

**COUNCIL MEETING TRANSCRIPTS**  
**265<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
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Verbatim transcripts of the Pacific Fishery Management Council are prepared for reference and are limited to Council discussions during the Council Action portion of each agenda item. These transcripts are not reviewed and approved by the Council and are not intended to be part of the formal Council Meeting Record.

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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] We'll now move to approval of the agenda. The agenda has been published. Let me see first see if there are any changes to the agenda? And I'm not seeing any hands, so I'll see if there's a motion to approve the agenda. Phil Anderson.

**Phil Anderson** [00:00:26] Thank you Mr. Chairman. I move the Council approved the Council meeting agenda as printed in Agenda Item A.4, March 2022.

**Marc Gorelnik** [00:00:36] Thank you very much. Is there a second? Seconded by Christa Svensson. Any discussion? Okay we'll call the question. All those in favor say 'aye'.

**Council** [00:00:49] Aye.

**Marc Gorelnik** [00:00:49] Opposed, nay? Abstentions? Motion passes unanimously. We have an agenda. Thank you very much.

## **B. Open Comment Period**

### 1. Comments on Non-Agenda Items

No transcription for this agenda item.

## C. Administrative Matters

### 1. Report of the Office of Marine Sanctuaries (ONMS)

**Brad Pettinger** [00:00:00] With that, that concludes our advisory bodies, and I don't see any public comment which would bring us to Council action, which is discussing the National Marine Sanctuary Service activities and so I'll open the floor for any hands.....or not? Chair Gorelnik.

**Marc Gorelnik** [00:00:29] Thank you Vice Chair Pettinger. I just wanted to say that the concerns expressed by the advisory bodies about direct or even indirect impacts on fisheries can be a source of concern. Even if regulating fisheries is not in the designation document, it's still possible for regulations to indirectly burden fishing activities and that should be an area that we should continue to keep an eye on and be concerned with.

**Brad Pettinger** [00:01:09] Thank you Chair Gorelnik. Anyone else? Okay. Oop, Bob Dooley. Bob.

**Bob Dooley** [00:01:19] Yeah, thank you Mr. Vice Chair. I would add.....Marc, I appreciate those comments but I also would add the effect on the inability to do surveys and included in those fishing activities and how that, how they impede our surveys and the validity and thoroughness of those surveys to count all of the species in the area so, and we've seen that so would like to make sure we address that as well.

**Brad Pettinger** [00:01:50] Thank you Bob. Marci Yaremko. Marci.

**Marci Yaremko** [00:01:55] Yes. Thank you Mr. Vice Chair. Hopefully you can hear me all right? I just want to thank the Office of the National Marine Sanctuaries for the reports. Again, this year contains a lot of content describing a number of collaborations, many of which involve the California Department of Fish and Wildlife. I did want to flag one comment in the report itself surrounding the Chumash designation process on page three, describing the timeline for the development of the draft management plan, the draft regulations and the draft EIS, and just noting that the report itself suggests that this possibly may be complete near the end of 2022. It sounds like they're busy assimilating over 22,000 public comments received, but I would just encourage us and our Council staff in coordination with the sanctuaries to keep our eye on the development of these documents. I think acknowledging the content in our AB reports and acknowledging the importance of this process, I think just want to highlight that it sounds like things are on a fairly fast development track and certainly I think we look forward to being involved in the coordination of the development of comments and such as those plans progress. Thank you.

**Brad Pettinger** [00:03:53] Yeah, thank you for that Marci. Okay, anyone else? Okay... not seeing any hands I'll look to Kerry. Kerry, how are we doing?

**Kerry Griffin** [00:04:08] Thank you Mr. Vice Chair. I think you're good. Again, your action was just Council discussion and I think you had that discussion. And I'd also like to express my appreciation to Bill Douros. As you all know we were, the things were sort of on edge waiting to see when he would go on and the Council was a little bit behind, but he really rolled with the punches and I appreciate it and I appreciate IT staff help and all that stuff. So anyway, I think you're good to go on this one. Thank you.

**Brad Pettinger** [00:04:35] Okay wonderful. Thank you Kerry.

## 2. Marine Planning

**Brad Pettinger** [00:00:00] Okay, well that concludes public comment and takes us to Council action, which is before us. So, I'll open the floor up for a hand. John Ugoretz. John.

**John Ugoretz** [00:00:25] Yeah thanks Mr. Chair. And I wanted to thank the MPC and all the advisory bodies. There's a lot here and a whole lot of work has gone into what we have in front of us. With regard to the three policy documents that were presented, I think I can see benefit in what several advisory bodies have recommended in terms of integrating the Marine Planning Committee and Habitat Committee documents into a single one and possibly holding the Ecosystem Workgroup as a standalone document, but I would keep the door open to consider combining those documents at some later date, or including the ecosystem bit as a, as an appendix to be decided, but more importantly on the call areas and the comments we've heard, I think I just want to point out that it's rare to have such significant and well expressed and most importantly, consistent input from our advisory bodies as well as the public who commented. I think it's clear that while the State of California and everyone here supports clean energy in moves to reduce our reliance on fossil fuels, the impacts of potential new energy sources need to be considered, and I agree completely that cumulative impacts of any project have to be considered and that reasonably foreseeable impacts are a required analytical component in the NEPA process and an agency cannot piecemeal a project claiming that an initial exploratory phase will not foreseeably lead to the establishment of the final desired outcomes. This would be like a construction firm claiming that a survey of a leased piece of land and placement of survey markers is not intended to lead to the construction of the building they're surveying for. Wind energy has great promise and it's, it's proven effective in other areas, but like I've said, with any new activity the potential impacts need to be carefully considered. And I just kind of wanted to start things off with that sentiment. I think the Council has already highlighted those needs. Our stakeholders have voiced their concerns and at least based on the response to date those needs and concerns have yet to be heard and it's very likely that more discussion is needed before any final decision is made. Thanks.

**Brad Pettinger** [00:03:06] Thank you John. Further discussion? Corey Niles. Corey.

**Corey Niles** [00:03:16] Thanks Mr. Vice Chair. Thanks John. These might connect to somewhat of what John said, but just some of my own and brief, hopefully overarching thoughts about what we've been hearing today.... and I'm a member of the Marine Planning Committee. I'm also involved in Washington's Marine Spatial Plan, which took place, you know, in the absence of real, a real world proposal but, you know, we've been thinking about it a long time and I hear everyone's concerns. They're very valid concerns but I'll just.... and I'm not disagreeing with anyone's concerns here, but I'm maybe starting to see things maybe just a little bit differently. And I think the over.....the question we should be help....we should be focused on, you know, is how to constructively engage in BOEM's process. It's very different from our process. It does seem backwards. John made a really good analogy there that I'm not going to.... I would really mess up if I repeat it. But I think now with the Oregon Call Areas, I'm starting to see it and I think that BOEM's interest in getting better engagement from the fishing communities is genuine. They've been coming to these meetings. They've come into the MPC and we're still hearing lots of frustration and I get it and I've been, also been confused by the process. And you know it just....maybe talking to ODFW folks today in the hallway that I began to see it a little bit maybe what might, how it might be unfolding in Oregon. And I would ask my colleague to correct me here at some point when appropriate but, you know, these are huge Call Areas. I was surprised at how big they were not having tracked the process, but Oregon State's goal we understand is for 3 gigawatts at first and these areas are big enough to support 17 gigawatts there in southern Oregon, where the wind is the strongest. And to me that at first said, well maybe they didn't look at fisheries impacts in deciding where in Oregon the wind should be, where would it be to have the least impact on

fishing but, you know, maybe just today I'm realizing, well maybe if you're going to start with 3 gigawatts, you put it where the wind is strongest. And then the question becomes within those bigger areas, which areas would have the least impact on fishing? And I think as Caren might've mentioned, we've heard BOEM's willingness to maybe alter the pace of their process and want to have some real engagement with them with better engagement with stakeholders, and they've been trying for a while to do that. So, we have thought about how we would do something in Washington. We have outlined a process, but it is somewhat high level and this is really helping us see how challenging it's going to be if we see it, we see that come to Washington. But like when people say a programmatic EIS, I think, what I think of is hey, let's take a big picture of the big area and where within that area can the bigger picture, where can a goal be met? And the goal we're seeing here, and I'm going to oversimplify this is, where could 3 gigawatts of wind be achieved with having the lowest impact on fishing and fishing communities? And of course, other, we're hearing about other ecosystem impacts but that's the big, the biggie that we're all focused on here. How could this be done, if possible, with having minimal impacts on fishing? So, the message here, these thoughts are going on longer than I thought is, people have learned to really constructively engage in this Council process, and it is really nice to hear people compliment that. It's taken a lot of work from folks, you know, who've been in this process for a long time to make it work. And I do, I just want to....yeah, again, I'm saying I think there is an opportunity to help shape this process for BOEM and improve the engagement and that's where I am personally as a member of the MPC starting to think and again, I don't mean to jump in front of my colleagues from Oregon who have been working really hard on this for I don't know how many years now, Caren, but that's just some overarching thoughts I will end with.

**Brad Pettinger** [00:07:52] Thank you Corey. Further discussion? Caren.

**Caren Braby** [00:07:55] Thank you Mr. Vice Chair. And I'm trying to listen before I speak. This has been a learning process for us all, BOEM included, and there is so much before us and so much to say and so many thoughts that are buzzing around all of our heads. So, I acknowledge that and I'm trying to embrace that chaos. I think that we will get through the chaos to some path and have some thoughts about ways that the Council could provide comments to BOEM for the Oregon Call Area process. I'd like to share some of those now. I don't think we need a motion today, but if it comes to it, I would be happy to formulate these in the form of a motion. But right now, we're just being asked to consider and provide guidance so that's what I'm planning on doing. I also have some thoughts on the other, the other tasks that the Marine Planning Committee has been helping us with and guiding us on. But right now, I'll just speak to the Oregon Call Areas and we learned over the past weeks and today we're reminded that BOEM plans to publish a Federal Register notice initiating formal public comment at the end of this month or early April, which will make it difficult to do anything to comment unless we make that plan today. So, I would like to make that plan today that the Council will comment on that Oregon Call Area open comment period and we have just such a wealth of information from our advisory bodies to pull information from. I think in some way the Council today should confirm that staff and our advisory bodies should synthesize that information and or, or and probably submit those advisory body reports during that open call. I think it's really important that we speak clearly about what we think would be a better process from the Council's perspective for BOEM to follow. They have flexibility in their process, and they are looking to us to specify what a better process looks like. I think that that includes one, conducting more stakeholder meetings. Meaningful interactive collaboration using the footprints that they already have in hand but making sense of them. Adding value. Adding the system of seafood markets and industry. Adding sport fishing input which is notably depoprate at this point. So that's one thing that we can specify as a Council, which is very aligned with Council process. The second is a nod to and looking to our Council colleagues, NOAA Fisheries and their work that has been initiated around the PacFEM Project, the Pacific Fishery Effort Modeling Project, which will bring together fishing effort mapping in a spatially explicit way and combine that with economic values of those fisheries. I would also, I believe that this study falls short of a trade-offs analysis, but essentially that study should



set us up for a trade-offs analysis and what we're really looking for as a Council is if we give up some fisheries, is it going to balance out the benefits that we are being promised from renewable energy and we need that information as a society in order to answer the question of what we're giving up and what we might be gaining from this. So that's the second thing. It's a big second thing, but that's the second thing. And we still have a third bucket, which is really kind of a lot of questions about ecosystem services, ecosystem resources and I've listed a number of those. Our advisory bodies have listed a number of those, but we don't have a suitability analysis. We don't have a synthesis of that in the same way that we have seen our colleagues at NOAA do for Aquaculture Opportunity Areas. And whether or not we agree exactly with the way that suitability analysis went, there was at least consideration of synthesizing the information and I think that should be done in this case for offshore wind. I want to confirm my colleague from Washington's comment that the whole purpose of a larger set of Call Areas is so that we can winnow those down closer to the planning goal for Oregon, which has been stated in state statute as 3 gigawatts. So as a Council I think we confer.....should confirm and support that winnowing down process. Cumulative impacts has to be considered in some way. We haven't figured out how to build that into this BOEM process yet and we need to work on that, and I think we need to lean on our BOEM colleagues to figure out how to build that into the process. And in order to do all of this we need a longer timeline, and right now I'm very concerned about the timeline between the Call Areas and designation of Wind Energy Areas. My understanding of this process is that all of the work I just described should be done prior to establishing Wind Energy Areas and certainly before leases are issued. And so how do we build that timeline in and yet still set up BOEM and the nation to succeed in pursuing greener energy overall? That's kind of the question. But for now for the Council I think it's about extending the timeline before Wind Energy Areas are designated that is in line with discussions within the State of Oregon on really time needed to get farther along. And I know I'm going long and I'm sorry to be on the soapbox so to speak, but obviously I have a lot to say and I have thought about this so deeply for so long now that I would like to dip my toe into a fishery that I typically do not work with, and that is the salmon fishery. And I would argue that while offshore wind presents great promise, just like land-based wind presents great promise, solar, other forms of renewable energy and getting us off of fossil fuels which I absolutely agree with, it presents great dangers and we are currently living decades after we very enthusiastically put hydroelectric dams in place that led to the demise of, or certainly the instability of salmon stocks. We're spending billions of dollars every year dealing with that problem. We don't want to create a similar situation by creating that infrastructure, creating the unintended consequences in our ocean, which is as yet pretty much devoid of infrastructure. So, I think asking for an additional year or two to think through this carefully before we go down that path to save us the time, the money, the angst, the pain later is well worth it. And there are alternatives to doing this immediately and doing it full scale and we've heard some of that today, including ideas about a demonstration project, potentially about phasing-in development across the west instead of doing it all at once, and I think we should express those thoughts to them. So, I'm going to stop there. I'll hold my comments on other aspects of marine planning but appreciate the long time to let me say some words about this one.

**Brad Pettinger** [00:17:23] Thank you Caren. John Ugoretz. John.

**John Ugoretz** [00:17:40] Sorry about that. I have a hanging hand that I will take down and I can't find my unmute so I'm doing great.

**Brad Pettinger** [00:17:48] I was feeling pretty bad about you, not calling on you. I thought I missed you... so okay. Further discussion? Comments? Corey Ridings. Corey.

**Corey Ridings** [00:17:57] Thank you Mr. Vice Chair. I'll start by saying that I agree with everything that has been said so far on this. Corey, Caren, and John all had really excellent words and insights so I'm just going to add shortly to that. I'll specifically echo John's comments on just the quality and

thoroughness of the reports that we got under this agenda item were really good. I think they provided some really good ideas, and they have a nice sort of body of documents that exists now and that we can refer back to as we need. So just voicing my appreciation to all those that spent time to put those together. A couple things as I was listening and reading came to mind that I wanted to just highlight. The EWG noted lifecycle analysis as a concept and I think I heard Caren speaking to this as well, which was really, you know, what are we.....what are we doing here? You know this wind energy is very likely necessary for our future and but how that fits in and what the price we're paying for it is really important to know from the start. So that concept I'll admit was new to me and I like it, and it would be hopefully at some point something like that is conducted. I also thought the idea from the Habitat Committee on a wind farm demonstration project would be great. I don't know if and how and where such a thing could happen, but it seems prudent, especially if we were able to somehow get a longer timeline, as Caren suggested one or two or even longer time to put this in. To have that demonstration is probably the best proof of concept and way of knowing what we're getting into that we could do. Several groups noted potential oceanographic changes that have recently been noted in the literature on things like upwelling and larval dispersion that could have really big impacts on our fisheries. So, I'm happy to see that new science coming align and having that put forward. In line with that also, we've heard this a number of times, I think it's really important again thinking about core science needs for management, which is interruption to existing surveys. Several of our groups mentioned that as well as the public and I think that's just incredibly key. So however, we move forward I hope that that's included as an important piece to remember. And then finally, we heard a bit on moving EAs to EISs as well as a programmatic EIS, all that seems right to me. Again, I... in line with other comments about really the core of what we're talking about here is how to engage with BOEM and how to help BOEM engage, and I confess I'm not the expert on that, but it seems like programmatic EIS is at least a very good conversation starter if not the way to go. And thinking more about, again, in line with Caren's comments about taking more time to do this right, moving those EAs to EISs. So, I'll stop there. Thanks very much Mr. Vice Chair.

**Brad Pettinger** [00:21:30] Thank you Corey. Anyone else? Bob Dooley. Bob.

**Bob Dooley** [00:21:38] Thank you Mr. Vice Chair. I guess I'm going to be a little more cynical. I....we have an incredible amount of good work here in good faith and we as a Council family have put forth a very rational way to go about dealing, you know, systematically coming forth with a way to understand siting and wind power. And I think we need it. I don't, I'm not against it, but I think we've got to be.....we can't be naive. And I think part of this is if we look, I don't discount the fact that our compatriots on the East Coast have been dealing with this for a while and they have gone through many of the same processes that I've heard today, and they have had some reassurances that things would be different, but ultimately it wasn't and it isn't and they're being run over and I have been dealing with, you know, been involved with that through different organizations I belong to for a number of years, and I think we have to understand that we have a good plan. We have a systematic plan that makes sense to how to get siting in the right spot, but that sure hasn't worked there. And I just intuitively think with the amount of political horsepower on the East Coast and how important fishing is to the East Coast and how they're getting basically run over, for us to think that we're playing in a fair fight here I'm just not confident. I think you're right, Caren, exactly with the way aquaculture is approaching this. It's very rational. They're checking the boxes but they're in the same department we are. They're in Commerce. They're.... BOEM is Interior and they don't seem to be listening to us, and I think the, the general feel that damn the torpedoes full speed ahead we're getting wind energy and that's a, you know, a more of a political agenda type thing and I think it's....we need it. I mean we do. But there's a way to do it right and there's a way to do it wrong, and I think we have to understand that we're in maybe not quite a fair fight and to go into it not recognizing that I think is problematic, and I think we have to understand that because our fisheries, our fishing communities are at risk. They're at extreme risk. And you know, once again I'll repeat, the people that I know on the East Coast that have been at ground zero

on this have been fighting the same fight and they're not winning. So, we need to change something to be able to do that and I, I don't know what to tell you. I don't know what to suggest. I think the path that is, you know, the science is on our side. We always do that. I mean that's our best work, but boy I sure heard a lot of passion today in this and I'm concerned about our fisheries. That area off Oregon I've spent a lot of time fishing there, and if that were to become an area you couldn't access or had restricted access to, that would have an extreme consequences to our fisheries. So, I'm a little more cynical. I believe that the path that we've laid out is rational. I think the work that's being done is excellent, but I don't know that we're in a fair fight. So, I just had to say that. I'm sorry. So thank you.

**Brad Pettinger** [00:26:12] Thank you Bob. Caren.

**Caren Braby** [00:00:00] I do have some comments on the non-Oregon portion of the agenda item if I could share those, and this follows up on some other comments that have been made already. But we have the two policy document suggestions, one from the Habitat Committee and one from the Marine Planning Committee. They take different approaches, and I personally would like to see those merged in some rational way and brought back to us I'm thinking in June for further consideration. I think there's really good work. I don't think we need two of those, but we need one that's unified and takes the best work and the clearest statements of our policies. And I think that that should, that ultimate policy document should be different from the outward facing document that's come out of the FEP revision, five-year revision process, although the policy document could borrow from the EWG's good work on that outward facing document as appropriate, but I think that we need both. One is really a general statement about the Council's priorities and connection to ecosystem and connection to development and human activities writ large, and the policy document is about the Council's statement relative to marine spatial planning, very, you know, very narrow specific component, that's the way I see it at least. So I also am really interested in and I've asked several questions today about the use of programmatic EIS versus project based EIS or other requests from the Council for analysis at some higher level than just mapping stuff and what the Council's position should be on that, and so I have an interest in Council staff kind of bird dogging that a little bit for us and maybe teeing that up for us as a Council, because I think it's important that if we as a Council ask for certain analysis that we're really certain that a programmatic EIS is what we're asking for. And if it's not, we should be asking for what we really want, and I don't know that I know how to ask for what we want personally, so I would like that to be part of the policy document work in June if that's possible. I don't think that we should really worry about the outward facing document today in terms of where that lives and how that's reviewed and so on. I think that we should put that also in our future June or after. So those are some thoughts there. But I really appreciate staff and, and the advisory bodies being ready to comment on the Morro Bay Environmental Assessment, the PARS study, the Aquaculture Opportunity Areas in addition to the other things that we've put on those groups for the Oregon Call Areas. So, I hope that we'll be ready for those and if agenda item is needed in April that we make time for limited treatment of those topics in April. And that's all of my comments.

**Brad Pettinger** [00:03:45] Thanks Caren. John Ugoretz. John.

**John Ugoretz** [00:03:49] Thanks Mr. Vice Chair and, Caren, thank you very much. I just want to say that I support what you're saying. In particular I do see a need to combine the two policy documents as an internal policy, and I do think that work could occur. And thank you in particular for now clarifying in my brain the difference between the EWG document, which is more of an outward facing document, and I support everything you're recommending there.

**Brad Pettinger** [00:04:27] Thank you John. Further discussion? Okay. Merrick.

**Merrick Burden** [00:04:43] Yeah, thank you Mr. Vice Chairman. This might be a little out of order I

guess, I guess I don't really care but I guess I would just like to say I know our BOEM friends are still on the line. I would just like to express I guess a bit of thanks to them for working with us to put together the session that we did last week. I think that was a nice, constructive step and to ask that I hope they've heard the wealth of comment and information and the deep thought that's come from our advisory bodies in this Council and just to express my hope that they do take that to heart as things move forward. I also understand I think Rick has a word or two he would like to say. I think he's still online. I think he just would like to acknowledge something. So, if it's okay with you Mr. Vice Chairman, I would, I guess I would suggest that we allow Rick a word or two if that pleases the Council.

**Brad Pettinger** [00:05:57] Thank you Merrick. Rick, please.

**Rick Yarde** [00:06:02] Well sure. I just wanted to be able to have a chance to provide some reaction to today and hope this is the right time. Neco and I have been online for this afternoon's session and we are still here and we're going to have to log off pretty soon but I just wanted to know we were still here. We've heard all of this feedback. We heard the report read out and questions during those. Heard the public comments and the Council comments and questions and it's all, you know, great... great to hear from you all. I think I mentioned in a prior meeting, and I just want to say again, I really admire the work that you all put into this. The number of hours that I know you must spend here is remarkable and the effort that you put into it and your stamina is so impressive. So, I want to commend you all for that. And I guess I also just wanted to react to some of the comments and say, you know, we have been meeting with this group and meeting with some of you in other forums too for quite a while and I think I have perceived, you know, a sort of evolution that you, some of you are coming through along with us as we all learn together more about how we're working together, and some of the comments that you're providing to us now are just, you know, so very thoughtful and so well put together. I didn't want to miss an opportunity to just mention that I note, you know, we note that you all are doing a great job in participating with us and, you know, hearing what we have to say and learning from that and then having that influence, the comments you're providing back to us, which is a great dynamic because we do our best work together as we move along this path together and we know the most about what we're each doing so I guess I wanted to call out just a few examples, if that's all right, and we appreciate everyone's comments so I don't mean to leave anyone out, but just when I was listening, Mike Conroy's report out and was so thoughtful and sort of getting it at the very particular issues in our analysis. It really resonated with me. Larry Thevik's comments, which are always so well expressed and, you know, a great example of that that I was saying about hearing people learning very, in very great detail about BOEM's process and responding to it in a way that is very on point about what we're working on as another example. Greg Shaughnessy, his....heard last week too but today about the NMFS surveys and providing some very specific information today about, you know, on the ground surveys and what it means and what we should be watching out for and what it means to the community. And then a slightly different natured comment, but Corey Niles a while ago just kind of talking about his efforts in talking to colleagues and learning about BOEM's process and, you know, gaining understandings that are helpful in providing good feedback too. And just, you know, again, a few examples that I was noting, and I just wanted to say everybody's comments are important to us, but those were a few things that I thought were particularly resonating with me today. So, I just want you all again to know that we've been here today again spending this time with you, hearing what you've got to say. We're going to continue to do this and we're going to spend time having many of us go through these reports that are submitted and make sure that we are taking away everything that we can from this interaction. And I guess just in closing say once again, thanks for this other opportunity and for all your work on this. We do appreciate it.

**Brad Pettinger** [00:10:28] Okay Rick. Well thank you for those words and thank you for....thanks for being with us through this session here so far so. Okay, anybody else? There's been a lot said here. I'm not sure if we have enough direction moving forward or if we need something more than that. Should

I maybe go to Kerry to see what he's got as far as.....Kerry, how are we doing? What have we got and what else do we need to do?

**Kerry Griffin** [00:11:04] Thank you. The morning staff meeting we talked, you know, we always talk about the day and what's happening and who's saying what and who might do a motion and there's no written motion required for this action. I do think it would be helpful to have some, you know, maybe a little summary or if someone has something in writing, even though it is guidance, I think that would be helpful because, you know, just because there's so many moving parts here. So, I don't know if someone had something in writing ready to share, but it would certainly help me to have a summary of expectations, you know, just to be clear. I know we talked a lot of things in Council discussion but having something either in writing or a clear statement of guidance for us would be helpful at this point.

**Brad Pettinger** [00:12:05] Caren Braby. Caren.

**Caren Braby** [00:12:08] I was speaking from a written electronic file. I would be happy to share that with the Council now or directly with Kerry, whatever the Council's preferences.

**Brad Pettinger** [00:12:26] It's not five o'clock yet so.....

**Caren Braby** [00:12:28] Oh, let's use the time then Mr. Vice Chair.....(laughter).....shall I send it to Kris?

**Brad Pettinger** [00:12:36] Corey.

**Corey Niles** [00:12:42] Thanks Mr. Vice Chair. I don't want to make it sound like I want to get out of here, but I didn't speak up earlier, but I heard John speak to what Caren said and I didn't want to repeat it. I would, if other people would like to see what Caren wrote no objections, but I would be happy with her sharing with Kerry. I was following along and had the advantage of seeing an earlier draft, so I would.....I just didn't speak up, but if Caren sent that to Kerry that would.....that captures what I understood her to say and John to agree with and silently agreeing with as well.

**Brad Pettinger** [00:13:21] Thank you Corey. What's the will of the Council on this one?

**Kerry Griffin** [00:13:34] Well I might jump in. Oh, I see John put his hand up, but now that I realize that there is something in writing that we can use and refer to, that checks my box as far as I'm concerned so thank you.

**Brad Pettinger** [00:13:50] John Ugoretz has his hand up. John.

**John Ugoretz** [00:13:53] Yeah, I was just thinking Mr. Vice Chair. I was just going to suggest maybe Caren could very briefly outline the points that she made so that we all know what's going into the, you know, the transmittal to staff.

**Brad Pettinger** [00:14:11] Okay. Caren, is that possible?

**Caren Braby** [00:14:13] Happy to do that. And I think while I'm doing....

**Brad Pettinger** [00:14:17] Are you on?

**Caren Braby** [00:14:17] I thought I was on. I'd be happy to do that, and I've just sent it to Kris as well. So, while I'm speaking, he may get it up on the screen for us. But basically, I outlined some comments

on the Oregon Call Areas and suggested that we ask staff to prepare a comment letter to BOEM in anticipation of the Federal Register publication, and that that should synthesize the advisory body reports that we've heard today and consider whether attaching those would be useful or not, but certainly rely on all of the advisory body input we've received today. And then at kind of a higher, the high-level guidance from the Council to BOEM should include confirmation that we conduct further stakeholder meetings, work with NOAA Fisheries on the PacFEM analysis, conduct a suitability analysis for ecosystem, confirm in that letter that we understand this is a winnowing process from 17 gigawatt Call Areas to something closer to Oregon's planning goal of 3 gigawatts. Ask for ways that we can work out this issue around cumulative impacts so that those can also be considered, and to get all of that done prior to committing to Wind Energy Areas, which would necessitate an extension in time. It includes a description of my thoughts around unintended consequences of hydroelectric dams and that this could be our generation's version of that and points to demonstration projects, phasing auctions instead of doing development all at once. I'll pause there. That's what's in there in my written direction relative to Oregon Call Areas.

**Brad Pettinger** [00:16:23] Okay.

**Caren Braby** [00:16:25] The second point is on the other aspects of marine planning. I suggested that we combine the two policy document versions that we got from the Habitat Committee and the Marine Planning Committee into one document. I'm suggesting we consider a new version in June of 2022. And if there's potential for understanding more about the use of programmatic EIS versus project specific EIS and what that means in terms of what we're talking about as a Council in our desires for further analysis. Does a programmatic EIS meet that? Does something else meet that? What does that mean to us as a Council and how should we recommend those tools? And then the outward facing document keep that separate. Bring it back to us in June. It doesn't need revision but just pose the question again on how to maintain that. Be ready to comment on the Morro Bay, the PARS and AOA comment opportunities and Council workload planning for April could include some.....a new agenda item could include Oregon Call Area, Morro Bay and PARS study if those are appropriate at that time.

**Brad Pettinger** [00:17:49] Okay. That's pretty comprehensive. Anybody.....is everybody satisfied with what you see on the screen as far as moving forward for Kerry? Okay. Kerry, do you feel better about that now?

**Kerry Griffin** [00:18:10] Thank you. Yes, I feel much better. I appreciate it and appreciate Caren and everyone putting these very thoughtful pieces of guidance in writing. The discussion was very helpful, and I also want to express appreciation to everyone who contributed to this agenda item, including our guests from BOEM and from NOAA, Diane and Nocy and Rick, and all the advisory body comments and the public comment. I agree they were very thoughtful and comprehensive. And so, I just wanted to express my appreciation for that. And I think that concludes your business for this agenda item unless Council members have something else they want to say or guidance or anything like that, you have concluded your business for this item.

**Brad Pettinger** [00:19:12] Okay, well I'm not seeing any hands. So, I think with that I will hand the gavel back to our Chairman. Marc.

**Marc Gorelnik** [00:19:26] Thank you very much Vice Chair Pettinger. Good job on that agenda item by everyone.

### 3. Fiscal Matters

**Marc Gorelnik** [00:00:00] So we will turn to Council discussion and the recommendations of the committee that are before us. Ryan Wulff.

**Ryan Wulff** [00:00:11] Yeah thanks. Actually, if you'll indulge me, I can update, maybe this could be a de facto NMFS report here since we did not have a fiscal year appropriations when the Budget Committee met, as Patricia noted, but we had the 1.5 trillion omnibus that has been passed and signed by the President yesterday. It is very difficult, and I consider myself a pretty good Googler, and it took me quite some time to be able to find what I believe is the relevant explanatory statement for commerce justice and science and in particular NMFS. So, this is....but keep in mind this is preliminary from what I got from when it passed the House, so it's possible that there has been some tweaks. But in general, since the number remains the same, at least I think I can give you a preliminary estimate of what was in this omnibus. In general NMFS budget went from about 964 million in FY 21 to over a billion, just over a billion, 1 billion 15 million dollars. As an agency that's about a 23 million dollar plus up in protected species and 23, excuse me and then about a 28 million in fisheries science and management. The Regional Council and Fisheries Commission line went up from 41.5 million in 2021 to 42.9, so it's a slight bump up for Councils. So, I think for the purposes of this discussion and expecting at the very least the funding that you got in FY 21 is a very reasonable assumption. There is an additional 6.25 million dollars for wind energy and that's split up between various budget lines, but it does highlight for the increase that will go towards fisheries data collection, basically to the Science Centers that they focus heavily on mitigating impacts to scientific surveys, and that's in the language. There's a couple other broad bumps up to that.....it re.....or excuse me it continues FY 21 funding as well as for another 4 million dollar plus up for backlogs and increased environmental permitting, and that's mainly ESA MMPA EFH consultations. And keep in mind I'm giving you numbers here on the agency as a whole so it's unclear how that will break down and effect the West Coast, but this is at least what's in the national budget. There is 2 million dollars for Southern Resident Killer Whale support and same funding I believe as last year, 39.5 million for implementation of the Pacific Salmon Treaty. There is an 8 million dollar plus up for surveys across the country for the Science Centers, and it does have the language I believe it had in last year, ensuring that the West Coast groundfish survey is maintained at the very least at four vessels. And then finally, there is 400,000 dollars for West Coast video review and electronic monitoring. It's unclear whether or not this is new money. However, it does say to be taken within existing fish base, so I'm not sure if that's new money or if that is money we'll have to direct, but also pay a price elsewhere. But that at least concludes my initial review of what's in the omnibus. And of course, we'll get a lot more detail here over the coming weeks since it was just signed yesterday.

**Marc Gorelnik** [00:04:04] Thank you very much Ryan. Further discussion? Oh, Brad.

**Brad Pettinger** [00:04:17] Yeah, I'd just like to say that I thought the budget meeting we had was probably the best one I've been involved with in my time on the Council and I thought it was very informative and give a much clearer picture I think of where we're at. And I just.....anyway did a great job so.

**Marc Gorelnik** [00:04:33] Yeah, I agree. We always have our reports and our presentations at the Budget Committee are always pretty top notch. I think one other issue that came up and was just to make sure that our expenditures are being kept in line with our grants and you can see commented in the report that our deferred spending account has, is depleting at a pretty steady rate, which suggests that notwithstanding the pandemic we are spending.....we need more money than we're getting in our grants. So that is something that we need to pay attention to and maybe we'll have further discussion at

our June budget meeting. Phil.

**Phil Anderson** [00:05:24] Yeah thanks Mr. Chairman. I had the opportunity to sit in on the Budget Committee meeting and, you know, the rate of our expenditures and depletion of our reserve is concerning. I think the suggestion by our Executive Director that we consider developing a policy on is a very wise one and I encourage the Budget Committee to continue down that road and I think along with the, along the lines of the Vice Chairman's comments, I think it provided.....the information was presented in a way that was very clear and but at the same time concerning that we need to really pay attention to where we're headed here. So thanks.

**Marc Gorelnik** [00:06:25] All right. Thanks for that Phil. I don't know if we need a motion here. Merrick.

**Merrick Burden** [00:06:33] Thank you Mr. Chairman. Not to delay the discussion or moving into a motion but I did just want to make a remark and just I'll say that thank you Mr. Vice Chairman for all your kind words. I would be remiss if I didn't acknowledge that we did have trouble connecting with some folks remotely. I think the lack of ability to connect with folks remotely during that meeting was not something that we had anticipated. We had thought that it would be a little bit more effective and so for those of you that were trying to participate online, you have my apologies. We are in this hybrid setting for the first time and we're trying and we'll learn from that experience and it will go better next time. So again, thank you for your kind words but also my apologies to those of you that tried to participate online and were unable to do so successfully.

**Marc Gorelnik** [00:07:37] Phil Anderson.

**Phil Anderson** [00:07:40] I believe that a motion is needed to accept the Budget Committee's Report?

**Marc Gorelnik** [00:07:46] Okay. Marci Yaremko has her hand up can I.....

**Phil Anderson** [00:07:48] Oh I'm sorry.

**Marc Gorelnik** [00:07:49] .....just go to her first. Marci.

**Marci Yaremko** [00:07:52] Thank you Mr. Chair. I appreciate the discussion that we've had here today, and I think I appreciated the Budget Committee discussion last week. Thank you Merrick for your remarks on that and, yeah, the technology was challenging but I did have a chance to review the report and the presentation in more detail since the meetings occurred, and I just want to say that I agree that a deeper dive is needed and appreciate the....this different look at finances, I think, than what we've seen in the past, though I'm not intending to say that what we've looked at in the past is inadequate. I think the verdicts out. I just want to support the idea of thinking about a policy regarding the deferred spending and thinking about it in the sense of it being a reserve rather than a stockpile. I think the reasons for maintaining some money on hand are well articulated in the presentation materials, but connected to this topic of course is the idea of whether we bring in additional money for special projects. That's been a policy that we have utilized in the past. You can see in one of the graphics in there that we did rely to some extent I think through about 2019 on special project funds and then sort of moved away from it for reasons that at least I recall were related to having put a lot of work on our plate and things taking a little longer than they may have originally been envisioned to take and acknowledging our core needs and functions. So anyway, I guess all I'm saying is that I think I view the decision on maintaining a reserve kind of interconnected with our decisions or policies on pursuing special projects and just agree that they're important to talk about and think about as we manage our budget into the future. Thanks.



**Marc Gorelnik** [00:10:35] Thank you Marci. We'll go.....I don't see any of their hands, so I'll call on Mr. Anderson. Or is there another hand? Phil.

**Phil Anderson** [00:10:52] Well with the help of Sandra I'd move that the Council accept the Budget Report as shown in Agenda Item C.3.a, Supplemental Budget Committee Report 1, March 2022. Thank you for reading my mind, Sandra.

**Marc Gorelnik** [00:11:16] What else is there? All right, we have a motion by Phil Anderson and we do have a second. Seconded by Pete Hassemer. Thank you Pete. Please speak to your motion as necessary.

**Phil Anderson** [00:11:33] I don't think it's necessary. We had a good discussion, good Budget Committee discussion and report. So, thanks to the, for the efforts of the Committee and the Executive Director and Patricia.

**Marc Gorelnik** [00:11:47] All right, thank you. Is there any discussion on the motion? All right, I'm not seeing any hands, so I'll call the question. All those in favor of the motion say 'aye'.

**Council** [00:12:01] Aye.

**Marc Gorelnik** [00:12:02] Opposed, no? Abstentions? Motion passes unanimously. Thank you, Phil, for the motion. Patricia, well let me just say, is there any other business from the Council on this agenda item? Okay Patricia, how are we doing?

**Patricia Crouse** [00:12:23] Looks like you've completed your action for this agenda item. We'll be back in June with more information and a draft policy.

**Marc Gorelnik** [00:12:31] All right. Thank you.

#### 4. Legislative Matters

No transcription for this agenda item.

## 5. Approval of Council Meeting Records

**Marc Gorelnik** [00:00:00] So first on our agenda is Agenda Item C.5, Approval of Council Meeting Records. Those are materials that were in the briefing book and I'll look to see if there's any corrections or a motion to approve. And if someone wants to do that. Virgil Moore. Thank you very much.

**Virgil Moore** [00:00:32] Mr. Chairman, I move that we approve the materials as presented.

**Marc Gorelnik** [00:00:37] Thank you very much Virgil. Is there a second? Seconded by Heather Hall. Any discussion? Not seeing any discussion I'll call the question. All those in favor say 'aye'.

**Council** [00:00:50] Aye.

**Marc Gorelnik** [00:00:50] Opposed, no? Abstentions? All right. Motion passes unanimously. We have approved our Council meeting records for November and January.

## 6. Membership Appointments and Council Operating Procedures

**Marc Gorelnik** [00:00:00] There is no public comment, so we'll move into Council discussion and action, that is to consider the, any appointments and membership issues and well... we see it there on the screen there. So, I know that this, when it came to appointments, these are things we covered in closed session so I am going to go to my sheet here, my cheat sheet here, and I will look to see if there is, someone wants to make a motion with regard to Miss Lisa Hillier. Heather Hall.

**Heather Hall** [00:00:44] Thank you Chair Gorelnik. Actually, in this motion I'll cover the nomination for Miss Wargo and Miss....

**Marc Gorelnik** [00:00:52] Lorna Wargo, yes.

**Heather Hall** [00:00:52] ....Hillier. Thank you. I move the Council appoint Miss Lisa Hillier to the Washington Department of Fish and Wildlife position on the Coastal Pelagic Species Management Team and appoint Miss Lorna Wargo to the Washington Department of Fish and Wildlife position on the Groundfish Management Team.

**Marc Gorelnik** [00:01:13] All right, and that's seconded by Phil Anderson. Please speak to your motion as necessary.

**Heather Hall** [00:01:18] Sure. Thank you. Both Miss Hillier and Miss Wargo are excellent candidates for these management teams. I know much....most of the Council is familiar with Miss Wargo, who long has been on the Coastal Pelagic Species Management Team for a long time. Miss Hillier is new to the Pacific Council but not new to the North Pacific Fishery Management Council, so she does have some experience. I think they'll both just provide excellent contributions to the Council management teams and the Council process in general. Thank you.

**Marc Gorelnik** [00:01:55] All right, thank you very much for the motion Heather. Any discussion on the motion? Okay. I'll call the question. All those in favor say 'aye'.

**Council** [00:02:05] Aye.

**Marc Gorelnik** [00:02:05] Opposed, no? Abstentions? Motion passes unanimously. Welcome to Lisa and Lorna or Lorna's just changing seats I guess here. All right. We now have....the next I have on my list is an appointment to the Salmon Technical Team from the State of Oregon. I'll look to either Chris Kern or Maggie Sommer. Welcome Maggie virtually.

**Maggie Sommer** [00:02:35] Thank you very much Chair Gorelnik.

**Marc Gorelnik** [00:02:40] And do you have a motion?

**Maggie Sommer** [00:02:42] Indeed I do and it's appearing on screen. So, I move the Council appointment Miss Emily Shallow to the Oregon Department of Fish and Wildlife position on the Salmon Technical Team.

**Marc Gorelnik** [00:02:54] All right, thank you for the motion. Is there a second? Seconded by Christa Svensson. Please speak to your motion.

**Maggie Sommer** [00:03:01] Thanks very much Chair. Miss Shallow brings expertise in a range of field

and lab fisheries science, research and data analysis, and we are very glad to have her come on board with ODFW and the STT. We are also grateful to Craig Foster for staying on a little bit to help with the transition over the meetings this spring. Thanks.

**Marc Gorelnik** [00:03:23] All right thank you. Thank you for the motion. Any discussion? Okay, I will call the question. All those in favor say 'aye'.

**Council** [00:03:31] Aye.

**Marc Gorelnik** [00:03:31] Opposed, no? Abstentions? Motion passes unanimously. Welcome Emily. All right now we have a... also a position on the Salmon Technical Team from the State of California. So, I'll look for a motion there. Marci Yaremko.

**Marci Yaremko** [00:03:54] Thank you Mr. Chair. Thank you Sandra. I move the Council appoint Miss Kandice Morgenstern to the California Department of Fish and Wildlife position on the Salmon Technical Team.

**Marc Gorelnik** [00:04:09] All right, thank you for the motion. Let's see if there's a second? Seconded by Robert Dooley. Please speak to your motion.

**Marci Yaremko** [00:04:17] Thank you Mr. Chair. We're very pleased to have Kandice Morgenstern joining us in the STT arena. She's been following along with the work of the STT for many years as a seasoned veteran from our Ocean Salmon Project. She has many years of overseeing field monitoring and assisting with regulatory development and other needed information on salmon science and management for the public, so we're pleased to be adding her to the STT ranks. Thank you.

**Marc Gorelnik** [00:04:55] Okay, thank you for the motion. Any discussion on this motion? Okay I'll call the question. All those in favor say 'aye'.

**Council** [00:05:05] Aye.

**Marc Gorelnik** [00:05:05] Opposed, no? Abstentions? Motion passes unanimously. Welcome Kandice. We'll turn next to the vacant Sport Fisheries At-Large position on the Groundfish Advisory Subpanel. Mr. Anderson.

**Phil Anderson** [00:05:25] Thank you Mr. Chairman. Thank you Sandra. I move the Council appoint Mr. David Kasheta to the vacant Sport Fisheries At-Large position on the Groundfish Advisory Subpanel.

**Marc Gorelnik** [00:05:38] All right thank you for the motion. I'll look for a second. Seconded by Heather Hall. Please speak to your motion.

**Phil Anderson** [00:05:46] Thank you Mr. Chairman. We did not receive any applicants from Washington. However, we were fortunate to receive a couple of applicants from farther south, and Mr. Kasheta comes from the Central Northern part of California. There's some similarities, certainly between the groundfish fisheries there and those in Washington and so we're pleased to, I'm pleased to put forward Mr. Kasheta's name for this position.

**Marc Gorelnik** [00:06:13] All right, thank you. Any discussion on this motion? Okay. All those in favor say 'aye'.

**Council** [00:06:21] Aye.

**Marc Gorelnik** [00:06:21] Opposed, no? Abstentions? Motion passes unanimously. Thank you for the motion and welcome David. All right, we have a vacancy on the North of Cape Mendocino Processor position on the HMSAS. Miss Christa Svensson.

**Christa Svensson** [00:06:42] Yeah, I move the Council appoint Mr. Lyf Gildersleeve to the vacant Processor North of Cape Mendocino position on the Highly Migratory Species Advisory Subpanel.

**Marc Gorelnik** [00:06:52] All right. Thank you for the motion. Is there a second? Seconded by Corey Ridings. Please speak to your motion.

**Christa Svensson** [00:07:00] Yeah, thank you. I've known Mr. Gildersleeve for about a decade. He was a buyer when I was selling albacore lines. He's been actively engaged in learning about the fishery, both for fishermen and for processors. And I've watched him grow his business from being a one man show to 30 employees, which gives him the ability and the time to participate in the Council process. Furthermore, in reaching out to stakeholders, he has processor support, which is important because he's not a traditional processor in the sense we normally see in the Council process. And that support came from both large and small processors. So, it was not unanimous in terms of not everybody responded back, but it was unanimous in terms of size and composition of the representation. I look forward to seeing Mr. Gildersleeve at Council meetings and I would encourage him to get his camper van ready as he had said he was willing to go out and meet with and engage with northern processors.

