

**DRAFT COUNCIL MEETING RECORD**  
**268<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
**September 6-14, 2022**  
The Riverside Hotel  
2900 Chinden Boulevard, Boise, ID 83714

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## INTRODUCTION

This document contains or identifies the various elements, documents, and sources comprising the complete and official record of Council meeting discussions and actions. In addition to the Meeting Summary, which follows this introductory section (see #7 below), it includes information or references that serve as the functional detailed minutes for this Council meeting as required by §302(i)(2)(E) of the Magnuson-Stevens Act. The full record is maintained at the Council office, is available on the Council website (<http://www.pcouncil.org/>) or upon request from the Council office, and consists of the following:

1. **Meeting Notice and Proposed Agenda** – These documents are available on the Council Website prior to and following each meeting at <http://www.pcouncil.org/>.
2. **Attendance Records** – These documents are available for the Council meeting and each advisory body meeting by request from the Council office.
3. **All Documents, Reports, and Presentations for Council Consideration** – These items include (1) all documents produced or received for the meeting briefing book, validated by a label assigned by the Council Secretariat and distributed to Council Members; (2) written public comments received at the Council meeting in accordance with agenda labeling requirements; and (3) electronic material or handout materials used in presentations to Council Members during the open session. They are available from links in the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
4. **Council Decisions Summary Document** – This document is distributed shortly after each Council meeting. It provides very brief descriptions of most key Council decisions and is available at <https://www.pcouncil.org/council-meetings/previous-meetings/> and also provided by agenda item in the Meeting Summary of this document.
5. **Draft or Final Decision Documents Finalized after the Council Meeting** – Documents such as Environmental Impact Statements or Environmental Assessments are available on the Council website as they are completed.
6. **Gavel-to-Gavel Audio Recordings and Summary Transcripts** – These recordings contain the testimony, presentations, discussions, and actions occurring at the meeting and are labeled by date and time (e.g., 04-11-15am1) and have been annotated as to the time on the recording for the start of each agenda line item to help facilitate review. For additional reference, verbatim transcripts of Council Actions are available on the Council website. The recordings and transcripts may be accessed from the links contained within the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
7. **Meeting Summary** (immediately follows this section) – The Meeting Summary lists, in agenda item order, the briefing book documents, reports, presentations, and Council motions and actions, including a brief summary from the Council Decisions Summary Document for each agenda item. It constitutes the meeting record formally approved by the Council. The agenda heading for each agenda item, and most listed documents, serve as internet links to the actual briefing book documents. Internet links in brackets (e.g., [[mp3: 11-11-14pm1 @01:21:15](#)]) refer to the audio recording and elapsed time on the recording at which the agenda item was initiated. Links to the audio recordings are annotated by agenda item and may also be accessed at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
8. **Voting Log** – The voting log lists, in Agenda order, the summarized Council motions and actions for each agenda item that took place during the meeting.

## MEETING SUMMARY

### A. Call to Order

#### 1. Opening Remarks – Marc Gorelnik, Chair

Mr. Marc Gorelnik, Council Chair, called the 268<sup>th</sup> meeting of the Pacific Fishery Management Council (Council) to order at 9:00 a.m. on September 9, 2022. A closed session was held before this open session to discuss litigation and personnel matters.

#### 2. Roll Call – Merrick Burden

##### Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Frank Lockhart, designee Ms. Maggie Sommer, designee Ms. Keeley Kent, designee Ms. Susan Bishop, designee Mr. Lyle Enriquez, designee Mr. Josh Lindsay, designee
Alaska State Official:	Mr. Doug Vincent-Lang
Washington State Official:	Mr. Kyle Adicks, designee Ms. Heather Hall, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Butch Smith
Oregon State Official:	Dr. Caren Braby, designee Ms. Jessica Watson, designee Mr. John North, designee Mr. Troy Buell, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Ms. Caroline McKnight, designee Mr. John Ugoretz, designee
California Obligatory:	Ms. Corey Ridings
Idaho State Official:	Mr. Virgil Moore, designee
Idaho Obligatory:	Mr. Pete Hassemer
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson Mr. Robert Dooley Mr. Brad Pettinger, Vice-Chair Mr. Marc Gorelnik, Chair
U.S. Coast Guard:	LCDR Brett Ettinger, nonvoting designee LT Lelea Lingo, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Chris German, nonvoting designee Mr. Mike Clark, nonvoting designee Dr. Kyle Hanson, nonvoting designee Mr. John Netto, nonvoting designee Mr. Roger Root, nonvoting designee

##### Absent from the Meeting:

Pacific States Marine Fisheries

Commission:

Dr. David Hanson, Parliamentarian, nonvoting designee

U.S. State Department:

Mr. David Hogan, nonvoting designee

### **3. Executive Director's Report – Merrick Burden**

Mr. Burden discussed the informational reports that are in the briefing book and updated the Council on the alternates for each of the Advisory Bodies and Management Teams.

### **4. Agenda – Marc Gorelnik**

#### **a. Council Action: Approve Agenda**

**Motion 1:** Adopt Agenda Item A.4, September 6-14, 2022, Council Meeting Agenda.  
Virgil Moore/Bob Dooley (Motion 1 carried unanimously)

## **B. Open Comment Period**

### **1. Comments on Non-Agenda Items – Merrick Burden**

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

#### **b. Public Comment**

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

## **C. Administrative Matters**

### **1. Research and Data Needs – John DeVore**

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

#### **b. Public Comment**

#### **c. Council Action: Review and Approve a New Format and Discuss a Process for Updating and Communicating the Database**

**Motion 2:** Council approve the new format for the Research and Data Needs Database.  
Corey Ridings/Butch Smith (Motion 2 carried unanimously)

**Staff Summary:** The Council was briefed on the development of the new Research and Data Needs database. They adopted the proposed format of the database and approved a process for soliciting and posting new projects to the database as recommended by the [Scientific and Statistical Committee](#). The Council and its advisors are scheduled to start prioritizing new and existing research and data needs projects using the database next year.

### **2. Equity and Environmental Justice – Jim Seger**

#### **a. Report of the National Marine Fisheries Service - Stacey Miller/Abigail Harley**



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

**c. Public Comment**

**d. Council Action: Review National Marine Fisheries Service Draft Equity and Environmental Justice Strategy and Provide Comments**

**Staff Summary:** The Council received a presentation on the National Marine Fisheries Service (NMFS) Equity and Environmental Justice Strategy and will be writing a letter in support. Council staff will be working with NMFS staff on regional plans to implement the policy with respect to Council policies and processes.

**3. Council Meeting and Process Efficiencies – Merrick Burden**

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

**b. Public Comment**

**c. Council Action: Review Staff White Paper and Provide Feedback**

**Staff Summary:** The Council reviewed the [staff white paper](#) on Council effectiveness and efficiencies. This paper provides a review of Council operations and provides several considerations that may assist in creating a more efficient process and improved decision-making capabilities, while noting the Council is already an exceptionally well-functioning institution. The Council discussed the range of recommendations contained in the advisory body reports and public comments and directed staff to further explore the tradeoffs associated with meeting formats (e.g., in person, hybrid, and remote). The evaluation will include criteria that could be used to guide the selection of meeting format along with considerations for improving communications, team functions, and public accessibility. The Council is scheduled to revisit the Council Meeting and Process Efficiencies topic at the April and June 2023 Council meetings.

