

COUNCIL MEETING TRANSCRIPTS
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Pacific Fishery Management Council
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Meeting Transcript Summary

Verbatim transcripts of Council Actions are available on the Council website. The transcripts may be accessed at <https://www.pcouncil.org/council-meetings/previous-meetings/>.

A. Call to Order

4. Agenda

Marc Gorelnik [00:00:00] Before we get started on our ambitious agenda for this meeting, we need to have an approved agenda. So at this point in time, I'll ask if there are any proposed changes to the agenda or I'll welcome a motion to approve the agenda. Heather.

Heather Hall [00:00:20] Thank you Chair Gorelnik. I move that the Council approve the Council meeting agenda as printed an Agenda Item A.4, April 2022.

Marc Gorelnik [00:00:34] Thank you Heather for the motion. Is there a second? Seconded by Bob Dooley. Any discussion? I'll call the question. All those in favor say 'aye'.

Council [00:00:45] Aye.

Marc Gorelnik [00:00:46] Opposed, no? Abstentions? Motion passes unanimously. Heather, thank you very much for the motion. We have an agenda.

B. Open Comment Period

1. Comments on Non-Agenda Items

No transcription for this agenda item.

C. Habitat Issues

1. Current Habitat Issues

Marc Gorelnik [00:00:00] All right. I don't think we have any public comment, so that will take us to Council discussion and action on the Habitat Committee report. We have a draft letter before us and there was also a recommendation for a quick response letter. So, let's see what sort of discussion we have here at the Council. Marci.

Marci Yaremko [00:00:26] Yes, thank you Mr. Chair. I guess maybe we might start with the draft letter available to us in Agenda Item C.1, Supplemental Attachment 1 to the Federal Energy Regulatory Commission. I would support sending the draft letter as shown in the attachment with the edit that was discussed with Mr. Greene in discussion, and that would just be the simple addition of the word 'non-tribal' on page 3 in the second full paragraph, second sentence regarding the SONCC coho fisheries in California.

Marc Gorelnik [00:01:29] All right, thank you Marci. Yeah, I think I'll just take these one at a time. So, is there any other input on that letter? I'm seeing a thumb, one thumb up and not any hands to offer any further changes to the letter. Is there any objection to sending this letter? I don't know that we need a motion here, but I just want to make sure everyone is comfortable with that letter and we can send that out before the deadline. I'm seeing nods around the table so that letter is good to go. Thank you. So, let's carry on here. There is a... another topic of the committee report was the Morro Bay Wind Energy Area with a deadline for public comments as May 6th. We do not have a draft letter before us on that so if we're going to do a letter then it will have to be via quick response. So, I want to see if there is a sense of the Council here to instruct our bodies here, which I guess would be the Marine Planning Committee and the Habitat Committee to move forward and present a letter for quick response approval. So, let's see what sort of discussion if any we have on that. Is there any objection with moving forward as recommended by the Habitat Committee? I'll start there. And I'm not seeing any objections. Oh, Kerry... go ahead.

Kerry Griffin [00:03:08] Oh, thank you Mr. Chair. Just real quick, I wanted to remind the Council that you actually gave the green light for this letter at the last meeting, knowing that this notice was pending. And so, the Council has already given directions for staff to work with advisory bodies to develop a QR letter on this. It certainly doesn't hurt to reiterate that, but I just wanted to remind everyone that you knew this was coming and you did anticipate it and green light moving forward with a QR letter on it.

Marc Gorelnik [00:03:41] All right, thanks for that Kerry. I just want to make sure Council didn't change its mind. So, we'll move forward with that and those bodies will work with staff to get a letter prepared and circulated for comment and approval. Those were the two recommendations from the Habitat Committee. There were a number of other issues raised in this helpful report. Let's see if there's any further discussion. Marci Yaremko.

Marci Yaremko [00:04:17] Yes. Thank you Mr. Vice Chair... or Mr. Chair. Apologies. On the topic of the recommendation from the HC to consider the reduced temperature threshold for the Central Valley, I think I appreciate that recommendation. I appreciate NMFS bringing that to the discussion in the HC room. I think generally we can support that kind of a recommendation, but I would say that maybe it's not necessary at this time for us to make that as a standing recommendation that's going to be appropriate in all of our future comment letters on the topic of Central Valley water. So, I know that back stateside there's some homework to do about different state agencies that have different opinions on this particular issue and I think there're circumstances that, you know, might apply in different parts of the Central Valley that would warrant special consideration. So, I appreciate the discussion. I think

the thinking is on the right track, but I would maybe stop short of making a blanket recommendation at this particular time.

Marc Gorelnik [00:05:44] Thank you Marci. I just got to.....thinking back a few years ago we had....well, we've had chronic temperature control problems. The temperature control device on the Sacramento River seems to have had a number of technical challenges which have resulted in extraordinary mortality of eggs and juveniles. And I do recall a statement, I don't recall whether it was from the Bureau of Reclamation or the Department of Water Resources, they had interpreted the threshold of 56 degrees to include anything up to and including 56.9 degrees. They just simply truncated rather than rounded, so I think that while I think the focus tends to be on the winter chinook because it's listed, our Council managed fisheries rely more so on the fall chinook, which have been hammered as hard, even harder because they have tended to drop the water level once the winter chinook emerge there and stranding reds of the fall chinook. So... but I agree with you Marci, this is something we could support. I'm not just sure we have a mechanism right now to do that and it certainly would be too late for this year in any event because it's already April and so. Is there any further discussion or action? Marci.

Marci Yaremko [00:07:20] Yeah. Thank you Mr. Chair. Before we leave the discussion, I just want to thank the HC for its work crafting the letter that we have just approved sending to FERC on the Klamath Dam removal. And I appreciate the discussion that the HC had relating to the Potter Valley Project and giving us kind of an early heads-up that we may wish to comment in support of dam removal in the future. I think that's certainly something that I would support putting on to-do list in the future, and I just appreciate folks that are in the know bringing this content to us in the report. Thank you.

Marc Gorelnik [00:08:13] Thank you Marci. Anything further from the Council? Mr. Griffin, how are we doing on this agenda item?

Kerry Griffin [00:08:25] Thank you Mr. Chair, and Marci and Bob and for the comments. You have concluded your business for this agenda item. I'll make that minor edit to the Klamath Dam removal letter that is to FERC. I think I said Bureau of Rec earlier and it is actually to FERC, and we'll get that sent off and I'll initiate a QR letter on the Morro Bay Wind Energy Area draft EA and get that moving forward. And Marci thanks for the kind words about the Habitat Committee. Glen Spain did the lion's share of the work on drafting that letter and he did a really good job and got lots of input from the Habitat Committee members and so I'll make sure to pass on those kudos to Glen and the rest of the Habitat Committee. But with that I think that concludes your work on this agenda item.

Marc Gorelnik [00:09:23] All right. Thank you very much Kerry. Thank you Habitat Committee. Thank you Council. That concludes habitat issues.

D. Salmon Management

1. National Marine Fisheries Service Report

Brad Pettinger [00:00:00] Okay... with that, that would take us to Council action. And there's no motion here but certainly Council discussion. I'd open the floor up for that if anyone would so desire. And if.....Chair Gorelnik.

Marc Gorelnik [00:00:19] Yeah, I want to thank the Science Center again for the report they had on basically the challenges our salmon stocks face with climate change. But I also think that in as the Council thinks about these issues we can't....it's not within our portfolio to do anything about climate change, and even if it were, we'd be powerless to do that. But a lot of the stressors are on top of climate change. And again, I'm focusing more on our systems in California, but I'm sure there's, you know, the same or analogous stressors are seen in other systems where the priorities of these native species are put lower than some introduced species like almonds. So I don't know, you know, I think....there's really nothing for us to do at this point on this agenda item, but I do think we need to keep the focus here to the extent we can, to the extent we have the prerogative to weigh-in in favor of our native species in their own right as well as in support of the fisheries that we manage.

Brad Pettinger [00:01:52] Thank you Marc. Further discussion? All right I'm not seeing any hands, so I'll look to Robin.

Robin Ehlke [00:02:04] Thank you Mr. Vice Chair. I think you have wrapped up Agenda Item D.1. Thank you.

Brad Pettinger [00:02:09] Okay. Very good.

2. Tentative Adoption of 2022 Management Measures for Analysis

Brad Pettinger [00:00:00] Welcome back from your lunch and I'd just like to note that we will be going to, after this agenda items over with, we'll go to G.1, Pacific halibut to try to take up some additional space here in the day and not waste it. So, with that we are back on D.2. We've had our reports. We've had our public comment and now we go to Council action and discussion and the lack of discussion a motion. Chair Gorelnik.

Marc Gorelnik [00:00:40] Thank you Vice Chair Pettinger. I just wanted to thank the SAS. Looking at the package that they put forward in their report it's pretty clear they listened to stakeholders' comments, both those that were provided in the briefing book and those at the hearing. I want to just thank the SAS for that.

Brad Pettinger [00:01:03] Thank you Marc. Kyle Adicks. Kyle.

Kyle Adicks [00:01:08] Thank you Mr. Vice Chair. I do have a motion which I believe we should be able to see on the screen. I move to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented in Agenda Item D.2.e, Supplemental SAS Report 1, dated April 8th, 2022 for STT collation and analysis.

Brad Pettinger [00:01:42] Thank you Kyle. Is the language accurate?

Kyle Adicks [00:01:45] It is.

Brad Pettinger [00:01:46] Very good. Second? Seconded by Phil Anderson. Thank you Phil. Kyle, please speak to your motion.

Kyle Adicks [00:01:52] Thanks Mr. Vice Chair. As always there are a lot of moving pieces as we try to put together the fishery package for the entire coast. A lot of work over the past month, a lot of public input, new information coming from the north. I believe the package that the SAS has put forward today is a good start for us for this week. There's still pieces to work out with inside fisheries and making sure it all matches up to meet all of our coho and chinook conservation objectives, but I believe this is a good starting point and want to echo the thanks to the SAS for all their work and say it was good to see you guys all in-person this week.

Brad Pettinger [00:02:30] Very good. Thank you. Discussion on the motion? Okay, seeing none I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:02:43] Aye.

Brad Pettinger [00:02:43] Opposed? Abstentions? Motion passes unanimously. Very good. Thank you Kyle. With that I'll turn to Joe Oatman. Joe... for the tribe.

Joe Oatman [00:03:03] Thank you Mr. Vice Chair. I do have a motion. I think Sandra has that if she can get it put on the screen. Thank you. I move the Council adopt for STT analysis the following treaty troll salmon management measure. That is 40,000 chinook and 53,000 coho. The alternative consists of a May 1 to June 30 chinook directed fishery and a July 1 to September 15 all-species fishery. The chinook quota should be evenly split between the two time periods.

Brad Pettinger [00:03:45] Thank you Joe. Is the language of the screen accurate?

Joe Oatman [00:03:49] It is Mr. Vice Chair.

Brad Pettinger [00:03:50] Very good. Seconded? Seconded by Kyle Adicks. Thank you Kyle. Please speak to your motion Joe.

Joe Oatman [00:03:57] Yeah thank you Mr. Vice Chair. So, the tribes have been able to put forward this....these sets of numbers. It is essentially the mid-alternative and the tribes feel that this is a reasonable step forward and they look forward to working with the other co-managers to try to get us there. Thank you Mr. Vice Chair.

Brad Pettinger [00:04:27] Very good. Thank you Joe. Discussion on the motion? Okay seeing no hands I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:04:44] Aye.

Brad Pettinger [00:04:44] Opposed? Abstentions? Motion passes unanimously. Thank you Joe. Okay, with that I'll look to Robin to see how we're doing.

Robin Ehlke [00:04:59] Thank you Mr. Vice Chair. I think we've covered a lot of ground under this agenda item. We have a pretty good package for the STT to move forward with for both the Non-Treaty Tribal and the Tribal fisheries so, yeah, I think you've done your job under this agenda item. I do have one more thing to add, if I may?

Brad Pettinger [00:05:23] Please.

Robin Ehlke [00:05:24] I wanted to acknowledge that this is the last Council hearing of Peggy Mundy in attendance. I know she's retiring and I couldn't let the day go by or this meeting go by without acknowledging how really awesome she is, and I know she's helped me a lot and I don't usually get emotional, but she's done a lot for me as I've come on new to the Council and I just appreciate everything, Peggy. Thank you.....(APPLAUSE).....

Brad Pettinger [00:05:51] Thank you Peggy. Okay, well with that. And thank you for... Robin... for bringing that up. And with that I'm going to hand the gavel back to our Chairman, so Marc.

3. Clarify Council Direction of 2022 Management Measures

Brad Pettinger [00:00:00] Since he's not there that takes us to Council action, discussion. And so with that, I'll open up the floor for discussion. Where we're at... my understanding is we probably won't go to... have guidance this evening, but looking for hands. Kyle.

Kyle Adicks [00:00:23] Thank you Mr. Vice Chair. I will ask that we not go to guidance this afternoon to give us some time overnight to digest the modeling results and what we've heard from the SAS and the STT. We'll have some work to do to try to get fisheries down to that tule exploitation rate. Certainly, don't want to cut off any discussion of what we just heard. I've spent time thinking about what does a methodology review assignment look like? We know we've got to do something but recognize we might not have that all squared around by the time we get to that tomorrow. So it might be that taking a look at it in June and after having a little more time to figure out a game plan makes sense.

Brad Pettinger [00:01:07] Okay. Thank you Kyle. Chris Kern.

Chris Kern [00:01:10] Thanks Mr. Vice Chair. That was, I guess, a question on my part just to confirm that, maybe I just missed it. We normally talk about methodology review in March, but we do have the opportunity to continue discussion on that in June? Was that correct from a process standpoint? No. I'm seeing heads shake.

Robin Ehlke [00:01:43] Do you want me to answer that? I didn't know if you were looking at me, but the... the process for the methodology review is April, September, and November is currently....

Brad Pettinger [00:01:57] Okay.

Chris Kern [00:01:59] Okay, thanks Mr. Vice Chair. Well, we've got some time before tomorrow. I think I'm going want to have some offline discussions about whether we take that up tomorrow or whether we ask for it to be deferred or later in the week when we got a little better sense of whether or not that's something we need to think on or not. We may not know anymore by the end of this week as to whether that's where it goes or not, but just thinking out loud and we don't have to decide that today, but I'll just make a note.

Brad Pettinger [00:02:25] That's right. Yeah, good point. Marci.

Marci Yaremko [00:02:30] Yeah, now that we're in Council discussion on this topic. I mean I'm somewhat surprised not to hear from the STT that they themselves would be comfortable putting it on the preliminary list of method review items for us to consider and provide input on under that agenda item tomorrow. I understand that this situation arose after they had their meeting with the SSC, but I would see a review of this nature that is really about the model to be the type of thing that is appropriately tasked to the STT and the MEW and may or may not involve engagement with the SSC. So I, hearing the discussion here too... I'm reminded it's preliminary topic selection in April. My understanding from the discussion with Dr. O'Farrell is that there would be work on this item that would potentially inform a recommendation as to whether they'd be ready for, you know, finalizing the review at the Methods Workshop in October, and that's something we make recommendations on in September. So, I feel like there is a vehicle there that's already established in our process that should allow for the work to continue and to bring something back to us in September that we'll have an opportunity to provide input on and then they'd have the opportunity for further review or work at the Methods Workshop itself come October. I would say I was a little concerned to hear that possibly bringing the work back in March of next year. I'm feeling like with the concern that folks have raised on this topic

and recognizing, you know, we had a difficult March just already as it was with the model adjustments that were made before we arrived in March or right subsequently after, that I would be concerned with putting this off until that point in time. I realize we have to see how far the work gets but just in short, I feel like, you know, we do have an established process and we should do our best to let it work. Thanks.

Brad Pettinger [00:05:27] Thank you Marci. Phil.

Phil Anderson [00:05:33] I don't know that I have a different opinion other than if we wait until September to make any kind of assignment and then we have our Methodology Evaluation Workgroup meet in October with bringing something forward in November, that's a really time, tight timeline. So, if we were to leave here this week or leave the agenda item of methodology review this week with nothing more than a placeholder, that would be concerning at least from my chair, that we would actually have an opportunity for the MEW to have something meaningful to look at in October.

Brad Pettinger [00:06:36] Than you Phil. Merrick.

Merrick Burden [00:06:36] Thank you Mr. Vice Chairman. I'm also going to look to my staff to help me here, but as we are thinking about this here in the background, it occurs to us that this is not necessarily a methodology review item and that according to our COPs we could be taking this up outside of our methodology review cycle if we so desired. I think that would open up June as a possibility to maybe hear back from the STT on a report of some kind or a development of a plan of some kind and this is where I might then pass the ball to my staff and see if they have further suggestions on how that process might work if we wanted to take it up out of, outside of the methodology review process.

Robin Ehlke [00:07:32] Thank you for that. I think that June perhaps the STT could provide a plan under workload planning or something to that that could spell out the best way to move this forward. I know the STT is committed to doing just that and having a little bit of time to process how to best approach that I think would... would benefit the STT. I'm not.....I agree that the methodology review may not be the best place for it and that it may not be an actual methodology review, and that is also something that you know the STT has discussed so they're, I think waiting until June perhaps providing a report under workload planning, as simple as that, and giving the STT some of the flexibility to define the best path forward, understanding that the Council does want to see some results, you know, by November is ideal. Perhaps, you know, a little bit of extra time for another year's worth of data as Dr. O'Farrell stated, might give us a better answer than, you know, at least having a little bit of flexibility there might also benefit the analysis itself. So, I hope that answers your question.

Brad Pettinger [00:09:05] Okay. Thank you Robin. Marci.

Marci Yaremko [00:09:12] Thank you Mr. Vice Chair. Question for National Marine Fisheries Service and, Susan, I'm not intending to catch you cold on this, but have you given any thought to how this examination, appreciating that there could be policy implications and that it's not just a technical review, but have you considered how this might interrelate with the reinitiation of consultation on California Coastal chinook?

Brad Pettinger [00:09:49] Susan.

Susan Bishop [00:09:50] Thank you Mr. Vice Chair. Thank you Miss Yaremko for the question. I haven't had a lot of time to think about this. This has all come up fairly quickly. I have had some preliminary conversations with Dr. O'Farrell and other folks and so this will be part of NMFS's thinking

when we're laying out our approach to that consultation and the information and the things that are at play. But at this point I don't have a clear answer for you. It will not, it will not change the reinitiation. We have reinitiated and so what we will be doing is we will be looking around for what is the best available data that we have to do the work that we need to do.

Brad Pettinger [00:10:38] Thank you Susan. Good. Okay. Anyone else? Phil.

Phil Anderson [00:10:49] So just for my clarity anyway, in terms of where we are in this conversation, what we'll have a bit more conversation about this topic during our methodology review agenda item and have the opportunity to consider what Miss Ehlke just shared with us as a possible pathway and talk about those and come to some sort of a decision at that point?

Brad Pettinger [00:11:20] I'm not seeing any head shaking no so I think that's an accurate assessment.

Phil Anderson [00:11:25] Okay.

Brad Pettinger [00:11:30] Okay. Robin, how are we doing?

Robin Ehlke [00:11:39] Thank you Mr. Vice Chair. I think we're doing okay. I hope I was clear and I want to address Mr. Anderson's comment. I don't think the intention was to pick this back up under D.4 under Methodology Review. I think the intention is to, or what I was trying to express was that perhaps in June would be the best time to describe how a path forward on this topic might be. If I misunderstood or didn't make that clear enough my apology.

Brad Pettinger [00:12:26] Phil.

Phil Anderson [00:12:29] No apologies needed. What I put out there as a suggestion is that we consider that as a pathway not to put any....not to create the pathway, but at some point seems to me we need, if we were going to go down that path, which would be to make....have that assignment made to the STT that they would bring back to us in June. That would be different then proceeding down our methodology review pathway. We need to make a decision it seems to me whether or not that's an acceptable approach from a Council perspective. And all I was suggesting is that you put that out there as a possible pathway. Give us a chance to think about that. When we get to the methodology review it would be, that would be an opportunity to think about that as a suggestion to deal with this issue. Not that it got any, you know, not that we put, you know, pen to paper at this stage but simply describe the pathway and next steps in dealing with this issue.

Robin Ehlke [00:13:55] Thank you.

Brad Pettinger [00:13:58] Chris Kern.

Chris Kern [00:14:02] Thanks Mr. Vice Chair. And so I think I'm probably going down the same trail, but I just want to confirm something if I could with Mr. Garland, maybe staff and maybe this is something for later as well but, I think as part of that discussion I think there was a suggestion that maybe the operating procedures allow for another pathway that could allow for this kind of discussion outside of the methodology review. And so, I guess, my question is, is that something that we need to still confirm a little bit before tomorrow or is that...are we pretty sure about that?

Brad Pettinger [00:14:38] Merrick.

Merrick Burden [00:14:38] Thank you Mr. Vice Chairman. I think it would be good for us to dig into

this a little bit deeper just to be sure, but the way that I'm reading the conversation is that this very well may not be a methodology review item. We can decide that under the methodology review agenda item. And I think there's a bit of confusion there... and so at that time we can chart that course and say, do we want to bring this back in June or do we want to stick this into the usual methodology review process? We can have those answers about the COP that you just raised at that time also.

Brad Pettinger [00:15:18] Okay. I'm seeing heads nodding around the table so that's always a good thing. So, with that, no more hands raised. So Robin, how are we doing? I believe we're going to come back to this tomorrow, but I'll let.....to D.3 tomorrow.

Robin Ehlke [00:15:42] Thank you Mr. Vice Chair. We have heard from the advisory bodies. We've had the opportunity for public comment. It's a pretty complex issue and so we'll leave this agenda item open, D.3. The intent if it is, if we're ready to come back, first agenda item. I'm guessing the states could let us know if they're ready for further guidance after sleeping on it. If not, they can certainly decide a better time.

Brad Pettinger [00:16:18] Okay, very good.....(SUSPEND AGENDA ITEM).....We're back here on D.3, Council guidance and I think we'd ask Dr. O'Farrell to come up to receive that and we'll start in the north with Kyle Adicks.

Kyle Adicks [00:16:40] Thank you Mr. Vice Chair, and thanks to the Council for your patience. Giving us yesterday evening and this morning to walk through some difficult issues and get to some really substantial fishery reductions to try to meet the tule exploitation rate. And thanks to the Washington and Oregon SAS members who worked through all this with us to bring some things forward that we hope will get us there. So the north of Falcon salmon management guidance, and I'm speaking in reference to Agenda Item D.3.a, Supplemental STT Report 1, dated April 9th, 2022. Implement the following changes. Change the overall non-Indian TAC to 54,000 chinook and adjust all corresponding allocations, guidelines and caps accordingly. And on Table 2, north of Cape Falcon recreational management measures on Page 11. For the La Push subarea delete the October 1 through 9 fishery. And for the Westport subarea adjust the start date to July 2nd.

Brad Pettinger [00:17:50] Okay. Thank you Kyle. Okay going down the coast we'll go to Joe Oatman. The Tribal, the Tribal report or the Tribal recommendations...

Joe Oatman [00:18:06] Thank you Mr. Vice Chair. I do not have any guidance to offer to the STT at this moment.

Brad Pettinger [00:18:13] Thank you Joe. Now to Oregon and Chris Kern.

Chris Kern [00:18:17] Thanks Mr. Vice Chair. First, I'll echo Mr. Adicks' comments about, you know, this has been a really hard week. I think everybody knows that. We're getting ready here in my guidance to cut about 32 fishing days out of the Oregon troll fishery on top of what was pretty dramatic action in March. So pretty significant work here by a lot of folks this week and I appreciate everybody's efforts. So, starting with Table 1, ODFW commercial management alternatives. Beginning on Page 4 for the area Cape Falcon to Heceta Bank line. Replace May 16 through 31 with May 21 through 31. Replace June 1 through 30 with June 1 through 12 and June 18 through 30. Replace September 1 through October 31st with September 1 through 4. September 11 through 14 and October 1 through 31. In the area from the Heceta Bank line to Humbug Mountain replace May 16 through 31 with May 21 through 31. Replace September 1 through October 31 with September 1 through 4, September 11 through 14 and October 1 through 31. Moving into the recreational alternatives on Page 12. For Cape Falcon to Humbug Mountain replace the non-marked selective coho quota of 20,000 with 17,000. And in the

Humbog Mountain to Oregon California border Oregon KMZ replace July 1 through August 19 with June 22 through August 21.

Brad Pettinger [00:19:56] Thank you Chris. Got that Michael?

Michael O'Farrell [00:20:00] Yes, Mr. Vice Chair. I got that.

Brad Pettinger [00:20:03] Okay. Then moving down to California. Marci.

Marci Yaremko [00:20:08] Thank you Mr. Vice Chair. For the California commercial management measures beginning on Page 6 of Table 1. For the Fort Bragg area, which is the 40 10 line to Point Arena. Replace July 23 through 27 with July 21 through 25. For the San Francisco area from Point Arena to Pigeon Point, replace July 23 through 27 with July 21 through 25. And for the Monterey area, replace July 23 through 27 with July 1 through 25 and replace August 1 through 12 with August 3 through 12. Moving to the recreational measures beginning on Page 13 of Table 2. For the Fort Bragg area, replace July 22nd through September 30th with July 22nd through September 5th. And for the San Francisco area, replace June 20th through November 13th with June 23rd through October 31. And I think this is the other half of the cuts that Chris was referring to. So, some adjustments here to get us to our impacts. Thank you.

Brad Pettinger [00:21:45] Okay. Thank you Marci. Is there any further guidance we need? Susan.

Susan Bishop [00:21:57] Thank you Mr. Vice Chair. I just wanted a clarification. Back on the California reading of the adjustments, the language on the screen, I think....there you go, Point Arena to Pigeon Point on the screen says July 21st to 25th. I thought I heard Marci that you said July 1st. I may have misunderstood.

Brad Pettinger [00:22:21] Marci.

Marci Yaremko [00:22:21] Thank you Mr. Vice Chair. I thought I was reading straight from the screen, replacing July 23rd third through 27th with July 21st through 25th. Thank you.

Brad Pettinger [00:22:36] Okay. Thank you Susan. Any further guidance here? Mike you're good?

Michael O'Farrell [00:22:44] Yes, Mr. Vice Chair.

Brad Pettinger [00:22:45] All right. Okay well that would, that would finish up D.3.

4. Methodology Review Preliminary Topic Selection

Brad Pettinger [00:00:00] Okay well that concludes public comment. Now we go to Council discussion. Kyle Adicks.

Kyle Adicks [00:00:10] Thank you Mr. Vice Chair. I had a couple of things. First just wanted to say I appreciated Mr. Anderson's question of the SSC report in Item 4 there and the mention of Washington Coastal fall chinook stocks. I just thought it was important to remind the Council that those stocks are covered. They have management objectives and obligations under the Chinook Chapter of the Pacific Salmon Treaty. They also have in our, they're in our Council fishery management plan and as noted they are, the objectives were developed by WDFW and the treaty tribes under the provisions of Hovey, Baldrick, and associated court order. So appreciated Dr. Johnson's response about the complexity of management with these stocks and think that's important to keep in mind. Mr. Carey in the MEW report mentioned the progress that we've made with the ongoing FRAM documentation task over particularly the past couple of years. I think last fall it took a big step forward with the website that was developed and presented during methodology review and just wanted to confirm the intent to continue filling in the technical detail there and longer-term task at the base period documentation. There's placeholders on the website where that will go, but that's a continuing thing that WDFW staff will continue to work on in conjunction with others over the coming months.

Brad Pettinger [00:01:39] Thank you Kyle. Phil Anderson.

Phil Anderson [00:01:44] Thanks Mr. Vice Chair. Well, first I appreciated Dr. O'Farrell and the STT's comments on a potential path to deal with the issues that we discovered during this year's pre-season planning process as it relates to effort and catch estimates coming out of the model. And we had a bit of a discussion on this yesterday and put at least part of it off to discussing it under this agenda item. I'm a bit nervous about where we are on this in terms of our getting our arms around this issue and hopefully having some reasonable resolution to it by the time we get to March of 2023. And part of my nervousness is looking at COP 15, which is where the Methodology Evaluation Workgroup shows up in the process and in there there's some description of issues that could merit a full review. So a full review, meaning the MEW, the appropriate management entities and then full SSC review in October. And there's also some examples in there about issues that do not merit a full review, and there's some examples there. But I'm not sure who makes the final decision on whether the issue is in fact a subject to the methodology review that's in COP 15, or whether it is one of these other issues or that maybe isn't explicitly identified as an example, and that's what it says, examples of issues that do not merit a full review. Who makes that decision? And I'm....obviously if it requires a full review then there's a lot of....there's materials that need to be put together between now and September submitted for well in advance of the Salmon Subcommittee of the SSC's meeting in October. And if we're not sure....if we're not, haven't made a determination as to whether or not that is the process or whether it's some other process that involves the STT and the management entities, I don't want to get caught up in a process foul that keeps us from getting at this issue and resolving it to the degree that it can be resolved. So I'm just putting....I don't have a great solution for it right now. I appreciate, again appreciate what Dr. O'Farrell and the STT suggested and responding to our suggestion yesterday about coming forward in June. We'll have another bite at the apple, if you will in June, but I just want to be when we walk away from that conversation in June I want to make sure that our path is clear. That our process is clear and that we aren't setting ourselves up to run into a process foul that keeps us from getting at the solution.

Brad Pettinger [00:05:49] Thank you Phil. Chris Kern.

Chris Kern [00:05:55] Thanks Mr. Vice Chair. I think Phil said it better than I was going to be able to,

but that's kind of the exact spot I'd been kicking around here is, and it sort of prompted my question to Dr. O'Farrell and it seems to me there's a relatively, maybe high is not the right word, but there is some risk that we get into, we the technical team gets into this process and realizes wait, there are some other things that we potentially could do that would move it back into the methodology review section as opposed to just a data update or this sort of normal process. And I have no better way to gauge that risk than anybody else in this room, probably less so the most, or at least certainly than Dr. O'Farrell and others, so I don't have a grand solution for it either, but I share the same concern that we don't miss, sort of miss the boat here just by mistake so to speak... so...

Brad Pettinger [00:06:52] Merrick.

Merrick Burden [00:06:52] Yeah, thank you Mr. Vice Chairman, and thank you Mr. Anderson and Mr. Kern for your thoughts on this as my staff and I were chatting through this issue yesterday. There are a couple of points that stand out to us. So one is at the current time we don't really know what it is we're dealing with, and so my understanding is that coming out of this meeting the members of the STT will be digging into it and trying to figure out what is it that we're... we're dealing with, with these modeling questions and that the point of coming back in June under bringing this issue back in June under our future meeting planning agenda item would be to decide how we take it up, not whether we do or whatnot, and so I think that would be our intention, which is help you identify the best way forward, not get stuck in the process angles like you've been mentioning, Mr. Anderson. So, I think that's our intention and that's the reading of this issue is to try to help structure that process for you so that we can resolve it.

Brad Pettinger [00:08:05] Thank you Merrick. Marci.

Marci Yaremko [00:08:09] Thank you Mr. Vice Chair. Appreciate everyone's remarks and I think we're all largely on the same page. I appreciate that we don't know yet what this review will entail or if it's appropriate for methodology review and if it could be accomplished in that standing process that we have, or if it needs to be something outside. I think what I'm focused in on is ensuring that there is some transparency and opportunity for engagement and involvement from our SAS to have an opportunity to follow along with the review, and most importantly that we, if the need is to have a solution by March that we don't get that solution on the first day of the March meeting and then we say here it is and here's how it works and go forward. I know that the situation this year was difficult with model updates occurring very late in the game and folks not understanding the implications of how that affected them and their recommendations on season structures. Folks found that time was significantly more costly in many cases than they might have anticipated, and so it's kind of tough to come in not knowing what new model you're working with, and so folks spend a lot of time as they should to understand the new model that they would be working with and the implications and then as things solidified in March and with the finalization of the NMFS guidance... that too added a new wrinkle in terms of how to use the model. So I guess, you know, what I'm hoping for is that whatever process we use that it's front loaded enough so that there's enough time for folks to review and comment and get, you know, get an understanding of what changes are needed and how corrections are made and so that there's a little better buy-in just on the mechanics. So that's my goal and I'm certainly open to whatever process we might need to undertake to accomplish that. Thank you.

Brad Pettinger [00:11:04] Thank you Marci. Anyone else? Chris.

Chris Kern [00:11:11] Thanks Mr. Vice Chair. This is I think a bit broader comment. And as I think about the process that we have, and this is not unique to salmon, I mean I've heard multiple times things like workload issues for the Groundfish Management Team. We have extremely good professional people doing this work in the STT and the other bodies, but we are also asking a whole lot of them

repeatedly over and over again, not just here, but in their day jobs and everything else, and I just wanted to put that out there that, you know, we... this is very important and I am not saying this to say that this should be a lower priority. It's my number one priority now after this week. It just is. But I also want us all to be thinking about just the fact that we're asking people to do a lot and there's very rarely that we go from one year to the next without asking to deal with that and concurrently asking them to do less. It only goes up. I don't know how long that can last. So thanks. Sorry for the... you know... random comment, but I've been thinking about that all week so.

Brad Pettinger [00:12:19] Thank you Chris. Butch Smith.

Butch Smith [00:12:24] Thank you Mr. Chair. There's no doubt every year there's a forest fire somewhere in this process and this year might have been the perfect one with SONCC coho coming in on top of this and a lot of different reconfiguring and all this stuff that they had to do, there's no doubt and I've said this many time, we have the best salmon people, you know, in this process in the world and there's no doubt about that either. But, and I think it's been said, but maybe I'll put it in Ilwaco English I guess. There's got to be a way that we have, you know, the major updates that we have, model, you know, update models, but there's also going to be a way that we can do model corrections as needed. And that's not usually gives us a lot of time. And there's got to be a process... because from my perspective, you know, we are probably somewhere up into the couple million dollar range that we caused by what I think, doesn't mean it is so, but a model correction that needed to be done. But because of what we've asked our SST and others, you know, this year and worked like Chris just said, work to death and working hard and we couldn't accomplish that. And hopefully at the end of this process, you know, when next March or wherever we can get there is that we have a path forward to do these corrections when we need to without, you know, setting people on the dock for a year. Oh yeah, right, that was a humdinger, too late now. And so, I sure hope we can get to that point and I think we can. That's why we got the... one of the greatest, you know, people in the world in this room, not only salmon but all the other fisheries that we manage. So that's all Mr. Vice Chair and thank you.

Brad Pettinger [00:14:29] Thank you Butch. Well said. Anyone else? Marci.

Marci Yaremko [00:14:40] Yeah, I didn't want to let this agenda item end without commenting for a moment on the Sacramento Fall Conservation Objective recommendations and noting that that item has been on the list for a few years now, and both the SSC and the STT have continued to remind us how important that goal is and also the need to revisit it. I just want to echo my appreciation for the, I think the plan that is laid out here for us that there's agreement that there would be an initial step done in the methodology review to examine the basis for the... the current conservation objective and additional literature that might inform a future, or a look to revisiting the objective for the future. So, I just want to voice support for that. This is a preliminary selection, so we don't have to do anything more here. I'm comfortable having it on the list. Appreciate the need. Also appreciate that it will involve workload and that we've had some discussion within our CDFW family, folks from the inland reaches that are interested in this work and have provided some initial commitments to assist. So, we are doing our best to shake the trees to get folks to help because it's certainly an important for our inland reaches as well. So, I just want to thank you for the recommendation here and for kind of providing a bite-size chunk here to cut off in this maybe first step. So, thank you.

Brad Pettinger [00:16:47] Thanks Marci. Okay anyone else? Not seeing any hands. Robin, I'll look to you and give us how we're doing here on this?

