSMT Report 1

E.5.a, Supplemental CPSAS Report 1

E.5.a, Supplemental HMSMT Report 1

b. **Public Comment**

c. **Council Action: Continue Consistency Review, Identify Changes Needed for Further Action, and Adopt Preliminary Preferred Alternatives for Fishery Management Plan Amendments, as Necessary**

Motion 23: Council adopt for public review, the following range of alternatives for modifications to the Council's FMPs to ensure consistency with requirements for standardized bycatch reporting methodology:

- No action
- The following:
 - Revisions to the HMS FMP presented in E.5.a, Supp HMSMT Report 1,
 - Revisions to the CPS FMP presented in E.5.a, Supp CPSMT Report 1, and
 - Revisions to the Salmon FMP presented in E.5.a, Supp STT Report 1
 - and request the Council staff coordinate with NMFS to review the proposed revisions and report to the Council in November 2021.

Maggie Sommer/John Ugoretz (Motion 23 carried unanimously)

Staff Summary: The Council adopted for public review the following range of alternatives for possible changes to the Council's fishery management plans (FMP):

1. No action
2. Modify FMP language to meet the standardized bycatch reporting methodology requirements per the following:
 - a. Highly Migratory Species FMP revisions presented in HMSMT Report 1.
 - b. Coastal Pelagic Species FMP revisions presented in CPSMT Report 1.
 - c. Salmon FMP revisions presented in STT Report 1.

6. **Membership Appointments and Council Operating Procedures** - Mike Burner

E.6, Attachment 1: USCG Letter Regarding Council Designees and Enforcement Consultants

E.6, Attachment 2: CDFW Nomination Letter Regarding the Ad Hoc Ecosystem Workgroup

[E.6, Attachment 3](#): Public Review Draft Proposed Revisions to Council Operating Procedures 2, 3, and 4

[E.6, Supplemental Attachment 4](#): Supplemental Proposed Revisions to COPs

[E.6, Supplemental Attachment 5](#): Letter from NMFS re: Ms. Keeley Kent designee

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

[E.6.a, Supplemental SSC Report 1](#)

b. **Public Comment**

c. **Council Action: Adopt Final Changes to Advisory Body Compositions, Consider Appointments to Council Committees and Advisory Bodies, and Adopt Changes to Council Operating Procedures**

Motion 24: Council appoint Mr. Phillip Dionne to the Washington Department of Fish and Wildlife position on the Highly Migratory Species Management Team currently held by Mr. Derek Dapp.

Corey Niles/Phil Anderson (Motion 24 carried unanimously)

Motion 25: Council adopt the changes to Council Operating Procedures (COP) 2, 3, 4, 5, 6, and 8 as specified in Agenda Item E.6, Attachment 3, entitled Public Review Draft Proposed Revisions to Council Operating Procedures 2, 3, 4 including the revision below to the Alternate Member section of COP 4, and Agenda Item E.6, Supplemental Attachment 4, entitled Supplemental Proposed Revisions to Council Operating Procedures.

Alternate Members (*additions to Draft documents in underline and deletions in strikeout*)

Members should attend all meetings, but members may, with prior approval by the Executive Director, request ~~an~~ an alternate. When an appointed member ~~representing a Federal, state, or tribal agency (categories 1, 2, and 3)~~ will not be able to attend a meeting, an alternate a designee may be appointed by if the Executive Director ~~if is~~ notified in advance in writing with the name, ~~of and~~ contact information, and a description of the individuals qualifications for the proposed alternate at least 30 days prior to the first day of the advisory body meeting, or the first day of the Council meeting held in conjunction with the advisory body meeting. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences. Such alternates designees may participate in committee deliberations as a regular member and non-federal alternates shall be reimbursed for expenses per the Council travel rules.

Phil Anderson/Butch Smith (Motion 25 carried unanimously)

Motion 26: Council decommission the Ad Hoc Climate Scenarios Investigation Workgroup, the Ad Hoc Climate and Communities Core Team, and the Ad Hoc Southern Resident Killer Whale Workgroup.

Phil Anderson/Bob Dooley (Motion 26 carried unanimously)

Staff Summary: The Council Chair made the following appointments for representatives to other forums: Mr. Phil Anderson reappointed to the U.S. Section of the Joint Management Committee of the U.S.-Canada Pacific Hake/Whiting Agreement, and Ms. Corey Ridings to the Pacific Offshore Cetacean Take Reduction Team.

The Council appointed Mr. Phillip Dionne to the Washington Department of Fish and Wildlife position on the Highly Migratory Species Management Team formerly held by Mr. Derek Dapp, appointed Ms. Liz Hellmers to replace Mr. Travis Buck as the California Department of Fish and Wildlife representative to the ad hoc Ecosystem Workgroup, and appointed Mr. Steve Joner to the Tribal seat on the ad hoc Marine Planning Committee.

The Council reviewed proposed changes to the Council Operating Procedures (COPs) and adopted the following changes.

- Regarding the Highly Migratory Species Advisory Subpanel composition:
 - Relabel the two 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 composition, add a Fishing Industry Representative position.
- Revise COP 4 to allow At-Large Scientific and Statistical Committee members to request an alternate.
- Revise COPs 2, 5, 7, and 8 to remove language referring to “majority and minority” reports but continue to require Advisory Body Chairs to report areas of consensus and differences.

The Council will soon be [soliciting nominations](#) for the 2022-2024 advisory body term including all Advisory Subpanel positions, non-agency positions on the Habitat Committee, and at-large positions on the Scientific and Statistical Committee. The Council is scheduled to fill these positions at its November meeting.