**4. Marine Planning – Kerry Griffin**

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

**b. Public Comment**

**c. Council Action: Consider Marine Planning Committee Report and Recommendations and Adopt a Final Policy Guidance Document**

**Staff Summary:** The Council approved the draft offshore wind [guidance](#) document for use as an inward-facing tool to help support the Council, staff, and advisory bodies with response and consideration of future offshore wind energy development activity. The Council directed the Marine Planning Committee to discuss the Pacific Port Access Route Study during its September 30 meeting, in anticipation of a quick response letter process. The Council also directed the Marine Planning Committee to engage in the [suitability modeling](#) being developed by the National Ocean Service to inform wind energy area identification in Call Areas off Oregon.

**5. Fiscal Matters – Patricia Crouse**

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

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

**c. Public Comment**

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

**Motion 17:** Council accept the Budget Committee's Report, Agenda Item C.5.a, Supplemental Budget Committee Report 1, September 2022, and approve the three recommendations as follows:

1. Hold a special Budget Committee Meeting in October 2022.
2. Hold a regularly scheduled Budget Committee Meeting in November.
3. Request staff to continue to refine the three budgets for consideration and review including the information requested regarding Staff Wages and Benefits, Travel, and Stipends.

Virgil Moore/Bob Dooley (Motion 17 carried unanimously)

**Staff Summary:** The Council approved the request to have a special October 2022 Budget Committee meeting in addition to the regularly scheduled November 2022 Budget Committee meeting. The purpose of the special October 2022 meeting is to consider options for 2023 budget setting.

**6. Approval of Council Meeting Record – Marc Gorelnik**

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

**Motion 18:** Council approve the Council meeting records as presented in Agenda Item C.6, Attachment 1: Draft Council Meeting Record: 267th Session of the Pacific Fishery Management Council, June 8-14, 2022 (Electronic Only).

John Ugoretz/Heather Hall (Motion 18 carried unanimously)

**7. Membership Appointments and Council Operating Procedures – Mike Burner**

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

**b. Public Comment**

**c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Consider Changes to Council Operating Procedures**

**Motion 19:** Council appoint Mr. Alan Lovewell to the California At-Large position on the Ecosystem Advisory Panel formerly held by Ms. Melissa Mahoney.

John Ugoretz/Bob Dooley (Motion 19 carried unanimously)

**Motion 20:** Council appoint Mr. Leonard Krug to the vacant Sport Fishing position on the Habitat Committee.

Brad Pettinger/Caren Braby (Motion 20 carried unanimously)

**Motion 21:** Council appoint Dr. Tommy Moore to a vacant At-Large position on the Scientific and Statistical Committee.

Joe Oatman/Phil Anderson (Motion 21 carried unanimously)

**Motion 22:** Council appoint Ms. Laura Ingulsrud to the National Marine Sanctuary position on the Habitat Committee formerly held by Dr. Lisa Wooninck.

Frank Lockhart/Pete Hassemer (Motion 22 carried unanimously)

**Motion 23:** Council appoint Ms. Grace Easterbrook to the vacant California Department of Fish and Wildlife position on the Model Evaluation Workgroup.

John Ugoretz/Bob Dooley (Motion 23 carried unanimously)

**Motion 24:** Council appoint Dr. Richard Zabel to the Northwest Fisheries Science Center position on the Salmon Technical Team formerly held by Ms. Mindy Rowse.

Frank Lockhart/Caren Braby (Motion 24 carried unanimously)

**Motion 25:** Council adopt the changes to COP 23 as described in C.7, Attachment 4 with the modifications recommended by the Enforcement Consultants in C.7.a, Supplemental EC Report 1.

John Ugoretz/Caren Braby (Motion 25 carried unanimously)

**Staff Summary:** The Council made the following Advisory Body appointments:

- Mr. Alan Lovewell was appointed to the California At-Large position on the Ecosystem Advisory Panel formerly held by Ms. Melissa Mahoney.
- Mr. Leonard Krug was appointed to the vacant Sport Fishing position on the Habitat Committee.
- Dr. Tommy Moore was appointed to a vacant At-Large position on the Scientific and Statistical Committee.
- Ms. Laura Ingulsrud was appointed to the National Marine Sanctuary position on the Habitat Committee formerly held by Dr. Lisa Wooninck.
- Ms. Grace Easterbrook was appointed to the vacant California Department of Fish and Wildlife position on the Model Evaluation Workgroup.
- Dr. Richard Zabel was appointed to the Northwest Fisheries Science Center position on the Salmon Technical Team formerly held by Ms. Mindy Rowse.

Additionally, the Council approved modifications to COP 23 to clarify procedures for reviewing coastal pelagic species exempted fishing permits (EFPs). The Council also directed staff to complete a holistic review of all EFP processes and timelines as well as to conduct a housekeeping exercise across all COPs to make them consistent with current practices.

## **8. Future Council Meeting Agenda and Workload Planning – Merrick Burden**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Discussion and Guidance on Future Meeting Agenda and Workload Planning**

**Staff Summary:** None

## **D. Salmon Management**

### **1. Methodology Review - Final Topic Selection and Update on Model Improvements – Robin Ehlke**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Identify Priority Projects for Review in 2022 and Discuss Model Improvements**

**Staff Summary:** The Council determined that the five priority candidate items identified at the April 2022 Council meeting will be ready for review by the Scientific and Statistical Committee Salmon Subcommittee and the Salmon Technical Team. The Salmon Methodology Review is tentatively scheduled to occur October 12-13, 2022 in preparation for the November 2022 Council meeting. The topics slated for review are:

1. Technical review of the updates associated with ‘Round 7.1.1’ of the Fishery Regulation Assessment Model (FRAM) base period as they relate to modeled abundances of Chinook salmon stocks used in determining the southern resident killer whale (SRKW) Chinook salmon abundance threshold.
2. Technical review of the updates to Chinook salmon ocean distribution models that derive from two publications (Shelton et al. 2019, 2021) and are used to apportion the modeled abundance of Chinook salmon stocks among ocean regions.
3. Discussion of whether the Sacramento Index forecast should be expressed as a mean or median.
4. Review of the basis behind the Sacramento River fall Chinook conservation objective.
5. Fisheries Regulation Assessment Model (FRAM) technical detail documentation.

For Items 1 and 2, the Council directed the STT to provide an updated value for the SRKW Chinook salmon abundance threshold given the updated information currently available.

## **E. Pacific Halibut Management**

### **1. 2023 Catch Sharing Plan and Annual Regulations – Robin Ehlke**

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

#### **b. Public Comment**

#### **c. Council Action: Adopt Proposed 2023 Catch Sharing Plan and Annual Regulation Changes for Public Review**

**Motion 3:** Council adopt the proposed season structure alternatives and changes to the Catch Sharing Plan as described in Agenda Item E.1.a, Supplemental WDFW Report 1 for public review.

Heather Hall/Phil Anderson (Motion 3 carried unanimously)

**Motion 4:** Council adopt for public review the changes to the Pacific Halibut Catch Sharing Plan for 2023 proposed in E.1.a, ODFW Report 1.

Jessica Watson/Heather Hall (Motion 4 carried unanimously)

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

WDFW proposed changes only for the Puget Sound subarea. No changes were proposed for the North Coast, South Coast, and Columbia River Subareas.

### **Puget Sound Subarea**

Option 1: Revise the CSP language to allow season openings up to five days per week during April, May, and June and up to seven days per week if sufficient quota remains to allow additional openings in August and September.

Option 2: Revise the CSP language to allow season openings up to seven days per week during April, May, and June and up to seven days per week if sufficient quota remains to allow additional openings in August and September.

ODFW proposed one change for all Oregon ocean waters and three changes for the Central Oregon subarea.

