

**COUNCIL MEETING TRANSCRIPTS**  
**268<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
**September 6-14, 2022**  
The Riverside Hotel  
2900 Chinden Boulevard, Boise ID 83714  
Hybrid Meeting due to the COVID-19 Pandemic

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.

Contents

Meeting Transcript Summary.....	3
A. Call to Order.....	4
4. Agenda .....	4
B. Open Comment Period.....	5
1. Comments on Non-Agenda Items .....	5
C. Administrative Matters.....	6
1. Research and Data Needs .....	6
2. Equity and Environmental Justice .....	11
3. Council Meeting and Process Efficiencies .....	22
4. Marine Planning .....	35
5. Fiscal Matters .....	40
6. Approval of Council Meeting Record .....	44
7. Membership Appointments and Council Operating Procedures .....	45
8. Future Council Meeting Agenda and Workload Planning.....	53
D. Salmon Management .....	70
1. Methodology Review – Final Topic Selection and Update on Model Improvements .....	70
E. Pacific Halibut Management .....	77
1. 2023 Catch Sharing Plan and Annual Regulations.....	77
2. Commercial-Directed Fishery Regulations for 2023.....	79
F. Habitat Issues.....	81
1. Current Habitat Issues .....	81
G. Groundfish Management.....	83
1. National Marine Fisheries Service Report.....	83
2. Workload and New Management Measure Update.....	85
3. Electronic Monitoring Update .....	93
4. Methodology Review – Preliminary Fishery Impact Model Topics and Final Assessment Methodologies .....	94
5. Stock Definitions Update.....	95

6.	Non-Trawl Area Management.....	103
7.	Stock Assessment Check-In and Plan – Final Action .....	114
8.	Trawl Catch Share Program – Cost Project.....	120
9.	Trawl Catch Share Program and Inter-Sector Allocation Review – Planning.....	126
10.	Inseason Adjustments – Final Action.....	130
H.	Ecosystem Management.....	132
1.	Fishery Ecosystem Plan Initiatives Appendix and New Initiative .....	132
2.	Western Regional Action Plan .....	135
I.	Highly Migratory Species Management .....	137
1.	National Marine Fisheries Service Report.....	137
2.	International Management Activities .....	138
3.	Exempted Fishing Permits – Final Action.....	139
4.	Biennial Harvest Specifications and Management Measures – Preliminary .....	151
5.	Swordfish Management and Monitoring Plan.....	152

## 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] So before we can get started with an agenda we need to approve an agenda. The detailed September agenda is in the briefing book and is before you. I'd like to see now if there are any changes suggested to the agenda. If not, I'll entertain a motion to approve the agenda. Virgil Moore.

**Virgil Moore** [00:00:22] So moved.

**Marc Gorelnik** [00:00:26] You're moving to approve the agenda. Second by Bob Dooley. Okay. All those in favor say 'aye'.

**Council** [00:00:34] Aye.

**Marc Gorelnik** [00:00:34] Opposed no? All right we have an agenda.

## **B. Open Comment Period**

### **1. Comments on Non-Agenda Items**

**Pete Hassemer** [00:00:00] That concludes our public comment and should take us to Council discussion on the comments. And just a note, we had quite a bit of discussion and interchange on the Chumash Heritage National Marine Sanctuary so if there's any discussion around that we can do that. If there's specific action regarding future Council work on that, that would be more appropriate for our workload planning. But at this time, I'll open the floor to discussion on any of the items we've heard. Looking for any hands. Marc.

**Marc Gorelnik** [00:00:42] Thank you Vice Chair. You know I do think this is something that we need to return to in a more fulsome, noticed way, hopefully for the November Council meeting. I think there are some interesting topics raised here and some issues flagged but I think it's more appropriate for a noticed agenda item.

**Pete Hassemer** [00:01:03] All right thank you. Further discussion? I'm not seeing any.....oh, excuse me, Virgil Moore.

**Virgil Moore** [00:01:12] Mr. Chairman, that suggestion for a noticed agenda item does that get us within their 120 days to get comments in? Thank you.

**Pete Hassemer** [00:01:25] I'm going to look to our Executive Director for a response.

**Merrick Burden** [00:01:29] Yes, thank you Mr. Vice Chairman. So we received the original letter from Mr. Bill Douros in early August and if I do the math correctly I believe that November meeting does get us within the 120 day period.

**Pete Hassemer** [00:01:44] Okay. Thank you. Further questions? I'm not seeing any hands so I believe that concludes this agenda item and we will close that.

## C. Administrative Matters

### 1. Research and Data Needs

**Pete Hassemer** [00:00:00] No sign-ups for public comment so that will take us to Council action here. On the screen before you, you see our Council action items. Approve the new format for the database that the format was changed following direction given by the Council in April 2021 and that's been accomplished, and then approve a process for updating the database and communicating priorities. So, I will open the floor at this time for a Council discussion on this topic. I'm looking for a hand to start that discussion. Frank.

**Frank Lockhart** [00:00:42] I think this is a question for John and it's getting kind of at one of the statements in the very first part of the sitsum, you know, that these are areas of research that are necessary for management purposes. And looking at the fields of the database, I think this is important by the way, I mean trying to identify where these research areas are going to help us manage better and it seems to me that column in the database side.....sorry... I just turned to another document so I don't have it in front of me, but basically says like Council action, is that where it will be kind of specified how it will be used and why it's important?

**John DeVore** [00:01:32] Through to the Vice Chair, Frank, yes, the related Council action is the field and that's the intended place to explain how the results from a research project could inform a Council action.

**Pete Hassemer** [00:01:48] Frank, yes.

**Frank Lockhart** [00:01:49] And just kind of a follow-up to that. So that discussion seems to be very important. Is that something that the SSC kind of reviews and kind of....or is it just kind of go in there and then it goes the ranking of.....I'm sorry I've already forgotten the rankings, the high important, ultra-important, whatever they are, is that where that discussion continues on how important this research is to Council management?

**Pete Hassemer** [00:02:19] John.

**John DeVore** [00:02:21] I anticipate the project to work assuming that you agree with the SSC's recommendation on how to get new projects into the database using a jot form or a similar application, that that would be one of the fields that would be in that jot form, and so the proponent would offer how research results of a proposed project could inform Council action. But, you know, I also anticipate a process where the SSC reviews all of that and if there is some sort of dispute about whether that's really the correct related Council action or whatnot, I suppose they could make that change in the database and, you know, clearly if this becomes an issue, this is something that could get resolved when the Council meets in session on research and data needs because, you know, at some point, I don't know if it'll be one or more meetings next year but, you know, to get the Council's priorities after everybody has put their priority recommendations in there, if there's some uncertainty about the related Council action or any other bit of metadata that's in that database that could get resolved then.

**Pete Hassemer** [00:03:39] Okay. Thanks. Further discussion or thoughts on the database? I think we're looking for a Council action though and preferably through a motion to adopt the structure that's been presented to us through the video, the structure of the database unless people feel we're not ready to do that. Heather. Thank you.

**Heather Hall** [00:04:15] Thank you Vice Chair. I just want to....maybe this is a question for Meisha

but I just want to acknowledge the comments from the GAP and the Habitat Committee for creating a habitat category to the research focus field and wonder if that's an option or how to provide guidance on that or maybe hear more about that?

**Pete Hassemer** [00:04:41] Thank you, John. I'll go to you first.

**John DeVore** [00:04:43] Yeah, and in fact Meisha's video explains a workaround for easily selecting the habitat projects that are there. She's put in some key words for each research project so that that can easily be returned, you know, so that when you query the database using the search feature all of the habitat projects come up. And, in fact, if you want a further explanation it probably would be useful to have Meisha explain that but, you know, her video she does have a portion of the video where she speaks directly to that. You know clearly we could add a habitat into the research focus field but, you know, according to the video and the search features there it's not necessarily....it's not necessary. You can easily search the database for habitat related projects, but if the Council feels differently we can make that structural change.

**Heather Hall** [00:05:50] Thank you and I do appreciate that. I was looking specifically at the Habitat Committee's Report and comment that, you know, rather than searching for habitat items it might be worth having a category. So that was just where I was headed. Thanks.

**Pete Hassemer** [00:06:07] John.

**John DeVore** [00:06:09] It may be helpful to hear from Meisha on that. I did send her the Habitat Committee Report and so I know she's done some thinking about it and she's certainly the most knowledgeable about the database.

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

**Pete Hassemer** [00:06:24] Meisha, if you're online do you have anything to add to that?

**Meisha Key** [00:06:33] Oh hi. Can you hear me?

**Pete Hassemer** [00:06:36] Yes, please go ahead.

**Meisha Key** [00:06:37] Okay. All right. I had to find my mute button. First, just a little background. I just want to say that, you know, we did have a discussion about how habitat is included in ecosystem just like for the research focus we had social sciences. We didn't separate it into economics and other social sciences. We just combined it into social sciences. The research focus tab was originally, the intent was to show where in which chapter of the document that the task came from. So, habitat is in the ecosystem but if you do just search in the top right corner habitat, all the habitat records come up no matter which FMP it actually came from. And I did a little bit of research prior to this call reading their statement and quite honestly if you do look up ecosystem in the research focus there's only one habitat item in that ecosystem project. There's a lot of overlap with the other FMPs, the salmon, the CPS, groundfish. Groundfish actually had the most habitat related. So, in my experience in working with the database, all of the habitat stuff comes up if you search habitat. If you just put in that one word there's 29 records that come up of habitat issues or habitat-related topics.

**Pete Hassemer** [00:08:18] Okay, thank you Meisha. Heather, does that answer your question?

**Heather Hall** [00:08:21] It does. Thank you. Thank you Meisha. I appreciate you looking into that specifically with regard to the Habitat Committee's Report. Thank you.

**Meisha Key** [00:08:31] You're welcome Heather. Thanks.

**Pete Hassemer** [00:08:35] Further discussion or recommendations on how to move forward. Bob.

**Bob Dooley** [00:08:43] Thank you Pete. This might be a pretty low-quality question. But is there a link, a direct link in the website to connect to that that I can easily find so that it appears and I can manipulate it so to speak? But I get it through your video or through the links that are in the briefing book but in the future where do I find it in the website? Thank you.

**Meisha Key** [00:09:11] John, I'll turn to you.

**John DeVore** [00:09:13] Thank you. Through the Vice Chair, Bob. Not currently there's not a link on our website, but we do anticipate very soon putting a link on the website so that people can go in and start exploring. In fact, I don't really see a reason that we couldn't do that sooner rather than later, even though some of the structural changes like getting all the advisory body fields in there have yet to be made or they're being implemented now. However, if folks just want to go in and, you know, kind of explore the database and check it out, they're not going to be able to make entries yet. I, personally don't see a reason why that couldn't be done. And as Mr. Hassemer pointed out when he reviewed the video, there is a link in the video to the database so there's a workaround there. But if you want to make it more transparent, you know, assuming that Executive Director Burden and folks that sign my paychecks agree with that, I don't see a reason why we couldn't put that link in sooner.

**Bob Dooley** [00:10:19] Thank you. I think it would be worthwhile just to be able to navigate it and get some familiarity with it so when it does come to bear in our discussions we can readily access it and see what people are referring to and how it might relate. So, thank you.

**Pete Hassemer** [00:10:39] Thank you. Further discussion or action? John North.

**John North** [00:10:50] Thank you Vice Chair. I had similar questions to the previous discussion about the recommendation to have a research field and that discussion was helpful. I was just curious how, how hard would it be to make that change structurally in the database because I think two of the reports spoke to that as an improvement?

**Pete Hassemer** [00:11:14] John.

**John DeVore** [00:11:21] Thank you Mr. Vice Chair. Mr. North. I don't believe it's that hard a structural change to make to add that. The bigger bit of work would be, you know, asking someone, presumably Ms. Meisha Key to link all the habitat projects to, you know, that research focus item. And, you know, I don't know what the budget realities are in that regard but, you know, I think it could be done if that's considered a useful adjunct. If the queries feature that's in the database now is not the preferred way to search out habitat projects, you know, we could certainly do it that way.

**Pete Hassemer** [00:12:14] Thanks John. All right I'm not seeing any more hands. We still have the action before us. We have the, again the format or structure of the database that is, has presented in the video and followed the prior direction of the Council, whether or not we want to approve that. And then the process for updating the SSC in their report identified what could be done, a process to develop the jot form and then the new research projects could be entered that way. So, anybody want to step out and recommend the next step for this or.....Corey.

**Corey Ridings** [00:13:19] If it's appropriate I'm happy to make a motion.



**Pete Hassemer** [00:13:21] We're ready I think. Thank you.

**Corey Ridings** [00:13:25] I move that the Council approve the new format for the research and data needs database.

**Pete Hassemer** [00:13:37] And we can wait a minute for that to show up before I ask for the second. So that reads as you intended?

**Corey Ridings** [00:13:56] It does. Thank you.

**Pete Hassemer** [00:13:57] Thank you. Is there a second? Thank you Butch Smith seconds that. Do you want to speak to the motion?

**Corey Ridings** [00:14:05] Thank you Mr. Vice Chair. I'd like to start by thanking Meisha for her excellent video and the excellent work updating the database. I think this format will be useful for everyone who's interested in this easier to use by stakeholders, easier for potential researchers to access and understand what the Council is interested in and look forward to the prioritization process in the future.

**Pete Hassemer** [00:14:35] Thank you. Any questions for the maker of the motion? Not seeing any hands. Any discussion on the motion? Phil.

**Phil Anderson** [00:14:51] Yeah, thanks Mr. Vice Chair. I certainly support the motion. I remember this topic of research and data needs and reports coming up in the CCC forum here a couple of years ago and there is a wide range of approaches that different Councils used, and we noted the North Pacific Council and how they had put their document together and it seemed to be really much more streamlined and easier to use than some of the things that we had done in the past. And so, I just think this is a great move forward for us in terms of how we're organizing and thinking about research and data needs in that database and linking it to....linking those projects to how we can improve our management. And so, I just... I think it's a big improvement. Support the motion. Thanks.

**Pete Hassemer** [00:15:56] Thank you. Any other discussion and I'm not seeing any hands so I will call for the question. All of those in favor signify by saying 'aye'.

**Council** [00:16:07] Aye.

**Pete Hassemer** [00:16:07] Opposed, same sign? Abstentions? And the motion passes unanimously. So, thank you Corey. And with that I'm going to turn to John on the second item since the input process for new, getting new projects in there is still under development. Is there anything further the Council needs to do there, or do you have enough direction to proceed on that?

**John DeVore** [00:16:41] Thank you Mr. Vice Chair. It would be helpful to just get explicit guidance to, I would presume, follow the SSC's recommendation to create a jot form and that seems like a pretty efficient way to consider new projects for the database. So, you know, whether it requires a motion or a head nod from everyone that that's an acceptable process going forward, it would be helpful to get that guidance.

**Pete Hassemer** [00:17:12] All right. Since that we're looking for guidance, I'll look elsewhere for confirmation, but I assume we don't need a motion for that but just someone confirming or the Council confirming to follow the SSC's recommendations on developing that input format for the database and to continue developing their ranking system. So, is there agreement with that? Heather.

**Heather Hall** [00:17:44] Yeah I was just going to.....thank you Vice Chair. Just formally acknowledge that I think the SSC laid out the steps they need to take and that was supported in the GAP report and so I think that's the right way to go. Thank you.

**Pete Hassemer** [00:17:59] All right. Frank.

**Frank Lockhart** [00:18:01] And just agree and then go, just maybe ask John the process for ranking projects, what is the plan? I agree with that as well and what is the plan for that to happen?

**Pete Hassemer** [00:18:13] John.

**John DeVore** [00:18:14] Okay through the Vice Chair, Mr. Lockhart, we've already implemented the ranking system that the SSC had recommended last year, and that the Council agreed with. Of those three categories, 'High Urgent', 'High', and all others unranked. What the SSC intends to do is to provide a bit more clarity and definition perhaps through the jot form or in the database to explain to qualify what differentiates a 'High Urgent' from a 'High' priority project. So, and you saw there their strong recommendation to not overuse those categories. And so just to be a little more helpful for folks who are intending to prioritize projects that are in the database, they're going to provide a little explanation of, you know, that differentiation between 'High Urgent' and 'High' projects relative to those that are unranked. Obviously, if they're in the database they're all important, but they thought that would be a helpful bit of guidance for advisory bodies, management teams and the Council itself.

**Pete Hassemer** [00:19:31] All right thanks. Any other comments? I'm not seeing any hands right now so I'm going to lean on John again just to ask if you've got enough to proceed with this? If the Council needs to take any other action before we close?

**John DeVore** [00:19:48] Thank you Mr. Vice Chair. I believe you've completed all the action. We have....you've agreed with the new format of the database. You've agreed with the SSC's recommendations and process for getting new projects in the database next year. The only other action not contemplated under this agenda item but something to think about in future workload planning is, and not necessarily at this meeting either, is to start thinking about when you want to schedule Council action for deciding priorities for new and existing projects next year.