**Marc Gorelnik** [00:08:06] All right, thank you very much Christa for the motion. Is there any discussion on this motion? All right I'll call the question. All those in favor say 'aye'.

**Council** [00:08:16] Aye.

**Marc Gorelnik** [00:08:16] Opposed, no? Abstentions? Motion passes unanimously. Thank you, Christa, for the motion and welcome Lyf. Now we'll move to the vacant Idaho Sport Fisheries position on the Salmon Advisory Subpanel. I'll look for a motion.

**Virgil Moore** [00:08:36] Thank you Mr. Chairman. I move the Council appoint Mr. Donald Vernon to the vacant Idaho Sportfish position on the Salmon Advisory Committee.

**Marc Gorelnik** [00:08:49] All right, thank you for the motion. I'll look for a second? Seconded by Phil Anderson. Please speak to your motion.

**Virgil Moore** [00:08:58] Thank you Mr. Chairman. Mr. Vernon has an extensive background in civil engineering, working with a lot of environmental projects throughout the West, much of it in federal compliance with water quality, air quality. Spent a stint at the Idaho National Laboratory working out there. I've talked with Mr. Vernon. I do not know him. He is one of two applicants we had and, but his enthusiasm and his extensive knowledge, personal knowledge as well as his professional knowledge and accomplishments I think will bring a refreshing new face to the Salmon Advisory Group. So that's all the background I've got. His materials are in there and he's a fine person. We're fortunate to have had two good applicants. I also want to say I appreciate the help from California in working through some of the issues we had with those two applicants.

**Marc Gorelnik** [00:09:59] All right, thank you very much for the motion. Are there any discussion? Not seeing any discussion I'll call the question. All those in favor say 'aye'.

**Council** [00:10:09] Aye.

**Marc Gorelnik** [00:10:09] Opposed, no? Abstentions? The motion passes unanimously. We'll turn now to a vacant At-Large position on the Scientific and Statistical Committee. I'll look for a motion there. Miss Corey Ridings.

**Corey Ridings** [00:10:30] Thank you Mr. Chair. I move the Council appoint Dr. Matthew Reimer to a vacant At-Large position on the Scientific and Statistical Committee.

**Marc Gorelnik** [00:10:39] Thank you for the motion. I'll look for a second? Seconded by Christa Svensson. Thank you Christa. Please speak to your motion.

**Corey Ridings** [00:10:48] Thank you Mr. Chair. Dr. Reimer has deep experience and fills a needed role on the SSC, so I'm pleased to put his name forward for the SSC ranks.

**Marc Gorelnik** [00:10:58] All right. Thank you for the motion. Any discussion? All right I'll call the question. All those in favor say 'aye'.

**Council** [00:11:07] Aye.

**Marc Gorelnik** [00:11:07] Opposed, no? Abstentions? The motion passes unanimously. Welcome Matthew. Those are the motions I have. I'll turn back to Mr. Burner.

**Mike Burner** [00:11:25] Thank you Mr. Chair. Appreciate those motions and moving those forward. Thank you. Just in recap that does leave a few vacancies left. We have a remaining vacancy on the Habitat Committee representing Northwest and Columbia River Tribal Representatives, a Groundfish Advisory Subpanel At-Large Processor position and one At-Large position for the SSC. These positions were discussed in Closed Session. The Council had some discussions about expertise and the representation there that we weren't able to resolve at this session. April is going to come up quickly so it's my understanding that we will revisit these vacancies in June and discuss ways forward in terms of filling those in the future. Thank you.

**Marc Gorelnik** [00:12:11] All right. Thank you very much Mike. Let's turn to our next item here. That is to provide feedback on the Council staff proposal for the QR procedure. And for that I'll turn to Executive Director Merrick Burden.

**Merrick Burden** [00:12:27] Yes. Thank you Mr. Chairman. I would refer you to the attachment from the... Attachment C.6, Attachment 1. I'm sorry I've got a mouthful of marbles this morning. This is a report that my staff and I put together regarding our QR procedure, which is something that we've been using relatively frequently here since late last year. And in the interest of just making sure that everyone is on the same page about how this will go and how we envision it going, we thought it would be helpful to put together this document, and so I don't feel the need to read this into the record as it's been in our briefing book now for some time, however I would just quickly summarize it for you. So, this document does include just a summary of our COP 1, which has the QR procedure there in italicized text and our interpretation of what that means. And then in the latter part of the document you see several steps that we have ironed out here over the last couple of months with the interest of making sure that this QR procedure is done in a way that provides for clear expectations about how we will go about handling this internally. Our expectations of interacting with you all to receive approval of any letters that are crafted and how we intend to submit it after those steps have been completed. So, after consulting with my staff, we don't think this would take a change to the COPs. This is more about expectation management and our intentions. I do want to make sure that this was in front of you so that you can see

how we intend to proceed and would be happy to answer any questions Mr. Chairman. Of course, if you would like to make modifications to the COPs that is certainly within your, within your authority, however, we don't think that's necessary at the moment. So, I think I will stop there Mr. Chairman. Happy to answer any questions about the QR procedure and maybe just one final note that looking out along the horizon, we do anticipate using this procedure quite a bit moving forward for the wind energy matter and for aquaculture matters and that this will keep coming back so we want to be on the same page about how we envision moving forward.

**Marc Gorelnik** [00:14:56] All right, thanks for that Merrick. And I think you're right. I think the QR procedure will become more routine than it has been in the past. Let's see if there are any questions for the Executive Director or any discussion? Marci Yaremko.

**Marci Yaremko** [00:15:09] Thank you Mr. Chair. Thank you, Mr. Burden, for your overview and summary of the document. I want to take a moment to acknowledge my appreciation for the work that you and your staff have done to scrutinize our process and add some transparency to it. This is a great reminder and just wanting to indicate that the description here is in line with what I've always understood our QR response procedure to be. So just appreciate taking the time to summarize it. I do have one question and that pertains to the item one describing the consultation that occurs between Council staff and the leadership of an appropriate committee on the need for a QR letter. One, I guess my question is, would it be more appropriate to indicate that committees could be plural throughout the document? And the reason I raise that is there are a number of issues that are kind of cross-cutting across committees and actually most issues are cross-cutting across committees. But I just flag that acknowledging that we may take up content in one committee and it would be unfortunate situation to have, as an example, content that's been in a Habitat Committee discussion then fall only to the consultation of the MPC. So, I guess it's kind of a question and a comment. Do we foresee that committee here in the report really should be broadened to include committees? Thanks.

**Merrick Burden** [00:17:36] Yes, thank you Miss Yaremko. I think your comment and question is well noted. I would just note that it's the intention, even though it doesn't say plural, it's the intention that we would consult with either a singular committee if that's appropriate or more than one committee if that seems appropriate. I believe our, let's see what letter was that, I believe our Nordic Aquafarms letter consulted both the Habitat Committee and the MPC for instance. So, I would just add that I believe the intention is to do what you are suggesting, even though the text is singular. Hope that answers your question.

**Marci Yaremko** [00:18:19] Yes it does. Thank you Mr. Chair and Mr. Burden.

**Marc Gorelnik** [00:18:27] All right. Further questions? Any discussion on this proposal or this clarification from staff? All right I'm not seeing any hands and so we'll move on to the next bullet here and that is to discuss whether the Council wishes to consider changes or additions to the COPs or SOPPs? And okay... Maggie Sommer, please.

**Maggie Sommer** [00:19:08] Thank you Chair Gorelnik. I don't have a change to suggest just a question I think for staff. We have noticed that the version of COP 9 on the Council's website does not yet reflect the update that the Council approved to include the central subpopulation of Northern Anchovy Management Framework last November and just wanted to check in on that.

**Marc Gorelnik** [00:19:41] Mr. Burner.

**Mike Burner** [00:19:43] Thank you Mr. Chair. Thank you Miss Sommer. That is just simply something I have not gotten to. It is on my list. I was hoping to get that done before March. With CPS on the



agenda at our next meeting will endeavor to get that posted. It's just simply something we haven't got to. My apologies.

**Maggie Sommer** [00:20:01] Thanks very much. No problem. I understand there has been an awful lot of transition and going on. So, appreciate the info.

**Marc Gorelnik** [00:20:10] Okay. Further discussion about potential changes or additions to these documents? Are we not getting any direction? And if we're not getting any direction, I'm fine to leave it there. Mike, do you have anything?

**Mike Burner** [00:20:37] Nothing more. I think that concludes our business here. We'll move forward with the appointments you've made. Welcome to those folks, and we will get you teed up for some June discussions about the vacancies and maybe some further look at your COPs. I don't anticipate a lot of business for April just because it's right around the corner, so this should be a relatively short agenda item at your next session, but thank you.

**Marc Gorelnik** [00:20:59] All right. Thank you very much.

## 7. Future Council Meeting Agenda and Workload Planning

**Marc Gorelnik** [00:00:00] There is no public comment, so that will take us to Council discussion and action, which is there on the screen in front of all of us. So, at this point I will turn to our Executive Director to pick up the discussion, or Mike, Mr. Burner. Mr. Burner, please.

**Mike Burner** [00:00:24] Thank you Mr. Chair. So, I might recommend that we start with the April session since we have that FR notice due soon and the sooner staff gets a picture of what that might look like, it would make things a little easier for us to get that turned around. I might also ask, the Council might want to extend that discussion to talk a little bit about COVID protocols and some of the logistics for that April meeting. Once we get April settled, if you will, then maybe turn the discussion to post-April activities and the Year-At-a-Glance, if that makes sense to the Council so....

**Marc Gorelnik** [00:01:03] I think that's an excellent plan. First things first.

**Mike Burner** [00:01:06] If that does, let's focus on April. I didn't hear any support in our advisory body statements for maintaining that strategic plan scoping item for April and I haven't heard anything around the table thus far, so unless I hear differently, we'll go ahead with postponing that until potentially your September agenda item. There were several references to perhaps scheduling a marine planning item in April. I would note that this April agenda has been around for a while and it's getting pretty complete, and as I noticed we generally don't have the ability to change this agenda a lot, but if the Council felt that was a high priority, we could look to fitting that in somewhere. I would also....we also heard from the GMT and Heather Hall regarding the potential of moving some of those groundfish items to provide some more time between those two check-ins, or excuse me, the two-step approach to management measure PPA. Again, I would entertain that, but things once you start shuffling things around it starts a cascade effect. So just a little bit of concern about tinkering with this agenda too much, but I don't want to squelch ideas either so open to Council discussion and comments on April and how it's laid out.

**Marc Gorelnik** [00:02:29] All right thanks Mike. Well, let's see if there's some guidance from around the table, particularly with regard to the Marine Planning Committee request, which we heard from a couple of different advisory bodies. See if there's any support for that. We have Dr. Caren Braby.

**Caren Braby** [00:02:51] Good morning, everyone. I don't want to speak for or against it, but I just want to provide some considerations for the marine planning item. There are a couple of weighty topics that will be timely at the April meeting and there has been some concern about the use of a QR letter approach instead of scheduling Council time to address emerging marine planning issues. I believe that the Council's process on this, even with the heavy reliance on QR letters has worked just fine, but recognize the workload and that there.....it's tough to get a formal Council consideration of those through that QR process. So I'm.....me personally as a Council member I'm fine either way, but recognize and just wanted to articulate the pros and cons of trying to make time for that at the April agenda.

**Marc Gorelnik** [00:04:10] All right thank you very much for that comment. Further discussion? Phil Anderson.

**Phil Anderson** [00:04:20] Yeah this doesn't.....isn't a suggestion to modify the agenda, but I just wanted to make note of the GMT's request that for an extra day before the meeting starts to help them meet the workload demands that they have.

**Marc Gorelnik** [00:04:43] Thank you Phil for that reminder. Heather Hall. I'm sorry.

**Heather Hall** [00:04:55] That's okay. Thank you. I just wanted to follow-up on Phil's comment about that too. And I think and as it pertains to what we heard from Mike about the revising the schedule and just with the hope that if the GMT had more lead time it might accommodate that issue that I raised about those two agenda items being back-to-back. So thank you.

**Marc Gorelnik** [00:05:27] Thank you. Thank you Heather. Oh... Coast Guard.

**LCDR Brett Ettinger** [00:05:33] Good morning, Mr. Chairman. I just wanted to speak to the Agenda Item I.1, The Coast Guard Annual Report. There was a proposed date change from Friday to Tuesday. We're prepared to support that Tuesday morning date change. We've had some correspondence with Mr. Jim Seger via email and he's confirmed that date as well. And the Admiral is planning to present. We will not be reading the entire report into record, but we will likely be presenting some level of a slide deck to present to the Council. That's all I have. Thank you.

**Marc Gorelnik** [00:06:09] Thank you for that. Corey Ridings.

**Corey Ridings** [00:06:14] Thank you Mr. Chair. I don't have strong feelings, but I do lean towards planning a short agenda item for marine planning in April if that seems reasonable and doesn't unnecessarily.....and I don't want to.....sorry Mr. Burner I can't remember the exact words you just used. I don't want a.....a cascade. I think that was it. I don't want to start a cascade here, but I think a short agenda item would allow some space. There are a lot of moving pieces as Dr. Braby spoke to, and I think it's important that this Council gets time to think about this so.....

**Marc Gorelnik** [00:06:51] Thanks.

**Corey Ridings** [00:06:51] Thank you.

**Marc Gorelnik** [00:06:52] I think my concern is I've never heard of a short Marine Planning Committee agenda item. They seem to be scheduled at two hours and go to three hours. So, while I think that would be, that suggestion is ideal, it's also a bit idealistic. We do have the quick response method available should we need to provide some letters. But let's just sort of see if there's any strong Council interest in scheduling a Marine Planning Committee item and if there is, we're going to have to re-jigger a fair amount of stuff. Phil Anderson.

**Phil Anderson** [00:07:40] Thanks Mr. Chairman. And I, you know, if there was a longer time period between March and April where, I mean I know it's a real active suite of things that are going on in that world and however, you know, we spent a good deal of time and got comprehensive updates at this meeting. I would obvious.....I would advocate that we certainly take it up in June. But because of the short, shortness of the time period between the two meetings, I guess I would suggest not trying to squeeze it into the April agenda.

**Marc Gorelnik** [00:08:24] All right. Thank you for that Phil. Is that going to be okay with folks? Okay, I think that's where we're going to have to go. Further discussion on the agenda for the April meeting? Ryan, or excuse me, Brad Pettinger.

**Brad Pettinger** [00:08:47] Yeah, thank you Chair Gorelnik. I'm just kind of curious, we've got....what are we....we have a few hours that are open here. I see only two and a half hours on day last. I guess was it....was the desire to fill out that to four half hours or fill each day to eight, or are we happy with pretty much what we're seeing right now?

**Marc Gorelnik** [00:09:09] Well, my recollection is that the last day of the April meeting with north of Falcon often takes a lot of time and while I hope we don't have a repeat, there is always that possibility so. And I think that Mr. Anderson made a fair point. We had an MPC meeting here, and it was only a month between meetings and we might have an alternative mechanism to get out letters if we need to.

**Brad Pettinger** [00:09:46] Well, I wasn't necessarily advocating for an MPC meeting. I just was just as far as.....

**Marc Gorelnik** [00:09:50] Yeah, and we do have that time. Phil.

**Phil Anderson** [00:09:55] Well, I appreciate you pointing out that north of Falcon is the area that usually holds us up but south of Falcon this year is proving to be a big challenge as well.

**Marc Gorelnik** [00:10:06] Yes.....

**Phil Anderson** [00:10:06] And not say that north of Falcon won't rear its head before we're done, but I think giving ourselves a little bit of time and the potential of having to take the final action on day last instead of Tuesday is as we hope to do here is a good strategy to give us a little bit of leeway there. So thanks.

**Marc Gorelnik** [00:10:33] All right, thanks for that. Anything further? Maggie Sommer and then Ryan Wulff.

**Maggie Sommer** [00:10:42] Thanks Chair Gorelnik. We will also, I think, need to start thinking about a process to address the groundfish stock definitions and stock complexes issue, and I know that we have a shaded item on the June agenda that we'll talk about when we get to the Year-At-a-Glance in a little bit. But I think that we might want to be having some discussions about an approach and potentially whether we think an ad hoc committee would be appropriate et cetera, at the April meeting under one or both of membership appointments and future meeting planning.

**Marc Gorelnik** [00:11:30] Okay, thank you for that Maggie. Ryan.

**Ryan Wulff** [00:11:34] Yeah, thank you Chair. And I support the comments just made by Maggie. But I have actually two questions and then I have another comment, but they're all on different things. The first one actually is more of a quick clarification maybe to Mike that under this agenda, so for D.4 for the salmon, is that where you see where we would circle back on the southern resident killer whale threshold process recommendation from the STT and the SSC?

**Mike Burner** [00:12:06] That would certainly be one option if that item fell as, as a topic that the Council wanted to prioritize. For a methodology review I could see that as a way forward for sure. Yes.

**Ryan Wulff** [00:12:16] Thank you. And then, and my apologies if I missed, but looking at the GMT report and their request to meet in person in April, maybe the question for Merrick on protocol is, are you expecting that this would be, April would be similar to your email, it would be a hybrid meeting just like this where you're only expecting the STT or the SAS or are we opening a meeting if all of the advisory body members want to be there in person or any clarification you have on that would be helpful. Thanks.

**Merrick Burden** [00:12:50] Yeah, thank you Mr. Wulff. Yes, the April meeting, unfortunately we did have to make some decisions about how to structure that meeting before we arrived here in particular, you know, setting aside space at the hotel. So, at the time of making those decisions, our understanding

is that we would not have been able to fully staff many of our management teams in person. So, the structure for the April meeting will be in many ways very similar to this one in an in-person setting with the Council in person, the salmon bodies in person. We do have some more latitude to discuss some other changes. I would recommend we take that up after we go through the agenda, but the ability to host the GMT in person is not within the realm of possibility at the moment.

**Ryan Wulff** [00:13:46] Thank you for that, Merrick, I appreciate that. And I do have one more comment, but I guess it's actually more relevant to the YAG, so I'll hold off for now since we're on the April agenda.

**Marc Gorelnik** [00:13:55] All right. Mike Burner.

**Mike Burner** [00:13:57] Thank you Mr. Chair. Regarding the recommendation regarding an ad hoc committee to look into some stock definition issues, I'm supportive of that. I think April is coming up quickly though, as we've mentioned several times. I think what might help with that agenda item, the Council certainly under membership and appointments could establish an ad hoc committee. I think it might be helpful if we have in the briefing book at least some straw man ideas about what the charge of that committee, maybe what the membership of that might look like just so people can start getting their mind around it. We wouldn't necessarily have to have names for the seats for that committee. That's something that the Chair in consultation with the Council could do outside of a Council session, but it might be good. I'd be happy to work with folks to get something in the briefing book just to get some initial thoughts on that. So thank you.

**Marc Gorelnik** [00:14:37] Thanks for that Mike. Further thoughts on items for the April agenda? Okay Mike let me just turn to you and see if we're, you've received enough input on that to finalize it and get the FR notice out?

**Mike Burner** [00:15:00] Yeah, thank you Mr. Chair. I appreciate all that feedback. I plan to add a GMT session on the 7th as they requested to get some speed going on the large amount of workload they have. We're going to leave strategic planning off. I understand we will not be adding a marine planning session for the April Council floor, but rely on our QR process and the good work of the ad hoc Marine Planning Committee there. Got confirmation from the Coast Guard regarding that Tuesday scheduling. So, with all that, I think we're looking pretty good, good for April and we can turn to talk about maybe some of the protocols for April if there's more discussion there and then finish up with the Year-At-a-Glance, so thank you.

**Marc Gorelnik** [00:15:35] All right. Thanks for that Mike, and I'll turn to our Executive Director to get that discussion going.

**Merrick Burden** [00:15:41] Yes, thank you Mr. Chairman. And as indicated in my response to Mr. Wulff's question a minute ago, we have been thinking quite a bit about the April meeting and what I would ask of you all is that we try to achieve some, some collective understanding or will about how to best manage that meeting in the face of COVID. And so just a bit of background here. So leading into this meeting, you know, we received several requests from many of you about managing COVID risks and that lent itself to masking requirements, testing requirements, limited in-person attendance, an effort to provide some spacing among us all here today and some other things. As we head into our April meeting, we currently have the same list of invitees, if you will. So, what I mean by that is we've, we have plans for being able to host the Council in person, being able to host the two advisory bodies in person, being prepared to host tribal co-managers in person and a couple of other folks around that process. If we proceed with that as we have been, we would expect there to be approximately 100 additional people at the April meeting compared to this meeting here. So that starts to look quite a bit

different, even though our plan on paper looks fairly similar. We also have questions for you all about what your collective desire is regarding the management of our COVID situation and whether you would like to continue with a masking requirements. In terms of testing, I do not believe that we are able at this point to require daily testing. We certainly have some tests still on hand and the number is a fair number and so I could imagine us providing those to Council members or salmon advisory members as requested, but the ability to require tests of the number of folks that we would anticipate having in April on a daily basis doesn't look that feasible. So, I think the question for you all here then is if we could have a discussion about a few things. One is your collective desires in terms of masking, vaccination. Your collective desire of whether to allow the public to attend in person or not. That's something that we did not allow here because it was a point of risk that we wanted to manage. Given the relatively large number of people that we would expect in April, I think that raises the question should we go ahead and open up the meeting to the public in person? So those are the three major questions that I would pose to you all, and I hope that we can try to achieve some collective will of the Council here for April. I hope that makes sense Mr. Chairman. I'd be happy to answer any questions though.

**Marc Gorelnik** [00:19:19] All right, thanks for laying that out. And let's see if there's any questions or a discussion here? Marci Yaremko.

**Marci Yaremko** [00:19:32] Thank you Mr. Chair. Thank you, Merrick, for that overview. I guess maybe if you can clarify, I may have just missed it in what you just presented, but in a discussion about considering whether public may attend, that would be on their own time and dime. And then with regard to any AB members, that too would be on their own time and dime if they wish to attend or agency dime, whatever the case may be. I'm just looking for some clarification about who would be invited to attend?

**Merrick Burden** [00:20:23] Yes, thanks for that question, Miss Yaremko. So, in terms of, I believe your question is in regards to who would be invited and then who would be supported financially? So, as we've done for this meeting with the Council and the advisory bodies that have been invited, the two salmon bodies, we would be continuing to plan to support them in April as we have in March. In terms of the public, they would be, if you were to express your desire to open up the meeting to the public, you know, they would be expected to travel to the meeting if they desired and attend on their own dime as we do not support the public participation. In terms of tribal co-managers, you know, we do hold a room block that is available to them. The actual degree of financial support, I'm drawing a blank. This is where I'll pull the new guy card. I don't believe we do support the tribal co-managers financially, but we do provide space in a room block for them. I hope that's answering your question, Miss Yaremko. If I misunderstood it, I'd be happy to clarify.

**Marci Yaremko** [00:21:44] Thank you Mr. Vice, or Mr. Chair and Merrick. Actually, you're close. I guess I'm just wondering that if somebody is a member of an advisory body other than the SAS or the STT, I just want to clarify that Council funds would not be available for their travel if they were here to testify to us. So, for example, if the Chair of the GAP was to come to testify because it's open to the members of the public and the Chair of the GAP is a member of the public, but also serves in another role as the Chair of the GAP, funds would not be available for their attendance. I'm just looking for the ground rules that would come with the authorization for public attendance. Thanks.

**Merrick Burden** [00:22:48] Thanks for that clarifying question, Miss Yaremko. So, my intention would be that if a member of an advisory body were to attend and that advisory body had not been extended an invitation to attend in person, that that person would be participating as a member of the public for purposes of, or management of the meeting and so that would mean that we would not be supporting that person financially. I believe that's what you're asking.

**Marci Yaremko** [00:23:26] Yes, thank you. You got it.

**Marc Gorelnik** [00:23:29] All right, Maggie Sommer.

**Maggie Sommer** [00:23:32] Thanks Chair. I just wanted to observe that there really would seem to be a disconnect between not having most of our advisory bodies attend in person and yet opening up to full public attendance. And I recognize there are a lot of aspects of both of those issues, but it really, there does seem to be a disconnect there, and I know many of our advisory bodies are really feeling the strain of not being in person. I'm not sure I have a recommendation on this here, but thought I'd raise that and see if there's any response around the table.

**Marc Gorelnik** [00:24:28] Phil.

**Phil Anderson** [00:24:28] Well maybe.....at least for me, what is possible? I mean we're whatever we are, four weeks away from the meeting, I assume you've made whatever hotel accommodations, meeting rooms, all that sort of thing. I mean what is the scope of the discussion here? I mean if we have a finite number of rooms that have been reserved based on the model that you described to Merrick then discussing whether or not additional advisory bodies can attend and meet as they would normally do if we had an in-person meeting isn't an option as I understand it. And so if that, if my assumption there is correct, then my other question was, you mentioned that you thought there would be up to an additional hundred individuals attending the April meeting, and I'm wondering if we don't allow the public as we do, if we same kind of model we did at this meeting and the one addition, and I don't mean to minimize it, is that other management entities and in particular tribal management entities would be able to attend. Is that where the bulk of the additional people are coming from in your estimate of an increase of a hundred people?

**Merrick Burden** [00:26:07] Yes. Thank you for that question, Mr. Anderson. And also, just quickly recognizing Maggie's question. So let me see if I can address this in a couple of parts. So one, as we think about our full suite of Council members and Council advisory bodies, we did have to make a decision on the hotel prior to the Council meeting here this week, and so that was an unfortunate situation but it just is what it, what it was if that makes sense. And so, what we understood at that time was that there would be several members of various management teams that would decline to, to show in person, and so right away that meant that we would have to be entertaining hybrid models of some kind. As we were thinking about this meeting, it was clear to us that we could only do that to a very limited extent. And so right away that meant that we had to back down from a full in-person April Council meeting and entertain as many hybrid meetings as possible, which we thought would work here, and it hasn't quite worked even here. And so, all of that led us to say, let's plan for advisory body invitations. The two advisory bodies that we have here will make that same decision for the April meeting, so that's why the other management teams are not receiving an invitation. We then planned the hotel accordingly, and so we only have so many rooms, we can't scale that back up at this point. And we also have so many room blocks. That gets to your second question. And so, yes indeed, the additional participants in the meeting, my understanding is that after communicating with folks at the Northwest Indian Fisheries Commission for instance, that we would be expecting somewhere between 60 or 70 additional folks from the tribes coming to help with the tribal co-management process. And then there's a, I guess a parallel set of folks that come from WDFW. You probably understand this better than I do. Put all that together and we start looking at about 100 people. I think that's answering your question. Let me know if I've missed anything.

**Marc Gorelnik** [00:28:41] And I will note that we had some public comment, at least on the salmon side of the public wanting to attend. So, in terms of additional attendees to permit public participation, let me just say on the south of Falcon side, we're not talking probably about very many additional

people. And I don't think we're, you know, and I think that in terms of managing what happens in our bubble here in the Council room, merely allowing the public to participate in the north of Falcon or south of Falcon processes outside this room is one thing. It doesn't necessarily mean we're bringing a hundred members of the public into this room. We can still manage public comment as we have through a virtual process, and that would help protect our bubble here. Bob Dooley.

**Bob Dooley** [00:29:50] Yeah, thank you Mr. Chairman. Thanks for all the clarification. It helped me a bunch. But my question is at this meeting, at least the way I understood it was, we didn't prohibit anyone public from being here, we discouraged it and it seemed to have worked. We didn't have very many public people here, and I would....are we doing the same keeping that same protocol? And it seemed to work because I don't....we don't have the ability to prohibit the public from coming in I don't think. And could you clarify that? Thanks.

**Merrick Burden** [00:30:32] Yes, thanks Mr. Dooley. Let's see thinking back on the correspondence that we sent out beginning late last year, we made a decision to not allow the public to participate and the actual formalities legally might be what you're asking. Could we actually have stopped that? I'm not actually sure, but we tried really hard and sent reminders to folks that we were not anticipating or supporting public attendance, and there were a couple of folks that were here. I'm not clear that they were members of the public. I think there were some tribal co-managers here for a few days. Some members of the SAS. There might have been one or two people who I didn't recognize, but I think we were largely successful in not having people from the public that we did not extend an invitation to. The question for you is whether you want to continue with that? I think we could allow the public or not discourage their attendance in April. We don't have room blocks or anything set up. We never do. But one of the questions for you all is whether we should open our doors and allow the public to participate in person?

**Marc Gorelnik** [00:31:51] Bob.

**Bob Dooley** [00:31:52] Thank you Mr. Chairman. Thanks Merrick. I looked at the guidance that we publicly posted, that you posted, and it was not lost on me that it was discouraged, not prohibited and I took that to mean that probably, and maybe assuming is wrong, but I assumed that we probably didn't have the ability to prohibit people from attending, but it certainly worked and, yes, there were people here today at this meeting that were not necessarily formally a member of the SAS or the STT or any of those and I think that it was well, I think people respected that request to be. That I would... I would assume, given the short, the short time span between now and April, I was not thinking we'd be changing anything radically and I think that worked. And I think the testimony we heard virtually seemed to have....we've been doing it for a couple of years now so I don't have a problem with that. So I.....but then I would note too that ongoing this week notwithstanding when the salmon advisory bodies were in the room, but the rest of the meeting we had 20 people in this huge room so I think our exposure here is probably to any COVID protocols is minimal. I think that that's, that we should....I'd certainly like to get back to normal on that front. Thank you.

**Marc Gorelnik** [00:33:30] All right, Caren Braby followed by Joe Oatman.

**Caren Braby** [00:00:00] Thank you Mr. Chair, and I appreciate this discussion. I just wanted to raise kind of a slightly different angle. Of course, we want to welcome the public into the Council chamber and into the advisory body meetings when the time is right. I feel pretty strongly that if we are not welcoming our advisory bodies fully in person, that we should have the same process for the public in April as we did in March. And it's really in my mind about access to each other and access to Council members and I almost see that as being kind of an inequity for our advisory body members. If we say, sure the public can come but the advisory bodies need to stay virtual, and so I think kind of forcing a



square peg into a round hole for April doesn't make sense to me and we should continue what we've done for the March meeting in April and plan on full celebratory reopening as health conditions allow in June. So, a slightly different perspective, different reasons, but I think that that equal access or equal invitation piece of it is important and I want our advisory bodies to come in person and that isn't going to be possible for April. Thanks.

**Marc Gorelnik** [00:01:51] Thank you Caren. Joe Oatman.

**Joe Oatman** [00:01:56] Yeah, thank you Mr. Chair. I, too, I support having the April meeting similar to what we had in place for this meeting. I do want to speak to the expected tribal co-manager participation that relates to the salmon issues and north of Falcon. So, we did have, as noted previously, some tribal officials there on-site at our meeting and I expect for April that we'll be getting even more tribal participants there in Seattle given, you know, the location and given that the salmon agenda items that we have, and so I do appreciate, you know, having their involvement and participation. But I do want to make a note and I'm not too sure how we will be able to deal with this. You know there is some limited seats there with the empty Council room, not sure how many chairs there, something like less than 20 maybe, and one of the tribal representatives let me know that, you know, he had wanted to attend and listen to the Council session on salmon while taking up the alternative management measures and wasn't able to find a seat. So, I just wanted to inform the Council that there is some interest in, on the tribal part to listen to some of the Council discussion that seating allows but, you know, there is that challenge of actually finding a seat available. I just wanted to pass that along too for consideration. Thank you.

**Marc Gorelnik** [00:04:17] Hey Joe, I apologize. I didn't quite hear your opening comments and your public comment. Could you.....could you try that again and try to speak up?

**Joe Oatman** [00:04:28] Yeah, thank you Mr. Chair. Can you hear me better?

**Marc Gorelnik** [00:04:31] Yes, this is better.

**Joe Oatman** [00:04:32] Okay thank you. So, my opening comment was I support, you know, having the April format, you know, similar to what we've had at this meeting in terms of who can attend the meeting. So, I didn't expect much change there I suppose relative to what we are planning for our April meeting. And I did want to make note that we did have tribal officials there on-site at the March meeting, this meeting and I expect that we'll have even more folks be there at the April meeting in Seattle given the location and the salmon agenda items that we'll be dealing with. And so, I do expect more individuals from the tribes there. I appreciate their ability to attend as co-managers for north of Falcon. And I did want to note the last comment was, you know, there is limited seating there in the Council chambers and I wanted to pass along a concern that some tribal folks wanted to listen to some of the Council discussion when that was up on salmon and wasn't able to find a seat. So, I don't how we deal with that, but that is a concern. Hope that came through okay.

**Marc Gorelnik** [00:06:14] All right, thank you Joe. Marci Yaremko followed by Butch Smith.

**Marci Yaremko** [00:06:23] Thank you Mr. Chair. I want to really thank Caren for her well-reasoned remarks just a second ago and maybe put another point of emphasis out there for consideration. You know I think we all completely agree we would rather have everybody here with us together in person, all our advisors and fully open doors to the public, but what I see with a situation where we might open the doors to the public and yet not our advisory bodies creates a challenging situation with access to the Council. Members of the public who come to testify to us often are looking to have sidebar discussions and glean insight from Council members, and almost always those members of the public, really their

first line of communication should be with the advisory body that handles the content that they're interested in discussing. So, I have some, I guess, reservation about the idea of allowing doors fully open to the public and yet not having our advisors there to help us assist in these communications with members of the public that may show up and want to testify or have questions about a particular subject matter. I very much appreciate and value the role that our ABs perform for the Council in helping with the communications and leading maybe newer members of the public by the hand to help them understand why a proposal exists and exactly what the Council process is for considering it. So, I just can't reiterate enough how critical it is. I think that they be the first on the priority list when it comes to considering who we have here with us at a meeting. Thank you.

**Marc Gorelnik** [00:09:05] Thank you Marci. Butch.

**Butch Smith** [00:09:08] Yes Mr. Chairman. I'm coming from a different venue. Can you hear me all right?

**Marc Gorelnik** [00:09:12] Yeah, you're loud and clear Butch. Welcome.

**Butch Smith** [00:09:14] Okay thank you. Sorry, in a semi-public place too so if you hear a little extra noise, that's why. I am planning to attend in April, but I do have to support Caren Braby's statement, I do agree with that and Marci. You know the main goal of life is to get back to full swing, but I also want to take the time to think about Council staff and what they've got to do between now and April and what they've done. I think, you know, we've got to recognize that we're stretching them pretty, pretty thin, and I think that the way I read it, the April meeting was going to be kind of a mirror image of the March meeting and that's acceptable to me. I think that, you know, if we want to start planning to do something different then June is probably the... June or September is probably the more realistic timeframe. So, to help Council staff, you know, I think there's going to have to be some improvements done to the SAS room and the STT room. That'll take some time and thinking between now and March and, and so I think the plate is full. I think we've kind of made our plan already. I think we need to stick to it and go with what we've kind of put out there already and then hope June or September will, everybody will be in the same room together. So, thank you Mr. Chairman for taking my comments.

**Marc Gorelnik** [00:10:54] Certainly Butch, it's good to hear you. I do think you touched on a point. I think the members of the public did not find the hybrid functioning of the SAS to be satisfactory and I think that's why at least some members of the public want to attend the SAS in person. So, I think that it's either going to be one or the other, we're either going to have to make that a more meaningful process for public participation in the SAS, and those of us who have worked on salmon know how important that process is... or allow them to attend at least the SAS. I appreciate the comments that, you know, having some here and not all is not a perfect solution, but we can't let the perfect be the enemy of the good here and so I want to make sure that if we're going to deny the public access to the Council meeting that all members of the public have an adequate substitute. Those that are already participating in virtual meetings have that substitute but the salmon folks at the moment don't. So, I just think we need to address that issue. Phil Anderson.

**Phil Anderson** [00:12:28] Yeah, thanks Mr. Chairman. I think my, in listening to all of this, my....what I've at least in my own mind, my conclusion is that we should handle the April meeting in the same manner in which we did this meeting, notwithstanding I know that the Council staff is aware of the issues within the SAS for people that were trying to tune in to that and I am confident that they will find a solution to that. But so... notwithstanding that, I think where we are and for a lot of the reasons that others have spoken to, that we should endeavor to conduct our April meeting in this room in the same manner in which we have at this meeting. On the tribal piece and, you know, there are.....we have a large number of folks that are participating in the north of Falcon process as many of you know, and

the final north of Falcon meetings are held in conjunction with the April council meeting, something else you already know, and I am confident that if we reached out to the tribes and let them know what we were, how our meeting room is structured and that if we requested them to limit their attendance in the Council room to their, to the people that really need to be here, that they would respond in a positive way if we reached out to them. So I think there's a way to accommodate the tribal policy people that would like to be in the room when we're having our discussions about the ocean salmon fisheries and it....but at the same time not thinking that we're going to have an additional 30, 40, 50 people in here. But so that's what I'm recommending that we do to keep our room as small in terms of attendance as we can yet respecting the tribal, the tribal governments who have direct connections to the actions taken by this Council relative to the fisheries. So that's kind of where I've ended up in my mind. Thanks.

**Marc Gorelnik** [00:15:37] Merrick.

**Merrick Burden** [00:15:40] Yes, thank you Mr. Chairman, and thank you all for this really good discussion. Maybe just some additional information as I feel like we might be starting to coalesce around an approach here. So, one of the things that weighs heavily on me and I know it weighs heavily on you all is, just the public process nature of what we do and, you know, it is quite unfortunate that the tools that we had and that we had tested and we thought were going to work here did not work that well. And so as my staff and I take a step back and think about how we could do that more effectively, you know, one option is to allow the public to participate in person in the SAS and to communicate and convey their thoughts and what have you. There are other ways, other things that we could explore and, you know, just in communicating with, you know, Kris for instance, we have, it could be possible to bring in a dedicated AV person into the SAS room and run it kind of like a mini Council meeting and so that there would be mics and there would be somebody running that. I think that's what we would pursue if you want to not have the public be in person for the salmon process. That would come at a several thousand-dollar expense and I know we've discussed, you know, budget situations earlier this week and there was some concern about that. I personally would not be that concerned because I think that cost to be offset by, you know, just having the smaller meeting again in April like we're having here, so I think that would be manageable. So, I just... I guess I would just put that out there that that would be the kind of setup that we'd be looking at in the SAS to help facilitate a public participation remotely, even while the SAS is in person. So just some added information there as I'm thinking about this and listening to your discussion.

**Marc Gorelnik** [00:17:58] All right. I think, Merrick, you adequately summarized the sense of the Council in terms of public participation. I think we can leave the technical, addressing the technical matters in the SAS to staff to deal with. And just keeping in mind that the SAS often breaks down into separate groups, but I think that, you know, just giving them a RingCentral line is probably all they need for that so that should not be the least bit difficult. So, if we've resolved that issue of the public at the Council meeting, we still have the issues of testing and masks. So, I'd like to get the sense of the Council there. Bob Dooley.

**Bob Dooley** [00:18:53] Thank you Mr. Chairman. Perhaps before we leave the last topic, I think we need to talk a little bit about what our goals are for the future. I've heard people talk about the potential of maybe having some of the virtual meetings or a portion of our annual schedule be virtual. There's been talk of that. We've never formally discussed it, but it seems to me that if we're going to invest in, and I have no problem with the technology for a short term meeting, but if there's going to be a longer term desire to maybe not meet in person every five times a year, that we may want to think of this differently in our investment in this technology to accommodate our advisory panels and such. And I know they're, you know, potentially some.....we've had discussions about budget and things like that, but it would be nice to sometime set aside some time, maybe not today, maybe today to just express what we're thinking in our long term planning to address the efficiencies that could be had for doing

that and maybe some of the budget efficiencies given the reports we had on that. So, I'll stop there but I just, that's just something that was on my mind. So thank you.

**Marc Gorelnik** [00:20:19] All right. Thanks for that Bob. I would like to hold off on longer term discussions until after we have settled on our procedure for our April meeting and so we can come back to that. Maggie Sommer.

**Maggie Sommer** [00:20:34] Thank you Chair. You asked about testing and masks, and I wanted to say that I really appreciate the Council's facilitation of the testing for Council members and others there in person at this meeting. It really gave me much more confidence being there with everybody and so if that, I guess, I would encourage exploration of whether that's a continued option for April. Understand there are probably some logistics et cetera, considerations there, but I appreciate it. Thought it was very helpful and I would feel even more strongly that way if we are going to, depending on, I guess, the outcome of the discussion on masks, which I have no comment on at this time.

**Marc Gorelnik** [00:21:31] All right, thank you Maggie. Heather Hall.

**Heather Hall** [00:21:34] Thank you Chair Gorelnik. And on that subject too, I also appreciated the testing and providing the test kits for us. I had a lot of comfort when we were in this room that it was fine and I was just going to link that a little to the discussion that we'll have about masking and just that perhaps if we are, if the Council discussion and we end up continuing the testing or some form of it, maybe for folks that are symptomatic, something like that, that if we are testing that when we're in the Council room we might be able to take our masks off. Just a thought.

**Marc Gorelnik** [00:22:18] Thanks. I know for myself it's a lot easier to hear people and to conduct our business without the masks, but I, let's see if there's any further comment on that. Phil Anderson.

**Phil Anderson** [00:22:32] Yeah, I generally support Heather's... the thought there. I found myself... you know this is probably the safest room there is to be in right, right here and it was ironic that I found myself, I went out of this room and then took my mask off so that I could breathe. When if there was a place that I should have felt the most comfortable without a mask, it was in here. So, I don't, I too, I just...it's a lot easier to hear people without the mask. I am happy to do it either way. I would, I think if we relaxed our mask rule in this room that I'd be comfortable with that.

**Marc Gorelnik** [00:23:30] Let me see if there's any strong objection to adopting, at least in this room for April, a mask optional policy. Not to say, you know, people should be comfortable and if you're more comfortable wearing a mask, that's perfect. So, I'm not seeing any hands so I'm assuming that we in the room, at least while we're in this room under the procedure we've adopted for attendance in this room that that will be okay for April. And obviously in June we may have another discussion. Dr. Braby.

**Caren Braby** [00:24:05] Yeah, I would just note that people who are uncomfortable not having masks on may not be comfortable saying so today, and so I would just encourage anybody who is concerned about that to talk to the Executive Director and Council staff after the meeting and not finalize that until that's confirmed. I'm comfortable with either way.

**Marc Gorelnik** [00:24:33] I think that's fair... so please reach out to Merrick Burden. And Merrick Burden.

**Merrick Burden** [00:24:45] Yes, thank you Mr. Chairman and everyone. So, some of the comments before this masking guidance or option made me think that perhaps that was conditioned on their

continuing to be a testing requirement of some kind. Is that the will of the Council? And if so, I guess I would point out that we are a couple of weeks away and Patricia and I have been communicating about whether we could secure enough tests for daily testing. We do still have some on hand that might lend itself to, you know, every two or three days or something, and if that's sufficient I think we're probably okay. It's the daily testing requirement I'm not totally certain on that we would have the supplies on hand to do so. If you're okay with two or three days, I think we should be fine.

**Marc Gorelnik** [00:25:40] All right, and certainly if you feel more comfortable communicating any reservations privately, please address them to Mr. Burden. Phil Anderson.

**Phil Anderson** [00:25:55] Yeah, I just want to make....for me I want to go to the lowest, whatever the lowest common denominator is that makes this group feel comfortable. If there's only one or two people that want masks, that's fine with me. I'll wear a mask. I, you know, even if it's one, I'm just, I will do whatever meets so that everybody that's in the room is comfortable so.

**Marc Gorelnik** [00:26:27] Thank you. Heather.

**Heather Hall** [00:26:29] Thank you. I completely agree, completely agree, and when I made my comment earlier and, Merrick, you picked up on this, the idea of not masking was linked to the idea that we were testing, and I realized that testing every day was not a requirement of us so we also, you know, that's our.....at our discretion. I assume it was just a recommendation and so also note that maybe not everyone is testing and so that comfort is what it is. So, I also agree that I'm willing to keep wearing a mask and testing as we have been doing but....

**Marc Gorelnik** [00:27:12] Yeah, and I agree people need to be comfortable here. But I would also say if the daily testing would make a difference to someone and they communicate that to Mr. Burden, that that would be helpful as well because, you know, there's always Amazon for tests. Butch Smith.

**Butch Smith** [00:27:34] Yes Mr. Chairman. I just, you know, I'm in the camp of Phil and Heather. Whatever it takes, and if somebody feels more comfortable, we have to wear a mask than we have to wear a mask. But I'd just like to remind the Council also is that we'll be kind of in the midst or just at the tail end of spring break so if we're going to see a bump up, we'll certainly see it, you know, probably the week before the Council meeting and so that'll be available and I don't know, I hope we don't see a bump up but if there was, I think that's a reminder, and Washington has, probably like every other state, has a really good heat map of where the outbreaks are and what counties are kind of going through more than others by a green, yellow, red system. And so anyway those are some tools that I'm sure Merrick has at his fingertips and that we can use, but certainly what it takes to do this and keep people safe is I'm all for it. It is a hassle to wear a mask, but the alternative is not good. So anyway, thank you Mr. Chairman.

**Marc Gorelnik** [00:28:46] All right, thanks Butch. I want to.....I've received some messages folks wanting a bio-break and I'd like to honor those, but I also don't want a break before we finish our April discussion. So, I think I know where we are. Corey Ridings.