### **Oregon Coastal Waters:**

Option: Allow all-depth halibut fishing and longleader gear fishing on the same trip with Pacific cod, sablefish, and other flatfish.

Central Oregon subarea (options may be combined):

Opening Date Option: If the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season will open May 1.

Days open per week: If the Central Oregon Coast Subarea Spring All-Depth allocation is greater than 100,000 pounds, the season may open up to seven days per week during months when the bottomfish fishery is not depth-restricted.

Daily Bag Limit Option: If the Central Oregon Coast Subarea allocation (all-depth and nearshore combined) is 200,000 pounds or greater, the daily bag limit may be increased to two fish per day, based on consultation between ODFW, NMFS, International Pacific Halibut Commission, and Pacific Council with the intent of taking the entire subarea allocation by September 30.

## **2. Commercial-Directed Fishery Regulations for 2023 – Robin Ehлке**

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

### **b. Public Comment**

### **c. Council Action: Adopt Proposed 2023 Regulation Changes for Public Review**

**Motion 5:** Council adopt no changes to the directed halibut fishery structure for 2023, that is the 2023 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday of that week. Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.

Heather Hall/Jessica Watson (Motion 5 carried unanimously)

**Staff Summary:** The Council adopted for public review a status quo season structure for 2023 described as:

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

The Council also discussed scheduling a three-meeting process beginning in June 2023 to address inconsistencies in Federal regulations and additional management measures identified in the [Enforcement Consultants report](#). This three-meeting process may also include the opportunity to consider any major changes to the Catch Sharing Plan.

## **F. Habitat Issues**

### **1. Current Habitat Issues – Kerry Griffin**

- a. Report of the Habitat Committee - Correigh Greene**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Consider Habitat Committee Report and Recommendations**

**Staff Summary:** The Council considered habitat matters summarized in the Habitat Committee (HC) [Supplemental Report 1](#), including a [proposed letter](#) to the National Marine Fisheries Service, the United States Bureau of Reclamation, and the California State Water Resources Control Board, recommending changes to the temperature standards for Central Valley Chinook salmon. The letter expresses concerns that the current temperature-dependent egg mortality thresholds are too high to avoid excessive mortality during in-river egg incubation. The letter recommends adoption of a 53.5° F daily average temperature standard rather than the current 55° F. The Council directed staff to make minor revisions and deliver the letter.

## **G. Groundfish Management**

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

- a. Regulatory Activities**
- b. Fisheries Science Center Activities**
- c. Reports and Comments of Management Entities and Advisory Bodies**
- d. Public Comment**
- e. Council Discussion and Guidance, as Appropriate**

**Staff Summary:** None

### **2. Workload and New Management Measure Update – Todd Phillips**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Review the List of Proposed Projects, Amendments, and New Management Measures; Evaluate Progress on Prioritized Items, Review Proposed Changes to Exempted Fishing Permit Process, Consider Overall Workload, and Provide Guidance on Schedules**

**Staff Summary:** The Council reviewed the list of measures previously prioritized and the list of proposed groundfish management measures, as shown in Table A and Table B (respectively) in [GMT Supplemental Report 2](#). The Council did not add to the list nor prioritize any new

measures. The Council directed the Groundfish Management Team (GMT) to review and propose revisions to the proposed management measure list for the March 2023 meeting when the Council is expected to establish priorities.

The Council directed the GMT to perform a preliminary analysis, including a workload assessment, of proposed management measure B15: Limited Entry Fixed Gear Review Follow-On Actions. The Council affirmed their intent to keep B13: Prohibition of a Directed Shortbelly Rockfish Fishery on the proposed management measure list. The Council considered but did not include a proposed management measure to allow at-sea processing of Pacific Whiting south of 42° N. lat. The Council indicated they may consider an exempted fishing permit to collect data necessary to inform such changes at a future meeting.

The Council also reviewed proposed revisions to [Council Operating Procedure \(COP\) 19: Protocol for Consideration of Exempted Fishing Permits \(EFP\) in Groundfish Fisheries](#). The Council directed staff to undertake a comprehensive review of the COP in coordination with the GMT, Groundfish Advisory Subpanel (GAP), and other stakeholders, as appropriate. The Council will consider these revisions at a later date.

### **3. Electronic Monitoring Update – Brett Wiedoff**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Receive a Program Overview, Including Updates on Funding Mechanisms, Catch Handling Requirements, and Data Submission and Processing Timelines; Provide Guidance on Next Steps**

**Staff Summary:** The Council received an update from the Chair of the Groundfish Electronic Monitoring Policy and Technical Advisory Committees (GEMPAC/TAC) regarding work being conducted by members of the GEMPAC/TAC and potential changes to the West Coast Electronic Monitoring (EM) Program that may reduce costs associated with the program. The GEMPAC/TAC will meet in late October to discuss ongoing work and scope the need for a regulatory amendment package that would adjust EM program regulations that are scheduled to be effective January 1, 2024. The Council scheduled an EM agenda item for the November Council meeting.

### **4. Methodology Review – Preliminary Fishery Impact Model Topics and Final Assessment Methodologies – John DeVore**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Identify Preliminary Priority Topics for Fishery Impact Model Reviews and Adopt Final Stock Assessment Methodologies**



**Staff Summary:** The Council selected a review of a revised sablefish trip limit model as a proposed methodology review topic as recommended by the [Groundfish Management Team](#) and endorsed by the [Scientific and Statistical Committee](#) (SSC). Final selection of 2023 methodology review topics is scheduled to occur at the November 2022 Council meeting in Garden Grove, California.

The Council also adopted the SSC endorsement of best practices for modeling hook-and-line survey data in stock assessments as well as use of the Species Distribution Model in Template Model Builder.

## **5. Stock Definitions Update – John DeVore**

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

### **b. Public Comment**

### **c. Council Action: Review a Project Update and Continue to Scope a Potential Fishery Management Plan Amendment Regarding the Definition of Stocks and Stock Complexes in Need of Conservation and Management; Provide Guidance on a Schedule and Future Work**

#### **Motion 6:** Council

- 1) Adopt the following proposed Purpose and Need for Amendment 31 (underline shows additions to Purpose and Need in Attachment 1 and strikethrough shows deletion):  
“With Amendment 31 to the Pacific Fishery Management Council’s (Council) Groundfish FMP, the Council intends to enhance the ability to attain sustainability objectives, especially those outlined in National Standard 1 of the Magnuson Stevens Act as guided by National Standard 3 and informed by National Standard 2. Appropriate specification of stocks in need of conservation and management at a geographic and stock complex level for assessing overfished status and determining if overfishing is occurring is a foundational aspect of sustainability, and instrumental in the Council’s ability to attain Optimum Yield objectives. With this Amendment, the Council intends to identify a subset of species within the Groundfish FMP to define stock boundaries for status determination based on key biological, ecological, social, and economic information currently available. ~~define a set of stocks that bring together information concerning the biological basis of groundfish populations of the West Coast, and the level at which conservation and management measures are needed, such as at a geographic 2 or stock complex level.~~ It is the Council’s intent that, when this Amendment is completed, NMFS will ~~be able to~~ make the necessary status determinations concerning the identified groundfish stocks managed under the Groundfish FMP.”
- 2) Prioritize for Amendment 31 species that
  - a. were assessed in 2021,
  - b. are scheduled to be assessed in 2023.
- 3) Task Council staff to develop a white paper for the November 2022 Council meeting in consultation with the SSC, NMFS Science Center staff, NMFS West Coast Region staff, and state agencies to synthesize the state of the knowledge for priority stocks and the management implications of the different stock definitions for the stocks in Table 1 (from

G.5, Attachment 2) that were assessed in 2021 and are scheduled to be assessed in 2023 to aid in the selection of PPA.