**Pete Hassemer** [00:20:29] All right, thank you. With that, that closes this agenda item, so I am going to move the gavel back one space to my right.

## 2. Equity and Environmental Justice

**Brad Pettinger** [00:00:00] With public comment on C.2 and I'll look to Jim maybe to clarify from what we do with the rest of this agenda item? So.... Jim.

**Jim Seger** [00:00:12] Yeah, thank you Mr. Vice Chairman. So, what you've had your presentations. I've heard your EIS report and had public comment so you're down to the Council action. Basically, you want to decide whether you want to provide comments on the draft EEJ strategy and then, if so, the content for those comments. And then in addition to what's listed in your situation summary, you may also want to have a discussion about the next steps you want to take with respect to the development of the regional process, whether and when you might want to add that to your future meeting planning schedule.

**Brad Pettinger** [00:00:53] Very good. Thank you Jim. And with that I'll open the floor up for discussion. Frank Lockhart. Frank.

**Frank Lockhart** [00:01:02] Thank you Mr. Vice Chair. So, I thought we had some good public comment, and the EIS statement was also, I think, well received and they did a good job and a thorough job of kind of thinking through this and where we are at this stage. And so, a couple of things that came up in those, those comments. I just wanted to ensure folks that equity in environmental justice is a priority for NMFS leadership and we're committed to implementing the strategy after its finalized at the national and regional level. And I can say that from my own personal experience in the agency. The level of engagement and kind of commitment has been impressive to see so I'm very happy about that. And then additionally, it is at... kind of... this is kind of a broad effort as well. So, the Region, the Restoration Center, Office of Law Enforcement and the two Science Centers are looking forward to ongoing engagement with tribal, state and state government partners, the Pacific States Marine Fisheries Commission as well as the Council in establishing who our communities are and how to best engage with and expand access to opportunities for those communities. And so, we are looking forward to collaborating with the Council on as you proceed on this effort, you know, in collaboration with the CCC as well. And we're interested to hear how your approach for supporting equity and environmental justice and as I said I look forward to continuing that collaboration. So, I think with that just some general comments. Turn it back to you. Thank you.

**Brad Pettinger** [00:03:01] Thank you Frank. I see Bob Dooley has his hand up and then we'll go to Michael Clark and then Phil, so Bob Dooley.

**Bob Dooley** [00:03:10] Thank you Mr. Vice Chair. I appreciate it. I had a few comments on this just in the discussion of it. We heard a lot of top down what the Council can do to include to have more, be more inclusive, be more equity in environmental justice. We've heard what the agency is going to do and all that, but I don't look at this. I think Wayne and Jaime had it right, it's a bottom up. If you want to get people included you have to...you can go talk down to them all you want, but you need to work with them. Now, you know, I'm involved in MREP. Have been since the beginning on the West Coast and that's one of our priorities is to try to be, to encourage inclusiveness. Some of the example of that is in the Monterey area. There's a Vietnamese fishery participants there that are virtually invisible to the Council process. We, you know, however it isn't simply going down and saying, "hey, the Council's here" or "this is what we do". How do you engage them? How do you get them into the community? And I think we have some thoughts on that. Our steering committee, West Coast Steering Committee and the program in general is working hard for that. So, we're not thinking of it as have a program for somebody that's different. We're looking at how do you bring them into the fold? How do you include them? And it isn't simply creating a program separate and apart. It's bringing them in and if that takes

translators and such. But the biggest thing, I mean I think 50 percent of what we do at least is community and building relationships and understanding each other. And you can't walk into this program from a science basis or from a Council regulatory basis and management cold. This is a really difficult process to navigate and that's what MREP does. And the important component about that, appreciate all the, you know,... all of the support that the agency and the Council staff give that program all the way, enforcement, everybody, they put time into it to be presenters and help us. However, this is a by fishermen for fishermen. That's the basis of it. The federal government helps support it, but they don't want any part of managing it. They like what's going on and I think I do too. That's why I'm so passionate. You can't get people involved in this program in this system unless they feel like they're part of the group and I think that's what we need to build. We need to build trust. We need to bring people in that can understand the program and get it from a base level. But what the Council can do, the things I heard come across, I don't know that that top down stuff's going to manage. Obviously we have a part to play. We have information that we can supply but we have to build those, build that trust and build those relationships from the ground up and show that there's places to be. Now as far as, you know, places for everyone to participate in this process, they're all like, Corey had mentioned there's the economic barriers to participation. Those are there. They're real. But there are ways to do to encourage more participation. I don't know that we have as active a role beside support to bringing this forward. And the reason I bring up MREP is because that's the link in my opinion. Not all the links but it's a big link and I think, you know, that's a tool that the Council supports both with staff. The Council supports with you know financial support. The agency supports with financial support and staff. The States do too. I think it's important that we use those tools to reach out and that's how we get built by and into this program and get people included. And, yes, it's really easy for us to look around the table and look at our public testimony and see that the people that are represented, the more organized fisheries get the vast amount of attention. And that can change but it... it doesn't change by us making a change. It changes by us including people. So, I'll stop there. And I just wanted to add that to it because I didn't hear MREP at all being mentioned in any of the testimony, in any of the reports, and I think that's one of our big tools in this process.

**Brad Pettinger** [00:08:24] Thank you Bob. Mike Clark. Are you there?

**Michael Clark** [00:08:27] Yes I am. Can you hear me okay Mr. Vice Chair?

**Brad Pettinger** [00:08:31] We hear you.

**Michael Clark** [00:08:32] Excellent. Thank you very much. Again, I just appreciate them sharing their strategy and all the comments and good discussion that have been shared thus far. I just, I guess, wanted to briefly summarize some of the Department of Interior's programs that are aimed at this very important topic. We're.....some of you may be familiar with the Justice 40 Initiative. This aims to deliver roughly 40 percent of the overall benefits of climate, clean energy and related investments to disadvantaged communities that are marginalized, overburdened and underserved. Also, on public land we're working to make America's public lands more and waters more accessible and inclusive by ensuring that everyone, no matter their background or zip code, can enjoy the benefits of green spaces in the outdoors. Programs like the Outdoor Recreational Legacy Partnership Program and our Urban National Wildlife Refuge Programs help increase equitable access to the outdoors, particularly in urban communities. Also just cleaning up legacy pollution caused by environmental hazards like abandoned mines, orphaned oil and gas wells have impacted a lot of communities throughout the nation, and the recent infrastructure law made a historic \$16 billion investment to plug some of these orphan wells and reclaim abandoned mine lands. And then also just fighting the climate crisis in general. The urgent action on climate, on climate change includes, you know, making a more equitable and sustainable future for every community and making sure that there's no longer disproportionate impacts to these disadvantaged communities. Thank you Mr. Vice Chair.

**Brad Pettinger** [00:10:19] Thank you Mike. Phil Anderson. Phil.

**Phil Anderson** [00:10:24] Yeah, thanks Mr. Vice Chair. Just a few thoughts as I've listened to the presentation and the public comments and comments from around the table and trying to think about what we might do here at the Council level to advance this strategy, not only because it's NMFS strategy, but as far as I'm concerned it's been a goal of the Council for as long as I've been here that we try to do our very best to reach out to the community, the fishing communities that we serve and all the different sectors. And it's a, you know, it's a huge challenge to do and I'm sure there's things that we could do to improve upon what we've done in the past. There's new tools available to us that we didn't have 20 years ago and that can assist us in reaching people and helping educate and providing opportunities for people across the coastal landscape that are involved in fisheries to participate in this process. I mean I'm thinking we have over a thousand miles of coastline and if my math's right and speckled with coastal communities all along the way with a variety of different fishing interests and sectors in each one and there're similarities and there's big differences in the participants and how they fish and where they fish and all of that. And trying to figure out how you can, how we can reach out and do a better job of making sure that people know we're here, know how to engage, feel comfortable to engage with us and provide us their thoughts as we make all of the various decisions that we do. I think the, you know, the reference to the top down versus bottom up is a good one. I mean this is, the initiative I would suggest is being driven by headquarters and being driven through the regions and the regions are in turn reaching out to the Councils because we have a role to play here and can help them achieve their strategy. But it's as much ours as it is theirs in my mind in terms of what we're trying to achieve. There's a host of ideas around the table from the public as to how we can improve and, you know, ideas are relatively easy to come up with but difficult to implement. It's easy to come up with some really good ideas but when it comes to actually putting them in place, it takes resources. It takes people to do and they don't just happen as we all know, there's a couple of things I heard during our public testimony and I jotted them down. One was, I think it came from Jaime about find a level that you're capable of doing. I mean pick something that you can actually do I think is another way of what she was saying. And there was another one, I don't remember what went around it, but do what you can do was another one. So as we're thinking about how to move forward from this point, I hope that we keep those things in mind that we do.....can we put together kind of a list of things that we're already doing and then think about how we might augment those within our capability to advance us getting to a broader set of people that we serve and that are participating in our fisheries and that are important to our coastal communities. You know I heard about education is an important one. The bottom up piece about going out and trying to get in contact and make sure they are aware of what we do and how to access our process. We're not, I don't think we're going to build that around this table because I think it's going to take some, sorry, small group to do some thinking about it and potentially bringing back some recommendations on what we could do as a Council recognizing that U.S. Fish and Wildlife Service, NOAA Fisheries, have within, I suspect have their own thoughts about what they can do within their agency to advance this initiative. But I am wondering as with other things that have come our way from NMFS headquarters and expectations of us, whether there's any help, any assistance that you, that NMFS might be willing to give us so that we can do some internal thinking about the Council and our process and how what things that we might be able to add to what we're already doing to help address and work toward the goal of the strategy. It's, you know, the term 'unfunded mandate' comes to mind and here you are presenting this strategy to us and also placing an expectation, or at least that's my interpretation, of us owning this strategy and doing what we can do to advance the strategy. And then again, I think it is something that has been a part of the Council's mission and goal all along to reach out and get and be in touch with as many of the people that our decisions affect that we can. And again, I am sure there are things that we can do to improve that, but it's going to take some additional resources to do. And so, as the end of my little dialogue here is to Frank, are there any resources that NMFS might be willing to bring to bear to assist the Council in moving this forward?

**Brad Pettinger** [00:17:57] Frank.

**Frank Lockhart** [00:17:59] So there is a recognition that in order to do at least some of these things, some of the things probably don't take a lot of resources to do but there is a recognition that there are many things that have already kind of been identified as options that additional resources would help get them accomplished. So, there are no resources identified as of yet, but they are in the process. So, it is something that NMFS is trying to get funding for to provide those resources, and I think that that is how and to whom those resources go out to I think is worthy of discussion and I think it's recognized that not all the resources just go to NMFS, that it would have to go out to our partners that we're collaborating with.

**Brad Pettinger** [00:19:05] Butch Smith.

**Butch Smith** [00:19:08] Thank you Mr. Vice Chair and great comments by the previous speakers. You know, I too, was involved deeply with MREP and had to step back for a little bit but still support that group. I think that is.....I see a bunch of great ideas floating in the air on what we ought to do but I find it difficult sometimes for government to do that. And I think that's, you know, where MREP through the support maybe you guys give, NOAA's given great support, but maybe more support where they could have, you know more sessions than just the twice a year because I know if you drag someone to this process it's pretty well lost in the woods process unless you have some idea what you're going into and, you know, Jaime Diamond, you know, she was an MREP graduate and there's others that are in the process now that probably wouldn't have been necessarily in this process. You know one character's Tuna Tom. God bless Tuna Tom. You know he adds a little bit of levity and life to the process and where would we be without Tuna Tom. But I think that, you know, we... Washington, Oregon, NOAA, we all have lists of people that we could be giving to MREP. We don't have that. We do a picking process and vetting process and or I don't anymore, but they do, and to try to get a cross-section of people. But I think that one idea of, you know, the departments and NOAA, I mean we've all in contact with people that want to get involved or asking questions or, you know, if a guy jotted those names down and turned them over to MREP then they would have a, you know, that'd be another way to do it, a simpler way, you know, kind of a lead in but of course that would take more resources and support from the MREP program. So, you know, I just... I mean I'm just having a hard time how we make all these gears mesh. There are a lot of great ideas in the presentation, but how we make those all mesh and maybe it's impossible to make them all mesh. Maybe we, you know, cut the list shorter and start there and certainly being from a coastal community I know what being left out of the process. The whole Washington coast was left out of the engine exchange program. You know other communities that were by bigger masses of people were, you know, some of them were on their third and fourth engine change but the Washington coast we still some of us are still using World War 2 technology and so, you know, that was really a disadvantage to the people of coastal Washington and for the most part, except for one time, you know, the coast of Oregon. And so, you know, those certainly could help the fishermen of the, you know, to get some support, not that NOAA is involved in that, but get some support on that program for communities that can't participate because of the population rules. But anyway, I just don't mean to be rambling on, but I think MREP is a great partner, can be a great partner in bringing people to the table. And, you know, we certainly welcome, you know, more participants and diversity of participants and, you know, I know when I was chair of the SAS I mean we welcomed everybody and glad they came whether who we are. We disagreed or not. I mean and that's what this process has been and, you know, if there's some language barriers or something simple like that in getting to different groups of people then that's, you know, what we should do. But I just, boy this a big bite of the apple at one time. But anyway, I think if we take smaller bites it probably can work you know with some partnerships. So, thank you Mr. Vice Chair.

**Brad Pettinger** [00:23:32] Thank you Butch. Further.....uh, Frank.

**Frank Lockhart** [00:23:33] I thought I'd add just a couple more things here. So, Phil said something that I just wanted to, you know, support strongly what he said. You know I have gone to a few of the State Director's Meetings over the years and I think pretty much at every one of those this was discussed in some way or another, either, you know, we're talking about people, you know, getting out to the communities. You know one of my favorite moments actually was, I forget the guy's name, but he was making a point and he spoke in I think it was Creole to everyone and he was making the point, well if you want to get out to these communities you have to be there and speak their language, you know, and it really make the point really well. So, I think the States have probably, maybe I shouldn't say this as the NMFS representative, but probably have a better record of exploring this already. So, we need to work with the States on that. So... and a couple of other comments that people have made and, you know, equity doesn't necessarily mean equal. Everyone gets the same thing. You know we went through an exercise with the catch share program where a big question that we as the Council and NMFS had to answer was, you know, is this fair and equitable? You know and so we had that conversation and we started off that conversation not necessarily knowing everything that we needed to know in order to make that final decision. And that kind of leads into my final point that Butch just talked about. Yes, this is big and I think the more, the important thing for us to do is to start down that road, start working on it working with our partners at the state and local, tribal and other, everywhere else in the local communities and start down that road of trying to find the things that we need to do. And then maybe I should say finally, finally, I really appreciate Bob bringing up MREP, because I do think that will be a key thing for us at least on this West Coast that we did, we started this conversation in July or I can't remember when it was, but it was fairly recently where we had a pretty good conversation about this. How do we do that? And so, I think that can be a good tool for us as well. But maybe I'll close as I started. This is a priority for NMFS leadership. So, this is something that the current leadership feels strongly about it and has made it known. And it is also something that excites a lot of the staff in the West Coast Region. So, it is something that we're committed to continuing to pay attention to. So, thank you.

**Brad Pettinger** [00:26:31] Thank you Frank. Bob.

**Bob Dooley** [00:26:35] Thank you Mr. Vice Chair. Really good comments by everyone by the way. I agree with Phil. Funding's a big issue that we all know that. And to me this whole thing is really managing expectations. If you have a have a plan we can't fix this overnight. It's like eating an elephant. You know the best way to do that? One bite at a time. And that's, you've got to get started. But have realistic goals, realistic things that you can expect to see progress on, and I think that all of the stuff that's been mentioned around here is part of it. I think identifying leaders, even leaders that don't understand that they're leaders in various communities to actually engage and, you know, of course I always look at MREP, that's where I kind of as an entrance thing to get them involved, but not just get them involved in the process, but get them involved in the community to understand that when they come into the room they know people because they were there and they got to meet them. So, I think you've got to start small to get, I mean there's a reason that they weren't.....they, when I say 'they' it's a huge carpet of 'they', it's a mosaic of 'they'. It's not just ethnic communities. It's underserved smaller communities, small boat entity fishermen that have no representation or have no interest in it tell you the truth but getting them involved and bringing them into the family to understand that there is a reason to be involved, that this is their business. But you start small and it blossoms from there. And I think, like I said, managing expectations, having an idea of which way we're going to go. I think I've said this until everybody's tired of hearing it but if you don't know where you're going, any road is going to get you there. So, we need to have a process. But getting back to Phil's, this Council's is pretty impacted. I mean, we're running out of places to put things and so I think that needs to be contemplated too of how much effort, how much time can this be given in the Council process given what we have on a plate already. So, I think it's important. I think we need to figure out how to get there, but I think you also need to, you know, manage your expectations and have measurable goals that get you there. We're not

going to get there overnight. It's taken hundreds of years to get where we are. It's not going to change, we're not going to change this overnight.