**Corey Ridings** [00:29:10] Thank you Mr. Chair. I just wanted to agree with Council members I've heard so far talk about this and thank Phil and Heather for their thoughts. I am completely in agreeance with that. If one person's uncomfortable then I want to be, I want to recognize that and honor that. I also wanted to, you know, I think that our primary goal is keeping everybody safe and keeping everybody healthy and so that's the most important thing at the end of the day. And then maybe this is obvious, but I just wanted to clarify that this is all contingent on local and federal guidelines about masking, meetings and such. Thanks.

**Marc Gorelnik** [00:29:56] Of course we follow the most conservative guidance, so yes. Bob.

**Bob Dooley** [00:30:03] Thank you Mr. Chairman. I totally appreciate and I respect all the opinions around the table here and that we've heard. I think people being comfortable with it is important. But you know, having sat here all week eight hours or more a day with a mask on, I'm struggling myself personally with that. I think the opposite is true too. And I think if someone decides if there's a mask mandate and they really object to that or they don't want to subject themselves to that, we have the opposite. We can participate remotely and stay home, and I don't think that's a problem myself. So, I think we've got to respect both sides of it as far as comfort and as far as being, being able to participate in this process. That's just my opinion and so, but I do respect everyone else's opinion too, and I think it's important and it's a changing format. It could be a completely different landscape when we do go to Seattle and I'm looking forward to it by the way. It's good to see everybody this week, but I just wanted to express that, that this hasn't been an easy week for me personally sitting here, and I do acknowledge Phil had it spot on that I think around this table inside the tape that's at the end of the table that pretty much isolates us, this is the safest spot in the entire city as far as I could tell. And so, to that end, I think sitting at this table without a mask is perfectly acceptable to me given today's conditions. That could change and I think flexibility is the key here. So thank you.

**Marc Gorelnik** [00:32:04] All right. Thanks for that. I'd like to wrap our discussion on April here and I'd ask Mr. Burden if you can just quickly summarize where we are.

**Merrick Burden** [00:32:15] Yes. Thank you Mr. Chairman, and thank you all for this very good discussion and I'm very pleased to hear many of you express how safe you feel like this meeting has been, that was one of our goals. So, I have a couple of notes here to myself. So, one is we will plan to conduct the April meeting like we have this March meeting. We will make some pains internally to try to figure out how to improve the SAS process, and already Kris and I were texting back and forth about some options, so I think we will be able to make an improvement. In terms of public attendance, we will continue to discourage that. Let's see in terms of tribal attendance, we will reach out to the tribes and communicate to them our plan and with the, I guess, the implication that we would hope that the 70 or so folks that they have brought in the past could be scaled down. We will try to accommodate a seating arrangement for those that do attend to be able to listen to the Council deliberations. In terms of, let's see here in terms of COVID risks, so what you all have discussed is that masking would be optional. However, it's noted that folks might not be comfortable expressing their discomfort with that. If anyone here is in that camp, please reach out to me. I will hold that in confidence, your name, but please do so as soon as you can so that we can plan and proceed appropriately. In terms of testing, I will work with Patricia to try to secure as many tests as we can, and I think we are already in a decent place. We should be able to have tests for you all for at least every few days. I'm not sure exactly how many. We'll try to scale up from there to the degree that we can and have those available for you in April. I think that's it, Mr. Chairman. Let me know if I've missed anything.

**Marc Gorelnik** [00:34:19] All right. Phil.

**Phil Anderson** [00:34:21] I have one slight modification or change to what you said. I was not suggesting that we ask the tribes to bring fewer people to the north of Falcon process, which is the 70 or whatever it is. I was suggesting that we reach out to them and let them know what we're trying to do in terms of keeping our Council room safe and that if they could work and limit the number of policy representatives that need to be in this room, that we would appreciate that and if they could communicate, you know, some.....and we can do that when we get to the April Council meeting, but it wasn't, I wasn't suggesting that we ask them to reduce the number of tribal folks that come to the meeting.

**Marc Gorelnik** [00:35:15] All right, thanks for that clarification, Phil. All right, I think we've got April done. We still have Year-At-a-Glance and our salmon agenda items and any other discussion folks feel must have on the last, but we also need to check out of our rooms by 11 o'clock. So, we are going to take our morning break here and plan to be back at, we'll take a 30-minute break and plan to be back at 10:55. We'll then pick up with the Year-At-a-Glance and then hopefully our salmon will be ready when we're done with that. So, we'll see you back here in half an hour.

**Marc Gorelnik** [00:00:00] All right. Thank you very much Vice Chair Pettinger. We only have one item left, it's the remaining item on C.7, but first I wanted to apologize for not recognizing that today is Pie Day, March 14th, so I want to wish everyone a happy Pie Day. I'm sorry there's no pie in the room here, but you have the rest of the day to take care of that for yourselves. So, my recollection is we have completed our discussion on April and we are now ready for our discussion on Year-At-a-Glance. I've got some folks changing seats, so we'll just pause here for a moment. All right, I think we're all seated now. We have, we've received some requests from advisory bodies and management teams for Year-At-a-Glance. Maybe Mr. Burner, I can turn to you to sort of get us to get the pump re-primed here on our Year-At-a-Glance.

**Mike Burner** [00:01:08] Thank you Mr. Chair. I don't have a whole lot more beyond what I've already given you as an overview for the Year-At-a-Glance. We did have several recommendations from advisory bodies as we went through those reports so I guess I would just open the floor to comments or suggestions from Council members on modifications to the Year-At-a-Glance at this point.

**Marc Gorelnik** [00:01:27] All right, thank you. I see that Maggie Sommer has her hand up. So, Maggie please.

**Maggie Sommer** [00:01:32] Thanks Chair. I'll jump right in with some thoughts on groundfish so we can avoid going too long into the lunch hour. Certainly, support the addition of a stock definition scoping item in June on the Supplemental Year-At-a-Glance. I will note that there may be several stages to scoping this item as the GMT observed in their report. I expect it will be a multi-step process with some iteration as we gain a more full understanding of all the implications and needs related to this issue. But for June I believe staff might be able to prepare an initial scoping document laying out just some proposed and anticipated issues and decisions, and that would really set up the Council and advisory bodies and the public to react to that and the groundfish principles to start planning how to tackle an FMP amendment. And also note that scheduling this first step in June could also, there might be some synergy there with the final stock assessment prioritization for 2023. Could be some, could be helpful to have those together. I would also support the other GMT recommendations, or the GMT recommendations, pardon me, for the June agenda, which are to unshade the Gear Switching Update and the Limited Entry Fixed Gear Program Review Finalization, noting that the intent for that Limited Entry Fixed Gear Program Review Finalization would simply be finalizing the review document and any recommendations, the research and data needs, pardon me, et cetera, coming out of that. This would not be scoping or picking up any further action on the follow-on actions that we discussed earlier at this meeting. Those have yet to be prioritized. And I would suggest we consider moving the Trawl Catch Share Review to a later date, given the amount of groundfish workload on the June agenda. Scoping of that I would expect to include only planning the schedule, what's in and out of scope, consideration of the process... for example do we use, do we want to use a community advisory body et cetera? I think that that would make sense moving to September. And then just my last comment on groundfish is that if it's appropriate I would support unshading the groundfish items that are proposed to remain at the June meeting, providing the Council agrees with that proposal for planning purposes. And forgive me, I just can't recall whether we usually do that at this time or wait till the April meeting. Thanks.

**Marc Gorelnik** [00:04:27] Thank you Maggie. We do have 6.8 days at this point for June. Merrick.

**Merrick Burden** [00:04:39] Yes, thank you Mr. Chairman and thank you, Maggie, for that guidance. Just on the matter of the trawl scoping item, if I refer back to our discussion of the Budget Committee report, you all did adopt the recommendations in the Budget Committee, one of which was to encourage the Council and Council staff to work with NMFS on the trawl cost project that was recently I think the West Coast Region staff recently submitted a proposal for. My understanding is that we should be okay to remove that item from June if you so desire. It would put staff in the position of working on that project without your guidance for a time. And I do want to flag that for you just so that we're all clear, and if you're okay with that, I'm okay with that, but I do want to make sure that we are all on the same page there.

**Marc Gorelnik** [00:05:42] Thank you Merrick. Looking around the table for further guidance. Maggie Sommer, your hand is up and then Ryan Wulff.

**Ryan Wulff** [00:05:52] Thanks. I was just going to thank the Executive Director for that reminder. I think that's a good consideration. My recommendation on moving it to September was really simply a reflection of what appears to be a very substantial groundfish workload in June, but I'm quite open to other perspectives on the importance of beginning scoping the trawl catch share review issue in June.

**Marc Gorelnik** [00:06:26] Thank you. Ryan, and then John Ugoretz.

**Ryan Wulff** [00:06:30] Yeah, thank you Chair, and I support what Maggie said in her recommendations. A couple of other things from NMFS perspective. I appreciate that added shaded in June at the very bottom is the financial disclosure and recusal policy that came out in November, so I think it would be good to have an hour for the Council to look at that. I'm glad it's on the agenda. We can also submit an informational report in April so folks can start to consider that. I'd also note since Maggie talked about groundfish as far as HMS, and John may speak to this next, the HMSMT recommendations NMFS would support. That would be postponing the Swordfish Monitoring Management Program agenda item in June, so that might give us a little more time in June. And then I wanted to come back to what Mr. Dooley said during the last session here on this agenda item in looking longer term as we get back to in-person meetings, taking advantage of everything we've learned. You know I talked about this a little bit at one of our previous meetings last year, but NMFS would definitely like to see some sort of focus discussion on the lessons learned during the pandemic and how these successes and other aspects might be incorporated into our future Council and advisory body meetings. I noted during the Budget Committee, and you can see it in that report, that the North Pacific Council is taking on a similar initiative at their upcoming meeting. They have a staff paper with quite a number of range of options for them to consider. That is one way we could potentially move forward. I would also be open to some sort of ad hoc committee approach as well comprised of Council staff, state staff, NMFS staff, others to also look into this and potentially bring something back to the Council. Again, these are just ideas. Very open to other approaches, but do want to ensure some time coming up here and I don't have a specific recommendation on the YAG, but I wanted to at least put this out there to see if there can be some discussion of how things might be on anything we might want to change regarding our longer term process once we are looking at back to full time in-person meetings going forward. And I'll stop there. Thanks.

**Marc Gorelnik** [00:09:05] Thank you for that Ryan. John Ugoretz.

**John Ugoretz** [00:09:11] Thanks Mr. Chair and Ryan forecast my thoughts exactly. I wanted to talk a little bit about HMS. I also support the management team's recommendation to postpone discussion of Swordfish Management Monitoring Plan. I think they've got more than enough on their plate to not be adding that. Also, I'll let you know that I've been thinking a lot about this plan. I think that there is definite work that needs to be done beyond a simple rewrite of the plan. There is a lot more thought



that needs to go into it, and I'd suggest moving it to September shaded at this point in hopes that we have some time to have a little bit of Council thought about it when we get into workload planning maybe in June to discuss some ideas for how to move forward with that plan. I'd also note that the team recommends moving the EFH Phase 2 Report until there's funding available. I'd suggest moving that to November shaded and hope that funds become available sometime before then. But then also there's a statement in the team report regarding the bycatch performance metrics and the preliminary preferred alternative for hard caps, and I'm wondering, I don't know if the team is still online and able to respond, but I just need some better understanding about that request and their ability to complete both of those for June and if not June, why not, so we can make a decision because they did ask for some Council priority between the PPA and bycatch performance and seems to be indicating they don't feel they can do both. So, I don't know Mr. Chair if that's possible to get a little more information from them.

**Marc Gorelnik** [00:11:24] Well, I don't see Steve Stohs online, but if there's someone else from the team who is prepared to respond, please speak up.

**Steven Stohs** [00:11:40] Chair.....

**Marc Gorelnik** [00:11:40] Yeah, go ahead.....(Steve's audio lost)....Is there someone from the team that wants to respond to Mr. Ugoretz's question? Well, I tried John.

**John Ugoretz** [00:12:11] Thank you Mr. Chair. Well, I suspect we will just have to check back in on that in April because that's when we.....

**Steven Stohs** [00:12:21] Hello? Excuse me Mr. Chair? Mr. Ugoretz?

**Marc Gorelnik** [00:12:27] Yes, go ahead. Who's this?

**Steven Stohs** [00:12:30] This is Steve Stohs. I thought I was both online and on my phone, but I guess I was only on my phone. So, my apologies for the technical snafu, but I am available to address the issue John just raised.

**Marc Gorelnik** [00:12:45] Please.

**Steven Stohs** [00:12:48] So in our future workload planning discussion last week, the team struggled with the question of whether we could address both the hard caps and the bycatch performance metrics assignments. There were several factors that we talked about. One is just that, well I mean it's been repeated often, but the team has certainly felt the challenge of working in the virtual meeting format and the pandemic. It's hurt our ability to communicate and get work done as efficiently as when we meet in person. We've also, a lot of us have struggled personally with pandemic-related issues. I won't get into that. And we had a very productive discussion last week on the hard cap analysis and we think we've identified a way forward on that, but it's rather complex and there's a fair amount of uncertainty about how much time it would take for us to complete that work so that's one issue to consider. And then secondly, on the DGN performance metrics assignment, the team is aware of a revision that was made to the regression tree methodology for estimating non-finfish bycatch species bycatch, and we're in the process of updating that to address finfish bycatch, but that's another kind of uncertain analytical lift that we, it's kind of clouded our certainty about being able to complete both assignments, especially given that there's been a loss of several participants of previous work that were done on both the hard caps and bycatch performance metrics. One of the key people on bycatch performance metrics is no longer on the team. He's willing to meet with us, but anyway there's lots of questions about whether we can get that far by June.

**Marc Gorelnik** [00:15:05] Okay. John, did that give you the answer you're looking for that perhaps June is not right for those agenda items?

**John Ugoretz** [00:15:15] Thank you Mr. Chair, and yes, I think if I'm hearing it correctly that both on June at the same time is probably too big of a lift. And I think from my perspective, I would push bycatch performance off by one or two meetings similar to EFH and Swordfish Management and Monitoring.

**Marc Gorelnik** [00:15:38] Okay, and obviously in April we will finalize the June agenda, but for the purposes of Year-At-a-Glance we can push those off, I think. Bob Dooley, you had your hand up?

**Bob Dooley** [00:15:49] Yes. Thank you Mr. Chair. I roll it back to the comments made by Ryan earlier and my earlier comments on the prior agenda item. It seems like we get to last day everybody's pretty tired after a week and it seems like we heard a lot this meeting about the budget, about our future plans of being, you know, how we're going to do business as a Council, whether it be in person or whether it be hybrid or whether it be virtual, and it seems like we also heard that there are new initiatives and things that are being contemplated and more workload and we all know that workloads been a huge issue for the Council, all of our advisory panels, everybody involved, and we seem to be getting to a place where we might not be able to get what we need to get done, our business. It seems like there's maybe a need for a focused discussion that is aside from the issues, aside from the agenda items of how we're going to do business in the future and whether that is doing some form of hybrid meetings in between or some virtual meetings, and I think this all speaks to maybe getting some thought to a focused Council, for a better word 'retreat', to deal with this when we're not trying to do business, when we're trying to do that business and focus on that and think outside the box of how we can streamline this process, maybe do it better, more efficiently to get more done because there's more demands being added every meeting. So, it's just a thought and I would look to our Executive Director and staff and of course our Chairman and to maybe come up with a way to deal with this that isn't necessarily an agenda item, because we're having trouble keeping our agendas not impacted. So, I'll stop right there, but I just wanted to bring that up.

**Marc Gorelnik** [00:18:17] What I'm hearing you say is you're suggesting an agenda item to have that discussion and not to have that discussion here.

**Bob Dooley** [00:18:27] Yes, at a future time, but I think that I don't want to see.....my own personal preference, I don't want to see this as being something we deal with in our normal agenda, a normal meeting schedule. I would like to see a separate maybe for a better word 'retreat' for the Council to focus on how we can better do our business and have that be the topic, not everything else as well, because that is very for a better word 'distracting' to get to the answer of this. Thank you.

**Marc Gorelnik** [00:19:04] All right. Thanks Bob. Merrick.

**Merrick Burden** [00:19:10] Yes, thank you Mr. Chairman and Mr. Dooley. I am also.....I have interest in figuring out how to be more efficient with our operations and decision making and I think there is a lot that we can learn from our COVID situation. I think there are some silver linings there. I think the paper that the North Pacific Council staff assembled certainly triggered a lot of my thinking. I would propose and look to Ryan maybe for a nod here, but I would propose that we start by, if Ryan is inclined to have his staff work with my staff to put together a white paper first, just on how we might think through these things and the steps that we could take. I would be very reluctant to try to do that in June, just looking at our YAG, but maybe it's something we can pull together here over the next few months and have something for you at the September time just to help us organize our thoughts and get these concepts rolling. And from there, you know, maybe we can put together a retreat or something like that,

but I think a white paper would be a good way for us to start focusing our thoughts and organizing our thoughts and then proceed appropriately if that's okay with you.

**Marc Gorelnik** [00:20:29] Yeah, I think that's a good idea. It's certainly a topic worthy of discussion and therefore it's worthy of an agenda item rather than having the discussion during meeting planning, but there are lessons to be learned and we should, the silver lining is we should capture and retain. It wasn't all challenges. We did learn some good things. Further comments on the Year-At-a-Glance? Joe Oatman.

**Joe Oatman** [00:21:06] Thank you Mr. Chair. I do want to provide a comment at the Year-At-a-Glance schedule. So, if possible, I would suggest we add to our June meeting an item on the clarification on tribal advisory body seats in the Council process. From my perspective, you know, this could either be a standalone item or we could possibly deal with it under routine administrative agenda item that involves membership appointment and Council operating procedures. It is a specter that I, as the tribal seat of the Council, will coordinate with NOAA General Counsel to bring back a recommendation at that time to clarify and address this matter.

**Marc Gorelnik** [00:22:05] Thank you Joe. What is the Council.....anyone object to that? It is something we need to address if we can find time in June as Joe suggested. Thank you, Joe. Maggie followed by Marci.

**Maggie Sommer** [00:22:24] Thank you Chair. I just wanted to support the GMT's request in their report to be in person at the June meeting, and I assume there is a lot of planning going on for logistics for that meeting already and offer my support for that. Hope that they, along with the rest of us, can be in person, but even some consideration of them meeting in person, as some of the salmon groups have been at these meetings, if for some reason the full Council is not able to meet in person.

**Marc Gorelnik** [00:22:57] Thank you Maggie. It's certainly the hope. Marci.

**Marci Yaremko** [00:23:02] Yes, thank you Mr. Chair. I had a question on the Pacific halibut line item on the YAG. Just noting that we have September slated as preliminary recommendations on the directed commercial fishery and then final in November, and I'm just asking and there doesn't have to be an answer now, but I'm thinking back to our past halibut discussions surrounding the catch sharing plan and I thought that we needed a three-meeting process for any major changes and I guess I'm just asking that there be some consideration as to whether or not that's necessary or not for directed commercial regulatory changes that we might wish to make that presumably would be effective for 2023. Potentially we could add another item if three meetings were needed in March. So again, doesn't need resolution now, but just flagging that and asking if we need three or if two suffices. Thanks.

**Marc Gorelnik** [00:24:30] Thank you Marci. I don't know the answer, but we're certainly going to have to get the answer in time. But thanks for pointing that out. Anything further on Year-At-a-Glance? Corey Ridings.

**Corey Ridings** [00:24:49] Thank you Mr. Chair. I just wanted to support the recommendation of the EWG to unshade the ecosystem item currently agendized for September, FEP Initiatives Update and also take their suggestion to include final adoption of the FEP appendix in that item. Thank you.

**Marc Gorelnik** [00:25:13] Okay, thank you very much Corey. Is there any objection to that unshading of those future agenda items? Obviously, everything is subject to change, but for planning purposes is there any objection to unshading that? And Mike do you see any issues with that? Okay. Anything further? I'm not seeing any hands so Mike I'm going to ask how we're doing on C.7?

**Mike Burner** [00:25:50] Thank you Mr. Chairman. I appreciate those recommendations for the Year-At-a-Glance, and I will make those modifications for your April briefing book. We can talk about those again. I think April's pretty well set and we'll be filing that FR this afternoon, so I appreciate that guidance as well. Yeah, I think we're there. Thank you.

**Marc Gorelnik** [00:26:11] Well, that would complete our last agenda item. Before I hear motion I just want to see if there's anything else folks want to bring up at this meeting before we go our separate ways. Merrick? All right.... Dani, from the great State of Alaska. I'm sorry I didn't see your hand up.

**Dani Evenson** [00:26:38] Yeah, if there's nothing further Mr. Chair, I'd like to make a motion.

**Marc Gorelnik** [00:26:44] Well, I am not seeing anything further so your motion would be more than welcome.

**Dani Evenson** [00:26:50] Well good. I move that we adjourn the March 2022 Council meeting.

**Marc Gorelnik** [00:26:59] All right. I don't know if you'll get a second, but I'll take a look and see if there's a second. Seconded by Corey Ridings. I'm sure there's lots of discussion on this motion, but we won't hear it. So, all those in favor say 'aye'.

**Council** [00:27:15] Aye.

**Marc Gorelnik** [00:27:16] Opposed, no? Abstentions? Motion passes unanimously. We are adjourned. Thanks everyone for the hard work this week and I guess we'll see you in a few weeks.

## **D. Salmon Management**

### **1. National Marine Fisheries Service Report**

**Brad Pettinger** [00:00:00] I don't see any public comment which would... you take us to Council discussion, and so with that I'll open the floor for that. There was a request from Susan about having the Habitat Committee do something on so it's something to certainly to consider. Okay. Oh, Chris.

**Chris Kern** [00:00:38] Mr. Vice Chair, so you're looking for support or not for asking the Habitat Committee to weigh in on this?

**Brad Pettinger** [00:00:44] Well I think that would probably be.....

**Chris Kern** [00:00:45] Yeah, if they've got the capacity for it, I think it would be helpful. And I think they indicated....I don't remember they're...offhand if they're.....sorry, I should have looked before I open my mouth. I was trying to recall whether their submittal to the briefing book indicated they had, you know, time and capacity for it. I know they had indicated support for the concept, but I don't recall if they addressed whether they had capacity so if they do, I would support that.

**Brad Pettinger** [00:01:15] Okay. Very good. Further comment? Okay. Well with that Robin. Oh, I apologize Marci. I've got to keep looking at the screen here so my bad, so Marci.

**Marci Yaremko** [00:01:33] No problem. Thank you Mr. Vice Chair. I just want to acknowledge the heavy content in the NMFS reports on California's spots and just wanted to highlight the, I guess, the changing climate in California and the heightened need for more work and acknowledging that the pervasive drought conditions are certainly forcing all of us to take a closer look at what needs to be done and by when. So, I appreciate this discussion. Appreciate the acknowledgment of the needs to prioritize and what are the most important things that we might be able to contribute to or direct our resource sources forward. You know, unfortunately, it appears that the drought conditions are persistent. New forecasts out earlier this week again suggest more doom and gloom on the horizon for the Central Valley as well as the Klamath Basin. Nothing is looking good in terms of water and temperature. So, you know, these are certainly huge priorities for our department and we're continuing to focus our activities at trying to build our resilience. So anyway, just appreciate this discussion and NMFS's willingness to contribute folks to looking toward this, towards these issues and trying to meet the highest priority needs. And we'll continue our discussions offline as well as with our inland counterparts in the department and see what we can do to....(inaudible).....some of these tasks, but of course as we've mentioned repeatedly in the last couple of Council meetings, we are definitely faced with a shortage of personnel and we're also seeing a number of personnel in our agency being redirected to very high priority needs associated with drought, primarily working on tasks like fish rescues, fish relocations, you know, immediate mitigation needs. So that's been our top priority and will continue to be. But anyway, just wanted to note that we'll be working hard through spring and summer and just appreciate the acknowledgment from NMFS, both the Regional staff and the Science Center staff on these important issues. Thanks.

**Brad Pettinger** [00:04:49] Okay, thank you Marci. Oh, Susan.

**Susan Bishop** [00:04:54] Thank you Mr. Vice Chair. Sorry, I'm still getting used to actually raising a real hand. I would just ask, would the Council be willing to task the Habitat Committee with examining kind of the discussion that we talked about today with regard to the use of indicators and to be able to report back as to what that, you know, the issue of capacity was that Chris raised to help us decide where, if this is something that we might want to take up or to what degree we might want to do that.

**Brad Pettinger** [00:05:29] Thoughts hear from the floor on that? Anybody against that? I think you're....I think you're probably good on that as far as.....Merrick.

**Merrick Burden** [00:05:42] Thank you Mr. Vice Chairman. So, Miss Bishop, just to clarify your question. So, are you asking for us to ask the Habitat Committee if they have the capacity to do this work and then to take that up later, like maybe under workload planning? I just want to make sure I'm clear what your question is.

**Susan Bishop** [00:06:06] Thank you Mr. Burden. Yes, that's what I am asking. I mean it sounded like from this Council discussion that there was a little bit more information that the Council needed, but that if the Habitat committee does have the capacity to do this, I sense that there was support for them to take it up.

**Brad Pettinger** [00:06:28] Okay. Well then, we'll do that on day last then so.... okay, anyone else? Robin, how are we doing here?

**Robin Ehlke** [00:06:46] Thank you Mr. Vice Chair. So yeah, under this agenda item we heard a lot of information regarding salmon and a lot of things that are on the horizon, none of them small things, but very good information to have and very good information to have as we work through this salmon year. We've also talked about the Habitat Committee letting us know if they are going to have within their workload enough room on their plate for looking into this Central Valley Spring chinook issue and we'll hear back from workload planning. The only caveat that I might add, and it doesn't need to be answered right now I don't think, is I think the Habitat Committee has adjourned. I think they only do one day, but there's probably a workaround there, but we can take that offline and pick it up later during the week. Just something that crossed my mind so, but with that and with Agenda Item D.1, I think you've done your work under this agenda item and thank you everyone for the information brought forward.

**Brad Pettinger** [00:07:53] Okay. Thank you Robin.

## 2. Review of 2021 Fisheries and Summary of 2022 Stock Forecasts

**Brad Pettinger** [00:00:00] I don't think there's any public comment at this point in time. We should.....that takes us to Council action. And with that I'll open the floor for discussion. Motions? Phil.

**Phil Anderson** [00:00:18] Thanks Mr. Vice Chair. I had a question for Susan?

**Brad Pettinger** [00:00:26] Please.

**Phil Anderson** [00:00:26] Relative to the determination of whether or not our forecast constitutes the best scientific information available, what's the....is there a procedure and or timing for that once all of these reports are provided and a review of the SSC... is there an, some additional steps taken within NMFS to meet the requirements of the determination of BSIA?

**Susan Bishop** [00:00:54] Thank you for the question, Mr. Anderson. We do not take a formal...we do not make a formal determination that as BSIA. The information is outlined in all of the reports that the Council produces and the review that occurs among the various technical committees. The....we will be producing a report to the Council, a draft report to the Council, I believe, for next month with regard to BSIA and the process that the Council takes to ensure that its information is the best available science. You will see in that report that the process that we have just gone through here is outlined in that report as the steps that are taken to ensure BSIA. Is that helpful?

**Brad Pettinger** [00:01:57] Okay, thank you Phil. Further discussion? Time for a break maybe? Kyle Adicks. Kyle.

**Kyle Adicks** [00:02:14] Thank you Mr. Vice Chair. I do have a motion if there's no additional Council discussion.

**Brad Pettinger** [00:02:22] Well, I think maybe seeing the dearth of hands that that might be an exceptional idea.

**Kyle Adicks** [00:02:34] I move that the Council adopt the 2022 stock abundance forecast, ABCs, ACLs and OFLs as presented in Agenda Item D.2, Supplemental Preseason Report 1.

**Brad Pettinger** [00:02:46] Okay, thank you Kyle. Does the language on the screen accurate reflect your motion?

**Kyle Adicks** [00:02:51] It does.

**Brad Pettinger** [00:02:52] Very good. Looking for a second? I'm sorry. Seconded by Chair Gorelnik. Thank you Marc. Kyle, speak to your motion please.

**Kyle Adicks** [00:03:08] Thank you Mr. Vice Chair. Similar to Mr. Anderson's comments on the review document, the Preseason 1 Report is a huge amount of work by the STT. The second year in a row where they had to put together both of those documents without the benefit of getting together in one place and focusing for a week, so appreciate.....appreciation to them as well as to all the other scientists from various agencies and tribes up and down the coast who worked on these forecasts. As we heard from the SSC, they have reviewed the forecast methods for the three stocks where the Council's required to take action on the ABCs and ACLs and confirm that the numbers are correct in Pre-1 based on the

STT's work. The remaining forecast are, I believe, the best available scientific information from the experts that put together those forecasts up and down the coast. So, I think this is the best information we have for the coming days and weeks in setting alternatives for fishing and reaching a final package in April.

**Brad Pettinger** [00:04:12] Okay, thank you for that. Further discussion? Comments? Okay not seeing any hands I'll call for the question. So, all those in favor signify by saying 'aye'.

**Council** [00:04:31] Aye.

**Brad Pettinger** [00:04:31] Opposed? Abstentions? Motion passes unanimously. Very good. Thank you Kyle. And with that I think..... what's that? Right... yeah... so we still have the, take action relative to stock status determinations as necessary and I guess I open the floor as far as if there's anything that would fit that. Looking to my salmon people or maybe not. Robin.

**Robin Ehlke** [00:05:14] I'm holding up a yellow paddle right now.

**Brad Pettinger** [00:05:17] Okay. And for those that are online the yellow paddle indicates a pause for just a second here. So, we're not going to break, we're just going to standby here for a few moments. Robin.

**Robin Ehlke** [00:05:57] Thank you Mr. Vice Chair and sorry for the confusion and delay. Yeah, so under number 2, the take action relative to the stock status determination as necessary, as you've heard from both NMFS and the STT we did find that the Hood Canal coho meet the criteria for being overfished. I don't know necessarily if there is action to take, but certainly the acknowledgment of that and NMFS has provided us a glimpse of the path forward on that with the transmittal letters and acknowledgment and all of that. I'm looking at Mike Burner to make sure I'm saying the right things and that the Council is doing its job, if you will. So is...I don't know if we need a motion, but just the acknowledgment of the overfished status of the Hood Canal coho.

**Brad Pettinger** [00:06:54] Okay, I think you've summed it up nicely... I believe... so I would look to Mike. Are we good? Okay wonderful. So, with that I'll turn to you for a summary of D.2.

**Robin Ehlke** [00:07:07] Thank you Mr. Vice Chair. Yeah, under D.2 we've adopted the 2022 stock abundance forecasts, the ABCs, the ACLs, the OFLs, and acknowledged a change in the stock status determination for those Hood Canal coho. It's a good kickoff for the 2022 salmon preseason process, and again I appreciate the thanks to the tribes and state and staff that's been working on those review documents in the Preseason 1 Report. So, with that you've finished your business under D.2.

**Brad Pettinger** [00:07:45] Okay. Well thank you Robin and thank you everyone for all the hard work.



### 3. Identify Management Objectives and Preliminary Definition of 2022 Management Alternatives

**Brad Pettinger** [00:00:00] We've finished up public comment on D.3 and we're going to open up the floor for discussion and Kyle Adicks. Kyle.

**Kyle Adicks** [00:00:11] Thank you Mr. Vice Chair. I had some, some thoughts going into the day on the Southern Resident Killer Whale threshold. The presentations we heard from Mr. Jording and Mr. Carey I think solidified those. I asked some questions but kind of held my ideas for Council discussion. So, we heard from the STT that the FRAM model has been updated to around 711. That's what the Washington Co-managers are planning to use for preseason planning this year. That's what the STT will be using for modeling with the assignment we send them out of here today with. They will presumably go calculate an abundance for comparison to a threshold that uses that round 711 model once they have all the forecasts. They need to do so. They don't have all those forecasts yet, so they haven't calculated that number. It would make sense to me to give guidance to the STT to go recalculate the abundance threshold using those past years that were identified in the plan and in the workgroup products using around 711. Just updating those past abundances in past years and recalculating that average to come up with a new threshold that would be more directly comparable to the abundance they'll calculate using this year's forecast. The Shelton Model's a little more complicated. It doesn't directly affect our salmon preseason planning like the FRAM model does. I think that's something that we need to look at but seems that would make sense as something to do in the off cycle to spend a little more time on. I don't know if that means a methodology review topic or something else, but perhaps we could ask the STT and the SSC to think about that between now and April and figure out what, what looking at that piece of the modeling for the killer whale threshold looks like. So that's my suggestion is that the Council give the guidance to the STT to recalculate the threshold using FRAM version 711.

**Brad Pettinger** [00:02:25] Okay, Kyle thank you. Looking around the room I see people in agreement with that, so very good. So... okay. Susan Bishop. Susan.

**Susan Bishop** [00:02:38] Thank you Mr. Vice Chair. So, Kyle, I may have just missed that last piece in terms of after the STT comes back and reports their findings, what the next steps were in terms of moving it forward or would we consider that in April?

**Kyle Adicks** [00:02:56] So I don't know that it matters when we circle back to it. I believe, based on the preliminary modeling, that using either threshold using the old base period or the new base period abundances will be above that threshold this year, so we have a little time to think about that. But to me it'd be a disconnect if we were comparing the threshold calculated in the old version of the model to abundances calculated in the new version of the model.

**Brad Pettinger** [00:03:29] Susan.

**Susan Bishop** [00:03:29] Thank you Mr. Adicks. I was I think focused on the longer term, and this may be not the right place for it, maybe a little further along in the discussion but speaking to the FMP language and sort of the broader review and timing of that review relative to next year, if you had spoken to that or if that's going to be part of the subsequent discussion?

**Kyle Adicks** [00:03:58] Thanks for the question. I think that would be part of the subsequent discussion as we figure out a plan for the Shelton model portion of the analysis and I just don't know what the timing of all that looks like for future years.

**Brad Pettinger** [00:04:14] Okay very good, thank you Susan, Kyle. Anyone else? Okay so then I guess I would look for..... I see no hands. I look forward to a motion if someone has that. Let's see, Kyle.

**Kyle Adicks** [00:04:37] So I don't have a motion relative to the killer whale portion, I was hoping that would just be guidance to the STT. If we're on to motions, I think California had a motion.

**Brad Pettinger** [00:04:48] And there she is. Marci.

**Marci Yaremko** [00:04:50] Yes, thank you Mr. Vice Chair. I wasn't sure if we were starting with Council discussion, but I do have one motion prepared whenever we're ready.

**Brad Pettinger** [00:05:04] Well I'm not seeing any hands and we are behind, and I think that would be, that'd be perfect timing.

**Marci Yaremko** [00:05:10] All righty. With that Sandra or Kris, thank you. I move that the Council direct the STT to develop alternatives to achieve an escapement of not less than 180,000 natural and hatchery adult spawners for the Sacramento Fall chinook salmon stock as recommended in Agenda Item D.3.d, Supplemental CDFW Report 1.

**Brad Pettinger** [00:05:40] Okay. Thank you Marci. Does the language on the screen accurately reflect your motion?

**Marci Yaremko** [00:05:46] Yes it does.

**Brad Pettinger** [00:05:47] Okay looking for a second. Seconded by Chris Kerns. Okay, Marci, please speak to your motion.

**Marci Yaremko** [00:05:54] Yeah, thank you Mr. Vice Chair. First want to acknowledge the guidance offered by Miss Bishop earlier in our session and the discussion in the guidance letter on the Sacramento Fall run chinook salmon and the need for consideration of the larger picture, even though the stock is rebuilt. We cannot and should not ignore that the spawner abundance has fell below the escapement floor of the minimum escapement floor of 122,000 which is the FMP objective, and that's been in the last five of seven years. The exploitation rates, meanwhile, have been substantially higher than what was forecast. I appreciated the guidance letter discussing that point and showing us how high the postseason exploitation rate has been since 2015, anywhere from 52 to 68 percent a year, and in fact 68 percent was the exploitation rate postseason in three of the last seven years. Meanwhile, as we've discussed some in our salmon discussion so far and we'll discuss further later in the week in our ecosystem discussions, the situation with the Central Valley and the drought is not improving. We're in, you know, continuing to face dire situation in the river habitat and with temperatures and flows and lack of snowpack, and the conditions have certainly continued to deteriorate and there's really not any relief in sight. The decision on the escapement goal really is a Council risk call. And noting in the CDFW report, the continued failure to attain the goal and the continued predictions that the spawning escapement will be a certain amount and then we continue to fall short year after year. We feel it's imperative that we do more this year to ensure that we meet that goal of 122,000, that minimum goal. And you might remember in the CDFW report presented earlier today looking at the relationship of the preseason projection versus the actual postseason escapement over time, in order to meet that minimum goal, the relationship suggests that we really should be targeting a number closer to 200,000 rather than 122. So, following from that also, I think I would note that you might have come across some public comment in the record. There were a number of individuals suggesting that we consider a goal of 200,000 fish or 225,000 fish or even higher. We do have an established escapement goal range. I'm mindful of that. 122 to 180,000 fish is the goal range. The guidance letter recommends that we target

an escapement goal, or requires that we target an escapement goal at the upper end of that goal range, and for the reasons previously stated, we'd like to recommend that the STT, or the SAS not prepare alternatives that fall below a targeted escapement of 180,000 natural and hatchery adults. With that I'll take any questions. Thank you.

**Brad Pettinger** [00:10:27] Okay, thank you Marci. Chris Kern.

**Chris Kern** [00:10:29] Yeah, thanks Mr. Vice Chair. And I should have caught this before I made the second, but I wonder if we need to....if this motion has got the language that captures what we actually want to do since it's asking the STT to develop the alternatives and that's not normally how we would phrase that. I should have caught that, but I think we would normally say the SAS and the state staff or something like that. I'm maybe... I'm asking Council staff if we need to, if we are not capturing what we want, which is to have the 180 be a driver for the rest of the alternatives being developed, should we had maybe rephrased that?

**Brad Pettinger** [00:11:12] Robin.

**Robin Ehlke** [00:11:14] Thank you Mr. Vice Chair. Thank you Mr. Kern. I believe you could adjust the language a little bit. I think everybody understands the topic, but you could either change it to have STT use a conservation objective of 180 this 2022 season development or change it to say that SAS develops alternatives intended to achieve an escapement of 180 or less.

**Brad Pettinger** [00:11:45] Chris.

**Chris Kern** [00:11:47] And thank you Mr. Vice Chair. Procedurally maker of motion and second, I'm not sure that either Marci or I have the option to make that modification if the Council wants to do so.

**Dave Hanson** [00:11:59] The seconder can make an amendment. The primary author can't.

**Brad Pettinger** [00:12:09] Well, there you go Chris.

**Chris Kern** [00:12:11] Okay, thank you. Robin, could I ask you to repeat the second alternative you just threw out a moment ago?

**Robin Ehlke** [00:12:19] The second alternative would be to replace the STT with SAS. So have the SAS develop alternatives intended to achieve the escapement of 180.

**Chris Kern** [00:12:34] Okay thank you. If that's the case, then I'm prepared to make a motion to amend.

**Brad Pettinger** [00:12:40] Okay.

**Chris Kern** [00:12:42] I would amend the motion to....I move that the Council direct the SAS to develop alternatives intended to achieve and leave the remainder the same. That also would be the insertion of the word 'intended' before the word 'to', alternatives intended to. In front of 'to'. Apologies, the other 'to' in the sentence. Develop alternatives intended to, right after alternatives. Right there. Perfect.

**Brad Pettinger** [00:14:27] Okay.

**Chris Kern** [00:14:28] Thank you.

**Brad Pettinger** [00:14:29] Okay Chris, does that language on the screen accurately reflect your amendment?

**Chris Kern** [00:14:35] Yes.

**Brad Pettinger** [00:14:35] Okay looking for a second? Seconded by Christa Svensson. Okay, I guess you want to speak to that or I think.....like you've spoke to it maybe Chris.

**Chris Kern** [00:14:49] No thank.... Just making sure we're, we've got the language clear, so we know who's doing what.

**Brad Pettinger** [00:14:55] Very good.

**Chris Kern** [00:14:55] And I think this helps do that.

**Brad Pettinger** [00:14:56] Okay. Discussion? Phil Anderson. Phil.

**Phil Anderson** [00:15:03] Well I don't want to prolong this, but it seems to me we want the STT to work with the SAS or conversely, have the SAS work with the STT to do what we're asking, rather than placing the burden entirely on one or the other. This is a partnership. It takes both of those entities to make this, to produce what you're asking. And that would be my only comment on the motion to amend.

**Brad Pettinger** [00:15:40] Okay. Phil, did you have your hand up and I just missed it earlier. Okay. My penance. Okay Chris.

**Chris Kern** [00:15:57] Thanks Mr. Vice Chair. So, at this point, I think I'm stuck with retracting the motion and letting somebody else amend it to reflect an addition or clarification per what Mr. Anderson just said.

**Dave Hanson** [00:16:11] You have an amendment on the floor I believe that needs to be taken care of first.

**Chris Kern** [00:16:22] Okay.

**Dave Hanson** [00:16:23] Either withdraw it or vote on it.

**Brad Pettinger** [00:16:26] You could withdraw it.

**Chris Kern** [00:16:27] I'll withdraw the amendment as appropriate.

**Brad Pettinger** [00:16:30] And the second as well?

**Christa Svensson** [00:16:30] Yes.

**Brad Pettinger** [00:16:30] Okay. Yep, okay. We'll consider the amendment withdrawn. And with that, do we have a new amendment to the motion?

**Dave Hanson** [00:16:45] Yeah.

**Brad Pettinger** [00:16:46] Marci Yaremko. Marci?

**Marci Yaremko** [00:16:47] Yes. Thank you Mr. Vice Chair. If it's easier, I'd be willing to withdraw the main motion as well to supply the clarifying language.

**Brad Pettinger** [00:16:56] Okay.

**Dave Hanson** [00:16:59] She can do it.

**Brad Pettinger** [00:16:59] Let's do that and then the second for that motion also. Okay. Thank you Chris. Okay, so Marci, I see your hands back up.

**Marci Yaremko** [00:17:15] Yes. So why don't we do it this way. I will read aloud.

**Brad Pettinger** [00:17:22] Okay.

**Marci Yaremko** [00:17:22] I move the Council. Sorry, I move that the Council direct the development of alternatives to achieve an escapement of not less than 180,000 natural and hatchery adult spawners for the Sacramento Fall chinook salmon stock as recommended in Agenda Item D.3.d, Supplemental CDFW Report 1.

**Brad Pettinger** [00:17:53] Okay thank you Marci.

**Marci Yaremko** [00:17:56] Wait, wait, wait. I made a mistake. After the word 'to' alternatives to achieve and an intended escapement. Sorry. An intended escapement of not less.....there we go.

**Brad Pettinger** [00:18:27] Okay is that language accurate?

**Marci Yaremko** [00:18:29] Yes it is. Thank you.

**Brad Pettinger** [00:18:31] Okay. With that looking for a second? Seconded by Chris Kern. Thank you Chris. Okay Marci, back to you. Do you want to speak to your motion?

**Marci Yaremko** [00:18:43] Just to reiterate the need and that this is a Council risk call that's consistent with the content in the guidance letter and puts a fine point on the guidance. Thank you.

**Brad Pettinger** [00:19:02] Okay. Thank you Marci. Okay discussion? Chair Gorelnik. Marc.

**Marc Gorelnik** [00:19:11] Thank you Vice Chair Pettinger. I guess I have some concerns with the motion. I'll support it but I do have some concerns. The last.....we have historically not made the escapement that we planned for. The last four years the forecast of the Sacramento index is actually pretty good, two up and two down and we've made changes to the Sacramento index model to take into account changes that we've observed. And so, I think that you can't look at the abundance calculation or the abundance forecast as faulty, at least for the last several years. What we have seen, though, is that harvest, which is a different model, has not performed that well. And I know that changes are being made to the harvest model to try to compensate for that. And so, whether those changes will fully address what we've seen the last few years we don't know. So, it does pay to be conservative here. It does pay to increase the targeted escapement. I'm not sure that with changes that are being made to the harvest model, together with changes made over the last several years to the forecast model, whether we really need to go to 180,000. At this point we're early in the salmon process here so let's, let's see what it looks like. It may not even be the constraint given the Klamath issues we have. Also, we're in a drought and a lot of these fish that come back aren't going to spawn anyway because the water temperatures are not going to be adequate. It still pays to increase escapement because we've not seen

sufficient opportunities for fishermen in the river. So, we do need to escape, increase escapement to, you know, for them if nothing else. But I'm not sure if changes of the harvest model plus the 180,000 we may, we may be.....I'm not sure that in combination those are both justified. I will note that for the concerns we have for age four Klamath, the National Marine Fisheries Service has given us alternatives to either adjust the model or to include a buffer either or, or maybe a combination, and I don't see why such an approach would not be appropriate here where we're changing the harvest model and increasing the escapement somewhat. Nonetheless, I'm going to vote for the motion because we're early in the process, but that's a concern that I have.

**Brad Pettinger** [00:22:37] Thank you Marc. Anyone else? Okay. Okay I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:22:48] Aye.

**Brad Pettinger** [00:22:48] Opposed? Abstentions? Okay motion passes unanimously. So okay, further discussion? Motions? Kyle Adicks. Kyle.