Jessica Watson/Virgil Moore (Motion 6 carried unanimously)

**Staff Summary:** The Council received a [briefing](#) on proposed priorities, a decision-making schedule, and other considerations for Amendment 31 to the Pacific Coast Groundfish Fishery Management Plan (FMP), which seeks to define groundfish stocks, including their area delineations, in the FMP. The Council also discussed the need to closely coordinate stock definitions for stocks to be assessed in 2023 with the final decision on the 2023 stock assessment plan under Agenda Item G.7, the implications of which were outlined by the [Northwest Fisheries Science Center](#).

The Council adopted a purpose and need for Amendment 31, prioritized those stocks assessed in 2021 and selected for assessment in 2023, and tasked Council staff to develop a white paper for the November 2022 Council meeting in consultation with the SSC, NMFS Science Center staff, NMFS West Coast Region staff, and state agencies to synthesize the state of the knowledge for priority stocks and the management implications of the different prioritized stock definitions. The Council is scheduled to further consider Amendment 31 and decide a preliminary preferred alternative for stock definitions for those stocks to be assessed in 2023 at the November 2022 Council meeting in Garden Grove, California.

## 6. Non-Trawl Area Management – Brett Wiedoff/Jessi Doerpinghaus

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

### b. Public Comment

### c. Council Action: Review and Potentially Revise the Purpose and Need and the Range of Alternatives; Adopt Preliminary Preferred Alternatives, As Appropriate

**Motion 10:** Council adopt the following proposed Purpose and Need from G.6, Attachment 1 (edits are bolded and underlined and strikethrough shows deletion)

“The purpose of the proposed actions is **are** to provide **additional** access to ~~additional~~ **in some** areas that are currently closed to groundfish fishing inside the Non-Trawl Rockfish Conservation Area (RCA) and Cowcod Conservation Area (CCA). **In doing so, measures were developed to address** ~~In addition, the proposed actions minimize adverse effects on~~ **designated Essential Fish Habitat (EFH) and sensitive benthic habitats areas exposed to fishing activity under the proposed actions and, mitigate for bycatch of groundfish and protected and prohibited species,** ~~and continue to protect fishery resources and their habitats.~~

The non-trawl sector is presently unable to access many target species where they are most abundant. The actions are needed to provide increased access to non-overfished shelf rockfish stocks and other important target stocks that can be found in the existing non-trawl groundfish conservation areas (GCAs), thereby increasing the overall potential economic

value of the groundfish **and non-tribal directed commercial Pacific halibut fishery**. The actions are also needed to help diversify fishing strategies in light of restrictive opportunities in other groundfish and non-groundfish fisheries, and to provide more stable, year-round fishing opportunity, expand opportunities to supply seafood, and increase potential financial benefit to fishermen, communities, and the infrastructures they support. The proposed actions include moving or modifying the existing NT\_RCA, allowing groundfish fishing inside the NT\_RCA using only select gears that minimize bottom contact, removal of the CCAs, the development of new closed areas that may restrict some fishing activity, and the development of a block area closure tool for preseason or inseason bycatch management. **The discretionary authorities under Section 303(b)(2)(A)&(B) of the Magnuson/Stevens Act may be used to protect species and habitats, including deep-sea corals and overfished species.**

Jessica Watson/Marci Yaremko (Motion 10 carried unanimously)

**Motion 11:** Council adopt Alternative 1 as a Preliminary Preferred Alternative, which would allow non-trawl fishery vessels (directed open access, limited entry fixed gear, and IFQ gear switchers) to use legal non-bottom contact hook-and-line gear in the Non-Trawl Rockfish Conservation Area between 46°16' (the Oregon/Washington border) and the border of Mexico, as described in Section 2.2 of the Agenda Item G.6, Attachment 1, with the following additions and modifications:

- 1) Limited Entry Fixed Gear (LEFG) vessels targeting groundfish in the NT\_RCA using approved hook-and-line gear may fish up to LEFG trip limits (Suboption 1).
- 2) Only those vessels using vertical stationary midwater gear may use natural bait.
- 3) Add analysis of an option where the stationary vertical midwater jig gear be suspended no less than 30 feet from the bottom (as opposed to the current 50-foot requirement), as requested by the GAP in Agenda Item G.6.a, Supplemental GAP Report 1.

Marci Yaremko/Jessica Watson (Motion 11 carried unanimously)

**Motion 12:** Council adopt Alternative 2 as a Preliminary Preferred Alternative off Oregon - Adjust the seaward boundary of the NT\_RCA to 75 fathoms off Oregon for both commercial groundfish and non-tribal directed halibut fishing activity as described in Section 2.3 of the Agenda Item G.6, Attachment 1, and include the following Suboptions:

1. Suboption 1a: Create a groundfish and non-tribal directed halibut bottom contact EFHCA in bottom trawl EFHCAs that would otherwise be reopened under this action for Nehalem Bank, and Bandon High Spot;
2. Suboption 1c: Create a groundfish and non-tribal directed halibut bottom contact EFHCA over the entire bottom trawl EFHCA for Garibaldi Reef North, Garibaldi Reef South, and Arago Reef;
3. Suboption 2: Prohibit groundfish and non-tribal directed halibut bottom contact gear in the area west of the Heceta Bank EFHCA as a Yelloweye Rockfish Conservation Area and would be implemented immediately;
4. Suboption 3: Develop the Yelloweye Rockfish Conservation Areas for groundfish and non-tribal directed halibut presented by staff in Attachment 1, Alternative 2, Suboption 3 that could be used to mitigate impacts to yelloweye rockfish resulting from this action, which could be implemented in biennial management measures or inseason action.

Jessica Watson/Corey Ridings (Motion 12 carried unanimously)

**Motion 13:** Council adopt Alternative 2 as a Preliminary Preferred Alternative for the Oregon/California Border (42°) to Pt. Conception (34° 27'): Adjust the seaward boundary of the NT\_RCA to 75 fathoms off California for both commercial groundfish and non-tribal directed halibut fishing activity as described in Section 2.3 of Agenda Item G.6, Attachment 1. For this area, include no suboptions that would be intended to create new groundfish bottom contact prohibitions.

Marci Yaremko/Marc Gorelnik (Motion 13 carried unanimously)

**Motion 14:** Council adopt Alternative 3 as a Preliminary Preferred Alternative - Repeal the Cowcod Conservation Areas (CCA) for Commercial and Recreational Groundfish Fisheries, and include the following:

- 1) Proposed new NT\_RCA lines around islands and banks for management within the current boundaries of the CCA;
- 2) Eight proposed closed areas that prohibit fishing for groundfish: a) Hidden Reef, b) West of Santa Barbara Island c) Potato Bank, d) 107/118 Bank, e) Cherry Bank, f) Seamount 109, g) Northeast Bank, and h) the 43-Fathom Spot.

As recommended by the Enforcement Consultants in Agenda Item G.6.a, Supplemental EC Report, and the GAP in Agenda Item G.6.a, Supplemental GAP Report 1, include the following provisions for these closed areas:

- Allow continuous transit through the proposed closed areas with groundfish onboard provided gear is stowed (commercial) or not deployed (recreational).
- Maintain the ability to fish for non-groundfish species in these closed areas without groundfish aboard the vessel.