**Brad Pettinger** [00:29:25] Corey.

**Corey Ridings** [00:00:00] Thank you Mr. Vice Chair. I want to start by thanking NMFS again for developing the draft policy and engaging with the Council as well as extending its public comment deadline. I hope that results in even more people being able to contribute. I wanted to note the importance of equitable and just management to this Council and its commitment to all people. I think it's fair to say we want more people engaged with fishing and fisheries management. Our coasts and our oceans and not less. While this Council may operate today with an open door to anyone regardless of who they are, there is also a deep history of exclusion that exists. Many groups of people have been systematically, violently and intentionally denied access to resources and participation and governance at all levels, including fisheries. This is obviously multifaceted and the Council is not going to solve it, but we should recognize this history. Because of this history, it behooves us to make this a priority and keep working to make it right. I heard NOAA talk about trainings and other educational opportunities for employees and I would like to think that the Council and its advisory bodies could take advantage of that too. I had the privilege of going through an EJ training as part of my new member orientation. It was helpful and I encourage this ongoing learning opportunity for all members of the Council family when it's offered. I think I'm reiterating what I've already heard, but we would like NMFS to work closely with the Council as the regional implementation plans are developed. The Council is the main venue for people to interact with their government on fishery issues, so NMFS should work closely with the Council in an ongoing manner. Equity and justice are complex issues that require a societal level iterative conversation that will not be solved by a single strategy or moment in time and the Council, at least I would appreciate an ongoing engagement in the implementation plan developments, its own implementation, and the continual improvement of subsequent documents that might come from that. I'd like to echo the importance of outreach. We've heard quite a bit about that. Do not expect underserved communities to come to you or to us. We need to go to them. We heard this from all three of our public commenters, and this goes for the NMFS strategy and the plans as well as for how this Council operates. I'll again echo what Jaime Diamond said. This is going to take a long time. And what Frank said, this is just starting down the road. This isn't something that happens overnight or with a single management action. As the EAS mentioned, developing and maintaining trust and building relationships and to a degree changing the culture of how we manage both as a Council and at NMFS is critical. I think we need to let communities lead on that note. In any context, listening to a new voice is frequently challenging. There can be different vocabulary, different languages, different body language, different appearances, and fewer shared norms and references. Responding to community engagement on their terms is critical for inclusion and long-term relationships between groups such as those between fishing communities and the Council. Space must be created to allow mutual understanding, collaboration, problem solving and compromise. Finally, I'll note that this issue is often uncomfortable and that's okay. Words like equity and justice mean something a little bit different to everyone, but it's the importance of starting the conversation, having dialogue is what needs to begin, be sustained and provided the space to exist and grow. I'd like to thank Bob for his comments on MREP. That program is clearly excellent and could be a model for similar programs or growth of that program. I think the way it's included people has been fantastic and it'd be great to do an even better job of it. So once again thanks NMFS. Really appreciate this and hope to see it move forward.

**Brad Pettinger** [00:04:02] Thank you Corey. Further discussion? Christa.

**Christa Svensson** [00:04:06] Yeah. Thank you Mr. Vice Chair. I obviously have spoken on this before on other topics. This is something that is near and dear to me, and I am appreciative of NMFS for bringing this forward and the conversation we've had around the table today along with the thought that



is going into it. A lot of the concerns that I have were echoed by the public comment this morning and I was so appreciative to hear the response to that comment from members of the Council and just the thought that is going into all of this. I have had concerns about top down and the challenge really based upon my experience working in human rights and specifically on worker voice, which is very similar, how do you get people in the system who we're not hearing from to have better representation is very, very similar. And I think the fact that we're willing to acknowledge and think about how to get people more engaged is a first step similar to hearing about, hey, maybe we need to start small. I'm not certain we need to start with the smallest item, but I do think that we need to think about where outreach and engagement wins could be, such as reconnecting with the people who testified today to find out who they think would be good candidates to do additional outreach for. That could be an opportunity for us moving forward on this topic. I would like to commend the MREP program. I went through it. We hear a lot of talk about it's for fishermen and by fishermen and I know having come out of the fishing community my assumption was, hey, there are a lot of people that come out of, I'm going to pick on the NGO community, my apologies Miss Riding. There are a lot of people that come out of the NGO community who they come from big organizations, and they have the funding. Sitting up here I now know that there are a lot of NGOs that are small that do not have the funding and who may not feel that it is likely that they would be able to be a part of the MREP program because they are not a fisherman. So, I agree with the comment earlier about possibly expanding just based upon that experience. And then the last thing I would be a little remiss to not comment on when we're thinking about inclusion is we talk a lot about our coastal communities. Clatsop County and the Lower Columbia, which I have been based out of for 30 years, includes more than just coastal communities. So, when we're thinking about this we do need to also think about our river communities, particularly for salmon. So, with that I am encouraged that we are taking this on, or likely to take this on and I'm encouraged that we're not trying to jump in full throttle because I do think that this is long term and will take some serious thought and commitment to make a positive step forward that is meaningful.

**Brad Pettinger** [00:07:45] Thank you Christa. Chair Gorelnik.

**Marc Gorelnik** [00:07:49] Thank you Vice Chair Pettinger. I think that the point needs to emphasize the bottom up. I also think we need to be aware that a lot of these underserved communities are also economically disadvantaged and it's a luxury to be able to spend the time to participate in this process. And the folks in those communities don't have that luxury. So, we have to find other ways to engage with them that doesn't require them to travel or spend days at a Council meeting. I do think that we have lowered the threshold for participation by allowing online public comment. I think that's been important. But, you know, another thing we could do and, of course, it's just a matter of having the resources which we as a Council are financially strapped right now, but if we had the resources, we could.....we can't locate a Council meeting in a smaller coastal community, but we can have a hearing, for example, like we do salmon hearings already in coastal communities. So, there are things we can do to lower the threshold for participation by underserved communities, but I don't think we should have the illusion that folks who find themselves in underserved communities are suddenly going to be able to have the time to participate like all of us are. So, we have work to do. It'll take small steps, but I do think with resources, Frank, there are some things we could we could do to start down the road to improving the participation and access to underserved communities.

**Brad Pettinger** [00:09:48] Thank you Chair Gorelnik. Marci.

**Marci Yaremko** [00:09:51] Thank you Mr. Vice Chair. Throughout this discussion I've kind of been taking a couple of notes about things that I think we're already doing very well. Maybe recent improvements that we've made to bring about additional participation or new participation into the process. Certainly echo Bob's remarks on MREP, but I also want to make sure we don't forget about our advisors and the quality of our advisors and the critical role that they play engaging their

constituencies. And I'm thinking back to how resilient they were in our annual salmon processes these past few years through COVID and how incredible the participation was in our annual salmon setting process. I'm thinking about our request to them to tell us what format, for example, for the annual Council salmon hearings worked best for them and their constituencies. First under, you know, COVID-era restrictions, but then even afterward putting the question to them, hey, what works best? How do we get the best turnout? Is it putting a physical in-person meeting in one port along the coast in each state or is it something else? And I've been really encouraged with the quality, the variety and the diversity of the input that we've received. And it, I am certain is due in large part to the efforts of our advisory body members. And I'll just highlight, I mean, I believe we received over, well over 200 public comments in our annual salmon setting process and I think we've seen those come to us in written format. We obviously take oral testimony during our meetings, our full Council meetings, but then the online hearings at least this past year I believe we had 50, 60, 70 speakers, many of which clearly turned out because the leaders of the groups that they are involved in encourage them to either submit comment or to provide verbal testimony supporting one or another alternative or a mix and match of alternatives. We also heard comments that were just very simple and brief, like I like Alternative 1 and you're kind of guessing that those folks, you know, they're taking the time to invest somewhat and have been encouraged to speak their voice and we certainly appreciate hearing from them. And I think we gain a lot by looking at both the volume and the quality and the extent or the detail in the comments. And so, I just, I want to highlight that positive point. I also want to talk for a minute about the State of California and how incredibly important the Council process is in terms of offering a process, a platform, a place to go where there is an established process where folks can engage that, you know, allows participation on advisory bodies, allows people to come speak to advisory bodies, and of course allows quite intensive engagement in all of our public processes and around the Council table. The State of California does not have a comparable kind of parallel structure. Our Fish and Game Commission doesn't have a set of advisory bodies at its hand to advise them, or a process that really allows for ongoing input on fisheries matters. So, I think we're serving a very valuable purpose is what I'm getting at here. And while of course we can always do more, I just want to acknowledge that I really feel like we, we do a pretty good job. Thanks.

**Brad Pettinger** [00:14:47] Thank you Marci. Heather.

**Heather Hall** [00:14:51] Thank you Vice Chair. I've just appreciated this discussion today. I appreciated it when it got teed up in June when Sam was here. And I'm not going to repeat all the great things I heard today, but maybe just highlight a couple of them that I jotted down too. And I revised my notes a little bit as the conversation has gone on, but there's a lot of commonality to what we're saying and I really appreciate the idea that building one way to take the bite of the elephant and I thought of that too as, you know, one bite at a time, is building on what we already do. And Marci had the analogy of the salmon hearings. But what I was thinking about is the work that the states did when we explored barotrauma and descending device mortality. We went home, we went to our fishing clubs and we went to them and said, hey, there's this new science and, you know, you are the users, and they rallied right around that and without any rules implementing or requiring them to do it, they were the boots on the ground and I definitely appreciate that. We've heard that from all the public comment today. And I think there's other places where this is just, we can just allow this to be part of our conversation. We're talking about our process efficiencies at this meeting and this conversation can infiltrate that idea. I love it when Bob talks about MREP. I've never been part of it but it just, I love the enthusiasm around it and thinking about expanding that and seeing that program grow and reach out to more people is just, I think, a really an exciting way to contemplate how to expand on this environmental justice idea. And with money and support and that kind of goes into our process efficiencies too and funding to help us do this and start doing more of what we already do and thinking about it on a broader scale. And maybe from there one final thought was the idea of some smaller working group NMFS, Council, just to make sure that, you know, we're continuing that coordination and process and working

through that. Thanks.

**Brad Pettinger** [00:17:21] Thank you Heather. Further comments? Okay. We've had a really good conversation about this, I believe. I especially liked what Phil initially talked about getting a list of what we're doing already to inform. I think it's a great start. I did like Frank bringing in and talking about the fish and game departments because they're certainly a big part of this Council. But I think it might help to maybe better....if we have a better understanding of the universe we're talking about because we're talking about MREP's for fishermen by fishermen. But when I think about underserved communities are we talking about people who aren't even fishing yet? And we're talking about the fish and game departments. I know ODFW is doing some outreach to try to get people recruited into the fishery and into hunting and, you know, into the outdoors. And so, I think, when we have a list of what we're doing to present to National Marine Fisheries Service, it'd be great to get some input from the fish and game departments on the efforts what's going on there, because that's... that's part of the big picture. And then maybe I might have a question maybe for Frank when he talked about underserved communities, is that existing fishermen who aren't participating or are we talking about the people who aren't but will be? I think it might better inform our response to the agency.

**Frank Lockhart** [00:18:56] Thank you Mr. Vice Chairman. Well, for NMFS it's beyond fishing. So, the definition 'communities' is not just in the realm of fishing. So, this is one of the things that, you know, the presentation from Abigail Harley talked about is getting help from the experts out there, the people we collaborate with on helping to identify those communities. I think it is an open question, but I think in my mind that it is probably both. You know it is the people that are fishing but maybe don't know how to participate or, you know, don't feel comfortable participating. You know, I hate to use MREP all the time but, you know, going to MREP I learned a couple of things. There's people there that we could talk to them one on one and they can talk your head off. If you get them in a group of more than three people they can't, they have a really hard time talking, you know, so, you know, there's those kind of dynamics that we need to be aware of. So, I guess to answer your question more directly, I think it is an open question about what communities we're talking about but, you know, your specific question on those that are fishing but don't participate versus, you know, those that aren't fishing. I think it's probably both. You know helping identify those kind of folks that may want to participate is important too.

**Brad Pettinger** [00:20:30] Thank you. Okay, Jim, I'll look to you, and I think we have a great discussion here so how are we doing?

**Jim Seger** [00:20:39] Yeah. Thank you Mr. Vice Chair. Yeah, this has been a great discussion. A lot of good comments. You know I've heard that the public engagement has always been a Council mission, something that's been important to the Council. The Council would like, you know, NMFS to work with the Council on implementation, but this is as much of a Council concern as it is a NMFS concern. There's concern about the resources needed for implementation. A lot of discussion about planning for success and choosing a pace and actions that will lead to success and that this will be a long-term effort. A lot of talk about MREP and that being a way to do some work here. Talk about the list of what the Council's already doing and then using that list to look at where we can do improvements. Looking for opportunities for training and education just as NMFS is, looking for that for Council family. The importance to outreach and going to the underserved communities and at the very end here we talked about the possibility of a small working group. That said there wasn't any real discussion about a strong feeling of a need to write a letter to NMFS about the EEJ policy, so I don't know if you want to write a letter of just general support or if that's not something where you feel that you need to engage in at this point. And then the other question is what next? Do we come back to this in, you know, in November or next March? And in terms of interaction with the NMFS process, is there a particular meeting that would be good for us to have this on the Council agenda so we could hear about the regional

implementation and see how things are coming together there.

**Brad Pettinger** [00:22:23] Okay. Thank you. With that I'll turn to Executive Director Merrick Burden here for some guidance or some thoughts.

**Merrick Burden** [00:22:31] Yeah. Thank you Mr. Vice Chairman. Mr. Seger and I are on a similar wavelength, which is good since we work together.....(laughter)....So, I do think there are a couple of possible steps forward here for your consideration. One is the question that Jim just raised, which is whether we should write a letter similar to what other Councils have done on the national strategy. And as Jim was touching on some of the things that he heard I was checking off some of the same things I heard. And as Miss Hall indicated, there was a lot of commonality. And so, I think we could crib from this discussion and draft a letter, use our QR process and get that along to NOAA in not too much, much time. We then have the Council Coordinating Committee in October. This is also on the agenda there. We could carry this Council's message to that body and engage in the discussion in that way. Then we have the regional strategy, which is a sort of, I think of it as a second phase, for a lack of a better word, and I also anticipate that that is going to be bringing it down a level and starting to talk more about how the rubber hits the road. And that is where the idea of a working group might come into play. I think we're not quite ready to determine whether we establish a working group at this point or not, but what would I think be fruitful is for Council staff and NOAA staff to hash that out a little bit more and come back at a later time with what that would look like, maybe some options in there about what that might look like. So that would be some guidance for you all about how we could move forward. Hopefully that's helpful.

**Brad Pettinger** [00:24:15] Okay. Phil.

**Phil Anderson** [00:24:20] The one other addition I would propose is that if Council staff were able to put together a list of things that we're currently doing too for outreach. We've done some new things in the COVID- era that I think have enhanced our, the accessibility of the public to us and there are some other things that Marci mentioned in terms of public hearings and those kinds of things. So, it would be good to kind of have a.....seems to me it would be good to have a baseline from which to work that if we get, when we get to the point of thinking how we might augment what we're doing to help accomplish the objective here that we had that to start with. So, I don't know if that's a reasonable request but that would be in addition I would put on the table for consideration.

**Brad Pettinger** [00:25:27] Okay. Thank you Phil. Anyone else? Okay. Go ahead Merrick.

**Merrick Burden** [00:25:41] Yeah, thank you Mr. Vice Chairman. So, I think where we're at now is looking for affirmation if the steps that I outlined are the ones that this body would like to take. Some affirmation along those lines would be welcome and appreciated. If there are other things that we've missed, that would be welcome also.

**Brad Pettinger** [00:25:59] Okay. So, I guess with what Merrick's lined out, does anybody have any disagreement with that? Okay. Okay Jim.

**Jim Seger** [00:26:12] I just want to check-in to make sure I kind of understand what the thought is here with respect to coming back. Mr. Burden, I think you outlined that our staffs would work together with the NMFS staff and then I suppose we figure out when the next time is to come back to the Council and at the November meeting report back to the Council and say, hey, we want to put this on whatever agenda that comes. Is that how we're working that?

**Merrick Burden** [00:26:37] Yes, Mr. Seger. That's what I have in mind.

**Brad Pettinger** [00:26:42] Okay. So, Jim, are we done?

**Jim Seger** [00:26:45] Mr. Vice Chairman, I think that takes care of everything. Thank you for those comments. This has been a great discussion.

**Brad Pettinger** [00:26:53] It really has... and I thank everyone for their contributions. And with that I will hand the gavel to our Chair.

### 3. Council Meeting and Process Efficiencies

**Pete Hassemer** [00:00:00] Ready to convene here. Everybody's present. Before we start with our Council discussion and Council action I just want to take a moment to extend some thanks to Executive Director Burden and his staff, all the management teams, the advisory bodies, and all the members of the public that put so much thought and consideration into this topic. It's a very much different topic than spex or assessments or management measures or EFH, but the discussion is critical to being effective in all those other processes. So again, thank you to all of those for putting thought into this and bringing recommendations forward to us. With that I'm going to turn first to Executive Director Burden and ask if he just wants to summarize what he is looking for in this discussion and give you a little time to think about your comments and things. So, Merrick, please.