**Kyle Adicks** [00:23:07] Thank you Mr. Vice Chair. I do have a motion. I move that the Council adopt for STT compilation and analysis the proposed initial salmon management alternatives for the 2022 non-Indian ocean fisheries as developed by the Salmon Advisory Subpanel and described in Agenda Item D.3.e, Supplemental SAS Report 1, March 10th, 2022, with the following modification: On page 2 north of Cape Falcon Alternative 3, number 2, non-Indian commercial troll TAC 27,500 chinook and 25,600 marked coho.

**Brad Pettinger** [00:23:53] Is the language of the screen accurate?

**Kyle Adicks** [00:23:55] Yes.

**Brad Pettinger** [00:23:56] Seconded by Phil Anderson. Thank you Phil. Okay, Kyle, please speak to your motion.

**Kyle Adicks** [00:24:00] So the modification is just the clarification I asked about during the SAS presentation that those, that was supposed to be marked coho. Thanks to the SAS for all their work leading up to this. I think we have good alternatives on the table to get us started this week. Just also it was good to see some of the SAS faces in person this time instead of just over the virtual meeting. So look forward to seeing more of you in April.

**Brad Pettinger** [00:24:28] Thank you. Discussion? Okay, seeing none I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:24:38] Aye.

**Brad Pettinger** [00:24:38] Opposed? Abstentions? Motion passes unanimously. Okay... Joe.

**Joe Oatman** [00:24:53] Thank you Mr. Vice Chair. I do have a motion to offer up to the table.

**Brad Pettinger** [00:24:57] Please.

**Joe Oatman** [00:24:58] Sandra, if you could.

**Brad Pettinger** [00:25:42] I guess the ether is slow today, so hopefully Sandra will get it up here pretty

quick.

**Joe Oatman** [00:25:54] Mr. Vice Chair. I believe the motion was provided. If not, I can maybe just walk through it verbally.

**Brad Pettinger** [00:26:06] Sure.

**Joe Oatman** [00:26:07] So Sandra if you're ready. Well, I move the Council adopt for STT analysis the following initial treaty troll salmon management measures. The following initial treaty troll salmon management measures. Alternative 1: 50,000 chinook and 62,000 coho. Alternative 2: 40,000 chinook and 52,000 coho. Alternative 3: 30,000 chinook and 42,000 coho. Next sentence. I'll provide some narrative for those numbers. So, this will read as follows: the alternatives consist of a May 1 hyphen to June 30 chinook hyphen directed fishery and a July 1 hyphen September 15, all hyphen species fishery. Period. The chinook quota should be evenly split between the two time periods. That is my motion Mr. Vice Chair.

**Brad Pettinger** [00:29:10] Thank you Joe. Is that language accurate on the screen?

**Joe Oatman** [00:29:12] It does Mr. Vice Chair.

**Brad Pettinger** [00:29:17] Very good. The second? Seconded by Kyle Adicks. Thank you Kyle. Joe, please speak to your motion.

**Joe Oatman** [00:29:23] Thank you Mr. Vice Chair. Thank you, Kyle, for the second. So, what the tribes are proposing here is moderate increases based on more optimistic forecasts for 2022 and the need to continue rebuilding stocks declared overfished while also trying to accommodate the treaty right to half of the harvestable surplus passing through the usual and accustomed areas. The tribes estimate that these levels will meet the management objectives of the stocks of concern as well as international obligations, recognizing the non-tribal fisheries have similar proportional increases relative to last year. I do want to thank the work that the tribes put into this the past day or so to get this motion. Appreciate we've been able to get this in a form that we've got it today. Thank you.

**Brad Pettinger** [00:30:27] Very good. Thank you Joe. Okay, discussion on the motion? Seeing none I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:30:42] Aye.

**Brad Pettinger** [00:30:42] Opposed? Abstentions? Motion passes unanimously. Very good. Thank you Joe. Chris Kern. Chris.

**Chris Kern** [00:30:52] Thanks Mr. Vice Chair. I think we also had a note in the sitsum that maybe any inseason actions could be flagged and I don't....I'm not ready to do them now but within the next day or so I anticipate Oregon will need to do some inseason action on our March 15th openers that are currently on the book from last year. Specifically, I think all of our alternatives have the one, one of the cells that is currently ready to be opened under last year's rule as proposed to be closed during the March or April timeframe so we'll need to make a modification soon.

**Brad Pettinger** [00:31:29] Very good. Thank you Chris. Anyone else? Okay. Merrick.

**Merrick Burden** [00:31:39] Thank you Mr. Vice Chairman. Maybe just to circle back quickly and clarify Mr. Adicks' guidance on the Southern Resident Killer Whale issue. Just to make sure we're all

on the same page, my understanding of where Mr. Adicks was headed would lead me and my staff to... to bring this back on our agenda, on our agenda for April to begin that conversation over the Shelton Model and how to best consider it and begin incorporating that into our process. Is that consistent with your guidance, Mr. Adicks?

**Kyle Adicks** [00:32:20] I think so unless someone sees a need to take it up during Council discussion at some point later this week. I think talking about it in April, deciding if it fits in the methodology review or something else makes sense.

**Brad Pettinger** [00:32:36] Susan.

**Susan Bishop** [00:32:38] Just a point of clarification. There had been guidance to the STT to calculate the threshold under the new, the updated FRAM model. I think it would be useful. I may have missed something for them to report back this week on what that would be, maybe under D.4 and I can't recall if that's what Mr. Adicks had suggested or not.

**Brad Pettinger** [00:33:06] Okay.

**Kyle Adicks** [00:33:08] Thank you Mr. Vice Chair. Certainly, if they can do that by the time we're back for D.4 tomorrow that makes perfect sense.

**Brad Pettinger** [00:33:17] Okay very good. Anyone else? So, Robin how are we doing here?

**Robin Ehlke** [00:33:27] Thank you Mr. Vice Chair. I was making a list. So, you've done an awesome job. We've heard some really good testimony and good input as we move into start kicking off our 2022 salmon season salmon setting season process. We heard that we'll use a Sacramento Fall chinook escapement objective of at least 180,000. The guidance is to use the FRAM 7.1 and the STT and report back on how that falls relative to the current killer whale threshold. We'll use the SAS alternatives provided in D.3 with the modification on Page 2, so that will give us our support in commercial fisheries. And we heard from the tribes for their three alternatives for the spring and summer seasons coming up, and we'll have some inseason actions on the horizon. And just once again for the killer whale topic, we'll go a little bit more in-depth in April to find out the best path forward to look at that threshold. The other thing on my note was that we did hear from the Colville. Perhaps this will go into workload planning, but they'd like to have some time with the Council regarding phase two.

**Brad Pettinger** [00:35:00] Yeah, I apologize. I missed Marci's hand up being up there, so....

**Robin Ehlke** [00:35:03] Forgive me.

**Brad Pettinger** [00:35:04] Before we close this out, Marci.

**Marci Yaremko** [00:35:06] Yes. Thank you Mr. Vice Chair. Yeah, I just had a few other overarching remarks regarding the guidance letter and the initial crack at the SAS alternatives pertaining to Klamath Fall chinook. Mr. Gorelnik got into it a little bit, but I just want to highlight how important the discussions coming this afternoon will be. We heard from Miss Bishop that they'll be getting together with STT staff to work through the model updates and to assure that one or other modifications that will be made to the model will suffice to meet the intended guidance NMFS has provided us in the letter. We must take steps to assure that we don't exceed the 16 percent allowable impact rate on age four Klamath. Susan described it well, but I just want to reference the table too and the pre versus postseason relationship and the significant overage that we've had above 16 percent these last four years. And Mark described some shortcomings in the harvest model, and Susan explained that we made



updates to the harvest model last year that we were pretty sure were going to get us where we needed to be, and lo and behold they did not, and I would be remiss if I did not point out that commercial fishery performance in 2021 vastly exceeded the expectations. And so even though the model updates were made, unfortunately, we once again missed our required objective on postseason review. And yes, we had an outstanding commercial season but unfortunately, it's come at the expense of exceeding these very important objectives. So, I appreciate the work that's being done to make sure that we get the assurance that the modeling will get us where we need to go and the modeling being that the KOHM to get us on track this year. I will note though that in the SAS packages, the initial SAS packages, it's quite clear how significant a constraint this is going to be on particularly the northern California commercial fisheries, which are most likely to encounter those age four adults. Just the initial runs show significant loss of time in the north coast of California, which is laid out in the initial alternatives provided to us here. So, looking forward to more, but I just want to highlight how important this discussion is and it is going to be a significant constraint to fisheries in the north. Thank you.

**Brad Pettinger** [00:38:32] Thank you Marci. Okay, Robin back to you.

**Robin Ehlke** [00:38:38] Thank you Mr. Vice Chair. I think I went through my spiel. So, I think with all of that, you've concluded your work under Agenda Item D.3.

**Brad Pettinger** [00:38:47] Very good. Thank you.

#### 4. Recommendations for 2022 Management Alternative Analysis

**Brad Pettinger** [00:00:00] Okay with that I guess we'll see... we'll start maybe in the north and come down and with recommendations and so... Kyle Adicks.

**Kyle Adicks** [00:00:09] Thank you Mr. Vice Chair. I do have some guidance for the STT today. And this is relative to Agenda Item D.4.a, Supplemental STT Report 1, March 11th. Implement the following changes: On Table 1 for the north of Falcon commercial management alternatives beginning on Page 2, for the U.S. Canada border to Cape Falcon Spring season in Alternative 1, replace the May 1 through 11 section with the May 1 through 15 section from Alternatives 2 and 3 so all three alternatives will be identical there. Change May 12th through earlier of June 29 to May 16 through earlier of June 29 and change the weekly subarea landing and possession limits for the area between the U.S. Canada border and Queets River, and the area between Leadbetter Point and Cape Falcon from 75 chinook to 100 chinook.

**Brad Pettinger** [00:01:20] Okay. Thank you Kyle. Moving down the coast. Chris.

**Chris Kern** [00:01:27] Yeah. Thanks Mr. Vice Chair. We have a fair bit. Hopefully, we have it available. Okay, beginning with Table 1 on Page 5, commercial troll Cape Falcon to Humbug Mountain in Alternative 1 replace the header that's currently there with 'Cape Falcon to Heceta Bank line'. Remove the language that begins with 'July 1 through the earlier of August 28 or 20,000 marked coho' as well as the next two paragraphs that relate to coho retention. And just to note here, I'll be needing to move some of that language that's regulatory for coho into Alternative 2 as well because it currently references Alternative 1. So, we will want to move the regulatory language that relates to coho retention and March status and such over to Alternative 2. But staying within Alternative 1, replace the existing open dates with the following, March 15 through June 30, July 15 through 31, August 1 through 6 and September 1 through October 31. Still in Alternative 1, add a new section with the header 'Heceta Bank line to Humbug Mountain'. Add the following open dates, May 1 through June 7, August 8 through 18, September 1 through October 31. And because we're replicating that section, please copy down from the first section that will now be titled 'Falcon to Heceta', all the regulatory language for the chinook seasons as well as the language for September and October period and 2023 openings down to also be replicated in that Heceta Bank line to Humbug Mountain new section. Moving over to Alternative 3, still in commercial troll, remove the coho quota, just delete it and... as well as all references and regulations to retention of coho that are in that alternative. Moving to Page 6 but same Alternative 3 in the section Heceta Bank line to Humbug Mountain. Same action. Remove the, delete the coho quota as well as references and regulations to the retention of coho. Over to Page 7 in the Oregon KMZ in Alternative 1 replace.....that doesn't look great.

**Brad Pettinger** [00:04:35] Could you scroll down, please? Thank you.

**Chris Kern** [00:04:39] What is going on there? Ah, yes, I figured out what I'm trying to say. In the bullet that says March 15 through May 31, replace May 31 with April 30. In the July chinook quota, change that from 500 chinook to 400. And in the August quota replace 500 with 250. Okay, moving to the recreational seasons on Page 19, I believe, for the Cape Falcon to Oregon California border, in Alternative 1 replace the marked selective coho quota of 120,000 with 100,000 and replace the ending date, which is currently August 28th with August 21. In the same alternative, Alternative 1 for the non-selective season, replace the coho quota of 30,000 with 20,000. Moving over to Alternative 2, still Falcon to Oregon California border, replace the marked selective coho quota of 110 with 97,000. Replace the non-marked selective coho quota of 25,000 with 20,000. And in Alternative 3 replace the marked selective quota of 100,000 with 95,000 and replace the non-marked selective quota of 20,000

with 17,000. Lastly, moving to the Oregon California, Humbug to California border Oregon KMZ rec fishery. In Alternative 1 replace the open dates with May 28 through August 6th. So currently it says May 21 through 31 and June 18 through August 21st, that will be May 28 through August 6th, noting there are also some dates below that may need to be adjusted as well in the paragraph below. Actually, that's not correct. That area will remain open for coho on days that are closed to chinook during the marked selective fishery through August 21st, so just the first part of that replace the dates May 28 through August 6th. Alternative 2 replace the open dates with June 18 through August 14. And that will remain open for coho on dates when the marked selective fishery is open. And in Alternative 3 replace the open dates with May 21 through July 31. And that one does not remain open for coho. And that's it.

**Brad Pettinger** [00:07:49] Thank you Chris. And then next we'll go to California and Marci.

**Marci Yaremko** [00:07:56] Yes. Thank you Mr. Vice Chair. Thank you Sandra. Be working off of...nope, not there yet Sandra. There we go. Thank you so much. Okay, looking at some guidance for California. Working off of Agenda Item D.4.a, Supplemental STT Report 1, dated March 10th. I'd like the following changes implemented. Working off of Table 1, which beginning on Page 8 are the commercial management alternatives. First in the Fort Bragg cell, which is Latitude 40 10 to Point Arena, in Alternative 2 remove June 1 through 10 and remove July 1 through 8. Moving to Alternative 3 in that Fort Bragg cell, replace September 1 through 30 with closed. And also, in the regulatory language in that cell, remove both references that state quote "same as Alternative 1" end quote. Moving to Table 2, the recreational management alternatives for California beginning on Page 20. From the Oregon California border to the 40 10 line, which is the California KMZ, in Alternative 1 replace May 16th through September 5th with May 16th through 31st and add July 1 through September 5th. From the 40 10 line to Point Arena, the Fort Bragg cell. Alternative 1. Replace May 16th through November 13th with May 16th through May 31st and add July 1 through November 13th. Moving to the San Francisco cell, which is Point Arena to Pigeon Point. Alternative 1. Replace May 16th through November 13th with May 16th through May 31st and add July 1 through November 13th.

**Brad Pettinger** [00:10:54] Okay. Thank you Marci.

**Marci Yaremko** [00:10:59] Thank you Mr. Vice Chair, and just to mention that that guidance we expect that this will bring us closer on our overages that currently exist in the packet, on Klamath fall adults we're looking to get at or above that goal of 38,180 adults, and also should aid us in reducing our age four Klamath impacts as well as improve attainment toward the 180,000 spawner goal for Sac Fall. Thanks.

**Brad Pettinger** [00:11:39] Thank you Marci. And with that I'll just check back in with Joe to see if anything's changed with the tribe. Joe?

**Joe Oatman** [00:11:48] Thank you Mr. Vice Chair. At this time, I don't have any further guidance to offer to what's reflected in the STT Report Table 3 and related information.

**Brad Pettinger** [00:12:03] Thank you Joe. All right. I guess with that I would go to look to Robin I guess and see how we're doing and is there anything else we need to do here?

**Robin Ehlke** [00:12:17] Thank you Mr. Vice Chair. We do have guidance from Washington, Oregon and California to adjust the seasons to better align with our conservation and management objectives. So, the STT will work on that, and I believe they'll be back tomorrow with that analysis. As far as guidance, we did also hear from NMFS today. They mentioned in their guidance letter there was an ask for the STT to include the Washington coastal coho stocks and so if that's something the Council desires then they should give STT that guidance. And then we also talked about the killer whale threshold and

provided a little bit more information on that. The Council can provide guidance here or later in the week perhaps under workload planning, whatever the Council desires. But throughout all these conversations I think you've covered your work under this agenda item and if there's further guidance you'd like to give to the STT, that may be appropriate now or perhaps later.

**Brad Pettinger** [00:13:23] Okay... well I'll look around the table and see if there's any forthcoming and Kyle.

**Kyle Adicks** [00:13:30] Thank you Mr. Vice Chair. So relative to the exploitation rates for coastal Washington coho, I think it does make sense to be able to look at that and compare to the PST limits. But a reminder that the coho chapter of the treaty does allow either country to ask for sort of an exception to those rates by March 30th, so whatever we put on the table should capture that somehow that it's the preliminary, could change not likely to, but just important to capture that.

**Brad Pettinger** [00:14:07] Thank you Kyle. Okay, seeing no further hands, Robin.

**Robin Ehlke** [00:14:12] So thank you Mr. Vice Chair. Am I hearing that the Council would like the STT then to include that data now or would April be a better place for it?

**Brad Pettinger** [00:14:25] I'm not a salmon guy so I'll look to Kyle.

**Kyle Adicks** [00:14:28] I think we might as well have a look at it now.

**Brad Pettinger** [00:14:30] Okay there you go.

**Robin Ehlke** [00:14:32] Thank you. I appreciate that clarification. And with that I think you've again done your work here under this agenda item. Thank you.

**Brad Pettinger** [00:14:39] Okay. All right fantastic. Thank you everyone.

## 5. Further Direction for 2022 Management Alternatives

**Brad Pettinger** [00:00:00] And we'll go into Council action. Just additional direction on management alternatives development as necessary so... Kyle, I'll go to you.

**Kyle Adicks** [00:00:13] Thank you Mr. Vice Chair. I do have some guidance for north of Falcon. And this is relative to Agenda Item D.5.a, Supplemental STT Report 1, March 12th. Implement the following changes. On Table 1 for north of Falcon commercial management measures beginning on Page 2. For the U.S. Canada border to Cape Falcon on Page 2, the spring season, change chinook quotas for the spring season to Alternative 2: 20,000 and Alternative 3: 13,750. Also update the subarea caps for the areas between the U.S. Canada border and the Queets River and between Leadbetter Point and Cape Falcon accordingly. On Page 3 for the summer season. Change the chinook quotas for the summer season to Alternative 2: 10,000. And Alternative 3: 13,750. Move the language "open five days per week Friday to Tuesday" (C.1) from Alternative 3 to Alternative 2 and to add the same as Alternative 1 to Alternative 3 in place of the language that was removed. On Table 2 for north of Falcon recreational fisheries. On Page 16 for the LaPush subarea, change the chinook quota for the October 1 through 9 fishery to 125.

**Brad Pettinger** [00:01:38] Okay. Thank you Kyle. All right moving down the coast I'll look to Oregon and Chris Kern.

**Chris Kern** [00:01:45] Yeah, thanks Mr. Vice Chair. And I'll just mention now that we were scrambling most of the day to put things together. So, we are essentially throwing some things at the wall today beyond what I might normally prefer. So, if Sandra or Kris can put up what we've got, I should have it.

**Brad Pettinger** [00:02:09] There you go.

**Chris Kern** [00:02:10] Thank you. Beginning with the commercial alternatives on Page 5, Table 1. Alternative 1: Replace all of the open dates with the following: March 15 through May 15, June 16 through 30, July 15 through August 6, September 1 through October 31. Staying in the same area, which is Falcon the Heceta Bank line. Apologies. In Alternative 2, replace all open dates with the following: March 15 through June 15, July 20 through 31, September 1 through October 31 and replace the text in the bottom paragraph that begins "all coho landings must be" with "all salmon, all retained coho must be marked with a healed adipose fan clip" (C.4, C.7). If the coho quota for the combined area from Cape Falcon to Humbug Mountain of 10,000 marked coho is met, then the season continues for all salmon except coho on the remaining open days. Salmon trollers may take and retain or possess on board a fishing vessel no more than 50 coho per vessel per open period. All coho retained, possessed on a vessel and landed must not exceed a one-to-one ratio with chinook salmon that are retained and landed at the same time. Alternative 3, remaining in the same area, Falcon to Heceta Bank. Replace all open dates with the following: March 15 through April 30, May 23 through 31, June 15 through 30, July 15 through August 10, September 1 through October 31. Remaining within the commercial troll fishery but moving to the Heceta Bank line to Humbug Mountain Area. In Alternative 1, replace all open dates with the following: May 1 through May 15, June 1 through 7, August 10 through 18, September 1 through October 31. In Alternative 2, replace all dates with the following: March 15 through June 15, July 20 through 31, September 1 through October 31 and replace the text in the bottom, full paragraph that begins "all coho landings must be" with the same language that we added, that I added to the Falcon to the Heceta Bank area within the same alternative. I won't reread it. And finally in Alternative 3, same area, replace all open dates with the following: May 1 through 14, August 1 through 10, September 1 through October 31st. Moving to recreational alternatives beginning on Page 19, the area between Cape Falcon and the Oregon California border. In Alternative 2, replace the non-

marked selective coho quota of 20,000 with 18,000. Moving down to Cape Falcon to Humbug Mountain Area, in Alternative 3 replace same as Alternative 1 with March 15 through July 31, September 1 through October 31st. Replace the ending date for the marked selective coho fishery of August 21 with August 28. Replace same as Alternative 1 with "open seven days per week all salmon through July 31". Then all salmon except closed to retention of chinook salmon during August. Two salmon per day. All retained coho must be marked with a healed adipose fin clip (C.1). See minimum size limits. B. See gear restrictions and definitions in C.2 and C.3. In recreational fishery in the Humbug Mountain to Oregon California border, Oregon KMZ, in Alternative 1: Replace the dates of May 28 through August 6th with May 21 through June 27. Alternative 2: Replace June 18 through August 14 with July 1 through August 9. And in Alternative 3: Replace the dates May 21 through July 31 with June 25 through July 31. And that completes my guidance.

**Brad Pettinger** [00:06:28] Okay. Thank you Chris. All right moving down the coast to California. Marci.

**Marci Yaremko** [00:06:39] Yes, thank you Mr. Vice Chair. I think I'm going to pause a minute first and just say I'm going to provide this guidance, but we didn't have a chance there in Council discussion to talk a little more about the age four Klamath impact rate cap, so I am planning to go back to Council discussion on that point. I want to flag that. Kind of rushed quickly here into guidance but I think there's some important discussion yet to be had on that point.

**Brad Pettinger** [00:07:13] Sure.

**Marci Yaremko** [00:07:13] But with that, I'll go ahead and complete the guidance from California. Working off of D.5.a, Supplemental STT Report 1 for March 12th, implement the following changes. Table 1. These are the California commercial management alternatives beginning on Page 8. From latitude 40 10 to Point Arena, which is the Fort Bragg Management Area. Alternative 1: Replace July 1 through 12 with July 1 through 10. Replace August 1 through 12 with August 1 through 10. In the San Francisco area, which is Point Arena to Pigeon Point. Alternative 1: Remove June 1 through 7. Replace July 1 through 12 with July 1 through 10. Replace August 1 through 12 with August 1 through 10. Alternative 2: Remove June 1 through 10. Replace July 1 through 8 with July 1 through 10. Replace August 1 through 12 with August 1 through 15. Alternative 3: Replace June 1 through 10 with June 1 through 8. Replace July 1 through 10 with July 1 through 8. Moving to the Monterey area, which is Pigeon Point to the U.S. Mexico border. Alternative 1: Replace May 20th through 27th with May 20th through 31st. Replace June 1 through 7 with June 1 through 15. Alternative 2: Replace May 1 through 12 with May 1 through 10. Replace May 20th through 27th with May 22nd to 31st. Replace June 1 through 10 with June 1 through 15. Replace July 1 through 8 with July 1 through 12. And Alternative 3: Replace June 1 through 10 with June 1 through 8. And replace July 1 through 10 with July 1 through 8. Moving to Table 2, the recreational management alternatives for California. This begins on page 20 of the packet. For the California KMZ, which is the Oregon California border to the 40 10 line. Alternative 1: Replace July 1 through September 1 with August 1 through September 5th. Alternative 3: Remove all dates and replace with July 1 through 22. Moving to the Fort Bragg area, which is the 40 10 line to Point Arena. In Alternative 2: Replace April 2 through May 15th with May 1 through 15. And in Alternative 3: Replace June 1 through September 30th with May 1 through September 30th. And thank you Mr. Vice Chair, I believe that completes the guidance for California and I will echo Chris Kern's remark that this guidance is kind of just throwing something on a wall to see what might stick with but still a moving target out here to try to achieve. So, I think this gets us closer. This will get us closer. We're still over on a number of our objectives so this should move us in the right direction. Thanks.

**Brad Pettinger** [00:11:37] Thank you Marci. Chris Kern. Chris.

**Chris Kern** [00:11:40] Yeah, thanks Mr. Vice Chair. I apologize but I am informed by my phone-a-friend that I may have misspoke on one of the dates, so it is correct in the document used but I should probably reiterate it for the record if I may.

**Brad Pettinger** [00:11:52] Sure.

**Chris Kern** [00:11:53] And that was in the last page. Humbug Mountain to Oregon California Border, Oregon KMZ in Alternative 2: Replace the dates of June 18 through August 14 with July 1 through August 19th. I believe I may have said 9th in the first round. I meant to say 19th.

**Brad Pettinger** [00:12:09] Okay.

**Chris Kern** [00:12:10] And this reflects that. Thank you.

**Brad Pettinger** [00:12:12] Very good. Okay, thank you Chris. And with that we'll go to the tribal, Tribal Report and, Joe, are you available?

**Joe Oatman** [00:12:20] I am. Thank you Mr. Vice Chair.

**Brad Pettinger** [00:12:23] Okay.

**Joe Oatman** [00:12:26] At this time I do not have any further guidance for the treaty tribes management alternatives that's reflected in Table 3....(inaudible)....STT Supplemental Report. Thank you Mr. Vice Chairman.

**Brad Pettinger** [00:12:45] Okay. Thank you Joe. All right we have... that guidance is given. I guess was anybody else additional... Chair Gorelnik.

**Marc Gorelnik** [00:12:55] Thank you Vice Chair Pettinger. I just wanted to, before we left this agenda item, I wanted to get some clarity on an issue that was raised in public comment, and I think that Marci may have briefly touched on and that has to do with the NMFS guidance. And I understand that we have not done well for some years in accurately predicting our impact on the age four Klamath, which is our proxy for the California coastal chinook and measures need to be taken, and we got a guidance letter in that regard. And I know that the model was changed to some extent, I guess more selective use of dates and I, if I can ask Dr. O'Farrell some questions whether, I don't know if he can answer it or not, but if Vice Chair if I may have, invite Dr. O'Farrell up.....

**Brad Pettinger** [00:13:55] Please.

**Marc Gorelnik** [00:13:56] .....to at least pose my question and then maybe if he can answer it on the fly. I understand that some dates were changed in the model. Do you have any idea what those changes did with regard to harvest predictions of age four compared to the previous model that we used?

**Michael O'Farrell** [00:14:27] Yes Mr. Gorelnik. We'll back up and say that there have been two data changes made to the KOHM in the last two years, both for the same reasons, to address this underprediction of the Klamath age four harvest rate, and they both did the same thing. They shortened the data used to forecast or used to estimate the contact rates per unit effort, which is a big driver of the impacts in the model. It was shortened to 2013 forward last year and this year 2015 forward, and the result of those changes were to place heavier weight on these most recent years that have high exploitation rates, and so the Appendix D of Preseason Report 1 has some analysis of this that shows

that these changes resulted in age four ocean harvest rates that more closely corresponded with their postseason estimates than if we were to use the status quo data ranges. Did that adequately address your question?

**Marc Gorelnik** [00:15:46] Almost. I will go back and look at that report, but can you quantify the change from the status quo that the new data range provided in terms of impacts? I mean, I assume that because impacts were higher in most recent years, the model predicts higher impacts from the status quo and that's kind of what I'm wondering what that number is, if you know?

**Michael O'Farrell** [00:16:16] I don't have.....it's very difficult to make a single number change here. These...there's been, the overall effect was to have higher harvest rates for seasons, if we had a set season and we use last year's model versus this year's model, there's substantially higher harvest rates that are predicted from it. Of course, you know, these harvest rates are predicted at the area, month area and fishery level of stratification and some areas went down but on the whole most of them went up, and the net effect is to have predictions for higher harvest rates than we would have in past years given a same fishery.

**Marc Gorelnik** [00:17:02] All right. I appreciate that. Thanks very much Mike. And I, maybe there are still some discussions going on with NMFS. My understanding, and it may not be correct so I'm going to apologize in advance, that the guidance recently provided was for a 40 percent reduction from the new model that already contains some measure of correction, and I guess my concern is I, on the one hand we have to take into account the fact that we've not accurately predicted these, but on the other hand we need to do it in the most reasonable way.....the most reasonable way we can, and I think that the guidance letter we received indicated a 40 percent reduction, which I assumed was from the status quo or a change in the model. We have a change in the model. It may not be adequate frankly, but it gets us, I assume some distance towards the ultimate goal. And my concern is that there's some interpretation that perhaps we need to take that reduction and then 40 percent more, and I think that is something that has come as a surprise to the stakeholders and others. So, I don't know if I can ask Miss Bishop for some clarification there or whether it's better for an offline discussion.

**Brad Pettinger** [00:19:01] Susan.

**Susan Bishop** [00:19:03] Thank you Mr. Vice Chair. Thank you Mr. Gorelnik. I had looked at the information that Dr. O'Farrell just reviewed and you are correct in that the most recent improvements to the model do make a substantial difference and do reduce the likelihood of over, or under predicting the exploitation rate, but the results also show that in three of the four years the model still would have underpredicted the exploitation rates that resulted, and in the most recent year substantially so. So, I looked at that information and I took that into account and relevant to the going back to.....I think it's worth revisiting the guidance in full that we gave, which if I can just read it here. You reference the 40 percent reduction. Let me get to the right page. Given the pattern of exceedance in recent years to ensure ocean harvest rates do not exceed the 16 percent age four KRFC harvest rate consultation standard, fisheries should be managed using a buffer of 40 percent on the preseason target ocean harvest rate. This would result in a preseason target that will achieve postseason attainment of 16 percent given the pattern of recent model performance. Unless the Council and its advisory bodies identify management measures or further model adjustments that the, I think this is the important part, that the best available information indicates would have the same effect of keeping the postseason estimate of the harvest rate on KRFC age four at or below the 16 percent for 2022 salmon ocean salmon fisheries. And when I looked at the analysis that Dr. O'Farrell had conducted and the improvements to the models, it still indicated that there was a likelihood that there would be an overpredict.....or an underprediction of the exploitation rate. So I, in taking, informing sort of where I have currently landed, I took that into account that there was some improvement made, but not a substantial amount of improvement. So essentially it



would, there was still a level of uncertainty that would not be achieved by the 40 percent reduction based on the analysis that I had, and so that is the conversation that I had with the SAS earlier today. There is some additional information that I think folks are working on with regard to the contact rates that are assumed and what that translates into the seasons on the water. I would point out that we worked very hard last year. We made some substantial adjustments to the model further constraining, very much the same exercise of constraining the years used, focusing on the high contact rates, assuming that those contact rates would not occur or that there would not be higher contact rates than those contact rates, and in fact, there were contact rates that resulted in a substantial exceedance of the limit. And so, I think that also provides some additional cautionary approach in this case should the contact rates this year be higher for some reason. So that informed the interim refined guidance that I have been discussing with the SAS and the managers.

**Marc Gorelnik** [00:22:38] All right. Thank you for that explanation. I guess my.....I don't have any concern with the fact that we may need additional reductions. My concern is that we adequately capture the reductions that have been achieved in the model such that we're not taking those reductions plus the 40 percent that was in the guidance, and that's my concern. I mean, you know, we clearly need to avoid exceeding that 16 percent rate. There's no dispute about that. It just that taking more reductions than might be needed is going...is crippling an already crippled fishery. You can see the season alternatives that were provided, particularly for the troll fishery, and it's a week here and it's a week there and people can't make a living doing that. It's... and communities are going to suffer a great deal.

**Brad Pettinger** [00:23:42] Okay, thank you Chair Gorelnik. Chris Kern. Chris.

**Chris Kern** [00:23:47] Thanks Mr. Vice Chair. I was just advised of another mistake, but I maybe should ask if the conversation Mr. Gorelnik was having is over. I don't want to interrupt, you know, if other folks have something on, other folks have something on the same topic I don't want to.....

**Brad Pettinger** [00:24:02] Actually Marci, I guess. Yes, I do see Marci's hand up there so Marci.

**Marci Yaremko** [00:24:07] Yes. Thank you Mr. Vice Chair. And yes, it is on this topic. I want to thank Marc and Susan for the previous exchange. I want to think back to yesterday and an exchange that I had with Susan on the need for clarity and on my request that NMFS document these savings I guess you'd say in a report, and I believe she said that she'd be able to provide us information and discussion here today that would then follow-up later with a report. So, I appreciate her explanation of how we're getting to the needed reduction and that it's really a two-fold process. First, the model updates which have happened clearly add substantial restriction into the model, but she's also expressed that that's not enough. She told us yesterday that the technical work was ongoing to be able to prove up exactly how much buffering is needed on top of the buffer or the change that comes in the model with the updates to the new data. So, I am just reminding that I think we'd like to see that. We'd like to see this revised guidance come to the Council in written form, one for transparency, I think it's important that it be clear to the public how we're, how we are effectively achieving NMFS's guidance. I'd also like to just note that what really is being asked here is for a bright line, a typical bright line that our SAS and STT are accustomed to modeling to, which in the case of California Coastal chinook and their surrogate on being age four Klamath Fall, that 16 percent is a constraint that we are accustomed to managing to every cycle and it's very often a constraint in shaping our fishery package. The kind of unique situation that's occurred this year is that actually similar to last year, the constraint in the Klamath area as shown in the package right now, is really on the overfished Klamath adults. It's not on the age four. So what that means is so far in our modeling exercises, we have been aiming to do better on that Klamath adult constraint and not having a difficulty with the age four, attaining the age four impact rate cap of the 16 percent and Michael's walk-through that with us on the tables, the challenge now is, you know, I mean we've had a couple of days and I had hoped that we would reach resolution on this point before now,

but it looks like with the revised guidance that's coming from NMFS that now we model to achieve 10 percent instead of 16 percent, so the cumulative effect of both the model update coupled with this additional buffer is expected postseason to stay within the 16 percent. I think there's no debate about the need. There's no question that significant change is needed here. But what's key is that we be able to establish that bright line now and so that there is no longer any uncertainty about what the guidepost is. You know we've had a few days at this now and the opportunity for the models to solidify and the constraints to become clear, but in order for the SAS and the STT to keep us moving along in the development of alternatives, we need some.....we need certainty on exactly what the constraint is. So, it sounds like we're there with this new information we've heard today from Susan and I know that this has been a lot of work on the sidelines and I do think, you know, I'm comfortable that the technical basis is there along the lines of Marc's questioning. I have that. That information has been provided by the CDFW staff in the STT room. They have taken a very close look at it and I'm comfortable that the model adjustment plus this additional buffer does do the job. It's just it is difficult coming so late in the development of alternatives. But again, just want to express the request that we receive this in writing from NMFS by the time we depart for home. Thank you.

**Brad Pettinger** [00:30:18] Thank you Marci. Okay, Chris Kern.

**Chris Kern** [00:30:23] Thanks, Mr. Vice Chair and I do apologize but I was advised of another mistake, this time in our written packet. So, it says on, for references on Page 2 of this document for Alternative 2 in the Heceta Bank line to Humbug Mountain. We had taken an inseason action yesterday that actually removed the preceding regulation that had a March 15th open date and so this is a typo in here. Alternative 2, the first line, instead of reading March 15 through June 15 should read May 1 through June 15. And I hope that's it.

**Brad Pettinger** [00:31:04] Me too. You're good, you're good. Okay, anything else going on as far as anybody else, comments, are we done? I would turn to Robin.

**Robin Ehlke** [00:31:18] Thank you Mr. Vice Chair. It's been a long day and thank you for the patience in waiting for the salmon folks to produce some guidance so that we can get underway and look to get those salmon seasons within all of our management and conservation objectives. So, with that I think the Council has done its work under this and the STT will now start its work. So, thank you very much.

**Brad Pettinger** [00:31:45] Thank you Robin and thank you everyone for hanging in there.....(COMPLETION FOR THE DAY. REVISIT THE FOLLOWING DAY)

**Marc Gorelnik** [00:31:48] Okay Robin, please introduce this.

**Robin Ehlke** [00:31:59] Thank you Mr. Chair. We'd like to reopen Agenda Item D.5 so that we can make a minor correction to the guidance given yesterday afternoon. Although the STT understands the intent, we would like formal guidance so that we can put out a package that has the intended modeling outputs. And so, this should be very brief, and I guess I'll just leave it at that.

**Marc Gorelnik** [00:32:27] All right. Thank you Robin. I'll just go straight to Chris Kern.

**Chris Kern** [00:32:31] Thanks Mr. Chair. I'd like to offer guidance for the Oregon fisheries. Thank you. This would be for Alternative 2 in the commercial management alternatives. On Page 5, so again in Alternative 2 for Cape Falcon to Heceta Bank line, change the dates of the coho quota fishery by removing July 1 through the earlier of August 10 and replace that with July 20 through the earlier of July 31. And then moving to the Heceta Bank line to Humbug Mountain, same changes. Remove July 1 through earlier of August 10 for the coho fishery and replace July 20 through the earlier of

July.....replace with July 20 through the earlier of July 31st. And just for a little bit of clarity, the intent here has always been that the coho retention would only go along with the open chinook periods, but this oversight made that a little bit unclear. I'll just point out we had a one-to-one ratio with chinook landed in the language as well, so that was our intent all along, but just as a matter for the record those are the changes that will make that much more clear.

**Marc Gorelnik** [00:33:44] All right. Thanks very much for that Chris. Is there any further guidance to the STT? All right I'm not seeing any hand so thanks very much Chris. Thanks Robin.

## 6. Further Direction for 2022 Management Alternatives

**Brad Pettinger** [00:00:00] That takes us to Council action, and I would look to the State of Washington for some guidance. Kyle.

**Kyle Adicks** [00:00:07] Thank you Mr. Vice Chair. I do have some guidance for north of Falcon.

**Brad Pettinger** [00:00:14] Excuse me. I'm sorry. Susan. She went there first.

**Susan Bishop** [00:00:18] Apologies Mr. Vice Chair. I don't know if this is the correct place to bring this up or not, but I just wanted to note and remind the Council that we are still discussing the age four Klamath rate on with regard to California Coast coho. There was a request yesterday that I write that provi.....in written form on my report and I do not have a final version of that, but I am very close to that, but I would just say that it will not change the guidance that I gave yesterday as that might help the Council in moving forward.

**Brad Pettinger** [00:00:59] Thank you Susan. I'm sorry Kyle. So proceed.

**Kyle Adicks** [00:01:04] Thanks again Mr. Vice Chair. So for north of Falcon, I'm speaking relative to Agenda Item D.6.a, Supplemental STT Report 1, March 13th implement the following changes. On Table 1, Page 1 for Alternative 3, change the overall non-Indian TAC to 53,000. Update all corresponding quotas, subarea caps and subarea guidelines for the north of Falcon commercial on pages 2 to 3 and recreational fisheries on pages 15 to 17 accordingly. And then on the commercial management alternatives on Page 3 in Alternative 2 add same as Alternative 1 except before open five days per week Friday to Tuesday.

**Brad Pettinger** [00:02:00] Okay, thank you Kyle. Before we go to Oregon, I see Marci has her hand up so, Marci.

**Marci Yaremko** [00:02:10] Yes. Thank you Mr. Vice Chair. I had a question for Susan based on her remarks. I don't know when the appropriate time is to take that up, but I do have a question.

**Brad Pettinger** [00:02:22] Well you're here now so let's just do it.

**Marci Yaremko** [00:02:25] Okay great. Thank you. Thanks Susan. I appreciate that note. I guess I am asking why in the overview that Dr. O'Farrell provided and the content in Table 5 of the report where we outline the spawner objectives or other standards, why is it that we do not see under the Klamath age four ocean harvest rate a statement there that says we're modeling to a new goal of 10 percent? And the reason I ask that is the numbers are not in, are not shown in bold as exceeding that 10 percent direction that was provided, so I guess I'm just asking again if the intent is to modify this table. Right now, the language reads, "Note: a modified limit is under consideration for 2022 management". So, are we still considering what that limit is or is there certainty? Thanks.

**Brad Pettinger** [00:03:58] Susan.

**Susan Bishop** [00:04:00] Thank you Mr. Vice Chair. Thank you Miss Yaremko. My understanding walking away from the conversation yesterday was that there was a desire for additional certainty in NMFS's guidance and that that information be put in a written form, written document. And so, I've been working on that and evaluating the available information and based on the information that I have at this time, if the desire is for the certainty leaving the March Council meeting, I do not have any

information at this point that would indicate flexibility, I guess you would say, or additional considerations relevant....relative to that 10 percent limit. All the information that I have indicates that that would, should address the uncertainty that exists while taking into account the revisions that have been made to the model and additional information that has been provided. And I am prepared to lay that out in detail tomorrow or as soon as I can finalize my report. Does that answer?

**Marci Yaremko** [00:05:15] Yes. Thank you Mr. Vice Chair. Thank you Susan. I guess I'm just asking for the simple clarification that the table will be updated to reflect that guidance, because right now it's not reflected in the table.

**Brad Pettinger** [00:05:38] Is that a question again Marci?

**Marci Yaremko** [00:05:42] Yes, thank you.

**Brad Pettinger** [00:05:44] Susan.

**Susan Bishop** [00:05:47] I can work with the team in updating the footnote to the table if that would address the concern.

**Marci Yaremko** [00:05:56] Thank you Mr. Vice Chair. Yeah, thank you Susan. It's not a concern. It's just a question. It would seem that....I mean that the table reflects the guidance. I mean it's....it spells out the guidance. And right now, it reads that the allowable impact rate cap is 16 percent. So, if there's additional guidance that's been included, it should just be reflected in the table as our other constraints show in the table. So, it's a question. A comment. I guess it would just be my expectation that it is shown there, especially in light of the note.

**Susan Bishop** [00:06:48] I'll work with the team to make sure that the note reflects the guidance that we've talked about. If that's the agreement of the Council.

**Brad Pettinger** [00:07:01] Okay.

**Marci Yaremko** [00:07:03] Thank you.

**Brad Pettinger** [00:07:04] All right, Chris Kern.

**Chris Kern** [00:07:09] Thanks Mr. Vice Chair. I have some guidance for the Oregon areas. Table....beginning....reading from Supplemental Item D.6.a, Supplemental STT Report, March 13. Implement the following changes beginning with Table 1, ODF....commercial management alternatives beginning on Page 5 for the area of Cape Falcon to Heceta Bank line. In Alternative 1: Replace March 15 through May 15 with March 15 through May 31. Replace June 16 through 30 with June 1 through 30. Replace August 1 through 6 with August 1 through 8. In Alternative 2: Add June 21 through 27. And in Alternative 3: Replace July 15 through 31 with July 6 through 10 and July 19 through 30. Replace August 1 through 10 with August 2 through 11. Moving to the next section, Heceta Bank line to Humbug Mountain. In Alternative 1: Replace May 1 through 15 with May 1 through 31. Remove June 1 through 7. Replace August 10 through 18 with August 1 through 8. In Alternative 2: Add June 21 through 27. In Alternative 3: Replace August 1 through 10 with August 2 through 11. And lastly, moving to the recreational objectives or alternatives beginning on 19, page 19. Cape Falcon to Humbug Mountain Area in Alternative 3: Replace the August 28 ending date in the all salmon marked selective coho fishery with August 31. And that completes guidance for today.

**Brad Pettinger** [00:09:10] Thank you Chris. And now Marci. Are you there?

**Marci Yaremko** [00:09:16] Yes. Thank you Mr. Vice Chair. I have some guidance for California working off of Agenda Item D.6.a, Supplemental STT Report 1 for March 13th. Implement the following changes for commercial measures beginning on Page 8 in the Fort Bragg area, which is the 40 10 line to Point Arena. In Alternative 1: Remove June 1 through 7. In Alternative 2: Replace August 1 through 12 with August 1 through 10. In the San Francisco region, which is Point Arena to Pigeon Point. In Alternative 2: Replace July 1 through 10 with July 1 through 8 and replace August 1 through 15 with August 1 through 12. In Alternative 3: Remove June 1 through 8. Replace July 1 through 8 with July 1 through 11 and replace August 1 through 10 with August 1 through 12. Moving to the Monterey area. For Alternative 1: Replace May 1 through 12 with May 1 through 15. Remove May 20 through 31. Replace June 1 through 15 with June 1 through 12. Replace July 1 through 12 with July 1 through 10. Also replace August 1 through 12 with August 1 through 10. In Alternative 2: Replace July 1 through 12 with July 1 through 8. And in Alternative 3: Replace June 1 through 8 with June 1 through 15. Replace July 1 through 8 with July 1 through 11 and replace August 1 through 10 with August 1 through 12. Moving to recreational alternatives beginning on Page 20, this is in Table 2. For the California KMZ. Alternative 3: Replace July 1 through 22 with July 1 through 24. And in the Fort Bragg area in Alternative 1: Replace April 2 through May 15 with May 1 through 15. Thank you.