The Council decommissioned the ad hoc Climate Scenarios Investigation Workgroup, the ad hoc Climate and Communities Core Team, and the ad hoc Southern Resident Killer Whale Workgroup because these groups have completed their work.

7. [Future Council Meeting Agenda and Workload Planning](#) - Chuck Tracy

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

[E.7, Attachment 2](#): Draft Proposed Council Meeting Agenda, November 2021

[E.7, Supplemental Attachment 3](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 09/14/2021)

[E.7, Supplemental Attachment 4](#): Draft Proposed Council Meeting Agenda, November 2021 (v. 09/14/21)

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

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

[E.7.a, Supplemental EAS Report 1](#)

[E.7.a, Supplemental STT Report 1](#)

[E.7.a, Supplemental EC Report 1](#)

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

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

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

[E.7.a, Supplemental GAP Report 1](#)

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

b. [Public Comment](#)

c. **Council Discussion and Guidance on Future Meeting Agenda and Workload Planning**

Staff Summary: None

F. Salmon Management

1. [National Marine Fisheries Service Report](#) - Robin Ehlke

a. **Regulatory Activities - Susan Bishop**

[F.1.a, NMFS Report 1](#): Letter to Council on Stock Status Changes

[F.1.a, Supplemental NMFS Report 2](#): Recent Developments With Potential Impacts for Salmon Management

[F.1.a, Supplemental NMFS Report 3](#): Letter from NMFS approving Amendment 21 to the Pacific Coast Salmon Fishery Management Plan

b. **Fisheries Science Center Activities**

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

d. [Public Comment](#)

e. **Council Discussion and Guidance, as Appropriate**

Motion: None

Staff Summary: None

2. [Methodology Review - Final Topic Selection](#) - Robin Ehlke

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

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

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

b. [Public Comment](#)

c. **Council Action: Identify Priority Projects for Review in 2021**

Motion: None

Staff Summary: The Council determined that the four priority candidate items identified at the April 2021 Council meeting will be ready for review by the Scientific and Statistical Committee

Salmon Subcommittee and the Salmon Technical Team. The Salmon Methodology Review is expected to occur in October in preparation for the November 2021 Council meeting. The topics slated for review are:

- 1) Complete the documentation of the Chinook Fishery Regulation Assessment Model (FRAM) program, including algorithms and the User Manual.
- 2) Evaluate post-season metrics of FRAM model performance.
- 3) Provide documentation of the abundance forecast approach used for Willapa Bay natural coho.
- 4) Review the Oregon Production Index Hatchery coho forecast methodology.

3. [**Southern Oregon/Northern California Coast Coho Endangered Species Act Consultation**](#) - Robin Ehlke

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

[F.3.a, Supplemental SONCC Workgroup Report 1](#) (*Electronic Only*): Fishery Harvest Control Rule Risk Assessment

[F.3.a, Supplemental SONCC Workgroup Presentation 1](#): Final Harvest Control Rule Risk Assessment

[F.3.a, Supplemental NMFS Presentation 1](#): Southern Oregon / Northern California Coast Coho ESU – NMFS’ Considerations

[F.3.a, Supplemental Tribal Report 1](#): Comments of the Hoopa Valley Tribe

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

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

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

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

c. **Council Action: Review the Risk Assessment and Range of Alternatives and Adopt a Preliminary Preferred Alternative Harvest Control Rule, as Appropriate**

Motion 8: Council request the following of the SONCC Coho Workgroup:

- As described in Agenda Item F.3.a, CDFW Supplemental Report 1, ask the workgroup to include additional content in the report about the coho FRAM model and how it is used in both pre- and post-season settings to project or estimate impacts on SONCC coho salmon. This should include brief descriptions of (a) the base period CWT data used to inform the model for Rogue-Klamath coho salmon, and (b) how non-retention impacts are determined.
- Ask the workgroup to include additional information in the report about the potential constraints the HCRs under consideration may impose on specific ocean fisheries. This additional content should illustrate the specific months and sectors by region that the FRAM coho model projects are consistently costly in terms of impacts on SONCC coho salmon.

- Ask the workgroup to further describe how the adopted HCR might be used in a planning setting, including preseason implementation alternatives that rely on (a) preseason projections of ocean and freshwater impacts for the forthcoming season only, and (b) a multi-year running-average approach that considers the combination of preseason projections and postseason estimates.

Marci Yaremko/Bob Dooley (Motion 8 carried, Mr. Moore voted no)

Staff Summary: The Council provided guidance to the ad hoc Southern Oregon/Northern California Coast (SONCC) Coho Workgroup. The Council asked the Workgroup to include in the [Risk Assessment report](#) additional information on:

1. The coho Fishery Regulation Assessment Model (FRAM) and how it is used in both pre- and post-season settings to project or estimate impacts on SONCC coho salmon with brief descriptions of the base period coded-wire tag (CWT) data used to inform the model for Rogue-Klamath coho salmon, and how non-retention impacts are determined.
2. Potential constraints the Harvest Control Rules (HCRs) under consideration may impose on specific ocean fisheries. This additional content should illustrate the specific months and sectors by region that the FRAM coho model projects are consistently costly in terms of impacts to SONCC coho salmon.
3. How the HCRs might be used in a planning setting, including preseason implementation alternatives that rely on (a) preseason projections of ocean and freshwater impacts for the forthcoming season only, and (b) a multi-year running-average approach that considers the combination of preseason projections and postseason estimates.