**Merrick Burden** [00:01:09] Yes, thank you Vice Chairman Hassemer and thank you Council members. I've heard a lot of good feedback from advisory bodies and from public comment as the Vice Chairman has indicated. And as he has also indicated this is a atypical agenda item so it's I think helpful to reflect a bit on what it is we're looking to do here. So, as outlined in the situation summary and in our staff paper we have a process that we've proposed and this would be step one of what I'm envisioning would be at least three meetings where we would take this up, potentially more depending on what it is we want to get into. And what we'd be looking for here from you all is identifying, you know, maybe up to a half dozen topics that you would like staff to dig into in more detail and we would plan to come back to you with more information regarding those topics probably at the April meeting looking at our calendar and the June meeting looking at our calendar. There are a couple of ways to think about the topics in front of us, and one of the things that I think is important is that there is one topic that is essentially high-level strategic considerations. As staff I think we would be uncomfortable pursuing thoughts on those. And so, what we would be looking for there is to establish, you know, perhaps something like a special meeting, I think the term is 'committee of the whole' non....sort of a non-decision making meeting of the Council to discuss strategy or some subset of the Council to discuss the strategy and strategic approaches to our work and our objectives here. If it comes to more sort of tactical and operational questions, I would say that those would be appropriate for the Council staff to take a step back from our vantage point in putting these meetings together and to flesh out in more detail and further consideration those considerations, whatever they may be and whatever it is you're interested in pursuing. So, I hope that helps to provide some guidance in what it is we're looking for. So, one is we have a.....we're looking for some topics that you would like to pursue further. We have a proposed process that would go at least three meetings, this one being the first. And if you are interested in a more strategic, comprehensive view of what it is we're doing, that would be a slightly different process. I guess what I would propose is that we as staff take a step back and identify, you know, a plan for that sort of thing and bring it back to you at another meeting so that we can decide how to proceed there. Hopefully that helps Mr. Vice Chairman. I'm happy to take questions about what it is we're looking for.

**Pete Hassemer** [00:03:52] All right. Thank you Merrick. Any questions for Merrick or I'll look for a hand to start the discussion on this topic? Caren Braby.

**Caren Braby** [00:04:05] This is a question for the Executive Director on the concept that we have been hearing relative to hiring an outside consultant to do some strategic planning either on substance or process, and not clear on whether there are funding sources available for that in the Council budget or outside of the Council budget that you can think of that we might be able to put towards that.

**Pete Hassemer** [00:04:42] Go ahead Merrick.

**Merrick Burden** [00:04:43] Yes. Thank you Mr. Vice Chairman. Thank you for the question Miss Braby. We are in the middle of starting to envision our 2023 budget and so I would encourage us all to think of that question in that context. And as we pin down our 2023 budget, whether we would have funding and whether we want to dedicate funding to this sort of thing. And what I would suggest we think about then is, if I understood your question correctly, it would be a facilitator and someone of that nature that would help us come together and have a strategic discussion in an effective manner. That's the kind of, when I've done this sort of thing before that's the kind of role that I envision. Those types of people if they're good they're not very cheap. So, I would say there potentially are funds available, but it would be important for us to make that part of our 2023 budget discussion.

**Pete Hassemer** [00:05:37] Thank you. Further discussion, comments? Oh, Virgil Moore. Sorry.

**Virgil Moore** [00:05:48] Thank you Mr. Vice Chair. One of the items that I heard a couple of times and I think... and I didn't see it in the situation summary or in the white paper is the use of hybrid, which we heard an awful lot of being able to do that. But we heard a couple of folks say that they would prefer that alternates be appointed so that we had real faces there versus having to try to do this stuff virtually or online. I didn't see any discussion in the white paper of that particular concept. So I would just suggest that given it was mentioned a couple of times in some of the testimony and presents an interesting thought, it may be that certain of these groups require that and others don't, but I did hear that hybrid was preferred, that we have that available at least to our, all of our boards and committees to deal with and certainly that is well laid out here, noting some of the limitations that we may have from a staff standpoint and technical. Last note, I will just comment that in the three years I've been on the Council, it's the first time I've ever heard every advisory board or technical committee speak at the same time on the same subject and so the diversity of how those groups operate was represented well. There's a very strong continuum there, but there's also all of those different needs that each of those groups have that I think we need to account for as we move forward in this. And I was pleased to see the diversity in the thinking among those groups that was presented as we listened to all of their reports. Thank you Mr. Vice Chairman.

**Pete Hassemer** [00:07:46] Thank you. Butch Smith.

**Butch Smith** [00:07:54] So not unusual Executive Director, I really don't know what you said, but so if I jumped in the deep end of the pool go ahead and throw me a cement block. You know I appreciate all the public comment and the committees, subcommittees and whatnot and I really believe that, you know, this public process is a great public process and this Council is a great Council for trying to include everybody they can. And, in fact some of us have put our money where our mouth is and use the MREP program to recruit new players into the game. But so let me start out with a couple of things. I mean all meetings of the Council aren't equal because they have different importance. You have salmon process in the spring, and you have... and all hotels aren't equal. We go to hotels that have 25-foot ceilings from my SAS days and then like an 871 Jimi air conditioning firing off and often we can't even hear ourselves when we're there in-person let alone with microphones and whatnot. And we are also competing against, I'm a port commissioner, so we're competing with....when people think about how easy this is, because I think about our staff, you know, and now we look like we're getting ready for a Mick Jagger concert, you know, with all the stuff we have to carry or all the stuff, you know, they have to carry around. And but when you're competing against a city Council room or a WDFW testifying room or a port room, they're already set up. They're already have been IT'd to death. The money is minimal to set those up versus, you know, what Kris and others and what you're trying to do in every, if you go virtual in every room, every subcommittee there is. And so, I'm wondering with expense because years ago, you know, this Council decided that they were going to try to visit each one of the regions that they have that has something to do with the fish we manage. And I think that's a good deal. So I mean are we going to go to the expense or are we going to at some point in time think,

well, one meeting location is what we have to do to....because I look at the salmon process, that's what I know most about, and I'm sorry to get in the weeds but it's not uncommon that our salmon staffs will work until two in the morning and it's not uncommon in those 14 days that something flies out the side of the engine block that where the salmon, the people of that state have to get together at eleven o'clock at night to try to be ready and prepared for being on the floor at, at eight in the morning. Now are we going to have somebody follow with a, you know, that kind of thing with a microphone. I mean... how far are we going to take this because that's not a....we're not, you know, it's not a secret process. It's just what the process is to get a product out in the time that requires, you know NOAA's notice and all the requirements that we have to do. And so I just caution people to what enth degree we will take this and how much....I mean we can throw enough money at it and you can solve anything with a lot of money, but do we have that money to make sure that the road we go down is the road that people are anticipating that I've heard testify because like I said, coming from the port, public process and whatnot, you know, it's a little easier and a lot different because we're not going on the road. We're in one location all the time. And so, I just wanted to, you know, throw this out here for people to think about here in this room and people that are listening online is, you know, we try our very best to make it open and transparent. I've been in a lot of processes that, you know, and I have always said that this this one is the most open in fairness. And as far....and I did, you know, I did take a little exception to one of the testimony. I don't care where you're from. I don't care where you're testifying from. I listen to every single testimony whether you're here or in Jamaica. It doesn't matter to me. It's all important. It's all important for this process. So, for somebody to say just because they're not here we don't listen, I think that's disingenuous to all the people that have sat here and spent all the years and doing what we're doing to, you know, to make sure that our West Coast has a fishery, but also meets the conservation needs so we have a fishery for now and in the future. So anyway, you know, I will quit, almost quit there. But, you know, are we going to have 13 Kris's or Craig's in each subcommittee room for when we have a breakdown, an IT break down, you know, and I know God forbid we had that similar thing in our port and we lost our Internet connection so therefore the way our set up, you lose your Internet connection, you lose everything. But we made the spirit of the public meetings because we had public there at our meetings personally, but the virtual part got knocked out and next thing we know we have three public requests and those aren't cheap when they come in and want, you know 65 years of documentation. And in Washington it's free and you got to do it even if they don't show up and collect what they requested. So, I just....I'm sorry if I got in the weeds Director and broke the spirit of what you, Executive Director of what you wanted, but I think it's important that we think about those things because we're not playing on a same level field as a city hall meeting room in Washington D.C. or, you know, because we're moving. We're a road show and like I say we are we got one room that kind of looks like we're waiting for Mick Jagger to come on stage and what does that do to our staff because, you know, we put an extra burden on them just to do this stuff also. So anyway, thank you. That's my thoughts.

**Pete Hassemer** [00:14:53] Okay. Thank you Butch. Merrick, would like to respond to that?

**Merrick Burden** [00:15:00] Yeah, thank you Mr. Smith. Just in response, I think you raised some, without saying it you raise some really important points, which is why we're suggesting that first identify what it is you would be interested in exploring more, and then we can get into that more deeply. And as an example, you know, we did hear a lot of testimony and statements about the hybrid meeting format. It's not just a technology question, right? And so, we have the way that we run our meetings and we have the Council meeting and it's very structured and people talk into a mic. And so that's one, one set of technology is used to do that. And you go to our advisory bodies and it's a very different, more free-flowing discussion. Having people pushing mics, I mean it's just not going to work, right? And so that's why we've been exploring different types of technologies and thinking through all of that as well as the human resource component and the financial component and the technology component. It's gets complicated very quickly. So, this is why we're saying let's dig into something more if you're interested in it. Hopefully that's helpful.



**Pete Hassemer** [00:16:08] Okay. Thank you. Heather had her hand up. I just want to make sure I thought there was a hand here, Frank and then Caren. So, Heather first, please.

**Heather Hall** [00:16:20] Thank you Vice Chair Hassemer, and thank you Merrick for what you said. I was.....that's part of what I wanted to talk about too and specifically related to your guidance to offer some ideas or around a half a dozen topics to dive into. But I heard... what I think we all heard was a real interest in a discussion, a focused look at the trade-offs around virtual and in-person meetings, and I jotted down some notes that are exactly what you're saying. This, I think, this one topic could take a lot of time. I mean it's in terms of participation by the different management teams they had very different ideas of how that might look. The EC provided some good input on how an idea they had for how it might work for EC and maybe that's a model that could be used for other management teams. So, finding a balance there and that's broad because of the different ways the management teams work and the SAS and the STT clearly said, you know, provided guidance, they need to be in person during March and April when those big salmon meetings are here. But it's also the need for technical tools and staff to make it work well and so I think that's probably one of the key topics if in depending on where the Council wants to go, maybe just one to focus in on. Because I also did notice that our, the HMSMT offered an idea where the Council could look at this in phases almost so near-term ideas, more of the ideas that were being formed by experimentation and then other topics later down the road. And maybe that's where a more strategic planning process could go. I thought there were also.....Lori Steele's public comment I heard a resource there and some experience that and her offer to help and at least maybe an initial conversation. I thought that was really valuable. I also heard from Jaime Diamond's public comment. Maybe a low hanging fruit idea, and this idea that it's very difficult to track the different meetings that are going on leading up to a Council meeting, and I know there is a Council calendar. So, one thing I thought was maybe just making that more prominent. Adding things like the advanced briefing book deadline on there. That was another recommendation from one of the advisory bodies and so I thought those might be real easy places to start. But really just going back to my initial point is that the meeting format in-person, hybrid, finding a way to make that work I think is a effort, it could be a very big effort and but worth our time. Thank you.

**Pete Hassemer** [00:19:52] Thank you Heather. Frank Lockhart and then Caren Braby had her hand up. So, Frank please go ahead.

**Frank Lockhart** [00:19:58] I think Caren, she had her hand up before me, so I don't know if it matters but. Oh... okay I will go ahead. Thank you.

**Pete Hassemer** [00:20:07] You've got the floor.

**Frank Lockhart** [00:20:10] Thank you Mr. Vice Chair. So, this issue, the pandemic has spurred discussions in a wide variety of organizations including NOAA and in particular in the West Coast region we've had a lot of discussions with not just within, you know, the management entities, but also Science Center, OLE and General Counsel and we strongly support the Council looking into these issues going forward and trying to explore options on how we might improve our methods and processes. It is fortuitous, perhaps with great planning by the Executive Director that the EEJ item occurred at the same meeting, and I am more conscious of that some of the important things that came out of that discussion play in on this. We still have to allow for appropriate communities to be representative, represented in the process. So, this is important beyond just efficiency. So, like I said we're supportive of kind of moving forward with some sort of strategic planning process. There's a lot of good thoughts that came out in this meeting, so we're open on kind of what exactly that means. We also think that having a hybrid format for the plenary session continues to be important so people should be able to continue to participate virtually, and we heard some compelling reasons why under public comment today. So... and I think beyond that I think there's a lot of things that have been mentioned

here and so exploring all of these various ideas and concerns I think are going to continue, or we need, need further discussion... that's why we need to look into this strategic planning process. In particular, there's been a lot of good discussion by the advisory bodies and others participating via the public process of looking at improvements to the advisory body process itself, and that there seems to be some room for looking at that and more specifically, both Butch's idea about concerns if you have a 25-foot ceiling with a loud air conditioner, that means you have to plan for that a little bit more and some more resources, at the same time, you know, having the advisory body process is important and people want to participate in that and so, I think, that warrants some serious discussion. And then finally Lori's testimony highlighted this, but even before that the white paper talked about looking at other Councils and what they're doing, and we think that's going to be important as well. So have some other thoughts potentially but I think I'll stop there... kind of at that broad level overview. So, thank you.

**Pete Hassemer** [00:23:20] Thank you Frank. Caren Braby.

**Caren Braby** [00:23:22] Thank you Mr. Vice Chair. A couple of just encouraging, underscoring thoughts. You know COVID happened. We're responding to COVID but what it's done is really revealed or emphasized issues that we had prior to COVID and it's kind of forcing us to reckon with those uncomfortable, you know, problems in the Council process. And with that I want to say the Council process is amazing and I am so grateful to be part of such an incredible team of people who are doing so much work to make this happen. I mean it is remarkable and so it's only with improvement in mind not throwing the baby out with the bathwater that I think this paper was written and we're all here, but I just wanted to say that for all of us that it really is tremendous what happens five times a year. I think that for me COVID helped me appreciate relationships. It also helped me embrace remote technologies in a way that I wasn't eager to do. And I want to shout out to somebody sitting behind me, Lynn Mattes, for her tireless efforts to bring people into public process in the State of Oregon and meet people where they are and really find ways to make it possible for them to participate. And that plus COVID and our ongoing health issues really makes me want to just say we don't have a choice of excluding remote participation. That has passed, but we can really clearly set the expectation that we value in person and that there are times when we need that and make accommodation where we have to. You know I want to be here in person. I love being here in person and interacting with everybody. But if I couldn't be here I don't want to not be able to participate, and in fact I participated in two meetings online prior to me arriving in Boise and I was grateful for that opportunity. So, I think we have to do it. White paper that Heather recommended on how we make that happen without putting the burden on staff. We have a great little device that's a microphone and the speaker has been working great in delegation. It's not expensive. It's not hard to run. Maybe our expectation of having the pushbutton mics and, and that needs to be evaluated. And so, I really support that white paper to explore how we can accommodate remote without this kind of bar. The other thing that I'm really excited about is thinking about is an external look at our process and an external look at our kind of programmatic or substantive work issues, you know, by FMP, what does this FMP need? Whether it's swordfish management or other topics within FMPs that needs some outside thought, you know that's difficult to do in this kind of formal setting. I think that the strategic looked at our business process. I think that's what Lori Steele testified to. I haven't read the Tiger Report. I'm not familiar with it. I'd like to read more about it and understand if that's kind of meeting what I'm envisioning it, but I think that exploration of business operations strategy is critical. So, I'd really like that to be one of the white papers and look for outside help on that. And I'm going to stop because everybody has more to say but funding capacity is an issue, but I think we just have to do it. We have to find a way to take that time and the breather to re-envision how we can be better, and we can't do it here.