**Brad Pettinger** [00:11:56] Okay, thank you Marci. Go to the tribes here. Joe, are you available?

**Joe Oatman** [00:12:09] Yeah. Thank you Mr. Vice Chair. I do not have any further guidance for the Treaty Indian trawl management alternatives so those.....so that will remain the same as reflected in Table 3. Thank you.

**Brad Pettinger** [00:12:27] Okay, very good. Thank you. Okay you have guidance. I guess discussion on the floor so... Phil.

**Phil Anderson** [00:12:36] Thanks Mr. Vice Chair. I'm aware that most if not all of you around the table know this, but I think it's worth pointing out. I think everybody is aware that the exploitation rate limit that applies the Lower Columbia River natural tules is a total exploitation rate. There are impacts on that stock in southeast Alaska and northern B.C., West Coast of Vancouver Island, Puget Sound, probably the Straits, inriver south of Falcon and north of Falcon. So, there's a lot of pieces to the pie, if you will. I'm going to be looking for at least one of these options when we get the final modeling done to go out of our meeting here that meet that is at or less than the 38 percent. I don't...I will....I don't support going out of here without any of our alternatives meeting the 38 percent limit. That said, there are a number of piec.....there are several pieces that are still in play. And as I mentioned as part of the Pacific Salmon Commission Report, we don't know what the catch limits are for northern B.C. We don't know what they are for WCVI yet. Those are....and particularly as you move south obviously into the WCVI, West Coast of Vancouver Island area, there are... the impacts on this stock increase, we don't know. So we don't know what that's going to be and it could certainly... it could help us. It could hurt us. We don't know. And there's also work to be done to craft the fisheries inside the Columbia River, which obviously have impacts on the stock. So, you know, at this juncture, I know everyone, we're focused on Council-area managed fisheries as we should be, we need to be cognizant that our fisheries have impacts on this stock and we need to do our part, if you will, to get to the.....and ensure that we're going to meet the ESA requirements. But we have gone out of the March meeting in a number of years where this stock has been the limiter if you are.....or one of the limiters, certainly limiter north of Falcon from a chinook perspective, was one or two of them being above the 38 limit as long as they're not crazy above the limit, within some, within some reason understanding that the rest of the pieces are going to get resolved between now and April so we'll have the complete picture from which to work, and we don't have that right now. So, I'm saying that as much probably for the public's benefit then all of yours because most of you or all of you already know that, but I thought it was worth pointing out. Thanks.

**Brad Pettinger** [00:15:57] Thank you Phil. Anyone else? Okay. Merrick.

**Merrick Burden** [00:16:11] Thank you Mr. Vice Chairman. Just in the interest of clarifying Council's guidance here, I did want to refer back to the discussion between Marci and Susan and just to make sure that everyone's on the same page. I guess I would just ask if there is opposition to the 10 percent rate being included in the table that Susan and Marci were discussing. I'm not sure if that was a clear point, and I'm just giving the time constraints and everything that we're under, I do think it's important to make sure we have clarity. So, I would just ask if there's opposition to that point?

**Marc Gorelnik** [00:16:51] Yeah, I just want to say I don't think there's opposition, I think that's the guidance it's got to go in the table. You know it's... we can't have guidance to the team on one hand and not have our documents reflect that so I can't imagine there's any opposition to that. People may not be happy with the 10 percent, but if that's what we're managing to it's got to be in the table.

**Brad Pettinger** [00:17:13] Okay. All right very good. Robin.

**Robin Ehlke** [00:17:22] Thank you Mr. Vice Chair. The STT can move forward with the additional guidance given today. As far as the age four ocean harvest rate of 16 percent that is listed on Page 1 of Table 5, it's clear to the STT the Council has made it clear that we will be reporting at a 10 percent management unit, if you will, and so with that we'll be prepared to return tomorrow. The Council may want to have a bit of discussion on what the timing of salmon may be for tomorrow, but as far as D.6 is concerned, I think you've done your work under this agenda item. Thank you.

**Brad Pettinger** [00:18:05] Okay thank you. Well, that takes care of D.6.

## 7. Adopt 2022 Management Alternatives for Public Review

**Brad Pettinger** [00:00:00] With that we'll open the floor for discussion prior to going to the states. Does anybody want to say anything? All right, I guess for doing about the business of adopting the proposed ocean salmon fishery management alternatives for public review. I'll look to Kyle Adicks and Washington.

**Kyle Adicks** [00:00:19] Thank you Mr. Vice Chair. I do have a motion for the Council. I move to adopt for public review the alternatives for non-Indian commercial and recreational fisheries in the area north of Cape Falcon as presented an Agenda Item D.7.a, Supplemental STT Report 1 dated March 14th, 2022.

**Brad Pettinger** [00:00:41] Okay. Thank you Kyle. Is the language on the screen accurate?

**Kyle Adicks** [00:00:44] Yes.

**Brad Pettinger** [00:00:45] Okay. Phil Anderson. Phil. Seconded Phil Anderson. Check that box. Discussion? Seeing none I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:01:01] Aye.

**Brad Pettinger** [00:01:01] Opposed? Abstentions? Motion passes unanimously. Thank you Kyle. I'll look to Oregon and Chris Kern. Chris.

**Chris Kern** [00:01:13] Thanks Mr. Vice Chair. I have a motion if Sandra could put up, or Kris. Okay thank you. I move to adopt for public review alternatives for ocean commercial and recreational salmon fisheries between Cape Falcon and the Oregon California border as described in Agenda Item D.7.a, Supplemental STT Report 1, dated March 14th, 2022 with the following modifications. In the commercial management alternatives for the area of Cape Falcon to Heceta Bank line. In Alternative 2: Replace July 20 through 31 with July 22 through 31. In the area from Heceta Bank line to Humbug Mountain, in Alternative 2: Replace July 20 through 31 with July 22 through 31. And in the area from Humbug Mountain to the Oregon California border, the Oregon KMZ, also in Alternative 2: Replace the June 1 through 30 quota of 800 chinook with 550 chinook. Replace the July 1 through 31 quota of 500 chinook with 200 chinook and replace June 1 through July 31 weekly landing and possession limit of 50 chinook per vessel per week Thursday through Wednesday with June 1 through July 31 weekly landing and possession limit of 20 chinook per vessel per week Thursday through Wednesday.

**Brad Pettinger** [00:02:46] Is the....thank you Chris. Is the language accurate on the screen?

**Chris Kern** [00:02:49] Yes, it is.

**Brad Pettinger** [00:02:50] Seconded? Christa Svensson. Thank you Christa. All right, want to speak to...?

**Chris Kern** [00:02:58] Sure. Just real quick on this one we are making a couple of last changes. We worked with the technical team to ensure that this will help us get where we need to be on Alternative 2 in combination with, I think, some other actions we'll hear about shortly. That's it.

**Brad Pettinger** [00:03:12] Okay. Question or discussion on the motion? Okay seeing none I'll call for the question. All those in favor signify by saying 'aye'.



**Council** [00:03:23] Aye.

**Brad Pettinger** [00:03:23] Opposed? Abstentions? Motion passes unanimously. And down the coast to California and Marci.

**Marci Yaremko** [00:03:36] Thank you Mr. Vice Chair. Thank you Sandra. I move to adopt for STT collation, analysis and public review, the salmon management measures for the 2022 commercial and recreational ocean fisheries in the area from the Oregon California border to the U.S. Mexico border as presented in Agenda Item D.7.a, Supplemental STT Report 1, dated March 14th, 2022, with the following modifications. And those are to Table 1, 2022 troll alternatives on Table page 10 of 14. In the Monterey area from Pigeon Point to the U.S. Mexico border. In Alternative 2: Replace May 1 through 10 with May 1 through 9. And excuse me, replace May 22 through 31 with May 23 through 31.

**Brad Pettinger** [00:04:40] Okay, thank you Marci. Is the language on the screen accurate?

**Marci Yaremko** [00:04:44] Yes, it is. Thank you.

**Brad Pettinger** [00:04:45] Very good. You want to speak to that? Oh, golly I'm having a hell of a day. Second by Bob Dooley. Okay Marci.

**Marci Yaremko** [00:04:57] Thank you Mr. Vice Chair. As Chris mentioned in the Oregon motion, the proposed modification, a few minor date changes here. We are expected to achieve our objectives in Alternative 2 so that when the table is put out for public review, it will reflect that we have in fact attained all of the required constraints. I'd like to take a moment here to talk about the week and the culmination of the contents of these three alternatives from California. This was a tough year and just wanted to note that our role at the Council is to assure sustainable salmon stocks, and that means all of them. That is the priority with these season alternatives with the secondary goal of providing for sustainable fisheries. I want to thank the Council for its decision earlier this week to require an elevated Sac Fall escapement goal. That selection of the goal at 180,000 returning adults is the highest end of the goal range for Sac Fall. This should provide additional assurance that more fish will enter the river this fall and will benefit winter run and spring run as well. I just want to note that with winter run we'll look to be achieving not only under the required 20 percent maximum exploitation rate, but in fact the three alternatives don't have any numbers above 15 percent exploitation. So that's good news. We're certainly concerned about the situation with drought and just want to acknowledge the content in the NMFS report that Susan just provided on how important it is that we be especially careful this year to ensure that there are enough returning adults to the river. On the Klamath front things have been tough since 2018 when unfortunately, they attained overfished status, and the situation in the Klamath seems to only be getting tougher. For the first time here this week we've worked through our new SONCC coho constraints while also meeting new and more restrictive guidance on the constraint for California Coastal chinook that Miss Bishop just provided us earlier. Just wanting to follow-up with some additional thank you's to the SAS, the STT, the Council staff, and other agency staff for working through what's been an unusually tough March for salmon south of Falcon. There is still uncertainty as Susan mentioned, but we sure appreciate the clarity that NMFS has provided this week on its guidance and the detailed reporting and memorializing of that guidance for the record, so really want to thank the extra effort from Susan overnight to pull together a very complete report with the rationale and the supporting analysis. That will allow us as we enter our April meeting for there to be very clear direction with regard to the targets that we'll be modeling to, so that will allow the SAS and the STT to more effectively work towards a final alternative development as we get to April. Also want to note the hard work of the SAS with regard to the sharing arrangements between California and Oregon fisheries and their careful consideration of the alternatives that best meet the needs of the fishing communities of

both of the states, giving the available impacts that are quite constrained this year to share along both states' coasts. We understand that there will be further dialogue between the states on sharing as we develop that final alternative in April, and we really want to acknowledge. The work this week really creates a great foundation that's been laid for the discussions. That said, it is a tough outlook, particularly for California commercial. There is very, very little opportunity for our commercial fishery in northern California. Susan outlined in her overview the severity of the changes and they should not be lost on us as we continue to develop our alternatives and as we move toward final action and as we consider the situation in the Klamath basin more holistically in our other Council discussions under other agenda items. And finally, I'd be remiss if I didn't take a moment to acknowledge our CDFW staff that I know have been there with you all week in the trenches. I want to take a moment to welcome Kandice Morgenstern and Grace Easterbrook to the Council family and their hard work, learning the ropes in the STT and working with the SAS some very long nights, but I really want to send a special thank you to Dr. Pete McHugh of our staff. He's really helped me this week, serving in a very difficult role as a liaison and representing us on the policy side and working with all of you so closely in the background. Thank you Mr. Vice Chair.

**Brad Pettinger** [00:11:46] Thank you Marci. Chris Kern.

**Chris Kern** [00:11:49] Yeah thanks Mr. Vice Chair. Just a few things, you know, Marci covered so many of the details that we've been dealing with this week well but I'm not, I don't need to recap those, but this has been one of the more difficult weeks, probably to say the least for the south of Falcon group, at least in my recollection, and last year was pretty tough too. But I think it also provides a pretty darn good example of how the Council adapts to things we're seeing change. We had two model updates that have come through this process, this or at least the first iteration of their use coming through this process this year. We've got conservation, additional conservation buffer that has been applied on the age four component. We had a higher end escapement goal. And those are all reactions at least in part to things we're seeing out there that change. And for folks who may be looking from the outside and wondering if the Council just keeps doing the same old thing over and over again, the answer is a resounding no in this case. That said, it's been tough. We've had to recalibrate all our brains to sort of the new outcomes and kind of the things we thought we knew and how things normally work has changed a little bit. And as Marci mentioned, the SAS folks just worked doggedly all this week to get through that and they made it, they got to the end. We've got a little ways to go, but we're narrowing in and that's due to their hard work and I will second the thank you to staffs, both California and Oregon, those who are here and those who weren't, as well as the STT and some of our own staffs that aren't on the STT. So, I'll leave it at that, but I really appreciate all the hard work and we'll get back to it in April.

**Brad Pettinger** [00:13:45] Thanks Chris. Further discussion? Marc. Chair Gorelnik.

**Marc Gorelnik** [00:13:50] Thank you Vice Chair. I want to repeat all the thanks. I'm not going to go through them again in the interest of time, but everyone worked really hard under very challenging circumstances. I just want to take this opportunity to point out that the risks to our salmon populations are not a consequence of the fisheries that we manage. They're a consequence of natural and human impacts on the habitat for our salmon. NMFS has taken a very highly precautionary approach to our Klamath stock as a proxy for our California Coastal, and we got guidance from CDFW to increase escapement. But a lot of those adults that will escape may not successfully provide us any natural production unless there is cold water and drought is a challenge but also is a challenge are the operations of the water systems of the dams, the water projects that are shipping a lot of water that salmon need to grow crops that are highly prized overseas. And so I would ask that the federal and state agencies that are here regulating the fishery take as firm a line with those water projects, both in the Klamath Basin, which we're dealing with a lot of water diversions, as well as the state and federal water projects to ensure that steps we're taking here to protect those stocks don't go down the drain, so to speak, because

we haven't taken care of their freshwater habitat. Thank you.

**Brad Pettinger** [00:15:49] Thank you Chair Gorelnik. Anyone else? Susan Bishop. Susan.

**Susan Bishop** [00:15:55] Thank you Mr. Vice Chair. I just want to echo the thanks of everyone else around this table. There's a lot....as many people have noticed, there's a large diversity of relationships to the, in my case, the salmon that are around the table but....and a lot of the discussion happens offline or in the hallways. Very long hours we saw this week people put in. But the impressive aspect of it was that they were all pulling together to combine their very effective and substantial problem-solving capabilities to focus on how to address the conservation concerns that we have in front of us and how they could work together to do this in a way that would still provide some fishing opportunity to collectively together. So I think that often the public and others that aren't as a part of this process, you know, sort of seeing how the sausage is made some days, that often gets underestimated in terms of exactly how much collaboration there is and how often people might set aside or at least lower their own, you know, what would be in their own best interests to help out somebody else in other community and above all, the resource. So, I just wanted to make sure that that was said before we left this week given how difficult this week has been.

**Brad Pettinger** [00:17:23] Thanks Susan. Anyone else? Okay I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:17:33] Aye.

**Brad Pettinger** [00:17:33] Opposed? Abstentions? Motion passes unanimously. Thank you. Next, I'll go to Joe Oatman for the tribal. Joe.

**Joe Oatman** [00:17:50] Thank you Mr. Vice Chair and I do have a motion and I provided that to Sandra. I want to check to see if she received that and if so if that could be placed on the screen?

**Brad Pettinger** [00:18:08] Okay, I'm looking for the okay sign so. Okay Joe, it's on the screen.

**Joe Oatman** [00:18:10] Okay. Thank you Mr. Vice Chair, and thank you, Sandra, for getting that put up on the screen. So I move the Council adopt for public review the proposed salmon management alternatives for the 2022 tribal ocean fisheries that's described the agenda item D.7.a., Supplemental STT Report 1, Table 3, dated March 14, 2022.

**Brad Pettinger** [00:19:01] Thank you Joe. It sounds like you don't have a screen, but I can confirm that that is accurate what I'm looking at so. Second by Kyle Adicks. Thank you Kyle. Joe, please speak to your motion.

**Joe Oatman** [00:19:17] Thank you Mr. Vice Chair. Thank you Kyle for the second. So, as we have heard earlier in the week, the tribes are proposing these moderate increases based upon the more optimistic forecast. They recognize that we still need to continue rebuilding stocks that have been declared overfished while also trying to accommodate the treaty right to half of the harvestable surplus passing through the treaty usual and accustomed areas. Tribes estimate that these levels will meet the management objectives of stocks of concern as far as international obligations. And so, with that Mr. Vice Chair, I do commend the tribes on being able to get to the place that they have on these treaty troll management alternatives and I look forward to more work and discussion after this action here today. And thank you Mr. Vice Chair.

**Brad Pettinger** [00:20:45] Thank you Joe. Kyle Adicks. Kyle.

**Kyle Adicks** [00:20:49] Sorry, my first forget this week. Thank you Mr. Vice Chair. I just noticed that the motion says agenda item E.7.a., and I believe it should read D.7.a. So, if I could, I would suggest to amend the motion to read Agenda Item D.7.a.

**Brad Pettinger** [00:21:21] Thank you Kyle. Second by Phil Anderson. Thanks Phil. Fair enough.

**Kyle Adicks** [00:21:38] Thank you Mr. Vice Chair. I think that's a clear enough intention just to reference the right document.

**Brad Pettinger** [00:21:43] Very good. Okay. No need to discuss that I don't think. So all those in favor of the amendment to the motion signify by saying 'aye'.

**Council** [00:21:50] Aye.

**Brad Pettinger** [00:21:50] Opposed? Abstentions? Motion passes unanimously. Okay. Further discussion on the amended motion? Okay I'll call for the question. All those in favor of signify by saying 'aye'.

**Council** [00:22:11] Aye.

**Brad Pettinger** [00:22:11] Opposed? Abstentions? Motion passes unanimously. Thank you. I do believe now is the time I saw that there is the.....we have a couple of speakers for the tribes. I believe Bruce Jim and Wilbur Slockish are now online. And so probably now let them speak to the Council. Bruce, Wilbur are you there?

**Bruce Jim** [00:22:39] Yeah. Can you read? Can you hear me?

**Brad Pettinger** [00:22:41] We can. Welcome.

**Bruce Jim** [00:22:45] Yeah, I've got Wilbur here and I'll have Wilbur speak first on his opinions and then I'll come after Wilbur.

**Brad Pettinger** [00:22:57] Please.

**Bruce Jim** [00:22:58] Sorry for the delay. We had problems with the computer or whatever this is. I just told Wilbur that's why machines are never going to take over for humans.

**Wilbur Slockish** [00:23:14] Okay, good morning members of the Council. I'm listening to some of these things that you guys are saying and hearing about the habitat issues from, I don't know who that was, but salmon aren't dumb. They have survived many natural disasters, landslides, erupting mountains, but the things that they're having trouble with is the economic practices involving water, land issues and in the mountains the harvest of trees and irrigation and navigation. And, you know, it always involves around economic interests of communities, and no one's paying attention to our cultural needs economically, it's spiritually and physicality of the salmon, what he means to us. Whenever I catch a salmon and he looks me in the eye he said I've fulfilled my duties to you. Now it's your turn to take care of the water, my home where I live, where I grow up and raise my young. These are things that you never experience in your school system because it's not hot. Water is commodity that's used to irrigate dry farmlands if you transport barges and all of the industrial practices, whether it's gold mining, coal mining, uranium extraction, it all involves water, nuclear issues and is never taught to take care of the water, the sacredness of the water. So, in April, I hope it's in person because talking over this here is not the same as in person to see how we feel about this resource, what you call resource but what we

call our livelihood. And all of the things that they have survived, and then the dam building process, what it involved, how it made the rivers, lakes, warms the water, floods spawning beds, village sites, but you don't hear that in any of the history books. It's always westward expansion has prospered. Well, that free market prosperity comes at a cost and it's my people's existence. We've survived many policies to exterminate our people, but we're still here and we hope the salmon are going to be like us and still here. So be mindful of that because the books only teach your story, his story, your story. And when we mention stuff, pay attention to our story because we really care for the God given gifts that we try to protect through our words and our actions. And that will be all that I will say at this time, but please remember that the salmon were here, and they lived in their natural element. And then when dams were built, the promise was made that there would be plenty of fish in the river for us to harvest, but it's not. And there's more that I could say about all of these plans that are in place, but I will mention this one and the other ones. In 1977 the States of Washington and Oregon promised give us five years and you'll have all the fish you need. We're still waiting. How many years has gone by? And they use the numbers to not rebuild the run, but to increase harvest. So that will conclude my statement and I will be better, have more material in April. Thank you for listening and please listen but take it in a good way because that's the way I gave it. Not in anger, but as an educational tool. That's all I have to say at this time.

**Brad Pettinger** [00:28:34] Thank you. Bruce?

**Bruce Jim** [00:28:38] My name is Bruce Jim, Chairman of the Fish and Wildlife Committee in Warm Springs. I'm also a member of CRITFC. You know, you heard the comments that the tribes have made, and you hear them time and time again. The tribes always voice our concerns for the natural resources that we are to watch over. The so-called progress has not been favorable or kind to the native peoples across the nation. Every project that has been done had a terrible effect to the tribes' lands, food resources, water, the whole ecosystem. You know it has to be rebuilt in a way, you know, the habitat. You know like we said before, you don't know how much salmon are out there. You never know that number. It could be so few salmon and you would be promising these people that this is how much they're going to fish on. You know court cases have always guaranteed us a lot of things so 50 percent of the fish that's destined to be in the upper river, and we have yet to see that because we're always put under impacts, whether it's by steelhead, whether it's by lower river salmon or whatever, and we never get to see that number that you have told us, you know, they... you know like we said, you know, that even though you may not know the numbers you can guesstimate or whatever else, but, you know, the tribes are pretty lucky in the sense that we have in a way and the ability to count how much salmon there is coming over the dams and over the fish ladders. And in the past there was a promise made by treaties to the tribe and later promises made by federal officials to the tribe to return salmon to the upper reaches of the Columbia River and what Wilbur was talking about is the same feeling that the four tribes, but not only the four tribes, there's, you know, numerous tribes along this Columbia River that suffered that effect of loss of land, loss of resources, loss of habitat, loss of homes. But something that you're going to hear all the time from tribal people of what we have lost, but the main thing you're going to hear in the background is the promises that your forefathers made, the promises that your federal government has made, the promises that the federal courts have made and yet we are still sitting here kind of waiting. Then the burden of conservation is shifted towards the tribe's shoulders where we have to supply all the salmon for even for orcas, and but we supply all the salmon from Alaska all the way down for all peoples, not just for ourselves. And you've got to remember that. How important that is to this resource that you are talking about, that you're talking about sharing. Just who in the hell puts that salmon there besides the creator? The tribes. We have help from the state. We have help from the federal government, but yet we are in dire need of help ourselves to rebuild or build up our hatcheries so we can have a sustainable release. Our hatcheries are over 50, 60 years old and when we try to get help to do that and then we're ordered by the government to create more fish, we can't do it because our hatcheries are in poor condition. So that much I'll leave you with and hopefully we'll see you in April in person. Thank you.

**Brad Pettinger** [00:33:50] Thank you Bruce. Thank you, Wilbur, for your testimony. Questions for either Bruce or Wilbur? Okay. All right. Any further discussion, anything else on this agenda item?

**Robin Ehlke** [00:34:16] Thank you Mr. Vice Chair. It has been an interesting week to say the least, but thank you for getting us through it all. We've completed the work under Agenda Item D.7. The STT has guidance to implement the seasons here in the packet and come back in April. We have a few adjustments which we'll make in the meantime. Staff will make any formatting adjustments as needed. Let's see. I think the only thing I'll bring up under this agenda item is earlier on in the week we had, the Council had talked to the STT about some guidance under Agenda Item D.3. We talked a little bit about the FRAM update, a little bit about the killer whale threshold. And I just wanted to be clear on the guidance that the STT talked about some things this morning when they were in their public session and is going to do some work between now and April to work with the SSC on describing what the FRAM update is and some of those data that went into that. And then secondly work with the SSC once we get to April on perhaps a timeline and workload on what a technical review for the killer whale threshold might be. So, I wanted to clarify that was the guidance and that is the plan of the STT unless we hear differently here. And other than that, I think that wraps up D.7.

**Brad Pettinger** [00:35:58] Okay. Thank you Robin.

## 8. Appoint Salmon Hearings Officers

**Brad Pettinger** [00:00:00] With that we'll go straight to D.8, the appointment of salmon hearing officers and Robin.

**Robin Ehlke** [00:00:08] Thank you Mr. Vice Chair. This is Agenda Item D.8. Every year we have 3 salmon hearings hosted by the Council. We have one in each state of Washington, Oregon and California. We do that so that we can hear from the public, their opinions on the 3 alternatives we've adopted here today. We also have under this agenda item an attachment that just has a list of where and how we plan on meeting and how the representatives might be attending that meeting, and so under this agenda item we like to identify who the representatives will be at those hearings and then also perhaps talk a little bit about the venue for those hearings. Thank you. That wraps up my summary of D.8.

**Brad Pettinger** [00:01:12] Okay, thank you Robin. I believe we talked about going to a virtual meeting and Merrick will probably speak to that. Merrick.

**Merrick Burden** [00:01:22] Yes, thank you Mr. Vice Chairman. Related to this item is, as Robin indicated, is the question of the venue and the format of the meeting. We have been moving forward with the intention of having a hybrid-style series of salmon hearings. Given the way that our hybrid meetings with the SAS went this week, our recommendation of staff is to take a step back and continue to host those remotely at this time rather than continuing to move forward with the in-person hybrid model that we had been planning on. We simply, although we may be able to pull something together for the April Council meeting, we do not anticipate being able to do that for these hearings and so we would be limited to the systems that we have tried to use here this week that have not been extraordinarily effective. Given the public involvement nature of these hearings, we think it's paramount that we do what we know works, and at the moment I don't think we're confident in the hybrid model or confident enough in the hybrid model to continue to pursue the in-person hybrid option for these hearings. So that is our recommendation is to take a half step back and continue this year with the remote setting, but happy to answer any questions about that.

**Brad Pettinger** [00:02:51] Questions for Merrick? Kyle.

**Kyle Adicks** [00:02:52] Not a question for Merrick Mr. Vice Chair. I'm supportive of doing that. I'm happy to serve as the hearing officer this year. I wasn't honestly sure if the Washington meeting location had the Wi-Fi technology to do a hybrid meeting. Was a little worried about the meeting space. Normally, we all fit in the room where we have it fine, but with people trying to spread out a little more I didn't know if that room would be large enough. So, I'm supportive of doing a virtual hearing for Washington.

**Brad Pettinger** [00:03:24] Okay, wonderful. National Marine Fisheries Service....oh....National Marine Fisheries Service? Susan, the attendee for National Marine Fisheries Service?

**Susan Bishop** [00:03:35] Jeremy Jording will be our representative at the Westport hearing. And we're still discussing among staff who will be attending the Oregon and California hearings, so I can provide that name to Robin, and we should be able to do that next week.

**Brad Pettinger** [00:03:54] Okay, very good. Thank you. And I'll look to Lieutenant.....oh, Phil Anderson.

**Phil Anderson** [00:03:59] I plan to join Kyle at the Westport hearing.

**Brad Pettinger** [00:04:03] Okay. Chris.

**Chris Kern** [00:04:07] Yeah Mr. Vice Chair. First of all, I'm also supportive of doing it in the virtual format. I've talked to our SAS representatives and they're pretty much unanimous that they're in support of doing that as well given the limitations and things that have been discussed. So that's good. I'll be....I can be the hearing officer for the Oregon meeting.

**Brad Pettinger** [00:04:25] Okay, thank you. California. Chair Gorelnik.

**Marc Gorelnik** [00:04:32] Thank you Vice Chair Pettinger. I'll be the hearing officer for California in the virtual hearing.

**Brad Pettinger** [00:04:38] Okay. Marci, I see your hand up. Marci.

**Marci Yaremko** [00:04:41] Yeah. Yes, thank you Mr. Vice Chair. Just wanted to echo our support for the virtual platform and note that our SAS and advisors are likewise supportive. And another reason that they support not trying to get together in person in Eureka pertains to higher gas prices. So, I think everyone here in California welcomes the opportunity to use RingCentral, which we know is an effective platform for a virtual meeting. So thank you.

**Brad Pettinger** [00:05:16] Thank you Marci. And I just look to Lieutenant Lingo as far as I see the names in the briefing book and those are accurate as far as the individuals?

**Lieutenant Lelea Lingo** [00:05:23] Mr. Vice Chair, yes, they are.

**Brad Pettinger** [00:05:24] Very good. Okay. I think, I think we're done here but always look to Robin to make sure we're good.

**Robin Ehlke** [00:05:35] Thank you Mr. Vice Chair. Yes, for Agenda Item D.8. Thank you to the states and other agencies for providing warm bodies, if you will, to sit in those seats. I really appreciate that. I hear that these 3 salmon hearings will be virtual, and we will not have an in-person aspect to that. All of the virtual login information is already on our website. That won't change. We'll just modify the website to reflect virtual only. And so, with that I think you've completed your agenda item here under D.8, and salmon for the March Council meeting.

**Brad Pettinger** [00:06:16] Thank you Robin.



## E. Groundfish Management

### 1. National Marine Fisheries Service Report

**Brad Pettinger** [00:00:00] Okay with that, that wraps up public comment which takes us to Council action, discussion, guidance as appropriate. So, with that I'll open the floor for hands. Maggie Sommer. Maggie.

**Maggie Sommer** [00:00:20] Thank you Vice Chair. Just appreciate the report and the discussion and consideration of expanding the hook-and-line survey. I think we all recognize the importance and potential value of that. States are attempting some surveys in nearshore state waters, but we also have resource constraints and so, you know, looking for opportunities for partnership or again expansion of the Southern California Bight Survey if and when resources were to become possible to support that. Thanks.

**Brad Pettinger** [00:01:01] Thank you Maggie. Anyone else? Chair Gorelnik. Marc.

**Marc Gorelnik** [00:01:07] Thank you Vice Chair, and I'll follow on with Maggie's comment. If our task is to maximize the benefit of our nation's living marine resources while conserving them at the same time, we need information and we've not had the robust data set on some federally managed species that we would all like. I realize this is not something within sustainable fisheries ability to dictate. This is, these are priorities that are set by the Science Center and I realize that there are resource constraints, budget constraints, but I just want to emphasize that there are....the existing surveys may be terrific for certain stocks that we manage, but we don't have surveys that adequately capture other stocks that we manage, largely because they're not susceptible to being surveyed in a trawl net because of the structure where they reside. So, I would encourage the National Marine Fisheries Service to find the resources to expand the hook-and-line survey or do whatever other valid scientific methods are available to try to capture in a fishery independent fashion data so that we can have robust and reliable stock assessments for our management purposes.

**Brad Pettinger** [00:02:59] Okay. Thank you Chair Gorelnik. Marci Yaremko. Marci.

**Marci Yaremko** [00:03:02] Yes, thank you Mr. Vice Chair. Just to add to that. You know this, I don't think this survey, frankly, is all that expensive. I'm not positive about that. I don't know the details of course, but I note that we are using contracts with charter vessels and many of those charter vessels are members of, or participate in, the Council process in one form or another and have been very dedicated to this pursuit. I guess I would just expect that it may not be that considerable in terms of cost to look at expanding this survey in terms of....and in terms of the cost benefit that would be achieved with expansion. I think that those points have been made here in great detail. I'd also note that, you know, that the technology used here on the hook-and-line survey is not difficult. It's not always very high tech and occasionally the priority with new surveys is to focus on methods that might have greater technological advancements, but I'd note that as far as I recall over the years with the hook-and-line survey, there have been efforts to pare the survey with ROV technology or other measures that go on concurrently on the vessel. But I would just hope that, you know, even though the concept of a hook-and-line survey is low tech, that it wouldn't be viewed as less important because I think as many have indicated, there is no other way to survey many of these species effectively and we are suffering in so many cases with our groundfish stocks of having no, no survey whatsoever, and we're looking only at catch data and fishery dependent data. So, I guess I just can't emphasize enough what a priority this really is. And thinking about some of the other coastwide surveys, we do multi-national surveys, efforts that take 90 days of sea time, again I'm not familiar enough with the NMFS Science Center's budgets

on surveys to really point at specifics, but I would bet we could get an awful lot of new information without a huge additional expense. Thank you.

**Brad Pettinger** [00:06:22] Thank you Marci. Heather Hall. Heather.

**Heather Hall** [00:06:26] Thank you Vice Chair. I just want to add on to this and offer my support for the recommendations and discussion here and the need for looking at these hook-and-line surveys and where they're expanded into different areas. And I just want to follow-up on what we heard from the GAP, I think including fishery participants in those efforts would be really valuable and could also perhaps find other efficiencies as we look ahead, so just wanted to add that on there too. Thank you.

**Brad Pettinger** [00:07:08] Thank you Heather. Okay. Any other hands? Not seeing any. I guess I'd turn to Todd to see how we're doing here. Todd.

**Todd Phillips** [00:07:23] Yes Mr. Vice Chair. Thank you very much. I believe the Council has heard both from the West Coast Region and the Science Center. You've had some discussion and some question and answers as well as you heard a report from the GAP. Based on all of this, I believe that the Council has completed this agenda item and could move on as you see fit. Thank you.

**Brad Pettinger** [00:07:49] Very good. Thank you Todd.

## 2. Pacific Whiting Utilization – Final Action

**Marc Gorelnik** [00:00:00] All right, that concludes public comment, it takes us to our Council action here, which is to adopt a final preferred alternative as appropriate. So, let's have some discussion and eventually I hope a motion. Brad Pettinger.

**Brad Pettinger** [00:00:21] Thank you Chair Gorelnik. One of the things about the mothership sector that's kind of perplexed me is that the processors wanted a closed class, but then didn't feel the obligation that they had to come down here and process the fish and I think that basically stranding fish where the people couldn't sell it. I just always thought that was a wrong to the fleet and I think that.....I think that what we see today is going a long ways maybe to fix that matter as far as make sure the vessels get the willing buyers will be actually able to sell to willing sellers. We talk about consolidation and people worried about that on the processor side and I'm trying to think about how that could be an issue. There's four companies owned, six permits currently and would become an issue, I believe, if someone would come in and buy all those permits. And I'm kind of curious, looking at two rows over there is how would NOAA GC review that? Would that be....they would see issues there with antitrust if someone would buy all the catch share vessel mothership medallions, so I'll stop right there and ask Rose.

**Rose Stanley** [00:01:43] Through the Chair, thank you Mr. Pettinger. I think right now that because there are no permit ownership limits in the mothership sector, that there would be no prohibition from someone buying all of the permits. I don't see an avenue currently for legal review.

**Brad Pettinger** [00:02:03] Interesting. Okay. And that's all of them.

**Marc Gorelnik** [00:02:08] You have a follow-up?

**Brad Pettinger** [00:02:09] I'm good.

**Marc Gorelnik** [00:02:11] Okay. Bob Dooley.

**Bob Dooley** [00:02:15] Thank you Mr. Chairman. I think most people know this is where my roots are. This is....I've been in this battle since day one to try to get more flexibility in the mothership sector. And we've worked through this and the Council's worked through this and the agencies worked through it and we've had, you know, a lot of collaboration to get this to the Council floor. We've had, at the beginning we had companies that were adamantly opposed to removing a processor limit, and now that very same company, one of them is supporting this, and I think the flexibility that it would bring, it's 11 years later we're talking about this, right? It's 11 years after the fact and there were a lot of fears to begin with of how this might be when it started, what might happen. But the track record shows that there's not a lot of consolidation, and I would note that I have never considered the fact about permits being purchased because this is a processing limit is what it is. It's not an ownership of a permit limit. It's not that at all. So, I don't... I think the flexibility given this, like Heather Mann noted, it's not the panacea, it's not going to fix all the problems, but it's going to go a long way to getting people markets and having the flexibility to do so. There aren't just spare ships floating around looking to process. This is a very specific purpose. That's why we ventured into having being able to have CPs and motherships in the same year, that's why that was even brought up, because if you don't have a mothership that's existing or a CP, there's very little options for any other kind of vessel that could produce the volume efficiently and economically to even be in that sector. So, I see the concern of removing the processing cap. I see that concern, but I really don't think that.....I don't see the chance of us stranding anybody at the end or having just one processor on the grounds. I was out there fishing the year that the quota was probably its lowest that we knew about, and the price was in the toilet and we still had three processors

on the grounds, two of them didn't stay very long. The price was \$60 a ton then. Nobody was paying for anything. One hardheaded guy stayed there a long time, that'd be me, but I caught a lot of fish however didn't make a lot of money, but that's okay. I would say, and my opinion is, I appreciate all the hard work Jessi did and Brett did to bring this forward and others, there's been others along the way. Appreciate Council members that actually worked with the industry to broker a deal to try to get this to us in a way that can be acceptable to everyone. The work the industry has done to avoid salmon, to be able to even do it. It's impressive and so this looks like a very much fully supported proposal. Our GAP, GMT, the agency, I don't see us questioning this. I support the GAPs....what they're doing wholeheartedly. So, I guess I could go on for days here, but I'll stop and that's about all I have to say right now. Thank you.

**Marc Gorelnik** [00:06:32] All right, thank you Bob. Phil Anderson and then Maggie Sommer.

**Phil Anderson** [00:06:37] Thanks Mr. Chairman. I'll try to be fairly brief. This has been, as Heather laid out the timeline and I think Jessi did too, this has been a long, long process to get to this point here today. I think the perseverance that the industry has shown is commendable and I think as Heather in her testimony talked about the steps along the way and the package was bigger to begin with and pieces of it were taken off as we went along due to the controversy maybe around it and the difficulty to move it forward, and there's certainly been, despite how long it's been, there's been a sense of urgency to get this done because of the situation that the mothership sector finds themselves in relative to the proportion of their quota that they have been able to take out of the water. I really appreciated being invited to the industry meeting that Heather referenced. It was in, not too far from the Portland airport, and I got a chance to hear firsthand some of the difficulties that they were having and so thank you for that. And so, and I greatly appreciate the work that was done within the sector to bring to the Council after we asked them to, a suite of measures that there was consensus around, and we all know that that's no small task for them to achieve. So, I wanted to acknowledge that as well. On the processor cap issue, I remember, as amazing as it may seem, I remember in 2011 the 45 percent. I remember, at least from my perspective, what the intent was at that time, and it was pretty simple. We wanted to try to make sure there are at least three companies that could participate in the fisheries and that wouldn't, there wouldn't be excessive consolidation or shares kind of thing and it really was in my mind at that time, it was to try to keep the catcher vessels from being disadvantaged. I don't ever recall thinking that it would, that it ensured that three companies would continue to participate. I just recall that we wanted to ensure that there were at least three companies that were able to and qualified to participate in the fishery. I suppose if I had my druthers I would, I might ease into this a little bit more than just pulling it off, but at the same time I think people that are in this business that have evaluated all the potential negative consequences of taking it off or searched for them and haven't been able to find them and they have been, that thought process has certainly been a part of the representatives of the catcher vessels that have testified before us. So, I'm going to be prepared to support the PPA if that's what comes forward as a motion and I just appreciate all the work that's gone into this, all the work that staff has put in to help us analyze and make sure we've thoroughly thought this through. And lastly, just I what I really hope most of all is that the, one or more of these measures will really help the mothership sector and that they'll be able to get a greater portion of their quota out of the water. Thanks.

**Marc Gorelnik** [00:10:59] Thank you Phil. Maggie.

**Maggie Sommer** [00:11:08] Thanks Mr. Chair. I intend to offer a motion when ready, so I'll save most of my remarks for then. I just wanted to also express my appreciation to staff for the very thorough analytical document. As Phil said the reminder at the beginning of today's presentation on the history of this issue was a good one for us. I was at the catch share five-year review public hearings when this issue was initially raised and I think that the Council's history of considering this action since then demonstrates our interest in responding to the need that the mothership catcher vessels described and

also maintaining fair and equitable access to whiting by all of the sectors. I think I'll save the rest of my remarks for motion comments. Thanks.

**Marc Gorelnik** [00:12:18] All right. Thank you Maggie. I'm going to see if we're ready for a motion to see if there are any hands that go up. Corey.

**Corey Niles** [00:12:30] Thanks Mr. Chair. Kris, I can see you at the corner of my eye there, so thanks, this button thing I'll get it down. Yeah, I think a lot of my thoughts have been said. I believe....I've been really impressed by the sector, by the mothership sector in particular in sticking with it as Phil said in terms of avoiding salmon bycatch. In terms of, you know, of paying for sea state, as Heather put it, and avoiding bycatch in a way that I would never thought was possible. This action as a whole, or pieces of this action are going to help improve the situation for the sector. For example, I think the....we heard the benefit of the emergency action we took last year or, you know, recently to allow an extra vessel to participate as a CP and a mothership in the same year, which it alleviated a business choice that the company had to make. You know extending the season two weeks really helps. Two weeks doesn't sound like a long time, but a lot of fish can come out of the water, and I think, we didn't hear testimony today but we've heard testimony last September that, you know, those two changes alone could, you know, up it by 12,000 metric tons around thereabouts. And yeah, like I'm probably a little more....I'm going to voice the viewpoint a little bit more strongly than Mr. Anderson about the processor cap. Again, as I kind of let off in my question too with Jessi in the analysis and on this interpretation we've been hearing about National Standard 4, which first of all, I'm in no way am I saying that a decision here today would violate the Magnuson Act in my mind at all, but the original intent of the, of having the cap was we made an allocation, and Brad said we closed the class, we created a permit which is unusual for the processing sector, at least in our area and therefore that was an allocation and the Magnuson Act says we shall have measures to prevent excessive consolidation. So, the allocation again was the permit. The cap was a measure. I think we've learned there are other pieces, you know, affecting the prospects of consolidation here besides that cap. Maybe the cap isn't having effect. I don't know what the effect is, the analysis. I'm going to complement the analysis, but it also doesn't go into what consolidation might look like. It doesn't address the probability. I do also trust what Mr. Anderson says about Bob, a long-time participant, that the odds do seem low but, you know, it's uncertain. And so, what the Magnuson Act says to do in my mind is to we have a purpose and need of increasing utilization and the tradeoff is, you know, what's the probability of getting more fish out of the water? What's the probability of more consolidation? So, what I've been hearing, you know, in listening and asking questions and, you know, all throughout this especially focused after September what this PPA is, you know, what is that probability that taking the cap off is going to improve utilization above and beyond the other parts of this package? And, you know, we hear in testimony that there is not going to be a big difference in most years in regular circumstances. It's the difference being 65 percent and taking it off in terms of what comes out of the water. It's an unforeseen circumstances type of thing. We haven't....we have a couple of examples of where the existing cap of 49, 45 percent, excuse me, affected some businesses, but on the whole like as the analysis said, at least it looks like in terms of what was processed, it's been at most 20 percent. I don't think that captures the examples we've heard of where it did affect things, but so it hasn't really come into play. It's not been the cause. Has not been the cause of the lack of utilization. And, you know, as we heard in testimony today, there is consolidation happening in the North Pacific. Is it going to happen down here that also uncertain, also unintended? The one thing I didn't hear Mr. Anderson say is what you said in September and before is, you know, the one extra risk there is if consolidation happens, you know, it's hard for the Council then to react to. So, I'm weighing that factor of how do we react if it happens, maybe its probability is low yet how do we react? And then again, I think we're going to meet the purpose and need of this action, at least a little bit. I mean, as much as this action is going to, if with 65 percent with alternative, I'm going to get it mixed up, but Alternative 2, the 65 percent would achieve the purpose and need just as much as taking the cap off, except in a very, very small probability chances. But yeah, I think this is a, this is one of

those decisions where it's a, you know, just how you weigh those tradeoffs and what is the probability of excessive, not even excessive consolidation, but more consolidation. You know, we heard as it is now the mother.....the catcher vessels feel that they are, I don't want to use the phrase 'at the mercy', but I think that's what we heard of the few companies that are out there and who are making, as we heard, reasonable business choices to maximize their revenues. So consolidation we don't....it doesn't, it's not going to solve any of these issues, it would make them worse. And 65 percent would have to, would have at least I think we heard, you know, that's two companies and that's what in most cases would solve people's problems. So that's my view and again I don't think there's a clear answer and reasonable people can weigh those tradeoffs differently and, yeah, looking forward to Maggie's motion.

**Marc Gorelnik** [00:19:01] Thank you Corey. Let's see if there's any other discussion before we receive a motion. I don't want to cut off discussion, but I don't see any hands so, Maggie, if you have a motion and I imagine that may prompt some additional discussion.

**Maggie Sommer** [00:19:22] Thank you Mr. Chair. I move the Council adopt as final alternatives for Pacific whiting utilization the preliminary preferred alternatives described in E.2, Attachment 1, March 2022. Number 1: Whiting season start date for all whiting sectors north of 40 degrees, 30 minutes North latitude. Alternative 1: May 1st, move all administrative deadlines associated with season start date to 45 days prior to the season start date. 2: Mothership processor obligation. Alternative 1: Remove mothership processor obligation from regulation. 3: Mothership Processor Cap. Alternative 3: Remove Mothership Processor Cap from regulation. 4: Mothership processor and catcher processor permit transfer. Alternative 1 with some suboption C: a vessel can be registered to a mothership permit and a catcher processor permit in the same calendar year with unlimited transfers.