G. Pacific Halibut Management

1. [2022 Catch Sharing Plan and Annual Regulations](#) - Robin Ehlke

[G.1, Attachment 1](#): 2021 Pacific Halibut Catch Sharing Plan for Area 2A

[G.1, Attachment 2](#): Visual Representation of the 2021 Area 2A Catch Sharing Plan for Pacific Halibut

a. Reports and Comments of Management Entities and Advisory Bodies

[G.1.a, NMFS Report 1](#): Report on the 2021 Pacific Halibut Fisheries in Area 2A

[G.1.a, Supplemental ODFW Report 1](#): Proposed changes to the Pacific halibut Catch Sharing Plan for fisheries off of Oregon in 2022

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

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

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

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

b. [Public Comment](#)

c. Council Action: Adopt Proposed 2022 Catch Sharing Plan and Annual Regulation Changes for Public Review

Motion 9 [[mp3: 9-13-21am1](#) 00:34:37]: Council adopt for public review the changes to the Pacific Halibut Catch Sharing Plan for 2022 proposed in G.1.a, Supplemental ODFW Report 1.

Maggie Sommer/Butch Smith (Motion 9 carried unanimously)

Motion 10 [[mp3: 9-13-21am1](#) 00:39:15]: Council adopt proposed changes to the Pacific Halibut catch sharing plan for public review as described in Supplemental WDFW Report 1, under G.1.

Heather Hall/Phil Anderson (Motion 10 carried unanimously)

Motion 11 [[mp3: 9-13-21am1](#) 00:42:13]: I move that the Council adopt proposed changes to the area 2A directed Halibut fishery for public review that requires all vessels participating in the directed fishery use streamer lines coastwide, whether Groundfish is retained or not.

Heather Hall/Phil Anderson (Motion 11 was withdrawn with consent of the second).

Staff Summary: The Council adopted for public review proposed 2022 Pacific Halibut Catch Sharing Plan (CSP) and annual regulations changes. The adopted proposals are consistent with those found in the reports from Washington Department of Fish and Wildlife (WDFW) and the Oregon Department of Fish and Wildlife (ODFW). The California Department of Fish and Wildlife did not propose any changes for 2022.

[WDFW proposed changes](#)

1. All Washington subareas: Work with National Marine Fishery Service (NMFS) to identify potential changes to the CSP to streamline NMFS regulatory process to allow for continued flexibility in inseason management.
2. Puget Sound Subarea: Revise the CSP language to allow season openings up to four or five days per week.
3. Coastal subareas (Columbia River, North Coast, and South Coast): In addition to status quo, analyze the following season structure under the following three options – open the coastal subarea on the first Thursday in May, two days per week for the specified period or until the combined coastal subarea allocation is taken. Each subarea would be open one weekday and one weekend day. The weekday would be the same in all areas (e.g., Thursday) the weekend day could be different based on area preference (e.g., Sunday in the south coast and Saturday in the north coast).

Option a: Open four weeks

Option b: Open five weeks

Option c: Open six weeks

If coastal subarea allocation remains after the initial weeks as described in Options a, b, and c, the balance will be distributed to the three coastal subareas consistent with status quo allocations. Additional fishing days will follow the ‘Thursday plus one weekend day’ model.

ODFW proposed changes

1. Central Oregon Coast and Columbia River Subareas: Allow Groundfish Retention on All All-Depth Dates
 - a. Status quo: During periods when the groundfish fishery is depth restricted, only sablefish, Pacific cod, and other flatfish species or longleader gear species are allowed with all-depth halibut.
 - b. Alternative 1: All groundfish (within bottomfish bag limits) would be allowed with halibut; this would include lingcod, greenlings, rockfish species, etc.
2. Central Oregon Coast subarea: All-depth open days (Alternatives may be combined)
 - a. Status quo: The Central Oregon Coast Subarea Spring and Summer All-Depth season is open Thursdays through Saturdays.
 - b. Alternative 1: If the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season may open seven days per week starting the 2nd Thursday in May through May 31; then open every Thursday through Saturday, except weeks can be skipped to avoid adverse tides.
 - c. Alternative 2: If after the first summer all-depth opening (first Thursday-Saturday in August), it is estimated that there will be 60,000 pounds or more remaining on the Central Oregon Coast combined nearshore and all-depth quotas remaining, the fishery may open seven days per week beginning the Tuesday after Labor Day.
3. Central Oregon Coast subarea: Daily Bag Limit
 - a. Status quo: The bag limit can be increased to two fish after Labor Day.
 - b. Alternative 1: At the conclusion of the spring all-depth season, the International Pacific Halibut Commission, NMFS, Pacific Fishery Management Council, and ODFW will consult to determine whether increasing the bag limit to two fish is warranted with the intent of taking the subarea quota by September 30.

2. Commercial-Directed Fishery Regulations for 2022 - Robin Ehlke

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

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

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

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

b. Public Comment

c. **Council Action: Adopt Proposed 2022 Regulation Changes for Public Review**

Motion 12: I move that materials put out for public review by the Council propose there are no changes to the directed halibut fishery structure for 2022, that is the 2022 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6

p.m. on the Thursday that week. Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.
Heather Hall/Phil Anderson

Amendment 1: Insert “materials put out for public review by the Council propose” after “I move that”.

Marci Yaremko/Virgil Moore (Amendment 1 carried unanimously)
Motion 12, as amended, carried unanimously

Staff Summary: The Council adopted for public review a status quo season structure for 2022 described as:

A series of three-day openings, beginning at 8 a.m. on the fourth Tuesday in June and ending at 6 p.m. on the Thursday of that week. Additional three-day openings would occur every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.