Marci Yaremko/Bob Dooley (Motion 14 carried unanimously)

**Motion 15:** Council

- 1) Remove Alternative 4 – NT\_RCA adjustments off WA for pot gear as described in Section 2.5 of Agenda Item G.6, Attachment 1, from further consideration under this action and,
- 2) Adopt Alternative 5 - Develop Block Area Closure Management Tool as described in section 2.6 of Agenda Item G.6, Attachment 1 as a Preliminary Preferred Alternative.

Heather Hall/Phil Anderson (Motion 15 carried unanimously)

**Staff Summary:** The Council revised and finalized this action's purpose and need statement, and adopted the following final range of alternatives as preliminary preferred alternatives for public review.

The Council adopted a purpose and need statement that would provide access to some areas that are currently closed by the non-trawl Rockfish Conservation Area (NT\_RCA) while also implementing measures to address adverse impacts to essential fish habitat (EFH) and mitigate bycatch of groundfish, protected, and prohibited species. Such modifications would apply to the groundfish and non-tribal directed commercial halibut fisheries.

Alternative 1: Allow non-trawl fishery vessels (directed open access (OA), limited entry fixed gear, and individual fishing quota (IFQ) gear switchers) to use legal non-bottom contact hook-and-

line gear in the Non-Trawl Rockfish Conservation Area between 46° 16' N. latitude (the Oregon/Washington border) and the border of Mexico with the following additions and modifications:

1. Limited Entry Fixed Gear (LEFG) vessels targeting groundfish in the NT\_RCA using approved hook-and-line gear may fish up to LEFG trip limits (Suboption 1, G.6, Attachment 1).
2. Only those vessels using vertical stationary jig gear may use natural bait.
3. Add analysis of an option where the vertical stationary jig gear be suspended no less than 30 feet from the bottom.

Alternative 2: Adjust the seaward boundary of the NT\_RCA to 75 fathoms off between 46° 16' N. latitude and 34° 27' N. latitude for both commercial groundfish and non-tribal directed halibut fishing activity with the following suboptions:

1. Create a non-trawl bottom contact Essential Fish Habitat Conservation Area (EFHCA) in bottom trawl EFHCAs that would otherwise be reopened under this action for Nehalem Bank and Bandon High Spot;
2. Create a non-trawl bottom contact EFHCA over the entire bottom trawl EFHCA for Garibaldi Reef North, Garibaldi Reef South, and Arago Reef;
3. Develop a Yelloweye Rockfish Conservation Area (YRCA) for commercial non-trawl groundfish and non-tribal directed halibut bottom contact gear in the area west of the Heceta Bank EFHCA which would be active when this action is implemented;
4. Develop YRCAs for commercial non-trawl groundfish and non-tribal directed halibut bottom contact gear as presented in [G.6, Attachment 1](#), Alternative 2, Suboption 3 which could be implemented in biennial management measures or inseason action.

Alternative 3: Repeal the Cowcod Conservation Areas (CCA) for Commercial and Recreational Groundfish Fisheries, and include the following:

1. Proposed new NT\_RCA lines around islands and banks for management within the current boundaries of the CCA;
2. Eight proposed closed areas that prohibit fishing for groundfish: a) Hidden Reef, b) West of Santa Barbara Island c) Potato Bank, d) 107/118 Bank, e) Cherry Bank, f) Seamount 109, g) Northeast Bank, and h) the 43-Fathom Spot.
  - a. The following restrictions would be applied in the proposed closed areas:
    - i. Allow continuous transit through the proposed closed areas with groundfish onboard provided gear is stowed (commercial) or not deployed (recreational).
    - ii. Maintain the ability to fish for non-groundfish species in these closed areas without groundfish aboard the vessel.

Alternative 4: Develop Block Area Closures for commercial non-trawl fisheries (directed OA, LEFG, and IFQ gear switching).

The Council removed an alternative from further analysis that would have moved portions of the seaward boundary of the NT\_RCA off Washington for pot gear only. The Council is expected to take final action in March 2023.

**7. Stock Assessment Check-In and Plan – Final Action – John DeVore**

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

**b. Public Comment**

**c. Council Action: Review Assessment Data Availability and Limitations, Adopt a Schedule and Final List of Groundfish Stocks for Assessment in 2023, and Refine the Preliminary List of Stocks for 2025 Assessments, As Needed**

**Motion 7:** Council adopt:

1. The 2023 list of species to be assessed, stock assessment type, and schedule as proposed in Table 1, Agenda Item G.7, Attachment 1, with the exception of removing the cowcod catch-only update from the list.
2. For 2025, the preliminary list of species to be assessed and potential stock assessment type(s) for 2025 as recommended by the GMT in Table 2, Agenda Item G.7.a, Supplemental GMT Report 1.

Marci Yaremko/Jessica Watson (Motion 7 carried unanimously)

**Staff Summary:** The Council received an update from the Northwest Fisheries Science Center regarding upcoming stock assessments, and adopted the final list of 2023 groundfish stock assessments and the stock assessment review panel schedule. This is shown in [Table 1](#) of Agenda Item G.7, Attachment 1, with the exception of a cowcod catch-only update given the Groundfish Management Team’s (GMT’s) [recommendation](#) that this was not needed. The Council also adopted a preliminary list of 2025 groundfish stock assessment recommended by the GMT in [Table 2](#) of their report.

**8. Trawl Catch Share Program – Cost Project – Jim Seger**

**a. Project Overview - Darrell Brannon**

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

**c. Public Comment**

**d. Council Action: Review Plans for the Cost Project and Provide Guidance on Future Work and Timeline**

**Staff Summary:** The Council is initiating a study of industry and NMFS costs as they relate to the design of the current trawl catch share program, including both shoreside and at-sea components. The study will also solicit and summarize industry concerns and compare trawl catch share program costs to other catch share programs with similar design or scope. The results of the study are expected to provide a basis for Council evaluation of whether there are program changes that could reduce costs while adequately meeting management objectives.

**9. Trawl Catch Share Program and Inter-Sector Allocation Review - Planning – Jim Seger**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Review Initial Plans for the Trawl Catch Share Program and Inter-Sector Reviews and Provide Guidance on the Schedule and Tasks for the Next Steps**

**Staff Summary:** The Council will begin its trawl catch share program and intersector allocation review process by developing and updating analytical documents that summarize the effects of its trawl catch share program and related intersector allocations. At its November 2022 meeting, the Council will decide on the timeline and location of trawl program and intersector allocation review hearings, which are tentatively planned for next spring. In June, the Council will use the updated analytical documents and hearings as one basis for determining the scope of the reviews, and determine steps to take in moving through and finalizing the review process.

**10. Inseason Adjustments – Final Action – Todd Phillips**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Final Inseason Adjustments for 2022, as Necessary, to Achieve but Not Exceed Annual Catch Limits and Other Management Objectives**

**Motion 9:** Council adopt the inseason adjustments as recommended by the GMT as shown in Agenda Item G.10.a, Supplemental GMT Report 1, September 2022.

Marci Yaremko/Bob Dooley (Motion 9 carried unanimously)

**Staff Summary:** The Council adopted the inseason recommendations as detailed in the [GMT's report](#), to be implemented by NMFS as soon as possible. In brief, these recommendations are as follows:

Sablefish North of 36° N. lat.

- Limited Entry Fixed Gear (LEFG): increase trip limits to 4,500 lbs./week not to exceed 9,000 lbs./2 months
- Open Access (OA): increase trip limits to 600 lbs./day, 4,000lbs. /week not to exceed 8,000 lbs./2 months

Canary Rockfish North of 40° 10' N. lat.

- LEFG: increase bi-monthly trip limits to 4,000 lbs. / 2 months
- OA: increase bi-monthly trip limits to 2,000 lbs. / 2 months

Canary Rockfish South of 40° 10' N. lat.