**Marc Gorelnik** [00:20:35] Okay thank you. Thank you Maggie. Just confirm the language on the screen is accurate and complete?

**Maggie Sommer** [00:20:40] Yes, thanks.

**Marc Gorelnik** [00:20:41] All right. I will look for a second. Seconded by Phil Anderson. There's Pete Hassemer. I'm going to give the second to Pete Hassemer. Welcome Pete. Please speak to your motion.

**Maggie Sommer** [00:20:56] Thank you Chair. This motion represents the preliminary preferred alternatives as which were adopted last September. Have been recommended again by the GAP and the GMT at this meeting. These were selected as preliminary preferred alternatives based on the industry consensus recommendations that we've heard about intended to provide maximum flexibility to address the lower utilization in the mothership sector. I want to thank staff again for the report. This time recognizing the inclusion of the section on how the preliminary preferred alternatives align with the Magnuson-Stevens Act National Standards. I thought that was very helpful and will just note that much of the rationale and support for the preliminary preferred alternatives are contained in that document and I don't intend to repeat most of it here. Again, we reviewed the purpose and need statement earlier today at the start of this item with a presentation. Heard the need to address the mothership sector under-attainment issue, which was raised beginning about six years ago. We are....and we heard more today, particularly noting the catch and attainment trends presented to us earlier in the staff presentation and the lower increase in mothership sector attainment compared to the allocation. Our purpose, our adopted purpose is to identify and revise regulations that may be unnecessarily constraining, to provide increased operational flexibility and increase the mothership sector's ability to utilize its allocation while maintaining fair and equitable access to the resource by all sectors, and this PPA recommended here for final alternative adoption does that. Specifically on the season start, this has been identified in the analysis and by state industry stakeholders as the element most likely here to address the attainment and to have an impact. Appreciate the thorough evaluation of potential impacts on salmon and non-

whiting groundfish by the whiting fleet that we have received on several occasions, including the additions to the analysis at this meeting. Noting again that that analysis found that overall anticipated bycatch of chinook salmon is within the, the 2017 buy-op evaluation, even if the impacts of the earlier season start are additive rather than a seasonal shift. We had questions about differential stock specific impacts on listed salmonid species and note that Appendix B to Attachment 1 under this agenda item again provides a detailed evaluation on the potential impacts to each stock using the best scientific information available and concludes that the analyst found little, if any evidence of impacts on listed ESUs that would not have been captured in the 2017 buy-op. We have received information suggesting that there is negligible risk to coho salmon from bycatch related to these actions because of the very low bycatch of coho over the five-year, recent five-year period for at-sea sectors as a whole and also very low in the shoreside sector. Non-whiting groundfish impacts were evaluated and found to be likely still within the impact levels analyzed in the last groundfish specifications process and the at-sea impacts would likely be within the current set-aside amounts, and we are reminded that the salmon mitigation plans, and all of the co-op measures will still be in effect in the earlier two weeks of the season. The shoreside IFQ program will have to cover all of the catch with quota pounds, catcher vessels participating in the early season in that sector, and that measures such as block area closures would be available, if needed. This action to change the start date two weeks earlier does apply to all sectors to maintain fair and equitable access. On the mothership processor obligation, originally intended to provide for some certainty to the mothership on a short-term basis, we have heard about the development and stability, pardon, development of the sector and relationships formed between catcher vessels and motherships, and also the potential obstacles created by this obligation, deadline obstacles and administrative burden. Alternative 1, removal of this item is intended to provide flexibility and remove that burden. On the Mothership Processor Cap, which has been the topic I think of most discussion, certainly at this meeting today and recently, I want to recognize that when it was first adopted and now there have been concerns about consolidation to keep catcher vessels from being disadvantaged by potential consolidation. And I recognize that those remain, and we have heard about instances of catcher vessels not having a processor to deliver for various reasons. We are not seeing clear evidence that so far this has been due to the cap, at least in most cases, but we have also heard concerns that the cap could limit the ability of a catcher vessel to find a mothership to receive its fish or of a mothership processor to process as much fish as it might be able to otherwise take. Removing the cap here is intended to maximize opportunity and flexibility from the catcher vessels, and we have heard that request repeatedly from catcher vessels. I agree with Mr. Niles that there will probably be little practical difference between eliminating the cap and raising the cap, but I also concur that there are many factors that go into processing operation decisions and in my mind it's the permit, not a processing cap, that ensures that a mothership vessel can and is able to participate. I would suggest that if the Council is concerned about consolidation, then we could consider a future action to establish a limit on permit ownership. The processing cap is one tool to address consolidation concerns, but having heard about the actual or potential negative consequences of that cap, my recommendation here is to remove the cap. On the mothership catcher processor permit transfer, this dates to implementation of the whiting sector allocations in 1997. This was one measure intended to prevent the higher capacity catcher processor vessels from harvesting the mothership sector allocation. At least it's my understanding from reading the analysis not having been here at the time. And we have also heard and in fact taken action ourselves through emergency rule to address a need to allow this action to allow registration of both permits within the same year. I would recommend that in implementing this alternative, the National Marine Fisheries Service allow concurrent registration or stacking of permits at the.....in other words they can both be registered to a vessel at the same time, noting that the GAP suggested this might be most efficient. And overall, again I'd like to also appreciate the work that industry members have put into this and acknowledge this as an industry consensus and echo the comments made earlier that were while we do have concerns and a responsibility to do our due diligence to try to make sure we aren't setting up a situation for negative unintended consequences, that there are industry members who have far more experience in the business side of this industry who have also

been thinking about this, and we are not hearing those concerns from them. We are hearing their request to adopt the preliminary preferred alternative package and that there is some synergy among this suite of measures designed to reduce the regulatory barriers that may be impeding attainment in the mothership sector. I'll conclude there. Thanks.

**Marc Gorelnik** [00:00:00] Yes, Rose.

**Rose Stanley** [00:00:04] Thank you Mr. Chair. I would like to offer a clarification on my prior answer to Mr. Pettinger's question if that is okay? Okay thank you. Part of the question related to whether there might be antitrust implications if an owner were to acquire all of the permits in the mothership sector. I would like to clarify that because there are no limits on ownership in the sector that if an owner were to acquire all of the permits in the sector, there would not be a clear pathway for legal review by NOAA under the Magnuson Act. However, upon further review of the question I'm not clear on whether there may be antitrust implications, so I'd like to clarify that I'm not prepared to answer definitively on that point today. Thank you.

**Marc Gorelnik** [00:00:48] Okay, questions for maker of the motion? All right, discussion on the motion? Corey.

**Corey Niles** [00:01:06] No one else can hear me groan because forgetting to press the button again, but now they know. But, yeah, thank you Maggie for the well-organized motion and as always well spoken. To your motion, again I do agree. I think the one difference continues to be the processor cap and this, yeah, I believe I agree that the permit would be the more natural choice to focus on. But in effect I think, I mean I would point out what I said earlier and that's, are we going to be able to get there if something happens? But in effect, we now have in a permit, it is in a, you know, indirectly a limit on permit ownership because, for example at 65 percent and you can only process.....you know why would you consolidate beyond what you could actually process? No one would buy all the permits if they could only process 65 percent. So indirectly it is, you know, at least a business, a rational business would not try to acquire more permits than it would be able to process, but agree that the more direct route would be to do something like we have in other sectors where there's ownership on the permit. And just hearing, you know, hearing people speak to the issues before, before this, you know, I'm wanting to amend the motion just to go on record as having a difference in opinion on how we weigh the trade-offs here and again this is not a big difference, it's a slight difference, but I would like to go on record but now I'm wondering even if I will get a second, but I will stop there and, you know, I do have interest in amending this motion but I will pause to see if there's other discussion.

**Marc Gorelnik** [00:03:30] Thank you Corey. Brad.

**Brad Pettinger** [00:03:33] Yeah, thank you Chair Gorelnik. I'm going to support this motion. I think it goes a long ways to fix the issues we've been having with the mothership sector for a long time. You know we look at, we're looking through the lens of what you see this fishery today and I think that what happens when we don't have banner whiting seasons and they're very attractive to bring a processor down here to process a little bit of fish because there's not much available to do, and I think that it really gives the, this really gives the fishery the best chance of success and I'm looking forward to this passing and I hoping forward it at some point in time it'll be, in April it will be, it will go through intact and we get more than 58 percent of fish out of water, which we've averaged the last six years. And so, I think fishermen deserve it and I think it'll be better for everybody in the long run. Thank you.

**Marc Gorelnik** [00:04:43] Thank you Brad. Pete Hassemer.

**Pete Hassemer** [00:04:47] Thank you Mr. Chair, and thank you all. Clearly, with my second, I support



this motion. I just wanted to speak a little bit to my rationale for that, and I appreciate the rationale provided by the maker of the motion, Maggie, as she went through that was very thorough. I do want to express my acknowledgment for the analysis, the thorough and complete analysis that was done by the staff on this. It brought us to a good point here. Earlier, before the motion was made, Bob Dooley spoke to his experience in the fishery and he was able to speak from, you know, living in the fishery, being part of that, seeing what it goes through. I didn't have that opportunity, but I did have the opportunity to be, live through this entire process on the mothership issue before the Council and so I've heard the problems that have plagued the mothership sector, some of the constraints and the issues that we're facing and looked hard to find ways to solve that, and very simply I see this package of these four alternatives as a good mechanism that helps us to achieve, potentially achieve that outcome of increasing utilization in the mothership sector. The individual alternatives taken by themselves may not do much, but as a package it has great potential to do that. Also, as a package, I think Maggie spoke to the National Standards, meeting the National Standards and that part of the analysis and I think as a package that's what helps us to meet those National Standards. If there was one deficiency and I don't want to be critical in the analysis, it's on National Standard 5, which deals with utilization. I think the one sentence that says the proposed measures may increase efficiency undersells that a little bit because based on testimony we've heard, I think there is great opportunity to experience efficiencies that help this fishery along, but I'll just leave that comment at that right now. The package opens a number of doorways I see that help to make it possible to increase utilization in the sector. I realize and I have heard the discussion about the unintended consequences of allowing some consolidation to occur. There are risks associated with that, but I do believe the potential for negative consequences is far outweighed by the benefits that this provides, that the benefits outweigh that risk, and this is a good package to move forward with. So again, that's just some of the background on my support for this issue and I certainly hope it moves forward. Thank you.

**Marc Gorelnik** [00:08:22] Thank you very much, Pete. Further discussion? Bob Dooley.

**Bob Dooley** [00:08:32] Thank you Mr. Chairman. And Maggie thank you very much for a really thorough motion and explanation of your motion. I really appreciate that. I am obviously going to support this motion. I would like to speak a little bit to Corey's concerns, and he made a comment that the consolidation... why would someone buy a permit to consolidate if the worry is we're going to get down to one processor, one platform? That's the way to do it is to buy the permits. I think there's a lot of obstacles to buying processors, not the least of which is the ownership requirements in AFA, and all of these votes are participants in the AFA and they would be, you know, the consolidation you speak of in the North Pacific and I don't think it's all guided by a cap. And I think a lot of those entities are very close to that cap. So, to get at knowing the participants to get to that consolidation by actually acquiring platforms is a whole big lift. Now I agree that the idea of permit consolidation, not bringing the platforms, could be a way of getting to one processor, but that's a different issue, and changing this processing cap is not going to address that. I think I really appreciate the fact that industry from both sides, from the processing sector to the vessel sector, the catcher, mothership catcher vessels, come together over many years, analyzed all the risk and all the as opposed to the benefit on this and understanding from my perspective being a part of this for a long time, there were some real concerns, but those have come together because this sector is not achieving its goal, and that doesn't just affect catcher boats, it affects the processors as well, the platforms. So, I think I'm going to support this motion, but I'm not opposed to thinking about the permit issue sometime in the future. So... but I think this satisfies the actual goals of what we were trying.....what was trying to be achieved by the sector, but I think, like Heather Mann said, it's not a panacea. It's not going to give everybody a market, but I think it's going to enable the ability to have it and make it better. So, I will be supporting this. Thank you.

**Marc Gorelnik** [00:11:44] All right, thank you Bob. Corey followed by Christa.

**Corey Niles** [00:11:50] Thanks Mr. Chair. Sorry to jump in front of folks, but just a quick clarification. I'm trying to understand Bob what you're telling me, and maybe I spoke wrong before, but my question was why if the cap were 65 percent why would someone buy all the permits so that they could only.... because then in that, then they would only be able to process 65 percent of the allocation. So that was kind of what I was trying to ask of.....that's why I think if there's an indirect limit on that, but you're telling me, so I'm trying to understand why I wasn't thinking about that right and maybe I just missed your point, but I don't mean that, I don't know if you have an answer to that but that's, to clarify what I'm saying, I wouldn't buy all the permits just to be able to process 65 percent of the allocation.

**Marc Gorelnik** [00:12:43] Christa.

**Christa Svensson** [00:12:45] Yeah, thanks, and I'm not going to answer the question that just preceded me. Bob, you just put your hand up, so I don't know if you want to respond to that or that's in order or you want my comments, but.....

**Marc Gorelnik** [00:13:00] Okay. Bob.

**Bob Dooley** [00:13:03] Yes. Thank you Mr. Chairman. Yeah Corey, I guess my point would be that if you were a person interested in having control of all the mothership whiting and all of that quota and having no competition whatsoever in it, yeah you could justify that. You might buy two permits and get 100 percent not as one entity, maybe two entities, but if you are one entity and you wanted all that fish, you'd only get 65 percent of it, but it's all, there's no competition and that's a market share. That is a thing that might be considered in the future. I'm not suggesting we need to go there because I think those are.....we're, you know, discussing how many angels dance on the head of a pin. I don't think it's going to happen in my experience, but that's what I was getting at so thank you.

**Marc Gorelnik** [00:14:01] Christa.

**Christa Svensson** [00:14:03] Yes, thank you Mr. Chair. I also intend on supporting this motion. I have heard a lot of testimony. I come out of processing, at least here on the West Coast, and we've heard a lot of talk from other Council members who come off of the fishing side of things, and I can remember being really struck the first time I sat up here and this topic came up because one of the vessels testified about how he had been stranded, and my company, at that point, was stranded based upon the size of our port and the fact that the number of vessels that were down here couldn't physically get in there. But we actually had quota and it's one of those deals where we did not have that flexibility based upon what we were doing to be able to share. I am appreciative of the fact that this does provide flexibility for our fishermen and for the processing sector on both sides of those equations. The other thing that I think is really important about this is that it is 100 percent industry backed and it didn't just come through the Council process. People have met in the margins and more importantly, people have met outside of the Council process to really come forward with a packet. And I agree with Miss Mann. This isn't a panacea. I feel quite certain we will have people come back and we will need to fine tune at some point in the future, whether that's to get to Corey's concerns or other concerns that may crop up, but I do think that this is remarkable in terms of the amount of work and effort that the Council, industry, and everybody that's interested in it have been willing to put into the process to come up with some, some creative solutions to get us a better opportunity for as many of us on the West Coast as possible.

**Marc Gorelnik** [00:16:15] Thank you Christa. I'm not seeing any other hands. I'm doing a double take. Corey.

**Corey Niles** [00:16:32] Thanks Mr. Chair. Well, yeah, again, maybe and please in no way does this.....I agree wholeheartedly what Christa said about all the hard work that went into this industry. This effort

here was a lot of efforts, a lot of years, but I do want to go on record as having a different point of view on the processing cap and this relative risk of, you know, addressing it after it's too late. So, and if you know this is maybe a hail Mary even asking for a second here, but I would be ready to move that, move for that when ready Mr. Chair.

**Marc Gorelnik** [00:17:12] I didn't catch that last.....

**Corey Niles** [00:17:14] I'm ready to make the motion to amend when you're ready.

**Marc Gorelnik** [00:17:18] All right. I think we are ready. Why don't you make your motion.

**Corey Niles** [00:17:22] And my computer locked the screen on me for just one sec while I was saying that.

**Marc Gorelnik** [00:17:26] No problem.

**Corey Niles** [00:17:37] And excuse me here, a little out of practice, but I would move to amend the motion, and Mr. Chair your help here if I stumble on the right form, but to replace item number three with Alternative 1, 65 percent.

**Marc Gorelnik** [00:18:24] Is that it?

**Corey Niles** [00:18:27] Mr. Chair, I think if yes, I believe if you.....I think your ability to advise on whether that if you understand my intent, if that would have the effect of the motion to you the parliamentarian, the intent there.

**Marc Gorelnik** [00:18:42] Well, I'd have to go back and look and see what..... I don't have Alternative 1 in front of me but if that accurately captures Alternative 1?

**Corey Niles** [00:18:51] Yes, yes. Excuse me. Yeah.

**Marc Gorelnik** [00:18:52] Okay. It's already in print somewhere. So, we have a motion. Let me see if there is a second? Seconded by Cory Ridings. Please speak to your motion.

**Corey Niles** [00:19:07] Thank you Mr. Chair. Thank you Corey. I just, I won't belabor the point. I think we've had the discussion. People have put their views on the table. It's a slight difference in view on the trade-offs. I believe the purpose and need will be met as well at 65 percent as with the PPA with less risk of consolidation and that's basically it. That's the point. And it would be harder to address the consolidation issue if it were to happen.

**Marc Gorelnik** [00:19:42] All right. Thank you Corey. Are there any questions for Corey or discussion on the motion to amend? All right, I'm not seeing any hands, so I'll call the question on the motion to amend. All those in favor say 'aye'.

**Council** [00:19:57] Aye.

**Marc Gorelnik** [00:19:57] Opposed, no?

**Council** [00:20:01] No, no, no.

**Marc Gorelnik** [00:20:04] I think....I heard no, but I think there were enough voices I'd like to do a

roll call.

**Merrick Burden** [00:20:11] Thank you Mr. Chairman. I'll be reading from voting sheet number one on Mr. Niles' amendment to motion concerning E.2, Pacific Whiting Utilization. Mr. Niles.

**Corey Niles** [00:20:54] Yes.

**Merrick Burden** [00:20:56] Miss Svensson.

**Christa Svensson** [00:20:58] Yes, or no. Excuse me, no.

**Merrick Burden** [00:21:02] Mr. Oatman.

**Joe Oatman** [00:21:07] Sorry. No.

**Merrick Burden** [00:21:11] Mr. Pettinger.

**Brad Pettinger** [00:21:14] No.

**Merrick Burden** [00:21:14] Mr. Moore. Mr. Wulff.

**Ryan Wulff** [00:21:22] Abstain.

**Merrick Burden** [00:21:25] Mr. Dooley.

**Bob Dooley** [00:21:28] No.

**Merrick Burden** [00:21:31] Mr. Smith.

**Butch Smith** [00:21:34] No.

**Merrick Burden** [00:21:36] Mr. Anderson.

**Phil Anderson** [00:21:38] No.

**Merrick Burden** [00:21:40] Miss Ridings.

**Corey Ridings** [00:21:42] Yes.

**Merrick Burden** [00:21:46] Do we have Miss Yaremko?

**Marci Yaremko** [00:21:49] No.

**Merrick Burden** [00:21:53] Mr. Hassemer.

**Pete Hassemer** [00:21:55] No.

**Merrick Burden** [00:21:59] Miss Sommer.

**Maggie Sommer** [00:22:01] No.

**Merrick Burden** [00:22:03] And the last vote to you Mr. Chairman.

**Marc Gorelnik** [00:22:06] I don't need to vote unless there's a tie.

**Merrick Burden** [00:22:09] Okay. Motion fails.

**Marc Gorelnik** [00:22:11] All right the motion to amend fails. We're back to the main motion unamended. See if there's any further discussion on this motion? I'm not seeing any hands, so I'll call the question on the main motion. All those in favor say 'aye'.

**Council** [00:22:27] Aye.

**Marc Gorelnik** [00:22:28] Opposed, no? Abstentions? Motion passes unanimously. Thank you very much for the motion, Maggie. Let me see if the Council has any further action on this agenda item? I'm not seeing any hands. I'll turn back to our Staff Officer Brett and see how we're doing.

**Brett Wiedoff** [00:22:53] Thank you Chair Gorelnik. Yes, we've completed our action here. We've taken final action to adopt final preferred alternatives. I appreciate all the work here and the conversations. We'll take this and put it forward and package it for National Marine Fisheries Service to implement it. Thank you so much.

**Marc Gorelnik** [00:23:11] All right. Thank you Brett.

### 3. Stock Definitions

**Marc Gorelnik** [00:00:00] So let's come back to agenda item E.3, Stock Definitions. When we were last here, we had concluded all our reports and public comment which brings us to Council discussion and action on E.3. So, let's see who wants to get us started first thing in the morning. It's early, give folks a moment to warm up. Maggie. Thank you.

**Maggie Sommer** [00:00:36] Thanks Chair. I'll break the ice. And just appreciate the reports provided by the National Marine Fisheries Service and the GMT in particular on this issue, bringing the issue to our attention but then really laying out some options for a pathway forward, and the GMT's very thorough initial consideration of a very large number of aspects related to this question and I will say I certainly started off feeling a little bit overwhelmed by the potential scope of this issue and what it will take to address it and I, you know, I think as we go forward we will be of course looking for input from our science advisers at the Science Center and the SSC we will be looking, seeking to understand the data availability aspects and the management differences and aspects of all of this and so I will say I certainly would support Option 1 of taking a, you know, a.....the opportunity to look at this in a very holistic and deliberate manner and make sure that we are working through all of the components of it and not looking at the document. I hope Option 1 was the right number but to move forward on a separate pathway and not try to do it in the 2023-24 groundfish spex package. Thanks.

**Marc Gorelnik** [00:02:23] Thank you Maggie. Heather Hall.

**Heather Hall** [00:02:27] That's my guy.....(online interference).....Good morning Chair Gorelnik and Council members. Thank you. I just wanted to offer some comments too on this. I really appreciated the early notice and transparency from National Marine Fisheries Service about this issue. It gave us a lot of additional time for questions, and I think National Marine Fisheries did a really good job of laying out the issue and the options that we had to think about. And as Miss Sommer said, the GMT did a really good job of digging into some of these issues and giving us a, I think a preview of the complexity of what we might be thinking about. I know WDFW has been thinking about several of the issues that were raised in the NMFS report, such as management of species that are primarily caught in state waters and how we respond to data moderate or data limited assessments, which I hope can be included in this going forward. But just overall, we see that there's a lot of different but related topics that will really benefit from a comprehensive review that is included in Option 1. I do have a draft motion. I know it's not really necessary. I have one if we need it but our.....I completely agree and based on what I just said, I think Option 1 is the way to go.

**Marc Gorelnik** [00:04:21] Okay, well... I think that there's some more discussion to be had. Marci Yaremko has her hand up, so go ahead Marci.

**Marci Yaremko** [00:04:27] Yeah, thank you Mr. Chair. Thank you, Maggie and Heather, for your remarks and for outlining our path forward in support of Option 1, consistent with the recommendations from a number of our advisory bodies. I'd just like to take a minute if I might to respond to the Oceana letter. First, I want to thank Ben and Tara for some important reminders of the MSA requirements that we work with every day to prevent and end overfishing and to rebuild stocks. I think we all are around the table conscious of that objective, and it is good to be reminded of that overarching tenet. But I want to speak a little bit to the summary of the process moving forward and the content of their letter surrounding the immediate notification step by the Secretary of Commerce to the Council when a stock is overfished. I've been here through a few overfished stocks and that internal review process within NMFS that comes before a formal notification can take several months, and unfortunately we're most recently familiar with that process for a number of our salmon stocks, and in the case of quillback, that

internal review concluded a critical point that if there is no defined California stock of quillback, a determination of overfished can't be made for the stock by the Secretary of Commerce. The stock in our FMP is defined as a coastwide quillback stock, and NMFS can't make a determination on the West Coast wide stock of quillback as being overfished because it's not. We had assessments from California, Oregon, and Washington, and in combination those three stock assessments would not have led to a determination of overfished. So, I think this is a really important point and just want to make sure that I acknowledge the work that NMFS has done in the background to conclude this point, and this is why they take the time to do these reviews, when the science that's presented to us suggests that there is over, that a stock is overfished. Back to salmon for a minute, thinking back in 2018, you know, we received the news in our salmon preseason process that stocks met the FMP criteria as overfished, and in that case it took many months for the notification to come. I think it came later in August, and in that case the review was probably relatively straightforward. But the situation there and compared to today, there are other similarities that I just want to highlight. The Council and NMFS acted without the formal determination to the Council on status of those salmon stocks. I think we've always kind of viewed that notification as more of an academic exercise, and in that case as well the Council acted on information that it had in hand preseason in developing the 2018 salmon seasons. So comparably in the case of quillback, actions have been taken for purposes of conservation and management. I also want to specifically point out that there's nothing to support a claim that NMFS or the Council are evading its obligations or not intending to comply with the legal requirements regarding quillback rockfish. As the GAP describes, and as we've all acknowledged around the table, there was immediate action on the part of this Council recommending immediate actions to drastically reduce recreational bag and commercial trip limits. NMFS then immediately, or I guess I should say as immediately as the Administrative Procedure Act allows, established those reductions in the Federal Register, which took effect January 1st of 2022, and concurrently the California Fish and Game Commission also took action on those recreational bag limits for state waters effective January 6th of 2022. Moving on to a few other points here related to our work today and the situation summary, it's suggested that now is the time to signal if there is a preference to continue to manage quillback rockfish in the nearshore rockfish complex's north and south of 40 10 degrees in the 23-24 biennium. This is all in preparation for our actions in April. So, with regarding the signaling, I encourage the Council to say, yes, that's our intent that we continue to manage quillback rockfish in the complexes in this upcoming biennium for the following reasons. First, we know we can manage quillback directly and specifically while remaining in the complexes since we've already taken regulatory actions to do that consistent with the best scientific information available from the 2021 stock assessment. Next, I just want to note that the specifications development that's underway will include additional inseason mechanisms that will provide us with even more tools in our toolbox so we can be even more responsive in our management of this stock in the 23-24 biennium. I feel confident that looking at those tools and making sure we have all the tools we need is where our energy should focus for the immediate near-term as we will commence work on a separate track with regard to the FMP amendment under the Option 1 pathway described in the NMFS report. Back to the 23-24 biennium and the management in the complex. The new tools that we are ensuring that we have in our box will also be supplemented by some new activities stateside with regard to tracking quillback rockfish catch both on the commercial and recreational fronts. We will be tracking on a weekly basis. These are the same tracking protocols that we've been using effectively to closely monitor our recreational and commercial inseason mortality to keep fisheries within our established harvest guidelines, so we'll be coming back to you beginning in April with as close as we can get to real time estimates of projected mortality. As we mentioned previously that the projections of mortality that we were working with in November when recommending our inseason actions, that those were the best estimates that we could develop at the time, noting that there was a fair amount of uncertainty in those estimates and the reason for the uncertainty is we were making such a dramatic change. It's very difficult to project with a lot of certainty how much change you will accomplish with a measure when it's substantially different from the kind of previous management regime and the data that you've collected in the recent past, so we are, like I said, heightening our monitoring activities on these stocks

and we'll look forward to reporting back to you with the first look of the reductions to mortality come April. Talking a little more about the Option 1 FMP amendment process and taking the time to do it right. I want to acknowledge some of the important topics that NMFS highlights in their report, particularly with respect to jurisdictional issues. There are far reaching management and policy implications there. There is discussion the past several weeks and sidebars about this being an exercise that's much like a sweater where you start to pull one string and what happens next, so we do need to take the time to think through what these stock definitions will mean and how we best refine them. It's going to require a lot of coordination among management agencies, and we may well discover new challenges once we start to dig into this. We're also potentially talking about changes to future processes and how we deal with future stock assessments and spec cycles. The Council has not contemplated changes of this magnitude to our stock assessment and spex processes in a very long time, thinking back to when we switched to the biennial spex process, and that was nearly 20 years ago. So, there are very significant implications of these discussions and given the magnitude, it is really important to take the time to get it right per the Option 1 pathway. I just want to again thank the GMT for their detailed analysis on this topic, and that's it for me. Thank you.

**Marc Gorelnik** [00:16:16] Thank you very much Marci. Further discussion? All right, Heather, you suggested you had a motion, so please go ahead.

**Heather Hall** [00:16:30] Thank you. And thank you Sandra. I move that the Council consider development of a fishery management plan amendment that would define stocks and complexes used for management and for making status determinations through a process that is separate from the 2023, 2024 harvest specifications and management measures process described as Option 1 in Agenda Item E.3.a, NMFS Report 1, March 2022.

**Marc Gorelnik** [00:17:09] Thank you for the motion, Heather. Is the language on the screen accurate and complete?

**Heather Hall** [00:17:12] Yes, it is.

**Marc Gorelnik** [00:17:13] Looking for a second? Seconded by Maggie Sommer. Please speak to your motion.

**Heather Hall** [00:17:21] As we've been saying this morning in our overview, Option 1 really allows for a close look in a holistic way through a more, through a process to complete all the steps needed for all groundfish stocks, including quillback rockfish. I think everyone really recognizes the importance of responding to this in a timely manner. I know there's intention to discuss prioritization of this under Agenda Item E.6. And in the meantime, as Marci was saying, there's been a lot of work done by state agency staff and the GMT to analyze management measures in the 23-24 spex process to reduce fishing on stocks of concern, particularly quillback rockfish off California. In addition, as mentioned by the GAP, CDFW has already taken inseason action to reduce the take of both quillback and copper rockfish in 2022 and so I think this Option 1 gives us a good path forward. That's it, thank you.

**Marc Gorelnik** [00:18:38] Thank you Heather. Are there questions for Heather on the motion or any discussion on the motion? I'm not seeing any hands so I will call the question. All those in favor say 'aye'.

**Council** [00:18:52] Aye.

**Marc Gorelnik** [00:18:52] Opposed, no? Abstentions? Motion passes unanimously. Heather, thank you very much for the motion. Before turning back to our staff officer, I want to see if there's any other



business under this agenda item? All right Jim.

**John DeVore** [00:19:17] I presume you mean John.

**Marc Gorelnik** [00:19:18] John. I'm sorry John. I looked over at the staff seat and I saw Jim, but I meant John.

**John DeVore** [00:19:26] Well, thank you Mr. Chairman, Council members, you have completed this agenda item. You've adopted the Option 1 process for going forward with an FMP amendment, which is indepen.... well not exactly independent, but it's not going to be carried in the 23-24 spex process. And you will prioritize this item under Agenda Item E.6, least amongst the groundfish items. And according to the Supplemental Attachment 1 on the process pathways, we would anticipate some action under Agenda Item C.7 to put it on the Year-At-a-Glance and start scheduling that initiative. And so, with that I would say you have completed this agenda item.

**Marc Gorelnik** [00:20:13] All right thank you very much John. Appreciate that.

#### 4. Limited Entry Fixed Catch Share Program Review

**Marc Gorelnik** [00:00:00] We have before us on the screen our Council action, and based on the questions we had I'm sure we'll have a fair amount of discussion so... who wants the honor of kicking us off? It's a cold bench as they say in the law. So, I imagine we may proceed here with a motion, but I have to think there's going to be some discussion. Heather Hall. Thank you.

**Heather Hall** [00:00:48] Thank you Chair Gorelnik. I'll get started. I wanted to start by first acknowledging all of the work in the briefing book that was there for us to look at on this and the good, the staff report and in particular the staff presentation that Jessi gave us this morning. It really helps to think through how to craft, to think through the issue and craft our move forward through a motion which I do have when the time is ready and leave room for Council discussion. Just noting in general the distinction between how we talk about management measures under this agenda item, but also under E.6, which was a little bit....thinking through that was a little bit challenging and so as Miss Sommer mentioned this morning the diagram was very helpful for that. I think in general as we've talked through the Limited Entry Program Review, we've had the general conclusion that was in the report that the program is working well and so we don't have a, it doesn't feel like a heavy lift here in terms of moving this document forward for program, or for public review. So, I'll just leave it at that until we're ready for a motion.

**Marc Gorelnik** [00:02:29] Thank you very much Heather for priming the pump there. Phil Anderson and then Maggie Sommer.

**Phil Anderson** [00:02:36] Thanks Mr. Chairman. I guess I just wanted to voice a concern about the scope of the review, and specifically I'm talking about changes to the RCA boundaries. And we have a.....you know we've got a separate, in my mind we have a separate process that we're considering potential changes to the non-trawl RCAs. I believe our next time we'll be visiting that is in April and I think trying to add that component to this review is... I don't support that. I think it's a mistake. I think we ought to deal with the RCA issues in that separate process that we have ongoing. So, I just, I know they had a.....I know there are differences of opinion and perspectives up and down the coast with respect to that issue and as the GAP's report pointed out there was some discussion, particularly with respect to changing the non-trawl RCA off the Washington coast and the potential effects that that might have on the recreational fishery. So, I just wanted to put that out there at the outset of the discussion and voice my perspective about and having that be a part of this consideration and that I don't support that. Thanks.

**Marc Gorelnik** [00:04:41] Thank you very much Phil. Maggie Sommer.

**Maggie Sommer** [00:04:45] Thanks Chair. I would think I will just comment at this time on the cost recovery aspect of this. Appreciate the information provided by the National Marine Fisheries Service and understand that the Council will consider putting that on the groundfish workload list and discuss prioritization under that item, and just wanted to acknowledge the.....that the list of incremental costs or items that might be considered incremental costs because they are core lap program elements in the NMFS report was characterized as a preliminary determination. I know there's a lot more thought to go into development of a program and I would fully support industry involvement in development of that program and consideration of issues that have already been raised here today as well as I'm sure more to come in the future.

**Marc Gorelnik** [00:05:53] Thank you Maggie. Further discussion? Bob Dooley.

**Bob Dooley** [00:06:02] Thank you Mr. Chairman. I really appreciate Maggie's comments on cost recovery. I know we've all experienced many years of frustration at how much time we've put into this in the trawl sector, and I'm worried that we had very little comment from the GMT and GAP on this. And I think if we're putting it out for public comment it would be nice to have a better feel for what that is, how that process is going to affect this sector and how decisions are going to be made to implement cost recovery on particular items and how transparent that would be to the public to be able to understand how it might affect them and make meaningful comments in the process. But a general description with some specificity to understand that process as it goes out for public comment might be very beneficial to the long-term success of this program and the implementation of cost recovery in it and maybe save us a lot of time in the future if people understand more thoroughly how that's going to be implemented in this program. So, there's a lot in the briefing book and I really appreciate NMFS's efforts in that. I think I made comments directly to NMFS at the time and to Ryan today on the floor about some of the things that might be brought to light and I just... in the interest of transparency and full public participation in this I would hope that we could do that. Thank you.

**Marc Gorelnik** [00:07:50] Thank you Bob. Further discussion? Christa Svensson.

**Christa Svensson** [00:07:58] Yeah, thank you. I just wanted to express some thanks for the quality of reporting from staff. The presentation you gave today was very helpful. I will echo Maggie's sentiments on the graph in particular to help lead us through this, but even your willingness to jump down a couple of rabbit holes this morning and work with us is very much appreciated. Thanks to the management team and the GAP and I'm appreciative that you took the time to really think about, there's a lot of children in here that we're talking about, and you prioritize them for us. And I want to talk just for a second about the one that was identified as the highest priority which is the extension, making sure that that would be moving forward not just as a biennium item, has been expressed as important for every stakeholder that I've spoken to, whether they were on the GAP or not, this this has across the board been the highest priority item for the stakeholders in the fixed gear fishery that I've spoken to. If there's others out there that feel differently and they want to reach out shortly, I guess, let me know, but otherwise just appreciative of everybody that's been engaged in this process and hoping we can keep that engagement moving forward.

**Marc Gorelnik** [00:09:25] Thank you Christa. Let's see if there's any further discussion otherwise, I imagine there will be discussion with a motion. So, Heather Hall.

**Heather Hall** [00:09:37] Thank you Chair Gorelnik. Sandra, if you.....I'm ready for you to put my motion on the screen. I move that the Council adopt the draft Limited Entry Fixed Gear Permit-Stacking Program Review, Agenda Item E.4, Attachment 1, March 2022 for public review after including the following in the draft document. For Section 3 Research and Data Needs: Collect and analyze additional permit prices to evaluate barriers to entry and expectations of future profitability in the fishery. Gather additional data and analysis of the impacts of the program on crew and operators. Conduct further analysis of changes in the spatial distribution of the fishery and whether outcomes are equitable between ports and users to evaluate future measures to increase equity. In Section 5 Recommendations: Begin the development of a cost recovery program for the Limited Entry Fixed Gear Permit-Stacking Program. Remove the requirement to designate a base permit from 660.25(b)(3)(iii), subpart C. Prepare a report clarifying the owner on board exemption requirements to determine if regulatory or data system changes are needed.

**Marc Gorelnik** [00:11:22] Thank you, Heather, for the motion. Is the language on the screen accurate and complete?

**Heather Hall** [00:11:27] Yes, it is.

**Marc Gorelnik** [00:11:28] I'll look for a second. Seconded by Maggie Sommer. Please speak to your motion.

**Heather Hall** [00:11:36] Thank you. Along with my motion in considering this and adopting it, my intent is also that staff would be authorized to make any minor adjustments as needed to prepare the document for public review and final Council options. I also, in terms of guidance, would also offer that management measures that we would consider only new management measures and a separate standalone process through the workload and new management measures process, and specifically this would only include new management measures, not measures that are already being considered through other processes such as the current spex or the non-trawl RCA agenda item. So other than that, I think we had a good discussion this morning and hopefully this covers what is needed for the public review. That's it.

**Marc Gorelnik** [00:12:40] All right. Thank you. Maggie Sommer questions for maker of the motion?

**Maggie Sommer** [00:12:51] Thank you Chair. No questions, just a comment. I'll hold if.....

**Marc Gorelnik** [00:12:54] Let's see if there are any questions on the motion and if not, we'll have discussion. So, Maggie Sommer.

**Maggie Sommer** [00:13:00] Thanks Chair Gorelnik. Thank you for the motion, Heather. Appreciate the motion and the approach here and support it and I just wanted to clarify following on Bob's comment earlier, while the program review document that we are putting out for public review here addresses the topic of cost recovery in Section 2.7, there's no specification in that document on what a future cost recovery program might be and that we will be pursuing a separate process from the start to develop and design a cost recovery program with transparency and Council and industry involvement. That my understanding of the document and the motion at least.

**Marc Gorelnik** [00:13:54] Thank you. Further discussion on the motion? Pete Hassemer.

**Pete Hassemer** [00:14:01] Thanks Mr. Chair. I did have a question for the maker of the motion. Appreciate that. Just a clarification on the new management measures that would be handled in our other prioritization process. The GAP made some recommendations. One of them, things to also include would be to amend the sablefish, tiered sablefish permits that are hook-and-line endorsed to use slinky pots. Heather, is that the type of management action or new item that you would see moving into that, be taken care of in that other process? Thanks.

**Marc Gorelnik** [00:14:52] Heather.

**Heather Hall** [00:14:53] Chair Gorelnik. Mr. Hassemer. Yes, that's exactly what I was suggesting by that.

**Pete Hassemer** [00:15:02] All right, thank you.

**Marc Gorelnik** [00:15:06] All right. Further discussion on the motion? I am not seeing any hands so doesn't necessarily mean someone's hand isn't raised, I just don't see it, but I've looked twice now so I think we'll call the question. All those in favor of this motion say 'aye'.

**Council** [00:15:26] Aye.

**Marc Gorelnik** [00:15:27] Opposed, no? Abstentions? Motion passes unanimously. Heather, thank

you very much for the motion. Before going back to Jessi let me see if there's any other action from the Council on this agenda item. All right, Jessi, did we do good?

**Jessi Doerpinghaus** [00:15:58] Thank you Mr. Chair. I think you guys did great. We will, Jim and I will work on getting the document ready for public review, including the research and data needs and recommendations from the motion. You also highlighted that you will consider any new management measures, like those that were presented in the GAP report under Agenda Item E.6 tomorrow. And unless things change under future workload, we will be back in June to hopefully approve the document and complete the review process. And hopefully that covers anything and Jim can correct me if I'm missing anything.

**Marc Gorelnik** [00:16:42] All right, thank you Jessi and thank you Council. So that concludes Agenda Item E.4.

## 5. Fixed Gear Logbooks – Final Action

**Marc Gorelnik** [00:00:00] So that completes the reports. That completes the opportunity for public comment and takes us to Council discussion and action. You see it there on the screen. So, looking for somebody to get us started. Maggie Sommer. Thank you.

**Maggie Sommer** [00:00:19] Thank you Chair Gorelnik. Noted in the report as well as in some of the questions during advisory body reports, there are, I think, some implementation details to be worked out probably between the states and the National Marine Fisheries Service and I would just look to Mr. Wulff to confirm that that will be possible after Council action today that NMFS can continue to work with states on questions like who logbooks are required to be submitted to and how NMFS will receive the data if logbooks go to the states first, et cetera, as long as that our, the Council intent is clear today on who the logbook applies to.

**Marc Gorelnik** [00:01:09] Mr. Wulff.

**Ryan Wulff** [00:01:11] Yes. Through the Chair, thank you Miss Sommer. It's, your last part's important and as long as the intent is clear here, yes, we can work out the implementation details after.

**Marc Gorelnik** [00:01:22] All right. Further discussion? Christa.

**Christa Svensson** [00:01:26] Yeah, thank you. This is a similar but industry related question in terms of timing. You know there is a difference as we work through this on non-trawl versus fixed gear, but just in general 2023 is creeping up upon us so what that timeline really looks like in terms of getting stakeholder engagement to review logbooks, et cetera, and... and how confident are you that we will get the level of feedback that will have participants feeling very comfortable with us?

**Ryan Wulff** [00:02:01] Yes. Thank you, Miss Svensson, for the question. Yeah, we've already had a number of industry conversations and we are continuing to do so. We want to get additional feedback from them on design and on beta testing so we feel pretty confident that we will continue to be able to have those discussions and again are looking to do a rulemaking this year so that the logbook would be effective January 1st of 2023.

**Marc Gorelnik** [00:02:29] All right. Further discussion here and perhaps a motion if... Maggie Sommer.

**Maggie Sommer** [00:02:39] Thank you Chair Gorelnik. I have a motion if you're ready?

**Marc Gorelnik** [00:02:42] Let's go forward with the motion and perhaps that'll prompt some further discussion.

**Maggie Sommer** [00:02:47] Great. Thanks. I move the Council adopt the following recommendations to clarify the federal fixed gear logbook requirement. The logbook requirement would apply to the non-trawl groundfish fleets as opposed to the fixed gear groundfish fleets. Vessels using non-trawl gear in the following fishery sectors would be required to submit the federal logbook to NMFS at initial rollout. Directed open access for groundfish, not incidental open access for groundfish. Directed open access means that a fishing vessel is target fishing for groundfish. Limited entry fixed gear primary sablefish, limited entry fixed gear trip limit vessels using non-trawl gear in the trawl IFQ program gear switching. The Council may recommend expanding the logbook requirement for additional non-trawl fisheries retaining groundfish in the future and provide the following guidance, request that NMFS continue to

work with the state agencies where there're overlapping logbook requirements to determine whether the federal or state logbooks should be used to meet both requirements and on other aspects such as data, elements, deadlines, et cetera, as needed to ensure consistency for industry, enforcement, and data users. Work with stakeholders in making a determination on whether IFQ gear switching vessels using electronic monitoring will continue recording discard information on the EM program fixed gear logbook or transition to the new federal fixed gear logbook.

**Marc Gorelnik** [00:04:23] Thank you Maggie for the motion. Can you confirm the language on the screen is accurate and complete?

**Maggie Sommer** [00:04:27] Yes, it is.

**Marc Gorelnik** [00:04:28] I will look for a second? Seconded by Christa Svensson. Please speak to your motion.

**Maggie Sommer** [00:04:33] Thanks Chair. The intent here is to clarify that the logbook requirement will apply to directed non-trawl groundfish, to directed groundfish fishing using non-trawl gear. The key aspect here of switching from the fixed gear language to non-trawl language is to make sure we are including gear types such as the groundfish EFP or trolled gear types that are being used in some EFPs, and we are contemplating allowing under some of the spex actions as well. The definition provided here for directed open access fishing, meaning that it is targeted fishing, comes from the suggestion in the Enforcement Consultants report and a need to clarify what's meant here by directed open access, understanding that the determination of targeting would be made based on a combination of factors including declarations, gear type, et cetera. The listing of sectors in the open sub-bullets there is intended to capture all of the targeted groundfish fishing with non-trawl gear that this federal requirement would apply to. And it is important, in my opinion to note and get on the record here for the public that we may want to consider expanding the logbook requirement in the future, acknowledging some of the comments we've heard about interest in understanding groundfish retention in incidental fisheries, incidental retention. And the guidance simply acknowledges, as was also included in the NMFS report, that state agencies, certainly ODFW, already has a fixed gear logbook requirement. We've had that in place for a number of years. We want to make sure that at the outcome of this process we don't have any duplicative requirements and that the requirements are consistent and work in a way that achieves the objective of gathering information here and meets the needs for enforcement and is as efficient as possible for industry as well. And then the final sub-bullet here was noted in the NMFS report and just wanted to support that, continuing to work with stakeholders. And of course, just recognizing that there has been outreach already to stakeholders by the National Marine Fisheries Service on the overall design of logbooks and understand that will continue as well. Thanks.