H. Ecosystem Management

1. Fishery Ecosystem Plan Five-Year Review - Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

[H.1.a, EWG Report 1](#)

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

[H.1.a, Supplemental EWG Presentation 1](#): Pre-recorded Fishery Ecosystem Plan Update
(available from Council's YouTube Channel)

[H.1.a, Supplemental EWG Presentation 2](#): “Live” Fishery Ecosystem Plan Update – deReynier

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

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

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

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

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

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

b. Public Comment

c. Council Action: Review a Revised Draft Fishery Ecosystem Plan and Provide Guidance

Staff Summary: The Council directed the ad hoc Ecosystem Workgroup (EWG) to address comments on the [draft revised Fishery Ecosystem Plan](#) (FEP) provided in advisory body reports under this agenda item. A final revised draft should be made available for an extended public review period in advance of the March 2022 Council meeting. The Council intends to adopt the revised FEP at that meeting, concluding the review process. In doing so, additional initiatives may be incorporated into FEP Appendix A, which describes potential future FEP initiatives for Council consideration.

2. [Climate and Communities Initiative](#) - Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

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

[H.2.a, Supplemental CCCT Presentation 1](#) (Braby/Ugoretz)

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

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

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

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

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

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

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

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

b. [Public Comment](#)

c. Council Action: Consider Outcomes of the Fishery Ecosystem Plan Climate and Community Initiative, Provide Guidance on the Development of Related Future Activities, and Identify Related Candidate Initiatives

Motion 15: Council:

- Task the EWG to resume the lead role for FEP work, including any additional actions necessary to complete the Climate and Communities Initiative.
- Task the EWG to produce a list of potential tasks resulting from the Climate and Communities Initiative for the Council to consider during the March 2022 meeting. In building the list, include the following:
 - Content:
 - Tasks listed in the CCCT report
 - Input from AB reports
 - Consideration of public comment
 - Organization of tasks should include structure such that it is clear whether a task would be directed towards:
 - Integration into core FMP (work to be done in the course of FMP business by the Council and ABs)
 - Addition to Appendix A of the FEP, as a potential future initiative
 - Other Council-relevant tasks but that are outside of the first two categories here (e.g. collaborations, requests for information)
 - Prioritization suggestion for each potential task (and rationale for prioritization)

Caren Braby/John Ugoretz (Motion 15 carried unanimously)

Staff Summary: The Council agreed that the EWG should resume primary responsibility for work on the Climate and Communities Initiative. It directed the EWG to compile a list of potential tasks flowing from the results of the Initiative. In compiling the list, the EWG will consider the activities identified in the [Climate and Communities Core Team Report](#), and other advisory body reports and public comment submitted under this agenda item. Activities should be grouped according to whether they are part of the ongoing work of the Council under its Fishery Management Plans, a potential future FEP initiative, or other Council-relevant activities that don't

fall within the first two categories. The EWG should prioritize the list of activities and assess the likely workload associated with each.

The Council intends to review this list at its March 2022 meeting and decide which activity or activities to undertake in the near term.

I. Habitat Issues

1. Current Habitat Issues - Jennifer Gilden

a. Report of the Habitat Committee - Lance Hebdon

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Consider Habitat Committee Report and Recommendations

Staff Summary: The Council directed the Habitat Committee (HC) to draft a letter to the Bureau of Ocean Energy Management commenting on a programmatic environmental impact statement for decommissioning West Coast ocean oil rigs for the deadline of September 30, 2021. The Council will use its quick response process to approve the letter. The Council also directed the HC to track the Nordic Aquafarms Environmental Impact Review process and to prepare a letter in response to this process for the November Council meeting in the event the document is released in time for comment approval at that meeting. In addition, Council asked the HC to be prepared to draft a letter on Klamath River dam removal when the draft Environmental Impact Statement is released in February or when it becomes available.

INFORMATIONAL REPORTS

[Informational Report 1](#): Data and Management Strategies for Recreational Fisheries with Annual Catch Limits – The National Academies Press (Electronic Only)

[Informational Report 2](#): Electronic Monitoring in the West Coast Groundfish Fishery • Exempted Fishing Permit Report • 2015-2020

[Informational Report 3](#): Monterey Bay Regional Chilipepper Rockfish Final EFP Report

[Informational Report 4](#): Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery 2019-2020 Rockfish EFP Report

[Supplemental Informational Report 5](#): West Coast Region Electronic Technologies Implementation Plan (August 2021)

[Supplemental Informational Report 6](#): Status Report of the 2021 Ocean Salmon Fisheries off Washington, Oregon, and California, preliminary data through July 31, 2021

[Supplemental Informational Report 7](#): Yellowtail Rockfish Jig Fishing off California (Platt/SFCFA)

[Supplemental Informational Report 8](#): 60-Day Notice of Intent to Sue: Violations of the ESA Related to the California/Oregon/Washington Sablefish Pot Fishery

[Supplemental Informational Report 9](#): USDA Invests \$700 million to Provide Relief to Small Producers, Processors, Distributors, Farmers Markets and Seafood Processing Vessels and Processors Impacted by COVID-19

VOTING LOG

Motion 1: Council add a new item to the September 2021 meeting agenda on Tuesday, September 14 to consider an emergency action that would extend the sablefish tier fishery regulatory closure date to December 31 and extend the incidental Pacific halibut retention to the last date possible, and move C.7 Groundfish Inseason to Wednesday, September 15.