Robin Ehlke [00:16:59] Thank you Mr. Vice Chair. The work for you to do under this agenda item is to provide guidance so that we can move forward with some preliminary topics for the next couple of months and come back to you in September. So, I do kind of want to reiterate what I've heard and make

sure that I'm understanding the conversation. So, what I see is the STT report that has four items on it and I hear support for those items. Some of those items are cross-pollinated with what's on the SSC report as well. What is in the SSC report that's not part of the STT report is the items under number four that relate to the Washington Coastal fall chinook, and so number four on the STT list specifically mentions Sac fall, and it's my understanding that that is where the focus would lie rather than the Washington fall chinook based on the conversations from the Washington Council members. So, looking for clarification from that and I'm seeing, yes, that sounds right. And then also looking at the MEW report Item B, that first bullet where they're talking about the FRAM documentation and getting the technical detail potentially done this year. Add that to the STT list so that would be five items. Going back to the SSC report, there is a FRAM MEW item, excuse me a FRAM item on there. Let me see if I can scroll. There we go. The item number two. That wasn't necessarily something, or I'm not sure how well they align with the documentation that the MEW outlined, but I would also think that we can include that in that list as well for potential topics. So, I see 6 things, all of what's on the STT plus the MEW's first bullet under number B, and the SSC's item number two, that if I had to make a short list of the items that would be the best way to mesh them all up.

Brad Pettinger [00:19:53] Okay. Let me make sure we get this right, so just go.....anybody disagrees with that? Okay very good.

Robin Ehlke [00:20:07] All right. I hear a yes so thank you very much for that clarification. And with that I think you've completed your work under D.4. And I'll just finish with, yes, you'll hear from the STT in June and hopefully by that time they will have a good idea of whether or not it is a methodology review or not and we can certainly do that work between June and September and have it be part of the methodology review if needed. So, I don't have a lot of concern about missing the bus, if you will. And that also as we move through that item, we all know that the process is a very transparent one and that the STT will do their work. Their meetings will be public meetings as they always are and we would look to have as much input from the SAS as needed to help them understand what the technical aspects are of that.

Brad Pettinger [00:21:12] Thank you Robin. Phil.

Phil Anderson [00:21:17] If I were to add a caveat, it would be that we take a look at the totality of what we're asking when we get to June and we get the plan, if you will, that the STT's bringing forward so we have an understanding of what the totality of the workload is, specifically referencing Mr. Kern's concerns about being cognizant and sensitive to what we can reasonably expect this group of professionals to do.

Brad Pettinger [00:21:58] Okay, thanks Phil. All right, with that we'll consider D.4 completed.

5. Further Direction for 2022 Management Alternatives

Brad Pettinger [00:00:00] Okay that brings us to Council discussion and I don't know if Kyle... you want to have something to say before we go to guidance or.....

Kyle Adicks [00:00:07] Thank you Mr. Vice Chair. And I think it, it got framed up pretty well from the questions for Dr. O'Farrell, but we are projecting to not meet the escapement goal for Hoko chinook but the abundance returning the southern U.S. waters is too small to meet that goal. There's a very small, around 2 percent exploitation rate in southern United States fisheries on that stock. We do have the Pacific Salmon Treaty ISPM obligation, which is 10 percent, so we're meeting that. We also have, Hoko were included in our Puget Sound Chinook Resource Management Plan, although it's not part of the Puget Sound ESU and the co-managers have exploitation rate ceilings of 10 percent at some abundances that dropped to 6 percent at critical abundances on that stock and we're meeting those rates as well, so pretty de minimis level of impact in Council fisheries and inside fisheries on the stock. Just wanted to note that.

Brad Pettinger [00:01:05] Okay. Thank you. Anyone else? Joe Oatman.

Joe Oatman [00:01:10] Yeah, thank you Mr. Vice Chair. And I just wanted to be on record that I concur with the statement that Kyle just made.

Brad Pettinger [00:01:20] Okay very good. All right. Well with that, I guess we'll go to guidance and Kyle we'll start with you and come down the coast.

Kyle Adicks [00:01:31] Thank you again Mr. Vice Chair. And my guidance is on the screen. I'll just say these are changes that were made after the quota reductions we made yesterday. Some further adjustments to fisheries that will not affect the modeling at all but just fine-tuning fisheries at these lower abundances. So north of Falcon salmon management guidance, speaking relative to Agenda Item D.5.a, Supplemental STT Report 1, dated April 11th, 2022, implement the following changes. For Table 1 north of Falcon commercial management measures on page 2, change the landing and possession limit for the area between the U.S. Canada border and the Queets River to 80 chinook per vessel per landing week and change the landing and possession limit for the area between Leadbetter Point and Cape Falcon to 80 chinook per vessel landing week. On Table 2 north of Falcon, north of Cape Falcon recreational management measures. On Page 11 add October 5th through earlier of October 8th or 125 chinook quota in the area north of 47 degrees 50 minutes zero seconds North latitude and south of 48 degrees zero minutes zero seconds North latitude, chinook only, two chinook per day. Chinook minimum size limit of 24 inches total length and adjust the subarea guideline for the June 18th to September 30th fishery to 995 chinook. So, this was a small bubble fishery that we removed from the package yesterday. As the SAS thought about it overnight, they wanted to put that in for a shorter duration with the reduced quota. The landing limits are just reductions to landing limits corresponding to the reduced quota.

Brad Pettinger [00:03:15] Okay. Mike, got that?

Mike O'Farrell [00:03:19] Yes, Mr. Vice Chair.

Brad Pettinger [00:03:20] Perfect. Okay. Joe Oatman. Joe.

Joe Oatman [00:03:21] Thank you Mr. Vice Chair. I do not have any guidance to provide for the tribal fishery.

Brad Pettinger [00:03:30] Thank you. Chris.

Chris Kern [00:03:35] Thanks Mr. Vice Chair. I do have some, a little bit of guidance. The first one I'll just note before I read it is just a, no effect on the modeling or the fishery, it's just a clarification to make sure that it's clear what the period overlap between chinook and coho only seasons are so. In the cape.....(phone ring)....

Brad Pettinger [00:03:55] That's donuts.

Chris Kern [00:04:00] It's supposed to be on silent already. Now I owe you donuts. Okay, replace open seven days.....for the Cape Falcon to the Oregon California border, all salmon marked selective coho fishery. Replace open seven days per week, all salmon, 2 salmon per day. All retained coho must be marked with a healed adipose fin clip with open seven days per week. Cape Falcon to Humbug Mountain, all salmon, 2 salmon per day. Humbug Mountain to Oregon California border, June 18th through 24th, all salmon except chinook, 2 salmon per day. And June 25 through August 21 or coho quota, all salmon, 2 salmon per day. All retained coho must be marked with the healed adipose fin clip. And then in the Humbug Mountain to Oregon California border section for the Oregon KMZ, replace June 22 through August 21 with June 25 through August 21.

Brad Pettinger [00:05:00] Okay. Thank you Chris. And I'd just like to say that the Anderson rule wasn't revoked since he's not Chair so the donuts are still forthcoming. With that, we'll go to California and Marci.

Marci Yaremko [00:05:15] Thank you Mr. Vice Chair. We do have some guidance for Table 1, the California commercial management measures on page 6 just for the Monterey cell. The guidance is to include in the general regulatory language the statement that all salmon caught in this area in the month of May must be landed within 24 hours of any closure of the fishery. And during the months of May and June, all salmon caught in this area must be landed south of Point Arena. And this guidance is intended just to address the short stop start nature of the fisheries that are proposed in the May cell in the Monterey area. It doesn't affect the modeling in any way. Some changes were proposed at the beginning of this week to establish those start, stop start fisheries. That was the SAS advice and this is just an additional provision that's should aid us with enforcement, so we would like to include it now. Thank you.

Brad Pettinger [00:06:29] Thank you Marci. Okay. Any further discussion? Kyle.

Kyle Adicks [00:06:33] Thank you Mr. Vice Chair. Maybe just an update on our co-manager north of Falcon discussions. We met late into the evening last night and at it again early this morning to try to get to inside fisheries that meet that, the list of Puget Sound management objectives. Also confirming that our inside coastal fisheries are lining up to meet all of our objectives. I'm not sure when we'll have sort of revised inside fishery inputs to match up with this, possibly late today, more likely first thing tomorrow morning, but I'd like to keep this agenda item open so we can come have another check-in, even if there are no ocean changes. Instruct the team to go to the modeling with the hopefully final inside packages that will meet all of our objectives.

Brad Pettinger [00:07:21] Very good. All right. Any questions for us Dr. O'Farrell as far as guidance?

Mike O'Farrell [00:07:29] No, Mr. Vice Chair. I think we have what we need to move forward.

Brad Pettinger Very good. Okay. Well thank you everyone and we'll leave D.5 open until tomorrow and go from there so thank you.....(AGENDA ITEM SUSPENDED)..... Thank you Mike. Questions

on the STT Report? Guidance potentially? Kyle.

Kyle Adicks [00:08:00] Thank you Mr. Vice Chair. And thanks to the STT for doing an extra round of model runs under D.5. I do not have any guidance on Council fisheries this morning. We made some significant process...progress overnight in the north of Falcon process and if I could just ask the STT to hold off on a final model run for D.6 while the U.S. v. Washington co-managers work through the last inside issues, I think we can have them a set of inside fishery inputs later this morning that will solve the problems Dr. O'Farrell highlighted with not meeting conservation objectives in Puget Sound.

Brad Pettinger [00:08:40] Okay, very good. Thank you. Oregon, you're good? Okay. California? Okay. Joe Oatman. Joe.

Joe Oatman [00:08:54] Thank you Mr. Chair. No guidance at this point.

Brad Pettinger [00:08:57] Okay, very good. All right, Robin I'll turn back to you.

Robin Ehlke [00:09:06] Thank you Mr. Vice Chair. I'm wondering if we have any public comment?

Brad Pettinger [00:09:12] I don't think there was but nope.

Robin Ehlke [00:09:13] All right, thank you. So, with that I think we have concluded Agenda Item D.5 And we'll hope to see you later this afternoon for Agenda Item D.6.

Brad Pettinger [00:09:25] Okay.

Robin Ehlke [00:09:26] Thank you.

Brad Pettinger [00:09:27] Wonderful. Thank you.

6. Non-Trawl Sector Management Measures

Brad Pettinger [00:00:00] This is public comment and I believe there's no cards in. I'm getting the 'no' sign, so that brings us to Council action, so I'll open the floor for the discussion first and then for guidance or for motions... so Kyle Adicks.

Kyle Adicks [00:00:16] Thank you Mr. Vice Chair. As Dr. O'Farrell mentioned during the STT report, there was one bolded value left in our projected escapement for Hoko fall chinooks and we had a discussion on that the other day but I just wanted to say a few more things about it. The Hoko summer fall run chinook stock is managed in Council area in the northern fisheries subject to the provisions of the Council's Salmon Fishery Management Plan and the Pacific Salmon Treaty. Under the Council's FMP, Hoko chinook salmon are managed for a spawning escapement of 850 naturally spawning adults. The forecast of Hoko chinook salmon in 2022 is for an escapement of 940 adult chinook in the absence of all fishing. With the northern fisheries that are expected to occur within the limits identified in the Pacific Salmon Treaty, the spawning escapement is projected to be at a level below the escapement goal. Escapement in the last 5 years has averaged 17 hundred and 26, ranging from 11 hundred and 88 to 2,179, consistently higher than the escapement goal. Section 3.3.6.2 of the FMP notes that some de minimis level of fishing impacts were allowed by the provisions of the PST at low abundance levels. For chinook salmon this is referring to the individual stock-based management obligations under the PST, specifically the stock specific exploitation rate limits when stocks are not meeting their management objectives. Under the provisions of the PST, Hoko chinook are managed to an exploitation rate limit of 10 percent in Southern United States fisheries. As reported in Table 5 of the STT report, the model results project a Southern U.S. exploitation rate on Hoko of 2.1 percent, of which 1.9 percent is occurring in Council area fisheries, well below the 10 percent PST limit. This represents a level of fishery impact in Council area fisheries that is below the levels defined as de minimis for other chinook salmon stocks in the FMP, for example Klamath River fall run chinook at 25 percent and Sacramento River winter run chinook get 20 percent. WDFW and the Treaty Tribes support the fishery management measures proposed here that would lead to a projected escapement for Hoko chinook of 735 adult spawners. Salmon fishery impacts on Hoko chinook salmon associated with the fisheries under consideration by the Council in 2022 are consistent with the limits required by the PST and with the provisions of the Pacific Coast Salmon Fishery Management Plan.

Brad Pettinger [00:02:45] Thank you Kyle for that clarification, information. Okay, anyone else before we go to motions? Butch Smith.

Butch Smith [00:02:55] Thank you Mr. Vice Chair. I would like to piggyback kind of onto the Tribal report. I think it's important to bring to the Council's attention some tule issues and remind the Council a little bit of history. Back in 2011, the Council passed the Tule Matrix. It was a Council sponsored exercise in bringing everybody into the room under Don McIsaac, and we had Bob Turner and NOAA Fisheries and we had the Tribes, both Confederated Tribes of the Columbia River and Coastal Tribes participate in that. And through that process, you know, there was expectations of production. Expectations over 100 years you would have, you know, the different percentages of boxes that you went, and it was actually one of the best salmon processes I think the Council ever, ever did in bringing everybody together, the States of Washington. Mr. Anderson was Director and Kurt Melcher provided Steve Williams and Chuck Tracy was the Salmon Officer back then. And you know and everybody entered that room with their sleeves rolled up and worked and pulled in the same direction. It didn't, you know, take three or four years. It was done in a relatively short time with lots of meetings and stuff. It was, like I said. And so....and of course in 2016 you have, you know, you have to make sure that you don't have hatchery fish and wild fish you know messing around. So, 2016 Barry Thom, you know, wrote a letter and warned everybody that there would have to be some cuts if we didn't, you know,

remove hatchery fish from certain rivers in the States. Of course, money never flows as you make these plans. It, you know, it's got to catch up and, and the State of Washington and, I believe, probably the State of Oregon, but I'm speaking for Washington or speaking on the Washington side anyway, I'm not speaking for Washington but, you know, had to get weirs and do different plans to remove those fish and, you know, that they're still working on that to this day and but those cuts came, you know, to the tune of about 7 million from the expected what we were, could raise to make the plan work and now we're just viewing probably what things to come if we don't, you know, get back in that room, not necessarily as a Council-sponsored project, but sit down in that room again and figure out where we can, you know, raise some fish. We know we've got some stuff out there but, you know, for example that, you know, 7 million cut is about 28,000 adults returning adults to the river mouth, and if we have those 28 million fish returning to the river mouth we wouldn't even have been, had a tule problem this year. We would have been in the 41 percent box. And like the tribe said, you know, hatcheries are part of the solution to recovery and, you know, to coastal communities and tribal communities and inriver and plus, you know, in that meantime we had, you know, the Council-sponsored the Orca Whale Task Force. These fish, these tule's go all the way up to Southeast Alaska and graze off of Vancouver Island which are important for, you know, orca, orca survival, and that's one thing we didn't have to deal with back in 16 or before didn't realize, you know, until that we realize now that orca's aren't dying of obesity, you know, they're dying and starved to death and so, you know, we've.....and so anyway I just wanted to point out that I think it's time that we probably should get back together and figure out what we're going to do here or this is, you know, this tule year might look like a fantastic tule year in history, because if we go down into those 35 and 33 and 32 percent boxes, you think it was painful this year you haven't seen pain like that, and I think, you know, we recognized it back in 2011 that, you know, when we do the right things and do our conservation goals and needs and that we're able to fish a little harder when the abundance is good and have to sit on the dock when abundance isn't as good and everybody that I work with in the salmon side have always agreed to that, always been conservation minded. And I think it's, I think we owe it to the tribes and the coastal communities and everybody concerned that we maybe seriously take a look at what we're doing and see if we can find some room for to get that production back closer to what that plan called for. If you haven't read that plan it really, you know, we used the model on other matrices since and, you know, so I think that... I know NOAA, I think, would certainly be willing to sit down. I think the State of Washington and State of Oregon would be willing to sit down and see where we can, where we can come together and find space and recognize that, you know, we also have a new player in the room that we want to take care of and anyway, and our tribal, and our tribal co-managers and all those that want to participate and will participate again I'm sure that, you know, I think the.....I know the Makah's participate in that process. You know there's been since 2011, there's, you know, a few brain cells and a lot less hair that I have so I have forgot some of the participants, but anyway I know it was a, like I said a really good process. I don't take any more time but I just want to let this Council know that this is probably an urgent, urgent problem that we need to expedite and sit down and really and think outside the box. So, thank you for the time and the discussion and I just wanted to put that out there and let people know I think it's time we sit back down again and revisit the Tule Matrix, the Beamesderfer Plan, whatever and what a great scientist to work with too. So anyway, thank you very much.

Brad Pettinger [00:10:07] Thank you Butch. Joe Oatman.

Joe Oatman [00:10:13] Thank you Mr. Vice Chair. I wanted to speak to really briefly to the statement that Kyle Adicks provided on the Hoko chinook salmon. I do want to confirm that the Treaty Tribes do support the fishery management measures as reflected in his statement. You know we do think that this is consistent with the Pacific Salmon Treaty as well as our salmon FMEP. I think that, you know, given the circumstances involved here relative to the forecast, the fishery that catch Hoko chinook salmon stock and spawning escapement objective that this is an acceptable approach.

Brad Pettinger [00:10:59] Thank you Joe. Okay, anyone else? Okay we'll....I'll look to Washington to start us off on the, on our motions. Kyle.

Kyle Adicks [00:11:12] Thank you Mr. Vice Chair. I do have a motion which should pop up on the screen. I move that the Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item D.6.a, Supplemental STT Report 1, dated April 12th, 2022.

Brad Pettinger [00:11:47] Thank you Kyle. Is the language accurate on the screen?

Kyle Adicks [00:11:49] It is.

Brad Pettinger [00:11:50] Second by Phil Anderson. Thank you Phil. Speak to your motion Kyle?

Kyle Adicks [00:11:55] Thank you Mr. Vice Chair. Every year, the north of Falcon process seems to take a unique set of twists and turns. This year we actually got our north of Falcon work with the co-managers done pretty quickly, but we had to spend a lot of time resolving the tule issue that we talked about a lot earlier in the week. So, thanks to the Council for their patience on the agenda each day and allowing us that extra check-in this morning so we could finish our work and be back here. I think the set of fisheries before the Council are the best we could do with the situation we were in. A lot of hard work by the SAS to get to a package that gets the most out of the fisheries for our coastal communities. A lot of hard work by the U.S. v. Washington Co-managers to meet all of those inside objectives that we struggle to meet every year. So, thanks to the Salmon Technical Team and all the state, federal and tribal staff that have worked hard over the past couple of months. Thanks to the SAS for working through some really difficult issues this week, and thanks to my colleagues to the south for helping us figure out how to get this package on the table this week.

Brad Pettinger [00:13:11] Very good. Phil Anderson.

Phil Anderson [00:13:16] Thanks Mr. Vice Chair. You know we wait here in the Council room for these products to be brought to us and sometimes we're not mindful of all the work that's being done behind the scenes by a lot of people to get the product that comes in front of us here and I just think it's important for us to stop here for a moment and recognize all the people that contributed. I know WDFW for example had like 25 staff members here all week, including the Director. I particularly wanted to call out Kyle Adicks. He's been leading the development of a new Puget Sound Resource Management Plan that they just....with the co-managers that's going... hopefully once it's approved, is going to give us multi-year coverage under the Endangered Species Act and get out of this year by year consultation business. And he's also been the leader for Washington throughout this process, this....during this north of Falcon process and has just done a really outstanding job so I just wanted to thank and recognize Kyle for that.

Brad Pettinger [00:14:38] Thank you Phil. Anyone else? Okay, with that I'm going to call for the motion. So, all those in favor signify by saying 'aye'.

Council [00:14:51] Aye.

Brad Pettinger [00:14:52] Opposed? Abstentions? Okay, motion passes unanimously. Okay moving down to tribal, tribes. Joe.

Joe Oatman [00:15:05] Thank you Mr. Vice Chair. I do have a motion ready and if Sandra can put it up on the screen. I move to adopt the Treaty Indian troll fishery management measures for submission

to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item D.6.a, Supplemental STT Report 1, April 12, 2022.

Brad Pettinger [00:15:34] Thank you Joe. Is the language accurate on the screen?

Joe Oatman [00:15:38] It is.

Brad Pettinger [00:15:39] Okay. Seconded by Kyle Adicks. Thank you Kyle. Speak to your motion please, Joe.

Joe Oatman [00:15:47] Thank you Mr. Vice Chair. I, too, want to acknowledge all the work of the STT and the many others who have helped get us here today. I know it's some difficult work. Takes quite a bit of time and do appreciate those efforts. And relative to the tribes, so the tribes have been engaged in the north of Falcon process to work out the management measures that are being proposed here for adoption. These tribes have federally recognized fishing rights that must be addressed as other applicable law here in the PFMC process. The 2022 projected abundance of salmon and coho stocks, there are of course corresponding management objectives determine how much fish can be available for tribal fisheries. As is the case each year as we go through this process, the projected abundances of these fish present unique stock-specific challenges to shaping treaty troll ocean fisheries, among others under consideration in north of Falcon. These considerations are complex and reaching agreed to treaty troll management measures is a challenging process. I commend the tribes, State of Washington, WDFW, NOAA Fisheries for having the discussion necessary and making choices they have along the way to get us to this point where these Table 3 management measures for the Treaty Indian troll fisheries can be acted upon by us today. There are other tribal fisheries that occur on the inside areas that are critically important as well. The tribes have stressed over the years that recovery of these vital fishery resources cannot be achieved by these management measures alone. They do their part in setting harvest measures through this PFMC process. They continue to call for a broader, more comprehensive effort to rebuild these runs that the tribes have relied upon and depend upon as part of their federally-protected treaty rights. So, with that Mr. Vice Chair that concludes my points.

Brad Pettinger [00:17:59] Thank you Joe. Discussion on the motion? Okay, seeing none I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:18:12] Aye.

Brad Pettinger [00:18:13] Opposed, no? Abstentions? Motion passes unanimously. Thanks Joe. Next up Oregon and Chris Kern. Chris.

Chris Kern [00:18:23] Thank you Mr. Vice Chair. I'll wait a moment for the motion. Okay thank you. I move that the Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon California border as presented in Agenda Item D.6.a, Supplemental STT Report 1, dated April 12, 2022.

Brad Pettinger [00:19:08] Thank you Chris. Is the language accurate on the screen?

Chris Kern [00:19:10] Yes.

Brad Pettinger [00:19:11] Seconded by Christa Svensson. Thank you Christa. Okay speak to your motion Chris.

Chris Kern [00:19:20] Thanks Mr. Vice Chair. I'll try and be as brief as I can given the time but I do want to reflect on a really hard week, but also process this year. I don't want to belabor it because we've talked about it a fair bit already, but as we wrap things up here we know people have put in a huge amount of work, both the technical team and the advisors, and I can't thank either one of them enough. I mentioned the workload on the technical staffs the other day, but I was remiss in not reflecting on the workload the SAS puts in, which is frankly similar in my view. They're working their tails off here and had a hard row this year as we've all talked about. So, I apologize when I complain about things and don't have solutions. It bothers me, but I have, you know, raised some issues that I'm concerned about. Others are concerned about that I don't have solutions for. We...I feel like we have the tools and know how to deal with changes in stock abundance and status and things, but we are relying on the tools we have, and we've run into some complexities with those this go round. I think I said as well the other day, I don't think this is going to get easier over the long haul in terms of the ways we have to manage and plan for fisheries. I think they're going to get more complex, not less complex and so I do, you know, it does leave me with concerns for the long haul about how we maintain a sustainable process for the tools and the people and the fish through what we do. So, I think that's all I'd have to say. And again, I don't have solutions, but I am concerned. If anybody can pull it off, it's the Council family. We've done it before. I'm confident we can figure a way out to do those into the future but, yeah, thanks for everybody for their hard work and for all the partners, the States and tribes and the advisors and everybody in the process. Thanks.

Brad Pettinger [00:21:24] Thanks Chris. Discussion of the motion? Okay seeing no hands I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:21:34] Aye.

Brad Pettinger [00:21:34] Opposed, no? Abstentions? The motion passes unanimously. Thank you Chris. Moving to California. Marci Yaremko. Marci.

Marci Yaremko [00:21:46] Thank you Mr. Vice Chair. And Sandra... motion for California. Thank you. I move that the Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from the Oregon California border to the U.S. Mexico border, as presented in Agenda Item D.6.a, Supplemental STT Report 1, dated April 12th, 2022.

Brad Pettinger [00:22:18] Thank you Marci. Is the language on the screen accurate?

Marci Yaremko [00:22:20] Yes it is.

Brad Pettinger [00:22:21] Seconded by Marc, Chair Gorelnik. Okay, Marci, please speak to your motion.

Marci Yaremko [00:22:28] Yes, thank you Mr. Vice Chair. We came into this management cycle facing a somewhat different set of circumstances than we've seen in recent years in that the tools that we typically rely on to assess stock status and fishery impacts weren't producing the results that we had expected. And unfortunately, were out of alignment with our FMP management goals and our ESA conservation objectives, and that's based on the postseason review of our fishery performance over the past several years. Because of the situation we had to face some pretty difficult decisions with our partners and with our SAS's leadership to make some pretty difficult and draconian recommendations to cut fishing time to ensure that our salmon seasons would align with the ESA and the FMP. The most significant of those constraints, at least for California, was the updated guidance from National Marine Fisheries Service that we received first before and then clarified during the March meeting to target a

new harvest rate for age 4 Klamath fall chinook and that guidance was to revise the preseason rate cap down to 10 percent from 16 percent, which we've been managing to preseason in the past. So, the constraint results in some significant loss of time on the water, particularly for California's commercial trollers, which are the fleets that most likely encounter those age 4 Klamath fall chinook. Across all of our California management areas there are 66 less fishing days on the water compared to last year. And you might recall that last year wasn't particularly good. In 2020, we had 268 open days. 2021 we were at 184 and now for 2022 we're looking at 118. So, this is looking like a very painful year for the industry. Kind of as Chris indicated, I wish I could be more optimistic about what the future might hold. At least off California the future environmental conditions don't look great. While the ocean situation might look favorable, California's entering its third hot and dry year with increasing frequency of fires, low reservoirs, water flows and correspondingly high water temperatures and below average snowpack. And while the ocean does look somewhat favorable, the growing abundance of northern anchovy in the nearshore ocean waters and the relative abundance of copepods give some good reason for optimism. The threat of thiamine deficiency also still looms. So, I feel like, you know, things are probably not going to get easier in the near term but I am looking forward to the STT's work over the next few months and the report that they'll bring to us in June after their initial look into some concerns with the KOHM and what might be done to improve some of the unrealistic outputs. So, with that I'd just like to thank the, the SAS and the STT for their continuing work and now we've added more to their plate, but they are very critical in helping us develop the path forward. So, with that, thank you.

Brad Pettinger [00:27:15] Thank you Marci. Discussion on the motion? Okay I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:27:27] Aye.

Brad Pettinger [00:27:27] Opposed, no? Abstentions? Motion passes unanimously. Okay. Maybe I should open the floor to see if there's other Council business on this agenda item that we need to bring up? Anybody has anything? Butch Smith.

Butch Smith [00:27:50] You know I just want to say this real quick, with all the hard work from, you know, the SAS under Richard Heap's leadership and, you know, all the tribes and everybody, the co-managers that participate and in Washington and stuff. I think one person that sometimes we forget to thank is Robin Ehlke. She really ties and has to wrangle a lot of different personalities. She even had to wrangle me for a few years and that's not an easy job and I want to thank her too. So don't forget our staff officers because they work very hard. So, thank you Robin.

Brad Pettinger [00:28:29] Absolutely Butch. There's a lot of great people in this process, that's for sure. With that Robin, I turn to you.

Robin Ehlke [00:28:42] Thank you Mr. Vice Chair. So, for Agenda Item D.6 where you'll adopted the final regulations for the 2022 salmon season. Sorry, I can't say it without a smile. You guys did an awesome job. Thank you to everybody. I think your work here is done and I just have to thank the Council for providing the staff that populate those advisory bodies in the STT. You all have some fantastic people working behind you and it is definitely teamwork, and it takes, it takes a family. It takes a village. But thank you.

Brad Pettinger [00:29:19] Thank you Robin. Yeah, great job everyone. And with that I want to turn the gavel back over to our Chairman... Marc.

Marc Gorelnik [00:29:30] Thank you Vice Chair Pettinger. Great job by everyone and I think it was great having the salmon folks here in person. I think they really facilitated progress on some really

tough, tough issues. And I guess tomorrow we'll talk about what June holds for us.

E. Coastal Pelagic Species Management

1. National Marine Fisheries Service Report

Marc Gorelnik [00:00:00] Well, that completes public comment on this first agenda item and takes us to any Council discussion we may have. There's no action here but let's see if there's any discussion to be had on the NMFS report. All right I'm not seeing any hands. There I see one. Phil Anderson.

Phil Anderson [00:00:23] Yeah, thanks Mr. Chairman. I'm just, you know, the slide that talked about the re-envisioning surveys and combining the hake and the CPS surveys into a integrated type approach. I would just express interest to continue to get updates from National Marine Fisheries Service Science Center as appropriate, to understand what the ramifications of doing that are relative to both surveys, but in particular the hake survey if there's, if there are trade-offs being made to have that type of an integrated survey, trade-offs in terms of the quality of the survey, the information that comes from it on both fronts, both sets of species, so totally understand the reason for moving in that direction and to optimize the use of the limited vessel time that is available from year to year and all of the information that we're trying to get from those efforts, but at the same time would like to understand what the tradeoffs are if there are some. So just putting that out as a request.

Marc Gorelnik [00:02:00] Frank.

Frank Lockhart [00:02:04] I'm still learning. I got the button this time. That is the agency's intent and we've already had some internal discussions and we plan to regularly update the Council as we go through this process.

Marc Gorelnik [00:02:25] I'm not seeing any hands, but I've got a question or comment for Frank. We've lost some opportunity, survey opportunity, sail drones, and there was a spring survey I think that was canceled due to funding uncertainties, but when the funding eventually comes through what happens to those funds? Are they repurposed? Are they saved for a survey the following year? What happens?

Frank Lockhart [00:02:54] Well, in my experience it's different every time and it kind of depends on how the funds are included. So, the specifics I think I can't answer, but I don't know if Dale is still on if they've had any discussions about that he might be able to answer that.

Marc Gorelnik [00:03:14] Dale, if you know and if not, we can just have this discussion offline.

Dale Sweetnam [00:03:19] Thank you Chairman Gorelnik. It's way above my pay grade to figure out how the funding occurs too. So, I'm going to punt that answer down the road. It's.....every year we go through the process and attempt to get as much survey time as we can and it's oftentimes with these white ships. It's a crapshoot in terms of what survey time you get, and we've tried to make inroads in terms of the normal sampling programs like the summer survey, as well as the early summer and late spring rockfish survey and CPS surveys as well as the CalCOFI surveys. But the cost of doing these surveys has increased dramatically in terms of diesel prices and everything else right now, getting those surveys out on the water is going to be a lot more difficult than it was even last year, so we're in the process of trying to figure that out. We try and make our white ship reservations five years in advance and hope that those funding sources that remain intact and move forward from there. So, it's a long process to get that ship out on the water and able to sample. So that's why the long process in trying to revise the sampling program for hake and CPS and it'll be a long process and one that the stakeholders will be a large part of as well.

Marc Gorelnik [00:05:24] All right, thank you Dale. Anything further from the Council on this agenda item? Corey Niles.

Corey Niles [00:05:33] Thanks Mr. Chair. Just a comment. I think Pete, as Pete alluded to, some of these issues I think will be coming up later today, particular under E.3 from the Substock Workshop to the temperature that was mentioned in public testimony. So just noting that, I believe we'll have some questions, you know, if not this meeting for NMFS, then on that topic under E.3 and not discussing those now but holding them until E.3.

Marc Gorelnik [00:06:04] All right, thank you Corey. Anything else? Bob Dooley.

Bob Dooley [00:06:11] Thank you Mr. Chairman. Dale, thanks for the report. I appreciate that. It was really the presentation was great. You mentioned fuel prices and I'm thinking of the survey ships and in that we have two basic different agencies that operate those and obviously you have control or say of one of them, but the other one, how does that fit in? If the, it's National Ocean Service or that runs the ships. Is that fuel their decision? We don't have the money so we can't do the survey or is that a joint operation or how does that work? I'm just trying to understand a little better who has the veto power on the fuel, so to speak.

Dale Sweetnam [00:06:57] Yeah, that's a question that we're wrangling with right now. We deal with OMAO, which is the, operates the vessels and the airplanes as well. But it.....we're going in there and it's a new territory in terms of costs and what we had planned for five years prior. So, it's actually new territory and I'm not sure where we're going to end up right now.

Bob Dooley [00:07:41] Thank you.

Marc Gorelnik [00:07:43] All right. Last call for any questions or discussion on agenda item E.1? All right, thank you everyone. Thank you Dale. Thank you Frank.

2. Exempted Fishing Permits (EFPs) for 2022-2023 – Final Action

Marc Gorelnik [00:00:00] All right that completes public comment. We've had all our reports and we now come to our Council action, which is to approve or not these proposals. And we'll start with some discussion. So, I will look around the table and see who wants to get us started. And if no one wants to get us started with discussion, if someone wants to put forward a motion. Briana.

Briana Brady [00:00:34] Thank you Mr. Chair. Good morning everyone. I just would like to say thank you to the California Wet Fish Producers Association and to the West Coast Pelagic Conservation Group for the work they have done in collecting data for the EFPs and to express my gratitude for their willingness and interest in continuing to collect data needed for assessing sardine. And I think it's important to continue the three EFPs because each of them contribute to the science that is used in the management process. And I will be supportive of approving these EFPs. Thanks.

Marc Gorelnik [00:01:14] Thank you Briana. Further discussion? Corey Ridings.

Corey Ridings [00:01:26] Thank you Mr. Chair. I'm struggling a little bit with this. I'm mostly struggling with seeing the scientific and management value of the point sets and especially the biological sampling EFPs given the amount of fish asked for. I realize that we're going to be discussing that under the next agenda item, the actual amounts, but at this point I just want to put that out there that I would like to see in some shape or form better evidence of how that's helping us with the science and the management in the context of a stock that is severely depleted and a severely depleted stock as many of our public just spoke to has many repercussions, especially for people and, and fishermen. It also has ecosystem considerations and, you know, I'm thinking particularly of salmon and thiamine deficiency right now that we heard about at the previous meeting and it's very important for us to rebuild that stock and thinking about how low those numbers are. It's a big concern when we think about even small amounts to be taken in an EFP. I will be voting these forward. I think the SSC and the MT have made their review and I support their review of that. I'd also like to support what the SSC mentioned and what we heard the MT respond in response to Mr. Lockhart's question earlier, which was having the MT review these applications before the SSC does. To the extent that we can better understand the scientific value, the management value and even the larger, potentially economic or social value of these, I think that process is one that's working for other FMPs and could work for this one. So, thanks for that.

Marc Gorelnik [00:03:27] All right, thank you Corey. Further discussion or a motion? Briana Brady.

Briana Brady [00:03:37] Thank you Mr. Chair. I have a motion to put forward please. If Sandra or Kris could put it on the screen. Thank you. I move the Council adopt the exempted fishing permit proposals in Agenda Item E.2, and Attachments 1, 2, and 3 for consideration of harvest amounts under Agenda Item E.3 and recommend NMFS approve the EFPs.

Marc Gorelnik [00:03:59] Thank you. Is the language on the screen accurate and complete?

Briana Brady [00:04:02] Yes, it is. Thank you.

Marc Gorelnik [00:04:03] I'll look for a second? Seconded by Bob Dooley. Please speak to your motion.