**Marc Gorelnik** [00:07:54] Thank you for the motion, Maggie. Let me see if there are any questions to the maker of the motion? All right. Let's start with discussion on the motion. Christa Svensson.

**Christa Svensson** [00:08:09] Yes, thank you Chair. I will be supporting the motion. I appreciate all the thought and the work that went into it. I am in favor because it is equitable among stakeholders in terms of data reporting, which I think is important, but I am also very appreciative of the fact that consideration was given in terms of burden that's going on to fishermen as they're trying to input logbooks or any documentation for that matter and working between the states and the federal level so that we don't have any more jumble than we need to. So, for that I will be supporting and am supportive. Thank you.

**Marc Gorelnik** [00:08:53] Thank you Christa. Further discussion on the motion? Bob Dooley.

**Bob Dooley** [00:08:59] Yes, thank you Mr. Chairman. And thank you, Maggie, for a thoughtful motion. I'm really appreciative of this. I believe, you know, we've had so many things moving forward over the years to try to get the non-trawl groups access to the RCA, non-trawl RCA, and hopefully this will be viewed as a tool that will help be able to get some accountability there without a big expense and enable them to do this to be able to move into that area that has been closed for over 20 years. I think it's important that this information be viewed as helpful for all, and I like the approach that's being taken, particularly that they're going to work with stakeholders to make sure that the data that's being collected is truly easy to use and as well as informative to that process. So, I'm really happy we're finally at this step where we're moving forward in a deliberative manner. So, thank you very much for the motion. I'll be supporting it.

**Marc Gorelnik** [00:10:04] All right, thank you for those comments, Bob. Is there any further discussion on this motion? Marci Yaremko.

**Marci Yaremko** [00:10:11] Thank you Mr. Chair. Thank you, Maggie, for the motion. I just want to acknowledge that there's been a lot of sidebar discussion even in the last few hours on the content and want to acknowledge Maggie's questioning of Ryan about our ability to make minor adjustments to the language so long as our intent is clear, and I believe our intent is clear and that the motion reflects our intent. I will note that with regard to the program development that's upcoming, some of the discussion today surrounding content in the EC report I think outlines some of the details that we will need to wrestle with as the program is developed, and I suspect that some of these are significant. At least on the state side I would have significant reservations with not just reservations, but a lack of ability to bring on a concurrent data collection program for state waters in a short amount of time. That's not something that we're going to have the ability to do. So, I think discussion about that state and federal waters situation that was identified in the EC report deserves some further thought. And that's just one example I think of a few issues that might arise as we dig into this a little more. So, I just would encourage NMFS in the planning of these meetings that will be continuing as the program develops that maybe we start those sooner rather than later, acknowledging the need for the program to be developed and with the target implementation date of January of 2023. So, there's a lot to do in a short amount of time. There has been a lot of work done already and just want to acknowledge the efforts that have gone on since November on this topic. They've been ongoing and appreciate the dedication of Lynn Massey and other folks that have brought us this far. So, I'll be supporting the motion. Thank you.

**Marc Gorelnik** [00:12:55] Thank you Marci. Heather Hall.

**Heather Hall** [00:12:58] Thank you Chair Gorelnik and thank you Marci. Just mentioned Lynn Massey's outreach to the states so that we're prepared for this at this meeting, and I wanted to echo that appreciation. I know Corey participated in a lot of those conversations and it's been really helpful to get us here. Also just wanted to mention that in this and specifically the bullet that suggests that the Council might expand the logbook requirement, noting we left the directed halibut fishery out of this action, but just want to flag it as something that we might be interested in looking at through a separate process down the road. I know we've heard from the GMT that the information from that fishery would be very valuable and so just wanted to flag that here. Thanks.

**Marc Gorelnik** [00:13:55] Thank you Heather. I am not seeing any further hands so I'm assuming there's no further discussion on this agenda item, or rather on this motion. So, I will call the question. All those in favor say 'aye'.

**Council** [00:14:11] Aye.



**Marc Gorelnik** [00:14:11] Opposed, no? Abstentions. Motion passes unanimously. Thanks very much for the motion. Before turning back to our Staff Officer Todd Phillips, let me see if there's any further action on this agenda item from the Council? I do not see any hands so I will go to Todd and how are we doing?

**Todd Phillips** [00:14:44] Yes, thank you Mr. Chair. Based on this particular agenda item, I would say that the Council has appropriately conducted your action. You have reviewed, obviously the Council objectives for the logbook. A motion was offered to clarify fixed gear requirements, and the Council did give guidance to the National Marine Fisheries Service regarding future steps with this particular, this logbook. I would say that unless you have other further questions for me, you, the Council has concluded this action. Thank you.

**Marc Gorelnik** [00:15:20] All right. Thank you very much Todd. Well, that completes Agenda Item E.5 and completes our groundfish items for the day.

## 6. Workload and New Management Measure Priorities

**Marc Gorelnik** [00:00:00] All right. So, we can't reach Bob so we're going to conclude public comment and commence with our Council discussion and action on Agenda Item E.6. The action is before us on the screen. We have some very detailed suggestions and information from both the GMT and the GAP. So, I'll look for someone to get us started with Council discussion. Maggie Sommer.

**Maggie Sommer** [00:00:43] Thank you Chair. I will start by observing that we have on the prioritized list already a number of very substantive items and we have heard a very strong recommendation from the National Marine Fisheries Service to add a stock definitions and stock complexes issue, which we discussed earlier at this meeting, and I think will be broad in scope and a very significant workload as well. We are all aware of our groundfish workload constraints and at this point I think that it will be the best approach to take a very, very narrow or streamlined approach to adding new management measures, particularly if they are moved, if they are put on the prioritized list, which indicates Council intent to begin work on them at some point in the relatively near future. So just starting off this discussion by, I think, recognizing that as always there are a lot of potential candidate measures. There are a lot of needs in our suite of groundfish fisheries and we are, I think we are going to need to make some, some careful, thoughtful decisions on what to add to the list and how to prioritize them and move forward. I certainly support adding the stock definitions item to the priority list as identified by the GMT. I do want to appreciate the GMT's work as always in providing us with a very organized list of measures and comments on maybe the readiness of some of the candidate measures to be moved up. I have several questions and maybe points of discussion here, but I'll just start with one. The GMT raised some questions on the adequacy of data we have on several existing EFPs and are, is it sufficient for us to consider moving those into regulation? And so, I would ask what, and maybe this is a question for staff or for the National Marine Fisheries Service, what is the process for and timing for us to be able to evaluate that and to understand when we have enough information? Is there a schedule on which we can expect to receive some report on data adequacy that would be... make that a good time to consider whether those are ready to begin moving into regulation?

**Marc Gorelnik** [00:03:50] So look to NMFS or staff to try to answer that question. Ryan.

**Ryan Wulff** [00:03:57] Yeah, thank you Mr. Chair. Thanks, Maggie, for a question. You know we don't have a specific designated process or metrics. I mean the Council would need to determine that as they evaluate the action. You know I can speak at least to some of the ones that are on the list currently and the level of activity we have had in those EFPs and the amount of years that they have been, amount of years that they've been underway and whether or not we would believe that there is enough information, but there's no specific process. And if you want me to speak to those, I'm happy to.

**Maggie Sommer** [00:04:45] Thanks Chair. Thanks Ryan. I don't, but maybe briefly if you have information right now that would help. Thanks.

**Ryan Wulff** [00:04:54] Yeah, thanks. So, if you're looking at Table B, I do think that there for B.6 that we do, we would have enough information but not probably for B.2. That would be at least our preliminary guess based on the amount of trips that we've had.

**Maggie Sommer** [00:05:19] Thanks.

**Marc Gorelnik** [00:05:23] All right, let's continue with the discussion on this agenda item. We do have to provide guidance. Maggie Sommer.

**Maggie Sommer** [00:05:38] Thanks Chair. I wanted to speak to the suite of limited entry fixed gear related items. We have some recommendations to package those. I think that makes sense to me. Maybe following up on the question Heather Hall asked the GMT earlier about packaging. My sense overall is that I think conceptually it makes sense to package. It will help to have a little more information as we get down the road, maybe some pre-scoping on the various elements to help us understand what the workload and timing aspects of the component items are likely to be and if that might motivate us to pull any out of the package and put them on a different track. So, I think it makes sense to me to package it at this point and to ask for a little bit more information, both from the GMT and, I think, from the GAP. I will say I remain pretty unclear on the details of the proposed fourth permit stacking item, and in particular I would be looking for more description of intent and of how that might be envisioned to work as at some point as we are then preparing to make a decision on whether to move forward with that element in the package. I'll stop there for now.

**Marc Gorelnik** [00:07:29] Thank you Maggie. So are you seeking clarity from the GMT and the GAP on those proposals or just at this meeting or in a future or...

**Maggie Sommer** [00:07:38] Thanks Chair. I think just noting that clarity in the future would be helpful. I will say at this point my inclination would be to include the items as a package on the list of candidate measures as described in the GMT report in Table B, but just wanted to kind of put that notice out there that I think we will be looking for more information on those at some point in the future. And Chair, for your information I do have a motion at some point, but we may have more discussion before then.

**Marc Gorelnik** [00:08:14] Right. Yeah, I don't want to rush the discussion. We have time for discussion. Bob Dooley.

**Bob Dooley** [00:08:25] Thank you Mr. Chairman. I would like to speak to the B.16, the at-sea processing south of... south of 42. I think, you know, that was part of that original package and was dropped by industry and suggested by the Council to be dropped, but now we're coming back with a EFP proposal and I just want to understand better some of the things that were mentioned like Marci mentioned that should be in the EFP procedures and should not maybe necessarily here. We heard Heather speak of maybe having an independent contractor to help develop this... as been done in the North Pacific. And I think, you know, we've had good experience with the EFPs, particularly in the whiting sector with....and I think that we could and we've had a good experience with EFPs south of 42 in the midwater trawl issue. So, I think given the proper sideboards I think it's doable and I think it's worth exploring and understanding and I think it's definitely needed by that sector and I think it would very much help. I think it's probably was one of the more effective things to help mothership utilization and that whole effort. So, I don't know that I'm hard over that we need to include it here, but I'd like to hear maybe some thoughts on doing it in an EFP separate from this and maybe how we could reduce some workload by does it make sense to maybe take that offer up to have industry help put this together with a contractor and they pay for it and all of that. So, I'm just looking at overall workload. Looking at the needs of industry. I think it's been well explained to me over time that it's needed, and those boats do have the right to fish down there anyhow, it's this processing issue and it makes sense for efficiency in the fishery, profitability in the fishery. It's the things that we should be dealing with as a Council. So, I'm looking for the expedited path that reduces workload and maybe that could be spoken to here today. So, I appreciate it. Thank you.

**Marc Gorelnik** [00:11:05] Thank you Bob. Christa. And then followed by Marci.

**Christa Svensson** [00:11:08] Yeah, thank you Mr. Chair. I, while we're speaking about EFPs, was actually wondering about slinky gear and if EFP was a path forward for them in the sense that we don't know a lot about how they would operate down here. They are definitely of interest it sounds like to a

number of people. I am supportive of all of the items in the package, depending on how they flesh out obviously. I do have concerns about the gen two and how that would look in terms of crew in particular. And I just want to recognize that for gen one, I mean none of us are getting any younger. I'm not gen one. My dad is 81 years old. He is. And whether you are unfortunately pass or just want to retire when you're not 95, I do think we need to start thinking about what that looks like if we are going to take something like this topic up. The other item that we really didn't talk much about was the stacking of permits and how that would work for the cumulative landings. And so hopefully this does get at least kept on the list as a package and if so, the next time this comes forward it would be very helpful, I think, to have a bit more explanation of what that looks like to help us make decisions. On that I will end my comments. Thank you.

**Marc Gorelnik** [00:12:44] Thank you Christa. Marci.

**Marci Yaremko** [00:12:47] Thank you Mr. Chair. I'd like to focus a minute on discussing a little bit more related to Appendix 1, which is the workload matrix. Just wanting to highlight that there is an awful lot packed into this one little multi-colored sheet. It is a nice, simple snapshot of roughly what the workload is on the GMT plate. We've accounted for time for Biennial Spex and Management Measures, EFP Applications, Stock Assessment Updates and Panels, Inseason Monitoring. The ESA Humpback Whale Buy-op and the ESA Work Group, now the Fixed Gear Catch Share Review. We have SaMTAAC on the list as well as the non-trawl RCA action. Whiting Utilization is still on the list as there's still workload associated with implementing the action and finalizing it and finalizing the regs and completing the necessary consultations and then standing items pertaining to Ecosystem, Halibut and Marine Spatial Planning. If we were to kind of bullet out each one of those major categories I think we'd find an awful lot else that's in there. I asked Lynn about logbooks and she rightfully mentioned, well... we didn't really think about that, didn't spend too much time on this Appendix 1 matrix and I'm not quite sure off the top of my head where logbooks might fall, but it would probably, you know, it would be on this list maybe in the ESA category. But my point here is that, you know, we've asked them to summarize their workload and present it to us here in a nice, simple format and they have. But, you know, I'm cognizant that this doesn't tell us the whole story about the workload on the plate. I want to highlight that because item B.8 on the discard mortality rates for recreational fisheries, that is really a workload item while it's listed in Table B as a management measure item. We've heard it's not a regulatory item, it's a kind of behind-the-scenes analytical task that's going on with a subgroup of GMT members along with John Budrick, our SSC member. But I think that I just want to emphasize the importance of that work and while it doesn't show here on the workload list, it is definitely an element as Lynn noted of the Inseason Monitoring and Management and that we have definitely increased our, both our capacity and our emphasis on inseason monitoring, particularly in California, but also for other species that we are keeping an eye on, and that we get reports about actually in each of the inseason items routinely from our GMT about how our fisheries are performing with emphasis on special circumstances that have come to our attention in the Council arena. So, I just wanted to highlight that because I know B.8 is on this list. I don't know that I would keep it in Table B, but I did want to acknowledge the discussion here from the GMT on that point and the significance of it as we continue our inseason monitoring in 2022 with a very new suite of species on the list when it comes to priority needs for monitoring. To speak to EFPs and the B.16, or I'm sorry, yes, the proposal to add consideration of an EFP for south of 42 for at-sea processing. I appreciate the discussion that we've had here today and the recognition of this item coming out of the whiting utilization packet, but again I would stress that there is already a placeholder for EFPs in our workload, GMT workload list. I really appreciated everything Heather had to say about the process that might be needed to bring forward an EFP application and the need of the industry to find a coordinator and prepare the applications, and it sounds like the timing just wasn't right and I certainly can understand why. The reason she offered they make good sense to me, and I think that would be an EFP that will come with significant workload. We've taken up EFPs and we preliminarily approved some EFPs already for the next 23-24 biennium, so I feel

like that work is underway. We will be working to finalize those EFPs when we take final action on them in June. So, I guess, you know, in my mind there will be an upcoming opportunity November of 2023 to bring a complete application to consider an EFP at that time. So anyway, that was just intended to be my feeling on this issue. I don't believe it warrants a standalone addition on our management measure list because management measures, I view them as a separate category from EFPs. We see these other items on the list that talk about moving EFPs into regulation and that that's when they become something on the management measure list. So, I guess that's where I stand on this item and it doesn't reflect at all about a sense of priority in the sense of...or how I view a decision on an EFP. I think we had that discussion in the context of the whiting utilization package and agree with that path forward at the appropriate time. Thanks.

**Marc Gorelnik** [00:20:54] Thank you very much Marci. Brad Pettinger.

**Brad Pettinger** [00:20:57] Thank you Chair Gorelnik. Ryan, earlier you mentioned B.2 and B.6 and how B.2 was lagging as far as information to go forward, and B.6 probably did. Were you envisioning both those when they're both ready moving together for efficiency sake or is that a possibility just so we can, you know, gain efficiency in what we do here, or... and if that's so how much information are we actually collecting under B.2? And when might it be ready to move forward in the future?

**Ryan Wulff** [00:21:44] Through the Chair, thanks Mr. Pettinger for the question. I mean we don't have a specific vision of how you might package that. It's really kind of up to the Council. They are different fishing activities I would note. You know as of right now for, you know, for B.6 on the midwater front, we've had plenty of EFP trips north of 42 especially. I do think there's enough data. I mean this is the level I can speak to right now. It's really up to the Council to say how they would want to package it and then, of course, to see what the scoping and analysis would go. For B.2, you know I think we're on year 4 of this one but we're allowed to have 10 vessels to participate, but I'd estimate maybe only two vessels take a handful of trips each year so that's at least our current read of the situation. So, if the Council wanted to package those together, I mean that's... that's really up to you, but I think my initial assessment and my response to Maggie was that we definitely know we have a lot more data for B.6 than we do B.2.

**Brad Pettinger** [00:23:06] Okay and thank you. Actually, I believe that reason is because people are concerned about salmon and they're just trying to minimize the effects as much as possible so thank you.

**Marc Gorelnik** [00:23:15] All right. Further discussion? Corey Ridings.

**Corey Ridings** [00:23:24] Thank you Mr. Chair. I wanted to briefly speak to item B.14, the Prohibition of Directed Shortbelly Rockfish Fishery. We heard Dr. Shester talk about this this morning and I continue to think that this is a really important issue with a lot of ecosystem impacts and with new aquaculture developments coming online, potentially even here in California, I think that this continues to be a really important item and something that we should keep on the list. I don't know exactly how to prioritize this. There's a lot on the plate that's pretty clear, but it would be great to see this somehow slated for consideration and in perhaps the latter half of this year or somehow prioritized. I'll note that ODF and W produced an excellent report back in November and that provides a really nice starting point for work on this. So, I'll leave it at that but just wanted to voice my support for that item. Thank you.

**Marc Gorelnik** [00:24:36] Thank you very much Corey. Further discussion? And if not, if there's a motion forthcoming, we can have a discussion on the motion. Maggie Sommer.

**Maggie Sommer** [00:24:50] Thank you Chair. I would like to offer a motion. I move the Council adopt the lists of prioritized and candidate new management measures presented in Tables A and B in E.6.a, Supplemental GMT Report 2, March 2022, Appendix 2 except do not include B.16 at-sea processing south of 42 degrees 10 minutes north. Combine into one package of Limited Entry Fixed Gear Follow-on actions. B.3, Permit Price Reporting. B.17 Program Cost Recovery. B.18 Removal of Base Permit. B.19, Follow-On GAP Recommendations. Allow hook-and-line endorsed tier sablefish permits to use slinky pots. For vessels with stacked sablefish endorsed permits, allow vessels to fish accumulative non-sablefish landing limit for each permit. Allow a fourth permit per vessel. And before there's a second, Sandra or Kris, whoever is the magic behind the screen there, if you could change the top bullet where it says "42 degrees 10 minutes north", I believe that should just be 42 degrees. If he could delete that ten minutes for me please. Thank you.

**Marc Gorelnik** [00:26:34] Okay, is the language on the screen accurate and complete?

**Maggie Sommer** [00:26:37] Yes. Thank you.

**Marc Gorelnik** [00:26:38] I'll look for a second? Seconded by Heather. Please speak to your motion.

**Maggie Sommer** [00:26:48] Thank you Chair. Again, appreciate the GMT's provision of these lists to us and the additions they made in their supplemental report reflecting guidance and Council actions at this meeting that have occurred up to this point. So, proposing that with the exceptions noted here, we adopt those lists. I spoke earlier in discussion about my belief that we have very substantial workload already on the plate, both in the 'A' list of prioritized items as well as already in progress, as Marci reminded us looking at Appendix 1 to the Supplemental GMT Report 2. And we have a limit on workload capacity, both in the GMT, in the National Marine Fisheries Service and everyone who is working on these items. So, this reflects a really streamlined approach of prioritizing new management measures as well. Let me speak just to a couple of them in particular. As I said this does, or earlier, I do support and this motion does add to the prioritized list, the new item the GMT has labeled A.5 for stock definitions and stock complexes, and so I think that it will behoove the Council to have some discussion on what the next step there should look like and when we want to take it. So, we should maybe all be thinking about that in preparation for our workload planning discussion. If we are prepared to make any process and scheduling decisions at this meeting, I'm sure that would be helpful. It may take some further thought and input, so I recognize we might not be ready to do it then, but I wanted to flag that. We had a fair amount of discussion on the B.16 item, at-sea processing south of 42 North, and I am suggesting we not include it here based on the discussion that it is not a management measure item. It is an EFP proposal. Marci recommended that that be considered at the normal groundfish, in the normal groundfish EFP cycle. I think I also heard Heather Mann's request that this be considered as soon as possible and certainly recognize the history of this item and having it removed from the whiting utilization package. I hear the importance of it to industry. I think the Council can consider it at a future time, whether it is under the regularly scheduled groundfish EFP item or we want to consider an out of cycle EFP. I understand that there are probably no set-aside implications of this EFP, so it doesn't have that required connection to a specification cycle, but as noted it would be significant workload and that is important to factor in, and recognizing that we have just taken action on a suite of other whiting utilization measures. Again, that all supports my recommendation here. On the packaging of the Limited Entry Fixed Gear Follow-on Actions, I think I spoke to this earlier. It makes sense to me to package them for now, but I do believe we will be wanting more information on them. You will note that I removed the second-generation language from the fourth permit per vessel only because I think that that language has been very confusing. My intent is to have the GAP and industry and GMT start from the concept that the GAP was proposing in their report, but I do think that that will need further scoping and fleshing out, but indicating here by putting it on the candidate list, the Council's willingness to have it further considered at some time, although not yet assigning it a priority. And then I'll just

Speak to a couple of things that have come up in discussion that you don't see on this list. The B.8 Item, Discard Mortality Rates. I think there is some priority to those, particularly given our situation with some of the nearshore rockfish stocks. Appreciate the GMT's information that there is work going on to develop some mortality rates when descending devices are used and that we hope to receive a report or some information on that possibly in June if it's ready then, and, you know, again that, I guess that just would lead me to remind everyone that although this meeting is our overall holistic big picture look at the groundfish workload. Of course, we can make changes at any item and if we receive information that we are prepared to start taking action on any particular topic, we can move it up and prioritize it at that time. On the discard mortality rates, also recognize the GMT's comment that it probably is not a management measure per se. It's a catch accounting issue. Regardless, it is groundfish workload. And then finally on shortbelly rockfish. I think you all know that ODFW is very interested in the topic of prohibiting, developing a prohibition on a directed fishery. We remain so. We continue to hope that the report provided last fall will serve as a good starting point for some scoping. It remains on the candidate list. Certainly proposing to keep it there. I think it's been added there since last fall when we had considered putting it into the spex package, but decided instead to add it to the list of new management measures for a separate FMP amendment pathway, and again continue to think that's a good approach but I don't feel that it is urgent based on a lot of information we've covered before. I won't cover that ground again here, so I did not feel there was justification to prioritize it above other items right now and move it up to the A-list. That concludes my remarks on the motion. Thanks.

**Marc Gorelnik** [00:34:13] Thank you very much Maggie. Are there questions for maker of the motion? Discussion on the motion? Staring hard for hands I don't see any. So, if there is no discussion then I will call the question. All those in favor say 'aye'.

**Council** [00:34:41] Aye.

**Marc Gorelnik** [00:34:41] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much for the motion. Maggie Sommer.

**Maggie Sommer** [00:34:55] Thank you Mr. Chair. If I could just make one more brief remark that I forgot to include, which was just recognizing the discussion we also had and the note in the GAP report about the existing EFPs. I'm not looking at their item numbers, but the fact that in particular the midwater non-whiting trawl EFP probably has a substantial amount of data available now due to good participation in that sector. I think we are interested in looking at moving that into regulation. Again, didn't feel we had the information here to allow us to prioritize that and therefore I did not address it with the understanding that it can continue in EFP form for now so that's not suggesting there will be an end to that opportunity until it's moved into regulation, but certainly will be interested in exploring further with GMT or National Marine Fisheries Service, however appropriate, the data that's available on that so that we can inform ourselves on when we are ready to really start moving forward on putting that into regulation.

**Marc Gorelnik** [00:36:16] All right, thanks for those comments, Maggie. Is there further action on this agenda item? Let me turn to Staff Officer Todd Phillips and see how we're doing on this agenda item.

**Todd Phillips** [00:36:33] Yes, thank you Mr. Chair. I believe... well the Council has offered a motion and has indicated their priorities for the... for the list, as well as done some revision and editing to said list. Looking at the discussion, I would say that you have completed your Council action on this particular agenda item. Thank you.

**Marc Gorelnik** [00:36:57] All right. Thank you very much Todd. And thanks to the Council and particularly to Maggie for the motion. That concludes our action on Agenda Item E.6.

## 7. Inseason Adjustments – Final Action

**Marc Gorelnik** [00:00:00] Okay, there is no public comment so that takes us to Council discussion and action here, and we've taken a look at some projections, and we have an opportunity to adopt any adjustments if necessary. So, let's see if there's any discussion here or any motions. All right, I'm not seeing any hands so I'm not seeing any discussion and I'm not expecting any motions based upon the body language I'm seeing here and certainly nothing among our virtual participants. So, unless I see a hand go up, I'm going to go back to our staff officer and see how we're doing. Todd.

**Todd Phillips** [00:00:59] Thank you Mr. Chair. I believe that this agenda item has been covered adequately by the Council and the action, well, has been completed. Thank you and I can answer any other questions that you may have.

**Marc Gorelnik** [00:01:16] All right. Thank you very much Todd.



## 8. Initial Stock Assessment Plan and Terms of Reference

**Brad Pettinger** [00:00:00] Okay that finishes public comment and takes us to Council action. So, with that, I'll open up the floor to see Ryan. Ryan Wulff.

**Ryan Wulff** [00:00:06] Sorry I wasn't trying to jump you, just wanted to put my hand up for discussion. Are you ready for that?

**Brad Pettinger** [00:00:16] We are.

**Ryan Wulff** [00:00:17] Okay. Yeah thanks. I just wanted to go first here. It's really up to the Council what you want to prioritize for stock assessments so that's why I wanted to go first and just say a couple of things before you have that discussion. First, before we get into the upcoming assessments, acknowledging that part of this agenda item is also a bit of a reflection on the just concluded assessment cycle. I did want to take a moment to recognize and express, at least our NMFS's gratitude for the excellent work that was done by the stock assessors, and all involved in the development and review of the assessments that are really foundational to continued successful management of our groundfish fisheries. This recently completed cycle, as we are all aware, was especially challenging, not just the ongoing pandemic but of course the issues related to stock definitions that we started talking about earlier this week and at previous Council meetings. So, just wanted to thank the assessment teams and the reviewers for their hard work and determination for all what they did to provide the integral information we're using in our management process here. Now turning to the upcoming potential assessments and the fact that this agenda and to some extent, as we've heard with some of the Q&A back and forth with the reports, is an inextricably linked with the stock definition issue we've been discussing. Just wanted to lay out a few points from NMFS perspective. The first is we agree with and we support the SSC's points that assessments may stratify area-based assessments in a manner that best fits the available scientific information. We also note that in the reports from the advisory bodies on stock assessment prioritization that some of the stocks proposed to be prioritized here are ones that currently in regulation are identified as having various geographic delineations and not coastwide. However, these species are currently identified as coastwide in the FMP as we discussed under E.3. So, I just want the Council to be aware of that discrepancy between the delineations and regs versus the FMP and of course, that could lead to stock defini.....issues for some of these new assessments. And again, while assessments can be structured to best meet the data, stock status should be determined consistent with the stock defined in the FMP. So, while we realize the low likelihood that stock definitions will be finalized before the start of the 2023 assessment cycle, the Council could be strategic in their initial choices of assessment priorities for 2023 in acknowledgment that some of the stock definition challenges encountered in 2021 may persist until a decision framework for defining stocks is finalized. Thank you.

**Brad Pettinger** [00:03:31] Thank you Ryan. All right anybody else? Corey Niles. Corey.

**Corey Niles** [00:03:48] Thanks Mr. Vice Chair. I just have a couple of motions prepared, but, you know, if people are still thinking about speaking, I don't want to put those forward yet. Maybe I could put them forward if they will help but if no one else has opening thoughts I'd be willing to make those motions.

**Brad Pettinger** [00:04:10] Okay. Looking around I'm not seeing any hands so I would say to proceed please.

**Corey Niles** [00:04:22] Okay, Mr. Vice Chair. Either Sandra or Kris if you could put up the motion

number one, please. Thanks. Thanks for that. And I move that the Council adopt the following documents for public review. Number 1: draft Terms of Reference for the Groundfish and Coastal Pelagic Species Stock Assessment Process for 2023-2024, Agenda Item E.8, Attachment 4 while the following the recommendations of the CPSMT and SSC for creating and adopting separate TORs for the two FMPs. 2. Draft Terms of Reference for methodology reviews. And 3. Draft Terms of Reference for the groundfish rebuilding analyses for 2023-2024, Agenda Item E.8, Attachment 5.

**Brad Pettinger** [00:05:27] Okay. Corey, is the language on the screen accurate?

**Corey Niles** [00:05:32] It is.

**Brad Pettinger** [00:05:35] Okay very good. Seconded by Phil Anderson. Thank you Phil. Speak to your motion Corey.

**Corey Niles** [00:05:40] Yeah, thanks Mr. Vice Chair. I think I'm going to mess up the Mark Twain thing about eating the frog first when you have....eating frogs is your job, but I decided to do the opposite and do the easy one here and break up the motions just for readability. This is a somewhat routine step to adopt some documents for public review based on the SSC's recommendations and speaking to number 1, there's also this recommendation from the CPS Management Team and SSC to separate out the CPS components and they have a process for doing that which we may, I understand, have to take up under the workload planning. It's I believe June or.....first step would be June for them, and I forget the second meeting, November or September, but that's the intent there. So, yeah, the intent is just to put these out for public review. The second one doesn't have any changes, but I think Council staff would advise to put it out for review anyway and we'll get some feedback and come back for adoption later. And briefly before I end, I think there's some really big questions. Ryan spoke really nicely to the appreciation we have for the stock assessment professionals, the people who feed data into that. It was a tough cycle. There's good comments back and forth. I've heard, you know, I was attending virtually of course, the panel where they reviewed the experience there and heard some colleagues experience as one of the toughest ever. So, I'm hoping these comments addressed some of those issues, but I think there are some longer term things we should be thinking about, not today or not necessarily as part of this process, but as we go through the stock delineation, I believe, there'll be some related topics we can take up, but, yeah, again just adopting these documents for public review and I will stop there.

**Brad Pettinger** [00:07:38] Okay. Thank you Corey. Maggie Sommer. Maggie.

**Maggie Sommer** [00:07:49] Thank you Mr. Vice Chair. Thanks, Corey, for the motion. I didn't catch this earlier, but a question. My impression was that the CPSMT was recommending, let me open the report, recommending adopting the CPS stock assessment TOR for initial review in June, and I thought that the draft groundfish and CPS TOR document in our briefing book had all of the references to CPS highlighted and noted for removal from this one. So just wondering if this is indeed consistent with the CPSMT's recommendation and perhaps staff could help clarify if I'm off track there.

**Brad Pettinger** [00:08:50] Corey.

**Corey Niles** [00:08:53] Yeah, that... it would probably be appropriate for Mr. DeVore to... but my intent was to follow the process, which I thought was outlined by the management team and SSC and in being an agreement with but, yeah, if Mr. DeVore has.....would more directly answer Maggie's question that'd be great.

**Brad Pettinger** [00:09:10] John.

**John DeVore** [00:09:10] Yeah, thank you. Yeah, the highlighting in the current version of the Terms Of Reference that you see in Attachment 4, it just highlighted instances where, you know, CPS is brought up in that Terms Of Reference, but there's not been any deep dive into the Terms Of Reference specifically for the CPS process and, you know, we didn't really get feedback from the CPS groups during the process review other than the need to separate these two Terms Of Reference. So, the SSC recognizes that too, and has recommended the CPS Subcommittee meet with the CPS groups in a work meeting, I believe, in April or early May to do that first step of really going through it and providing a draft CPS-centric Terms Of Reference. So that step hasn't happened yet.

**Brad Pettinger** [00:10:23] Thank you John. Maggie, you good? Okay. All right. Further discussion? Questions for the maker of the motion perhaps? John DeVore. John.

**John DeVore** [00:10:41] Oh, I'm sorry. Residual hand.

**Brad Pettinger** [00:10:44] Okay. You're forgiven. 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** [00:10:58] Aye.

**Brad Pettinger** [00:10:58] Opposed? Abstentions? Motion passes unanimously. All right wonderful. Okay that's...put that away. And I see Corey. Please.

**Corey Niles** [00:11:14] Thanks Mr. Vice Chair. Yeah, if Sandra or Kris could put up the motion number 2 please. Okay thanks. Mr. Vice Chair I move that the Council A. Adopt the following preliminary list of stock assessments for public review. 1: the category 2023 Full Assessments: Black rockfish, petrale sole, copper rockfish, quillback rockfish and yellowtail rockfish, or roughey blackspotted rockfish. 2: 2023 Data Moderate Assessments: Longspine thornyhead, shortspine thornyhead, english sole, rex sole. 2023 Catch Only Updates: Cowcod, spiny dogfish, yelloweye rockfish. And for 2025 Full Assessments: Sablefish, yelloweye rockfish, spiny dogfish and then yelloweye rockfish or roughey blackspotted rockfish, if not 2023. And B. Request information and discussion from the Science Centers, SSC and GMT on 1: How the 2023 assessments will proceed in line with discussions on stock definitions. 2: How stocks of the same species may be assessed according to conservation need, i.e., dwell on the areas need to be assessed at once. 3: A presumption that the nearshore stocks and shelf stocks should be assessed at a fine scale, and if Sandra or Kris if you could fix my grammar here, assessed at "as fine of a scale". Sorry assessed at a...assessed at as fine scale as the data allows. Thank you. And how areas...how when areas are combined, excuse me one second here. Could you put it an 'or' before the 'how'. Or how when areas are combined how regional differences in status last depletion could be evaluated. And 4: The feasibility of a research assessment for shortbelly rockfish in 2023, 2025 or even off cycle.

**Brad Pettinger** [00:14:13] Okay, is that language now accurate there Corey?

**Corey Niles** [00:14:18] It does and thank you for the on the fly corrections there.

**Brad Pettinger** [00:14:21] Not a problem. Okay looking for a second? Seconded by Maggie Sommer. Thank you Maggie. Corey, please speak to your motion.

**Corey Niles** [00:14:30] Thanks Mr. Vice Chair. I'll try to be brief. In terms of the list of, the preliminary list again for public review and comment. This comes mostly from the... largely from the GMT and GAP. The combination of the GMT and GAP reports we heard, in questioning we heard there was some question about what the GAP believed about the roughey blackspotted rockfish and Marci confirmed

that keeping it on the list would be consistent with for getting comments. So, yeah, I will....I'm going to hold off on saying much more about the rationale for the inclusion. I think it's captured in the reports, and I'll look to colleagues here in discussion to add their own thoughts if I'm hearing pretty wide consensus around which stocks should be on this list for public review. I'll speak a little bit more to the rationale behind some of the questions on under 'B' and explain a bit because maybe they're not as precisely worded as they could be. But the first one there really gets to the question Mr. Wulff led off with about, he used the term how to be strategic about it. Maybe that's not the word I'm thinking of but how to be efficient and not, you know, avoid some of the issues we had last time. We're going to have some parallel, or not parallel but overlapping processes here on discussing what our stocks should be in terms of areas and also trying to do some assessments for stocks where that will be a very important question. Number 2 really.....I asked the SSC, Dr. Field about this. Using quillback as an example, in Washington in our nearshore, you know, we've only had a commercial fishery. We never had a nearshore fishery develop and, you know, presumably the fishing pressure in that, in the nearshore has been lower than in other areas. So given limited resources again in terms of being able to process data, review stock assessments, you know, is there.....you know we heard in the review of the assessment process that doing separate areas is a good thing. Often assessing different areas is a good thing, but doing them is almost doing like three or four different assessments instead of just one. So given quillback again as an example, in the Pacific Northwest looking like it's near B40, do they really need to be taking up those resources or should they be focused, as we heard in public testimony on California, where... where the need is greater and also Oregon and Washington, for example might not have any new data to bring to a full assessment, unlike California where they're hoping there will be. So that's an explanation of that question. Number 3 along the same lines. We've been working over a number of cycles now, especially in the nearshore and in the shallower shelf at least of doing the assessments as fine of a scale as you can with the data. There's a tradeoff between pooling data and stratifying, as Mr. Wulff again said. We are hopeful that the assessments continue to be area-based. States might not be perfect but they're not as arbitrary as you might think but, and as Mr. Wulff said, you can do the assessments at one scale and the status determination might be at a different scale. Again, just kind of give some more context to explain the not ideally worded questions here. And then Number 4 is different. Just asking, and I think it was last cycle maybe not, the cycle before, we've had interest in shortbelly rockfish and the events that happened in our whiting fisheries in particular and what was the cause of those? And I know the Southwest Center was working on updating the assessment from many years ago. This is a request for them to hopefully come back and advise the Council on how we can get an update on what the stock dynamics were like in this boom we saw and the intent there would not be for an assessment for setting ACLs, but more just a research type assessment that can publicly show what may have gone on with that stock. And that's another distinction I'll end on is speaking to my other comments on the first motion about in the future I hope we talk about different ways of possibly using our science, including how do we use data limited assessments to....before declaring a species overfished, is there a way to do these research assessments before they are used for management? A lot of various questions in mind that I hope you will keep working on as part of this stock delineation effort and, okay, I think I'll stop there and again, I hope my colleagues if they have, you know, other views or will speak to the rationale for doing these assessments. So, thank you.

**Brad Pettinger** [00:19:39] Okay, thank you Corey. Discussion on the motion? Marci Yaremko. Marci.

**Marci Yaremko** [00:19:47] Thank you Mr. Vice Chair. Thank you, Corey, for the motion. And, yes, I'm very much supportive of including on the 2023 full list copper and quillback rockfishes and have a few notes along those lines. First, we did some data moderate assessments on these two stocks, and we all know the circumstances that we're looking at today to implement that new science and I can certainly express that our stakeholders continue to have questions about the veracity of the stock assessments, recognizing that the perspective is that the outcomes of those assessments are not reflective of conditions on the water or that we're seeing in our catch data in the fisheries. So, an opportunity to

conduct full assessments on these two stocks in 2023 will give us an opportunity to see what we get from a full. There were uncertainties in the data moderate assessments that I think can be well addressed in the context of a full assessment. It will give us an opportunity to compare results of the two different methods and better understand which data sources and methods are critical to provide the best look at these two California nearshore fishery resources. Just wanting to add that, you know, there are a number of questions out there I think with data moderate assessments in general now and we're a little reluctant to move forward with using the method, particularly on other nearshore stocks, so I think this opportunity to conduct a full will really give us some insight into the both model types, looking at a full assessment with the data moderate in hopes that we can support future data moderate assessments and how to make them better. Additional information for the full stock assessments is available for both copper and quillback. There's more information from the California Co-operative Fisheries Research Program, some ROV survey data and other fishery dependent indices of abundance that can be informed by data collected by our California Recreational Fisheries Survey. There's also additional age data to inform the growth rates in California. You might recall that it was kind of a last-minute heroic effort on the part of the Science Center to get some California quillback age data into the data moderate assessment. And actually, you know, a subset of... of those fish were aged and those initial results suggested that for now there wasn't a need to continue aging the stockpile that was there, but I think it's an opportunity here we have to collect some more otoliths and get some more ages to see if we can develop California specific growth rate relationship for quillback using data both from fishery dependent and independent data. I just want to talk a little bit about data collection. I've mentioned this in a number of agenda items this week that CDFW has begun collecting otoliths for both copper and quillback in our 2021 fisheries as well as coming up here in 2022 when the fishery seasons open, so we do have that activity underway. We're also working on outreach with our stakeholders. We've produced a number of new outreach materials to assist with identification of these species, which will help with compliance and also aid us in gaining participation with our sampling activities and our recreational survey. What else? There are workshops going on. We know that they've already had the post mortem and had some discussion about the data moderate and the procedures here forward that we will be using with regard to review of data moderate assessments and that has culminated in the recommendation today that they be subject to a STAR review, so that's a positive development, but I think there are more workshops forthcoming kind of in the spirit of lessons learned from the data moderate, and those discussions certainly are going to be useful as we approach pursuing full assessments for... for these two stocks in 2023. So, with that I just want to again express my support for the motion and appreciate the hard work of the GMT and the GAP to identify these two as a priority.

**Brad Pettinger** [00:26:05] Okay, thank you Marci. Further discussion? Maggie Sommer. Maggie.

**Maggie Sommer** [00:26:15] Thanks Vice Chair Pettinger, and thank you, Corey, for the motion. I certainly support it and appreciate the requests in Section B. Just wanted to speak to item number B.3, the presumption that nearshore stocks and shelf stocks should be assessed at as fine a scale as the data allows and, you know, it would be my interpretation that there is also some room in there for the STAT Team's judgment as they are evaluating the data and other elements of the modeling and assessment exercise and that this should not be intended as really a rigid requirement that they must always make a determination to go at a smaller scale if they have some reason to believe that it's more appropriate to conduct an assessment at some other level.

**Brad Pettinger** [00:27:24] Okay, thank you Maggie. Corey Niles. Corey.

**Corey Niles** [00:27:30] Yeah, thank you Maggie, Mr. Vice Chair. Just one....and again these were....maybe if I'd had hours to spend on would have worded them better, but the intent here is to get reactions from folks and not meaning to prescribe things at this moment. But, yeah, I think as we've heard we had good discussions the past year about the tradeoffs between pooling and splitting data and

it is the assessment teams that are the experts in that. So, yeah, just looking for reactions to this to help us with the question and like we are going to be dealing with the stock delineat...I cannot say that word today, definition I'll go with, stock definition topic for a while here, but facing how to do it with copper, quillback, black rockfish for example, you know, presuming this list stays the same when we adopt it final. So, yeah, not prescribing anything by any means, but looking for reactions and advisement on how we do that this cycle.

**Brad Pettinger** [00:28:27] Okay, thanks Corey. All right. Anyone else? Okay, I'm not seeing any hands, so seeing that I'm going to call for the question. So, all those in favor signify by say 'aye'.

**Council** [00:28:43] Aye.

**Brad Pettinger** [00:28:43] Opposed? Abstentions? Okay, the motion passes unanimously. And with that I'll look to John DeVore to see how we're doing here.

**John DeVore** [00:28:59] Thank you Mr. Vice Chair. You've adopted a preliminary list for stock assessment priorities in 2023 and 2025 and we'll put that out for public review to solicit feedback on the prioritizations for your June action. You've raised a couple of important questions that you would like some feedback from the Science Centers, the GMT, and other relevant parties when we readdress this in June. And you've also adopted the three Terms of Reference that inform the stock assessment process for public review as well. And all of these decisions will be considered for final action in June. In June, you can expect to see under the groundfish stock assessment item a groundfish-centric draft stock assessment Terms of Reference and then pending your decision on scheduling meetings from June thereafter, you may also be seeing a draft CPS- centric Terms of Reference in June, but that's a decision that you've got to make under Agenda Item C.7. So, with that I would say you have completed all of the items on this agenda.

**Brad Pettinger** [00:30:35] Okay, very good. Thank you John.

## 9. Update on 2023-2024 Harvest Specifications and Management Measures

**Brad Pettinger** [00:00:00] And we're hoping that everybody's ready to go. So, with that we'll open the floor for discussion and or motions when appropriate. So, Maggie Sommers. Maggie.

**Maggie Sommer** [00:00:17] Thanks Vice Chair. I really appreciate the check-in opportunity here from the GMT to receive an update on the items they're working on as part of the spex and management measures package. That's very helpful for us and I know it's helpful for them to have this opportunity for guidance from the Council. It sounds like some good issues were raised both in the GMT's list of questions, and I think we will have some guidance responding to those shortly. I just thought I'd get a couple thoughts out to start with. In particular I wanted to recognize the Enforcement Consultants report and appreciate them raising the issues they did of potential enforceability challenges relating to some of the gear definitions proposed in the NMFS report. Noted their comment that they will be happy to work further on development of that language, and I would certainly encourage that. We don't want to end up with something in place that isn't, just can't realistically be enforced on the water or onshore. I think the other item I would touch on right now is on the canary rockfish discussion that we had earlier and was brought to our attention with the WDFW report. We certainly have seen some volatility in canary rockfish catch in Oregon's recreational fishery too. Appreciate the information provided by the GMT illustrating that overall, in terms of total coastwide attainment across all sectors of canary rockfish, specifications were really quite low and there's a lot of room there. So, you know, I don't feel like there is any need to constrain fisheries. Just agreeing there with what was suggested in the WDFW report and I think that Mr. Anderson mentioned earlier. I think I'll leave my initial remarks there. Thanks.