**Pete Hassemer** [00:28:00] Thank you Caren. Marci Yaremko.

**Marci Yaremko** [00:28:05] Thank you Mr. Vice Chair. I think what I've heard, particularly from the

advisory bodies here today, is that no one size fits all in terms of how we plan, and we need to let the circumstances be our guide. Pretty clearly the salmon groups are insistent that they be in person. But then as Caren mentioned, if they aren't able to be it's nice for them to have a mechanism to be able to participate if they aren't able to physically come at the last minute. So, I think those circumstances have actually worked quite well. Several of the salmon stakeholders have mentioned that when they've wound up in a hybrid situation that they didn't intend to, that they felt it still worked and they were able to engage. So, I feel like there are some positive examples out there. I want to reference the Council calendar. I know Heather brought it up. I agree. I would love to see that more prominent. I used to watch that like a hawk and one thing that I have noted over the years is the increase in the number of total meetings now that we've moved to a virtual platform in many cases. There have been some great advancements in this regard where we can all see some presentations in advance of Council meetings. I know we've done that several times on very technical groundfish items where we all watch a presentation a day or so before we depart, or we listen to a Habitat Committee meeting or Marine Planning Committee meeting where there're presentations that's incredibly effective. However, my concern is that we also can't meet every day of the year. We can't be working year-round. We need to contain the volume in some effective way. And so while it's nice to have the flexibility of having both in-person and virtual meetings, I think we need to be cognizant about how big we expand the box and how many days we are adding to the calendar because particularly for those of us from other agencies and industry, it starts to, I mean there are limits to our capacity I think is really what it amounts to. I want to also note a couple of I think positive developments that have, I've seen with regard to this flexibility that's so important where we match the schedule and the process to the circumstances. I recall in at least a few instances lately where we have a number of sign-ups, the Council Chair in association with the Executive Director has made the executive decision to limit the amount of speaker time because of the number of sign-ups where we've reduced the, the speaking time from I think 10 minutes for a group to 6 and then 5 to 3. I appreciate that you're using discretion with that. I think none of us want to stifle our public comment or our input. But I just want to acknowledge I think the good work that you've done in determining when those cases are appropriate. Before I forget it and before any of us forget it, I want to remark that the EC report brought up a really important point about their role. I have missed their presence. I know my staff have missed their presence. I know the industry has missed their presence. And being able to send state agency staff out to the room with industry to discuss a technicality, a regulatory provision kind of just on the fly in the hallway is a really critical need in order for us to get many of our recommendations right. So that's one I think item I really appreciated them raising in their report that maybe we can....that there's an easy solution to I guess I'd say. I think that's it for now. Thank you.

**Pete Hassemer** [00:32:51] Thank you Marci. Looking around the room for more hands. Bob Dooley.

**Bob Dooley** [00:00:00] Thank you Mr. Vice Chair. Good comments so far. I just would like to make just a general comment, I guess. You know we're a busy body. We do a lot of work. And I think we run out of room a lot of times on our agendas. And I really agree with Caren's thoughts there that it's very tough to take the time out even when we make an agenda item to discuss this type of stuff when all of the other agenda items are surrounding them. There's a lot of business, a lot of negotiation, a lot of things like that that are taking place, and when you're talking about this particular topic, it almost needs its dedicated space to talk about it in a separate time where we can focus, and I agree with that. However, we also, the other part of this I think, is that we've heard a lot of talk about the expanded use of virtual and we've taken advantage of that in a big way. I think our bandwidth has increased to be able to do this, but we also we have a lot of meetings now that we didn't used to have, at least in my recollection. And it isn't just isolated to the Council family, it's our regular lives and businesses and things that we participate in, and time to do all that, at least in my calendar is shrinking every day. So, we need to be cognizant that although we might have the ability to stretch these things out, we might not have the calendar room to accommodate them very well. I think the other thing that's lost here, and I think it's to

me, it's probably one of the most important parts. We work together because we, you know, we... we always call ourselves a family... well, we are and that's because we meet in person. That's because we know each other. That's because we have dinner together and lunch together and we don't just do business. We trust and know each other and that's such an important component. And I don't think we should make it easy to not be in person. I don't think it should, as far as public comment, yes, that can help a bunch. But we still should encourage people to attend when they can and we shouldn't make it easy to blow it off and be virtual because I think one of the things that was said, and I can't recall exactly when, but it was the people that knew each other, the family that was here before COVID and had the benefit of making these relationships and knowing each other eased our ability to do the virtual and we could get through that. The people that really suffered were the people that came on to the process who maybe didn't have that benefit and I think it was a, you know, a steep learning curve and it wasn't an equal opportunity situation so to speak. So, while I appreciate the fact that we can do virtual, it shouldn't be our first choice. I mean we should be making every effort to be in person. So that's my thoughts. Thank you.

**Pete Hassemer** [00:03:39] Thank you Bob. Phil. Phil Anderson.

**Phil Anderson** [00:03:46] Thanks Mr. Vice Chairman. I have a million thoughts running around in my head. I want my comments to be constructive and help advance our thinking here. I guess I would start by saying that I think it's really healthy for us to periodically look in the mirror and examine our process and what we're doing and look for ways to improve it. So, I think this is a really healthy thing for us to do as an organization. I also wanted to just thank the advisory bodies and technical teams and the public for their comments here this morning. I know they have, I think, as Marci said, no one size fits all and I think that's certainly borne out by the comments from the different ABs and some of the recommendations that they have. And so, I think, we need to be mindful about that, that there are different ways to make those advisory bodies efficient and effective and so we need to be thinking about that as we move forward. I think the thing that maybe out of all the comments made today, maybe the ones that...the one that may cause me the greatest concerns were those from Jaime Diamond about how strong she was in expressing that she thinks our process is broken and that we're, I think her words were, we're that far off track, and that's really concerning to hear from somebody that's, who has been as involved in our process as she has been and I'm intending to talk with her more about that offline because I, in part, because I have a different perspective. I think we have a really solid organization with a great track record, and that is not to say that there aren't things that we can and that we shouldn't and can improve upon. And I think we need to be thoughtful, you know, about how broad of a review of this process that we're going to undertake. And I think as we've, several have acknowledged that, I mean this could get really big and take a lot of time and whether or not there's any tangible results at the end of it is hard to say. I think there are some short....I think we ought to be thinking about this in terms of some short term, relatively short-term things that we can do and actions that we can take. And then there are some longer term things that are associated with a deeper dive, if you will, everything from building a strategic plan to looking at our meetings and how they're timed and all of that and how our different FMPs work, I think Caren mentioned that, that's a much bigger process and it's going to take a lot more time and resources and I'm not going to necessarily weigh-in on whether I think that's a good idea or not. I have been part of several comprehensive process reviews of organizations that I've been a part of. The Pacific Salmon Commission is one where we spent fifty thousand dollars doing a real kind of, in hiring consultants and looking at our process and to be honest at the end of the day I don't think we changed a thing. I'm not saying that that is what would result or will result from this review because I think there are some things that we can do to improve our process. So, I think the, I'm hoping that we can first look at those things that have, that we have learned or gain some additional knowledge about as we've attempted to continue a solid Council process during the time of the pandemic. And there are some things out of all the horrible things that were a part of the pandemic and the things that we, the things that we had to do as an organization to keep this body moving forward,

there were some important things that I think we learned that we can use in the future. Those tools, you know the general tool about virtual meetings when you use them, how you use them, how we can increase public participation, how we can make our advisory bodies more effective and efficient, I think are the places that I would like to start on first and that I would kind of put into my short-term category and then have a further dialogue and deliberation about where we want to go from there. How in terms of looking at our process and are we going to engage in something that completely tears it down and builds it back, like a zero-based budget process? Those of you involved in that know what I'm talking about, because that's a, as I said, a much bigger project to take on. So again, I'm supportive of this solid taking a look in the mirror. I'm supportive of trying to learn from things that we've experienced here, particularly in the last couple of years, but I hope we parse it out into pieces that we can that I'd call bite-sized pieces that we can take on so that we do have something tangible in terms of making improvements to our process when we're done. Thanks.

**Pete Hassemer** [00:10:14] Thank you Phil. Further comments? Christa Svensson then Chair Gorelnik then Corey Ridings.

**Christa Svensson** [00:10:20] Yeah, thank you Mr. Chair. I...or Vice Chair, excuse me. I'm really appreciative of hearing from all of our advisory bodies and I think it's really positive that we do have convergence on the need to really take a hard look at this. And I am also equally impressed with the divergence on how we got there. I think we have learned a lot through COVID about technology. I can be a bit of a luddite and online meetings certainly were not something I really wanted to be involved with, but there is merit to them, and I certainly spend a lot of time in front of the computer both here and away from here. I'm really appreciative of Marci's comments in terms of really creep in terms of the number of meetings and the potential for that. I think it is really challenging when we're here for a week and have back-to-back meetings and can't make every presentation. But for a number of our stakeholders, you know, if you're out on a boat it's extremely difficult to even take a week off, much less multiple weeks to make meetings that seem to be stretching increasingly further into the future. So, I think there's a time and a place for it. I certainly am appreciative of some of the heavier lift content where we really have needed outside meetings that everybody can attend, but just the awareness around that I think is important. I am very supportive of the recommendations from the HMS Management Team in terms of prioritizing short, mid-range and long. I think there are a number of topics that came up throughout all of the reports and public comment for ideas that could fall into those categories. And I think depending on how we want to approach the process it could be very beneficial to bring in somebody from outside so long as we really are committed to implementing and making those changes, because as Mr. Anderson mentioned, sometimes you go into a process and you do the work and you pay for a lot of work and then you don't actually do anything with it and that would be a shame based upon how much interest is here. And then the one other piece I just wanted to touch on was the idea by the HMSAS, actually two ideas. One, in terms of really thinking about how we're scheduling meetings, we heard from Butch on Salmon. HMS specifically called out the international component because so much of what they do is governed by that. I know groundfish has specific meetings where they really need the attention and as we work through it sorting out how to manage those expectations I think will be important. And lastly, just that idea of structuring possibly some questions in situational summaries to get people thinking before the meeting and to give them time before the meeting to go out and really engage with the stakeholders that they represent I think would be helpful for a number of advisory bodies. Thank you.

**Pete Hassemer** [00:14:00] Thank you Christa. I've got Chair Gorelnik and then Corey Ridings in the queue so Chair Gorelnik, please.

**Marc Gorelnik** [00:14:08] Thank you Vice Chair Hassemer. I... like Phil, there's just a lot of different thoughts in my head, a lot of different directions. We've.....one thing that was raised in the white paper

that we've not really discussed is the timeliness of materials for briefing books. Some advisory bodies have mentioned that they could get some of their work done more efficiently if they had those reports more timely, but that I think is a longer term issue, but that is something that we should probably try to keep on our radar because even we as a Council would be more efficient if we got all of our reports you know sufficiently in advance either of the meeting or of the agenda item in order for us to consider. Clearly on our agenda for this topic is going to be virtual versus hybrid versus in-person meetings. COVID has changed things and it's opened our eyes to new possibilities in terms of conducting meetings, but I think what I've heard, at least from the advisory bodies in general, is that they want to meet in person when there are substantive issues to discuss. And I don't think there's any dissension amongst the advisory bodies dealing with the FMPs. Virgil raised the issue of alternates. Illnesses are not new. With COVID-19 we've had folks who have had to miss meetings before because of illness and the solution up until COVID-19 has been you can have an alternate. And I think we need to keep that on the table. Now there is a constraint in the COPs that alternatives need to be requested sufficiently in advance. I think historically the Executive Director's been pretty accommodating there and I think that if we can continue to be accommodating that is one way to deal with an acute issue, an acute health issue someone may have. It could be COVID-19. It could be anything. That doesn't necessarily deal with the issue of folks with long-term health concerns that want to participate in the process and are not able to attend in person and I don't know how we satisfactorily address that, but like Butch I've been involved in the salmon process for a long time. I don't think the issues that raised that we have there are unique to that advisory body, or to that process where things are very dynamic during the meeting. You have a number of stakeholders who participate in the advisory body discussions and those can't be scheduled in advance and put on an agenda because circumstances change during the course of the meeting. We get new guidance from NMFS at the meeting and so that may necessitate additional discussions or there is discussions between, at least in salmon between state delegations. So, I don't see an alternate alternative to in person for those sort of things. I think there are some meetings, for example where an FMP isn't being revised or we're not dealing with.....a season setting where there is sort of a peripheral issue we want input from the advisory body. Yeah, those could easily be done virtually, but hybrid is a problem and I think we've been using the term hybrid a bit imprecisely. I think the way Council staff has been using the term hybrid means within a given body some are in person, and some are remote as opposed to a management team being completely remote versus the Council being completely in-person. It's the hybrid circumstance within a body, within a meeting that raises significant technical challenges. So, I'm glad to see this process going forward and I think that we've got more to discuss. And I have one other comment I'll make and this sort of mirrors another thing Phil said is, if you have any experience with other Councils, you will appreciate how well we operate here and that is due in no small part obviously to the work of staff, but also to the fact that we meet, we have met in person. We meet in person with advisory bodies and the fact that we know each other both as Council members and with the advisory bodies and management teams I think adds to the constructiveness and provides an efficiency in our process.

**Pete Hassemer** [00:19:03] Thank you Chair Gorelnik. Corey Ridings and then Joe Oatman. Corey, please.

**Corey Ridings** [00:19:10] Thanks Mr. Vice Chair. I'm just going to add a couple of things here quickly in the spirit of efficiency. Our Chair got to this a little briefly, but I definitely support thinking about having advisory bodies and management teams meeting in advance of the Council meetings where they can. Having the reports in earlier, I think, is something that would be great to the extent that we can do that and make that happen. It gives the Council, it gives the public a chance to digest, understand, discuss and I think that results in better decision-making, less time on the floor if reports don't need to be read in verbatim. I understand there's definitely a little bit of a chicken and egg situation for some of our management team and advisory bodies kind of, you know, waiting from this, waiting for that, volleying stuff around, but I think good analysis and thinking could help us get past some of that. Also,

we heard from our public that this could also help with less overlap so that members, public, and staff can attend multiple meetings without having to run between them or and hopefully provide a overall better process there and less stress. To crib from the HMSMT structure for short term, we heard a little bit about the potential maybe, I'm going to maybe misquote this, but like a listening station and remote public comment for AB and MTs that are being held exclusively in person, that way if people can't make it for a health reason or just for the public to be able to at least listen in. Sounds like that's struggling a little bit with the IT in terms of having those run perfectly smoothly in terms of membership being remote and in person, but just being able to have a listening option in a section for remote public comment might be a short-term solution there. I wanted to echo Christa and the HMSAS restructured questions for the AB. That seemed like a really good idea that may be able just to help with process in general. Finally, I wanted to echo Frank's thoughts that there are many tie-ins with the EEJ conversation that we're starting. And I really appreciate Caren and Bob's comments that the Council needs to be together to create relationships. I agree and as this pandemic has showed me I'm kind of a social introvert and I'm just so grateful to be here with everybody. But families can also the echo chambers and I think it's critical for that the long-term success of our fisheries we need to make sure that we're creating opportunities for new and creative thinking and bringing in new and different and younger voices and having remote participation as well as thinking how we operate overall will help us get there. So, thanks.

**Pete Hassemer** [00:21:47] Thank you Corey. Joe Oatman.

**Joe Oatman** [00:21:51] Thank you Mr. Vice Chair. I want to provide some perspective I guess on, you know, the white paper and what's being considered there. Do appreciate all the work that went into developing that and helping us have this, you know, structured and real deliberative thought process on this one. I wanted to share some perspective on kind of the salmon process. So, you know, as we noted already, you know, it can be a pretty dynamic and fluid process, a lot of moving parts. So of the species we deal with, you know, salmon is one where you can engage, you know, all of the 26 tribes who are a part of that process. And again, you have tribes, you know, engaging in varying levels and degrees through the March and April meetings. So as this relates to, you know, the in person, the virtual hybrid, I think it's probably safe to say that, you know, the tribes would certainly want to be able to meet in person. You know the hybrid or the virtual, you know, has worked but again those have some challenges, you know, associated with it in terms of, you know, if you're in a room or if you're out of the room, you know, on your laptop or whatnot, you know, they have shared with me that they've experienced some, you know, difficulties with audio and that type of thing. So those add in challenges to an already challenging situation under normal conditions. And so, I certainly think that, you know, this hybrid or virtual, you know, again it's kind of a tool in our toolbox and I think we can certainly explore how to use that but, you know, insofar as this relates to salmon, you know, I think would be the preference of the tribes to be able to meet in person. Thank you.

**Pete Hassemer** [00:23:55] Thank you Joe. Looking for further hands. I don't want to cut off discussion here but I'm just going to ask Executive Director Burden here. Out of the corner of my eye I saw him taking lots of notes and I'm glad he probably brought a fresh notebook. So how are we doing here?

**Merrick Burden** [00:24:17] Thank you Mr. Vice Chairman. I'm using my daughter's old school notebook and running out of pages, so I need to find a new one. This has been a wonderful discussion. I hear lots of interest in this topic. What's on my mind at the moment is how do we move forward from here and don't want to get out in front of you of course, but I do have some thoughts and I was compelled by, you know, Phil's suggestion, which was let's break this down, what's a simple set of things we can do early and that'll help to inform a longer term discussion of what a more strategic set of considerations might be. So maybe in the interest of efficiency I'll offer a suggestion. I guess I would propose that our next white paper that we bring back would explore two main questions. So, one is this question and

really what we've been testing here this year which is having some advisory bodies in person, some remote through Council meetings and exploring more deeply how do we make that decision and what are the trade-offs of having everyone in person, some people in person, some remote, and when would we allow that if we decide to pursue that. So that would be one topic. The other one that I heard a lot of discussion about is just the, I mean hybrid is sort of a loosely defined term right now, but within that discussion a lot of interest in making sure that we help facilitate public engagement. So, listening sessions were an idea continuing with the Council meeting format we have now so people can listen in remotely. So, exploring that more deeply and our capabilities for doing that would be a second topic. I guess that's what I would propose for our next cut at the apple here, but certainly open to other suggestions.