Briana Brady [00:04:15] Thank you Mr. Chair. Each EFP provides data in support of assessing sardine. The first EFP will provide verification of tonnage estimates that are associated with nearshore aerial

surveys. And the second EFP maintains the time series of fishery dependent data and can also be used in conjunction with the aerial surveys to collect corresponding size and age class information. And the third EFP continues acoustic sampling in the nearshore in areas inaccessible to the larger acoustic ships. I think allowing continuations of these efforts with industry participants fosters collaboration and participation and benefits the management overall. Thanks.

Marc Gorelnik [00:05:00] Thank you. Are there questions for maker of the motion? Is there discussion on the motion? Corey Niles.

Corey Niles [00:05:15] Thanks Mr. Chair. Thanks, Briana, for the motion. Yeah, hearing there are questions about the value of these EFPs, I'm seeing the management team, the SSC recommend them, the AS as well, and hopefully we'll get, we'll continue to see what the values of the these are next time but there are big questions going on with sardine, and again we'll be getting to those in the next agenda item but, yeah, hearing the questions and the concerns but seeing the support from our SSC and management team and, you know, WDFW also being involved here and trying to, you know, improve the surveys of the stock. Very supportive of the motion. And thank you.

Marc Gorelnik [00:05:56] Thank you very much Corey. Any further discussion on the motion? I'm not seeing any hands online or in the room, so unless I'm missing something I'll call the question. All those in favor..... there's a hand? Oh okay. All right. All those in favor say 'aye'.

Council [00:06:21] Aye.

Marc Gorelnik [00:06:21] Opposed, no? Abstentions? The motion passes unanimously. Thank you, Briana, for the motion. Before I go back to Jessi let me see if there's any further action or discussion by the Council under this agenda item. Frank Lockhart.

Frank Lockhart [00:06:44] Just on the item that I asked a question about, and Corey picked up on as well. I think it's a good idea to focus the SSC's comments on the EFPs to the scientific issues. It sounds like they are making that comment because they thought maybe their task was too broad, but I'm not sure that it requires a COP change. So, I guess, I'm just generally asking staff is there any way short of that that we can kind of bring this in line with their assertion that this is how it's done with HMS and groundfish? I mean, it seems like we should have a similar process where the MTs focus the SSC's comments on that. So, I guess that's just a question to the Executive Director if that's possible.

Marc Gorelnik [00:07:27] All right. Executive Director Burden you're on.

Merrick Burden [00:07:31] Thank you Mr. Chairman, Mr. Lockhart. Without looking at the COPs or recalling them specifically at the moment, I guess what I would propose is that we take a look at them with this being what I would presume to be guidance from you all if there's agreement on this. If we think there's a need to modify the COPs, we can bring those back to you in a strikethrough version and have you consider them at that time, but I don't have an answer at the moment as to whether I think the COP should be modified or not but we can certainly take a look at that and provide you with a recommendation.

Marc Gorelnik [00:08:07] Is that the sense of the Council to ask staff to take a look at that in view of the SSC's comments and provide some suggestions at a subsequent meeting, I assume? All right, I'm seeing a lot of nods around the table. So, staff has that action. Anything further under this agenda item? All right, Jessi, how did we do?

Jessi Doerpinghaus [00:08:35] Thank you Mr. Chair. Yes, you have approved the EFP pro.....all three

EFP proposals and the amounts will be considered within the next Agenda Item E.3 on the specific set amounts for each EFP. Additionally, staff will take note of the SSC's comments and we will look at changes to the COP 23 if needed to align them similar to the HMS and groundfish COPs on EFP's. So, I think you have completed your Council action for today.

Marc Gorelnik [00:09:10] All right, thank you very much. So that's E.2 is in the books.

3. Pacific Sardine Assessment, Harvest Specifications, and Management Measures – Final Action

Marc Gorelnik [00:00:00] All right, that concludes public comment. We've had all our reports. So, it takes us to Council discussion and action on Agenda Item E.3. It's there up on the screen before us and I'll look for someone to get us started. Briana Brady.

Briana Brady [00:00:23] Thank you Mr. Chair. I wanted to express my appreciation to the Stock Assessment Team for providing an update assessment for Pacific sardine and to also say thank you to the SSC Subcommittee that initially reviewed the update assessment and to say thank you to the SSC and the advisory bodies and the public for the discussion regarding sardine management today. I'm coming from a place of supporting the CPSMT and the CPSAS recommendations for specifications and management measures, the ones that they have outlined, including the amount specified for the EFPs. And I just want to note that this is another painful year for the industry and a difficult time for us at the Council as we wait for the sardine population to recover. Those are just some initial thoughts.

Marc Gorelnik [00:01:21] Thank you Briana. Phil Anderson.

Phil Anderson [00:01:26] Thanks Mr. Chairman. I have a question. I think it's of the team. Well, I know it's, the question relates to what's in their report, I'll put it that way. Sorry to have to ask this question, it probably exemplifies my ignorance, but I'm going to do it anyway. So, I heard in testimony that the exploitation rate that we have as somebody referenced 1 percent. Yet when I look in the team's report, they talk about the update assessment biomass estimate of 27,369. And then I look at, you know, I just looked at the average landings that I got from the CDF and W report at 2246. And you know my math gets me something over 8 percent looking at those numbers. And so I'm just...I'm looking for somebody to help me here understand kind of where we are, where we think we are in terms of what type of an exploitation rate we have on this stock? Looking at the age one plus biomass estimate of the 27,369.

Marc Gorelnik [00:03:15] Well, Trung from the team is still online, so could you possibly address Mr. Anderson's question?

Trung Nguyen [00:03:24] Yeah, I'm still here and thank you Mr. Vice Chair and thank you Mr. Anderson for the question. So, your question is regarding the exploitation rate on the, the model or just the amount removed?

Phil Anderson [00:03:44] Well, my question is I'm looking at the biomass estimate that is represented in your report of the 27,369. And then I'm looking at what has just on average what's been taken in terms of landings, and I may be excluding or improperly including, I'm not sure, but it says 2240....2,246 metric tons. And so, I'm just trying to understand, and then I also heard a reference to, well we've only got a 1 percent exploitation rate, and the numbers don't add up for me. So that's what I am trying to understand is given kind of our current approach given our current average landings, understanding that there's some variation from year to year and this biomass estimate of 2369, where are we really from.....how, you know, what type of an exploitation rate do we have on this stock? And understanding that we have this confusion about, well... is it the southern population or northern population and understanding that, you know, we have some of those uncertainties. I'm just trying to understand where we are in terms of how heavily we're exploiting this stock with the removals that we're allowing under, you know, from the live bait to the bycatch that's in other CPS directed fisheries?

Trung Nguyen [00:05:37] Okay, yeah, I think I understand. Yeah, thank you Mr. Anderson. Yeah, I

understand what you're asking now. Yeah, so the exploitation rate, we were....if you look at the Stock Assessment Update Report from Peter and Kevin, they list the northern substock removal and that's why the exploitation rate there is around 1 percent versus....you know if you use the total landings in our report, that would be including both the northern substock and southern substock. So, a stock assessment when they receive the landings data, they will partition up the northern substock versus southern substock and that's....and then they would only take the northern substock landings as far as to account for removals from the biomass.

Phil Anderson [00:06:36] Okay. Thank you for that explanation.

Trung Nguyen [00:06:38] Yeah, sure.

Marc Gorelnik [00:06:40] All right further discussion? Pete Hassemer.

Pete Hassemer [00:06:52] Thank you Mr. Chair. I guess it's discussion, just my view of what we've heard here. I'm supportive of what the management team is recommending but, I guess, with the uncertainties we keep hearing about in the process it's difficult to get to support or there.....it's frustrating with all of these uncertainties and so I look at the process that tries to reduce or assess those uncertainties and give us better estimates in the future. And the fact that we're likely underestimating the biomass in the management year the way the model is working, it is probably provides a little bit of a buffer there and that's good, but the question then that comes up in my mind is when things change and that pattern changes that we'd no longer be overpredicting, would we be able to detect that and what are the effects of that on the population? As I looked through the assessment, you know, what really struck me, a retrospective pattern I was referring to, is if you look at the 2020 benchmark assessment, the 2021 catch only projection and then the current update assessment as you move forward in time the prior year's always look better. There's more fish that get built in and what I saw as a driver of that is simply the reporting of catches in the MexCal, that Semester 2 fishery, that's where the big catch is. That's where the increases occur as the models' progress or the assessments progressed each year and because the F value or the exploitation remains constant, the only explanation is there were more fish out there than we calculated in the assessment. And so, there's graphs in the assessment that show that there's tables that as we move forward, so that, and it seems to be a recent phenomenon, so as we move forward then I looked at the discussions about what are the processes that address some of the uncertainties and there are workshops that look at the stock structure. That's an important part. The CalCOFI Index, that's a piece of it, and also the ATM Survey and the Nearshore Survey improving those things but when, again when I looked through the assessment, the only thing that changes our retrospective view is the estimate of catch in the MexCal Semester 2 fisheries, and that's the part I don't see that the catches are being looked at those estimation procedures and the reporting process for that. So maybe there is a different process that takes care of that and that's good. So, I guess, you know, in summary, I support what the management team is recommending here, but I am just concerned that all of the process as we look forward that or look at to reduce some of the uncertainties that they tackle the most important things. And again I refer to the, the actual assessment where it's in that one where they said the, as I read it, the greatest uncertainty they have is in that MexCal Semester 2 F value that's used in the model and so, you know, I hope there's some attention paid to that... so as I said, these signals that we get that if something changes in the natural environment or the stock performance that we're no longer overpredicting, that we're able to detect that and our management can be responsive to the needs of the sardine population. So, thank you. That's my views on what we've heard today.

Marc Gorelnik [00:11:54] Thank you very much. Frank Lockhart.

Frank Lockhart [00:12:00] Thank you Mr. Chairman. I was going to say this anyway, but Pete provided a great segue for most of the comments I'm going to make right now. So first of all, I think

that, you know, one of the things that I've heard is the kind of growing frustration of the industry with a lot that's going on, and I think, you know, it seems to me just kind of listening to it that it has kind of changed in tone a little bit at this meeting. There's nothing new per se, but there's....it seems like the level of frustration has increased so. And the second thing I wanted to mention is that the reports from the SSC, AS and MT all listed several things including recommendations related to workshops, so the agency has already been discussing that and the agency and the Science Center will come back. Our plan is to come back probably at the June meeting and kind of give responses to that, to those recommendations and concerns. So, I just wanted to get that out there now that we do plan on looking at that and then coming back to the Council in June. That's it. Thank you.

Marc Gorelnik [00:13:30] Thank you Frank. Maggie Sommer.

Maggie Sommer [00:13:34] Thank you Chair and thank you Frank. Actually, that addresses with some of my comments. Really appreciate the indication that we'll be hearing about that in June. Certainly support the recommendation from the SSC to postpone the next assessment and allow time to address some of these pressing questions first, such as stock structure. I also want to recognize the longstanding concerns about the Emsy term and the harvest control rule and the management aspect of this, and would certainly think that the Emsy issue is a very important one and would encourage that to be up at the top of the priority list. As far as the Council's action under this agenda item on sardine management measures and specifications, support the recommendations from the SSC and the management team. Appreciate the discussion we had a moment ago recognizing the U.S. exploitation rate on the northern subpopulation and how low that has been. So, I think what would potentially be allowed under the team recommended management measures and including the ACT and the additional accountability measures to keep catch under the ACT and the ACL are really low impact on this stock of concern. Thanks.

Marc Gorelnik [00:15:25] Thank you Maggie. Further discussion on this agenda item before we presumably get to a motion? Corey Ridings.

Corey Ridings [00:15:38] Thank you Mr. Chair. I just wanted to sort of plus one to what Maggie just said. I also think the Emsy is a priority, so good to have that out there and support that as well as well as supporting what the SSC recommended as was supported by our advisory bodies in terms of postponing the stock assessment. And if it's appropriate Mr. Chair. Mr. Lockhart, just a quick question regarding, you said that NMFS will provide a response in June to the workshop and methodology review and I'm wondering if it's possible to provide a little more details if you happen to know sort of the intent behind that? I know we heard this morning on an earlier agenda item that that workshop was in a timeline, but I'm just curious if there's a little more background you could provide us about that and when it would happen. Thank you.

Frank Lockhart [00:16:36] I think at this time I'd prefer not to go into a lot more detail on that and then just have more complete discussions between the Region and the Center on the comment and then we'll come back more fully in June. But... so at this time I don't have any more details on that.

Marc Gorelnik [00:16:56] All right. Any further discussion? Is there a motion forthcoming? Briana Brady.

Briana Brady [00:17:10] Thank you Mr. Chair. I just sent a motion to Kris and Sandra. Thank you. I move that the Council adopt the biomass of 27,369 metric tons. The overfishing limit of 5,506 metric tons. The P star buffer of point four. The ABC Tier 2: 4,274 metric tons. The ACL of 4,274 metric tons and an ACT of 3,800 metric tons. And the exempted fishing permit amounts for Agenda Item E.2, Attachment 1: 300 metric tons. Attachment 2: 520 metric tons. And Attachment 3: 10 metric tons. An

Incidental landing limit in CPS fisheries of 20 percent. If landings on a live bait fishery attain 2,500 metric tons, a per landing limit of 1 metric ton of Pacific sardine per trip will apply to the live bait fishery. If the ACT of 3,800 metric tons is attained, a per trip limit of 1 metric ton of Pacific sardine applies to all CPS fisheries and incidental per landing allowance of 2 metric tons of Pacific sardine in non-CPS fisheries until the ACL is reached.

Marc Gorelnik [00:18:55] All right. The language on the screen is accurate and complete?

Briana Brady [00:18:56] Yes, it is. Thank you.

Marc Gorelnik [00:18:59] All right. I'll look for a second? Seconded by Maggie Sommer. Please speak to your motion.

Briana Brady [00:19:06] Thank you Mr. Chair. Review of the assessment update was held in March by the SSC CPS Subcommittee and then the full SSC reviewed the update during this meeting and determined the update to be the best available science for management. The SSC selected the Tier 2 category and as the Council has used a P star of point four previously, I am comfortable maintaining a P star of point four. The management team recommended an ACT of 3,800 metric tons to ensure the fishery is not closed too early and so that other fisheries can continue to operate throughout the year and to minimize disruption to various economically important fisheries while avoiding overfishing. The ACT also provides for catch amounts for each of the renewed EFPs in order to continue to collect biological and acoustic data to inform the stock assessment. Additionally, because sardine is overfished, the CPS FMP dictates a maximum of only 20 percent by weight of incidental catch in the other CPS directed fisheries, and I don't see a need to go lower because they are already constrained. Also, accountability measures for live bait, incidental take and small scale directed are included in the MT and AS Reports with corresponding catch amounts described. Thank you.

Marc Gorelnik [00:20:39] Thank you for that. Are there any questions for the maker of the motion? All right. Phil Anderson.

Phil Anderson [00:20:52] Thank you Mr. Chairman. Thanks for the motion, Briana. My question has to do with the ACT. I understand that the team recommended the 38 hundred. We had.....I believe we had an ACT in 21-22 of 3,000. I note in your report that the 21-22 landings were up from the previous year that was just above 27 hundred up to 39 hundred, and I'm just wondering is that the justification for raising the ACT from the previous year to 38 hundred is because of the increase in the incidental landings of sardines that was contained in your report?

Briana Brady [00:21:52] Thank you Mr. Chair. Thank you, Mr. Anderson, for the question. Yes, I would say that that's part of the reasoning that went into it. I think the management team looked at the max catch of landings across years and took that into account as well. And we're also coming out of, well, we're also hoping to come out of Covid and we're not sure of just how much those landings might increase, so I think they were trying to find a place to set that trigger to shut down the fishery and then still allow take afterwards.

Marc Gorelnik [00:22:30] Further questions for the maker of the motion? All right discussion on the motion? Vice Chair Pettinger.

Brad Pettinger [00:22:47] Thank you Chair Gorelnik. I'm going to support the motion. I think it strikes the right balance between rebuilding, conservation, and the needs of the coastal communities. You know we're not sure how long it's going to take to rebuild sardines because it's not rebuilt until the ocean conditions improve and the stocks rebound. And so, I think that until that happens we need to at least

keep those coastal communities going and I think I look at the table in the management team, Table 3, you look at the removals from the last six, seven years and they're significantly less than what the ACL is and I don't know why that would be different in the future. And I've made the analogy before but, you know, we make our highways with lanes that are quite a bit wider than our cars for a reason and sometimes we need a little more road than we think we do and I think that this is a very, it's a good motion and I think it's wise and I think the coastal communities in California need that so thank you.

Marc Gorelnik [00:24:13] All right. See if there's any further discussion, look to this side of the room. Corey Niles.

Corey Niles [00:24:21] Thanks Mr. Chair, and thanks Briana for the motion. I'm going to support the motion continuing the approach we've taken for a number of years now. I'm really however looking forward to what Mr. Lockhart said in bringing forward back in June because there are a lot of questions floating out there as Frank noted about the tone of industry changing maybe at this meeting. I've also, I thought I heard a little bit stronger statements from the NGOs and predictions that we will, we're failing here not following the science. I hope those predictions are wrong. I think we're doing our best here to follow the science. I'm not hearing the science tell us otherwise and at the same time, you know, our expectation rate in the U.S. it's still confusing how that's calculated, but is about 1 percent, but that's then the Mexican exploitation rate has got up to 27 percent. And, you know, the stock, we've been underestimating biomass, but biomass is on a downward trend still. So, there is concern. Some concern in my mind. I think we're following the path the scientists are telling us to follow so, but again with all these substock and temperature questions, I'm really hoping.....it's been a number of years as the AS and others have pointed out that we've been wondering about these questions so I'm really looking forward to what we hear back in June.

Marc Gorelnik [00:25:52] Thank you Corey. Further discussion? All right I'm not seeing any hands and if there's no further discussion it's appropriate to have a vote. So, I'll call the question on this motion before us. All those in favor say 'aye'.

Council [00:26:15] Aye.

Marc Gorelnik [00:26:16] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much for the motion. So further action by the Council on this agenda item? Jessi, how are we doing?

Jessi Doerpinghaus [00:26:44] Thanks Mr. Chair. I think you guys have done a great job. You have adopted your Pacific Sardine Stock Assessment, harvest specifications and management measures for the 2022-23 Pacific sardine fishing season. I'll note there is a lot of discussion and interest around those proposed workshops discussed by the SSC, MT, and AS related to the sardine assessment. As Mr. Lockhart mentioned that NMFS and the Southwest Fisheries Science Center will be coming up with details on those recommended workshops in June, so we will look for a time on that agenda to get that update.

Marc Gorelnik [00:27:21] All right, thank you very much Jessi. So that will be a wrap on Agenda Item E.3.

4. Fishery Management Plan Management Categories – Final Action

Brad Pettinger [00:00:00] Okay, that takes us through public comment and Council action, and so I'll open the floor up for discussion. Maggie Sommer.

Maggie Sommer [00:00:14] Thank you Vice Chair. I wanted to thank the team for your work preparing the proposed revisions to the fishery management plan in front of us in Attachment 1, and recognize that they are directly responding to the Council's request several years ago to remove these terms for the monitored and active management categories because of the potential confusion that those terms were causing. And I think that is important. I think the clarity and transparency of the information that we provide in these documents to the public on how we are going to manage our coastal pelagic species is important, and so I do think this is a meaningful and valuable FMP amendment. I recognize it does not maybe address all of the aspects... all of the concerns that have been raised that we just heard about in public comment for example. Some differences of opinion on where the appropriate place to put the anchovy management framework, for example. But I think that, in my opinion, what we have in Attachment 1 is directly responding to the Council's request and direction to the team and will be supporting the team's recommendation to adopt that today and to consider adding in references to COP 9 and the SAFE in a future amendment.

Brad Pettinger [00:02:03] Thank you Maggie. Further discussion? Briana Brady. Briana.

Briana Brady [00:02:11] Thank you Mr. Vice Chair. And I just wanted to thank the management team for taking the time to look into where things might fit in this amendment. I'm supportive of adopting Attachment 1 and I would like to see this amendment come to a conclusion.

Brad Pettinger [00:02:39] Thank you Briana. Corey Niles. Corey.

Corey Niles [00:02:46] Thanks Mr. Vice Chair. And, yeah, I guess I'll start off in echoing Maggie on, well... thanking everyone for the work and what the FMP is intended to do and become more transparent is definitely a goal. I tend to see the anchovy framework as a big part of this. It's very much connected. If we wanted to do it now, I don't see how it would not be within scope, because again it doesn't jump off the page with this amendment, what it was intended to do in terms of for anchovy in particular. If the team thinks we can more effectively, you know, improve the transparency and the clarity of the FMP with some other housekeeping that seems acceptable to me if it happens in relatively short order. I am not too picky on the timing here. Yeah, I'm hearing the comments from public testimony. I take it on, you know, take the confidence in when NMFS is telling us that we are in compliance with the law and the anchovy management framework is a big step forward and not repeat to myself, that is a central piece of what the intent here was in going away from this monitored category. And I'll stop there. Thanks.

Brad Pettinger [00:04:16] Thank you Corey. Further discussion? Motion? Maggie Sommer.

Maggie Sommer [00:04:24] Thank you Vice Chair. I have a motion, and now we all see it. I move the Council adopt as final the coastal pelagic species fishery management plan amendatory language presented in Agenda Item E.4, Attachment 1, April, 2022.

Brad Pettinger [00:04:52] Thank you Maggie. Is of the language accurate?

Maggie Sommer [00:04:55] Yes.

Brad Pettinger [00:04:56] Very good. Second? Seconded by Bob Dooley. Maggie, please speak to your motion.

Maggie Sommer [00:05:05] Thank you Vice Chair. As I spoke to you in my comment just a moment ago, the language we have in Attachment 1 here under E.4 is responding to our direction previously to develop or to eliminate the categorization of coastal pelagic species stocks as active and monitored in the fishery management plan. I do think that improves the FMP language in that it now describes how each stock is managed in a stock specific manner. This amendment, as we have been discussing, does not....amendment to the FMP language does not make any changes itself to how we manage these stocks, but I certainly don't want to lose sight of the significant work we have done recently on the anchovy management framework and really look forward to the application of that approach in the near future moving forward. Regarding where that anchovy management framework lives and the proposed incorporation of references to COP 9 as well as the SAFE document, again this motion does not address those. I continue to support the management team's recommendation to add those or consider those in a separate FMP amendment process, potentially beginning in November they suggested, which can also address some of the other housekeeping or administrative amendments which they have previously brought to our attention. I think I'll leave it there. Thanks.

Brad Pettinger [00:07:13] Thank you Maggie. Questions for the motion maker or discussion? Phil Anderson. Oh, you're good? Okay. I guess not. Well, with that I'll call for the question. So, all those in favor signify by saying 'aye'.

Council [00:07:44] Aye.

Brad Pettinger [00:07:44] Opposed, no?

Corey Ridings [00:07:47] No.

Brad Pettinger [00:07:49] Abstentions? Okay motion passes. All right. And we have further Council guidance to be given here? So, Maggie.

Maggie Sommer [00:08:05] Thank you Vice Chair. Thank you for the prompt. I also intended to note that currently COP 9 includes use of the monitored species term and active management. I understand that Council staff have been discussing the need for revisions to ensure that that COP aligns with the FMP amendment language that we just adopted here, so would suggest that we provide some guidance that staff work with the team to develop proposed changes to COP 9 to reflect that and bring it back to the Council under a future, one of our future standing agenda items for Council Operating Procedures.

Brad Pettinger [00:09:04] Okay, very good. Further guidance? Corey.

Corey Niles [00:09:10] Yeah, thank you Mr. Vice Chair. Just briefly, I just going to echo what Maggie said in speaking to her motion and just hoping Council staff will pick up that housekeeping and FMP amendment process and put it on the Year-At-a-Glance for November. Thanks.

Brad Pettinger [00:09:27] Okay. Thank you Corey. Anyone else? Merrick Burden.

Merrick Burden [00:09:38] Thank you Mr. Vice Chairman. Just for a matter of record keeping, we did have one no vote. I believe that was Corey Ridings. Just for the record.

Brad Pettinger [00:09:50] Okay. Kerry, I'll look to you. How are we doing?

Kerry Griffin [00:09:55] Thank you Mr. Vice Chair and Council. You are doing well. You accomplished your task for this agenda item, and I appreciate the extra guidance on a future housekeeping amendment that the CPSMT has proposed and will work on, as well as the guidance to update the language in COP 9 to reflect the removal of monitored and active management categories. There's also other documents like the SAFE document and their website and probably things like the fact sheets that we'll need to update as well, but that doesn't require any Council motion or anything. Just wanted people to be aware of that and so we'll be working on that. And then with this action it concludes the....sorry, the FMP amendment and so we will work on transmitting that to NMFS for approval and take it from there. So anyway, yep... concludes your action. Thank you for the good work on it.

Brad Pettinger [00:11:04] Thank you Kerry.

F. Groundfish Management

1. National Marine Fisheries Service Report

Marc Gorelnik [00:00:00] All right, that concludes our reports. I don't believe there is any public comment here last I checked. So that will take us to our Council discussion and guidance as appropriate, and I'll look to see who wants to contribute to this discussion. Marci Yaremko.

Marci Yaremko [00:00:23] Thank you Mr. Chair. I want to thank the GAP for a detailed statement on this topic and the Science Centers for bringing forward some discussion on surveys for our consideration. It's nice to hear that there are internal workshops that are planned to discuss re-envisioning the West Coast pelagic surveys. It would be nice if maybe those discussions were a little more comprehensive to talk about more than just the pelagic surveys. I think the GAP has reminded us here again that we have incomplete survey methodology for many of our groundfish stocks, particularly nearshore groundfish. I think we are really seeing the effect of that very limited survey methodology in our stock assessments that we have considered for 2021 and are now working through developing our specifications and management measures for the 23-24 biennium. Given the economic considerations involved in establishing the management measures for the upcoming biennium, to me it is of absolute utmost priority that we send the message that we have got to do something about data collection and surveys for our stocks that are not adequately sampled in historic survey methods like the trawl survey. The hook-and-line survey is a great thing. I certainly would encourage further analysis to see what expansions are possible. I recognize that the Science Center has identified challenges to expanding and that it's not a quick and easy simple snap your fingers and just expand type of an exercise, but I also know that surveys become a time series because they're repeated year after year and I don't know that there was huge thought in developing the first survey that was conducted for hook-and-line methods in the southern California area. I don't know that it was a hugely robust decision-making process on what stations were selected and what methods would be employed at each station, et cetera, so I would just say that we know we need data. We know we need fishery independent data and we also know that that's a huge gap in many of the assessments that were recently conducted on nearshore stocks and expanding the hook-and-line survey is probably one very good and efficient way of getting additional fishery independent data for several species, particularly rockfishes, which really can't be taken effectively, or many species can't be effectively taken with trawl gear. So, I would just encourage continued emphasis on the concept of potentially expanding the hook-and-line survey. I'd also note that while cost is always a factor, I believe the contracts that are executed with members of our CPFE fleet to conduct each leg of the survey are not significant in the sense of comparing them to some of the other undertakings for survey work where we're using NOAA vessels for many months to conduct coastwide surveys. So I feel that the benefit of the data that we're likely to collect by expanding the hook-and-line survey potentially to more vessels have more legs of the hook-and-line survey, I think the legs are 10 or 11 days long. Add a few more vessels, cover additional area, collect a few more species in some different habitats and I believe the benefit of the data will show itself over the years in future assessments. So again, I appreciate the discussion under this agenda item and with the GAP and look forward to hearing more. Thank you.

Marc Gorelnik [00:05:34] Thank you Marci. Any further discussion? Phil Anderson.

Phil Anderson [00:05:39] Thanks Mr. Chairman. A couple of thoughts. One is the re-envisioning of the West Coast survey of the pelagic ecosystem component that we've heard about several times now. I know this is going to be of particular interest to a lot of folks, and I think understanding if, you know, if there are trade-offs being made in order to expand the number of species that are surveyed, you know, in one particular strategy, it's going to.....there will be a lot of people, I think, including the Council who will be interested in understanding what those trade-offs are. I note that in the Science Center's

report that there is a reference to these two internal NOAA and DFO workshops occurring, well one already occurred, ones about to occur here in April. And I'm glad to see that the DFO and NOAA are working together on this. But it's also I think really important to engage and provide an opportunity for industry and management entities to understand what's being envisioned. There's a reference to a Stakeholders Science Management Workshop in the fall of 2022. I'm not sure exactly what the plan is for that, but to the extent that it would be possible to ensure that industry and other management entities would have an opportunity to participate in that workshop and understand what is being done, what's being envisioned, what the benefits and or are, or what the benefits are and if there are consequences or trade-offs being made that we have an opportunity to understand that. And then at some point when the survey, the revised survey has some more specificity to it that we be able to see what that is well in advance of a, in my mind of a 2025 implementation. So, on that front that's, those are some thoughts and some requests of National Marine Fisheries Service and the Science Center as they move forward in the redesign. On the funding side, you know, we've.....it's been brought to our attention in previous years where from the Science Centers, where funding is impacting or expected to impact the surveys, one or more surveys either through reduced transects, vessel time, those types of things that occur when funding becomes an issue. So, to the extent that they can continue to communicate with us, let us know as far in advance as possible about potential funding issues and the ramifications of that. It allows some of us who work outside the Council process in federal forums that where we may be able to bring that issue to the attention of the appropriators, that would be helpful. And we also were able to engage CCC as appropriately, I think, and bring to the attention of the leadership of National Marine Fisheries Service when we have those kinds of funding shortfalls that impact our ability to collect the data that is needed in order for us to do our job. So that's a second request of the Science Centers and the survey work as it relates to funding that they continue to provide us with information about if they run into issues with funding and their ability to continue to do their survey work. That's it. Thanks.

Marc Gorelnik [00:10:33] Thank you. Further discussion? Bob Dooley.

Bob Dooley [00:10:40] Thank you Mr. Chairman. And Phil, we really want to thank you for your comments. They're right in line with what I was thinking and potentially commenting on. I am concerned that, you know, we are a team here and we want to be part of that team and can help in the progress and of while in this case, re-envisioning the West Coast pelagic surveys. There's real.....I have some real concerns about that. We've seen it. We've done it before, but we had to compromise one of the surveys to do it. I understand there's compromises, but they might be better informed if we work closer with the Council and industry to understand some of the fine points and concerns that way, so I look forward as this goes forward. I understand funding is a huge problem. And understand some of the issues that were brought up earlier in the week by Mr. Lockhart about maybe fuel costs impacting our surveys this year as well. So, I think communication is key. I think we need to work together to be successful and as Mr. Lockhart spoke about yesterday and, you know, build this trust between us to eliminate some of the angst that we've seen creeping into the process. So, I'm always ready to work whenever needed and I'm, I volunteer to help but information is good, and I think we need to work together. So, thank you.

Marc Gorelnik [00:12:20] Thank you Bob. Any further discussion on this agenda item? I'll just add my two cents. During yesterday, yesterday, I think, on CPS agenda item there was, there were a couple of surveys that contracts could not be let because of uncertainty of funding but then the funding was there, and the question was raised... what happened to that funding? You know how did it get repurposed since it didn't go to its intended survey? We didn't get an answer to that. It'd still be good to find out because I think as Miss Yaremko indicated, some of these hook-and-line surveys are not the most costly or complicated activities in terms of data collection. And I want to thank Mr. Anderson, Mr. Dooley, for your comments about directed to the Science Center saying if you need help let us know because you know if for political or internal reasons the Science Centers can't seek the funds that

are needed for the surveys for us to do our job and for us to provide the opportunities to fisheries on the West Coast, if the Science Centers can't do that then folks outside the Council process, it falls to us. And I think with regard to the time it will take to expand the hook-and-line survey assuming funding becomes available, if it's going to take that long to get going then I guess we'd better get started right away. So those are my comments. Anything else? Todd, how are we doing on this agenda item?

Todd Phillips [00:14:12] Thank you Mr. Chair. Well, I think you've addressed all the items that are, have been in the agenda. You've had a good discussion and you've given some guidance here to the Science Center regarding surveys and the like. So, it appears as if, if the Council is done with your discussion and giving guidance, you have completed this agenda item. Thank you.

Marc Gorelnik [00:14:37] All right. Thanks very much.

2. Trawl Cost Recovery Report

Marc Gorelnik [00:00:00] We'll next go to public comment, but there is none so we can't go to it. So instead, we will come to our Council action, which is to provide comments on the NMFS report and I'll look for some comments. Vice Chair Pettinger.

Brad Pettinger [00:00:22] Yeah, thank you Chair Gorelnik. Really appreciate the GAP report there. I think the highlight issue I've brought up previously is on number three about what the program efficiencies were that were attained with the IFQ program, and I don't think that there's been a proper accounting of that. I remember numerous Council meetings where the control trip limits were a huge part of a Council meeting and I believe that our Executive Director Merrick Burden was....a lot of his staff time was just for that and so I think that it'd be nice to see what the efficiencies were because there had to be some. I know that one would be one that would stand out to me, so I do like the idea that the GAP recommending that the cost recovery component be included in the upcoming program review, and I'd support that. So, thank you.

Marc Gorelnik [00:01:21] Bob Dooley.

Bob Dooley [00:01:24] Thank you Mr. Chairman. This has been a process for a lot... that's been on the table before us many, many times, even before predating my time on the Council, but I was very involved with those discussions as well. I appreciate the report and the details of it. It definitely lines all that out and I don't know that what I understand to be the issue here is not necessarily the contents of that report, it's the actual judgment whether they're recoverable or not recoverable per the standards that the Council adopted when this was implemented in.....well, it was voted on finally at the November 2010 meeting. I... at that time they incorporated, the Council incorporated Appendix C to the motion, and that...those are the holiday guidelines. If you look in last month's briefing book under the Catch Share Program Review for the fixed gear, NMFS Report 3, you will see a link there to the policy for cost recovery. Well actually it's for the whole catch share program, but it contains a lot about cost recovery. I think it really gets to the point that we're hearing from industry. I think they have a full right to understand to what's being charged to them. They're paying the bill. It's being deducted from their cost, understanding it's limited to 3 percent, but they're paying for it. And what I heard last year, what I heard again this year and years before was this whole idea of transparency and actually working systematically through it to understand the validity of whether things are recoverable or not and to what extent they are when you use those guidelines as a reference. I don't think that's really unreasonable. I think that's been the angst that we've heard in the room much to like what Frank was talking about yesterday. It continues to fester and will continue until we address it. I think we, there's a definite blueprint there and I think it's, this is like kind of like eating an elephant, you've got to do it one bite at a time to go through it and to get assuredness and trust in this and we work together as a team. And so, I know that's a job. I know that's a lot, but it would go a long way toward resolving this issue that we hear every year, industry feeling that maybe those costs aren't justified, agency believing they are, but there's no....other than a presentation, there's no back and forth so to speak and I think that's important. So, I would hope that we would take the GAP's guidance here and actually put together some type of a workgroup to go through this and try to not just show up next April and do it all again. I think it's time to listen to our industry here and I don't think they're complaining about paying their fair share. I never hear that, but I do hear that their concerns are not being heard and not being listened to and they're not having a good back and forth conversation on how to apply this to the guidelines that NMFS has issued for cost recovery. So, I would hope we could get there and I think that that's important. So, thank you.

Marc Gorelnik [00:05:22] All right, thank you Bob. Ryan Wulff.

Ryan Wulff [00:05:27] Thank you Chair. And I appreciate Bob's comments and the comments that we heard in the GAP report. From a NMFS perspective... of stated before and happy to state again that we're happy to participate in any kind of formal or informal discussion. But maybe just to remind the Council, I think, we reported on this in March, but NMFS has submitted a request for funding from headquarters for a contractor that will evaluate program costs associated with all of the required regulatory program elements here. As part of this task that contract would bring forward any potential changes to program elements and regulations that would reduce both agency and industry costs, and they will be looking very specifically at recoverable costs, but also other direct costs of the program that might be able to be addressed or at least put forward to the Council for potential changes to the program itself. So just did want to remind the Council we are moving, trying to move forward with that. I've been working with Merrick and his folks as well and I believe that the analysis that will come through that would be something that would contribute to a more formal discussion and might be worth waiting to have that information. However, that being said, NMFS is happy to participate in whatever groups you know in parallel or as set up by the Council to look further into these issues. Thanks.