Maggie Sommer/Corey Niles (Motion 1 carried unanimously)

Motion 2: Adopt [Agenda Item A.5, September 8-11 & 13-15, 2021 Council Meeting Agenda](#), with the addition due to the prior motion.

Pete Hassemer/Virgil Moore (Motion 2 carried unanimously)

Motion 3: Council:

- 1) Adopt the visual-hydroacoustic survey of Oregon's nearshore semi-pelagic black, blue and deacon rockfish proposed in [Agenda Item C.2, Attachment 2, September 2021](#) for methodology review in 2022, and
- 2) Task the SSC Groundfish Subcommittee with reviewing the sdmTMB for index standardization framework proposed in [Agenda Item C.2, Attachment 1, September 2021](#).

Maggie Sommer/Marc Gorelnik (Motion 3 carried unanimously)

Motion 4: Council adopt the following Range of Alternatives and **Preliminary Preferred Alternatives** for Pacific whiting utilization for analysis and public review:

1. Whiting Season Start Date (for all whiting sectors, north of 40° 30' N. lat.)
 - Status Quo: May 15
 - **Alternative 1: May 1, with annual cooperative applications and Salmon Mitigation Plans due 45 days prior to the season start date (PPA)**
2. Mothership Processor Obligation
 - Status Quo: Mothership processor obligation made by November 30 through mothership catcher vessel endorsed limited entry permit renewal
 - **Alternative 1: Remove mothership processor obligation from regulation (PPA)**
3. Mothership Processor Cap
 - Status Quo: 45 percent
 - Alternative 1: 65 percent
 - Alternative 2: 85 percent
 - **Alternative 3: Remove mothership processor cap from regulation (PPA)**
4. Mothership Processor & Catcher/Processor Permit Transfer
 - Status Quo: A vessel cannot be registered to a mothership permit and a catcher/processor permit in the same calendar year
 - **Alternative 1: A vessel can be registered to a mothership permit and a catcher/processor permit in the same calendar year (PPA)**

- Sub-option A: A vessel can switch between the mothership sector and catcher/processor sector up to two times during the calendar year through permit transfer
- Sub-option B: A vessel can switch between the mothership sector and catcher/processor sector up to four times during the calendar year through permit transfer
 - **Sub-option C: Unlimited transfers (PPA)**

Maggie Sommer/Bob Dooley (Motion 4 carried unanimously)

Motion 5: Council recommend to NMFS a two-year delay in the implementation of the groundfish electronic monitoring program for all trip types thereby establishing a start date for the use of EM on fishing trips of no earlier than January 1, 2024. In addition, the Council recommends that NMFS extend the Groundfish Electronic Monitoring EFP through 2023 to collect additional valuable information that will lead to a more successful, stable, and economically viable EM regulation.

Phil Anderson/Bob Dooley (Motion 5 carried unanimously)

Motion 6: Council recommend that the National Marine Fisheries Service approve the Highly Migratory Species Exempted Fishing Permit applications submitted by Mr. Bateman and Mr. Brown including the recommended protective measures and conditions from the California Department of Fish and Wildlife [D.3.a, REVISED Supplemental CDFW Report 1](#), corrected to allow for a maximum of 150 hooks, and from the Enforcement Consultants [D.3.a, Supplemental EC Report 1](#).

John Ugoretz/Marc Gorelnik (Motion 6 carried, Ms. Ridings voted no)

Motion 7: Council recommend the NMFS approve the [Nathan Perez EFP request](#) for activities occurring outside state waters.

John Ugoretz/Bob Dooley (Motion 7 carried unanimously)

Motion 8: Council request the following of the SONCC Coho Workgroup:

- As described in [Agenda Item F.3.a, CDFW Supplemental Report 1](#), ask the workgroup to include additional content in the report about the coho FRAM model and how it is used in both pre- and post-season settings to project or estimate impacts on SONCC coho salmon. This should include brief descriptions of (a) the base period CWT data used to inform the model for Rogue-Klamath coho salmon, and (b) how non-retention impacts are determined.
- Ask the workgroup to include additional information in the report about the potential constraints the HCRs under consideration may impose on specific ocean fisheries. This additional content should illustrate the specific months and sectors by region that the FRAM coho model projects are consistently costly in terms of impacts on SONCC coho salmon.
- Ask the workgroup to further describe how the adopted HCR might be used in a planning setting, including preseason implementation alternatives that rely on (a) preseason projections of ocean and freshwater impacts for the forthcoming season only, and (b) a multi-year running-average approach that considers the combination of preseason projections and postseason estimates.

Marci Yaremko/Bob Dooley (Motion 8 carried, Mr. Moore voted no)

Motion 9: Council adopt for public review the changes to the Pacific Halibut Catch Sharing Plan for 2022 proposed in [G.1.a, Supplemental ODFW Report 1](#).
Maggie Sommer/Butch Smith (Motion 9 carried unanimously)

Motion 10: Council adopt proposed changes to the Pacific Halibut catch sharing plan for public review as described in [Supplemental WDFW Report 1, under G.1](#).
Heather Hall/Phil Anderson (Motion 10 carried unanimously)

Motion 11: I move that the Council adopt proposed changes to the area 2A directed Halibut fishery for public review that requires all vessels participating in the directed fishery use streamer lines coastwide, whether Groundfish is retained or not.
Heather Hall/Phil Anderson (Motion 11 was withdrawn with consent of the second)

Motion 12: I move materials that are put out for public review by the Council propose there are no changes to the directed halibut fishery structure for 2022, that is the 2022 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday that week. Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.
Heather Hall/Phil Anderson (Motion 12, as amended, carried unanimously)