**Pete Hassemer** [00:26:11] Okay. Thank you Merrick. Any response to that? Further comments? Frank Lockhart.

**Frank Lockhart** [00:26:18] So just also inspired by a lot of the comments and particularly from the management teams and advisory bodies, I really liked the way that the salmon folks and I think also that the ecosystem folks presented us something that kind of looked at how they do their job on a annual basis or biennial basis, however it is, and had some ideas of how to focus their work thinking about this in person versus virtual so.... And then, I also really liked that the HMSMT, and several people have pointed this out, the short and long term, so I guess where I'm going with this is that as part of development of this white paper, I guess, I would be interested in kind of tasking the groups to think about their management process and see specifically how they might be able to look at in person versus virtual or hybrid meetings. And I don't know if that fits into your vision, but I just wanted to kind of get that out there. Getting them thinking kind of like the Ecosystem Work Group and the salmon on some things are just you have to be in person versus other things could be remote and us, having us know which ones they think can be virtual. So, thank you.

**Pete Hassemer** [00:27:46] Thank you Frank. Phil Anderson.

**Phil Anderson** [00:27:50] Thanks Mr. Vice Chair. And I'm supportive of what Mr. Burden suggested and I appreciate what Mr. Lockhart just said and, I guess, I don't know which comes first but my guess is that the staff, the Council staff is going to have a pretty good idea relative to the different FMPs and the advisory groups of which ones of the meetings are really, I mean have a lot of substance to them and therefore would probably be recommending that they be in person and there may be others and using the salmon one at the November meeting for an as an example where they generally I think maybe meet for one day it might be a candidate for them to do it virtually, but maybe let them take that first cut so that then the ABs and the public can react to that. It's just, I mean it's a maybe a finer point on just the steps to get there but it's just reaction to that. Thanks.

**Pete Hassemer** [00:29:01] Thank you. Caren Braby.

**Caren Braby** [00:29:06] Thank you. And I also agree that the two white papers that you outlined Merrick sound great. I do want to come back to the strategic planning of business operations concept and not having read the Tiger Team Report I don't know what that says. I don't know what other Councils do and whether that report and looking at other Councils is a white paper or whether that's an overarching theme for the other white papers that this Council would develop, I'm not really clear, but I don't want to leave that out of kind of near-term consideration of how we could move forward on this. So that's important to me as an addition to your list.

**Pete Hassemer** [00:29:56] Merrick.



**Merrick Burden** [00:29:58] Yes, thank you Mr. Vice Chairman. Thank you Miss Braby. I didn't intend in my comments to be that we would drop the more strategic set of considerations. And so maybe to elaborate on my earlier suggestion, I think what we do is we acknowledge that there was a lot of interest around this table for that bigger picture view. It's just a matter of getting clarity on that before we pursue it so we can manage it effectively. That's what I have in mind and so I have been learning more and more about different Councils. I have experience with some different Councils and there's some information we can draw on there. I have been a part of many strategic planning processes in other organizations and there's a variety of ways that we could bring ourselves together to work through these things, and I think it would benefit us to keep that in mind but make some progress and that would enable us to approach it with a clearer set of eyes and know what we're really trying to get at. So, I wouldn't envision a white paper coming back on that. You know in the next meeting or two, maybe a little bit longer, so this might be the third meeting I had envisioned in June for instance, where we would bring back a clearer plan or suggestion for how we might proceed on those more strategic matters. That's what I'm thinking but I'm open to something else of course.

**Pete Hassemer** [00:31:21] Thank you Merrick. Further hands with Merrick? Phil, did you have something?

**Phil Anderson** [00:31:31] Yeah, I had one other thing. It's a little bit, it's within the topic area we've talked about and if my request is inappropriate I'm sure you'll let me know. There was a lot of discussion both around this table, public testimony about the ability to track all of the various meetings that are under the Council umbrella and the difficulty in doing that or where do you....where, is there a place you can go to get that information? And my guess is that there is and so I'm wondering would it be reasonable to ask, I'm thinking about Kris as the right person to ask for those people who want to track what is happening within the Council umbrella relative to meetings and when they are, what's the best way to go find that information? Because it was a, there were Council members around that were asking that question. I have that question and there were certainly members of the public that were interested in that and I'm just requesting that we see if Kris could help with that question. Is that acceptable? Request?

**Pete Hassemer** [00:33:08] Thank you. Merrick.

**Merrick Burden** [00:33:11] Yes, thank you Mr. Vice Chairman. Thank you Mr. Anderson. I did make note of that. And in the back of my head, I was, I had in mind let's just make our calendar more prominent. That seems like a natural thing for us to do. We do have, I mean we do planning for a living as Council staff so we have all of this written down on calendars and I think the question here is to make it more prominent on our website so it's easier to see what's coming. When do we want things do and things of that nature? So, Kris and I are sitting here giving each other the thumbs-up and I think we'll just proceed with that if that's okay with you.

**Pete Hassemer** [00:33:46] All right. Thank you. Further hands or... Merrick, I suspect that at a future meeting and we can talk in workload planning or wherever, but you mentioned possibly April and June. But you've got what you need now to proceed?

**Merrick Burden** [00:34:07] Yes. Thank you Mr. Vice Chairman. I believe you've sufficiently handled this agenda item. There's been a lot of good feedback. I think we have some direction on next steps knowing that some of the steps beyond that will become clearer as we take the next one. But I think our next steps are clear. So, thank you.

**Pete Hassemer** [00:34:25] Thank you Merrick. Then with that I think we've taken what was probably a 6-hour discussion and condensed it to 3 hours so I appreciate your efficiency on that and that will close out this agenda item and I will pass the gavel back to our Chair.

#### 4. Marine Planning

**Pete Hassemer** [00:00:00] All right. I think we're ready to get back into action here. Our Council discussion and action. Lots of good input and questions to everything we had. I'm going to quickly summarize what I heard as some of the items we're looking to take care of because there's more detail than what's there on the screen for our action. We've got the guidance document, the draft guidance document to consider. The PAC-PARS letter through the QR process, whether or not the Council wants to move forward with that. Aquaculture, finfish aquaculture, some questions from the MPC regarding that direction the Council might want to go. Items for the September 30th agenda items for the September 30th MPC meeting. And of course, you've always got the recommendations of the advisory bodies and the public to think about also. So, with that I'll look around here for a hand to kick it off. Caren Braby.

**Caren Braby** [00:01:11] I'm happy to get us started. It feels like we don't need a motion so I'm going to approach this as my guidance to get the discussion started. And I wanted to start with reflection. We are now a year out from having a Marine Planning Committee that is part of our Council family and I want to acknowledge that and appreciate the tremendous work that that group of individuals has put out in the last year. And it has trickled down to the Council members ourselves in reviewing QR Letters, which have been enough of a workload let alone producing those letters and having the meetings to have the ability to produce that great work. I think 20 letters in the last year plus the guidance document. And of course, Kerry, at the helm of that group as well as individuals putting out tremendous work. So, thank you for that and we have more work for you. And I just want to highlight that in a year that group will be at the term and it's nothing to talk about today, but just thinking about how the Council wants to move forward on marine planning issues is something that we will need to work on in the next year. So, I think that I organized it a little bit differently than Vice Chair Hassemer did, but I have the same things that I wanted to talk about. I organized it as letters that I think we clearly want to consider. One is Council comments on PAC-PARS. I think that that is important to put some thoughts together on, and I'm hopeful that that is part of the MPC agenda on the 30th. And my advice as a Council member is thinking about how not only the Coast Guard might react or respond to some comments about things like those navigational channels maybe not representing some of the smaller ports in Oregon for example, and other comments like that that may be helpful to the Coast Guard as they're considering finalizing that product. But again, I'm grateful for the work on that and the really deep thinking on how to represent navigational transit and safety on behalf of the Coast Guard, so thank you. The AOAs I wanted to raise a flag. Oregon does have very strong and potentially different position on offshore aquaculture, particularly with finfish from other states represented in the Council family. So, I just want to flag that the guidance document, for example is for offshore wind, it's not necessarily for aquaculture areas and I think that that requires some additional thought and certainly would be subject to more scrutiny from me as representing Oregon and looking at something like a QR letter. The guidance document I think we have some suggestions on how to modify that from our advisory bodies and I would suggest that those suggestions for modification of the document be taken in by Council staff and integrated as appropriate into that guidance document and that we call that good. It's a working document that's internal facing. It's meant to provide information that can be used in QR letters. It's not meant to stand alone as a formal policy document and so, I think, I'm comfortable having it basically tweaked a little bit, added to a little bit and finalized for that internal use. I do want to pause a little bit more on the suitability modeling project that we heard about for the first time today, and teeing off of Heather's comments I think it is critical that the PFMC stay engaged in this issue. The issue being offshore wind and one example being the Suitability Modeling Project and I am grateful that that can be teed up for the September 30 MPC agenda. I think that we should formalize comments after that time to BOEM and the NCCOS Team in whatever form makes sense to make sure that our input is heard on the information that's being used in the modeling effort, the high-level design decisions that

are being made about it like weighting of submodels, for example things that were brought up by multiple Council members on the floor. I also want to just reflect that the Aquaculture Opportunity Area project that NCCOS has brought to our Council multiple times stemmed from the Executive Order that was issued in May of 2020. That project was finalized in November of 2021. That's a year and a half. We're not doing math on the Council floor today but that's about a year and a half. And having separate discussions about that modeling exercise a year to a year and a half is a thoughtful way to approach that. That allows for really careful consideration of inputs. It allows for iterative preliminary products and vetting to make sure that the information actually represents what you think you want it to represent. That's just, is it taking reality and turning it into something that also reflects reality or is it giving you garbage? And that's not a comment. I shouldn't have used that word. That's not a comment on NCCOS or their processes, just a part of testing models and making sure that it's giving you something of value. So, I think that leads me to suggest possibly another letter or communication specifically on that topic, not only the Council wanting to be involved in that to the degree that we can be, but also that request to really allow that process to have some time to percolate within the NOAA team that's conducting the work so that it gives us good information. Those are my thoughts at this time and thanks for all of the time.

**Pete Hassemer** [00:08:30] Thank you very much for kicking off this discussion Caren. Bob Dooley.

**Bob Dooley** [00:08:36] Thank you Mr. Vice Chair. Caren good comments. You know, I was reflecting on the suitability model that we saw today and we'd seen it before, I think it's close to four years ago in the terms of aquaculture, same author, same lead, James Morris. You'll recall that I actually went to Beaufort and visited him and gave a report at the Council floor about that, that we need to pay attention to this and that this model was being developed and they were actually soliciting input from fishermen, from the Councils, from the agencies to populate this model. And I think it would behoove us to engage and it would I think it's... I think it's a breath of fresh air in the BOEM process that they have recruited James to come back and do this on that behalf, so I think the thing that strikes me is we need to understand that we have a 22-year-old RCA, I believe, off the coast. And if you look at these models and it doesn't include the information from prior to that, you'll think that's a great place to put wind energy and it's not in terms of fishing. So, I would hope that we could get our forces to, you know, from fishermen to whoever has the data, the states to populate that, to help populate that information because it's not a... you know, our future footprints important but our historical footprint is important, particularly now that we're going back into those areas and, you know, reengaging. We just talked about it this week in the terms of the non-trawl RCA. So, I'll stop there but I hope heed the warning here and engage and get the best information we can because that will be our defense in the future. Thank you.

**Pete Hassemer** [00:10:55] Thanks Bob. Further discussion or guidance? Frank Lockhart.

**Frank Lockhart** [00:11:00] I mostly agree with the comments. In particular just to follow-up on what Bob said, I think the region is really pleased to see BOEM utilizing the end costs, spatial modeling expertise for citing off Oregon. As he said, as Bob said, we're familiar with it from the Aquaculture Opportunity Areas and support the transparency it provides and it's science-based and peer-reviewed approach. Secondly support Caren's overall guidance on the general direction of the guidance document. We did have one item that we're not quite sure about. So, in her general direction to staff to kind of look at the comments. Number three on the CPSAS report talks about developing an independent and comprehensive NEPA document and we're not sure that that actually makes sense in the context of the BOEM process. So, if when they're looking at these comments if they could look at that a little bit more we'd appreciate that. And thank you. That's it.

**Pete Hassemer** [00:12:12] Thank you. Corey Ridings.

**Corey Ridings** [00:12:15] Thank you Mr. Vice Chair. Caren, may I ask a question of yours? Okay, thank you. Caren, you mentioned on aquaculture and how your state has a certain position and I heard you say that it may not be appropriate to talk about how to amend the draft guidance document because of that state position. But the way I read the MPC comment letter, it was asking for input on aquaculture regarding a draft PEIS for the Southern California Aquaculture Opportunity Area. So, I'm wondering if that makes a difference in your mind in terms of this Council providing some guidance on the two aquaculture questions that were posed? Thanks.

**Pete Hassemer** [00:13:04] Caren.

**Caren Braby** [00:13:05] Thank you. The flag was.....I appreciate the question. The flag was not on the guidance document which I interpret to be tailored to offshore wind, but if there is going to be something like that that is a Council position guidance document on aquaculture offshore then I would have maybe more careful review of that to make sure that it's consistent with our ongoing dialogue on aquaculture. So, for projects off the southern coast of California we would want those to be consistent with California policy and PFMC policy, not as much Oregon and vice versa. In Oregon, we'd want it consistent with Oregon.

**Pete Hassemer** [00:13:56] Thank you. Joe Oatman.

**Joe Oatman** [00:14:00] Thank you Mr. Chair. I guess I'd like to provide a general comment as it pertains to the BOEM offshore wind planning activities. So maybe building off of Mr. Dooley's comment about, you know, how to bring the forces together, maybe sort of all hands-on deck type of approach that the Council might be able to do. So, for tribes here that's part of the Council process, you know, so the tribes with the federally recognized fishing rights, you know, they and their fish and the fish habitat, you know, can be impacted by offshore wind. And so, I just wanted to remind the Council that, you know, to the extent practicable, you know, I'd like to make sure that tribal issues and interests with respect to this are incorporated. I know in this quick response letter that we did regarding the BOEM, I think it's the Fisheries Mitigation Guidance Document, did provide some specific information that we had wanted to have included in the Council quick response letter and that was done and so we certainly appreciate, you know, that and so as we kind of move forward, you know, we want to make sure that the tribal rights and interests are appropriately considered. Thank you.

**Pete Hassemer** [00:15:40] Thank you Joe. Yes, and I'll just comment I did notice in the suitability model there they do have little boxes for commercial fisheries and recreational, but we understand the importance of tribal fisheries too also here and we will make sure we capture those comments in there so thanks for that. Further discussion? Guidance? Butch Smith.

**Butch Smith** [00:16:12] Thank you Mr. Vice Chair. And I'm sure this is implied but just in case we don't want to let somebody off the hook that just thinks these fishing rights and these fish are just in front of their in their U&A ....these, these things transit for the same ocean that we all fish and migrate and the reason why we have the stocks, you know, from time to time that we have and work so together. So, I want to make sure that just to piggyback on Joe's comment there that this is, you know, this is the environment and of our whole coast just not in front of certain coastal areas and make sure that is known when we give our thoughts. Thank you.

**Pete Hassemer** [00:17:04] Thanks Butch. Not seeing other hands here so before I ask for a recap from our Executive Director or Kerry, I just want to click through some of these things. Before I ask for a head nod from the Council I want to verify what I heard is correct on the guidance document, that it's not a final policy guidance document but it is for internal use. We have some comments that were received. They would be incorporated as appropriate, and I think that responds to Frank Lockhart's

comment about taking a look at those and see how to fit those in and we would not need any formal action. So, Caren, if I captured your suggestion, it looks like it. Around the Council table here is there agreement with moving forward with that way at this time? I'm seeing head nods on that. There was.....Kerry.

**Kerry Griffin** [00:18:14] Thanks. I'm sorry. I don't want to interrupt but there was one sort of niggling idea in my mind. We've been calling this a policy document or a policy guidance document, and what I'm hearing is maybe we should just remove the word policy from it and just call it a guidance document. I see head nods. Thank you.

**Pete Hassemer** [00:18:30] All right. There's a lot of head nods for that. On some of the other items then on the....maybe it's easier I don't know to take this up on the MPC agenda, but some of the agenda items might be the PAC-PARS hoping they would get that on there. And I don't know about the Finfish Aquaculture, how people feel about that, but did you hear input for agenda items on the September 30th MPC meeting?