Marc Gorelnik [00:07:11] Thank you Ryan. Well, we've had some comments from the GAP. We've got comments from some Council members, and which have been heard by NMFS. And I just want to make sure that those comments capture the sense of the Council so that we're not providing comments that are not balanced or don't represent the views of the Council. And I'm not seeing any hands so I'm going to conclude from that.....oh, I do see a hand now. Phil Anderson.

Phil Anderson [00:07:51] Thanks Mr. Chairman. I'm at a little bit of a loss as to what to do with this issue. It is one that has come before the Council a number of times as Mr. Dooley referenced. You know, I think NMFS has tried repeatedly to respond to the questions that have been asked in good faith and the level of detail of that response has not been to the degree that industry would like to see. I think I can say that. And I fear that we'll be right back here in a year from now again but I don't think....I think it's unrealistic to think that it will go away, that we can do something to make it go away because there are obviously substantial costs here that are borne by the industry through cost recovery and they're going to want to know on a continuing basis that that, that it's....they're being charged fairly and that that money is being spent wisely. And so it's not something that you're going to, at least from my..... that's something you're going to put a okay that's done because it's not going to get done as long as it's there. Those questions fair, fair and reasonable questions are going to continue to be asked. I'm encouraged to hear from, you know, that we heard in March and Ryan just mentioned again about the request that they have to do a kind of a program review and let's see how we're doing or are there things that we can do better? Can we be more effective, cost efficient? All that stuff. I think that's a really, really good step and I think that in order to make the most out of it, that industry.....our industry reps that have been front and center on this issue need to be a part of that, that review and brainstorming about what we can do to make a better, more cost effective, all that. So, I think that's a really positive step. And I don't know about establishing another workgroup. I think we had a workgroup. We had a group, I'll say that, whether it was a workgroup or not, that looked at this carefully and NMFS took off from that and met one on one with some of the industry reps and tried to provide some answers to their specific questions, albeit not.....those didn't necessarily live up to their expectations in terms of what they wanted. So all of this is just to say I'm at a bit of a loss as to where to go with this but I do appreciate the idea of the program review and the audit if you will, and anything that National Marine Fisheries Service can do to respond directly to the questions that industry is raising and that the GAP is bringing forward is, I think, worthwhile and I'm not sure what else to do.

Marc Gorelnik [00:11:33] Thank you. So, we do have a commitment from NMFS to work with industry. Bob.

Bob Dooley [00:11:39] Thank you Mr. Chairman and Phil, once again, thanks for putting a lot of clarity

to the subject. I appreciate that. Maybe.....you know we've heard many years from the GAP defining the problem and maybe touching around their proposed solution to the problem. But maybe we ought to request from the GAP to come forward with a.....work with the agency, work with and understand what can be done and come up with a idea that's flushed out for us to look at. Understand we've heard the problem. We've heard what they're doing, but we haven't... what does it look like? Are we talking about a full blown committee that works for, you know, and that's... I don't know, I'm not.....I'm not a big appetite for that. But is this something like you suggested, Phil, that some industry folks working in concert with the agency as they develop this program, that the review they're talking about, and have involvement, it's always....the soup always tastes better if everybody helps cook it, even if it's bad soup already stated. So I think we need to, you know, we need to incorporate the... it's been like a one way channel here pretty much and I think that's industry's feeling like I get a lot of calls on this. So, I would... maybe we should punt it back to the GAP to give us a specific... work with the agency, a specific suggestion and then we can judge that. But right now, I see a problem. I see what they've outlined for many years now, particularly last year, they were a little more defined on what they were suggesting and this year too, and so I'm just looking to not show up here next April and do this all again. I mean we take considerable floor time talking about this every year and I would like to see it come to some conclusion and be....have trust in these reports and have a way to analyze them and feel like being heard. So anyhow I'll stop there. Thank you.

Marc Gorelnik [00:13:59] All right. Thanks. Well, I tend to agree we don't need another ad hoc group. We can't set up a new one every meeting every time some issue comes up. We already have the GAP, which has industry representatives on it. So, we have a commitment from NMFS to work with industry, which I presume that means the industry representatives on the GAP and let's see if they can try to converge on some sort of satisfactory result and let's give that a try. Is that.....Phil?

Phil Anderson [00:14:32] Thanks Mr. Chairman. I'm, you know, I'm just looking at the GAP recommendations in their report. They have three of them. You can read them for yourself of course, but one is to include a cost recovery component in the upcoming program review, focus on as many items in their statement here as appropriate. That seems to me to be a reasonable request as part of the program review that we do that. And the second one, the address other items outside the upcoming program review as appropriate, I'm not exactly sure what that means but I think the audit, the program review that and in to whatever extent that we can help support the region's proposal to headquarters in this regard, that there will be some things that would fit, I suspect, under that category as well as this, the third one about streamlining the components, the burdens, both cost and time to industry. I suspect that would be a component of the review. So, I think that review's a really important one and having the industry participation in that will be critical for it to be successful in my view. And so, I think, we, you know, they make those recommendations. I think we have a path forward on those and I don't know that we need to recreate, you know, create an additional wheel here or vehicle or whatever the analogy would be. But again, if there is something that the Council can do to support the region's request, this is a really important deal and obviously, as we've all said, it's taken up a lot of time and it's a totally appropriate concern that industry raises and so I think to the extent that we can move forward in those areas that is connected with those recommendations... that seems to me to be a reasonable response.

Marc Gorelnik [00:17:00] Thank you Phil. I think that's a good place to leave it unless other folks have any other comments. Thank you. So, let me go back to Dr. Seger and see how we're doing?

Jim Seger [00:17:16] Thank you Mr. Chairman. So, you received the report from NMFS. You heard the GAP regarding their concerns that you had to discuss... had some discussion about this being a perennial issue. Mr. Anderson reminded you of a past effort to have industry and NMFS work together to address some of these issues, and I don't recall what he said, but there was some incremental improvement as a result of that effort. Going forward NMFS may be getting some money to let a

contract look at this. It would be good to... if there was something the Council might do to support the region's request in that regard. And then you also have the upcoming program review, which cost recovery is a component that could be included. And so, these might provide a path forward that you can use to respond to the GAP's concern. It was also noted that NMFS made a commitment to work with industry in informal or formal discussions. Nothing formal has been identified so it sounds like anything that happens there will just be informal going forward. That's what I've got.

Marc Gorelnik [00:18:19] Thank you very much. So that concludes Agenda Item F.2.

3. Biennial Harvest Specifications for 2023-2024 Fisheries – Final Action

Brad Pettinger [00:00:00] All right. We're on F.3 And we'll open up the Council floor for discussion. Motion? Maggie Sommer.

Maggie Sommer [00:00:20] Thank you Vice Chair. I am prepared to offer actually two motions for Council consideration under this item, but I did just want to first recognize the, I guess our own departure from our, what has been our default process for adopting and considering harvest specifications and developing them this time around with the nearshore stocks in particular and the complexities related to quillback rockfish. We have recognized the tremendous work done by the Groundfish Management Team and Advisory Subpanel. There has also been really a huge amount of input, discussion work done by the various state agency representatives and staff, the National Marine Fisheries Service, certainly members of the SSC and more. So, I wanted to express my gratitude for all of that, and I think that I find us in a position at this point with the information needed to take final action for most stocks and to move forward with a proposal for those that we are not able to take final action on today for quillback rockfish off California in particular. Thanks.

Brad Pettinger [00:01:50] Thank you Maggie. Further discussion? Okay. Joe Oatman.

Joe Oatman [00:02:07] Thank you Mr. Vice Chair. Thought I might offer up some comments on some of what we heard today from the Coastal Tribes. So, they provided, you know, the basis for their support for the no action alternative for sablefish. They note that the best scientific information indicates that the stock is healthy. They were clear that they cannot support a reduction in allocations of the most valuable groundfish species when there's no biological justified basis for it. As we heard, for some tribes, sablefish fisheries compose about 50 percent of the tribal fishery portfolio. They also emphasized that the allocation to the tribes must be in accordance with applicable law. As they mentioned they manage the sablefish allocation with a complex fishery management plan. Some tribes are constrained under current harvest levels and these tribes believe that they will be able to harvest their full share of the allocation under a higher ACL and a P star of point four five. I think it's also important to note that the tribal implications and concerns were also addressed in the GMT and GAP reports, as well as we heard some comments in some of the public testimony as well. I thought that that was helpful in helping the Council understand the tribal interests involved here as those relate to the appropriate P star value to select the economic importance of the stock and potential impacts on tribal fisheries. So in sum, you know, the tribal quotas need to be biologically based and the best available science supports the no action alternative of P star of point four five. I thought that would be helpful for me to help share that under Council discussion. Thank you.

Brad Pettinger [00:04:18] Thank you Joe. Anyone else? Okay. Maggie Sommer.

Maggie Sommer [00:04:33] Thank you Vice Chair. I'd like to offer motion 1 please. I move the Council confirm the final preferred harvest control rules and specifications previously adopted under Agenda Item E.3 in November 2021 for groundfish stocks and stock complexes in 2023 and 2024, and adopt the following alternatives and the associated harvest specifications in F.3, Supplemental Revised Attachment 1 as final. Sablefish: No action. P star of point four five. Lingcod north of 40 degrees 10 minutes North latitude: No action. P star of point four five, which was PPA. Lingcod south of 40 10: No action. ACL less than ABC with a 40 10 adjustment. P star of point four five, which was PPA. Oregon black rockfish: Alternative 1. ACL equal to 512 metric tons. PPA. Pacific spiny dogfish: No action. P star of point four. Vermilion rockfish north of 40 10: No action. P star of point four five. PPA. Vermilion and sunset rockfish south of 40 10 North latitude: No action. P star of point four five. PPA. And quillback rockfish in Oregon: No action. Default harvest control rule. P star of point four five.

Quillback rockfish in Washington: No action. Default harvest control rule. P Star of point four five.

Brad Pettinger [00:06:13] Thank you Maggie. Is the language on the screen accurate?

Maggie Sommer [00:06:16] Yes, thank you.

Brad Pettinger [00:06:17] Very good. Looking for a second? Seconded by Butch Smith. Thank you Butch. Please speak to your motion, Maggie.

Maggie Sommer [00:06:26] Thank you Vice Chair. Just noting under item one, in our action last November we approved harvest control rules and specifications for most stocks using the default. The...while the motion did specify that was... they were to be adopted as final at that time, I understand there may be some outstanding confusion and thought it was in the best, the best approach to reconfirm that those are final here. For the remaining stocks and stock complexes for which we were considering alternatives, I'll just go through with rationale on the specifics I'm proposing here, focusing on those that really have been the subject of most discussion. Starting off with sablefish. Certainly, our interest in that is significant as we have recognized it is a very high value stock, very important to a number of different sectors up and down the entire West Coast. This motion proposes departure from the PPA to go with, which was point four P star to go with the no action point four five alternative. I am basing the justification here on information that we first received in the decision table with the assessment and reiterated to us by the GMT today that the risk to the stock is similar under all our, pardon me, all alternatives. Thank you. There are certainly very different economic implications for each alternative, and I think that the comment that Pete Hassemer made earlier on potential impacts to individual fishers even if the full ACL or allocations are not attained certainly are... there could be individual impacts and though that it is of value at various levels down to the individual fisher level to go with the point four five alternative. I want to recognize the Tribal report we've received and I appreciate that input and being provided with context and information for our understanding there. And then we had some very good, I think, question and discussion with some of the GAP and some of the public comments, and in those we were reminded how on top of assessing the sablefish stock we are as a Council. It is often a high priority one. We had a suggestion to consider it for a full assessment in 2023. And while that's not our action here, I think that is certainly worthy of further thought. And then finally, I'll just also note the comments we heard on the potential growth in markets and maybe shift toward a little bit more direct marketing for this species. And so, overall, I think there is rationale supporting a selection of a P star at point four five, and I don't see any conservation risk to doing so. For lingcod both north and south, the GMT reported to us that recent total mortality has been well below the ACL, and we don't see any significant conservation or economic implications from any alternative and so are going with the preliminary preferred alternatives there. For Oregon black rockfish, we have shared information and our... ODFW's perspective on this a number of times so I won't go into detail, but this does provide us a little bit more opportunity in the short term and really that translates into a reduced risk of closure or other restrictions on our recreational and commercial nearshore groundfish fisheries. And at the same time, this alternative has a very... results in very little difference to the overall depletion level at the end of the ten-year projection period. So, it does not seem to be any risk associated with that. Pacific spiny dogfish is a stock that I will say... personally, I gave quite a bit of attention to. I share the concerns that have been raised about the very low productivity of the stock and the questions about the current harvest rate. I am happy that there will be a workshop examining that and appreciate the information that that is not going to occur until 2024. I did find, you know, that on the other hand the information presented by the GMT to us pointed out that there is little difference in the long-term depletion levels under any alternative that we have been considering here. There certainly could be economic impacts and adverse impacts of selecting a more restrictive, more conservative alternative here. And I appreciate the reminder that there are voluntary industry avoidance measures as well as some potential regulatory measures that we will be considering under the groundfish management measures item here that can

help minimize encounters with this stock, which is primarily bycatch in our trawl sectors. So, my recommendation here is as the GMT recommended going with the no action alternative, a P star of point four. For vermillion north and south, both of those I'm recommending the PPA of no action following the GMT's recommendation. And then on this list are quillback rockfish off of Oregon and off of Washington. This motion proposes adopting the default harvest control rules and the resulting specifications that are presented in Attachment 1 under F.3. I will be in a second motion prepared to offer a pathway for quillback rockfish off California, and these pieces fit together. This would be complementary to what the GMT described as Method 2 in their report of determining harvest specifications for quillback rockfish. Because we have the assessment results at the state levels, we have in fact a different assessment category in Washington than in Oregon and California. I think there's a lot of state specific information and factors going into setting quillback rockfish specifications, and it does not make sense to me to go with a, an overall a coastwide approach for all of the specification levels. So again, this motion... just for Oregon and Washington proposed as going with the defaults and you will see a proposal for California in a second motion. So, I just wanted to alert you that there are not missing pieces here. They'll be coming. I think I'll conclude with that. Thanks Vice Chair.

Brad Pettinger [00:14:51] Thank you Maggie. Questions for the motion maker or discussion on the motion? Marci Yaremko.

Marci Yaremko [00:14:58] Thank you Mr. Vice Chair. I'd just like to voice my support for motion number 1 and say a few words in regard to the first item, which is to confirm the FPA spex previously adopted in November. You know our spex process has kept us on track. It's been a number of years, in fact well over a decade now, I think, that we've moved to our biennial specifications process, which we decided to do so that we would have some time to spend one year focused on stock assessment work and then the off year on developing these specifications and the resulting management measures that come about from the new science. I just want to say how, I think, instrumental this decision was years ago to kind of give us a foundation, a work plan of sorts, and I think some rules of the road in terms of what our deadlines are and what we can accomplish in a set timeline. I don't want to overlook how significant the work has been to get us to this point today in terms of the new science that is incorporated into the specifications, the cycle. We embarked on a new type of assessment methodology. We put a number of assessments on the plate. We put a lot of, a lot of...we tasked our stock assessors and STAT teams with quite a lot in a particularly trying time at the peak of Covid and just can't say enough about how hard everyone worked to bring us assessments, both full assessments, data moderate assessments and assessment updates so that we feel like we are moving ahead with specifications and management measures that are well reviewed and advance us in terms of the state of the science. So, I kind of have gauged my career in terms of looking at these specifications and the benchmarks that they set and the progress that we've made with each and every cycle. And I feel like, here again, this too is a new benchmark in terms of, you know, change that is responsive to the science, and then further in the management measures where we consider applying the science and considering the changing needs of our fisheries. So, with that I just want to voice my support for this motion and what it means, it's significance to us. Moving to item 2, I just want to speak briefly on the sablefish P star selection. There are a few comments in the GAP and the GMT report that certainly are resonating with me regarding the assessments that, you know, sablefish is perhaps our most heavily assessed stock. We assess it frequently and the risk of being wrong is likely lower than most of the other stocks, and that when we are considering a P star selection, which is the probability of overfishing, it is equated to the risk of us exceeding that OFL. When we get to ABC, that's calculated by applying the P star buffer to the sigma. And the sigma of course is determined by the SSC, which varies by the category of the stock. The P star value is a policy determination made by the Council reflecting our preferred level of risk tolerance in setting the overall harvest level for the stock or complex. So, with that, I'm thinking about our sablefish management and the activities that we do in our management measures to ensure that we do not exceed the OFL. And I would just point to the extensive and successful management that we've

used for sablefish, which gives me quite a bit of assurance that we have in fact very little risk of exceeding the OFL. Perhaps sablefish is the most robustly and closely monitored and managed of all of our groundfish stocks because it is so important to so many sectors and so many ports. I remember establishing the 24-hour e-ticket requirement for commercial fisheries coastwide in a series of different actions, first with the IQ fishery and then moving to our tier fishery as well as our open access and limited entry fixed gear fishery. That was a big step for the limited entry fixed gear and OA fleets. We also take very great care to ensure we're managing to our sector allocations, of course aided by the data that we now have through our e-tickets program. And we also use a series of bi-monthly, monthly, weekly and even daily trip limits and inseason adjustment mechanisms to assure that we do best to attain but not exceed our allowable limits per sector. Of course, in the IQ sector we have quota shares and quota pounds which cover catch and bycatch and then tier allocations as well. And all of these management measures coupled together along with the discussions on allocations and mechanisms to make adjustments as needed give me pretty solid confidence that our management is doing very well to ensure we don't exceed the OFL. So, with that I am quite comfortable with the sablefish P star value receiving our highest allowable assignment of point four five. Thank you.

Brad Pettinger [00:22:33] Thank you Marci. Pete Hassemer.

Pete Hassemer [00:22:36] Thank you Mr. Vice Chair. I want to speak in support of the motion. I just wanted to provide a little rationale. Also, on part two on the sablefish because last November I did support and I spoke to supporting a P star of point four, which I thought was appropriate at that time. And I think at least as recently as 24 hours ago I was still supporting that P star of point four as appropriate. So, there's been a lot of deliberation in my mind about why would we support this change to point four five. And as I think about that, in my mind the core rationale for selecting point four in last November has not changed. We have the same assessment is guiding our thinking. The same uncertainties, regardless of how we think about those are in there. The catch history or the removals from the population have not changed since then. So, what is it that allows us to move there? And part of the thinking, at least on my part in November, was that when we look at the catch history in the fishery that they are catching 70, whatever it is, 70 to 82 percent of the ACL in the fishery, and I believe our discussion looked at that and said even at a point, a P star of point four, which would provide a higher ACL than we saw in 2021 and 2022, they would not catch those fish also and linked that with the uncertainty that it was okay to go with the P star of point four and it was appropriate. What I heard today and in the reports that had just come out changed that thinking and it was with respect to the impacts to the fisheries, as was mentioned at the individual level that even though fish, not the entire ACL is not being harvested, there still can be resultant impacts to certain fishing operations, and we heard about it in the tribal fishery and the non-tribal fishery and also on the broader scale. In a number of fisheries, we've been talking about rebuilding markets and the communities that the fisheries support, and we heard that even if the fish may not be caught there it does create this opportunity to rebuild some of these markets or create new markets. The direct marketing aspect of that is one of those where there, we heard there is great growth potential. So, I agree that going with the P star of point four may open up those opportunities, may relax or eliminate some of the restrictions that are imposed on the individual fisheries and let them achieve more of their allowable catch or quota. And the impacts to the stock itself are extremely low, as I think Marci spoke to with the management, the very close management and the frequency of assessments that we have. The risk to the population and risk to overfishing is very low. So anyway, I just want to explain because I'm shifting my position on where I had been to where we are today and wanted to explain that. And again, I'll support this motion. Thanks.

Brad Pettinger [00:27:14] Thank you Pete. Keeley Kent.

Keeley Kent [00:27:17] Thank you. Since we are on this discussion on sablefish, I will stay on this, but I'd like to before we vote, I have a very minor technical question on the motion, but I don't want to

get us off because I would like to make a quick statement about sablefish if that's okay? I also support a P star of point four five for sablefish for a few reasons. I won't reiterate because there were some excellent points made by several Council members on the issues, but there are a few things I did want to add. As part of the SSC's previous review and adoption of the stock assessment and setting of the sigma for sablefish, they evaluated the uncertainty and, in particular, they evaluated the lack of the 2020 survey, which has been raised through public comment as a particular concern. The SSC determined that that did not change their recommendation on the appropriateness of a Category 1 designation or a default sigma for the stock. Sigma represents uncertainty in the assessment and its forecast for each year. P Star represents the Council's comfort level with risk. I went back and I reviewed the discussion from November about the sablefish harvest control rule and I understand the concerns raised then relating to the economic importance of sablefish to many of our groundfish fleets and coastal communities. But like so many people around this table have said, I also know that we have very careful management of sablefish. This is the stock that we make the most inseason adjustments for. It's carefully allocated and monitored throughout the year. The assessment decision table demonstrates that the choice of a P star between point four five and point four doesn't change the forecast of stock depletion until 2025. Prior to that, in 2024 as part of the stock assessment prioritization process, the Council will get updated information on the survey index of abundance and size composition data. Additionally at that time, a survey index of small approximately age zero sablefish and the sea level index of age zero sablefish recruitment can be provided. Both of these indices reflect sablefish recruitments. And I bring this up to say that the Council could take precautionary measures if there is a concern relative to new scientific information for 25 and 26 as needed, which I take to say that I don't have any concerns at this time but note that as many have said, we get a lot of really good data on sablefish and we'll have an opportunity to act if there's something that is concerning that arises. So, I'll stop there but thank you.

Brad Pettinger [00:29:40] Thank you Keeley. Phil Anderson.

Phil Anderson [00:29:44] Thanks Mr. Vice Chair. At the risk of beating the sablefish P star issue to death, it is a very important decision and I'm supportive of what's being proposed in the motion, I'll say that at the outset. That said, you know as it's been pointed out, it is a policy decision associated with risk, our individual risk assessment, and it's qualitative in my mind in large part as to where you end up. I think we're all informed by our experiences in the past to one degree or another and I'm no different than that. And I suspect you get tired of me referring to times of old, but I do remember when we were, with sablefish we had allowable harvest levels up in the 12 and 13 thousand ton area, and we were told that well we can harvest it up at that level for a few years and we're going to drive it down to our harvest policy at B 40 and will level off and everything will be wonderful. And we drove right by that and drove it down to where we were down in the 5,000 range. And there's a lot of us that have been around during times when we had seven or eight or nine overfished stocks and we know what the pain that goes through that. So the fact that we're all giving serious consideration to the P star value and the risk assessment associated with that, particularly when we've got a stock assessment update that suggests a fairly significant change is a good thing that we're all given that serious consideration and the fact that I'm a...advocate a point four and Joe might advocate of point four five... doesn't mean I'm right and he's wrong, or he's right and I'm wrong. It just means that we're looking at this information and we're coming to a different conclusion about the relative risk assessment. And when I think about risk assessment, I think about the risk to the stock of driving the stock, what's the risk of driving the stock down to the detriment of the long-term stability of the fishing industry? That's kind of where I look at it. So for all the... a lot of the reasons that have already been articulated and the good work and thought process that the GMT put into this and the fact that we are carefully monitoring the stock and that we are likely to have another full assessment here before too long, I'm comfortable with moving forward in our next biennial cycle with a P star of point four five and the associated harvest metrics that come out of that. So, thanks.

Brad Pettinger [00:00:00] Thank you Phil. Corey Niles.

Corey Niles [00:00:04] Thanks Mr. Vice Chair. And well said, Phil. I think that's largely how we've seen it from our experience. I think though, if I could vote to get rid of P star today, I would vote yes because it's not the way, the best way to have these discussions. I'm hearing people have a lot of good reasons but I still kind of feel that we're talking past one another in large degree. And you see, like the example of the whiting fishery, I think I looked... at lunch I looked up what the difference between the OFL on the ABC was for the Bering Sea pollock and that buffer I believe is 40 to 60 percent. I don't remember the calculation and that's, you know, I've heard they follow the science up there or at least they say they do. So, there are good scientific sound reasons to be precautionary and as Mr. Anderson said it is, you know, not a clear quantitative answer always. But just to... I'll be brief here and then also I have a comment about dogfish, but I don't know if people realize if you look at the decision table forecast from the 2019 assessment and you look at where the 2021 assessment says we are in terms of the spawning biomass it is above, the current estimate is above the high state of nature. So, it was the, you know, the highest state of nature was something around 85,000, 85,000 metric tons and this says 97 or 98,000 metric tons and, you know, these are approximate, but that's not supposed to happen frequently. You know, it's the upper tail there. The upper decision table is only supposed to happen, you know, less than 12.5 percent of the time. So, we saw an unusual change, a large change and it was based on an assessment that didn't have a 2020 survey point. Keeley spoke to the effect of that and I would think we'll have some difference in views, but the larger point is, I think, the key thing is to get the assessment, you know done not....if not next summer, the summer after and to continue the work on the north Pacific-wide research for considering how we assess the stock together with Canada and Alaska doing the management strategy evaluation. But there is a good deal of uncertainty here. We do monitor it well. You know we have data, but the problem is, as I understand it, we don't have good data from a very important area of the fishery in the 1960's, and that means there's always going to be uncertainty and volatility when you do this and it's going to jump around based on the data from the recent years. So, the next time we do it we'll have more surveyors and the only thing I'm certain of, it's going to be a different answer. In terms of economics, you know, and the cost of being wrong... if this is a valuable fishery, if you're wrong then the cost hurts more and the bill just comes later. And this is really about how we think about costs over the, you know, not just the two years we're looking at, but you know, over the long term. Yeah, so I'll stop there and I do just hope to continually to support the continuing science, but we have state of the art people, state of the art models, but the historical data is going to make these estimates jump around and bigger picture this....we should expect to be living with ACLs of 7,000, 8,000 metric tons, not 11 on dogfish, I think Maggie said it. I just....I want to pull out a couple thoughts that, you know, we heard the GMT speak to this idea that the harvest control rule is not sustainable. We heard that. That's scary sounding. We also heard that 10 years ago or whenever that was, 2011, the last time it was assessed. But just... I think if we had the assessors here today to tell us that's sustainable over decades or even hundreds of years, if we follow that harvest control rule for that long then it wouldn't be sustainable. So, like Maggie said it will be nice to have that workshop in 2024. But again, the important thing, I think, is also to not wait too long on that assessment. And I think as the GMT reminded us in March, or if not this time as well, that's another transboundary stock where big uncertainty is happening because of the transboundary nature, so hopefully progress can be made there. And I'll have some comments on the vermilion and quillback, but maybe those will be under better left for the next motion.

Brad Pettinger [00:04:45] Thank you Corey. Further discussion? Corey Ridings.

Corey Ridings [00:04:52] Thank you Mr. Vice Chair. First, I'll just start by saying I support the motion. I plan to vote for it and I'm going to beat a dead sablefish a little bit deader here. But I thought Phil said it really eloquently about risk here, and I will say that I also support being a little more conservative about this in the long run and do have some conservation concerns around the stock that I think Mr.

Niles just spoke to. While those are largely alleviated by the hope that we have a stock assessment in our next round, and that frequency, I think, gives us the flexibility and the opportunity to have a P star of point four five at this meeting and move forward with that. Also, thanks to the tribes for their report and for weighing in today. I put a lot of weight in that in deference to that opinion so appreciate that reporting and providing that information. Thinking about dogfish...all of our fish are special. This one's a little extra special. I do have some concerns about this, it's long-term viability of which Mr. Niles just spoke to. I appreciated the GMT, noting the inseason reporting and I think that's really important so I would just urge that to continue and hope that they're able to provide the detail that they think we need to make good decisions about that. And of course, look forward to, as Maggie said, further discussion around some management measures. So, I'll stop there. Thank you.

Brad Pettinger [00:06:35] Thank you Corey. Keeley.

Keeley Kent [00:06:39] Perhaps I will try to ask my question. I didn't get my hand up fast enough right after Maggie made the motion. I think it's an easy question but I just wanted to confirm when I read this motion because it talks about both the harvest control rules which are formulas mostly and the specifications, that if there are any technical corrections that were discovered either before the June meeting or after the June meeting, which has happened in both of the last two cycles, confirming that staff could work together to address those without potentially needing to come back to the Council, assuming they fall into that very narrow category of straight technical corrections. Is that your intent?

Maggie Sommer [00:07:22] Thank you. Yes, it is, and I appreciate the question. Thanks.

Brad Pettinger [00:07:28] Thanks, Keeley, for that clarification with Maggie there. Okay, further discussion? If not, I'm going to call for the question. All those in favor signify by saying 'aye'.

Council [00:07:47] Aye.

Brad Pettinger [00:07:47] Opposed, no? Abstentions? The motion passes unanimously. Thank you all and with that Maggie I'll go back to you.

Maggie Sommer [00:07:59] Thank you Vice Chair. I'd like to offer Motion 2 please. I move the Council take the following actions regarding quillback rockfish in 2023 and 2024. 1. Confirm intent to manage quillback rockfish in the nearshore rockfish complex's north and south of 40 10. 2. Request calculation and review of coastwide OFL values for quillback. I suppose that would be a coastwide OFL value for quillback rockfish prior to the June 2022 Council meeting. And 3. Adopt the following alternatives for quillback rockfish off California. No Action. ACL less than ABC with a 40 10 adjustment. P star of point four five. Noting this is Method 2 in F.3, Supplemental GMT Report 1, April, 2022. Alternative 1: SPR of point five five. 2023 ACL contribution equal to 1.76 metric tons. 2024 ACL contribution equal to 1.93 metric tons. P star of point four five. Alternative 2: SPR of point six zero. 2023 ACL contribution equal to 1.46 metric tons. 2024 ACL contribution equal to 1.61 metric tons. P Star of point four five. And Sandra or Kris, would you please strike that 'and' and the comma that is the end of the motion.

Brad Pettinger [00:09:57] Thank you Maggie. Is the language of the screen accurate?

Maggie Sommer [00:10:00] Yes. Thank you.

Brad Pettinger [00:10:01] Second? Seconded by Marci Yaremko. Please speak to your motion.

Maggie Sommer [00:10:06] Thank you Vice Chair. I will... and I will start off by just a explanation

of why an Oregon representing Council member is making a motion that is really primarily focused on quillback rockfish off California. I will say I originally had this plus my earlier motion all together in one package. Decided to split them apart because I think there might be more... I thought there, I thought it would make it easier for us to have discussions on the various topics separately but certainly did have some consultation with Marci from CDFW on this so look for her remarks in a moment but don't intend to be going rogue here. I also, you know, I will address now the specifics of the words in front of you first, but then I have some general remarks about the action proposed with this motion too. But first, I am confirming the Council's intent here to manage quillback rockfish in the complexes. We had that discussion at our March meeting when the issue of stock definitions was raised and a question of how the Council intends to move forward. We recognize that the stock definitions issue is quite complex and chose to move forward in a holistic approach which would not have resulted in or not have come to conclusion in time for the 2023 and 24 harvest specifications. So, we chose at that time and I am proposing that we confirm here our intent to continue to manage quillback rockfish in the complexes. Also responding to that information on the fact that the quillback stock is effectively coastwide in the FMP because there are not geographically smaller areas identified as stocks. I am requesting a calculation and review of a coastwide overfishing level value for quillback rockfish for our consideration at the June Council meeting. I assume that there will be some involvement from Council staff and from SSC, from the SSC in this calculation and review, but would certainly leave it to them to determine whether there is other input and other consultation needed in that process as well. And then maybe a little bit more, specifically, just an expectation that the SSC would review the coastwide specifications for quillback or any other new details that require SSC endorsement during their June meeting so that they can provide information and a recommendation to the Council. For the alternatives for quillback rockfish off of California, these are the jigsaw puzzle pieces then that relate to the default specifications I proposed under the passed motion for Oregon and Washington. But here, I am putting forward 3 alternatives, No Action, and again this is the Method 2 from the GMT, Supplemental GMT Report 1 and their presentation to us today, where the 40 10 adjustment is applied to the ABC level for quillback off of California. And then a P star of point four five is used. I am also proposing further evaluation and review of the two alternatives proposed in the GMT report, with the SPRs of point five five and point six here. As the GMT reported to us earlier, these came from the rebuilding analysis that was prepared and reviewed last, late last fall for us. And then finally, I would as appropriate request, again, well... request calculation and review of specifications for the nearshore rockfish complexes north and south of 40 10 that would result from each item under Alternative 3, again prior to our June meeting so that we can consider and adopt final complex specifications for those two complexes at that time. I think, before I conclude, I would just like to take a step back and recognize how difficult this motion is and the...we've had a lot of conversation and a lot of input in public comment and testimony, and I know that we all recognize the real-world impacts that quillback rockfish specifications at the levels we're considering here will have on the fishing industry in California. In particular, we have very low levels, and they will be having impacts in Oregon, and I imagine in Washington, but I want to recognize the greater degree to which that those impacts will occur in California. It's extraordinarily challenging and I know that we are doing our best. We do follow the science here and this is where the best science we have at this point is leading us. We are responding to a defined process that we are an integral part of. And it raises, I think, a lot of good questions for further... for future consideration by this Council, some of which will certainly be part of the stock definitions discussion. Others may be part of stock assessment discussions, for example on the use of data moderate stock assessments, and I'm sure others. But I just couldn't conclude my remarks today without recognizing that really again, the real-world impacts of these numbers. And I think I'll conclude there. Thanks.

Brad Pettinger [00:16:59] Thank you Maggie. Questions for the motion maker or discussion? Marci.

Marci Yaremko [00:17:07] Yes. Thank you Mr. Vice Chair. I can't follow that act. That was fantastic

Maggie and I really appreciate your leadership and your organization in your thinking and the perseverance in bringing us a very well-reasoned and articulate motion on this topic that has been so challenging. Thinking about where we've come since the draft stock assessment landed in our briefing book in June and our requests around the table for additional looks to make sure that we've incorporated as much of the available data as possible within the confines of the model and the terms of reference that we've established for these new data limited assessments. We held over approving the California assessment for this additional review and then adopted the assessment for use in management in November. But because this was such a different set of circumstances, it's been a lot of work as Maggie indicated, and a lot of discussion between a number of experts at the Science Centers, the States, West Coast Region, and others in figuring out exactly how we use this new science in establishing our specifications and also in our management measures. So, I too, would like to thank the folks that have put a lot of thinking into this issue because we really are in somewhat of uncharted territory. We heard from NMFS back in March the situation with the stock definitions and that we would need to consider an FMP amendment in order to determine a portion of the stock, or that they would need a determ.... an FMP amendment in order for NMFS to make a determination that a California portion of the stock was in fact overfished. So, we have that item now working on a different track that we began at our last meeting thinking about how that FMP amendment process will go. And here we are with the spex still needing to incorporate the best available science into our specifications, but exactly how we do that in light of very different stock assessment outcomes from the three states has really been a situation, I think, we've all learned a lot from and had a number of discussions and realized that there are, there's more than one way to come up with the answer on how we might set an ACL. So again, I think with some of the other discussion we've already had that, you know, there certainly is more than one right answer and just in the last few weeks folks giving some thought about the application of the 40 10 harvest control rule and how that might work, and then acknowledging that... wait a minute... we also approved a rebuilding analysis for quillback with an expectation that this portion of the stock would be determined as overfished. So we took that step in adopting the rebuilding analysis and then recognizing the reason that you have a rebuilding analysis is so that it gives you another look at how you would develop your specifications that accounts for some of the economic considerations and that balancing of trade-offs of rebuilding or growing the stock and how those trade-offs balance against the economic consequences of actions that will establish spex that are quite different from where we're, we've been operating. So, thinking about the California assessment and looking at where we landed, which was below the minimum stock size threshold, which would normally trigger a determination of overfished. I appreciate that there has been consideration of using the rebuilding analysis to make an ACL determination in the specifications process, so that's as Maggie explained, that's Alternative 1 and also our Alternative 2 that are available to us. And I think we'll be doing a lot of discussion over the next few months to reach a final FPA that considers the risk trade-offs and the need to allow this stock to continue to grow but also continue to, or also evaluate that rebuilding time against the needs of communities. So, I appreciate the extra time that we'll take here in approving this motion and leaving this one item out of our FPA under this agenda item that we'll presumably take up in June. As we heard from the GMT, they're expecting some assignments in that regard, and I think the extra time is....will be very useful in getting additional analysis on those trade-offs and will help us reach our FPA decision on this item. Thank you.