**Brad Pettinger** [00:02:39] Thank you. Thank you Maggie. Further discussion? Phil Anderson. Phil.

**Phil Anderson** [00:02:43] Yeah, I just wanted to just speak a little bit more to the canary issue. And, you know, when we, when this resource was rebuilt, which was really a good thing and there was a lot of pain inflicted on all of the sectors that impact canary during those years of the rebuilding plan, and when we came out of it, you know, we really didn't have a good sense, or at least I'll say I didn't have a good sense of what was going to happen and how the fishery would mature once we had, you know, a lot higher ACLs. We were up at 13 hundred tons or a little bit over and we're at I think 1284 coming into this next biennial cycle. And, you know, the recreational fishery, which I spoke to off of Washington, we had a number of closed areas and restrictions and all of those kinds of things. That's part of the effort to try to rebuild the stock. And now we've been able to relax some of those and we're beginning to understand what the magnitude of the recreational fishery is, albeit I will say that, you know, the last two years where we've been in the grips of a pandemic and the whatever impacts that may have had on our effort in the recreational fishery, people, you know, a lot of people staying home, all those kinds of things. I really still don't feel like we have a very.... we have a much better feel than we did two or three years ago, but it's still in that maturing process. So I'm just... I'm not sure what the right remedy is at this point, and by that I mean, you know, we were at 39.4 tons here this past, or in 2021, our 2022 share is 42.3. Our draft share is 40.9 coming up, you know, using that proportional kind of calculation to get to a share and it just puts, to me puts a target, a bit of a target on us when us being the Washington recreational fishery or other sectors in here that are in the similar situation where we have a number, it's really tight, we're not sure, you know, whether.....we're pretty sure we're not going to be very much over it, but chances are we might be a little bit and which causes a magnifying glass to be put on the fishery or sector that's in that position and I find it to be an, almost an unnecessary position to be in relative to what we have going on in the trawl and the non-trawl sectors and the catches that are occurring and then looking at the ACL. So again, I'm not sure what the remedy is here, but I am uncomfortable with kind of having a target on the recreational fishery in this case where we have a

number that we're putting out there that is really tight and could very well be exceeded by I think a very nominal amount, but in 2023 and 2024. So, I'm just putting that out there. Again, I don't know exactly what the remedy is but I am concerned about it.

**Brad Pettinger** [00:06:50] Okay, thank you Phil. Heather Hall. Heather.

**Heather Hall** [00:06:54] Thanks Vice Chair. I have a motion on this if folks are ready?

**Brad Pettinger** [00:07:04] I think we are.

**Heather Hall** [00:07:05] Okay thank you. And Sandra has the motion if she could put it on the screen. I move that the Council provide the following guidance to the Groundfish Management Team. Retain the midwater rockfish EFPs. Do not analyze set-asides for quillback rockfish or copper rockfish off California. Analyze ACTs for quillback rockfish and copper rockfish off California. ACTs should be broken out into two sub-areas. And Sandra, at this point I have a correction to this line to the coordinates that we have listed here. That should read, "the two sub-areas should be 42 degrees to 40 10 North latitude and 40 10 North latitude to the U.S. Mexico border". Thank you.

**Brad Pettinger** [00:08:45] Maggie. 42 degrees, not 42 10?

**Heather Hall** [00:08:48] It should say 42 degrees to 40 10 North latitude. So, after 42 degrees to 40 degrees. There you go.

**Brad Pettinger** [00:09:19] You have 10 10.

**Heather Hall** [00:09:22] To 40 10.

**Brad Pettinger** [00:09:26] There we go. Okay. Continue.

**Heather Hall** [00:09:29] That's it. Thank you Sandra. The next bullet, add an option to remove the 50 metric ton ACT for cowcod south of 40 10 North latitude to the management measure package. Oh, and the corrections are complete. So, I'm good. Thanks Sandra. Continue using a yelloweye rockfish ACT for the non-trawl sectors. Analyze the use of BRAs and BACs for uses not currently available or analyzed, making them potentially available for inseason Pacific spiny dogfish trawl bycatch minimization in the 23-24 management measures analysis. Actually, that should probably just say delete the management measures analysis. Sandra, if you could and just delete "the" in front of the "23-24". There you go. Thank you. Amend the groundfish FMP to align the definition and uses of BACs with those in federal regulations as part of the 23-24 harvest specifications process. Allow all areas within the non-trawl RCA to be subject to the same fishing requirements and therefore any action taken by 12e would supersede the 21-22 regulations. And the parentheses just note that this is a recommendation from the GAP consistent with the Enforcement Consultants. Recommend NMFS revisit their proposed new gear definition in light of concerns about enforceability raised by EC to ensure that any specific item, such as number of hooks or is of sufficient management concern to warrant at-sea or shoreside enforcement. That's it.

**Brad Pettinger** [00:12:09] Okay, thank you Heather. Is the language accurate for your motion?

**Heather Hall** [00:12:14] It is with the corrections made by Sandra. Thank you. It is.

**Brad Pettinger** [00:12:18] Wonderful. Okay thank you. Second? Seconded by Marci Yaremko. Thank you Marci. Okay, Heather, speak to your motion please.



**Heather Hall** [00:12:30] Thank you Vice Chair. We....this motion really is just it formalizes the request by the GMT and, and some information we heard from the EC to provide guidance that will allow the analysis of the harvest specifications package to move forward in April so folks can do their work. These all align with the GMT's report and their specific questions of the Council. I won't speak to each one of these specifically, but hopefully this provides the GMT with the information they need to... to move forward.

**Brad Pettinger** [00:13:18] Okay, thank you. Discussion on the motion? Ryan Wulff. Ryan.

**Ryan Wulff** [00:13:23] Yeah, thank you and thank you, Heather, for the motion. I just have a clarifying question since I don't see it specifically referenced about your intent. Does the last bullet indicate you generally support our 12e proposed revision in the NMFS report?

**Heather Hall** [00:13:41] Yes, it does.

**Brad Pettinger** [00:13:45] Okay, thank you, Ryan, for that clarification. Anyone else? All right, I'm not seeing any hands. So that being the case I'm going to call for the question. All those in favor of signify by saying 'aye'.

**Council** [00:14:04] Aye.

**Brad Pettinger** [00:14:04] Opposed? Abstentions? Motion passes unanimously. Marci.

**Marci Yaremko** [00:14:15] Yes, thank you Mr. Vice Chair. I had a few things to say on this agenda item. I'd like to start with the midwater rockfish EFPs. Appreciate continuing on with them. I realize that we're likely to recommend an action under 12e in the spex that might negate the need for them, but in our discussions within the delegation, the current members of those two EFPs, they're both California EFPs, indicate a willingness and an interest in continuing them, specifically to look at the ability to use bait in the new midwater fishery that we're developing under the stringent new, or the specific new regulations that were proposed in the NMFS report. So... appreciate keeping that item on the list and look forward to working with the EFP holders on some modifications to those set-asides and the provisions and terms and conditions. I'd really like take a chance to thank NMFS for the work on the 12e item that took place over winter. We had a number of sidebar state conversations on this topic and just want to acknowledge the hard work of the National Marine Fisheries Service to look at how we get to yes on that in the specifications. As the GAP has mentioned, it's not a....it doesn't provide a full suite of opportunities in the RCA and they'll be looking for other opportunities and other agenda items as we move forward in the future, but this narrow, carefully crafted opportunity in the RCAs is very much needed by our open access fleets that are interested in targeting these healthy midwater stocks, and we certainly have a bunch of information today that will support allowing that activity to occur and within or without causing undue impacts to our overfished stocks. So, I really just want to thank NMFS again for the work on this topic and acknowledge the EC statement and the other discussions we've had during the week about the need for some flexibility as that language develops over the course of the specifications development processes. A few issues under discussion and just appreciate Lynn when giving the presentation here today of the NMFS report, her nod that we'll be working to refine that language as the package develops. On the topic of the ACTs, just like to recognize that these ACTs are a critical measure that will allow us both to develop our management measures more fully and establishes benchmarks for us in the 23-24 process to ensure that we are managing and monitoring consistent with the new best available information provided to us in the 2021 stock assessments, both for copper and quillback rockfish. So, appreciate analyzing the ACT tools in the package and we'll look forward to seeing more on that item. On the set-aside item, just wanted to acknowledge that I was the one that requested that those be analyzed in this package, and that was under the lens of where we were

at in November that potentially we would be looking at some newly overfished stocks in the 23-24 biennium. Traditionally we establish set-asides for our overfished stocks to ensure that we maintain accountability or accounting for mortality from all sources. So, appreciate the look that the GMT took at this item and noting that the results that they found and the very small amount of impact that a cruise from research and IOA sectors. I want to thank them for that and I'm comfortable that we are on the right track not pursuing that in the 23-24 biennium in light of the new information that we have now regarding stock definitions and the need for us to pursue an FMP amendment before we're looking at new overfished stocks. Also, I want to take a second to comment on the Washington discussion on canary rockfish. I want to thank Heather for her report and Phil for the extra discussion and just want to add my support for the process that I think we are all working toward in the 23-24 biennium regarding sharing. I think this is a strategy that helps all states. Heather and Phil spoke to the change that they've seen in the uptake in the canary catch and then appreciate the table that the GMT prepared for us on this item. I think it's notable that in fact the spike that Washington may have had in 2020 and or expected in 21, you know, they describe some of the reasons for that. They talked about the removal of the sub-limit and now that they're operating under the aggregate bag limit for all rockfish off Washington to some extent, you know, it's interesting that in California we had exactly the opposite response when we repealed our sub-bag limit. Our catches actually went down. But I think what's important to note is fish move and the volatility in our catch data, particularly for canary and that snapshot, that five-year snapshot, really suggests that one place may see an uptick one year and it may be in another location a year later. I think what's important here is exactly as Heather and Phil suggested, what's... our goal is that we stay within the ACL, and I think we have a strong track record of working together inseason to track our catches to make sure that collectively we stay within them. So, I just want to express my support for the approach and appreciate bringing this to our attention, but I think the solution here is very sound and I think we will do just fine staying within our established ACLs. And that's it, thank you.

**Brad Pettinger** [00:22:29] Okay, Marci, thank you for that. And so, I'll turn to Todd and see... Todd, how are we doing here? Yes, thank you Mr. Vice Chair. So.....

**Brad Pettinger** [00:22:38] One second here. Phil Anderson. Phil.

**Phil Anderson** [00:22:43] I'm going to take one more, just one more shot at homing in on the canary situation and I apologize for doing it repeatedly but, and I appreciate Marci's comments as well as Maggie's and of course Heather's. What is nagging at me frankly, is the use of the term 'share' that was in that table. And we had a ACL for canary just north of 13 hundred tons last, well this year, it's 1284 I think for 2023 I believe under we haven't... what we voted on in November. The total... what I see from the data, the total catch of canary by all trawl and non-trawl is in the neighborhood of 5 to 6 hundred tons versus an ACL of 12 or 13 hundred. So and then when I look at, and when I think about... I'm obviously going back to where I come from, Washington, due to the pandemic our most northern port, which would have normally accounted for most of the majority of the canary in previous years, was closed. Nobody could go on reservation. The only way you could get to the ocean outside of our north coast is to leave from Sekui, and it's at about an 18 mile run just to get the Neah Bay before you.....so that is in part my uneasiness about the share that's described for Washington's recreational fishery in 2023, and I'm not suggesting that we need to take any fish out of anybody else's bag, given that we're, you know, in the neighborhood of half of our ACL, but we're going to need.... we may well need a little bit more than what our share is here, and I think as long as we have an understanding that this number is hanging out here, but we have room obviously, as Marci described it to accommodate, if you will, our fishery as well as the other states fisheries without, you know, getting into an allocation war or creating some sort of a conservation issue. So, I'm going to leave it right there, but I just wanted to speak to it one more time.

**Brad Pettinger** [00:25:43] Thank you Phil. Maggie... did you? One second.....Okay Todd, did you have a question for us by chance?

**Todd Phillips** [00:26:07] Yes, thank you Mr. Vice Chair. Yes, at your discretion sir I saw a couple of members of the GMT asked me a question regarding the... the BRA, BAC, and I was wondering if we could have Miss Whitney Roberts ask the question so I don't confuse the issue?

**Brad Pettinger** [00:26:27] Sure. Please.

**Todd Phillips** [00:26:29] Thank you. Kris, if you could elevate Whitney. I believe she's an attendee.

**Whitney Roberts** [00:26:36] Thank you. Through the Vice Chair, this is Whitney Roberts here. I know it's getting close to the five o'clock hour and I'm sure Council want to wrap up, but I just wanted some clarification on the motion that Heather just put forward to have the GMT analyze Block Area Closures or Bycatch Reduction Areas that are not currently available or analyzed for Pacific spiny dogfish trawl bycatch minimization. I was hoping for a little bit of clarification. We were hoping that the Council would either signal their intent that the GMT would analyze specific uses, for example Block Area Closures for midwater trawl gear off of a certain state or coastwide, something to that effect. We list some options in the presentation with the expectation that we, that certain ones would be more effective for mitigating spiny dogfish bycatch and therefore wouldn't need to necessarily analyze all of the options under the rainbow that could be available, or could be analyzed but maybe was essentially just hoping for some Council clarification as to whether the intent for this motion was for us to analyze everything that could potentially be looked at or to focus on the tools that would be most effective for mitigating bycatch so that those, the targeted ones are available and in the FMP amendment. Thank you.

**Brad Pettinger** [00:28:21] Okay, thank you Whitney. Okay, looking around for any other hands. Okay Todd.....oh, Heather.

**Heather Hall** [00:28:28] Well, thanks Vice Chair. I was going to respond to Whitney if I could.

**Brad Pettinger** [00:28:36] Oh please.

**Heather Hall** [00:28:36] See if we can get there. I'm looking at the presentation Whitney. I guess when I, when I put together the motion was just hoping that we would do whatever we can to make sure our toolbox was full. So was being, I guess, maybe overly broad that we would just capture areas where the BACs or BRAs aren't in place. So, for example, BACs are currently not available off Washington and I think we want to fill that gap. I guess you're asking too if BRAs, which are now currently available for midwater trawl gear in Oregon and Washington and California should also be available for bottom trawl gear, and I would just say that's what we're hoping to get. Is that helping Whitney?

**Whitney Roberts** [00:29:53] Yeah, thanks Heather. I think that does. I understand the intent of the motion now and we will do our best to get all of those tools in the FMP amendment of spex and try to have those tools in the Council's toolbox moving forward for spiny dogfish bycatch mitigation. Thank you so much for the clarification and sorry to derail the Council process. Thank you so much.

**Brad Pettinger** [00:30:25] Oh no, we're good.

**Heather Hall** [00:30:26] Yeah, thanks Whitney. This is.....you're not derailing, you're helping the process for sure and I don't know if there's an opportunity for us to even follow-up afterward to make sure provide any additional clarity to the GMT as needed. Thank you.

**Brad Pettinger** [00:30:48] Okay. All right Todd.

**Todd Phillips** [00:30:53] Yes. Thank you, Mr. Vice Chair, for indulging me on that particular comment or the question there and thank you, Miss Hall, for answering that. I know it was out of scheme there. So, looking at this particular agenda item, the Council has given good direction and guidance for us to move forward in the analyzes which we will bring back in April for complete Council review. And you had a really good discussion on multiple items, and I would say sir that you are complete with this particular action. Thank you.

**Brad Pettinger** [00:31:31] Okay, thank you Todd. Well, it's always good to get things taken care of early instead of later. So, all right... so that takes care of E.9.

## **F. Pacific Halibut Management**

### **1. Annual International Pacific Halibut Commission (IPHC) Meeting Report**

**Marc Gorelnik** [00:00:00] I don't see any public comment so we will turn to our Council discussion to consider the reports and provide any guidance as appropriate. Things seem to be going fairly steady here so let's see what sort of input we may have here. Do we have any guidance to provide? Maybe we don't. Things are going pretty well. I....not seeing any hands I'm going to turn to Robin and see how we're doing here.

**Robin Ehlke** [00:00:46] Thank you Mr. Chair. I think we're doing well. We have a lot of information brought to us. Most of it is informative and good news is most of it is good news, but no decisions here to make. So, with that I think we've done our work under agenda item F.1.

**Marc Gorelnik** [00:01:06] Mr. Anderson.

**Phil Anderson** [00:01:08] Thank you Mr. Chairman. I'm sorry to be slow. As I mentioned in the report, the four year agreement, allocation agreement within the IPHC Commission is, this is the last year and so over the course of the next, well probably 10 months, there's going to be a process put in place by the Commission that to revisit that, and it's going to be important for our area to have a seat at the table if you will, and track that and provide input as appropriate. So, I just want to....I just want to highlight that, make the Council aware of it and urge that we... and ask and recommend that we provide representation as appropriate when those meetings occur to ensure that Area 2A is represented.

**Marc Gorelnik** [00:02:14] Very good Phil. I think those are good points for the Council to keep in mind and I'm sure we all agree with them, and I'll have to keep that top of mind as the dates approach and be engaged and look to you to provide us some guidance there.

## 2. 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  
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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.

## **G. Habitat Issues**

### **1. Current Habitat Issues**

**Brad Pettinger** [00:00:00] So I'll open the floor for comments, discussion on the habitat or the.....on this issue, agenda item I should say. Well Kerry, are you there?

**Kerry Griffin** [00:00:15] I am here and looking for hands, listening for voices. Not seeing any so as I've mentioned you didn't have an action to take, but I think that you got some good information from the Habitat Committee. I agree it's always enlightening and helpful to read the Habitat Committee report. One quick thing of note. A couple of you picked up on this, Maggie and Marci, about the April 18th deadline for that Klamath Dam removal EIS comment letter. The HC did discuss that at length and looked at the calendar and saw the timing. They're not sure that they could get a draft letter in time for the advanced briefing book for April but, you know, because there's some layers of clearance that needs to happen, but they are aware that it needs to be available in sufficient time in advance of Council deliberation before everyone starts diving into April Council meeting business. So anyway, they're aware of it, working on it, and you should be... you should expect to see that proposed letter at some point, either advanced or supplemental briefing book for April. I just wanted to mention that and if there's no other questions, I think that concludes your business for this agenda item.

**Brad Pettinger** [00:01:38] Very good. Thank you, Kerry.



## H. Ecosystem Management

### 1. Fishery Ecosystem Plan (FEP) Five-Year Review- Final Action

**Marc Gorelnik** [00:00:00] That completes reports and the opportunity for public comment and takes us to our Council action, which is there on the screen, which is the review the draft and provide guidance on its finalization. So, I look forward, first of all I want to welcome Dr. Braby to the table and John Ugoretz who is joining us virtually. There may be other changes, but those are the ones I know about. Who wants to get us started here with the discussion? Corey Niles. Thank you.

**Corey Niles** [00:00:45] Thanks Mr. Chair. If Yvonne still's out there maybe just a question of clarification on what the Ecosystem Workgroup is suggesting, being a part of that group I should remember, but Yvonne would know best if she's available.

**Yvonne DeReynier** [00:01:01] I'm still here. Yes, thank you.

**Corey Niles** [00:01:05] Thanks Mr. Chair.

**Marc Gorelnik** [00:01:07] Go ahead.

**Corey Niles** [00:01:07] Yvonne, you might have heard in the GAP report or elsewhere the suggestion that we should finalize the FEP and adopt it for public review, but my memory is that we're recommending that the Council finalize it at this meeting without additional public review. Is that correct?

**Yvonne DeReynier** [00:01:30] Thank you Mr. Chair. Mr. Niles. So, yes, the Council saw the first sort of beginning to end draft of the Fishery Ecosystem Plan in September 2021. And at that time the Ecosystem Workgroup had recommended a period of public review following the September meeting, which is why we took Council and advisory body advice after the September Council meeting, tidied it up and got it up on the website that the Council staff put together. So that's been out for a couple of months now and we were recommending at this meeting the Council finally adopt the Fishery Ecosystem Plan. We know they'll be probably missing semicolons and hyphens and whatnot, but hopefully comments will be on that level of detail.

**Marc Gorelnik** [00:02:30] Corey, you have a follow-up or....okay. John Ugoretz.

**John Ugoretz** [00:02:35] Yeah, thanks Mr. Chair. Quick question. I think back to the EAS or EWG, the CPSAS and MT noted some minor clarity changes if the Council were to adopt the FEP, but requesting those changes be made, was that be something you could do and then give us a clean final?

**Yvonne DeReynier** [00:03:06] Yes, we could certainly do that. We've done that with the Fishery Ecosystem Plan in the past. I think we first adopted it in April of 2013, but the tidiest version didn't come out until July of 2013, so that's completely fine. It would just be great if we could set an end date for receiving final edits.

**Marc Gorelnik** [00:03:38] Further questions or discussion on this? At some point we would like a motion. Corey Ridings, please go ahead.

**Corey Ridings** [00:03:47] Thank you Mr. Chair. I just wanted to thank Yvonne and the rest of the EWG for their work on this. This wraps up a number of years of really impressive work. There are a

lot of chances for the Council and the advisory bodies and management teams to weigh-in on this and add their thinking to it. I think that was reflected in a couple of statements we saw today. So, I just wanted to extend our recognition of this process and this document and thank the EWG for that.

**Marc Gorelnik** [00:04:22] Thank you for that Corey. Further discussion? Perhaps a motion? All right, Caren Braby. Welcome.

**Caren Braby** [00:04:50] I didn't get the orientation. Thank you Kris. Caren Braby and I'm happy to offer a motion. I move that the Council adopt the final draft revised Fishery Ecosystem Plan with edits as discussed during today's Council meeting and in advisory body reports.

**Marc Gorelnik** [00:05:47] All right, can you please confirm the language on the screen is accurate and complete?

**Caren Braby** [00:05:53] Looks good to me. Thank you Mr. Chair.

**Marc Gorelnik** [00:05:56] It is? Okay. I'll look for a second?

**John Ugoretz** [00:06:02] Second John Ugoretz.

**Marc Gorelnik** [00:06:03] All right, thank you John. I appreciate that. So please speak to your motion.

**Caren Braby** [00:06:09] Thank you Mr. Chair. And I'll add my thanks to the Ecosystem Working Group as well as the other advisory bodies from the Council and public comment for just amazing work on revising this ecosystem plan and I think it will serve the Council well and our investment will be well worth it. And so, with those thanks I think that we can cross T's and dot I's and use this going forward. So, thank you.

**Marc Gorelnik** [00:06:48] All right. Thank you very much. Are there any questions for the maker of the motion or discussion on the motion? I am not seeing any hands in cyberspace or in the room here so I will call the question. All those in favor say 'aye'.

**Council** [00:07:12] Aye.

**Marc Gorelnik** [00:07:12] Opposed, no? Abstentions? The motion passes unanimously. Thank you so much for the motion. Before turning back to Kit, I want to see if there's any further action by the Council under this agenda item? All right, Kit, how are we doing?

**Kit Dahl** [00:07:41] Thank you Mr. Chair. I think you're doing great. So, you've given the direction to the EWG. We will incorporate those. You know I think there are a few sort of perhaps on the order of copy edit or modest edits that are being sent directly to the EWG from the CPSMT will work on those along with probably another careful copy edit proofing and copy edit by the Council staff and we'll aim to then have a final document that we can put up on the Council website as the new version of the FEP sometime in the next few months. And with that I think we're done with this agenda item.

**Marc Gorelnik** [00:08:45] All right. Corey Niles.

**Corey Niles** [00:08:49] Thanks Mr. Chair. I was trying to orient you to Caren's hand. She had her hand up.

**Marc Gorelnik** [00:08:54] I'm sorry. Caren.

**Caren Braby** [00:08:57] I'm in the spot in the Council room again where I'm out of sight of the Chair, so I'm going to have to be more aggressive with my hand raising. So, I wanted to raise the issue about the external facing document. I'm coming to the Council chamber late. I don't know whether this has been discussed yet this morning, but we have recommendations under this agenda item on what to do with that document and how that should be maintained by the Council advisory bodies. It is raised again in Agenda Item C.2 under Marine Planning and so I thought that we should talk about that at least while this agenda item is open and flag that we're going to talk about that next on the Council's agenda today and carry over any business that we need to from this agenda item to the next. So, the external facing document is largely around habitat impacts and is speaking to our external partners who we may or may not know just telling them about the Council's authorities and interests, and it's appropriate for many marine planning agenda items or issues, but it's also potentially relevant under others, and so there's been suggestions that the Habitat Committee take that responsibility for that external document. There have also been suggestions that it stays with the EWG, and then we have our new ad hoc committee, the Marine Planning Committee, and there have been suggestions it should go there. So the question... that was a long entrance to that topic... but my question is when is the most appropriate place to talk about where that work should live in an ongoing basis?

**Marc Gorelnik** [00:11:04] I'll turn to our Executive Director to answer that question.

**Merrick Burden** [00:11:07] Thank you Mr. Chairman. I am, I guess I'm comfortable deferring to Kit to get us started if Kit could speak to that.

**Kit Dahl** [00:11:20] Sure. I think, well I sort of channel my understanding of the EWG recommendation that I think they felt that it would be most productive to take up consideration of that document under Agenda Item C.2 because there are these related documents. I think it was noted in the HC report there that are kind of overlapping. They're more specific perhaps in terms of the focus and then perhaps also more detailed in that regard. So, there are some considerations around how to treat those documents collectively, ideas around whether they should all be combined. You heard from the HC, keep this document that the EWG prepared separate. So, I think it's probably more productive for all that discussion to happen under C.2, the Marine Planning agenda item. And there are some procedural things around that too that the EWG raised in terms of, and the HC did in their report under this agenda item in terms of sort of who's going to be responsible for maintaining the document that came out of the FEP and so on, so that would be my recommendation is to take that discussion up under C.2.

**Marc Gorelnik** [00:13:04] All right, thank you Kit. Let me see if there's anything further. You're okay. You're good. All right, so I'm not seeing anything further from the Council here on this agenda item. I guess we'll be talking about related items under C.2. And Kit just reconfirming that we're done here on H.1?

**Kit Dahl** [00:13:31] Yes, Mr. Chair. Thank you.

**Marc Gorelnik** [00:13:32] All right. That concludes this agenda item.

## 2. 2021-2022 California Current Ecosystem Status Report and Science Review Topics

**Marc Gorelnik** [00:00:00] And that concludes public comment, all our reports and takes us to our Council discussion and guidance, including to review topics for 2022. We had a number of specific suggestions so let's see what the desire of the Council is. Dr. Caren Braby.

**Caren Braby** [00:00:24] Yeah, I'll start us off and just appreciate all the thoughts from advisory bodies and public comment fleshing out the information that we've gotten from the IEA team. I wanted to speak to the automation piece, specifically this... first of all, I'm sure that the IEA team was shocked that we were looking for ways to decrease the workload for the team because every time they bring us a report we tell them, 'oh... and you could also do this other project for us.... please bring us more information'. And so, I really am appreciative of the EWG thinking about ways to make this a more sustainable workload for that team. I know that that workload has increased over the years significantly, so to the degree that we can lessen that burden. I, for one, am I'm very supportive of that, even if it turns into a more bureaucratic government type report, that's okay. The key here is that we're getting the information and the analysis that is helping us understand the ecosystem, not whether the page layout is beautiful or not. And so, I, just for one, wanted to say, 'please do that' from my perspective. And also recognize that we have a number of different types of data portals that are popping up from different collaborative efforts that are doing some automated analyses and display of information and that is becoming kind of a standard next step future work and so I think it's natural that this transition more and more into that type of information format. So that's one thing. I think there were a number of suggestions and requests on having time with the IEA team. Our advisory bodies want more time with the team and to the degree that the team can support that, I think that that's a great synergy and collaborative effort and would support that. I don't have any comments on the SSC's reports and the plans for the team to meet with the SSC this fall. It looks great to me. And I would, I really am also glad of this development of the climate change appendix, what I would call the climate and ocean change appendix and look forward to evolution of that over time. And with that I'll stop.

**Marc Gorelnik** [00:03:24] All right. Corey Ridings.

**Corey Ridings** [00:03:32] Thank you Mr. Chair. I'll just start by echoing what Caren just said. That all sounded great and I support all of that. I wanted to thank the IEA and NOAA team again for their excellent work on this and putting this together. It really is great to read and I think it's very helpful. I wanted to specifically point out again the fishery participation network analysis, I think, is great work and I hope you continue to develop that. I think that's helpful in understanding the connectedness that we see there, and the network analysis in particular is a nice way to communicate that. Again, the WEA analysis, I hope that we can move forward with that and see as time allows and as that information becomes available to see more information on that. I think that's a big issue for this Council as we heard earlier in the week and that indicator is going to be helpful. And then again, just speak to the... the climate and ocean change appendix. That was really good work. I think there was a lot of really good ideas put out there in this sort of draft version that the team provided and just request that you continue with the development of that, and we can see another draft again next year. I'll note that there are some connection there to a recommendation from the Climate Core Team report and to think about using the scenarios that were done as part of the scenario planning process. If that could be helpful or useful, I think that might be a good idea to pull in some of the good thinking that was done there, and again support this moving forward as the SSC recommends for review by the subcommittee in September. I'll stop there. Thank you.

**Marc Gorelnik** [00:05:31] Thank you very much Corey. Further suggestions, direction, discussion?

I'm not sure that we've been specific enough, but I could have missed something so, Kit, please weigh in here on our progress on this agenda item.

**Kit Dahl** [00:06:01] Okay, thank you Mr. Chair. Well, Dr. Braby and Miss Ridings, I think have highlighted some elements of the report that they support and are looking for some further development of, so I think the CCIA Team will take that under advisement as guidance and see how they can address those requests. And also, just an endorsement of what the SSC recommendation was as far as the Science Topics Review. And then also endorsing the idea of having the EAS and EWG have some interaction with the CCIA Team around maybe perhaps more general questions of the format and content of the annual report and looking at how we could schedule that probably somewhere in the neighborhood or during the September Council meeting, so we'll start thinking about that. I think that is, you know, sufficient guidance. This is typically mainly an information provision agenda item so if the Council members are satisfied with the particular things that have been highlighted, and the comments that have been made, then I think you can call this agenda item good... that you're done with it.

**Marc Gorelnik** [00:07:53] All right. Thank you very much Kit. Let me just look around the room, make sure that there aren't any last thoughts. Bob Dooley.

**Bob Dooley** [00:08:01] Thank you Mr. Chairman. Thanks for the great report there. I just... I would... I was looking at the groundfish bottom trawling activity and wind energy page, it was number 34, and you mentioned about incorporating whiting because this is just groundfish bottom trawling and that's a lot of information. And in the spirit of maybe trying to reduce the workload, I believe the cooperatives would be good to maybe use as a resource to gain some of that information. We've seen presentations here on the Council floor from the cooperatives regarding this very thing, wind energy and how it interacts with the whiting fishery in general so there might be some efficiencies there. Might be some good data. I know those databases exist and maybe they could be incorporated and maybe reduce some of the workload. So, I'll stop there. Thank you.

**Marc Gorelnik** [00:09:02] All right. Thank you very much. All right that will conclude this agenda item... wait, is there a hand up? Okay. All right, that concludes this agenda item.

### 3. Review of Fishery Ecosystem Plan Initiatives

**Brad Pettinger** [00:00:00] All right that takes care of public comment and brings us to Council action. So, I'll open the floor up here for discussion. Heather Hall. Heather.

**Heather Hall** [00:00:18] Thank you Vice Chair. I can just get started with some overarching comments here and an appreciation to all the advisory bodies and management teams that put so much thought into this agenda item and thinking about the next step with the initiatives process. I know there's so many other things that people are working on that really appreciate the time and careful thought that went into this. As we listen to the advisory body and management team input, I heard a common interest in Initiatives 2.1 and 2.8 really across the board with some other initiatives as well filtered in there. 2.8 being the flexibility in fisheries management process and so really appreciated the Ecosystem Advisory Subpanel of in their recommendation to combine 2.1 and 2.6 to take some components of 2.8 and include that in there. It feels like a good starting place anyway. Thanks. I'll conclude with that. Thank you.

**Brad Pettinger** [00:01:45] Thank you Heather. Anyone else? Caren Braby. Caren.

**Caren Braby** [00:01:53] Thank you Mr. Vice Chair. And I would just agree with Heather's comments. I think there are some really strong themes coming from the thoughtful reports from our advisory bodies. A lot of overlapping interest in initiatives 2.1, 2.8, 2.6 and the framing of the EAS around their combined initiative really resonates with me and appreciate that work there. So, I think that we have a really good start for moving forward. I think what I would like to see is a little more work on some of the, not the most popular, but the most attractive initiatives to the Council advisory bodies and to the Council. Some more thought on those and then a decision a little bit later, as in looking to September for kind of a more fleshed out version of some of these initiatives that are most, most in line with the Council's wishes today. And so, I think that's doable, and I think will get us to a good, solid jumping off point in September. So, we'd love to kind of narrow that down to what it is that we're interested, and personally, I think, the EAS initiative is a good one and would like to think about adding that to a list that then goes out to public review for example, and 2.1, 2.6, 2.8 as components of that are also important good ones from my perspective. So, I'll stop there.

**Brad Pettinger** [00:03:55] Okay. Thank you Caren. Phil Anderson. Phil.

**Phil Anderson** [00:03:57] Yeah, I would just add my voice of support for the comments from Heather and Caren and also wanted to acknowledge the coordination, collaboration that the five conservation organizations displayed in bringing forward their comments and noting that there's a lot of commonality that we're hearing from our advisory groups and committees as well as the comments that came from, that Michele provided. So, I wanted to acknowledge that and thank them.

**Brad Pettinger** [00:04:37] Thanks Phil. Anyone else? Corey. Corey Ridings.

**Corey Ridings** [00:04:46] Thank you Mr. Vice Chair. Just....I'm sorry Bob. Yeah, I would just like to echo those thoughts that were just made around the table. I think we're seeing a lot of coalescing around similar themes and similar proposed initiatives. I wanted to note that the... probably good to send the FEP appendix as drafted by the EWG out for that final review as Caren mentioned, noting that was a specific request that they made. Also thinking about initiatives to review in September, Caren, I'm not sure if I'm hearing you correctly, maybe paraphrasing, but I think I heard you say sort of fleshing out a little bit more of sort of the popular initiatives that our advisory bodies weighed in on and specifically the EAS. The EWG noted developing a work plan and maybe some roles and responsibilities that could

come back to the Council for such an initiative. So, I wanted to put that out there and see if that was in line with your thinking. I also wanted to speak a little bit to some of the standalone items that the EWG put in that table for us, I believe in their second report. I think three of them really stood out to me when I sat down to look at them and reading the advisory body reports. There was a recommendation from the Climate Core Team Report to ask NMFS to provide annual updates on actions taken by other Councils to prepare for climate change. That seems like it could be really helpful long term. An annual or semiannual version of that if agency folks felt like that was reasonable could be really beneficial. Also, having a Council web page where some of this work and information and data could be collated so that various fishery stakeholders would be able to access it more easily. The Council web page just gets better and better and easier and easier to access and that's really good work on behalf of the Council staff. And again, if it's not a huge load, having a web page like that I think could be really beneficial. And then finally, speaking to a little bit of what I heard from Michele Robinson and the interchange there with John thinking about doing a collaborative project, maybe a workshop to explore the use of civic science and traditional ecological knowledge and local ecological knowledge through community based and collaborative efforts and data collection to try to better track the impacts of climate change on fisheries. Harkening back to this morning, we had a gentleman publicly testify about what sounded like some really great data that was being collected. And if there's a way we could think more about how to take advantage of that work that's going on and promote it, I think that would be another good standalone item coming out of the scenario planning and climate initiative work. So, I'm going to leave it at that and thank you Mr. Vice Chair.

**Brad Pettinger** [00:08:32] Thank you Corey. Phil Anderson.

**Phil Anderson** [00:08:35] Yeah, thanks Mr. Vice Chair. I'm just thinking about the recommendation about trying to at least on, maybe on an annual basis try to understand what the rest of the Councils were doing in this regard and, you know, while putting that burden on National Marine Fisheries Service is one approach. Another might be to see if our, if the CCC would be interested in taking that on and I don't know, one year.....I don't know if you have a May meeting this year, that that might be something that our representatives take to that forum just to see if that might be a way to collate the information and the activities and the various Councils associated with this. Thanks.

**Brad Pettinger** [00:09:25] Thanks Phil. Okay Merrick.

**Merrick Burden** [00:09:31] Yeah, thank you Mr. Vice Chairman. Just maybe in response to Phil. We do have a CCC meeting this coming spring and the agenda is still under development, although not for much longer, and I will bring it up with the other Executive Directors if that's what the Council wishes and see if we can make room. I can't promise anything, but I'll see what I can do if that's what everyone would like.

**Brad Pettinger** [00:09:57] Okay, anyone else? Caren.

**Caren Braby** [00:10:07] It seems like it might be instructive to have a motion for today. I mean we've heard a lot of guidance, but it seems like we might want one. And I'm looking to you Mr. Vice Chair.

**Brad Pettinger** [00:10:19] I think that'll probably be a good idea to get it now. So yep.

**Caren Braby** [00:10:31] Yes.

**Brad Pettinger** [00:10:31] Yes.

**Caren Braby** [00:10:33] Thank you. And I would be happy to send one in.

**Brad Pettinger** [00:10:40] Okay.

**Caren Braby** [00:10:41] Kris, if you would like to receive it? Yes, we're getting hand signals here. Thank you.

**Brad Pettinger** [00:10:47] Wonderful. We like motions.

**Caren Braby** [00:10:50] Just give me a second. How are the electrons? Thumbs up. Okay.

**Brad Pettinger** [00:11:48] So, Caren, whenever it comes up on the screen when you're ready just.....

**Caren Braby** [00:11:50] And we'll do it.

**Brad Pettinger** [00:11:54] You bet.

**Caren Braby** [00:11:55] Thank you sir. Okay I move that the Council put out the revised FEP Appendix, Agenda Item H.3.a, Supplemental EWG Report 1, March 2022 for public comment after adding to the list the combination initiative described by the Ecosystem Advisory Subpanel in Agenda Item H.3.a, Supplemental EAS Report 1 and flagging significant interest from PFMC advisory bodies for initiatives 2.1 and 2.8. I also move that the Council request of Council staff to build a component of the PFMC website to address climate and ocean change as workload and web modification processes allow.

**Brad Pettinger** [00:12:54] Okay, thank you Caren. Is the language accurate on the screen?

**Caren Braby** [00:12:57] It is.

**Brad Pettinger** [00:12:58] Very good. Looking for a second? Seconded by Heather Hall. Thank you, Heather. Speak to your motion Caren.

**Caren Braby** [00:13:05] Yeah, as I mentioned earlier in Council discussion, I think the thoughtful combination approach presented by the EAS really resonated with me as a good way to combine elements of the initiatives into a synthetic approach similar in the way that we did with the Climate and Communities Initiative, and so I would like to get additional comment on that particular initiative description in addition to the ones that we got really good, good strong support for across the board almost from our advisory bodies, which are initiatives 2.1 and 2.8. I have not included in this motion but would like to add in discussion, you know, strong support for and encouragement of the EWG to further develop these initiatives to bring back to us in September so that we're not just kind of cutting and pasting and bringing them back as is in September, but asking that team to put some additional thought into these, these strongly supported initiative descriptions so that we have a strong foundation to start from a new place in September. Miss Ridings asked about workplan roles and responsibility. I think that would work into that and be part of that as that makes sense to the EWG. Would love to see more on that. And I've added just the singular kind of ongoing non-initiative work of thinking about a website to collect some of the good work on climate and ocean change that the Council's done and could use to further provide access to that information through the website. It's a lower priority issue but something that can be added to that ongoing workload and considerations and could be really useful and helpful in the long term. And that's my rationale.

**Brad Pettinger** [00:15:44] Very good. Thank you Caren. Phil.

**Phil Anderson** [00:15:47] Yeah, I'd like to move to amend the motion.



**Brad Pettinger** [00:15:50] Okay.

**Phil Anderson** [00:15:55] I move that the language and the public be added after the reference to the PFMC advisory bodies. So it would read, this is commentary, and flagging significant interest from PFMC advisory bodies and the public for initiatives 2.1 and 2.8.

**Brad Pettinger** [00:16:34] Okay, and the language there was accurate, so make sure?

**Phil Anderson** [00:16:40] Yes, it is.

**Brad Pettinger** [00:16:41] Okay. Seconded by Chair Gorelnik. So Phil.

**Phil Anderson** [00:16:45] Just quickly. I think it's... you know we've obviously referenced the views that we heard from our various advisory bodies that advise us, but we also heard strong support for those particular initiatives from the public as well, and I thought it was important to acknowledge that in our action.

**Brad Pettinger** [00:17:07] Okay very good. Discussion on the amendment to the motion? Okay I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:17:16] Aye.

**Brad Pettinger** [00:17:16] Opposed? Abstentions? Motion passes unanimously. Very good. Thank you Phil. Okay, we'll go back to the amended motion now and for discussion. John Ugoretz. John.

**John Ugoretz** [00:17:36] Thanks Mr. Vice Chair and thanks, Caren, for the motion. I appreciate in your discussion of the motion the comment that the Ecosystem Workgroup could continue to work to flesh out what an initiative would look like. And I'm, I just want to be sure that that's in the Council record as something that we're asking them to do even though it's not in the motion specifically. I would also point out, and I don't think it requires an amendment to the motion, but when looking at what the advisory body's recommended, you know, the EAS was talking about 2.1 and 2.6 with perhaps some flare of 2.8 in their language and out of what I'm counting as at least eight advisory body comments, it seems like most of them supported 2.1 and 2.8 as the motion describes, but there was also important input on 2.2 and 2.6 from the Science and Statistics Committee, and again, you know, 2.2 from some other groups and 2.4 from the Habitat Committee, I just....I'm hoping that the Ecosystem Workgroup kind of looks at that body of input and brings us a single initiative that is inclusive of all of that. So, I understand where you're going with the motion, but I do feel that there's more to it than... than just 2.1 and 2.8.

**Brad Pettinger** [00:19:26] Okay, thank you John. I see Caren's nodding her head so for the record. Okay further discussion? If not, I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:19:40] Aye.

**Brad Pettinger** [00:19:40] Opposed? Abstentions? Motion passes unanimously. Okay, Kit, are you there?

**Kit Dahl** [00:19:57] I am here. Well, I'm not there. I'm here.....(laughter).....which happens to be Portland not San Jose. So, yeah, you're probably asking me to sum things up. Ask if we have sufficient marching orders. And the answer as it often is, is yes. So just so I understand, which I often don't, what I heard is to....for the EWG to work on a revision of the appendix document that would include a new

initiative that encapsulates elements of some of the initiatives that are described therein and specifically the ones that were most often referenced, 2.1, 2.6, 2.8. I think Mr. Ugoretz mentioned a couple others I didn't catch, but they're in the record. I didn't catch on my notes, and I have a poor memory so... anyways. So that will all be taken into account in drafting another initiative to incorporate into the appendix. And I guess the one thing I wasn't entirely sure of is, I mean certainly the EWG could also look at further revisions to those other initiative descriptions that were in their revised version that you saw in their Report 1. I guess where I wasn't entirely clear is for those that would be incorporated into this new combined initiative, whether you want in addition those component initiatives to be also separately sort of fleshed out and expanded or would that expansion be part of the... part of the new initiative combining those elements? So that was the one thing I wasn't entirely clear on, if that makes any sense.

**Brad Pettinger** [00:22:35] I'll refer to our motion maker.

**Caren Braby** [00:22:39] Yeah, and I'll rely on Council discussion to help flesh this out, but the intent was to take the initiative as described in the EAS report, you know, append it to the appendix as a new initiative and have that good a public comment. There, I think ultimately we have more initiatives than we can do in 30 years of time and so I think we need to be really strategic in how we approach that list in keeping things on the docket, so to speak. So, I guess without editorializing in that direction, you know, append the new concept to the appendix and take the initiatives that had strong support, which I suggested are 2.1 and 2.8, and the new EAS initiative and flesh those out further for our discussion in September. And then without adding words to John's mouth, he brought up some other initiatives that maybe should be a part of that. So, I'll stop there.

**Brad Pettinger** [00:24:02] Okay.

**Kit Dahl** [00:24:02] Okay. Yes, thank you through the Vice Chair. Okay, yeah, that's helpful. So those are some pretty clear directions and so we can work on that over the coming months. I think the other thing is as far as a web page with information on climate change and, you know, Council staff who maintain the website can consult with, you know, all of our partners here and with interest to Council members to better understand and develop the content of such a page.

**Brad Pettinger** [00:24:50] Okay. So, we're good then, right?

**Kit Dahl** [00:24:55] We are good.

**Brad Pettinger** [00:24:56] All right. That's what we like. And with that, that completes H.3.

## **I. Highly Migratory Species Management**

### 1. National Marine Fisheries Service Report

No transcription for this agenda item.

## 2. International Management Activities

**Marc Gorelnik** [00:00:00] So we will now move to our Council action, which is discussion and guidance I believe. So, let's open the floor to folks who might want to provide some recommendations for positions in the future meetings and other forms. All right, I sense that the Council believes that we're on the right track in the, in these various forums and does not wish to alter that track so I gather we have no additional guidance. I do see a hand now from John Ugoretz. Welcome John.

**John Ugoretz** [00:01:00] Thanks Mr. Chair. And I think you just took the words out of my mouth. I was going to say that the NMFS report provides some guidance on priorities, at least for the upcoming IATTC and I support those priorities.

**Marc Gorelnik** [00:01:18] All right, thank you John. All right, so I think we're done, but I'm going to turn to Kit to make sure we are.

**Kit Dahl** [00:01:28] Thank you Mr. Chair. Yes, if you have no further discussion or guidance, I think you're finished with this agenda item.

**Marc Gorelnik** [00:01:36] All right. Thank you very much Kit. And I think that concludes our HMS items.