Motion 13: Groundfish Subcommittee evaluate and make recommendations on the stock delineations for copper, quillback, and vermilion/sunset rockfish at the Sept. 29-30 mop-up review panel - with participation from the stock assessors - for SSC review in November. The SSC statement in November would then be used to inform the Council adoption of harvest specifications by geographic area.
Kelly Ames/Maggie Sommer (Motion 13 carried unanimously)

Motion 14: Council adopt the following stock assessments and stock categories for use in 2023 and beyond (provided in the Council's September 2021 Briefing Book, Agenda Item C.6) as recommended in [Agenda Item C.6.a, Supplemental SSC Report 1, September 2021](#):

Full assessments for

- Lingcod, northern and southern, both category 2
- Vermilion and sunset rockfishes off California south of Pt. Conception, and off Washington; both category 2
- Vermilion and sunset rockfishes off California north of Pt. Conception, and off Oregon; both category 1
- Squarespot rockfish off California, category 2

Catch-only projections for arrowtooth flounder, petrale sole, canary rockfish (with corrected sigma value as noted in [C.6.a, Supplemental SSC Report 1](#) p.6), and darkblotched rockfish.

Maggie Sommer/Phil Anderson (Motion 14 carried unanimously)

Motion 15: Council:

- Task the EWG to resume the lead role for FEP work, including any additional actions necessary to complete the Climate and Communities Initiative.

- Task the EWG to produce a list of potential tasks resulting from the Climate and Communities Initiative for the Council to consider during the March 2022 meeting. In building the list, include the following:
 - Content:
 - Tasks listed in the CCCT report
 - Input from AB reports
 - Consideration of public comment
 - Organization of tasks should include structure such that it is clear whether a task would be directed towards:
 - Integration into core FMP (work to be done in the course of FMP business by the Council and ABs)
 - Addition to Appendix A of the FEP, as a potential future initiative
 - Other Council-relevant tasks but that are outside of the first two categories here (e.g. collaborations, requests for information)
 - Prioritization suggestion for each potential task (and rationale for prioritization)

Caren Braby/John Ugoretz (Motion 15 carried unanimously)

Motion 16: Council request that the National Marine Fisheries Service:

- 1) Initiate an Emergency Rule to extend the primary sablefish season from October 31, 2021, to December 31, 2021; and
- 2) Extend the period allowed for incidental halibut retention until noon local time on December 7, 2021, continuing the current allowance of 225 pounds per 1,000 pounds of sablefish, plus 2 fish and employing the standard inseason process to manage to the 70,000 pound limit.

Corey Niles/Phil Anderson (Motion 16 carried, Ms. Yaremko voted no)

Motion 17: Council conditionally adopt the 2023-2024 OFLs, stock categories, and P* values presented in [Agenda Item C.8, Supplemental REVISED Attachment 1, September 2021](#), except those highlighted in that document (spiny dogfish, California copper rockfish, California quillback rockfish, and California squarespot rockfish). The Council will confirm or update these values after receiving results of the SSC's review of all values in November 2021.

In addition, for the stocks indicated below, request projections associated with the alternative harvest control rules presented in Table 1 in [Agenda Item C.8.a, REVISED Supplemental GMT Report 2, September 2021](#) (reproduced below) prior to the November Council meeting, to inform adoption of a range of alternative harvest control rules at that time.
Maggie Sommer/Phil Anderson (Motion 17 carried unanimously)

Motion 18: Council adopt the Preliminary Range of Management Measures outlined in Table 1 and 2 of [C.8.a, GMT Supplemental Report 3](#), for public review.

Marci Yaremko/Maggie Sommer (Motion 18 carried unanimously)

Motion 19: Add the following to the range of alternatives for analysis as the gear-based quota share alternative:

Creation of trawl-only Quota Share (QS): NMFS will create a new management unit from the existing Sablefish North IFQ management unit that will only be eligible to be fished by trawl

gears. The existing IFQ management unit will continue to be eligible to be fished with any legal gear. For ease of reference, the resulting QS units are referred to as “trawl only” and “any gear”.

Split of the Sablefish North trawl allocation: After conversion both would be adjusted so that the total pool of QS for each is 90 percent (and 10 percent to the Adaptive Management Program). The QS conversion will achieve the Council’s specified split between the two QS types and then each will receive the specified percentage or amount of the trawl allocation of Sablefish North annually. The two options for analysis include:

- Option 1: 71 percent of the trawl allocation will go to trawl only QS and 29 percent any gear.
- Option 2: The any gear QS will receive the smaller of 29 percent of the trawl allocation or 1.8 million lbs. with the trawl only QS receiving the remainder.

Procedure for converting QS holdings: NMFS will evaluate owners of Sablefish North QS against the fixed gear and IFQ participation criteria and then convert the QS using the following steps:

1. QS acquired by owners after the control date and in excess of what they held on the control date will be converted to trawl only QS.
2. QS owners that do not meet the fixed gear or IFQ participation criteria will have 100 percent of their QS converted to trawl only.
3. QS owners meeting the fixed gear participation criteria will have 0 percent of their QS converted to trawl only QS up to the QS they owned on the control date. QS acquired after the control date will be converted to trawl only QS.
4. QS owners meeting the IFQ participation criteria will have their QS converted at the rate that achieves the Council’s recommended allocation between the two QS units.

Participation Criteria: the criteria focus on QS owners with ownership tracked by the QS Permit. The term “vessel” refers to a vessel owned in full or part by the QS owner. Vessel ownership and fishing activity are evaluated based on the Vessel Account. And the term “fished” refers to landings of Sablefish North QP and activity that qualifies under the control date unless otherwise stated.