Brad Pettinger [00:24:22] Thank you Marci. I believe John DeVore has his hand up here. So, John?

John DeVore [00:24:29] Yeah, thank you Mr. Vice Chair. A couple of clarifying questions here. I'm not sure I caught all of the rationale for bullet number two, the coastwide OFL value for quillback. I caught the fact that NMFS has determined that the FMP doesn't define quillback north and south of 40 10 and all of that, that's fine. But given that you have confirmed intent to manage quillback in the nearshore complex is north and south, you know as we characterize the use of the coastwide OFL value I want to be able to characterize it correctly so that we get good focused public comment in June. That's

one question. And then there's another point that I want to make once I hear what the coastwide OFL value is for.

Brad Pettinger [00:25:28] Maggie.

Maggie Sommer [00:25:30] Thanks Vice Chair. Thank you for the question, John. It was my understanding that from the National Marine Fisheries Service that a coastwide OFL value is needed at this time because the stock is considered coastwide in the FMP. In terms of how it's used I would envision it being split out then to accomplish the calculations for the harvest specifications as described below based on the assessment, the state specific assessment values.

John DeVore [00:26:14] Okay and thank you. And then just to make it very clear, you're not going to see one coastwide OFL value for quillback. You will for 2023, but for 2024 the OFL is going to be conditioned on your ACL removal assumption and given that you have alternative ACL contributions in 2023 under bullet three, you can expect to have alternative coastwide OFL values for 2024. So just, just to set that expectation.

Maggie Sommer [00:26:52] Thank you.

Brad Pettinger [00:26:52] Keeley.

Keeley Kent [00:26:55] Thanks. Perhaps on Mr. Devore's first question, I'm wondering if the point of confusion is just a coastwide OFL versus a coastwide OFL contribution value because we're in complexes. Is that clarifying that we're not.... I think we're saying the same thing, which is that we need a coastwide OFL contribution values and then those are apportioned into the two complexes. I believe that's what we all meant, but perhaps that was just a good clarifying point.

John DeVore [00:27:22] Yeah, that and Miss Sommer clarified that for me, and I understand that. So, thank you for that answer.

Brad Pettinger [00:27:31] Thank you John. Corey Niles.

Corey Niles [00:27:37] Thanks Mr. Vice Chair. And thanks Maggie for the motion. Since we're on that clarifying train of thought I think I know the answer but just to make clear, this has been confusing for folks and really appreciate everyone's thoughts in here. But on number one you're saying.....on the statement about keeping in the complex. My understanding what the Council's position has been since last fall was we're not making any changes to the stock complex this cycle. There are issues with them but we just, we wanted to take those up when there was more time. And then same with the stock definition question of there are questions but we're just trying to keep it... we're trying to achieve some, use these area-specific information while, you know, again keeping the stock complexes status quo and not amending the FMP to change stock definitions. And then a lot of this is just how to do the math consistent with that. Am I correct in that understanding of the intent?

Brad Pettinger [00:28:39] Maggie.

Maggie Sommer [00:28:39] Yes. Thank you.

Brad Pettinger [00:28:44] Okay. Corey.

Corey Niles [00:28:44] Thanks Mr. Vice Chair. Yeah, and thank you again Maggie and Marci and you both spoke nicely to the reasoning here, so I won't go on long. I do think we have those questions to

take up on the stock complexes and stock definitions and look forward to doing that in relatively short order. And here, I think, these alternatives under number three, which we'll be able to think about between now and June, are really advances forward for this Council in terms of how we consider where differences among areas in terms of status and depletion of stocks. So, thanks for the motion. Thanks for all of the work from staff and of course supporting the motion.

Brad Pettinger [00:29:35] Thank you Corey. Anyone else? Okay I'm not seeing any hands so I'm going to call for the question. All those in favor signify by saying 'aye'.

Council [00:29:50] Aye.

Brad Pettinger [00:29:50] Opposed, no? Abstentions? Motion passes unanimously. Thank you all. Okay, with that I will turn to John DeVore and see how we're doing on F.3? John.

John DeVore [00:30:13] Thank you Mr. Vice Chairman, Council members. I'd say you've done a good job here. We've had some very good analysis and discussion to inform your decision and we now have a final preferred harvest specifications for all our stocks and stock complexes except for quillback and the nearshore complexes, given that quillback is going to be managed in those complexes. In the next two years we have alternatives that are under consideration. We can expect to have some additional analysis to what you've seen at this meeting in the June briefing book, and we'll certainly have the SSC look at those alternative coastwide OFL values for quillback to get their feedback on that in June as well. So, I'd say with that you have accomplished the objectives for this agenda item.

Brad Pettinger [00:31:16] Okay, thank you John. And great job everyone on a pretty tough item by golly... so okay.

4. Preliminary Preferred Management Measure Alternatives for 2023-2024 Fisheries

Marc Gorelnik [00:00:00] We'll pick up our last groundfish item F.4. And for that I'll pass the gavel to our Vice Chair Brad Pettinger.

Brad Pettinger [00:00:12] Thank you Chair Gorelnik. And with that let's see we've finished with our report's, public comment, and go to Todd I guess... that's right. Todd.

Todd Phillips [00:00:23] Yes.

Brad Pettinger [00:00:23] Start us off please.

Todd Phillips [00:00:34] Yes sir. Yesterday as you are....you just articulated we, the Council discussed, or the Council heard all the reports from varying advisory bodies as well as public comment. You have.....you essentially delayed future.....my brain is kind of like lax at the moment. You delayed the conclusion of that item until today to give the Council some time to think of things and you are set for Council discussion and Council action as appropriate under this agenda item for right now. Thank you.

Brad Pettinger [00:01:08] Okay. Questions for Todd on that overview. All right. With that I will open the floor for discussion. Maggie Sommer.

Maggie Sommer [00:01:23] Thank you Vice Chair. I just wanted to acknowledge the, all of the work and the preparation that has set us up well for considering our action here. We have a number of GMT reports and the action item checklist really helps us keep on top of all the moving pieces within this item and I believe that we will be following the numbering of the action item checklist and probably relying substantially on reports not just from the GMT, but the states and the tribes as well in motions, and I'll be prepared to offer one to address a few of those when we're ready. Thanks.

Brad Pettinger [00:02:11] Thank you Maggie. Okay I'm not seeing hands so I guess would a motion perhaps. Joe Oatman.

Joe Oatman [00:02:25] Thank you Mr. Vice Chair. I do have a motion for the Council if Sandra could get the motion on the screen. Thank you Sandra. So this will be the tribal motion. I move the Council adopt as preliminary preferred alternative, the preliminary tribal set-aside shown as Item E.5.a, Supplemental Tribal Report 2, November 2021.

Brad Pettinger [00:03:05] Thank you Joe. Is the language on the screen accurate?

Joe Oatman [00:03:09] Yes, thank you Mr. Vice Chair.

Brad Pettinger [00:03:11] Okay second? Seconded by Phil Anderson. Thank you Phil. Please speak to motion, Joe?

Joe Oatman [00:03:16] Yes, thank you. So, the Council adopted the draft tribal set-aside as reflective, reflected, excuse me, in item E.5.a, Supplemental Tribal Report 2 from November 2021. The Coastal Tribes have requested no further adjustments to the set-asides or harvest guidelines at this time. These tribal harvest guidelines and set-asides are consistent with the set-asides requested for the 2021 2022 biennium with the exception of Pacific Ocean perch and darkblotched rockfish. In November, the tribes requested an increase for the Pacific Ocean perch from 9.2 to 130 metric ton and darkblotched rockfish

from point 2 to 5 metric ton. Both of these changes are expected to have negligible effects on the non-treaty fisheries but will provide needed relief within the tribal fisheries. Thank you Mr. Vice Chair.

Brad Pettinger [00:04:21] Thank you Joe. All right, questions for the motion maker or discussion on the motion? Okay, I'm not seeing any... so I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:04:43] Aye.

Brad Pettinger [00:04:44] Opposed, no? Abstentions? Okay motion passes unanimously. Okay, very good. Thank you Joe. Okay, I guess Maggie Sommer.

Maggie Sommer [00:05:08] Thank you Vice Chair. I'd like to offer motion number 2 from ODFW. I move the Council adopt preliminary preferred alternatives as recommended in F.3.a, Supplemental GMT Reports 3 and 4 for the following items. Maybe Sandra or Kris, after GMT Reports 3 and 4 would you please add in April 2022. Thanks. For the following items. Number 3: Off the top deductions for research, EFPs and incidental open access fisheries. Number 8: Harvest guidelines and state shares for stocks in a complex. Number 10: Within trawl set asides. Number 11: Within non-trawl harvest guidelines, annual catch targets or shares. Number 13: Shore based IFQ trip limits for non-IFQ species. 14a: Open access north of 40 10. 15a: Limited entry fixed gear north of 40 10 and Oregon recreational measures is at number 17.

Brad Pettinger [00:06:18] Thank you Maggie. Is the language of the screen accurate?

Maggie Sommer [00:06:21] Yes, thanks.

Brad Pettinger [00:06:22] Okay. Looking for a second. Seconded by Christa Svensson. Thank you Christa. Please speak to your motion Maggie.

Maggie Sommer [00:06:31] Thank you Vice Chair. Again, appreciate all of the analysis and recommendations provided to us by the Groundfish Management Team as well as input from the Groundfish Advisory Subpanel. I relied on the rationale provided along with the recommendations by the GMT and don't intend to repeat that here. I'm simply going to comment on a few of these items of, I think, of particular note about which the Council has had some discussion and some heightened interest. I'll begin with just number 8, harvest guidelines and state shares for stocks in a complex. This one does include blackgill rockfish and the GMT recommended continuing using the custom approach to that to allocate blackgill rockfish and other slope rockfish to the trawl and non-trawl sectors, and it seems to be meeting the needs. And for the Oregon black, blue, and deacon rockfish complex as well as the Oregon and Washington cabezon and kelp greenling complexes, appreciate the GMT's review of recent catch levels as well as the Washington Cabezon overfishing limit level and agree with the GMT's recommendation that there's no need for harvest guidelines for component stocks of those complexes. Number 10 on the within trawl set-asides for the at sea whiting sectors. We have had some conversation about spiny dogfish at this meeting. The GMT's not recommending establishing a spiny dogfish set-aside because of the stock's annual variability in catch and dependent on the Pacific whiting TAC season start date and other factors. There's no IFQ allocation of spiny dogfish. It's not a target species and a amount of set-aside of at sea mortality isn't necessary, noting again that the at-sea sectors are already taking measures to avoid stocks of concern including spiny dogfish, and the GMT has indicated they will track catch data as it's available inseason. The Council can consider spatial management tools in areas of high bycatch via inseason action if that's the appropriate route to go. Although again, I note that the industry action is helpful there. For number 11 within non-trawl harvest guidelines, ACTs and shares, this does include the canary allocations within the non-trawl allocation overall. Certainly, the

subject of canary allocations has been a focus of quite a bit of interest because they are caught in really every one of our fisheries, whether as a target stock or an incidental, incidentally encountered stock, including highly variable encounters at the individual vessel level. GMT provided some impacts, some information on impacts in the non-trawl sector at our March meeting. Currently seeing attainment levels below 50 percent in both the non-trawl sector as well as the trawl sector. And really would highlight here again that we are managing the non-trawl sectors subdivisions with harvest guidelines, which are soft caps and allow for flexible management. Harvest guidelines are defined in the Fishery Management Plan and in federal groundfish regulations as a specified numerical harvest objective, which is not a quota. Attainment of a harvest guideline does not require closure of a fishery, and I would certainly reaffirm our intent here not to close fisheries or impose restrictions unless necessary, unless there is potentially a risk to the ACL. And certainly, the Council can review attainment within the non-trawl sector or within both sectors, fishery conditions and any other relevant information, and consider any, whether any alternative allocations should be considered next biennium. Under Number 13, again this is the shore-based IFQ trip limits for species that aren't part of the IFQ program. Also here on spiny dogfish, the GMT considered a lower trip limit, but compared to existing industry avoidance measures and potential use of block area closures, a lower spiny dogfish trip limit would not be effective and could negatively impact fishery value. On 14a and 15a, the trip limits for open access and limited entry north of 40 10. These do include the quillback and copper trip limits with the GMT's recommendation of status quo, which status quo is the limits adopted via inseason action last November to reduce mortality off California, and we heard a little bit of information earlier under inseason about how those are working. And then finally, Oregon recreational measures we presented in the ODFW report and the GMT reviewed. This does include the addition of allowing long leader gear fishing on the same trip as all-depth Pacific halibut. That concludes my remarks. Thanks.

Brad Pettinger [00:12:19] Thank you Maggie. Bob Dooley.

Bob Dooley [00:12:23] Thank you Mr. Vice Chair. Question for Maggie. Did you mean F.4.a in the first line?

Maggie Sommer [00:12:35] Yes, I did. Thank you.

Bob Dooley [00:12:36] Thank you.

Brad Pettinger [00:12:40] Well okay does someone want to amend that motion?

Bob Dooley [00:12:53] Thank you Mr. Vice Chair. I'd move to amend the first line of the motion to reflect.....would you scroll back down so I could see it please. 4.a, F.4.a rather than F.3.a.

Brad Pettinger [00:13:25] Is that accurate Bob?

Bob Dooley [00:13:30] Yes. Thank you.

Brad Pettinger [00:13:32] Okay. Seconded by Butch Smith. Thank you Butch. All right. Well, I think no reason to talk about this, so I hope not. With that I'll call for the question of the amendment to the motion. All those in favor signify by saying 'aye'.

Council [00:13:49] Aye.

Brad Pettinger [00:13:49] Opposed, no? Abstentions? Okay we've got a unanimous vote on the amended motion. All right. So now we have an amended motion that's on the floor. So, Phil Anderson.

Phil Anderson [00:14:10] Yeah, thanks Mr. Vice Chair, and thanks Maggie for the motion. I know I've been a bit pesky in my concern about canary rockfish as it relates to the Washington recreational fishery, and I appreciate Maggie's discussion behind the rationale to the motion. The description in understanding that we've had relatively low attainment of both the trawl and non-trawl allocations as a whole in that these harvest guidelines are soft caps, if you will, and allow for flexible management and the discussion around and affirmation that these values are not intended to be used to restrict fisheries, obviously unless the ACL were to be of a concern which in the case of canary is highly unlikely. So, I appreciate those comments and I'll be supporting the motion.

Brad Pettinger [00:15:23] Thank you Phil. Further discussion? Okay I'm not seeing any hands, so we'll call for the question. All those in favor signify by saying 'aye'.

Council [00:15:35] Aye.

Brad Pettinger [00:15:35] Opposed, no? Abstentions? The motion passes unanimously. Thank you. Okay... Heather Hall.

Heather Hall [00:15:48] Thank you Vice Chair Pettinger. I have a WDF motion to offer. I move that the Council select the GMT recommendations for items 6, 6b, and 7 from the enhanced Action Item Checklist in Agenda Item F.4.a, Supplemental GMT Report 3, April, 2022 and the GMT recommendations for items 12f, 12g, 12j and 16 from the enhanced item Action Item Checklist in Agenda Item F.4.a, Supplemental GMT Report 4, April, 2022 as preliminary preferred alternatives. For reference item 6 are the preliminary 2-year trawl, non-trawl allocations. Item 6b is the rebuilding species allocation for yelloweye rockfish. Item 7 is preliminary Amendment 21 trawl, non-trawl species allocations. Item 12f is the amendment to extend the primary sablefish season end date from October 31 to December 31. Item 12g is the amendment to correct the FMP language for block area closures. Item 12j is the Midwater Trawl Block Area Closure analysis. And Item 16 is the Washington recreational bag limits, seasons, lengths, length limits, et cetera.

Brad Pettinger [00:17:36] Okay Heather... is the language on the screen accurate?

Heather Hall [00:17:40] Yes, it is.

Brad Pettinger [00:17:40] Okay, looking for a second? Seconded by Butch Smith. Thank you Butch. Okay Heather, please speak to your motion.

Heather Hall [00:17:51] Thank you Vice Chair Pettinger. These really are based off the GMT's recommendations and which, I think, in many cases were supported by the GAP as well, so I won't go into great detail on those. For Action Item 6 the GMT recommends the status quo allocations here as PPA, and that's based on looking at sector attainment, which with the exception of yelloweye rockfish aren't expected to constrain either the trawl or non-trawl sectors. Similar to the discussion under the last motion, this also includes the two-year allocations for canary rockfish, and I mention this here just to mention that in November that we asked, WDFW asked the GMT to look at canary rockfish specifically and WDFW provided a report in March that looked at some more detail on canary rockfish attainment in the Washington recreational fishery. That report explained that recreational catch in 2021 did come close to the Washington harvest guideline. We also explain that in 2023 and 2024 we could see increased canary catch based on the proposed changes to the non-trawl RCA, but it still seems unlikely that the non-trawl sector will exceed the non-trawl allocation and even more broadly that the risk to the ACL for canary rockfish is expected to remain low. So, we haven't proposed any formal changes to allocations for 2023 and 2024. But one of the key points in the WDFW report was the challenge of understanding sector needs as rebuilding restrictions for canary rockfish have been lifted. This is

particularly true for a stock like canary rockfish that is caught across almost every fishery sector. I just note that the Council's approach to canary rockfish has been cautious and incremental. That's very similar to the approach taken for Washington recreational fishery. So just flagging that even though we're not proposing changes here, we see the evaluation of sector needs as an ongoing discussion. Action Item 7 adopts a preliminary Amendment 21 trawl, non-trawl species allocations. And let's see Action Item 12, these are part of the new management measure analysis. 12f is the amendment to extend the primary sablefish season end date from October 31 to December 31. We've heard from industry members that this action would provide additional flexibility to allow full attainment of the primary tier limits and increase sablefish attainment overall, providing economic benefits to the, the fixed gear sector and fishing communities. The reasons for the October 31 end date were to provide time to track changes or track catch so the annual allocation was not exceeded and that is no longer needed, which much faster and more efficient catch accounting. I would note that the GMT did highlight that this could increase the amount of time that humpback whales are likely to co-occur with the primary tier fishery, but also that the likelihood of that co-occurrence decreases from October to December, this time period where the extension would be in place. This is another place where both the GAP and the GMT support a Suboption 2. This would extend the incidental Pacific halibut allowance for the primary tier fishery to the date or time specified by IPHC or until the allocation is attained, whichever comes first, which just increases the flexibility for this fishery. 12f is the amendment to correct the FMP language for block area closures. The GMT recommends that the Council amend the FMP to align the definition of block area closures with federal regulations. That's pretty straightforward. 12j is the Midwater Trawl Block Area Closure analysis. The GMT has been investigating spatial management tools for mitigating spiny dogfish bycatch in the trawl sectors as directed by the Council. In the GMT's Report number 2 under this agenda item, they note that BRAs would be too broad of a tool and wouldn't capture the abundance distribution of Pacific spiny dogfish and so the GMT's recommendation is to not conduct any further analysis on BRAs for bottom trawl gear. This motion supports the GMT's effort to provide an update on the use of BACs for groundfish bycatch mitigation purposes by midwater trawl gear coastwide and bottom trawl gear off Washington as described in their Report 2. And I would just note the GAP's comments on this that really the first line of defense for responding to incidental catch of non-target species including spiny dogfish is really the industry's voluntary actions, which can be effective but there are support for these tools in the toolbox just to give the Council the most flexibility. And then Action Item 16 is the Washington recreational season structure. The GMT recommends adopting the PPAs for the Washington recreational fishery for 2023 and 2024. The PPA includes no retention for copper, quillback, and vermilion rockfish while maintaining several status quo measures such as the season length limit and daily bag limits. The details of that are in the WDFW report under this agenda item. That's it. Thank you.

Brad Pettinger [00:25:53] Thank you Heather. Questions for Heather or discussion of the motion? Okay... seeing no hands I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:26:08] Aye.

Brad Pettinger [00:26:08] Opposed, no? Abstentions? Okay the motion passes unanimously. Thank you. And then we go to California next, but we need to have a little break here. I've been requested 10 minutes if possible. So, if we're going to just pause here and come back here around 1:27, 1:28, something like that. Oh, no I'm sorry. That would be now. 1:37.....(BREAK).....Okay if we could take our seats here, we'll get going. We're back in session here. We lost our tribal member. Ah, okay we're back in session and we'll turn to California and Marci Yaremko. Marci.

Marci Yaremko [00:27:20] Thank you Mr. Vice Chair. Sandra, I'm just checking that you've received the updated motion? All right. Very good. Thank you Sandra. So, I'll be working from the Action Item Checklist and will move the Council adopt the following management measures as preliminary

preferred alternatives for items 2, 5, 12e, 14b, 15b, 18 and a few others that I'll just walk through as we go. All right. Number 2. Area Management. Adopt the non-trawl RCA waypoint corrections as per GMT recommendation in Supplemental GMT Report 3 and CDFW enforcement recommendation that's included in Supplemental CDFW Report 5. On Item 5: ACTs for Yelloweye. Adopt the status quo non-trawl ACT of 39.8 metric tons. For cowcod adopt removal of the 50 metric ton ACT as per the GAP recommendation contained in Supplemental GAP Report 1. For quillback rockfish off of California, do not identify a PPA but request further analysis of the following: Option 1: From 42 to 40 10 North latitude so that the ACT equal to the SPR of point zero six from the rebuilding analysis. For 40 10 to the U.S. Mexico border set the ACT equal to SPR point six from the rebuilding analysis. Option 2: For 42 to 40 10. Set the ACT equal to the ACL contribution to the complex. For 40 10 to the U.S. Mexico border, set ACT equal to ACL contribution to complex. For copper rockfish off of California do not identify a PPA, but request further analysis of the following: Option 1: From 42 to 40 10 set ACT equal to ACL contribution to the complex. From 40 10 to the U.S. Mexico border, set ACT equal to ACL contribution to the complex. For Option 2: From 42 to 40 10 set ACT equal to the ACL contribution to the complex with a 40 10 reduction applied. And for 40 10 to the U.S. Mexico border set the ACT equal to ACL contribution to the complex with the 40 10 reduction applied. Scrolling down on Item 12e. This is the non-trawl RCA item. Adopt revised proposal as described in the NMFS report, including the GAP and EC modifications, and those are from the NMFS Report 1, Supplemental GAP Report 1 and Supplemental EC Report 1. For 12h, the CDFW recreational bag limits. Adopt the recreational bag limits as described in section 6 of Agenda Item F.4, Attachment 2. For 12i, the CDFW recreational RCA management measures. Adopt the novel utilization of existing RCA boundary lines as described in Section 7 of Agenda Item F.4, Attachment 2. Item 14b. This is for open access south of 40 10. Adopt the status quo trip limits as per the GAP recommendation in Supplemental Gap Report 1. 15b. This is for limited entry fixed gear south of 40 10. Adopt the status quo trip limits as per GAP recommendation in Supplemental GAP Report 1. And number 18, California Recreational. Adopt the range of season structure and bag limit scenarios in CDFW Report 1 from Agenda Item F.4.a. Thank you.

Brad Pettinger [00:32:30] Thank you Marci. Maggie Sommer.

Maggie Sommer [00:32:34] Thank you Chair. Before you go to a second, a clarification Marci. Under quillback rockfish Option 1. The first bullet, 42 to 40 10. I see point six on the screen. I heard point zero six. I believe point six is correct, but I just thought we should be clear for the record.

Marci Yaremko [00:32:55] Point. Yes, thank you. Point six as it shows on the screen. Thank you.

Brad Pettinger [00:33:01] Okay, very good. So with that, Marci, is the language of the screen accurate?

Marci Yaremko [00:33:07] Yes, it is. Thank you.

Brad Pettinger [00:33:08] Very good. Second? Seconded by Chair Gorelnik. Please speak to your motion Marci.

Marci Yaremko [00:00:00] Thank you. So, item 2, this is area management. This is about adopting corrections to the waypoints as the GMT has recommended here as well as a late breaking proposed change that came from CDFW Enforcement this meeting in Supplemental Report 5. Just to kind of reflect on this. These are routine corrections that we have been supplying into the briefing book under this agenda item now for the last several meetings under management measures and we've been collecting these proposed waypoint changes over the past biennial cycle with the idea that we would include all of the needed corrections and crossovers in the biennial cycle. That's something we started doing last cycle and it's a process that really has worked. You might remember in years past we actually would take up individual actions to correct waypoints and crossovers and this method, while maybe not

super timely for some changes that are needed, it is an effective way to incorporate the changes on a set timeline and schedule and so we've been kind of pounding the pavement asking for folks changes that are needed to make the use of waypoints easier and to aid enforcement and to improve clarity. So we did a pretty thorough examination of all of the waypoints off California this cycle and as you've seen in several CDFW reports over the months, we do propose a number of changes and we do think the commercial fishermen and the sport fishermen and the enforcement officers that have provided us with some very important changes that will I think aid the use of this management tool and appreciate the GAP and the Enforcement Consultants review on this and their support so. I also appreciate the work in the background from National Marine Fisheries Service because there are a lot of changes and a lot of waypoints off California. But again, I think it really has improved the use of the tool for now and into the future. Moving to ACTs. For yelloweye we support the PPA of the status quo regarding the yelloweye non-trawl ACT of 39.8 metric tons. That's a recommendation from both the GMT and GAP. Cowcod similarly to remove the 50-ton ACT is also supported by the GAP and the GMT. With regard to quillback, we had quite a discussion in our specifications item about ACLs and now we are moving to the point where we consider a PPA for ACT'. And we're not quite ready to identify a PPA this time but would request further analysis of the following alternatives as shown an Option 1 where we would set the ACT equal to the SPR of zero point six and that would come from the rebuilding analysis. And similarly, for 40 10 to the U.S. Mexico border do the same. For Option 2. This would set the ACT equal to the ACL contribution to the complex for both areas, 42 to 40 10 and then 40 10 to the U.S. Mexico border. For copper rockfish Option 1 would be to set the ACL equal to the ACT for the complex and then again for the southern complex from 40 10 to the U.S. Mexico border set the ACT equal to the ACL. Additionally for Option 2 under copper rockfish, this would be setting the ACT equal to the ACL contribution to the complex and applying the 40 10 reduction again both north and south of....for both the north and south complexes. We'd like to ask the GMT to conduct further analysis on these ACT options and report back at the June meeting. They are intended to work with a range of ACL alternatives identified under the spex agenda item. The GAP and the industry have made clear how important quillback is to sport and commercial fishing operations in order to access other healthy stocks. In considering the application of the rebuilding analysis we are wanting the ability to balance the needs of the fishery while taking into consideration the status of the stock. Those rebuilding plans or analyses that we adopted for use in management are considered the best available science. We had a lengthy discussion about that under the spex item, so using them to identify ACT alternatives here in this action is likewise appropriate. If NMFS had been able to declare the California portion of the stock overfished we would be managing under this rebuilding analysis. In using the SPR harvest rate from the analysis does allow the Council to consider the time to rebuild and the probability of rebuilding by T-target. Option 2 that would set the ACT equal to the ACL contribution based on the stock assessment, this would use the harvest spex from the stock assessment with the 40 10 reduction applied and setting the ACT equal to the ACL contribution has routinely been used to manage stocks in a complex that require additional precautions so we would have that alternative for consideration as well. Moving to copper rockfish, just wanting to again request the analysis from the GMT as to the ACTs. CDFW agrees with the recommendations that came initially out of the Groundfish Subcommittee of the SSC to pool the California assessments for status determination and as a result, because they've been combined for status, that population when the assessments are pooled comes in at 31.7 percent of unfished spawning biomass. And so, because it falls in that range of below 40 percent, the application of the 40 10 harvest policy to the California stock is appropriate. So that would be something we'd ask for additional review of in Alternative 4 and I guess that's it. Okay 12e, this is the non-trawl RCA adjustment that would incorporate the proposal described in the NMFS report regarding the authorized gears, along with the GAP and EC suggestions that came from their reports this meeting. The intent here is for us to preliminarily adopt as a PPA the language in the NMFS report that does contain a further revised and narrowed scope of gear and sector definitions as part of Option 1 that allows vessels into the commercial non-trawl RCA. The gear definition meets the needs of the seabird buy-op and also minimizes habitat impacts while allowing the opportunity to the fixed gear and open access sector to harvest underutilized

midwater rockfish. Appreciate the work of the GAP and the EC in making clear that further refinements may be needed to the language, and we do expect more work to be done between now and June by the group of industry representatives, National Marine Fisheries Service, Enforcement Consultants, and Council staff. That should lead us to a product in June that will meet the needs. Also, they'll be working on the declaration requirements and seeing what amendments are needed there to allow declaration of the gear type that's being used. I just have to say that I'm so pleased to offer this motion on item 12e. It really is a keystone element of this management measures package, and I don't think we can overstate its significance. With the inclusion of this alternative, we are looking to accomplish an item that's been on our new management measures list for many years, which is to implement the Emley/Platt EFP into regulations. And that is going to be a significant achievement for all of us. It really to me serves an example, as an example of how this process is supposed to work. Industry has an idea of how gear can be fished to catch healthy target stocks while avoiding overfished stocks, and they believe the gear will work. Well, they tested the idea with an EFP over a number of years which allowed the data collection to occur, showing in fact that they were right. They caught healthy, abundant stocks of midwater rockfish and minimized bycatch of species that were overfished and also bycatch of salmon and now the time has finally come to implement the EFP gear in a regulation, recognizing it's not.... it doesn't go quite as far as everyone would like to go in this first step of the process, but it is a first step, and it is so significant and so again, I think this is a major milestone and I'm pleased to, to move this forward. Moving to 12h, this is a new management measure and that's why it's separated out. This is the recreational bag limit change that provides ability to take inseason actions on recreational bag limits as needed. This will provide more flexibility in the season setting process and allow us to effectively monitor catches and act as needed to adjust bag limits. As you've heard under the inseason items, CDFW is very committed to inseason monitoring and reporting of quillback, copper, and of course yelloweye rockfish, which is of heightened concern. So, we have the tools to do it and this 12h Alternative will provide us the ability to act as needed. Similarly, 12i, this is the recreational RCA management measures. This is the new concept that is, I guess you'd call the novel approach to RCA management that will allow for an offshore fishery and the ability to act inseason, recognizing that this is a new management tool, and we will be able to make adjustments to depth constraints and seasons as necessary through our inseason management. While we've received a number of comments from industry regarding safety concerns about an offshore fishery and difficulties with this alternative and of course a preference to fish nearshore rather than offshore, we felt that offering this alternative and the tools to manage it inseason would provide the most flexibility possible to be able to prosecute some groundfish fishing in times and areas where it can be done sustainably. Okay... on to trip limits. For open access south and limited entry fixed gear south, the GAP and GMT concur on status quo for these measures, just noting that we took action in 2022 inseason action, rather in November of 21 for 22 to reduce impacts on quillback and copper. We had a look at the initial performance in the commercial fishery under those new trip limits and at least the initial look appears to suggest that the trip limit modifications have been met with success. We've significantly reduced our copper and quillback take in the commercial sector while allowing for continued opportunities on other deeper nearshore stocks. We have the tools in the toolbox to make inseason adjustments as needed. Okay... on to number 18. This is the California recreational season structure and measures recommending to adopt as the PPA range of alternatives the scenarios that were presented in the CDFW report under this agenda item. We know that further discussion will be needed with stakeholders between now and June to inform our final action. We also note that we anticipate discussions to continue beyond June. Once we do have a final recommendation for the specifications that's kind of not the end of the story. We'll be needing to continuously talk about performance in the fishery over the course of 2023 and 24 and what modifications might be needed based on newly available fishery data and discard mortality rates or other unforeseen events that may occur as we embark on kind of a new and different type of management in the recreational fishery. We expect at the end of the day come June the FPA will likely be some combination of nearshore and offshore opportunities which will vary by management area as described in those scenarios that will aim to keep to the limits for copper, quillback, and yelloweye.

We've done our best with those scenarios to provide a range of alternatives and I think we're nearing....narrowing in on a final FPA but we welcome additional input from the GAP and industry in sidebar conversations that will occur over the next few months to finalize our recommendations. I think that's sufficient for now. Thank you.

Brad Pettinger [00:18:44] Okay. Thank you Marci. Questions for the motion maker or discussion on the motion? Okay I'm not seeing any hands, so I'll call for the question. All those in favor signify by say 'aye'.....oop...Bob.

Virgil Moore [00:19:01] Aye.

Bob Dooley [00:19:01] Thank you Mr. Vice Chair. I was...I had no questions. I just had a comment.

Brad Pettinger [00:19:12] Please.

Bob Dooley [00:19:14] I think it's a long time coming. This is a great motion. I think that particularly the 12e in getting people back into that RCA from the non-trawl RCA is an important concept. At the risk of beating a dead horse again I just want to make these comments. In the NMFS Report 1 4.a, at the very end of it, the summary of revisions, it says that change would ensure this ground fishers land a small amount of other species would still be allowed to fish inside the non-trawl RCA and would also be subject to the forthcoming non-trawl logbook requirement, whether fishing inside or outside the non-trawl RCA. I think that's a really important component of this. I've had discussions with the agency folks, and they said that they're planning to implement both of those simultaneously, the logbook as well as this, and I think it's very important that we track the added interactions and discards that may accrue and have adequate oversight with that. I also had discussions about the very low observer coverage in those sectors and I feel confident that the observer program as well as the agency is going to revisit those and assure us that in it's their assessment of what is adequate, what counts here, and I....and that they're going to revisit those numbers and let us know what is, what they're....if they intend to have added observer coverage or the need for that to make sure we are protecting this fishery as we move forward. So, I just wanted to say that and wanted to add it to it, and I'll be supporting this motion and thank you very much Marci for a great motion.

Brad Pettinger [00:21:16] Okay. Thank you Bob. Further discussion? Comments? Okay, and now we'll call for the question. All those in favor signify by saying 'aye'.

Council [00:21:29] Aye.

Brad Pettinger [00:21:29] Who's no? Abstentions? Motion passes unanimously. Thank you Marci. Okay I think we have one more motion. Phil Anderson.

Phil Anderson [00:21:45] Thank you Mr. Vice Chair. Thank you, Sandra, for putting the motion up on the screen. This motion deals with item 12c, shortbelly rockfish. I move the Council adopt as it's preliminary preferred alternative for action item 12c in Agenda Item F.4, Supplemental Revised Attachment 1, April 2022 amending the Pacific Coast Groundfish Management Plan by adding the following: The Council shall review fishery incurred mortality of shortbelly rockfish during the routinely scheduled groundfish inseason agenda item. If the mortality exceeds or is projected to exceed 2,000 metric tons in a calendar year, the Council shall review and investigate all relevant information, including but not limited to, survey abundance trends and other stock status information, changes in fishing behavior and changes in the market interest for shortbelly rockfish. In response to the review of the information, the Council will consider voluntary measures taken by the fishing industry to reduce bycatch and consider other management measures, including but not limited to area closures, gear

prohibitions, bycatch limits and seasonal restrictions as deemed necessary to reduce shortbelly rockfish mortality. The Council may also reconsider the EC designation, if appropriate.

Brad Pettinger [00:23:34] Thank you Phil. Is the language on the screen accurate?

Phil Anderson [00:23:36] Yes, it is.