**Kerry Griffin** [00:19:07] Yes, I did. Specifically, the PAC-PARS item and I'll reach out to the Coast Guard to see if they can join us. They've usually been super helpful. And then the end cost modeling opportunity for a deeper dive is what I also heard for the September 30th meeting.

**Pete Hassemer** [00:19:27] That's right. I did, excuse me, I had that in my notes to comment about the suitability model or that modeling effort. So.... Lieutenant Commander Ettinger.

**LCDR Brett Ettinger** [00:19:37] Through the Vice Chair, yeah, we'll absolutely participate. I was looking for a little bit of clarification on the requests about PAC-PARS. I saw the comments from the g....I think it was the GAP with addition or adding in fairways in the two southern call areas. Was there anything else specifically from Council that we're looking for or that would be coming in that quick response letter to the Coast Guard that we could either nip now or otherwise?

**Pete Hassemer** [00:20:13] I'll look around the table. Caren Braby.

**Caren Braby** [00:20:15] Thank you. Through the Vice Chair thanks for the question. So, I mentioned really briefly that I've heard at this Council meeting some reactions to the public comment opportunity and how that the maps that you've produced, the data that have been produced, match with reality. And without providing guidance on it at this time I think there's some concern that some of the smaller ports do not appear to have navigational access around the offshore wind areas, the call areas and the, in the fairway lanes. And so, a discussion about how that was, how the fairways were developed and how smaller ports that have less vessel traffic were considered and some dialogue around that. I would expect that to be part of what would come up.

**Pete Hassemer** [00:21:13] Does that clarify that Lieutenant Commander?

**LCDR Brett Ettinger** [00:21:16] Yep. Thank you.

**Pete Hassemer** [00:21:18] All right. Thank you. So, anything else we're missing on the agenda? Turn back to Kerry or any of the other items we had before us here.

**Kerry Griffin** [00:21:41] Thank you. I'm just scanning my notes from Dr. Braby's summary, and I think we covered it and you summarized it really well Mr. Vice Chair. So, you know, I think that covers it. I think we have pretty good direction.

**Pete Hassemer** [00:21:58] All right, any closing comments on this agenda item then? It sounds like we've completed our work here. And I'm not seeing any hands so that would close.....oh, I'm sorry, Caren.

**Caren Braby** [00:22:14] Thank you Mr. Vice Chair. I just want to say that we only went over by 23 minutes this time.

**Pete Hassemer** [00:22:23] All right. Well, with that then I will close this agenda item and very quickly turn the gavel back to our Chair.

## 5. Fiscal Matters

**Pete Hassemer** [00:00:00] No public comment signed up so that would move us directly into Council discussion on this matter. So, I'll look for a hand see if anybody wants to kick anything off here, have any discussion. Caren Braby.

**Caren Braby** [00:00:19] Yeah, thank you. I haven't dug into this before today so apologies, but just wondered if you could summarize kind of where we are relative to travel savings from the last couple of years of COVID. You know big picture relative to some of the technology challenges that we've had that we've spent money on and how you see those playing out. There's a lot of discussion about maybe some more in person, maybe some less in person and how that's going to all flesh out but considering our Council efficiencies agenda item earlier this week, you know, where are we sitting with that kind of budget trade-off and, and challenge looking forward.

**Pete Hassemer** [00:01:09] Thank you Caren. I will first ask our Executive Director if he can respond to that.

**Merrick Burden** [00:01:16] Sure. Thank you Mr. Vice Chairman. And thank you, Miss Braby, for that question. I think that is a question we are all asking ourselves. I would start by referring you to the PowerPoint that I gave the Budget Committee, which is in the briefing book as a supplemental item. One of the first slides and there is a summary essentially of where we're starting the year in terms of financial footing and we started the year with a delayed spending account balance of 3.3 million, which is a nice sum and gives us some time to figure out the long-term trajectory of our finances. That there has been, I guess, I would just reflect on where that came from and, you know, it's come from a variety of sources and I think going all the way back to, you know, two predecessors of mine ago, Don McIsaac, began to build up some of our delayed spending account balance. The COVID era if I'm recalling the analysis that Patricia and I looked through several months ago, the COVID era did not in fact result in much savings to us. We managed to spend that money essentially. So, the money that we had been scaling back on in travel was moved over to other items and so you don't actually see a surge in our delayed spending account balance during those years. And so, as we look forward what we're asking ourselves now are a few questions that are indicated in the report that Patricia just gave. One of those is what we're doing this year as we try to come out of COVID and we're backing ourselves into this slightly different meeting format where we have some advisory bodies in person, some remote, and we've been making those decisions as staff based on a few considerations, you know, one is what advisory bodies need to be in person given the interaction that we think is necessary for the Council to be effective. On the other hand, we are cognizant that COVID is still out there and if it were to flare up here how much could we actually manage? And those two things converged on where we are at this meeting, which is a couple of our FMPs in person, others remote because that's about what we can manage as staff if COVID were to make an appearance. So that does, that model does result in some travel cost savings as I'm sure you would expect. It also on the terms of the hotel side, you know, we sign these contracts several years in advance and so that cost doesn't come down maybe as much as you would expect, but longer term if we start to plan on this slightly different meeting format that we've been doing this year, I would anticipate us starting to chip away at those contract amounts. So, there's a short-term cost savings to what we're doing here at this meeting. There's longer-term cost savings that come from planning exercises, and all of that is wrapped up in our Council efficiencies item. As you suggested is that what we want to do right now? We're doing this out of necessity. Longer term I think it behooves us to ask, should this be a different model given inflation or inflationary pressures, our longer-term budget outlook and things of that nature. So those are some thoughts that are in my head in response to your questions and if there's something I missed I'm happy to keep waxing poetic about what's going on through my head.



**Pete Hassemer** [00:04:41] Any follow-up Caren? No. Thank you. Phil Anderson then Chair Gorelnik. Phil.

**Phil Anderson** [00:04:52] Yeah, thanks Mr. Vice Chair. I was able to sit in on the Budget Committee meeting earlier this week. Just a couple of observations. You know we've been, we are, have been in a period where we've had the good fortune of getting, being able to get some additional funding beyond the base that's provided the Councils for a number of years, and we have tailored our operations to having that higher level of funding including staff and the other things that we've done. And it's, you know, we're in a... we're constantly in a period of uncertainty I think relative to whether or not we are able to secure some additional funding from National Marine Fisheries Service over and above our base, and I think the uncertainty about that is even greater now than it has been in the past, which is causing us to have to look carefully, look ahead and ask ourselves whether or not we need to make some changes in our operations to reduce or reduce costs, if in fact the level of additional funding that have augmented our base either is no longer available to us or available to us at a lower level. There's certainly some linkages to the Council efficiency discussion that we had the other day and how we go about dealing with operating with a smaller amount of annual funding. And then, of course, the additional question that the Budget Committee and the Council will be grappling with is in terms of these funds that are in the reserve account, how much do we draw from that to keep our operation stable and put us in a position where we can continue to meet our obligations as a Council? So, there's a lot of....I guess my takeaway from listening to all of that is there is a fair amount of uncertainty here ahead of us, and to the extent that we can move forward in looking for efficiencies that reduce cost while at the same time maintaining the high level of performance the Council's had is really the challenge in front of us. So, I appreciate the transparency that the Executive Director and Patricia and other staff from the Council have provided us, or provided the Budget Committee and us in thinking through these questions. But there are a number, there are several pretty big questions that we're going to need to grapple with here in the coming months as we map out the next couple of years from a funding and operational perspective.

**Pete Hassemer** [00:08:25] Thank you Phil. Chair Gorelnik.

**Marc Gorelnik** [00:08:28] Thank you Vice Chair Hassemer. I just wanted to follow up on a comment that Executive Director Burden made that while we did save money on travel through the pandemic, obviously we had a lot of costs we couldn't avoid, but that money got spent other places. And I think that looking back over the actual budgets for '20 and '21 travel costs cumulatively were down, I mean we actually spent was over a million dollars. So, I'm curious, and I don't expect an answer right here, but maybe for the October budget meeting, I wasn't aware that we moved, that money was specifically moved and spent elsewhere in addition to whatever had previously been budgeted for those other items and I'm just kind of curious what those were.

**Pete Hassemer** [00:09:21] Executive Director Burden.

**Merrick Burden** [00:09:24] Yes. Thank you Mr. Vice Chairman. So, if I understand your question correctly Mr. Gorelnik, the question is, as we reduce travel expenses where did that money go? Is that a correct interpretation?

**Marc Gorelnik** [00:09:38] Right. If we saved money on travel and we made a conscious decision to spend the money elsewhere in addition presumably in categories that had already been budgeted but were increased, I'm just curious what those were?

**Merrick Burden** [00:09:51] Yes, thank you. I'm going off memory here. We have looked into that. I know there is an answer. There are a couple of things that come to mind right away. One is if you can

imagine the, this might even be in my presentation here that I gave the committee. So, if you go to, let's see slide 16 out of 21, you start to see what's changing. There what you see is the drop-off in travel that you referenced Mr. Gorelnik, and you see a surge in a couple of different items. So, one is contract expenses. Another is the surge in staff wages and benefits, which went to sort of backfill our leave account, which I think of as a liability. It's not technically a liability in accounting terminology but that was meant to backfill what the Council has promised staff in terms of leave and benefits and things of that nature. Then if you go to the following, the following slide, which is 17 out of 21, that breaks down the contract expenses in a bit more detail. And so there you see a surge in State liaison contracts from some around 500,000 to a little over 900,000 at the end of 2021. And then you see the surge in what we're calling other contracts. So those are things like I'm recalling a contractor to work on the SONCC coho matter. There are a few other things as well. So maybe that gives you some insight into where that money was moved around and how we spent that travel savings that you referenced.

**Pete Hassemer** [00:11:32] Chair Gorelnik, does that answer your question or do you have follow-up?

**Marc Gorelnik** [00:11:36] Not exactly, but I don't think it'd be fruitful to.....I think I'll just talk to Merrick offline.

**Pete Hassemer** [00:11:43] And I guess as you suggested we could bring that up at the October meeting, delve into that deeper if it's so desired. Further questions or discussion on the Budget Committee Report? I'm not seeing any hands. As is customary we usually look for a motion to adopt the report. Virgil Moore.

**Merrick Burden** [00:12:11] Microphone. Mic.

**Virgil Moore** [00:12:11] You can train old dogs new tricks here. Mr. Vice Chairman I move to adopt the report of the Budget Committee and recommendations from Agenda Item C.5.a, Supplemental BC Report 1, September 2022. And that pretty much sums it up right there for the recommendations.

**Pete Hassemer** [00:12:46] Okay. Would you like to read that please.

**Virgil Moore** [00:12:47] Oh, I'll reread that. I move the 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: One. Hold a special Budget Committee meeting in October 2022. Hold a regularly scheduled Budget Committee meeting in November and request staff to continue to refine the three budgets for consideration and review, including the information requested regarding staff wages, benefits, travel, and stipends.

**Pete Hassemer** [00:13:26] Thank you. And what's on the screen is complete and accurate?

**Virgil Moore** [00:13:29] That is correct.

**Pete Hassemer** [00:13:30] Thank you. I'll look for a second. Seconded by Bob Dooley. Would you like to speak to your motion?

**Virgil Moore** [00:13:37] It stands.

**Pete Hassemer** [00:13:40] Thank you. Any discussion on the motion? I'm not seeing any. I will call for the question. All in favor signify by saying 'aye'.

**Council** [00:13:50] Aye.

**Pete Hassemer** [00:13:50] Opposed no? Abstentions? Motion passes unanimously. Mr. Chair, I believe that completes our activities under this agenda item and I would pass the gavel back to you.

**Marc Gorelnik** [00:14:09] Thank you very much.

## 6. Approval of Council Meeting Record

**Marc Gorelnik** [00:00:00] Next on the approval of the Council meeting record, traditionally not a lengthy agenda item. I will first ask if there is any discussion or corrections, additions made to Attachment 1 under this agenda item in your briefing book? And I'm not seeing any so I will entertain a motion to approve the Council meeting record. John Ugoretz.

**John Ugoretz** [00:00:36] I move to approve the Council meeting record....there it is, as presented in Agenda Item C.6, Attachment 1, Draft Council Meeting Record, 267th session of the Pacific Fishery Management Council on June 8 through 14, 2022.

**Marc Gorelnik** [00:00:59] All right. Thank you John for the motion. Is there a second? Seconded by Heather Hall. Thank you. Speak to your motion if you choose.

**John Ugoretz** [00:01:08] It stands.

**Marc Gorelnik** [00:01:10] All right. Any discussion? Not seeing any hands I'll call the question. All those in favor say 'aye'.

**Council** [00:01:16] Aye.

**Marc Gorelnik** [00:01:17] Opposed no? Any abstentions? Motion passes unanimously. Thank you very much for the motion John. I believe that concludes this agenda item.

## 7. Membership Appointments and Council Operating Procedures

**Marc Gorelnik** [00:00:00] That will conclude reports. That takes us to public comment. I don't believe we have any sign-ups so that will now take us to Council discussion and action as laid out by Deputy Director Michael Burner. We started the overview with appointments and then went on to the COPs, so I would suggest we take things in that order. And before we take up any motions I'd like to see if there's any discussion on any appointments? And if there's no discussion we'll move on to motions. Caren Braby.

**Caren Braby** [00:00:47] Thank you Mr. Chair. It wasn't mentioned today but I just wanted to acknowledge that ODFW has a vacancy on the SSC, and we are getting closer to filling that vacancy, but I don't have an update other than we're getting close. So, thank you for your patience with that.

**Marc Gorelnik** [00:01:04] All right. Thank you very much. So, I'm not seeing any hands with regard to discussion on appointments. So, I know that we have a number of motions to undertake, and I think I'll first turn to Mr. Ugoretz with regard to the nomination for the California At-Large position on the Ecosystem Advisory Panel.

**John Ugoretz** [00:01:31] Thanks Mr. Chair. I move that significant roasting of Mr. Mike.....Oh no wait. I'm sorry I'm reading the wrong one.....(laughter).... I move the Council appoint Mr. Alan Lovewell to the California At-Large position on the Ecosystem Advisory Panel formerly held by Miss Melissa Mahoney.

**Marc Gorelnik** [00:01:50] All right. And just confirming that language on the screen is accurate and complete?

**John Ugoretz** [00:01:53] It is.

**Marc Gorelnik** [00:01:54] I'll look for a second. Seconded by Bob Dooley. Please speak to your motion as necessary.

**John Ugoretz** [00:01:58] I think Mr. Lovewell will do an excellent job and we look forward to having him.

**Marc Gorelnik** [00:02:03] Any discussion on this motion? I'm not seeing any hands. I'll call the question. All those in favor say 'aye'.

**Council** [00:02:09] Aye.

**Marc Gorelnik** [00:02:09] Opposed no? Abstentions? Motion passes unanimously. Welcome Allen Lovewell. We'll move next to the vacant sportfishing position on the Habitat Committee. Vice Chair Brad Pettinger do you have a motion?

**Brad Pettinger** [00:02:29] I do. I move the Council appoint Mr. Leonard Krug to the vacant sport fishing position of the Habitat Committee.

**Marc Gorelnik** [00:02:36] All right. The language on the screen is accurate and complete?

**Brad Pettinger** [00:02:39] Um hm.

**Marc Gorelnik** [00:02:39] I'll look for a second. Seconded by Caren Braby. Please speak as necessary.

**Brad Pettinger** [00:02:44] Leonard serves as Executive Director of Oregon's South Coast Fishermen. A salmon trout enhancement program based in Brookings, Oregon. Is also the President Oregon Anglers Alliance with over 65,000 members. He's an MREP alumni and he'll do an excellent addition to the Habitat Committee.

**Marc Gorelnik** [00:03:00] All right, thank you. Any discussion on this motion? I'll call the question. All those in favor say 'aye'.

**Council** [00:03:08] Aye.

**Marc Gorelnik** [00:03:08] Opposed no? Abstentions? Motion passes unanimously. Welcome Leonard Krug. Next, I'll move to the vacant At-Large position on the SSC. Mr. Oatman.

**Joe Oatman** [00:03:26] Thank you Mr. Chair. I move the Council appoint Dr. Tommy Moore to a vacant At-Large position on the Scientific and Statistical Committee.

**Marc Gorelnik** [00:03:36] Okay. Thank you for your motion. It's accurate and complete. I'll look for a second. Seconded by Phil Anderson. Please speak to your motion.

**Joe Oatman** [00:03:43] Thank you Mr. Chair. So, Dr. Moore has a PhD in oceanography with an emphasis in marine chemistry and has worked extensively on ecosystem productivity and marine climate change. During his time on the PMFC he has focused on issues related to oceanography, marine conditions, and marine ecosystems and habitat. Dr. Moore would be a great addition to the SSC and would provide direct contribution to the high priority needs identified by the SSC and the Council.

**Marc Gorelnik** [00:04:15] All right. Thank you very much for the motion. Is there any discussion or questions for maker of the motion? I'm not seeing any hands. I'll call the question. All those in favor say 'aye'.