- LEFG: increase bi-monthly trip limits to 4,000 lbs. / 2 months
- OA: increase bi-monthly trip limits to 2,000 lbs. / 2 months

Lingcod North of 42° N. lat.

- LEFG increase bi-monthly trip limits to 5,000 lbs. / 2 months
- OA increase monthly trip limits to 2,500 lbs. / month

The Oregon Department of Fish and Wildlife ([Agenda Item G.10.a, ODFW Supplemental Report 1](#)) informed the Council it is considering changing the daily recreational fishery bag limit in the longleader gear fishery beginning in 2023 and is beginning stakeholder discussions.

## **H. Ecosystem Management**

### **1. Fishery Ecosystem Plan Initiatives Appendix and New Initiative – Kit Dahl**

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

#### **b. Public Comment**

#### **c. Council Action: Adopt Revised Fishery Ecosystem Plan Initiative Appendix and Consider Work on a New Initiative**

**Motion 8:** Council:

1. Adopt the revised Fishery Ecosystem Plan Initiative Appendix as described in Agenda Item H.1.a, EWG Report 1, with revisions proposed by the Habitat Committee in their attachment to Agenda Item H.1.a, Supplemental HC Report 1; and
2. Adopt Initiative 2.1 as the Council's next ecosystem initiative as described in Agenda Item H.1.a, EWG Report 1, and follow the recommended near-term schedule for developing Initiative 2.1 as described in Agenda Item H.1.a, Supplemental EWG Report 2, page 2, including Council consideration of actions described in Initiative 2.6 and 2.8 in September 2023.

Corey Ridings/Caren Braby (Motion 8 carried unanimously)

**Staff Summary:** The Council:

- Adopted the revised [Fishery Ecosystem Plan Initiative Appendix](#) with [revisions proposed by the Habitat Committee](#).
- Adopted Initiative 2.1 as the Council's next ecosystem initiative as described in the revised Initiatives Appendix, with work proceeding according to the recommended near-term [schedule presented by the EWG](#), including Council consideration of actions described in Initiative 2.6 and 2.8 in September 2023.



- 2. Western Regional Action Plan – Kit Dahl**
  - a. Report of the National Marine Fisheries Service - Toby Garfield**
  - b. Reports and Comments of Management Entities and Advisory Bodies**
  - c. Public Comment**
  - d. Council Action: Review the Western Regional Action Plan and Provide Comments, As Appropriate**

**Staff Summary:** The Council directed staff to transmit the Council’s recommendations on the Western Regional Action Plan (WRAP) to NMFS. This includes the following recommendations found in advisory body reports and public comments presented at the Council’s September meeting:

- Include the scientific work needed to support what is now characterized as potential Initiative 2.2 (Science Policy and Planning for Understanding the Effects of Oceanographic Conditions and Recruitment on Council-Managed Finfish Species) in the September 2022 draft Fishery Ecosystem Plan appendix ([Agenda Item H.1.a, EWG Report 1](#)).
- List, either in the updated WRAP or on a website specific to the task, the management strategy evaluations (MSEs) completed to date on West Coast species or fisheries, with links to papers published from that work.
- Consider how the WRAP can be used as a public informational document, especially to help gather the capacity and assemble the resources needed to carry on the work.
- Explore how fishing vessels may be used to gather climate and ecosystem related data.
- Report back to the Council on how funding the NMFS Climate, Ecosystem, and Fisheries Initiative could further the Council’s work under its Fishery Ecosystem Plan.
- Report back to the Council on long-term research priorities, beyond the three to five year timeline of the WRAP.
- Report back to the Council on how the results of climate informed MSEs could help further the Council’s work under its FEP initiatives.

## **I. Highly Migratory Species Management**

- 1. National Marine Fisheries Service Report – Kit Dahl**
  - a. Regulatory Activities - Lyle Enriquez**
  - b. Fisheries Science Center Activities**
  - c. Reports and Comments of Management Entities and Advisory Bodies**
  - d. Public Comment**
  - e. Council Action: Council Discussion and Guidance, as Appropriate**

**Staff Summary:** None

## **2. International Management Activities – Kit Dahl**

- a. Report on the Joint Working Group for Bluefin Tuna - Dorothy Lowman**
- b. Reports and Comments of Management Entities and Advisory Bodies**
- c. Public Comment**
- d. Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings and Other Forums, as Appropriate**

**Staff Summary:** Based on [input from its Highly Migratory Species Advisory Subpanel \(HMSAS\)](#), the Council made the following recommendations for U.S. positions at the October WCPFC Northern Committee meeting:

- Voice the expectation that other countries will consult with their stakeholders and be prepared to adopt proposals on elements of a precautionary and comprehensive long-term Pacific bluefin harvest strategy in 2023, particularly management objectives, performance indicators, reference points, and harvest control rules.
- Adopt a clear work plan for the International Scientific Committee (ISC) that prioritizes development of elements of the Pacific bluefin tuna management strategy evaluation (MSE) in 2023. This should be an opportunity to proactively address, and correct, the current inequity of the Western Pacific Ocean/Eastern Pacific Ocean and U.S./Mexico allocations.
- Ensure that any North Pacific albacore harvest strategy adopted by the Northern Committee mirrors the harvest strategy in [IATTC Resolution C-22-04](#). Specifically, consideration of harvest control rules should occur in 2023.

The Council also requested that NMFS provide information to and solicit informal input from U.S. stakeholders regarding MSE development that will be discussed at the upcoming November ISC Pacific Bluefin Working Group technical meeting on MSE development and provide an update on the U.S. contribution to MSE analyst capacity at the November Council meeting.

Finally, NMFS should organize a workshop or workshops in early 2023 to engage stakeholders on harvest control rules that should be incorporated into the Inter-American Tropical Tuna Commission and Western and Central Pacific Fisheries Commission North Pacific albacore harvest strategy.

## **3. Exempted Fishing Permits – Final Action – Kit Dahl**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Final Exempted Fishing Permit Applications**

**Motion 16:** Council approve the Exempted Fishing Permit applications submitted by G. Harold (Attachment 1) for standard buoy gear (10 pieces) in Federal waters and the application

submitted by K. Honings (Attachment 2) for night-set buoy gear (10 pieces; both standard and linked configurations in Federal waters).

John Ugoretz/Christa Svensson (Motion 16 carried, Mr. Smith abstained)

**Staff Summary:** The Council reviewed the six exempted fishing permit (EFP) applications submitted for review at the September meeting and recommended NMFS issue EFPs to Gregory Harold ([Attachment 1](#)) for standard deep-set buoy gear (DSBG) and to Kris Honings ([Attachment 2](#)) to test standard DSBG with up to 10 pieces of gear at night. Fishing under these EFPs would occur in Federal waters only. The Council deferred a recommendation on the remaining four applications until a later date when more information would be available, as discussed below.

The Council directed its HMS Management Team to report back to the Council at a future meeting with information to inform the development of criteria for EFPs to test modified DSBG configurations, and specifically increases in the number of pieces of gear simultaneously deployed from the current limit of 10. The Council also asked NMFS to provide information on how any criteria established by the Council for future EFPs of this sort would influence the nature of any Endangered Species Act consultation process NMFS may need to undertake.