Brad Pettinger [00:23:37] Very good. Thank you. Second? Seconded by Bob Dooley. Okay, please speak to your motion.

Phil Anderson [00:23:45] Thank you Mr. Vice Chair. This action builds on the Council's previous actions to increase protection for shortbelly rockfish, recognizing the importance this species has in the health of the California Current ecosystem. Shortbelly rockfish are found in waters extending from Baja, California to British Columbia. They have life history characteristics similar to other forage fish species and they are one of the most abundant rockfishes in the California Current ecosystem and are a key forage fish for many fish, birds, and marine mammal species. The need for this action is to formalize within the groundfish management plan language that requires the Council to review shortbelly rockfish mortality if the annual fishery related mortality is projected to meet or exceed 2,000 metric tons. And I recognize there's some concern among some about this in terms of projected to meet or actually exceeding the threshold, but I think that we need to.....as we monitor the catch if we see something that is expected to exceed the 2,000 metric ton threshold, we need to be discussing the issue early on particularly with industry. Since 2011, total annual mortality of shortbelly rockfish in West Coast fisheries has ranged from 7 to 667 metric tons so I don't anticipate the 2,000 metric ton threshold to be a burden on fisheries that have incidental catches of shortbelly rockfish. The Council has formally recognized the importance of maintaining healthy forage fish species in the coastal pelagic species FMP and in our fishery ecosystem plan. Specifically, the CPS FMP has a goal of providing, a quote "providing adequate forage for dependent species" end quote. Goal 2 in our FEP speaks to the need to quote "conserve and manage species populations and the ecological relationship among them to realize long term benefits for marine fisheries while avoiding irreversible or long-term adverse impacts on fisheries resources and other marine environment" end quote. The threshold amount of 2,000 metric tons is an amount that the Council has used and could be changed through a subsequent FMP amendment if the Council determines that it is either too high or too low. This amount is less than half of the most recent, and the recent being 2020, ABC estimate and approximately one third of the OFL. Setting the 2,000 metric ton threshold as a level to initiate a review process is a precautionary measure that would allow the Council to develop and implement management measures in a timely manner to reduce the potential of negative impacts to the stock and or the ecosystem. The FMP amendment would also support the Council's recent action to designate shortbelly rockfish as an ecosystem component species within the West Coast Groundfish Fishery Management Plan, recognizing its importance as forage in the California Current ecosystem and designating shortbelly rockfish as an EC species, which is found in the June 2019 motion, it specified that quote "the ecosystem component designation would still allow the Council and National Marine Fisheries Service to manage the species and in a timely manner, determine whether federal management is needed pursuant to National Standard 1 guidelines". I consider this action to be prudent. That it is proactive in protecting of important forage fish species. I want to emphasize that there is no immediate concern relative to the establishment of a directed fishery on shortbelly rockfish, and that the existing trawl fishery that catches shortbelly rockfish as a bycatch has proactively taken actions to avoid the species and has been very responsive to the Council's concern regarding the avoidance of shortbelly rockfish. Further, I would note that the Council has on its groundfish workload plan consideration of a prohibition of a directed fishery on shortbelly rockfish. Thank you Mr. Vice Chairman for allowing me to speak to my motion.

Brad Pettinger [00:28:59] Thank you Phil. Questions for Phil on his motion or discussion? Bob Dooley.

Bob Dooley [00:29:09] Thank you Mr. Vice Chair, and thanks Phil for a well-crafted and fully explained motion. I was one of the ones that had objection to the projected to exceed, but I understand now that this is just a check-in, and it gives us... it's the Council time to weigh-in. So, I'm okay with all of this and I think I feel comfortable that it gives the Council a place to weigh-in, consider all the facts that are relevant, including bycatch avoidance methods that are being employed and all of the things and, you know, in this species we don't understand fully. We know that the last check-in that they said that there was huge, a huge biomass, much above that. So, I'm very comfortable with this and it gives us the tools we need in the toolbox to address this should we get there. So, thanks Phil for all the work on this and I will be supporting it.

Brad Pettinger [00:30:11] Thank you Bob. Further discussion? Corey Ridings.

Corey Ridings [00:30:17] Thanks Mr. Vice Chair. Thanks, Phil, for this motion. I support it and plan to vote for it. Phil, you really covered a lot of what was on my mind but just to add a couple of things. Shortbelly really are an important forage species. I highlight their importance to seabirds and other marine life and the ecosystem as a whole so I think they, they're worth spending a little extra time and thinking and protection. As Phil noted, precautionary management for shortbelly meets Council ecosystem goals under the FEP as well as our CPS management plan and really supports a productive ecosystem as a whole. I want to appreciate industry action to avoid these shortbelly, a little bit of what Bob just spoke to there and efforts to monitor and do good by this species. That being said, I'm still in support of a need for a prohibition of a directed fishery to protect the species. This motion is a good measure and I really appreciate Phil and all the others who've been thinking and working on this, but also wanted to highlight ODF and W's report and some of the work that the GMT did prior this year, thinking about content as well as process and I hope that we can prioritize moving forward with that at some point later in the year. So, thank you.

Brad Pettinger [00:31:46] Thank you Corey. Keeley Kent. Keeley.

Keeley Kent [00:31:52] Thank you. I was debating whether to speak to this, but because I heard comments about the toolbox I just wanted to clarify our understanding of how this FMP amendment would work and specifically that currently in the Council's inseason toolbox you don't have a tool necessarily to take action on an EC species and so clarifying that if the Council were to be thinking about an inseason action that you may need to reconsider the EC designation first. And I just wanted to make sure that our understanding of how this FMP amendment would work is consistent with others around the table.

Brad Pettinger [00:32:39] Thank you Keeley. Phil Anderson.

Phil Anderson [00:32:40] Yeah, thanks Mr. Vice Chair, and thanks for that comment, Keeley. It is consistent with my understanding and as I emphasized toward the end of my rationale to the moving the motion forward is, is that it's my belief that the fishing industry that has... that encounters these fishes as incidental catch are much... in a much better position to take action to avoid them than we are by developing regulatory measures. I don't... it's not intended to mean that regulatory measures couldn't be as the motion suggests used, but the first line of defense in my mind, if you will, is the industry and they don't want, our existing fisheries don't want to catch these fish. They... so I'm confident that they will continue to be proactive. This puts an added emphasis on it and so it is with that understanding that I put it forward. Thanks.

Brad Pettinger [00:34:04] Thank you Phil. Further discussion? Okay I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:34:18] Aye.

Brad Pettinger [00:34:19] Opposed, no? Abstentions? The motion passes unanimously. Okay... well with that I'm going to turn to Todd and see how we're doing on F.4. Todd?

Todd Phillips [00:34:37] Yes, thank you Mr. Vice Chair. So, the Council here has passed a series of motions that, in general, associate directly with the either the Enhanced Action Item Checklist or the Action Item Checklist as it stands as Attachment 1, which fully addresses all management measures that are before the Council for this next biennium. Additionally, the Council has directed additional analyses on such things as the quillback and copper rockfish ACTs off California and has also put forth some more direction, giving us guidance to explore 12j, which is the BACs and BRAs for spiny dogfish. Looking at this I would say that you have done a great job and I would also like to say I thank Mr. Anderson for putting forth that motion on shortbelly rockfish. I'll note that the original language he offered in November was somehow overlooked in the larger Attachment 2 document and for that I apologize, and I do thank you for refreshing that language with us. So with that I would say thank you very much, and I believe you have completed this action to it's.....where it needs to be. Thank you.

Brad Pettinger [00:35:56] Okay, thank you Todd. Great work everyone.

5. Implementation of the 2022 Pacific Whiting Fishery Under the U.S./Canada Agreement

Marc Gorelnik [00:00:00] That concludes our reports. I don't believe we have any public comment. I checked a moment ago. So that takes us to our Council discussion whether to consider any other necessary action, which I guess would be unusual for us to do and I guess NMFS is already moving forward with the regulatory package, but let's just sort of see if there's any Council discussion here or anything else that folks want to take up under this agenda item? Oh, Frank.

Frank Lockhart [00:00:38] I just wanted to echo what Phil said. I do think it would be a good idea for when we do planning for next March, that this agenda item be on the March Council meeting and not the April. It's always good to have Council input there and I'm not sure what the timing is going to be next year, but if at all possible, we should know in the fall by the time the September Council meeting rolls around when we're proposing to have the JMC meeting and then therefore we can plan the March Council meeting. So, I just wanted to support that. So, thank you.

Marc Gorelnik [00:01:16] Bob.

Bob Dooley [00:01:20] Thank you Mr. Chairman. I can't add really too much to what Phil and Dan and Frank said. I think that, I think that the last couple of years have been really difficult to get....the last three years have been really difficult without being able to meet in-person. I think we worked....we had to change our strategy to do there as being a member of the advisory panel, by the way, and I....the team is just, was really came together and we, you know, excellent guidance, excellent information. But I think the thing that made it work so well this year was all the work we did last summer to actually bring the groups together that we normally didn't do as much of, and we really, you know, we worked on the MSE. We had side meetings that at least kept our familiarity up because I think we were really hampered by not being in-person and it was too easy to not agree and not really understanding the implications of that as we went forward. But I think last year was a breakthrough. I think there was a lot of analysis that was done by everyone, but including, more importantly I think the advisory panel came forward with a lot of analysis on how we came up with our, you know, our realized catch, but what it took to get there, and that's the inflation up to a higher TAC number. And that was a hard thing to, for the Canadians particularly to understand, and I think that there was work last year to make a spreadsheet and explain it and really take the time. Although we didn't come to an agreement, we came to a better understanding of the process. But I also think that this year building on that and like I said with all of the... the pre-work that was done by our JMC to really work out the bumps and it felt much easier this year to me because we....they were more understand...the Canadians were more understanding of where we were and accepting than we normally were, and I was frankly surprised we got done in a day and a half basically, but we did and it was, you know, it was a tribute to our leadership from the JMC, I mean....and our scientific people that really laid it out. And quite frankly to the stock, you know, the stock helped us a bunch. Prior years we thought it was going to go down farther, but the new recruitment coming in and it kind of brightened it up a bit. So, I think, we're a much better cohesive group to do this now than we were probably three years ago. I think we've come out of this stronger and a lot, a lot more nimble, a lot and more cohesive. We work together better so I, I think I've been doing this now for six, maybe seven years now and time goes by but it's I, I'm proud to be part of it. And thank you.

Marc Gorelnik [00:04:56] All right, thank you. Anything further on this agenda item? Corey Niles.

Corey Niles [00:05:06] Thanks Mr. Chair. Yeah, just a quick observation and, yeah, I'm very impressed with everyone involved in the process, the U.S. delegation side, not that I'm not impressed with the Canadian side, less familiar with them, but we are more than well represented there. But I just...I have

been watching on the sidelines for a number of years about how our JMC, which, you know, as Frank and Phil and Bob mentioned that, you know, involves members of industry, of the tribes, of government, you know, all coming together to talk about harvest policy and what it should be and doing it with another nation and whiting for a number of years has been above B 40 percent. You know whiting is kind of a, it's...I thought it was a unique stock but it's not necessarily but supported by some rare but very large year classes and watching the JMC handle how they do that in the past couple of years, even though they didn't reach agreement, I thought the U.S. was.....I thought we were coming forward with a very reasonable, precautionary positions as looking at the stock and as it approached downward towards B 40 and contrasting that with what we'll be talking about tomorrow and people are talking in the hallways now about the P star debate of sablefish and point four versus point four five is how we'll structure deliberations and whether a P star of point four five is sufficient or not. Here, you know, a P star point four five is a drop between the OFL and the ACL of about 6 percent. A point four is about 12 percent. You know where the whiting JMC set the TAC is, is 23.8 percent below the TAC and you throw the realized catch in it's maybe... I didn't quite get the exact number... but approaching a 40 percent drop. So, I think the, watching the JMC do it and watching the scientific advice they get, it's a better way of doing it. And I think we'll see tomorrow sablefish is also a stock where we're going to be above B 40, whether it's supported by a big 2015 year class and the thought we should be thinking about is how to manage that, that being above B 40, which is a new thing for a long time. But again, I'm putting forward the JMC as a model of how they've done that in and again I would echoing all the compliments that have been offered here today.

Marc Gorelnik [00:07:52] Thank you. Anything further? Mr. DeVore how are we doing?

John DeVore [00:08:04] Yeah, thank you Mr. Chair, Council members. I think you've had a very good discussion. You had the ability to ask participants in the Treaty whiting process how it went down and you had the ability to offer recommendations. The only recommendation I heard was one from both Mr. Anderson and Mr. Lockhart to consider scheduling this agenda item next year in March. That's not a decision you need to make under this agenda item, but duly noted, and I imagine you'll see this in Year-At-a-Glance tables in the near future. So, I'd say with that you have completed this agenda item.

Marc Gorelnik [00:08:55] All right, thank you very much.

6. Non-Trawl Sector Area Management Measures

Marc Gorelnik [00:00:00] A great presentation, a number of reports from bodies and a significant amount of public comment brings us to our Council action here, which is on the screen before us including to provide guidance. I don't think that we're looking for a lot of detail here, but we do want to be clear on our guidance and provide it in the form of a motion. So, let's get some discussion started. Keeley Kent.

Keeley Kent [00:00:35] Thank you. Before we get rolling into discussion, I did just really want to take a moment to thank Council staff and the other teams that worked on all of the information that was brought forward today. I really appreciate the level of detail that was provided. I think it's been really helpful for the Council to consider refining the range of alternatives. I will say this is the type of team that has been built with Council staff and NMFS staff and our JS contractor that I envisioned under our new Regional Operating Agreement, so I'm especially thrilled to see the coordination and communication that's happened. So, I just wanted to take a moment to call that out.

Marc Gorelnik [00:01:17] Thank you Keeley. All right let's get started with some discussion on this agenda item. Marci Yaremko.

Marci Yaremko [00:01:33] Thank you Mr. Chair. I'm ready with a motion and maybe that will prompt discussion. That may be the most efficient way forward.

Marc Gorelnik [00:01:42] It often does when people don't raise their hands. Let me just see before we have the motion does anyone has anything to say before we have a motion, any form of discussion? Corey Ridings.

Corey Ridings [00:01:57] Thanks Mr. Chair. I guess I'll just quickly continue the kudos. I just wanted to thank CDF and W for leading the ad hoc work group and producing the report. Especially wanted to say thank you to Andre, who did a really amazing job with that work. I sat in on a couple of those meetings and was able to participate in the discussion and it's just another example of successful collaboration that produces good reports like this and good things for us to work with. So, we'll support that as being included obviously, but just wanted to say thanks to everybody involved.

Marc Gorelnik [00:02:36] Well it's amazing what we can do when we work together and pull in the same direction. So Marci, or Bob Dooley and then Marci.

Bob Dooley [00:02:46] Thank you Mr. Chairman. I think this is a combination of a lot of work, good work by a lot of people and we've heard heartfelt testimony by many in the industry that this is really needed. It's critical time. We need to get into that area. Those sectors need to get into that area that's been closed for 20 years, particularly now with all of the other challenges including price of fuel, failing infrastructure, all of the things that we need to keep our industry alive. So that being said, I'll beat my broken record again for every time we talk about this. The overarching issue that I always think about is we're going into an area that hasn't, that's been closed for 20 years and you're going to have interactions with species that have been rebuilding over time and we've had warnings that there's critical habitat that hasn't been touched and there's worries about bottom contact, all of these things. I think the overarching thing that I hear that I don't necessarily see front and center is they talk about the logbook coming in and I think that's a critical part of this program and I think I'm going into this understanding that that logbook will be a critical part of this. It's a requirement, that mandatory logbook. The other part is we heard last meeting from... might not have been the last meeting, it might have been the one before, we had an observer report of observer coverage and it's acknowledged in several places in our

presentations today that some of the sectors have very low, low observer rates. And I think it is incumbent upon the agency and the observer program to re-examine these areas as we re-enter them and understand if we have adequate observer coverage in those to verify the discards that may be in the encounters there will be happening. And I don't say that from a sour grapes type of thing that one sector has more than the other. That's not what it's about. I want to....I want to sit here in five years and say we did a good thing. I don't want people coming back and go, you didn't do this. You didn't check that box that you were doing it with accountability and you were doing it with proactive, and I think that particular box is the agency's job, making sure we have science behind our actions and I think that with some of the sectors down in single digits of observer coverage with this proposed or what I think we're going to be doing here, opening up areas which we should be doing. I think they need to be on the team and helping us so that we don't come back in five years and people are waving flags that we did the wrong thing, and we didn't act to keep our fisheries sustainable. So, I'll stop there but I'm thinking that this....I'm coming into this with full support. A lot of good work here by a lot of people but I'm doing it of the understanding that we're going to have logbooks. That's an added level of scrutiny on this fishery. We're also going to have a revisit of the observer coverage to make sure it's deemed adequate by the agency that it's the responsibility to do so. So, I'll stop there. Thank you.

Marc Gorelnik [00:06:57] All right, thank you Bob. Marci.

Marci Yaremko [00:07:03] Thank you Mr. Chair. Sandra, I believe you have a motion? Thank you. I move the revisions to the range of alternatives for non-trawl sector area management measures as recommended by the Groundfish Management Team in Agenda Item F.6.a, Supplemental GMT Report 1, April, 2022.

Marc Gorelnik [00:07:35] Thank you Marci. And the language on the screen appears to be accurate and complete. I'll look for a second? Seconded by Maggie Sommer. Please speak to your motion.

Marci Yaremko [00:07:46] Thank you Mr. Chair. I guess I'll start by saying thinking about constructing a motion on this enormous topic my biggest fear was that we would leave something out. So, in order I think to most completely capture our intent and the steps forward for analysis, the easiest way to move ahead today in my mind is to move the recommendations in their entirety forward from the GMT report. So that's what I'm intending to do here and just wanted to make that clear up front, noting that I very much appreciate the interchange we had with Mel and Jessi about the GMT report and the cross walking between the content in the GMT report and the number of questions that Council staff have developed for us to weigh in on as they begin their analytical work preparing the alternatives and the analysis that we have in the attachment provided for us for review under this item. So, I didn't want to leave anything out. I thought this was the best way to go about moving it forward, but I would note that particularly with Alternative 3, which is the item that discusses the RCA line moves, that some additional clarity and guidance might be needed beyond what is in the GMT's report and so that will come forward in a second motion that will follow this one. So, I just want to say that up front so that we're clear on the pathway and on the intent. Also want to take a second to acknowledge how we got to this suite of alternatives that we are now calling non-trawl sector area management measures. There have been a number of past actions where we haven't been able to do everything that we want to do in the time and the capacity that Council staff have had, NMFS regulatory staff have had in some of our previous spex actions, and this kind of catch-all action was created to combine items that we felt were priorities from our new management measure discussions. And we know we needed to make action on or make progress on these items outside of our biennial specifications process and the suggestion to combine these items into this package came about after a lot of thought about what naturally can pair together and how can we make progress on our priorities in a most, in the most efficient way. So, I want to acknowledge the thinking behind combining items that have been a priority for the Council on its list for some time, some number of years and putting things together in this natural way has been, even

though it's big and seemingly complicated, really does achieve a large number of the priorities that we have been talking about for many, many years. So, I just want to appreciate that and the work that Council staff has put into thinking about that. I also want to acknowledge some remarks that have been made in some of the statements as well as some public comment that I just I want to kind of put aside some question that's been out there about what the scope of this action is relative to essential fish habitat. That is its own distinct and unique process that we take up every five years and is next slated for 2025. We don't know what that process might look like in our future, but if our last review of any of EFH is any indication, it's a multiyear and detailed and complex review that might take a number of years to actually implement into regulation. I appreciate that we have that process and I look forward to working on that when the time comes, but I'm very sensitive to the remarks of folks indicating that, you know, some of these areas that we are talking about wanting access to as identified in our draft purpose and need, there is a sense of urgency and I appreciate that and I'm sensitive to it and I feel that this package, which focuses on management of groundfish fisheries, strikes the right balance between providing protections to the most sensitive of habitats while allowing greater access to areas that right now can't be utilized for groundfish fishery activity on many of our very healthiest of stocks. So, this item really is a step forward in a stepwise progression toward greater utilization by the non-trawl sector of the healthy stocks. So, I just wanted to note that we do have another process that will be coming forward in a few years that will take a look at EFH conservation areas more fully, and that does involve considerations that would affect non-groundfish fisheries. So, we heard a lot of testimony about other species, HMS, trawling, pink shrimp, spot prawn trapping, there are a number of fisheries that utilize areas that right now are in our rockfish conservation areas and our cowcod areas that have full access to those areas while it's our groundfish fisheries that don't have the same access. So, with regard to the purpose and need, the GMT has recommended to us that we task the Council staff with revising the purpose and need based on the feedback from this meeting, including some of the habitat needs that were outlined in the Habitat Committee report and I think that's a solid recommendation. I support giving the Council staff the discretion to incorporate the pieces of that that will help us have a fully complete purpose and need that meets our objectives in the alternatives 1, 2, 3, 5 and 6. So I'll look forward to that. Specifically related to Alternative 1, which is to allow open access vessels targeting groundfish in the non-trawl RCA using approved hook-and-line gear. This is the alternative that really is a next step in the sequence of events with regard to providing broader access in the RCA for our healthy mid-water stocks. We're taking a first and significant step in the specifications under the action item 12e and appreciate NMFS finding a way for that action to move forward in the biennial spex package so that it will be effective in 2023 as a first step. But appreciate that here in the non-trawl package we will take a look at the gear definitions and determine what, if any other gear configurations might be authorized beyond the EFP gear, explicit EFP gear definitions that will be employed in action 12e in the spex. This should allow for increased flexibility around gear innovation, potentially looking at other bait types and other improvements that should allow increased utilization with hook-and-line gear in the non-trawl RCA. Alternative 2, this is again a holdover that was something that was initially explored in the specifications process and was something that was really just too big an animal to get to in the spex, digging into really the nuts and bolts and guts of the FMP and the regulatory language surrounding our limited entry fixed gear permits and authorized gear types and trip limits and how it would all work to be able to allow the fixed gear fleet to fish to their higher trip limits, which are authorized under our FMP, but yet while using the approved hook-and-line gear that would be authorized for the open access fleet. So, I appreciate the discussions that have gone on in the spex process that have daylighted that this is a very weighty, meaty issue, but certainly, as the GMT notes for equity reasons, this alternative should move forward. On the question of IFQ gear switching vessels. Appreciate the Council staff identifying this question and bringing it to us. Throughout the discussions on this particular action we haven't heard much from the IQ sector and their interest in gear switching and using their quota share in the RCA within the scope of the actions under consideration in Alternative 2 or 1 for that matter. I look forward to hearing more input from them on this item as the analyses continue. I appreciate the discussion that I had with Miss Doeringhaus and that there are some things

to look into here. I think in the event that it is easier or not difficult and if there's a desire to fish under limits established with a limited entry fixed gear permit or the open access limits, if that's the preference maybe that's more efficient. I note the GAP report and the interest potentially in utilizing quota pounds in the non-trawl RCA under the definitions that would apply to the fixed gear fleet, but I do expect that more discussion is needed and consideration as to whether or not cost recovery would be an element. So, I'll look forward to some more discussion on this point and a little more research and information to help inform us if in fact we want to ultimately include an alternative that allows for use of IFQ gear under the regulations that would be established to implement alternatives 1 and 2. So I'll look forward to more information as well as input directly from the IFQ fleet on that point. Regarding Alternative 3 and the reconfiguration of the non-trawl RCA boundaries. There have been proposals to move the seaward line of the RCA that is at 100 fathoms into the 75 fathom line for a number of years. There's been a lot of interest in doing so because the number of healthy target stocks available is numerous and the fish reportedly are abundant, particularly the mid-water stocks, chili pepper, yellowtail, bocaccio and others that folks would like greater access to. We've also heard from those that pursue Pacific halibut that they would be interested in moving that line as well from 100 to 75 fathoms. In years past we have paused on considering this alternative further because of potential yelloweye impacts. So, this particular management measure has been under consideration and deferred, gosh I'm thinking at least four years, probably more. So, examining how to get this done while maintaining our ability to monitor changes in bycatch is certainly important. Council staff brought the question to us about Pacific halibut and whether we're looking to include Pacific halibut in this action. The GMT is recommending including the halibut fishery in this range of alternatives to address the requests. I know that there are some additional analyses to be done about whether halibut can be included in this action given it is managed under the Halibut Act, but I think at this stage it is important to consider that noting that we've received information that suggests it might all be accomplishable in this single action that would apply then both for groundfish and the Pacific halibut fishery. I did, I think, fail to mention that the question was also posed whether the purpose and need might need revising to encompass opportunities to utilize Pacific halibut as well, and again, I think, the, the direction that we give here to Council staff to pursue modifications to the purpose and need statement we'll leave to their discretion whether or not halibut is included in the purpose and need based on the additional analysis that will proceed from here. Alternative 4, this is the non-trawl RCA repeal idea. Have recommendations both from the GMT on the GAP that while this has been an item on our new management measure list that the Council has retained for consideration, more modern thinking is that where we are proceeding with considering access to the RCA in a stepwise fashion, and that's I think what we see in Alternatives 1 and 2 and 3 and that removal of the RCA wouldn't be appropriate at this time, and there really isn't an ability or data to effectively analyze it. The GMT is recommending that we include it back on the workload prioritization list among the other items on our list, and that seems like a reasonable placement for this alternative so that it's not lost from our thinking but would not move forward as part of this action. Alternative 5 on the Cowcod Conservation Area repeal. Been a lot of very positive comments about the ad hoc work group and how effective that process was. I'll refer to the information provided to us both in the report and in the presentation from Oceana today that how important it is to consider that with the repeal of the cowcod areas new fishing effort is certain to emerge and we want to be thoughtful about it and it seems appropriate to not increase bottom contact with new gear types and new activities in these most sensitive areas. I appreciate Oceana's approach in that they were looking to protect the most sensitive areas, and it was quite amazing to me to see that with retaining only 12 percent of the cowcod area in proposed new closure areas that would protect the most densely abundant species of coral and sponges, in fact encompass, you know what, 44 and 35 percent of those populations that currently are in the cowcod area, it's quite remarkable and I think it is the right step forward appreciating that there is some work to be done yet on what mechanism is used to employ the new closure areas and maybe we might need some refinement in the thinking about what they are called. There's been the suggestion both in the GMT report and elsewhere that these may be the mechanism of block area closures might be the most effective mechanism to enact these new proposed closure areas and certainly

support the analysis moving forward, whatever the mechanism might be. So, I can't state enough how many times we have been seeking movement on the Cowcod Conservation Area. Historically we asked for adjustments of the outer boundaries because we really wanted to provide access to those deeper water slope fishery resources, particularly sablefish, which we've identified over and over as being underutilized in the southern area. We've made it a priority to increase utilization of sablefish in the south and this particular action, I believe, will go a long way toward attaining that goal. Similarly, we now have rebuilt cowcod and there are a number of other areas beyond just the deep slope that certainly will afford opportunities for shelf and slope fisheries, both commercial and recreational, to improve their utilization as well. So, I'm very pleased to see this element of the proposal. It's been a long time coming. And with that, I will wrap it up and say thank you.

Marc Gorelnik [00:31:12] All right thank you Marci. Are there questions for the maker of the motion?
Heather Hall.

Heather Hall [00:00:00] Excuse me Chair Gorelnik I do not have a question. Was just going to make some comments.

Marc Gorelnik [00:00:06] All right. Let me just first see if there are any questions on the motion? Now we'll have discussion so Heather Hall.

Heather Hall [00:00:14] Thank you. Thank you Chair Gorelnik and thank you Marci for the motion. I just want to note and appreciate that it does include Alternative 6, which is the alternative that's specific to Washington. And just provide some comments here. WDFW has a long history of being precautionary with our approach to the RCA and this particular issue I don't see as a departure from that. Our report from November really does provide some of that background as well as laying out how we are thinking about this and talking about it. As the Council considers changes to the non-trawl RCA, we wanted to provide the opportunity to hear from stakeholders in Washington and get their input on that, but we've also really put some specific objectives out to frame those discussions and our November report also points out that we expect to take some time to do that. We specifically made the Washington alternative separate from all the others, so we don't hold up actions in Oregon and California. And I would just add that I think the public comment that we heard this afternoon really highlights the contrast in that and what we heard from Steve Westrick from the Westport Charter Boat Association and others from California about the need and the urgency for action and so I just wanted to provide that as we go forward. Thank you.

Marc Gorelnik [00:02:10] Thank you Heather. Phil Anderson.

Phil Anderson [00:02:13] Thanks Mr. Chairman. And I just have one small add to what Heather provided in the GMT report under, I think it's Alternative 6, they talk about the anticipating or that it's highly likely that there will be some alternatives developed in time to bring to the September Council meeting. I personally think that's unrealistic. We're about ready to enter into the prime fishing time and the people that need to collaborate and discuss this topic are going to be fishing so I don't anticipate that we would be ready for that or be bringing that forward in September.

Marc Gorelnik [00:03:03] Further discussion on the motion? Maggie Sommer.

Maggie Sommer [00:03:12] Thank you Chair. I just wanted to support the motion and support all of Marci's very comprehensive rationale for the motion. I don't have anything to add.

Marc Gorelnik [00:03:25] Thank you Maggie. Anything else? Okay, I'll call the question. All those in favor say 'aye'.

Council [00:03:36] Aye.

Marc Gorelnik [00:03:36] Opposed, no? Abstentions? The motion passes unanimously. Thank you, Marci, for the motion. Maggie Sommer.

Maggie Sommer [00:03:52] Thank you Vice Chair. I'd like to offer a second motion. Sorry Chair. Didn't mean the demotion. Thank you Chair Gorelnik. May I offer a second motion please?

Marc Gorelnik [00:04:01] You may.

Maggie Sommer [00:04:02] Thank you. I move the Council add to the Alternative 3 Suboptions as follows: For Suboption 1 include an option to prohibit groundfish non-trawl bottom contact gear in the entire of EFHCA for trawl EFHCA's with small portions outside the existing non-trawl RCA seaward boundary, as recommended in F.6.a, Supplemental Habitat Committee Report 1. Add a new Suboption 2. Prohibit commercial groundfish fishing with non-trawl bottom contact gear in the area west of the Heceta Bank EFH Conservation Area as proposed in F.6.a, Supplemental ODFW Report 1. Add new Suboption 3. Identify potential new Yelloweye Rockfish Conservation Areas, if any, that could be used to mitigate impacts to yelloweye rockfish resulting from this action, which could be implemented in biennial management measures or inseason action. And request that Council staff, 1: Provide information on the types and extent of area management measures that could achieve the intent of each Suboption, and 2: Consider recommendations on analysis of Alternative 3 in F.6.a, Supplemental Habitat Committee Report 1 and Supplemental Gap Report 1, April 2022.

Marc Gorelnik [00:05:31] Thank you Maggie. Is the language on the screen accurate and complete?

Maggie Sommer [00:05:34] Yes.

Marc Gorelnik [00:05:34] I'll look for a motion. Seconded by.....rather look for a second and it was seconded by Marci Yaremko. So please speak to your motion.

Maggie Sommer [00:05:44] Thank you Chair. This motion adds options for measures to, pardon me, adds options to Alternative 3 for measures that would protect habitat and or rebuilding species as an area long closed to non-trawl groundfish fishing may be reopened under Alternative 3, recognizing that although the primary purpose of the non-trawl RCA has been bycatch reduction, it has had a corollary mitigating effect on adverse impacts to EFH from non-trawl groundfish fishing. Reminding ourselves that EFH is every, for groundfish is everything from the, from shore out to 35 hundred meters, not only those areas in EFH Conservation Areas. As Marci highlighted, the Council will be conducting a full groundfish EFH review in several years and we expect that will include a broad range of stakeholders and data and I agree that's the right venue for considering changes that could affect non-Magnuson fisheries such as new or expanded bottom contact EFH Conservation Areas that would apply to state managed fisheries as well as federal. However, we also have a responsibility to consider impacts to EFH in our fishery management actions. As action on this item could occur before the next groundfish EFH review, potentially resulting in opening some areas to non-trawl groundfish fishing where it has not occurred in many years, I think it's wise to consider taking precaution to keep the gear types most likely to affect habitat out of these areas if and when they are opened as a result of this item. Specifically, the intent of Suboption 1 as presented in Attachment 1 is to minimize to the extent practicable adverse effects on groundfish EFH in portions of trawl EFH Conservation Areas that would be opened under this alternative. As currently worded, previously adopted by the Council and presented in Attachment 1, this could result in bisecting some EFH Conservation Areas with new management lines illustrated in red on the Bandon High Spot EFH Conservation Area on one of the slides Jessi presented earlier today. The intent of the addition that this motion proposes would be to include an option to apply a

layer of protection to the entire trawl EFH Conservation Area for those EFHCAs where a small portion is currently open because it is outside the seaward boundary of the non-trawl RCA. In addition to extending the habitat protection to the entire area within these EFHCA boundaries, it would simplify compliance and enforcement by avoiding subdividing the EFHCAs with different regulations in different portions. To be clear, I am proposing adding this to the existing Suboption rather than substituting it in response to the concerns expressed by the GAP about creating new closures under this action. Off of Oregon there are 2 trawl EFHCAs this could apply to, the Bandon High Spot and Nehalem Bank and the portions of both that are currently open to non-trawl groundfish fishing because they're outside the seaward boundary of the non-trawl RCA appear small on the map, but there are EFH Conservation Areas in California that are situated differently relative to the existing seaward non-trawl RCA boundary and applying gear prohibitions in the open portions of those could result in significant new closures, which is not the purpose of this action. So, in this context, the word 'small' is important, even though it is subjective. Analysis of the approach proposed here in this motion should include an investigation of fishing effort in the portions currently open using VMS logbook and other available data, and I hope to receive industry input on the effect of applying the proposed protections in the currently open areas. Regarding new Suboption 2, this proposes the Heceta Bank West Area described in the ODFW Supplemental Report 1 under this action item, and the intent here is to minimize to the extent practicable adverse effects of fishing on groundfish EFH and to minimize impacts on yelloweye rockfish as they rebuild by adding a layer of protection in this area as recommended by the Habitat Committee as well as proposed in the ODFW report. For the new Suboption 3, the intent is to provide additional options to minimize impacts on yelloweye rockfish through the establishment of Yelloweye Rockfish Conservation Areas, of new ones if appropriate. I recognize that other tools, such as block area closures, may be effective and more appropriate. I just wanted to specifically request looking into the yelloweye rockfish conservation tool, recognizing as we did with our report the high occurrence probability in particular off of the Heceta Bank area. The request number 1. The intent here is to recognize that there are multiple pathways to achieve the objectives and providing flexibility for Council staff in consultation with agency staff, the Enforcement Consultants, GMT, industry, and others as appropriate to identify options and provide the Council with information on those potential mechanisms and pathways. The next time the Council considers this item will allow us to make the best decision on how to achieve our objectives here. And for request 2, the intent is to support the recommendations for analysis included in the Habitat Committee and GAP reports referenced here, but not intended to limit the analysis to only topics identified in those reports. Others may be explored, and for example there is an additional recommendation from the Habitat Committee in their November 2021 report, which was not repeated in the report at this meeting just for brevity. That concludes my remarks. Thank you.

Marc Gorelnik [00:12:41] All right, thank you Maggie. Are there questions for Maggie on the motion? Discussion on the motion? All right not seeing any hands I will call the question. All those in favor say 'aye'.

Council [00:13:01] Aye.

Marc Gorelnik [00:13:01] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much for the motion. Further motions and or discussion on this agenda item? All right Jessi, Brett, how are we doing?