Fixed gear participation criteria options for analysis:

- Option 1: The vessel fished with fixed gear.
- Option 2: The vessel fished at least 30,000 QP in each of three or more years with fixed gear.

IFQ participation criteria options for analysis:

- Option 1: All Sablefish North QS owners not meeting the fixed gear participation criteria and irrespective of vessel ownership and fishing activity.
- Option 2: The vessel fished QP with bottom trawl gear in any of the two years prior to the year of QS conversion.

Corey Niles/Phil Anderson (Motion 19 carried, Ms. Yaremko voted no)

Motion 20: Council include the following alternatives (new language underlined, removed language in ~~strikeout~~) in the range adopted for further analysis and review:

No Action Alternative

Gear-Switching Endorsement Alternative (Action Alternative 2)

Overview. In the area north of 36° N. lat., a vessel’s gear-switching activity will be restricted based on limits applied to its trawl limited entry permit and the size of the limit will depend on whether or not the permit has a gear-switching endorsement. The amount of sablefish gear switching

allowed will be larger for gear-switching endorsed permits than for non-endorsed trawl permits. Gear-switching endorsements will be attached to permits ~~that have~~ and based on a permit or vessel ~~meeting a history of gear switching that meet~~ minimum qualification criteria that include gear switching history and, under some options, linkage between permit, quota share and, or vessel ownership. The endorsement might or might not expire when the permit to which it is attached is transferred. If endorsements expire with permit transfer, the higher gear-switching limits would eventually phase out and all vessels would be restricted to the lower level gear-switching limit provided for permits without gear-switching endorsements.

Full Description

Gear-Switching Endorsement and Qualification. Gear-switching endorsements will be attached to trawl limited entry permits and will not be severable from the permit. The gear-switching endorsement on a permit (or the absence of such an endorsement) will determine the northern sablefish gear-switching limit associated with the permit.

To qualify for a gear-switching endorsement, between January 1, 2011 and September 15, 2017 (the control date) the limited entry trawl permit (Option for further analysis: or VESSEL) must have landed northern sablefish IFQ with fixed gear totaling at least:

- **Endorsement Qualification Option 1:** 10,000 lbs per year in at least 3 years
 - ⊖ **Recent Participation Sub-Option:** and participated in at least one year from 2016 through 2018.
- **Endorsement Qualification Option 2 1:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years
 - ⊖ **Recent Participation Suboption:** And participated in at least one year from 2016 through 2018.
- **Endorsement Qualification Option 3:** 30,000 lbs per year in at least 3 years
 - ⊖ and participated in at least one year from 2016 through 2018;
- or caught 90,000 lbs of northern sablefish cumulatively across three years from 2014 to 2018, with at least one gear-switched landing in each of the three years.
- **(NEW) Endorsement Qualification Option 2:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years, AND quota share ownership (any amount) on the control date by the permit owner (option for vessel owner)
- **(NEW) Endorsement Qualification Option 3:** permit (option for vessel) has 30,000 lbs. per year in at least 3 years, AND quota share ownership (any amount) **AND vessel ownership** on the control date by the permit owner (for vessel owner option: “**AND permit ownership on the control date by the vessel owner**”)

- IF VESSEL used as the qualifying entity, then at implementation, the vessel owner designates a LE trawl permit to carry the gear switching endorsement.

Sablefish Gear-Switching Limits.

Trawl permits with gear-switching endorsements. The annual sablefish north gear-switching limit for a gear-switching endorsed permits is:

- **Endorsement Limit Option 1:** for each qualifying permit (option for vessel), the average percentage of the sablefish north trawl allocation caught with fixed gear for years fished between 2011 and the control date.
- ~~Endorsement Limit Option 2: the standard northern sablefish vessel QP limit (the current limit is 4.5 percent but this could change in the future).~~
- **(NEW) Endorsement Limit Option 2:** Each qualifying permit owner (option for vessel) receives a gear switching limit equivalent to the percentage of quota share owned as of and since the control date; in addition, the difference between the amount thereby allocated and 29 percent will be allocated among all qualifying permits (option for vessel) proportionally to each permit's (option for vessel) average annual gear switched landings (or the qualifying vessels landings) in years fished in the trawl IFQ program before the control date. This additional allocation will be operationalized as an addition to the permit specific limits (option for vessel).
- **(NEW) Endorsement Limit Option 3:** the percent of sablefish north QS owned by the qualifying permit owner (option for vessel owner) as of and since the control date

Trawl permits without gear-switching endorsement. The annual sablefish north gear-switching allowance for a trawl vessel except when fishing under a permit ~~not~~ endorsed for gear switching is 10,000 lbs. 0.5 percent of the sablefish north trawl allocation.

Gear-Switching Limits and Permit Transfers. For both gear-switching endorsed and non-endorsed permits, the gear-switching limits are associated with the permit. If a permit is transferred midyear, fish caught prior to the transfer still count against the permit's limit for the year.

~~**Sequential Permit Registration.** A vessel gear switching under non-gear-switch endorsed permits (non-endorsed permit) may not exceed the 0.5 percent/year gear switching limit by sequentially registering different non-endorsed permits during the same year. A vessel gear switching under a gear switching endorsed permit may not increase its gear switching limit beyond that allowed under the endorsed permit by sequentially registering a non-endorsed permit during the same year.~~ FOR FURTHER DELIBERATION: Should a vessel be able to expand its gear-switching opportunity by sequentially fishing under multiple gear-switching endorsed permits? Yes

Combination of Trawl Permits. Current management measures allow vessels to combine to permits to create a single permit with a larger vessel length endorsement. If trawl permits are

combined and if there is a gear-switching endorsement on either permit, the permit resulting from the combination will have a gear-switching endorsement. If both of the combined permits have a gear-switching endorsement, then the larger of the two limits will be included on the resulting permit.