#### **4. Biennial Harvest Specifications and Management Measures – Preliminary – Kit Dahl**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Review Preliminary Reference Point Values and Make Recommendations on Their Use in Determining Stock Status; Consider the Need to Develop Annual Catch Limits or Other Harvest Objectives and/or Management Measures**

**Staff Summary:** None

#### **5. Swordfish Management and Monitoring Plan – Brett Wiedoff**

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Scope Changes to the Draft Swordfish Management and Monitoring Plan and Provide Guidance on Future Work and Direction**

**Staff Summary:** The Council discussed the goals outlined in the draft Swordfish Management and Monitoring Plan (SMMP) and the actions in [Supplemental NMFS Report 1](#), including existing and new exempted fishing permits (EFP), potential EFP metrics, the forthcoming Federal regulations for the deep-set buoy gear fishery, and potential future fisheries. The Council

recommended that the HMSMT and HMSAS scope the goals and objectives for a future swordfish workshop at their fall meetings. It's intended that outcomes of the workshop would guide future Council discussions regarding the draft SMMP and HMS FMP. Further consideration of this workshop is scheduled for the June 2023 Council meeting.

## INFORMATIONAL REPORTS

[Informational Report 1](#): Range of Gear Switching Alternatives Adopted for Analysis by the Council at its September 2021 and June 2022 Meetings

[Informational Report 2](#): Groundfish 2023-2024 Harvest Specifications and Management Measures Preferred Alternative (Electronic Only)

[Informational Report 3](#): Dave Jinx Obituary

[Supplemental Informational Report 4](#): Status of 2022 Ocean Salmon Fisheries of WA, OR & CA

## VOTING LOG

**Motion 1:** Adopt [Agenda Item A.4, September 6-14, 2022, Council Meeting Agenda](#).

Virgil Moore/Bob Dooley (Motion 1 carried unanimously)

**Motion 2:** Council approve the new format for the Research and Data Needs Database.

Corey Ridings/Butch Smith (Motion 2 carried unanimously)

**Motion 3:** Council adopt the proposed season structure alternatives and changes to the Catch Sharing Plan as described in [Agenda Item E.1.a, Supplemental WDFW Report 1](#) for public review.

Heather Hall/Phil Anderson (Motion 3 carried unanimously)

**Motion 4:** Council adopt for public review the changes to the Pacific Halibut Catch Sharing Plan for 2023 proposed in [E.1.a, ODFW Report 1](#).

Jessica Watson/Heather Hall (Motion 4 carried unanimously)

**Motion 5:** Council adopt no changes to the directed halibut fishery structure for 2023, that is the 2023 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday of that week. Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.

Heather Hall/Jessica Watson (Motion 5 carried unanimously)

**Motion 6:** Council

2) Adopt the following proposed Purpose and Need for Amendment 31 (underline shows additions to Purpose and Need in Attachment 1 and strikethrough shows deletion):

“With Amendment 31 to the Pacific Fishery Management Council’s (Council) Groundfish FMP, the Council intends to enhance the ability to attain sustainability objectives, especially those outlined in National Standard 1 of the Magnuson Stevens Act as guided by National Standard 3 and informed by National Standard 2. Appropriate specification of stocks in need of conservation and management at a geographic and stock complex level

for assessing overfished status and determining if overfishing is occurring is a foundational aspect of sustainability, and instrumental in the Council’s ability to attain Optimum Yield objectives. With this Amendment, the Council intends to identify a subset of species within the Groundfish FMP to define stock boundaries for status determination based on key biological, ecological, social, and economic information currently available. define a set of stocks that bring together information concerning the biological basis of groundfish populations of the West Coast, and the level at which conservation and management measures are needed, such as at a geographic 2 or stock complex level. It is the Council’s intent that, when this Amendment is completed, NMFS will be able to make the necessary status determinations concerning the identified groundfish stocks managed under the Groundfish FMP.”

- 2) Prioritize for Amendment 31 species that
  - a. were assessed in 2021,
  - b. are scheduled to be assessed in 2023.
- 3) Task Council staff to develop a white paper for the November 2022 Council meeting in consultation with the SSC, NMFS Science Center staff, NMFS West Coast Region staff, and state agencies to synthesize the state of the knowledge for priority stocks and the management implications of the different stock definitions for the stocks in Table 1 ([from G.5, Attachment 2](#)) that were assessed in 2021 and are scheduled to be assessed in 2023 to aide in the selection of PPA.

Jessica Watson/Virgil Moore (Motion 6 carried unanimously)

**Motion 7:** Council adopt:

1. The 2023 list of species to be assessed, stock assessment type, and schedule as proposed in Table 1, [Agenda Item G.7, Attachment 1](#), with the exception of removing the cowcod catch-only update from the list.
2. For 2025, the preliminary list of species to be assessed and potential stock assessment type(s) for 2025 as recommended by the GMT in Table 2, [Agenda Item G.7.a, Supplemental GMT Report 1](#).

Marci Yaremko/Jessica Watson (Motion 7 carried unanimously)

**Motion 8:** Council:

1. Adopt the revised Fishery Ecosystem Plan Initiative Appendix as described in [Agenda Item H.1.a, EWG Report 1](#), with revisions proposed by the Habitat Committee in their attachment to [Agenda Item H.1.a, Supplemental HC Report 1](#); and
2. Adopt Initiative 2.1 as the Council’s next ecosystem initiative as described in [Agenda Item H.1.a, EWG Report 1](#), and follow the recommended near-term schedule for developing Initiative 2.1 as described in [Agenda Item H.1.a, Supplemental EWG Report 2](#), page 2, including Council consideration of actions described in Initiative 2.6 and 2.8 in September 2023.

Corey Ridings/Caren Braby (Motion 8 carried unanimously)

**Motion 9:** Council adopt the inseason adjustments as recommended by the GMT as shown in [Agenda Item G.10.a, Supplemental GMT Report 1, September 2022](#).

Marci Yaremko/Bob Dooley (Motion 9 carried unanimously)

**Motion 10:** Council adopt the following proposed Purpose and Need from [G.6, Attachment 1](#) (edits are bolded and underlined and strikethrough shows deletion)

“The purpose of the proposed actions is **are** to provide **additional** access to ~~additional~~ **in some** areas that are currently closed to groundfish fishing inside the Non-Trawl Rockfish Conservation Area (RCA) and Cowcod Conservation Area (CCA). **In doing so, measures were developed to address** ~~In addition, the proposed actions minimize adverse effects on designated Essential Fish Habitat (EFH) and sensitive benthic habitats areas exposed to fishing activity under the proposed actions and, mitigate for bycatch of groundfish and protected and prohibited species, and continue to protect fishery resources and their habitats.~~

The non-trawl sector is presently unable to access many target species where they are most abundant. The actions are needed to provide increased access to non-overfished shelf rockfish stocks and other important target stocks that can be found in the existing non-trawl groundfish conservation areas (GCAs), thereby increasing the overall potential economic value of the groundfish **and non-tribal directed commercial Pacific halibut fishery**. The actions are also needed to help diversify fishing strategies in light of restrictive opportunities in other groundfish and non-groundfish fisheries, and to provide more stable, year-round fishing opportunity, expand opportunities to supply seafood, and increase potential financial benefit to fishermen, communities, and the infrastructures they support. The proposed actions include moving or modifying the existing NT\_RCA, allowing groundfish fishing inside the NT\_RCA using only select gears that minimize bottom contact, removal of the CCAs, the development of new closed areas that may restrict some fishing activity, and the development of a block area closure tool for preseason or inseason bycatch management. **The discretionary authorities under Section 303(b)(2)(A)&(B) of the Magnuson/Stevens Act may be used to protect species and habitats, including deep-sea corals and overfished species.**

Jessica Watson/Marci Yaremko (Motion 10 carried unanimously)

**Motion 11:** Council adopt Alternative 1 as a Preliminary Preferred Alternative, which would allow non-trawl fishery vessels (directed open access, limited entry fixed gear, and IFQ gear switchers) to use legal non-bottom contact hook-and-line gear in the Non-Trawl Rockfish Conservation Area between 46°16' (the Oregon/Washington border) and the border of Mexico, as described in Section 2.2 of the [Agenda Item G.6, Attachment 1](#), with the following additions and modifications:

- 1) Limited Entry Fixed Gear (LEFG) vessels targeting groundfish in the NT\_RCA using approved hook-and-line gear may fish up to LEFG trip limits (Suboption 1).
- 2) Only those vessels using vertical stationary midwater gear may use natural bait.
- 3) Add analysis of an option where the stationary vertical midwater jig gear be suspended no less than 30 feet from the bottom (as opposed to the current 50-foot requirement), as requested by the GAP in [Agenda Item G.6.a, Supplemental GAP Report 1](#).