Brett Wiedoff [00:13:31] Thank you Chair Gorelnik. I think we're doing well, and I appreciate the motions and the detail here. I think we've completed our task where we revised the range of alternatives and solidified those and put down some new options as well. I appreciate all the input and also see that we got some guidance in the development of the analysis, and I do appreciate some of the leeway there for Council staff to work with NMFS and other staff to continue to develop this analysis, and we'll do

our best to come back with robust analysis of the information that's been put on in these motions. A question to the comment regarding Alternative 6 from Phil and trying to collaborate and develop something there so would like to have some more discussions on the side about that and the efficacy of that. But at this time, we're going to move forward with Alternative 6 and analyze that as it is and will work on a timeline and come to you likely, in workload planning we can have some discussion on that and how much work will be involved here. We're going to have to do some thinking and strategize. Having said that, we also could think about then in June whether we're ready in September and we can update you then as well. So, I appreciate all the work that everybody has put into this and the conversations we had up until this to get a smooth motion passed and I thank Marci and Heather and Maggie especially. So, I think that completes our Council action for this agenda item.

Marc Gorelnik [00:15:11] All right, thank you very much. Marci Yaremko.

Marci Yaremko [00:15:16] Thank you Mr. Chair. It's been brought to my attention that while my intent was there to include, or that the GMT's report was comprehensive and all-inclusive for everything that we needed to move forward. It's been brought to my attention that in fact, the item 5 discussion in the GMT report references only the CDFW Report 1 back from November, which includes the non-trawl RCA lines that might be utilized with the repeal of the cowcod area. The GMT report does not include as a reference the CDFW report on this item that is.....that was discussed under the materials for this meeting. So, in other words, the new habitat protection areas for coral and sponges that were proposed in the CDFW report here in April, that report is not referenced in the GMT report. So, I just I think I can probably just give this as guidance that my intent is that the proposal that is included in the CDFW report is included among the range of alternatives.

Marc Gorelnik [00:16:57] I'm getting a positive nod from our Executive Director Merrick Burden so we can deem that included. Phil Anderson.

Phil Anderson [00:17:11] Thank you Mr. Chairman. In response to Mr. Wiedoff's comment about talking to me about Alternative 6. While that might be useful, it would be more useful to talk to Heather about the timing of all that. I'd be happy to be included in the conversation but Heather's the one he needs to talk to.

Marc Gorelnik [00:17:37] All right, thanks for that clarification. I'll ask anything further on this agenda item? All right, thank you very much.

G. Pacific Halibut Management

1. Incidental Catch Recommendation: Options for Salmon Troll and Final Action on Recommendations for Fixed Gear Sablefish Fisheries

Marc Gorelnik [00:00:00] That concludes reports. I don't have any public comment so that'll take us to our Council discussion and action. And this is an agenda item that will require motions. So, let's start with any discussion. We can perhaps take them one by one unless someone prefers another approach. The first has to do with recommended inseason changes in the salmon troll fishery. I think we have a recommendation that there not be a inseason change, but that's what the SAS recommended, what does the Council say? I think the Council is fine with that unless I hear otherwise. Heather Hall.

Heather Hall [00:00:48] I have a motion to offer on this.

Marc Gorelnik [00:00:52] On the first action here?

Heather Hall [00:00:53] Yes.

Marc Gorelnik [00:00:54] Yes. Okay Heather. Please go ahead.

Heather Hall [00:00:55] Okay. All right, I move that the Council adopt for public review the alternatives presented in Agenda Item F.2.a, Supplemental SAS Report 1, March 2022 for halibut landing restrictions in the salmon troll fishery in 2022, beginning May 16th and for April 1 through May 15th, 2023, and recommend no change to the current incidental Pacific halibut retention limits for April 1 through May 15th of 2022.

Heather Hall [00:01:35] Thank you Heather. The language on there is correct? On the screen is correct? I just want to get a verbal confirmation.

Heather Hall [00:01:42] Yes, it is. Thank you.

Marc Gorelnik [00:01:42] All right, thank you. Is there a second? Seconded by Phil Anderson. Please speak to your motion.

Heather Hall [00:01:49] Sure, thank you. The motion, as it states, follows along the recommendation in the SAS report. It confirms that there are no changes needed for the retention limits that are in place now through May 15th of this year, and also provides the Council and the public a range of alternatives for review that are appropriate based on the salmon discussions that are underway. I think that covers it. Thank you.

Heather Hall [00:02:23] All right. Are there any questions for Heather on her motion? Is there any discussion on the motion? All right, I'm not seeing any hands. So, I will call the question. All those in favor say 'aye'.

Council [00:02:43] Aye.

Heather Hall [00:02:44] Opposed, no? Abstentions? The motion passes unanimously. Thank you, Heather, for the motion. Let's go back to our list of actions here. I think that might have taken care of one and two. So, let's go to number three here. This has to do with the fixed gear sablefish fishery north of Point Chehalis and see if there's any discussion here or a motion. Heather Hall.

Heather Hall [00:03:18] Thank you Chair Gorelnik. I can start with a little bit of discussion here and then I do have a motion as well. As was mentioned in the IPHC report and then followed up again in the GAP report, the sablefish fishery north of Point Chehalis, the allocation for that dropped from 70,000 pounds to 50,000 pounds this year, so I appreciate the work that the GMT did to explore that and provide the Council with some information. I also appreciate their coordination with the GAP in looking at what a reasonable landing ratio might be for us as we contemplate what that limit might be.

Heather Hall [00:04:10] Any further discussion? Why don't you proceed with your motion please?

Heather Hall [00:04:21] All right. I move that the Council adopt a final trip limit ratio of 150 pounds of Pacific halibut per 1,000 pounds of sablefish, plus 2 additional Pacific halibut for the primary sablefish fishery north of Point Chehalis, Washington as recommended in the Supplemental GMT Report under Agenda Item F.2.a, March 2022.

Heather Hall [00:04:45] The language on the screen is accurate and complete?

Heather Hall [00:04:51] Yes, it is. Thank you.

Marc Gorelnik [00:04:52] I'll look for a second? Seconded by Phil Anderson. Thank you Phil. Please speak to your motion.

Heather Hall [00:05:01] Thank you. As I mentioned, the GMT in their report, they explored the last time the allocation to this sector was at the 50,000-pound level. So, this recommendation of 150 pounds for the landing limit, while it may go over based on the projections that the GMT did, I think they, the GMT did a good job of explaining that the actual landings in 2018 under the same allocation were a little bit below that. Also, would note here that we do track catch in this fishery weekly, on a weekly basis. There's opportunity to take inseason action if these projections are not following along the expectation of the GMT. So, there's a safety net there in that regard. Yeah, that's it. Thank you.

Marc Gorelnik [00:06:04] All right thank you. Are there any questions for Heather or discussion on the motion? All right I'm not seeing any enthusiasm for that. Let's take a vote. I'll call the question. All those in favor say 'aye'.

Council [00:06:24] Aye.

Heather Hall [00:06:25] Opposed, no? Abstentions? The motion passes unanimously. Before I turn back to Robin let's see if there's anyone on the floor here or in our virtual world, Council members have any other discussion or action on this agenda item? All right, Robin, how are we doing on F.2?

Robin Ehlke [00:06:52] Doing very well. Thank you Mr. Chair. It looks like you've completed your action under this agenda item. We have three options for halibut retention in the salmon troll fishery ready to move forward for public review, and we've made final action on the limits for the sablefish fishery. So, with that, I think we've done everything under F.2. Thank you.

Heather Hall [00:07:20] All right. Thank you very much, Robin.

H. Administrative Matters

1. Final West Coast Regional Framework for Determining the Best Scientific Information Available

Marc Gorelnik [00:00:00] We don't have any public comment, which I was just going to check, so that will take us to Council action. We've received a presentation and we've gotten some specific recommendations from the SSC so we'll open the floor here to discussion and any sort of comments we might want to provide. Maggie. Thank you. You always come to our rescue.

Maggie Sommer [00:00:29] Thank you Chair Gorelnik. And thank you to Kevin and Kristen for the presentation. Recapping much of the work that has already been done and the recent updates that were responsive to the SSC's last set of recommendations, and I would certainly support their current recommendations to make several clarifications before the framework is finalized and then to... they called out several needs for future work after finalization. Thanks.

Marc Gorelnik [00:01:06] Thank you Maggie. Is there any, anything further from the Council? Any disagreement with what Maggie's put forward? Heather Hall.

Heather Hall [00:01:24] Thank you Chair Gorelnik. No disagreement. I just appreciate the SSC's attention to this and for and just reiterating what Maggie said about making sure those comments from the SSC are captured in this next version before it's finalized. Thank you.

Marc Gorelnik [00:01:44] Thank you very much. Let me see if there's anything further from the Council, whether in-person or virtually. Mr. Anderson.

Phil Anderson [00:01:56] Thank you Mr. Chairman. And Kristen thanks for....I found the salmon tab in the Excel spreadsheet and the timeline there which was helpful to address the questions I had. So, thanks for that.

Marc Gorelnik [00:02:19] All right. Anything further? John DeVore, what say you?

John DeVore [00:02:37] Well I'd say you've done a very good job. You had a good discussion. I want to say from my perspective I really appreciate the work between Dr. Hastie, Miss Shoffler and the SSC. I think that's really led to a pretty smooth process. You've provided some comments basically supporting the SSC's recommendations on some clarifications to the framework. And with that I think the National Marine Fisheries Service has all they need to meet the policy directive mandate to provide this framework by next month. So, you have completed this agenda item.

Marc Gorelnik [00:03:28] All right, thank you very much.

2. Membership Appointments and Council Operating Procedures

Marc Gorelnik [00:00:00] I don't believe we have any public comment so that will take us to our Council discussion and action here. We've got a number of things. We have some appointments. We have to discuss the ad hoc proposal for an ad hoc committee and what we want to do with the current vacancies on advisory bodies. So, before we move to any motions let's just see if there's any discussion. Maybe we can take up the ad hoc issue first and see what the pleasure of the Council is there. Maggie.

Maggie Sommer [00:00:45] Thank you Chair. I think from my perspective an ad hoc committee does make sense. I think we all recognize that there will need to be representatives from each state. We will need to be hearing input from our scientific advisers, whether that's through the SSC, the Science Centers or both. We will need some advisor....some of the GAP members I think, recognizing that discussions and progress on this issue could be made regardless of whether a committee is formed. It does seem to me that having the structure of a committee and the potential for facilitation and support just of the committee and its logistics and operations seems like it could be helpful to the process.

Marc Gorelnik [00:01:42] Marci Yaremko.

Marci Yaremko [00:01:42] Thank you Mr. Chair. I think I concur with the remarks made by Mr. Burner earlier that not sure a whole lot of progress can be made on this topic between now and June, and we are lacking input from at least the SSC on this topic. Also feel like maybe a NMFS report of sorts might be useful both from the region and the Science Centers. So, I'm... I guess I'm not completely confident that establishing a workgroup or a committee is going to be necessary. It may be. It's not a bad idea but there may be other approaches. I know I had heard discussion in the hallway about possibly holding a workshop first as kind of a kick-off event. I don't know where that discussion went but it didn't sound like a bad idea. So, I think maybe it's just timing isn't quite ripe yet to make any firm decisions at this stage. Thanks.

Marc Gorelnik [00:03:02] Thank you. Heather.

Heather Hall [00:03:04] Thank you Chair Gorelnik, and I appreciate the comments from both Maggie and Marci. I think an ad hoc workgroup will be really helpful. I think there's a broad range of expertise that will be needed to work through this issue and don't want to see it just on the backs of the GMT so really want to make sure that's there, but also agree with Marci that we in terms of setting one up at this meeting I think without especially the SSC weighing in I don't think we're ready for that. But I appreciate having the conversation now about it, flagging the idea that we could talk more about this ad hoc group in June under the scoping of this and this morning in our morning meeting we talked about what a potentially big issue this is and so how we handle that and how we break it down into smaller pieces and prioritize our work through this process, I think, will be part of that discussion in June too. So, thank you.

Marc Gorelnik [00:04:23] Thank you Heather. So, I think what I'm hearing is people think it might be a good idea, but maybe we need to have further discussion in June about this. Also, I would note that if we were going to appoint a committee that requires consultation with Council members and obviously there's not time to do that now so can we, is there general agreement to think about this and maybe have a further discussion in June? Okay I'm not.....Mr. Burner.

Mike Burner [00:04:55] Thank you Mr. Chair. Just for clarity, the formation of the group itself would require a motion of the Council, that being the representation and, you know, the fact that there is the committee. It's the people that then would be appointed to the seat that can happen at your discretion in

consultation with the Council. So, we'll move forward and maybe put some summaries of this discussion in the situation summaries for the stock definition item and the COP item for the June meeting and we'll have a further discussion of this topic then.

Marc Gorelnik [00:05:22] Great. And then maybe a motion at that time. Mr. Anderson.

Phil Anderson [00:05:27] Yeah, thanks Mr. Chairman. Yeah, I agree with, with your summary. I think a group will be needed and I think we need to formalize it to ensure that we have the appropriate expertise on it. I also don't think we should try to go too far today. And I, you know, I'm thinking about the workshop idea and all of that so. And I also think we'll need the help of the Council to help organize the meetings and all that as well would be an added reason to have a committee formed under the Council umbrella so... but I think we need to hold off deciding on the committee until June and have some, give some further thought about what the composition might look like.

Marc Gorelnik [00:06:26] All right, thank you. So, I guess we'll discuss this again in June and maybe be prepared then or maybe not. Let's take up next the issue, we have some vacancies on advisory bodies, and I guess it's really a question of timing. There's a little bit of time between now and the briefing book deadline to take up these items in June but if we decide to take up the nominations in September, we would have more time to advertise and solicit a nomination. So, I guess it's....what's the sense of the Council? Phil Anderson.

Phil Anderson [00:07:10] Well, I guess I'll just...I'll speak to the Washington charter one. I had originally thought that putting out a solicitation now with the potential of making an appointment in June made the most sense, but as I think about the compressed timeline that we have here in terms of getting this solicitation out, getting them back and there's going to need to be some discussion within I think the charter industry in Washington to figure out a replacement. I am more inclined to wait until... well... wait... whatever the right timing is but wait until September to actually make the appointment so.

Marc Gorelnik [00:07:57] All right, is there any disagreement with that? Are there any of these vacancies that were mentioned that folks think it's imperative that we get someone appointed sooner? Vice Chair Pettinger.

Brad Pettinger [00:08:12] Yeah, thank you Chair Gorelnik. I think deal with the processor north seat. It's a pretty small community and you think that the word could get out fairly quickly and maybe they're probably thinking about somebody already and I think it might be wise to put that one out and get that seat filled. I would expect that people have been thinking about that so it's not like it's a larger universe with the entire West Coast, right? We're talking about so many companies and so they have a processors association and I think they can probably figure out someone to put on their so...

Marc Gorelnik [00:08:45] Okay, so that's processor north on the.....

Brad Pettinger [00:08:48] On the GAP.

Marc Gorelnik [00:08:49] On the GAP. And was there a tribal vacancy we needed to fill as well. Mr. Oatman.

Joe Oatman [00:09:00] Thank you Mr. Chair. I think with the Habitat Committee we do have a nominee to potentially take up in June. Same may be the case for the Model Evaluation Workgroup.

Marc Gorelnik [00:09:21] Okay. So, Mr. Burner, if we were, in terms of advisory bodies here, the

process....GAP Processor North and Tribal Habitat Committee and I'm not sure if we handle the Model Evaluation Workshop differently than the advisory bodies, but at least in terms of advisory bodies, those two, could we get those out for the June meeting and leave the balance for September?

Mike Burner [00:10:03] Thank you Mr. Chair. Yes, I believe we could. We don't typically solicit for like the MEW or the Salmon Technical Team or our other technical teams, but we could certainly entertain a nomination if one should come forward. We certainly could open any of these. Again, there's just a compressed timeframe, but if it sounds like there's some names out there that people think we could turn that around, I'd be happy to. So, what I'm hearing is that the tribal seat on the Habitat Committee and the processor seat on the GAP, which I'll just note is just an At-Large processor seat. It's not a north south thing but we could put a nomination out there pretty quickly after this session and see what comes.

Marc Gorelnik [00:10:44] So is that acceptable to the Council? Okay then, I think that's what we'll do. And in terms of the Model Evaluation Workshop, if that comes forward in June we can pick that....we can take that up in June. Is there any further discussion on the vacancies on the advisory bodies? All right we'll move on to appointments. This was a matter that came up in our Closed Session, so I don't know if there's any discussion or whether we need to move directly into our motions since we've already had that discussion. So, we have two vacancies on the CPSMT and I'll look to Ryan Wulff.

Ryan Wulff [00:11:41] Thank you Chair. And I do have a motion. I move the Council appoint Dr. Brittany Schwartzkopf to the National Marine Fisheries Service position on the Coastal Pelagic Species Management Team currently held by Dr. Kevin Hill, and appoint Miss Taylor Debevec to the NMFS position on the CPSMT currently held by Mr. Joshua Lindsay.

Marc Gorelnik [00:12:12] All right, and that language on the screen is accurate and complete?

Ryan Wulff [00:12:14] Yes.

Marc Gorelnik [00:12:15] It appears so... look for a second. Seconded by Pete Hassemer. Please speak to your motion as necessary.

Ryan Wulff [00:12:21] Yeah, thanks Chair. Dr. Schwartzkopf has a Ph.D. in Fisheries Science from Oregon State and has been working at the Southwest Center on CPS aging issues and we think she'll be a fantastic addition to the CPSMT. And as Mike noted, I did want to reiterate Dr. Hill has been a member of the management team for 25 years. Was on the SSC for 8 and chaired the SSC for 2 so just wanted to echo really heartfelt thanks to Dr. Hill for his extensive years of service providing the MT with stock assessment support. Miss Debevec has been working for the Sustainable Fisheries Division of the region, initially as a contractor and then as a federal employee since 2014. And ever since she started, she's been engaged with the Council process, working for the agency on HMS, CPS and now marine planning matters. She's developed EFPs, rule rulemaking packages, proposals to international bodies and done a number of other related analyses and also recently supported CPS management doing our spex packages for sardine and mackerel. So, I think she'll be a great addition to that team. And I do want to take a moment to also echo Mr. Burner's comments from the overview regarding Mr. Lindsay, thanking him for his extensive service on the management team and all of his contributions, expertise and insight on CPS. And I'll note that while we're losing Dr. Hill, Mr. Lindsay from the management team, they're not going to completely disappear from the Council process and Dr. Hill will help out as much as he can on various issues, and you will very likely be seeing Mr. Lindsay in the chair that I'm occupying right now at future meetings. And with that, that concludes my remarks.

Marc Gorelnik [00:14:11] Thank you very much. Is there any discussion on this motion? If not, I will

call the question. All those in favor say 'aye'.

Council [00:14:20] Aye.

Marc Gorelnik [00:14:20] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much for the motion. We'll move next to the Washington Department of Fish and Wildlife position on the Habitat Committee, and I'll look to Heather Hall.

Heather Hall [00:14:40] Thank you Chair Gorelnik. I move the Council appoint Miss Laura Brown to the WDFW position on the Habitat Committee currently held by Ms. Randi Thurston.

Marc Gorelnik [00:14:53] Is there a second? Seconded by Butch Smith. Please speak to your motion.

Heather Hall [00:14:59] Thank you. I am pleased to nominate Miss Brown as the WDFW representative on the Habitat Committee. Miss Brown works in our department's Habitat Program as the Restoration Coordinator, Coordination Manager for the Lower Columbia River. Her responsibilities include working with the Columbia River Basin Policy and Science Leads to develop and implement and manage large scale aquatic restoration efforts throughout the Lower Columbia River and think Miss Brown is going to be an excellent representative for the Department on the Habitat Committee. I also want to acknowledge Miss Randi Thurston's time on the Habitat Committee since 2016. She has been an effective and valuable representative on that committee for the department and we really appreciate her contributions to the committee and the Council process. Thank you.

Marc Gorelnik [00:16:03] Thank you very much. Is there any discussion on this motion? I'm not seeing any. I'll call the question. All those in favor say 'aye'.

Council [00:16:14] Aye.

Marc Gorelnik [00:16:14] Opposed, no? Abstentions? The motion passes unanimously. We now have a need to fill a vacancy on the Oregon Department of Fish and Wildlife position on the Model Evaluation Workshop, and I'll look to Maggie Sommer.

Maggie Sommer [00:16:33] Thank you Chair. I move the Council appoint Miss Emily Shallow to the Oregon Department of Fish and Wildlife position on the Model Evaluation Workgroup.

Marc Gorelnik [00:16:45] Thank you Maggie. That language looks complete and look for a second? Seconded by Christa Svensson. Please speak to your motion.

Maggie Sommer [00:16:52] Thank you Chair. Miss Shallow has a Master's of Science in oceanography and coastal sciences from the University of Louisiana. She brings expertise in biology, ecology, as well as data analysis and modeling. She's currently supporting providing technical support for Oregon's ocean salmon managers and we look forward to her contributions to the Model Evaluation Workgroup in this forum. Thanks.

Marc Gorelnik [00:17:17] All right thank you. Is there any discussion on this motion? I'll call the question. All those in favor say 'aye'.

Council [00:17:24] Aye.

Marc Gorelnik [00:17:24] Opposed, no? Abstentions? The motion passes unanimously. So that completes our motions and I think it completes our action here, but let me look around the table and

see if anyone has anything else they want to take up under this agenda item? Mr. Burner, how are we doing?

Mike Burner [00:17:49] We're doing great. Thank you Chair Gorelnik. We will move forward with the four appointments that you just made. We will also open up for nominations 2 positions, 1 on the Tribal Representation and Habitat Committee and the At-Large position on the GAP. I'll leave those other three for your discussion and consideration in June, and we will look for some further discussion regarding a potential ad hoc committee to deal with stock definitions in the groundfish world but that'll be for your June meeting. So, thank you very much.

Marc Gorelnik [00:18:20] All right. Thank you very much Mike.

3. Future Council Meeting Agenda and Workload Planning

Marc Gorelnik [00:00:00] We have completed reports and public comment on Agenda Item H.3 and so we will now move to our discussion and action, and for that I will ask our Executive Director to take the lead.

Merrick Burden [00:00:18] Yes, thank you Mr. Chairman. Excuse me. What I think would be helpful here is to, since we do have a few questions to work through, which I would couch as one, is the format for June. Two is the agenda for June, and three would be the Year-At-a-Glance I would suggest that we start by looking at the June agenda and clarify that and that may have some bearing then on some discussion about the format, the best format for June if there is the need for discussion there, and that that should then tee up a discussion of Year-At-a-Glance as number three. So, unless there's any objection to that, maybe what I'll do is get us started in looking at the June agenda. Again, you do have two of them in your briefing book. I'll be looking at the supplemental one that's been modified here over the course of the week. So, in looking at that agenda, what you'll see is that Wednesday we start off with a few advisory bodies. And in particular, I would ask you to keep in mind the groundfish heavy nature of our June agenda item, so we do have the GAP and the GMT in particular starting early. We also have the CPSAS, the CPSMT, the SSC, the EC, and the Legislative and Budget Committees. So, as we move into Thursday, we will have had a Council Coordination Committee meeting in May and so we'll be reporting on that. We also do have this issue of the financial disclosure and recusal policy, and in speaking with General Counsel, this will start to become a standing item that we'll do once a year. We also then have the need to modify potentially our COPs as part of that recusal policy, so we envision this coming back in September also. And this would in June would provide a briefing of that item. We then have habitat issues and coastal pelagic species issues. I would maybe look to Mr. Wulff here. He did make note in a earlier conversation about making sure that the CSNA Assessment would be ready in time for the June meeting. I believe that's correct, but just looking to him. And then we have the Assessment Terms of Reference, preliminary action. And there's been some talk of potentially lumping the Coastal Pelagic Species EFH in under that item as well. Not....sorry, not that item following that item. So, the EFH, CPS EFH item is shaded in our mini-box and there's been some thought about potentially moving it around right after E.2. Moving on to Friday, we then have Workload and Management Measures Update. There was some talk in the GAP statement about potentially removing that item. We also then have Limited Entry Fixed Gear Program Review and Stock Assessment and Plan and Terms of Reference and that would be a final action. We spoke internally last night about the stock definitions issue. We thought that this might be a good place to bring that up would be Friday, if we wanted to put that on our agenda for June, and that would involve some of our earlier discussion about whether to create a committee, what that committee might be made up of. That, of course wouldn't happen there. There would be membership appointments but then there's also the question of scoping and so perhaps all of those come together, perhaps not, but that's one idea. And then moving into Saturday, we have Sablefish Gear Switching Update and I would just reiterate that we see this breaking itself into two days, so starting off Saturday similar to some of the agenda items we did this week where we would go through staff summaries, advisory body reports, presumably public comment, and then come back the following day to pick up action on that item, letting it percolate through the evening and afternoon of Saturday so that motions are ready on Sunday. And then we have EFPs on Saturday as well under F.6. Excuse me, I've got a frog in my throat this morning. Let's see and then moving over to Sunday. We have a few matters here on HMS. So, NMFS report, there was some talk about that potentially not needing a full hour as you have on your supplemental agenda. Maybe that could go more quickly. We also have International Management Activities and presumably we would look to Miss Svensson to provide an update on things of that nature. EFPs and then Drift Gillnet Hard Caps scheduled for three hours. Thank you, sir. There was some talk internally that perhaps that could be reduced down to two hours if necessary. And then finishing the day with a Sablefish Gear Switching Update. We

would be looking for motions at that time. So then just quickly moving through Monday and Tuesday, so that would involve finishing, let's see here, sorry, groundfish F.6 looking at our spex items. That would be, also something I failed to note, that would be broken into two parts, so the first part would be Saturday and we would come back Monday for motions. And then Inseason Adjustments to follow. And then if we were to put Marine Planning on our agenda, this might be the day we would look to do that. And then on Tuesday we have relatively similar things, Fiscal Matters. We do have an outstanding budget question that Patricia and I are continuing to noodle on that we would bring back to you in June for final decision on our operating budget. I would envision us having some Legislative Matters at that point. A couple of Council meeting records for a couple of meetings and then issues with Membership Appointments and then Future Council Meeting Agenda. So again, we do have some things here in our little box. So Marine Planning, we have some ideas about where we would put that. We have Research and Data Needs. That's not a time sensitive matter so if we need some time, we can continue to leave that off if necessary. Coastal Pelagic Species, my understanding is that the Science Center has already secured a contractor on this and that it is moving forward and that it will continue to move forward whether or not it's on our agenda or regardless of whether it's on our agenda in June. And then we have Groundfish Electronic Monitoring, and as Mr. Anderson indicated earlier this week, it would probably be appropriate to have a at least an update on how the GEMPAC and TAC have been doing between now and the June meeting. So, I'll pause there and maybe look to Mr. Burner to see if he has anything more to add on that June meeting summary.

Mike Burner [00:08:01] Thank you Chair Gorelnik, Merrick Burden, thank you. I guess the only thing I would add is it's been pointed out to me that it seems a little misleading that there's only point seven hours available floor time. I guess assuming if the Council is okay with a five and a quarter day on day last we would probably have a two hour block then to fill in on one of the days prior to day last, and as Director Burden pointed out, I do think the idea of moving Stock Definitions to immediately follow the Stock Assessment Plan Terms Of Reference would make some sense, and that would free up a couple of hours on that Monday the 13th to potentially slip in a Marine Planning Update for a couple of hours. So, I think it was a good overview. I just add that little piece. Thank you.

Merrick Burden [00:08:44] And with that Mr. Chairman I guess I'd be happy to pause here and entertain discussion or feedback from you all on the June plan. Also, happy to keep going but I think it may be wise to have some discussion at this point.

Marc Gorelnik [00:08:58] Well I see a hand up already. Phil Anderson.

Phil Anderson [00:09:02] Thanks. Two things. Ryan and I were talking about flying here about the Electronic Monitoring Update, and originally, we had this on here with the idea that there was some potential scoping an amendment, but in further thinking about this and hoping I don't run afoul of my fellow committee members, I think....I don't think we need to have this agendized for June. I think we could....if there's a report to be had we could include it as an informational report and you could, you know read about it because we have a lot of work to do before we get in.....we have something really substantive to bring back and include in the report. So that's my thought and recommendation is that we not try to squeeze that in because I think September will be the time when we really have something substantive to bring in an ROA and those kinds of things. That's number one. Number two is a question. We have Sablefish Gear Switching. The terms that we're using to characterize what we're doing there is an update. And so, I'm just curious what is it we're trying to accomplish with Sablefish Gear Switching? Obviously, we envision it to be a meaty topic. We've got it 5 hours. But in my mind, it doesn't take 5 hours to do an update. So, I'm assuming that we're going to try to do something. We're going to try to make some substantive progress. And so is.....what's envisioned in terms of what we're trying to accomplish with our 5 hours on this item in June?

Merrick Burden [00:11:22] Yeah, thank you Mr. Anderson. We have had some internal discussion about what to call that, and maybe Mr. Burner recalls those discussions better than I do and I would ask him to weigh in on your question.

Mike Burner [00:11:35] Thank you Mr. Chair, Director Gorelnik. Excuse me, it's been a long week. Director Burden. Perhaps the update is not quite the right term for that. I do know that in some discussions with Dr. Seger there is quite a few questions that he has for the Council so perhaps part of the mismatch here is just that my use of the word 'update' in this quick reference. I'm not sure if Jim is on the line but I know he's got a lot of thoughts and several topics he likes some feedback on. I don't feel like my depth of experience with this gear switching item is good enough to tell you exactly what those are to be frankly honest. But perhaps I think the only mismatch here is my use of the word 'update' here could be the mismatch. Thank you.

Marc Gorelnik [00:12:26] Ryan.

Ryan Wulff [00:12:26] Yeah, thanks Mr. Chair. I have some additional thoughts, but I think to that last point, perhaps similar to what we had for this meeting, maybe an agenda item of a revised ROA would be more appropriate for the gear switching? And I'll stop there to see if there's additional comments on this before I raise my hand for other comments on the calendar.

Marc Gorelnik [00:12:52] Right. I know you had your hand up for some other things. So, with regard to this one particular Agenda Item, F.5...is that ROA? Maggie.

Maggie Sommer [00:13:06] Thanks Chair. Yes, it's been my understanding that what is needed is at least some Council clarification on some elements of the previously adopted alternatives. And so that...and that's needed in order to enable staff to move forward with analysis. And so to me, that does make it a revision of the range. We may want to consider messaging around that would not...at least it would not be, my hope that we would be, you know, entertaining entirely new proposals for alternatives or really broadening things beyond where we are. I think the intent is just to provide that necessary clarity.

Marc Gorelnik [00:14:03] Christa.

Christa Svensson [00:14:04] Thank you Mr. Chair. I guess I have a few statements on this topic. Firstly, we did and have on a number of occasions told the public that we would allow additional range of alternatives potentially, so I think if this is the time then the June meeting, if we're going to scope that, really needs to be when they bring those in. That probably does mean a 5-hour meeting if that's what we're really looking at. The other portion of this that I want to talk about for a minute and I was going to bring it up at the last meeting, but we were also civilized that I thought, 'Oh I'm not... not going to be the one that brings it up'. I feel like this topic is a really sticky wicket. We obviously have been using honey because the fly that I see has to do with the SaMTAAC Committee and how that is working. So currently this topic is at the Council. I know we have had at least one email that has gone out to SaMTAAC members, not the full Council, and that is concerning as somebody who wasn't even eligible to be on the SaMTAAC because that committee was formed before I was a Council member. I'm not suggesting that I want to be on a gear switching or SaMTAAC Committee or that we even need one, but I do think that it is appropriate for communication coming from staff or interested parties to be going to all Council members on this topic. If we do decide that we need a committee, and again I'm not recommending it, I don't know that we do need one. We gave a final report. The original SaMTAAC was geared to look at a number of different items. Ultimately, we chose gear switching as the important one that we were going to focus on, but we did not change the membership of that committee. And so, we have a number of committee members who are non-voting that come out from south of 36. They

would not be impacted, particularly because gear switching as a topic is focused on north of 36. And I'm not saying that they're not invested. I'm not saying they're not knowledgeable, but I do think that we need to really look at the formation of that committee if we're going to use the committee moving forward. And at this time again, I just think that it's really important that this is a Council topic and that that communication should be going to all of us.

Marc Gorelnik [00:16:52] All right, thank you. So, I guess I heard two things there. One has to do with how we describe this Agenda Item F.5, and I guess we'll leave it to Council staff to capture that. And the other, I think you're suggesting that we should add something to our membership appointments to discuss the composition of the SaMTAAC. Do I have that right?

Christa Svensson [00:17:16] Well either... I mean my recommendation would be either we dissolve the SaMTAAC, because we're not looking at SaMTAAC items. If we want to reconstitute the committee, we would have a Gear Switching Committee at that point and identify the appropriate members for that. But others obviously probably will feel differently. But I do think no matter what, it is appropriate to have committee members that are representative of what the current issue is, not the range of issues that that committee started with.

Marc Gorelnik [00:17:48] But that's not something we would take them under F.5.

Christa Svensson [00:17:50] No.

Marc Gorelnik [00:17:55] Phil, I think you're.....

Phil Anderson [00:18:06] The SaMTAAC provided the Council its final report in June of 2021, right? Do I have the year right? I know I have the month right. And we haven't met since then obviously, since we provided our final report that was in response to the assignment we were given by the Council, which was a coastwide look at sablefish and gear switching and all that stuff. So, I'm a little confused about, I mean it's still on the books. If you go and look at the Council roster, it's still there. So, I guess it would be available if the Council wished to use it again for another purpose and give it another assignment, which it has not done. But we provide.....we did our work. We provided our report and absent the Council directing the SaMTAAC to do something else, and if it did it could of course revisit the composition of the committee. But that's the status of the SaMTAAC and its assignment that, and the assignment that it was given by the Council from my Chair.

Marc Gorelnik [00:19:35] All right Merrick.

Merrick Burden [00:19:35] Yeah, thank you Mr. Chairman. I believe I have created this confusion. So, leading into the March meeting, I think it must have been the March meeting, Mr. Seger was assembling some videos to try to explain the different permutations of the things that we're grappling with on this gear switching issue, and in the interest of getting the word out to folks, he and I had a conversation and I said do we have a committee that works on this? And the answer was, well the SaMTAAC is the closest one. And I said, 'well, let's send it out to the SaMTAAC Committee then and then we'll put it into the briefing book as an informational item'. And I believe my guidance to Mr. Seger triggered some of this confusion and it should have gone to the entire Council. So, for that I apologize. I think the lesson is learned here and I'll just chalk that up as a rookie mistake and hopefully that addresses some of the confusion that's here on the floor.

Marc Gorelnik [00:20:40] All right, thank you. So, I think we've addressed F.5, but maybe not. Corey Niles.

Corey Niles [00:20:52] Just quickly Mr. Chair. I think my understanding is much the same as Maggie's on what the hope of Council staff is for June. As one of the makers of the motions we passed then, there has been a number of questions asked and, Christa, the intent is, I think, just to bring those questions to the full Council and make sure they're fully laid out and prepared. So the other....every question I've seen will be coming to the to the full Council in June. Christa said about opening the range of alternatives... I would, and maybe these are things that can be captured in the situation summary, but my take, and if there's other views of course those are to be expressed, but we did take a big narrowing of the alternatives, not a big narrowing, but we did go from three alternatives to two. So in terms of....I was envisioning there would be refinements tweaks to the two alternatives we have rather than bringing in the whole new alternatives. But as Christa said, yeah, if were to open it that's a potential we'll hear about. But just wanted to voice that. I think we were trying to focus the public and everyone on those two alternatives and the pieces within them and not open it fully up back to new alternatives, full alternatives.

Marc Gorelnik [00:22:14] Thank you Corey. All right so let's see what other comments we have from the Council on our June agenda. Ryan, you're ready for your next comment?