Gear-Switching Limit Overages.

When a vessel reaches the gear-switching limit (as determined by the permit registered to the vessel), it may retain and sell any sablefish caught in excess of the limit but may not deploy non-trawl gear on any trawl IFQ sector trips taken during the remainder of the year. The gear-switching limits are specified as limits on the maximum amount of sablefish QP that can be used to cover fish caught under the IFQ Program with non-trawl gear. All gear-switching overages must be covered by QP. Any QP a vessel uses for gear switching in excess of its gear-switching limit will reduce the following year gear-switching limit for its permit by the amount of the excess QP used. This applies to the permit being used by the vessel at the time of the overage.

Suboption: Any QP a vessel uses for gear switching in excess of its gear-switching limit will not reduce the following year gear-switching limit (i.e. eliminate the last two sentences of the above paragraph).

Other Species Gear-Switching Limit. For all trawl permitted vessels, there will not be any gear-switching limits for other IFQ species.

Annual Vessel QP Limit. Regardless of these gear-switching limits, trawl permitted vessels are not allowed to catch amounts in excess of the northern sablefish vessel QP limit (taking into account both the vessel’s trawl and non-trawl QP landings).

Endorsement Expiration.

- **Expiration Option 1:** Gear-switching endorsements will expire when the permit is transferred to a different owner or a new owner is added to the existing permit ownership (ownership-based phase-down of gear switching).
- **Expiration Option 2:** Gear-switching endorsements do not expire when the permit is transferred.

Maggie Sommer/Bob Dooley (Motion 20 carried, Ms. Yaremko voted no)

Motion 21: Council adopt the inseason adjustments as recommended by the GMT as shown in [C.7.a, Supplemental GMT Report 1, September 2021](#)

1. Option 2 (4,500 lbs./week not to exceed 9,000 lbs./2 months) for the LEN sector of the sablefish DTL fishery, to be implemented as soon as possible through the end of the year.
2. Option 1 (600 lbs. daily, or 1 landing per week up to 3,000 lbs., not to exceed 6,000 lbs./2 months) for the OAN sector of the sablefish DTL fishery, to be implemented as soon as possible through the end of the year.
3. Option 1 for lingcod trip limits in the LE/OA sectors North of 42° N. lat.
4. Using an average of the years with observer data (2017-2020; 2.66 mt) as the projected impacts on yelloweye rockfish mortality from the Pacific halibut fishery for 2021.

Marci Yaremko/Virgil Moore (Motion 21 carried unanimously)

Motion 22: Council approve the June 2021 meeting record as shown in [Agenda Item E.4.a, Draft Council Meeting Record: 260th Session of the Pacific Fishery Management Council \(June 21-26 & 28-30, 2021\)](#).

Phil Anderson/Virgil Moore (Motion 22 carried unanimously)

Motion 23: Council adopt for public review, the following range of alternatives for modifications to the Council's FMPs to ensure consistency with requirements for standardized bycatch reporting methodology:

- No action
- The following:
 - Revisions to the HMS FMP presented in E.5.a, Supp HMSMT Report 1,
 - Revisions to the CPS FMP presented in E.5.a, Supp CPSMT Report 1, and
 - Revisions to the Salmon FMP presented in E.5.a, Supp STT Report 1
 - and request the Council staff coordinate with NMFS to review the proposed revisions and report to the Council in November 2021.

Maggie Sommer/John Ugoretz (Motion 23 carried unanimously)

Motion 24: Council appoint Mr. Phillip Dionne to the Washington Department of Fish and Wildlife position on the Highly Migratory Species Management Team currently held by Mr. Derek Dapp.

Corey Niles/Phil Anderson (Motion 24 carried unanimously)

Motion 25: Council adopt the changes to Council Operating Procedures (COP) 2, 3, 4, 5, 6, and 8 as specified in Agenda Item E.6, Attachment 3, entitled Public Review Draft Proposed Revisions to Council Operating Procedures 2, 3, 4 including the revision below to the Alternate Member section of COP 4, and Agenda Item E.6, Supplemental Attachment 4, entitled Supplemental Proposed Revisions to Council Operating Procedures.

Alternate Members

Members should attend all meetings, but members may, with prior approval by the Executive Director, request an alternate. When an appointed member will not be able to attend a meeting, an alternate may be appointed by the Executive Director if notified in advance in writing with the name, contact information, and a description of the individuals' qualifications for the proposed alternate at least 30 days prior to the first day of the advisory body meeting, or the first day of the council Meeting held in conjunction with the advisory body meeting. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences. Such alternates may participate in committee deliberations as a regular member and non-federal alternates shall be reimbursed for expenses per the Council travel rules.

Phil Anderson/Butch Smith (Motion 25 carried unanimously)

Motion 26: Council decommission the Ad Hoc Climate Scenarios Investigation Workgroup, the Ad Hoc Climate and Communities Core Team, and the Ad Hoc Southern Resident Killer Whale Workgroup.

Phil Anderson/Bob Dooley (Motion 26 carried unanimously)

ADJOURN

The Council meeting adjourned on September 15, 2021 at 5:25 p.m.

Marc Gorelnik
Council Chair

Date