Marci Yaremko/Jessica Watson (Motion 11 carried unanimously)

**Motion 12:** Council adopt Alternative 2 as a Preliminary Preferred Alternative off Oregon - Adjust the seaward boundary of the NT\_RCA to 75 fathoms off Oregon for both commercial groundfish and non-tribal directed halibut fishing activity as described in Section 2.3 of the [Agenda Item G.6, Attachment 1](#), and include the following Suboptions:

1. Suboption 1a: Create a groundfish and non-tribal directed halibut bottom contact EFHCA in bottom trawl EFHCAs that would otherwise be reopened under this action for Nehalem Bank, and Bandon High Spot;
2. Suboption 1c: Create a groundfish and non-tribal directed halibut bottom contact EFHCA over the entire bottom trawl EFHCA for Garibaldi Reef North, Garibaldi Reef South, and Arago Reef;
3. Suboption 2: Prohibit groundfish and non-tribal directed halibut bottom contact gear in the area west of the Heceta Bank EFHCA as a Yelloweye Rockfish Conservation Area and would be implemented immediately;
4. Suboption 3: Develop the Yelloweye Rockfish Conservation Areas for groundfish and non-tribal directed halibut presented by staff in Attachment 1, Alternative 2, Suboption 3 that could be used to mitigate impacts to yelloweye rockfish resulting from this action, which could be implemented in biennial management measures or inseason action.

Jessica Watson/Corey Ridings (Motion 12 carried unanimously)

**Motion 13:** Council adopt Alternative 2 as a Preliminary Preferred Alternative for the Oregon/California Border (42°) to Pt. Conception (34° 27'): Adjust the seaward boundary of the NT\_RCA to 75 fathoms off California for both commercial groundfish and non-tribal directed halibut fishing activity as described in Section 2.3 of [Agenda Item G.6, Attachment 1](#). For this area, include no suboptions that would be intended to create new groundfish bottom contact prohibitions.

Marci Yaremko/Marc Gorelnik (Motion 13 carried unanimously)

**Motion 14:** Council adopt Alternative 3 as a Preliminary Preferred Alternative - Repeal the Cowcod Conservation Areas (CCA) for Commercial and Recreational Groundfish Fisheries, and include the following:

- 1) Proposed new NT\_RCA lines around islands and banks for management within the current boundaries of the CCA;
- 2) Eight proposed closed areas that prohibit fishing for groundfish: a) Hidden Reef, b) West of Santa Barbara Island c) Potato Bank, d) 107/118 Bank, e) Cherry Bank, f) Seamount 109, g) Northeast Bank, and h) the 43-Fathom Spot.

As recommended by the Enforcement Consultants in [Agenda Item G.6.a, Supplemental EC Report 1](#), and the GAP in [Agenda Item G.6.a, Supplemental GAP Report 1](#), include the following provisions for these closed areas:

- Allow continuous transit through the proposed closed areas with groundfish onboard provided gear is stowed (commercial) or not deployed (recreational).
- Maintain the ability to fish for non-groundfish species in these closed areas without groundfish aboard the vessel.

Marci Yaremko/Bob Dooley (Motion 14 carried unanimously)

**Motion 15:** Council

- 1) Remove Alternative 4 – NT\_RCA adjustments off WA for pot gear as described in Section 2.5 of [Agenda Item G.6, Attachment 1](#), from further consideration under this action and,
- 2) Adopt Alternative 5 - Develop Block Area Closure Management Tool as described in section 2.6 of [Agenda Item G.6, Attachment 1](#) as a Preliminary Preferred Alternative.

Heather Hall/Phil Anderson (Motion 15 carried unanimously)

**Motion 16:** Council approve the Exempted Fishing Permit applications submitted by G. Harold ([Attachment 1](#)) for standard buoy gear (10 pieces) in Federal waters and the application submitted by K. Honings ([Attachment 2](#)) for night-set buoy gear (10 pieces; both standard and linked configurations in Federal waters).

John Ugoretz/Christa Svensson (Motion 16 carried, Mr. Smith abstained)

**Motion 17:** Council accept the Budget Committee's Report, [Agenda Item C.5.a, Supplemental Budget Committee Report 1, September 2022](#), and approve the three recommendations as follows:

1. Hold a special Budget Committee Meeting in October 2022.
2. Hold a regularly scheduled Budget Committee Meeting in November.
3. Request staff to continue to refine the three budgets for consideration and review including the information requested regarding Staff Wages and Benefits, Travel, and Stipends.

Virgil Moore/Bob Dooley (Motion 17 carried unanimously)

**Motion 18:** Council approve the Council meeting records as presented in [Agenda Item C.6, Attachment 1: Draft Council Meeting Record: 267th Session of the Pacific Fishery Management Council, June 8-14, 2022 \(Electronic Only\)](#).

John Ugoretz/Heather Hall (Motion 18 carried unanimously)

**Motion 19:** Council appoint Mr. Alan Lovewell to the California At-Large position on the Ecosystem Advisory Panel formerly held by Ms. Melissa Mahoney.

John Ugoretz/Bob Dooley (Motion 19 carried unanimously)

**Motion 20:** Council appoint Mr. Leonard Krug to the vacant Sport Fishing position on the Habitat Committee.

Brad Pettinger/Caren Braby (Motion 20 carried unanimously)

**Motion 21:** Council appoint Dr. Tommy Moore to a vacant At-Large position on the Scientific and Statistical Committee.

Joe Oatman/Phil Anderson (Motion 21 carried unanimously)

**Motion 22:** Council appoint Ms. Laura Ingulsrud to the National Marine Sanctuary position on the Habitat Committee formerly held by Dr. Lisa Wooninck.

Frank Lockhart/Pete Hassemmer (Motion 22 carried unanimously)

**Motion 23:** Council appoint Ms. Grace Easterbrook to the vacant California Department of Fish and Wildlife position on the Model Evaluation Workgroup.

John Ugoretz/Bob Dooley (Motion 23 carried unanimously)



**Motion 24:** Council appoint Dr. Richard Zabel to the Northwest Fisheries Science Center position on the Salmon Technical Team formerly held by Ms. Mindy Rowse.  
Frank Lockhart/Caren Braby (Motion 24 carried unanimously)

**Motion 25:** Council adopt the changes to COP 23 as described in [C.7, Attachment 4](#) with the modifications recommended by the Enforcement Consultants in [C.7.a, Supplemental EC Report 1](#).  
John Ugoretz/Caren Braby (Motion 25 carried unanimously)

**ADJOURN**

The Council meeting adjourned on September 14, 2022 at 12:15 p.m.

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Marc Gorelnik  
Council Chair

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Date