Ryan Wulff [00:22:26] Yeah, thank you. I just wanted to support Phil's comments regarding electronic monitoring and putting that more on September for the YAG when we get there, but reiterating the commitment of the work that's going on in the GEMPAC and those subgroups that will obviously be working hard between now and through June and into September. I did want to... maybe I'll start kind of left to right here. On CPS issues there was a mention in public comment about an update from NMFS on sardine science. Just wanted to let the Council know we were planning to do that, or at least the last time I talked to the center under what would be E.2, that Terms of Reference agenda item, it's a little clunky but I think we could update there. Alternatively, if you wanted to find 30 minutes, somehow we could I guess create a NMFS Report under CPS, but I don't think it's needed. I think we could do it under E.2. For groundfish, support moving up Stock Definitions to Friday and then allowing Marine Planning potentially to go in there on that Monday. I do think having Marine Planning at the end of the week, giving all the advisory bodies time would be good and I think Stock Definition Scoping follows nicely from the stock assessment agenda item. And I would support the GAP request to remove the Workload and New Management Measure Update. Of course, defer to the Council but at least NMFS would support that request. And did want to acknowledge the GMT report and with support from NMFS perspective, the... some direction that the GMT prioritize the harvest spex and the stock definitions, stock assessment discussions over other items as needed. And then if we did remove the Workload and New Management Measures, with that hour NMFS would support putting on the CPS EFH Phase 2, I think we're ready for that. And while that could be potentially delayed, I think we have an hour that we could fill and that would be our next priority there to put in if that's acceptable. And then finally on hard caps, I do have some concerns that I've raised in the past about making sure the Council has the level of analysis that it needs to support, especially a preliminary preferred alternative or a final preferred alternative. So, I do have some doubts of whether or not we'll have that to select a PPA at that meeting. However, I'm okay with the way with keeping it as a possibility, or at least the way it's proposed here to potentially revise the ROA with maybe being able to do a PPA, in particular, because I think that there is some things that could... it would be useful for the MT to get from the Council in June. I think it's very useful for the Council to consider the model inputs and the initial results there, which may lead to some potential changes or suggestions on those fronts to revise the ROA, so that's just a longer winded statement of saying I support having the hard caps where they are, just noting some caution for what might happen. And I think that... and then I support your remark Mr. Burden regarding the potential for postponing the Research and Data Needs as opposed to trying to find a way to fit because I think with the suggestions I just made that would occupy the bulk of our time and cognizant of Mike's comments that we are still at 5 hours on day last and I'll stop there.

Marc Gorelnik [00:26:32] All right, thank you Ryan. Bob Dooley.

Bob Dooley [00:26:37] Thank you Mr. Chairman. I wanted to comment on the EM update that's shaded and I agree with Phil and Ryan's assessment there with one caveat, that would be understanding that we have enough time between now and our final decision on this to promulgate the any rule changes that might be contemplated, and that was the, that was the concern about this to begin with, and I think I'm comfortable with their assessment of that. You did see in the GEMPAC-GEMTAC report that was given that there are a lot of balls in the air right now. There's a lot of decisions to be made. A lot of work to be done like what Phil had outlined, but I just want to make sure we have the number of meetings it would take if we have regulatory changes to make and that we can get it on, on the ground by 2024 as contemplated. So that's my only concern, but I think we're okay, so I just wanted to make that comment. Thank you.

Marc Gorelnik [00:27:53] All right, thank you Bob. Corey Ridings.

Corey Ridings [00:27:57] Thanks Mr. Chair. I just wanted to add to Ryan's thoughts on bringing more information to the hard caps discussion to start, definitely support seeing that continued in June building off some of the public comment we heard this morning if it would be possible for NOAA to provide the DGN, sort of a fishery catch summary for the 2020-2021 and 2021-2022 fishing seasons. Information would include comes from the observer program and includes sort of bycatch numbers by species, including marine mammals, sea turtles, seabirds as well as number of sets observed and the total fishing effort for the season. I think that this information could be helpful for the HMSMT as well as the Council discussion. Thanks.

Marc Gorelnik [00:28:52] Thank you Corey. Christa Svensson.

Christa Svensson [00:28:56] Yeah, thank you Mr. Chair. Just want to put it out there that I think International Management an hour may go quite a bit longer, possibly on the NMFS report as well. So, we've got ICAT Northern Committee and a number of items coming forward in the summer months. We had a management strategy evaluation meeting for Northern Pacific albacore as an example, and the next touch in point that was recommended there was coming to the Council meeting. So, I would expect some stakeholders to come vocalize what their preferences may be for that. But also, with regard to Pacific bluefin, there's some stuff brewing on that. There have been a number of... a couple of workshops, excuse me, that have either happened or are ongoing. So just for all of us to be aware that that, both of those could be a little bit of a run over more than the normal hour we take.

Marc Gorelnik [00:29:56] All right thanks for that Christa. Marci Yaremko.

Marci Yaremko [00:29:59] Thank you Mr. Chair. Really just a question on the plan to schedule Marine Planning on Monday. I'm just checking in on the team meeting plans for the ad hoc Marine Planning Committee. I see in the GAP report that there's a plan for the committee to meet in late May, but would there be a plan for that committee to meet in preparation for the floor session on the 15th, 13th? Sorry I can't see.

Merrick Burden [00:30:41] Yeah, thank you for the question, Miss Yaremko. There are a couple of things that we're still working on settling out with the Marine Planning Committee. So, one is they did have a recent meeting and they plan to put together the May meeting that I believe you're referencing. Since that time, BOEM reached out to us and said, 'can we put something together on the Oregon Call Area?' So, we may try to mesh both of those things together. We're still having some conversations about that. I believe your question was would they have time to meet again maybe at the meeting or immediately prior to the meeting. Was that your question?

Marci Yaremko [00:31:18] Well, yeah, I think that's my question. And I'm just curious if there's a plan yet recognizing that these members of the MPC are also members of the GAP and the HMSAS, and so I'm just curious because those team meetings are scheduled. So just wanting to make sure there wasn't going to be a problem.

Merrick Burden [00:31:44] Yeah, if I understand correctly, we have not envisioned a MPC meeting happening concurrently with some of the other advisory bodies. I think that would of course... would be very taxing on those folks that are trying to double, do double duty so that has not been the plan. If there is a... if there's something that you're getting at in particular we'd be happy to entertain something but.....

Marci Yaremko [00:32:04] Thank you. No, I just was curious. I didn't know because the MPC didn't speak to it in their report, so I was just curious. Thank you.

Marc Gorelnik [00:32:19] Further? Ryan Wulff.

Ryan Wulff [00:32:21] Yeah sorry. One thing I forgot. Just another point in support of Marine Planning on the June agenda. We are projecting the programmatic EIS for the Aquaculture Opportunity areas to publish at the end of May, so the comment period will overlap with the June Council meeting. So that's just another reason, in addition to your points on BOEM, Merrick, that we would support having it on the June agenda. Thanks.

Marc Gorelnik [00:32:50] Thank you Ryan. Corey.

Corey Niles [00:32:58] Thanks Mr. Chair. And just, Ryan earlier you said, you made a statement, I just want to.....on when sardine information about the sardine workshops and science would come back and whether that would come under E.2 or something different. I just wanted to make the comment I don't have a preference where but definitely wanted to support you all doing that... and thank you.

Marc Gorelnik [00:33:25] All right, well, I guess at this point I'll turn back to our Executive Director to see how he has synthesized all of the comments we've received and where we are.

Merrick Burden [00:33:36] That's a high bar Mr. Chairman, but thank you. I do think we have some good guidance from you all. I would also look at Mr. Burner here and see where his head is at. I think as I look at all of my scribbles here, I think we have something that's workable. Let me see if I can summarize this. So, on Thursday what we'd be looking to do is, let me see here. So, Thursday looks relatively unchanged. Friday, as I go through Friday we would, unless there's guidance to the contrary, look to strike F.2. Add Stock Definitions to Friday. And if we do proceed with striking F.2 we would add E.3, which would be the Coastal Pelagic Species EFH. On Saturday, let's see here, the Sablefish Gear Switching, we'll couch that as something along the lines of revised range of alternatives, and that would include I guess revising the alternatives and Miss Svensson's point that we have been communicating to folks that this would also be a time if folks want to ask for other alternatives, we would notice it appropriately. Let's see here moving to Sunday, there was talk about making sure the NMFS Report includes the catch summary from 2020 to 2021. I believe that would mean that that report would not be shortened. It would probably be a full hour. Maybe I look at Mr. Wulff for affirmation on that if that's the case. And then International Management, Miss Svensson did make note of several items that would create the need to bump that up beyond an hour. The actual time isn't clear to me at the moment, but we can do some more digging there. Drift Gillnet Hard Caps. We had talked about reducing that to two hours, so that may create space to increase International Management. And then we come back to Sablefish Gear switching. Let's see and then Monday, let's see here, so we would have struck Stock Definitions from Monday. We would add Marine Planning. And then Tuesday relatively

unchanged, although I would note that at the end of Tuesday the Future Council Meeting agenda item, that is where we would be discussing the FRAM model, I'm not quite sure what to call them, corrections or something, the investigation there and the plan forward. Looking at Mr. Burner to see what else he has here.

Mike Burner [00:36:36] Thank you. Not much. I thought that was a pretty good summary. Just then looking at the candidate box. I guess the last thing I would cover is that we would be adding Marine Planning, as Merrick just mentioned, as well as the Coastal Pelagic Species EFH, but we would be looking to postpone the Research and Data Needs item and perhaps take up Electronic Monitoring next in September. So, thank you.

Merrick Burden [00:37:03] Happy to take any more clarifications or maybe corrections Mr. Chairman, otherwise I guess I would encourage us to then move over to the June meeting format and see if there's discussion there.

Marc Gorelnik [00:37:15] Well, I'm not seeing any hands waving in the air, so let's move on to format.

Merrick Burden [00:37:21] Okay. Let's see. As I indicated earlier, so for the June meeting format, what we have been proceeding with is the plan for a full in-person meeting, keeping in mind that we are still in the midst of our COVID pandemic and so of course if things flare up, we would change course in the interest of the Council family's health. I would....I guess the question for you is whether at this time you'd like to affirm that plan? If you have a desire to explore other options, I guess I would outline our possible ways forward in this way. So, one plan is a full in-person, that would be Council and the scheduled advisory bodies and the public. Second option would be something like what we've done here this month and in March, where we could pare down the number of in-person attendees, and what I would, if that's what you would like to pursue, what I would encourage us to do is to think about rather than the STT and the SAS that we call the GMT and the GA....and the GAP into the June meeting. Beyond that we do not have the capacity at this time to entertain more hybrid meetings than 2. Maybe longer term we could entertain that but at the moment we do not feel prepared to do that for staffing and resource reasons. The third option would be going back to a full remote meeting. So those are the three pathways that I see in front of us that are realistic for June. So maybe I'll pause there and see if there's feedback on our plan?

Marc Gorelnik [00:39:15] Lieutenant Commander Ettinger.

Lieutenant Commander Brett Ettinger [00:39:18] Good morning, Mr. Chairman. I guess I'll start with the endorsement that we support a full in-person meeting in June. We'll also put in an endorsement for maintaining some level for more remote access, acknowledging that might not happen in June but don't want to lose our progress that's made in the past year or so. Concurrent to the June meeting we're planning on having a two-day seminar for West Coast LMR officers. That'll be the 8th and the 9th. We're going to have a couple 'Coasties' in the audience if we are in full person for that first day of the Council meeting. We're also planning to go to PSFMC's to talk about V-tracks and PacFIN. So, I wanted to give the 'Coasties' that work for me an opportunity to see how the process works and how the policies that they're enforcing on the water come to fruition. So just in closing an endorsement, we'd love to have it in full person. That's all I have. Thank you.

Marc Gorelnik [00:40:20] Thank you. Maggie.

Maggie Sommer [00:40:27] Thanks Chair. I would certainly support the option of providing a hybrid format for the GAP and the GMT if possible. I certainly....it's my understanding, based on the GMT report, that members were on board for a fully in-person meeting so they may not, there may not be a

need for a hybrid there. I believe there is some interest by some members of the Groundfish Advisory Subpanel in a hybrid format, having the virtual...the option to attend virtually even if some members are here in-person. So, I would encourage you to explore, you know staff potentially working with the chairs of those groups the need and opportunities there.

Marc Gorelnik [00:41:25] Corey.

Corey Ridings [00:41:27] Thanks Mr. Chair. Just... just to confirm this includes the option for remote public comment throughout the meeting. Is that correct?

Merrick Burden [00:41:39] Yes. Thank you Miss Ridings. That is correct. What we envision for the Council ballroom is what we've had here this week, so we would allow for remote public comment in the Council chamber. So, you can think of the Council chamber as us in-person facilitating a hybrid connection option for the public.

Marc Gorelnik [00:42:03] Phil.

Phil Anderson [00:00:00] I would just voice support for the full in-person meeting as planned, currently planned. On the matter of having hybrid GMT or GAP or other advisory body meetings, I just know that this, the March SAS meeting was very difficult because of the audio and all the issues associated with that, and I was in the SAS meeting this time and saw what I would characterize as the extraordinary measures that were taken to try to correct that problem and, but unless I'm not seeing it correctly, doing that for more than one advisory body meeting given the equipment that was in that SAS meeting is really, I'll call it problematic if not impossible, given the equipment limit, you know, the equipment that it takes to pull that off. So I just....that's my observation.

Merrick Burden [00:01:22] Yeah, thank you for that comment, Mr. Anderson. I would...I do appreciate your recognition of the rather Herculean effort that Kris and Craig went through to set up the SAS this time around, and if we were to do 2 hybrid meetings, we would have to secure some additional equipment. I think we could do it a little bit more efficiently. We learned a bit from this go around, but certainly it's not easy. And if the long-term goal is to foster more hybrid functionalities across our advisory bodies we would, well, I'll just say we intend to think about that for this white paper that we're going to bring back to you in September regarding Council process and how to do it more effectively. So, we want to put some thought to it, but I think the point that I would like to convey is that we think we're capable of doing a limited advisory body hybrid function in June. We did it here. It did take a heavy lift. We think we can do it again. We don't want to have this model we did here be the one going forward, but we think we can do it again if necessary.

Marc Gorelnik [00:02:34] I'll just add that, you know, keeping in mind that in March and April the public were not invited to participate and so having that hybrid model for the salmon process was pretty important. We're not, from what I'm hearing we're not expecting that for June and if we can accommodate it for the GAP that would be great, but I guess we'll find out whether we're accommodating a great portion of the GAP or just one or two people, and if it's just one or two people we'll just have to take that into consideration in the future. So, I guess what I'm hearing, and I'm not seeing any other hands, that people are favoring an in-person meeting, fully in-person with some accommodation for the GAP because I think the GMT was an in-person in their statement. So, is there any.....is that summary in any way incomplete or inaccurate? Okay we're in good shape. So, I'll turn it back to you. What....Bob Dooley.

Bob Dooley [00:03:49] Sorry Mr. Chair. Slow on the draw again. I did, I think it's in this category, I've noticed the last couple of... this meeting and particularly the next one, we have really big overlap with

the North Pacific Council and it's affecting our Groundfish Advisory Panel for sure, but others as well. I was hoping that we can somehow, even though these schedules are hard wired, but work through that in the future to try to eliminate that overlap if we can to the extent we can. I know March and April are really, you know, they're problematic because they've got to be hard wired in pretty much but maybe there's some collaboration there to maybe fix that problem. One other comment is, I agree it's a lift to try to get our advisory panels, particularly virtual or hybrid, but there's an importance to that too with being able to at least listen to those meetings for certain members of the industry and public and have the context of what's going on there. And given, you know, travel... particularly how expensive it's going to be here in the future very shortly. It's going to affect everything. If we can somehow, I don't mean a full-blown system, but somehow think outside the box here to get some participation without having to travel and without having... for public and to be part of that process. And so, I think, you know, things have changed. We've learned a lot of lessons. We don't have to be perfect, but we could somehow maybe accommodate that, and even if it is to the extent where you can hear the advisory panel meeting and maybe somehow text back in or, you know, use a chat line or something to ask questions. Maybe don't need all of the technical aspects of this. But just making that point that, you know, travel is expensive. A lot of the members that participate are fishermen. They, you know, it's a big, big part of... we've heard this from others that it's a big commitment and it seems like our... what we're asking people to do and volunteer and all that participation is important. So, I'll leave it there. So just when we think about this and come back in September with the white paper, I hope that those are some considerations that we can add to the list. Thank you.

Marc Gorelnik [00:06:40] All right, thank you Bob. Christa and then Maggie.

Christa Svensson [00:06:46] Yeah, thank you. I want to express support for having full meeting in June. I also want to acknowledge the comments we just heard about scheduling meetings, and I agree I'm supportive of North Pacific, but it is also an issue in terms of international scheduling. So, our June meeting is the same timeframe as the PAC, and we have a number of members who are members of the PAC in the HMS community. I, myself, am a member of it but so are two people that attend regularly. So, we are faced with difficult choices in terms of how to attend which meeting and I just think that some general scheduling for all of the advisory groups, probably it would be in order as we all work pretty closely together here in the Pacific.

Marc Gorelnik [00:07:48] Thank you Christa. Maggie Sommer.

Maggie Sommer [00:07:51] Thanks Chair. Just some clarification on your recap. Would the tentative plan going forward be for all of the advisory bodies to be meeting in-person in June or just the GMT and the GAP maybe with an option for a hybrid GAP?

Marc Gorelnik [00:08:13] My understanding is that it's a fully in-person meeting but that we will endeavor to provide some hybrid functionality for the GAP.

Maggie Sommer [00:08:25] Thank you for that clarification. And I ask because I thought I heard when Merrick introduced it a possible different option where the GAP in the GMT were in-person, other advisory bodies would be fully virtual. I don't think we had any discussion around the table about that, but I think that's where the question and the request for clarification was coming from.

Marc Gorelnik [00:08:49] That was an option, but there's been a strong support apparently for a fully in-person meeting so moots that. Mr. Smith.

Butch Smith [00:08:57] Thank you Mr. Chairman. I kind of got bucked off this horse a couple times because it's taken a couple of turns, sharp turns, so I just clarify in my mind so if public is listening.

When you mention full in-person, great, but then we also mentioned that the testimony for the public would be hybrid. So, my idea of full virtual is pre-March 2020 where it's, you know, with some adaptations to the new technology, but so are we talking, you know, full in-person with the advisory bodies plus public coming to testify or in-person or something different?

Marc Gorelnik [00:09:48] So my understanding is it's full in-person, but we will provide the opportunity for the public to provide testimony remotely, but that won't prohibit public from attending the meeting.

Butch Smith [00:10:02] Okay. Thank you for that clarification.

Marc Gorelnik [00:10:06] We won't discourage it as we have for these meetings in March and April. Corey Ridings.

Corey Ridings [00:10:12] Thanks Mr. Chair. I just wanted to voice my support for a I guess what we're calling a full in-person, but also wanted to note that, I think, some of the ideas in some of these hybrid concepts that have been floating around are things that we should consider for the future. And I'm guessing these are coming up under the white paper item that Council staff is developing, so I don't want to jump the gun on that but just note while for June, I think it's been a few years and I think there's a lot of benefit to people getting to see each other, getting to meet. That there are also some good ideas that we should be considering for longer term. So, I'll stop there. Thanks.

Marc Gorelnik [00:10:56] Okay great. And I guess we'll look forward to that white paper in September and, I think, the staff has heard loud and clear some of the thoughts folks have had about some, perhaps some additional functionality. I think that's June unless I'm missing something, and if I'm sure someone will shout at me if I have, but otherwise I guess we can move on to Year-At-a-Glance.

Merrick Burden [00:11:31] Okay, yes, thank you Mr. Chairman. So, turning to the Supplemental Year At-a-Glance we've taken care of June. So, looking ahead to our Boise meeting in September, a couple of things to flag for you. One is the... the white paper that we've just discussed that is the shaded item Future Council Meeting Process. My fellow staff, Council staff and I are planning to put together a white paper, maybe with some contributions from some NMFS folks outlining some ways forward and lessons learned and would bring that back to you at that time most likely. A few other items that are shaded here. So, we have the question of the Trawl Catch Share Program Review. That's also related to a proposal that the region has put in to secure some funding that would look at the cost efficiencies that could be gained within the trawl program, but we look at those two things that's coming together in some way, but we are still awaiting word on that proposal from the region. We have an item, the Groundfish Strategic Plan that is shaded. There's been some discussion of that item and potentially moving that off somewhere if there's time needed. We have Non-Trawl Area Management. There is quite an analytical lift between now and that September meeting that we are grappling with here as staff in the background already, so that item remains shaded for a variety of reasons. One is the analytical lift associated with that. Let's see we did... I believe we spoke to Swordfish Management and Monitoring a few times here over the last couple of days. That's also a shaded item. And then for salmon we have several issues. One is the Methodology Review and, of course, excuse me, good grief. Of course, if the FRAM issue does not make it into Methodology Review, we would schedule something that would take care of that, presumably that coming out of the plan that comes back to us in June. And then we have a couple of other salmon items that are grayed, Sacramento River and Klamath River Conservation Objectives and then the Age Structured Assessment. September is looking fairly full already and we do have some available space as necessary. Looking over to November, that's also starting to look fairly full already. In November, we have a relatively heavy CPS meeting. Groundfish as always, a few items shaded there. Again, the Trawl Catch Share Program Review, Sablefish Gear

Switching issues and a few other items. You know, Mr. Chairman, I don't know that I feel like I need to try to summarize this whole thing. So maybe I'll just pause there and see if there's some feedback right away or if Mr. Burner has anything that he would like to flag.

Marc Gorelnik [00:14:51] Let's first see if Mr. Burner has something to flag and then I think everyone has this Year-At-a-Glance in front of them and if they have comments they want to offer, proposed revisions, they can offer them, so first Mr. Burner.

Mike Burner [00:15:05] Thank you Mr. Chair. I guess just quickly I'd highlight a couple of changes that I've added based on feedback this week. We've added the Recusal Policy you see in the administrative item at the bottom there for June and September. We've made that into a two-meeting process per some guidance we got from National Marine Fisheries Service. We added a housekeeping FMP amendment to CPS for November per discussions earlier in the week and also based on discussions we heard earlier in the week. In groundfish, we've moved the Whiting Treaty Implementation to March. Other than that, I think those are all we need to highlight for this and can go right to discussion. Thank you.

Marc Gorelnik [00:15:42] Phil Anderson.

Phil Anderson [00:15:44] Thanks Mr. Chairman. September Groundfish EM. Is it there and I don't see it or? That's going to be an important meeting for the advancement of our EM potential solutions to the issues that are outstanding so would want to make space under the groundfish item in September for that.

Marc Gorelnik [00:16:19] Thank you for that. Ryan Wulff.

Ryan Wulff [00:16:23] Yes, thanks Chair. A few comments on the Year-At-a-Glance. Phil beat me to it on EM so I would support that as well on the September agenda based on our earlier discussion. I also think it would be... I would support unshading the Swordfish Management and Monitoring Plan. I do think there is some discussion that needs to happen on that plan. Also, we've talked in the past about a potential workshop that would look into quite a number of swordfish issues, including EFP and others and that could be essentially scoped or at least discussed at that agenda item for a potential workshop over the winter. So, support that remaining. For November, at some point I would like to see something on the, the Year-At-a-Glance here for follow-up on the stock definitions. So we'll...a ROA if you will, whether that's November... that seems like a good target at least for the Year-At-a-Glance, whether or not that ends up staying there based on our discussion in June. Also, Hard Caps, I think if you want a hard caps rule in place by the 2023 fishing year, you would want final preferred alternative in November. So that would be where you would want to add that to the YAG. And then finally, we are having some workshops later this year with pot gear participants regarding gear marking and related topics as a result of the Humpback Biological Opinion Terms and Conditions, so it'd be good to have a placeholder maybe in March, or I guess it could be in April, but sometime in the spring of next year where we can bring back the results of those workshops to the Council to get input on that if there is going to be any potential changes to pot gear marking regulations going forward. And that concludes my list.

Marc Gorelnik [00:18:27] Thank you very much Ryan. Phil Anderson.

Phil Anderson [00:18:31] Sorry Mr. Chairman. I forgot when I was doing the EM that we, we would also want that on the November for a PPA and a March for an FPA.

Marc Gorelnik [00:18:44] Thank you. Marci Yaremko.

Marci Yaremko [00:18:49] Thank you Mr. Chair. On salmon for September right now shaded we have EFH Review, Sac and Klamath Fall Conservation Objective Review and Sac Fall Age Structured Assessment Update. I can't really speak to the EFH review item, but with regard to at least the Sac Fall Conservation Objective, we did hear from the SSC and from the STT that they did intend to take a first step on this item with doing some explorations as to the history of the existing conservation objective and some review of the literature, but I don't think this item is going to be ripe for a review by us in September. And as for discussing or hearing an update on the Sac Fall Age Structured Assessment, I haven't heard anything about that, but I recall that that item is something that we have had on the Year-At-a-Glance for some time as a placeholder, but I don't know that we are ready to hear about that either, especially noting what we expect to receive in terms of new information from the STT in June. So, in short, I think I'm supporting kicking all of, or at least those second two items forward into the future.

Marc Gorelnik [00:20:42] Do you have a suggestion as to when we might move those two items to his....at least to have as placeholders?

Marci Yaremko [00:20:48] No, I... thank you Mr. Chair, I would leave that to Council staff, but I support keeping them on the Year-At-a-Glance, but I don't have any idea when they might be scheduled. Next topic, I'm just looking at Pacific halibut and we have an item for September on preliminary recommendations for 2023 directed commercial regs. And then we have final on that in November. And I'm just wanting to clarify that if we need to make a recommendation for a regulatory change, that that is the appropriate meeting schedule and process. I have a feeling it probably would depend on what our recommendation might be and what item we might be contemplating, but would just flag that this will be something new, presumably with directed halibut under NMFS authority and so just want to make sure that this is the best plan that we can have in terms of Year-At-a-Glance scheduling given what we know right now.

Merrick Burden [00:22:27] Yes, thank you Miss Yaremko. At this moment I don't have reason to think that we should be looking at a different set of dates. I might look to Mr. Wulff or Mr. Burner as we think about that NMFS taking over management and whether that schedule would work, or maybe Mr. Burner has more insight into this than I do, but at this time that seems to be the best set of dates given, given the year.

Marc Gorelnik [00:22:58] Mike.

Mike Burner [00:22:59] Thank you Mr. Chair. That's my understanding of the best schedule in terms of getting recommendations. And as you've noted there is some transition going on with that fishery so unless... you know this has been out for review for awhile. I've heard nothing different from our Pacific halibut experts but maybe Ryan has something in addition, but this was what I expected as the best schedule at least as far as what we know so far.

Marc Gorelnik [00:23:24] All right, thank you. Ryan.

Ryan Wulff [00:23:30] Yeah, just to agree with Mike. I mean I think looking forward in the process we're expecting similar recommendations from the Council as they would have made to IPHC after the transition so, yeah, I agree with Mike.

Marc Gorelnik [00:23:44] Peter Hassemer and then Corey Niles.

Pete Hassemer [00:23:47] Excuse me, a different topic if we're done with that one.

Marc Gorelnik [00:23:53] Well, let's go to Corey first then.

Corey Niles [00:23:56] Yeah. Thanks Mr. Chair. Thanks Pete. Well, just quickly maybe for feedback at the next meeting. As you know, I'll just highlight the interest we've spoken about before in terms of things like adding streamer lines to the halibut regulations and whether it would fit that schedule as well. I don't think we need an answer now, but June maybe to think about whether we could fit that in.

Marc Gorelnik [00:24:19] Pete Hassemer.

Pete Hassemer [00:24:20] Thanks Mr. Chair. This isn't moving anything around right now. It's thinking about how we progress through, and I'm looking at under Groundfish Workload and New Management Measures. We've got updates in September and November and priorities in March, and we've also got in September Strategic Plan Review. Sort of the background is I think about it for, I don't know, three, four, five years on our workload, Groundfish Workload Priorities, Non-trawl RCA, Emley/Platt, Mothership Utilization have been at the top one, two, three. And those are off now in terms of actions the Council has taken so it works, opens up some workload capacity there. I know there's a lot of work to be done on those yet, especially in the NMFS shop, but what I'm thinking about is when we make that decision in March about what's the next set of priorities we tackle, how do we best inform our decision at that time? In the past and the GMT does a lot of good work in putting together that list and identifying it, but I think at this point there are things missing and a good understanding of what are the major hurdles in completing some of those. What are the obstacles and what's the workload to overcome that? I have one specific example in mind, I won't use that, maybe just to generalize is, we've got 19, I think it's now 19 items on the B list on the workload priorities and one of those the constraint to finishing it is a specific difficulty. If we go down this pathway, it appears to be the only pathway and that's a hard thing to do. And some, maybe some background work to figure out, are there alternative pathways to solve that problem other than the one we have? So maybe my guidance as you think about that between now and June is looking at September, is there some similarity or relationship between the Strategic Plan Scoping and what we're trying to do and the Workload and Management Measures so as we move through the September and November meetings, when we get to March that we're well informed of what the tasks are that would be needed for the bulk of those items on the task list and how much time it would take... and just allow us to make a better decision because thinking back in the past it, it was just more of we're trying to guess which is the priority for us without a lot of supporting information. So, I'll leave it at that. Thanks.

Marc Gorelnik [00:27:39] Thank you Pete. Marci Yaremko.

Marci Yaremko [00:27:43] Thank you Mr. Chair. I just want to follow-up for a minute on Pacific halibut and remarks from Ryan and from Corey. In addition to the consideration of a streamer line requirement, we've also discussed the need for a VMS requirement as well as a potential need to consider action, at least for the California portion of the activity on Pacific halibut that might have interactions with quillback rockfish and a need to adjust the regulations for Pacific halibut to minimize bycatch. So, I heard Ryan say that his interpretation of this agenda item was for us to make recommendations that are similar in nature to those that we would normally make to the IPHC, which involve things like season structure and fishing periods. So, I guess I'm back to my original question. You know, does this schedule and the item here give us the flexibility that we might need to agendize and consider additional measures beyond just the season start dates and fishing periods?

Merrick Burden [00:29:21] Yes, thank you Miss Yaremko. That is a good question. I will admit I don't have an answer right away. Maybe Mr. Wulff does? I see his hand up.

Ryan Wulff [00:29:30] Yeah thanks. And Marci, thanks for the question. I mean I don't think that it impacts the Year-At-a-Glance or the schedule. I think the scheduling is still the same. It might change how we agendize them, right? So that you could have those discussions as well as the normal

recommendations you would make a similar to IPHC, but I think we would still want a September-November timeframe for those discussions.

Marc Gorelnik [00:29:51] Maggie.

Maggie Sommer [00:29:59] Thanks. Thanks Chair. On halibut I would just remind the Council that some of our directed commercial halibut fishery stakeholders are interested in considering other changes to the fishery, specifically, for example, using some of the quota currently put toward the directed fishery to create an incidental retention opportunity with sablefish. We have....our response so far has been that we will not consider that until transition. I'm not suggesting that that be considered in fall of 2022, but just wanted it to stay on the radar for beyond that, in particular because I was reminded of this about a week ago by an Oregon halibut fisherman, so I didn't want that to drop off. Thanks.

Marc Gorelnik [00:30:51] Thank you Maggie. Further comments on the Year-At-a-Glance? Corey Ridings.

Corey Ridings [00:31:07] Yeah, thanks Mr. Chair. Regarding the Future Council Meeting Process agenda item for September, I was wondering and I'm sorry, Merrick, if I should have asked this question sooner, if you could provide just a little bit more on what that's going to look like or if there's any particular updates you have for us on that?

Merrick Burden [00:31:28] Yeah, thanks Miss Ridings. As you know we've had a couple of back to back Council meetings here so we haven't had a lot of time to think through this, but I have had a chance to noodle on how to structure this sort of a white paper and so just for everyone's benefit, the intention of that white paper would be to first figure out how to do things that best support the Council process and Council decision making and then other things flow from there. And so, when it comes to issues of resources, using those resources in ways that prioritize the Council's work, staff workload capabilities, and, quite frankly, the burnout that we see among our colleagues, how to organize that in a way that best protects the Council's work. And so that's the organizing theme. There's a lot of things connected to that. Technological questions. These questions of hybrid functionalities, how to move forward with those. Their implications to our budget. So, there are a few things for us to work through. I do see this as a summer project that I'll be focused on for a while and will be drawing on some of my fellow staff to help create that white paper. So not a.... not much headway since March, I'll put it that way, but I do have some thoughts about how to put something together.

Marc Gorelnik [00:33:01] It's not as if there wasn't anything else going on, right? Let me just see if there are any further input from the Council on the Year-At-a-Glance? And so, Mr. Executive Director, do you have what you need?

Merrick Burden [00:33:22] Yes, thank you Mr. Chairman. I think we've done quite well with this agenda item. So, we've had a good discussion on our June meeting. We will make some changes there. We've had a good discussion on our June meeting format and what we will continue to aim for is full in-person with just for everyone's benefit with some hybrid functionalities especially in the Council ballroom to allow the public to participate remotely or in-person. And you've given us some good feedback on the Year-At-a-Glance, so thank you all. And I think we're done with that agenda item.

Marc Gorelnik [00:34:03] All right. Is there anything further on the agenda item? Mr. Anderson?

Phil Anderson [00:34:11] Well, I have one question that don't need to answer right now, and I have a comment. My question is there was on the SS.....in the SSC report there was a, I can't remember how many workshops there were, but there were 10 or 11 or 12 of them, and I just....I'm just caused me to

wonder if there's any budget implications or whether that the costs of those have been calculated in and we understand our capability of supporting those financially? That's my question. And then I have a comment.

Merrick Burden [00:34:54] Yes, thank you Mr. Anderson. I had not seen that list of SSC meetings until this morning, so I also made note that that's an extensive list. We have not worked through the budget implications of that. We will do so, and I think that's where we are is I've got some curiosity about that list of meetings.

Phil Anderson [00:35:21] And then if I may... our folks back there in command central have just done an outstanding job in supporting us, well not only at this meeting but previous meetings, but I just wanted to acknowledge what they have done and how they have been able to help us be successful in the in the virtual semi-virtual hybrid world. Things like the computers, the screens, the television screens that we have to support us. While we didn't ask for it, they anticipated as they always do our needs and how they might better support us in helping us do our job. And it doesn't go unnoticed. The other one, you know, some things are when they're out of sight they're out of mind. That's not the case for Sandra. She may be out of sight, but she's not out of mind. She calls me Uncle Phil and I'm going to start calling her radar because I think she can read our minds sometimes. So, thanks Sandra.

Marc Gorelnik [00:36:56] All right thanks for those comments, Phil. I know that as we transition back into in-person, we have to remember what it was like two years ago this meeting when it was our very first all virtual meeting and it went off seamlessly. And all of the other organizations which with whom we participate that had to go all virtual and the challenges we saw there, the, this Council and the support staff we have, we were the shining city on the hill. And so, I think, we can't thank our Council staff enough for all the things they do to make this work and particularly thinking about this meeting how well it has gone. That all starts with Council staff. So many thanks. So, I'm not seeing any other.....Bob Dooley.

Bob Dooley [00:37:52] Sorry Mr. Chair. I don't want to beat a dead horse here, but Phil made a point last night that we've had a pretty easy week. It's been a lot of downtime, but this is like a duck, you know, looks all calm on the surface but there's a lot going on behind the scene and a lot of work from our advisory panels. Those feet are moving all the time. And sometimes you think, geez, why don't we just throw a little more on the plate here? We had the time, but we've got to keep an eye on the feet under the water that did support us, that get us from point A to point B. And I just wanted to thank them for one for all our hard work and excellent work. We've got incredible people behind us. They make us look good, but I want to make sure that we keep in mind too... that just because we get done a couple of hours early or something on a day doesn't mean we got to overload our plate and burden them to a place where they just can't do their job. So, thank you to everyone and I agree with our staff here in the Council. Just incredible. Thank you.

Marc Gorelnik [00:39:04] All right. Thank you very much.

I. Enforcement

1. Annual U.S. Coast Guard west Coast Fishery Enforcement Report

No transcription for this agenda item.