**Council** [00:04:26] Aye.

**Marc Gorelnik** [00:04:26] Opposed no? Abstentions? The motion passes unanimously. Welcome Dr. Moore. Next we'll turn to the National Marine Sanctuary position and the Habitat Committee. And I'll see if Mr. Lockhart has a motion.

**Frank Lockhart** [00:04:47] I do. I move the Council appoint Ms. Laura Ingulsrud to the National Marine Sanctuary position on the Habitat Committee formerly held by Dr. Lisa Wooninck.

**Marc Gorelnik** [00:04:59] All right, thank you very much. Motion on the screen is accurate and complete. Look for a second. Seconded by Vice Chair Pete Hassemer. Please speak to your motion.

**Frank Lockhart** [00:05:12] Yes. Doctor, or excuse me, Laura Ingulsrud joined the National Marine Sanctuary Office West Coast Region Office as a policy analyst in June 22 to backfill Dr. Wooninck's vacated position. And she has previous experience with the Office of Protected Resources, and I believe she will do a fine job replacing her.

**Marc Gorelnik** [00:05:35] All right thank you very much. Are there any questions for the maker of the motion? Any discussion on the motion? All right I'll call the question. All those in favor say 'aye'.

**Council** [00:05:46] Aye.

**Marc Gorelnik** [00:05:46] Opposed no? Abstentions? Motion passes unanimously. Welcome Miss Ingulsrud. All right we'll next turn to the vacant CDFW position on the Model Evaluation Workgroup and I'll see if Mr. Ugoretz has a motion.

**John Ugoretz** [00:06:08] Thanks. I move the Council appoint Miss Grace Easterbrook to the vacant California Department of Fish and Wildlife position on the Model Evaluation Workgroup.

**Marc Gorelnik** [00:06:17] All right. The language on the screen as accurate and complete. Is there a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion.

**John Ugoretz** [00:06:28] Miss Easterbrook will be an excellent representative for the department. We look forward to having her.

**Marc Gorelnik** [00:06:33] All right. Any discussion or questions for maker the motion? I'll call the question. All those in favor say 'aye'.

**Council** [00:06:41] Aye.

**Marc Gorelnik** [00:06:41] Opposed no? Abstentions? Passes unanimously. Welcome Ms. Easterbrook. And then finally we'll look to fill the vacancy on the Northwest Fisheries Science Center position on the Salmon Technical Team and I'll look to Mr. Lockhart.

**Frank Lockhart** [00:07:02] Thank you Mr. Chair. I move the Council appoint Dr. Richard Zabel to the Northwest Fisheries Science Center position on the Salmon Technical Team formerly held by Ms. Mindy Rowse.

**Marc Gorelnik** [00:07:16] Look for a second. Seconded by Caren Braby. Please speak to your motion.

**Frank Lockhart** [00:07:23] Dr. Zabel has an impressive resume and is more than qualified to fill this position and I expect him to do a good job. Thank you.

**Marc Gorelnik** [00:07:33] All right. Thank you. Any questions for the maker of the motion or discussion? All right. I'll call the question. All those in favor say 'aye'.

**Council** [00:07:44] Aye.

**Marc Gorelnik** [00:07:44] Opposed no? Abstentions? Motion passes unanimously. Welcome Dr. Zabel. So, I will pause there and check in with Mr. Burner to see where we are on our list of appointments....(Sneeze)...

**Mike Burner** [00:08:07] Bless you. Thank you Mr. Chairman. I believe you've ticked off everything there in terms of the motions I was looking for appointments, so I think you've completed your business there. I just if I could for a moment I was remiss and not welcoming Miss Kelly Ames to the table with me as well. I think you're in great hands. I'll do my best not to impart my bad habits on her. She's highly qualified though and she will be a great replacement. I encourage her to chime in and correct me. Keep me on my toes.

**Marc Gorelnik** [00:08:35] Yes, thank you. We're all looking forward to working with Kelly. I do think that there was also a position, at least one position we want to readvertise and we want to get direction

from the Council on that.

**Mike Burner** [00:08:47] Yes, thank you Mr. Chairman. Unless I hear otherwise we will open up solicitations for nominations for one remaining At-Large vacancy on the SSC. And we have a Washington charter vacancy on the Salmon Advisory Subpanel that we also intend to open up between now and November, probably with a deadline in early October, early to mid-October for those so...

**Marc Gorelnik** [00:09:08] Okay great. So, I'm seeing nodding heads around the table. So, let me just see before we move on to the Council Operating Procedures to see if there's any further business from the Council on appointments? Caren Braby.

**Caren Braby** [00:09:25] Yeah, thank you. I just wanted to note the GMT's request for a representative from the Southwest Fisheries Science Center and encourage that being filled as that can be filled. Thank you.

**Marc Gorelnik** [00:09:40] Mr. Lockhart.

**Frank Lockhart** [00:09:42] I will pass on that urging to the center after this meeting.

**Marc Gorelnik** [00:09:50] All right, so let's move on to the COPs and I'll open the floor first for discussion. Vice Chair Hassemer.

**Pete Hassemer** [00:10:00] Thank you Mr. Chair. Maybe there's an easy button here. I'll pick that up on our action there. It lists COP 19 adoption of changes. I don't see any changes in anything in our, our briefing book but there was a recommendation from the GMT to take up a holistic review work that needs to be done by September of 2023, no later than that in order to be ready for the next spex process. So, on that one it would be my recommendation, maybe that falls in the workload planning, but that holistic review is, sounds like a little more detailed work that needs to be done similar maybe to what was done on COP 23, but some work to be done there. And then on referring back to Mr. Burner's opening remarks about just a look over all the COPs to bring them up to date, not a very detailed consideration but to look those over and just make sure they reflect current operations. Things that might be out of date or have changed how we operate under business, similar to what we've got under with some changes under COP 1 right now to take a little look across all of them and update them. So, I'll stop there and not get into the COP 1 and 23 right now. Let further discussion on that occur. Thank you.

**Marc Gorelnik** [00:11:39] All right. Thanks for that. So, let's keep our discussion focused on the more holistic review of COP 19 and whether we want staff to just take a look at COPs generally to bring them up to date and see if there's any objection there for one. And there at least on COP 19 it seems like there is a timeline associated with that. I'm not sure that we want to impose a timeline with regard to a general holistic review of the COPs. But let me just look around the table and see if that captures the sense of the Council. Bob Dooley.

**Bob Dooley** [00:12:18] Yeah, thank you Mr. Chairman. There was a lot of talk yesterday in the HMS about their EFPs, and while we're looking at EFPs it was mentioned about maybe taking a holistic look across the, the COP guidelines and pertaining to EFPs and the different FMPs so that we could get some consistency there. We may be able to, you know, cut some workload by taking a holistic look and getting it all fixed in one swat. Thanks.

**Marc Gorelnik** [00:12:53] Caren Braby and then Heather Hall.



**Caren Braby** [00:12:56] Thank you Mr. Chair. And I agree that looking at all of those processes is important. I do think that we have that specific timeline for groundfish and so I would want that to be the highest priority. But as we can build in review of the other COPs I think that makes sense and we should do that.

**Marc Gorelnik** [00:13:17] Heather.

**Heather Hall** [00:13:18] Thank you. I agree with that. I was really just going to say about the same thing. I think there was some great discussion on COP 19 in particular and definitely appreciate the GMT's timeline for that and so that it's ready to go for the next spex cycle. Thanks.

**Marc Gorelnik** [00:13:40] Okay. Thank you for that guidance. Let's.....well... that's sort of general guidance certainly with regard to the groundfish recommendations on a timeline and a general review. We also have before us specific changes at this time to COP 1. And is the sense of the Council to want to approve that at this time? Christa Svensson.

**Christa Svensson** [00:14:11] Yeah, thank you Mr. Chair. I am comfortable with the first paragraph. I will admit I have concerns about the second paragraph simply because by removing any limitation I know of a number of organizations where they've had continuous leadership for such an extended period of time that the organization has either atrophied or stagnated. And I also think we have increased the opportunity for leadership within the Council and Council members by adding a second Co-Chair. And, Pete, I want to congratulate you on your first meeting. I would never know if I weren't sitting up here regularly that this was your first time through. So, thank you for stepping up to the challenge and more than rising to the task. But I do think that it would be beneficial to think about that wording rather than fully removing it, you know, whether it's serving at the will of the Council or suspending the rules as we have been continuing to provide that opportunity for others, and also looking to not having a situation where future Council members are put into a position of having somebody stay longer than perhaps the rest would like, just alleviating that for them.

**Marc Gorelnik** [00:15:50] All right. Thank you. Further discussion on the proposed revisions to COP 1? Caren Braby.

**Caren Braby** [00:16:00] Yeah, thank you. I agree. I think that we've.....with Christa's comments I think we've struggled with how to word that. We really value the extended leadership opportunities where we can really have our Council leaders engage with the CCC, engage with partners on a longer-term basis than a one-year term allows, but that we want to provide that movement and opportunity for others to step into those leadership roles. And striking that sentence makes sense because it's a very finite sentence but I think that we might want to consider something that says a little bit more about the expectation that there is movement, that we don't want somebody to sit in the Council Chair position for 20 years or whatever. I mean that's kind of what this is, that sentence is getting at. So, no concern about striking that sentence, but just thoughts about maybe some additional expectations in there. So, I don't have any language to offer.

**Marc Gorelnik** [00:17:17] Corey Ridings.

**Corey Ridings** [00:17:20] Thank you Mr. Chair. I agree with Christa about concerns around this sentence. Again, reiterating gratitude to our current leadership and how good that's been. Just more of a reflection of the longer-term issues that Christa brought up. I also echo Miss Braby... maybe there's another way to do this? So just putting it out there that maybe it's worth taking another stab at so we can encompass both of those concerns. Thank you.

**Marc Gorelnik** [00:17:58] Well, I would say if we're going to give, if we want a rewrite here, we need to provide some better guidance to staff on what we want to see. So, Mr. Burner.

**Mike Burner** [00:18:11] Thank you Mr. Chair. If it's helpful, I guess I'll just express some of my thoughts. When I approached this task I did see removing that sentence made some sense just because it's so prescriptive. I thought about, I really didn't have much to work with in terms of replacing it and I thought the previous language in that paragraph that speaks to a requirement of a majority vote of the Council on an annual basis regarding the leadership would have been an adequate opportunity for the Council to consider what's the most appropriate thing for the following year. So that's kind of why I left it bare here. But I'm sure that if we're all ears if you have some other ideas regarding language, but Chair Gorelnik's correct, we would need that specific language here if you were going to take action of course, but I'm happy to go back and assign it to Kelly.....(laughter).....

**Marc Gorelnik** [00:18:52] Well.... and I'm not sure there's any urgency to adopt this at this meeting. Virgil Moore.

**Virgil Moore** [00:19:06] Thank you Mr. Chair. I think the way this thing is worded as 'may not' could be changed. And this is a thought as you work forward to it. It says the Council Chair normally serves no more than two consecutive one-year terms unless circumstances are provided, or something along that line that addresses what we just went through with COVID and the unique circumstances we had. It says what we think is normal, but it gives the flexibility without it being definitive yes or no. It's not a digital response.

**Marc Gorelnik** [00:19:44] So it sort of builds in a presumption but not a limitation. Well, I guess we can entertain a motion here with that new language or we can simply ask Council staff to go back. Phil Anderson.

**Phil Anderson** [00:20:04] Thanks Mr. Chairman. Yeah, I agree with Virgil's characterization in terms of what we would like to see there for language, and I would suggest we have that as our guidance back to staff and ask them to bring back some proposed language that captures that intent.

**Marc Gorelnik** [00:20:26] All right. Thank you. So, is everyone fine with that? So that's what we'll do with COP 1. Let me see if there's any action to be held on any of these COPs or further guidance? Mr. Ugoretz.

**John Ugoretz** [00:20:54] Thanks Mr. Chair. For COP 23 the EC has provided some new revised language. I think it's appropriate. I appreciate their efforts there. I think that sort of language needs to go into all of the EFP COPs and I think it could easily be included here now as a modification to what's in Attachment 4 for COP 23.

**Marc Gorelnik** [00:21:29] Mr. Burner.

**Mike Burner** [00:21:31] Thank you Mr. Chair. I agree with Mr. Ugoretz. And I just point out that starting at the November meeting is when we go into the EFP review process for coastal pelagics. So, it would be timely to adopt something here. And we did hear from the Enforcement Consultants that they were comfortable if the Attachment 4 were modified to include that paragraph from their statement I think that would be a good stroke of business.

**Marc Gorelnik** [00:21:52] All right. Well, maybe there's a motion forthcoming. Mr. Ugoretz.

**John Ugoretz** [00:21:58] Yeah, I do have a motion if you want.

**Marc Gorelnik** [00:22:00] Well, I think let's have a motion and then we'll see if there's discussion on the motion. I think that's sort of where we are.

**John Ugoretz** [00:22:06] And I have not provided it in advance so I will read slowly. I move the Council adopt the changes to COP 23 as described in C.7, Attachment 4 with the modifications rectum, excuse me... recommended by the environmental...Enforcement Consultants in C.7.a, Supplemental EC Report 1.

**Marc Gorelnik** [00:22:39] Okay, is the language on the screen accurate and complete?

**John Ugoretz** [00:22:51] Better than I said it? Yes.

**Marc Gorelnik** [00:22:53] Okay. Especially when it's done that way. Look for a second? Seconded by Dr. Braby. Please speak to your motion.

**John Ugoretz** [00:23:03] Thanks. I think as I just mentioned I think the changes are appropriate and timely and necessary for our next meeting.

**Marc Gorelnik** [00:23:11] All right. Let's have any questions for the maker of the motion? Discussion on the motion? I'm not seeing any hands so I will call the question. All those in favor say 'aye'.

**Council** [00:23:28] Aye.

**Marc Gorelnik** [00:23:28] Opposed no? Abstentions? Motion passes unanimously. Thanks for the motion. Dr. Braby.

**Caren Braby** [00:23:44] Thank you Mr. Chair. Just a question on the EC's recommendations for our changes in other COPs with that language and whether that is possible at this meeting or whether that should be teed up for November or a subsequent meeting?

**Marc Gorelnik** [00:24:02] Mike Burner.

**Mike Burner** [00:24:03] Thank you Mr. Chair. Thank you Dr. Braby. I believe the Enforcement Consultants in their statement requested that that happen at a future meeting so they have a chance to make sure we're also planning to take a little bit of a closer look at COP 19 and additionally in the HMS world there's a look at those EFPs so I would recommend that at a future meeting with the exception of CPS of course.

**Marc Gorelnik** [00:24:26] Very good. So, any further discussion on COPs? I think we've provided instruction to staff. And I'll ask Mike in a moment to recap that and then we'll see if there's anything missing. So, Mike, would you please recap where we are on COPs?

**Mike Burner** [00:24:49] Thank you Mr. Chairman. Well, first and easiest we will get these changes to COP 23 in place and posted in time for the coastal pelagic species consideration of EFPs here in November and April if I have that right. We will also work with our groundfish staff and advisors as we take a closer look at COP 19 both in regards to the Enforcement Consultant's comments and also in regards to the review of EFP data and any other thing else in that COP that should surface as they do a good look at that. Also, as a follow-up business from this week we're going to take a close look at the COP for HMS EFP business. Again, also including the Enforcement Consultant's comments there as well. Regarding COP 1, we heard direction from the Council to consider some language that captures what's typically done in terms of the length of time of a chairmanship or the officers for the Council,

and we'll bring that language back to you for your November meeting consideration. And I feel like I'm leaving one off but, oh yes, and we'll also take a comprehensive look at our COPs, maybe take a look through that probably not in time for November, but maybe look through it with sort of a housekeeping lens and just to see where there's opportunities where we can make that document, those documents match current practices a little better.

**Marc Gorelnik** [00:26:11] Terrific. Let me see if there's anything missing from that summary or anything further from the Council. I'm not seeing any hands, so.... I do see a hand now. Bob Dooley.

**Bob Dooley** [00:26:27] Thank you Mr. Chairman. There was a discussion during the week about the renewals of EFPs and there were some suggestions over time that potentially if you don't have a new research goal or a research purpose to renew an EFP that it might not be approved and might not be renewed. And there was a discussion also about EFPs that are basically complete but waiting implementation and I've just been going through this and trying to understand it's not specifically excluded, but it's not explicitly talked about either to be a valid reason to continue an EFP. It could be very disruptive to cancel EFPs while regulations are being developed and debated and implementation times are pushed off into the future. We could lose a lot of valuable momentum that these EFPs have shown us. So, I don't know whether it's important to have something in here saying that that might be, you know, if we're going back and looking at these, that that might be a valid reason or consideration in the future, because we have heard in the case of the EM EFP that Ryan Wulff had said that, well the last time we talked about a renewal that there needed to be a reason. It couldn't just continue to be renewed. And the fact that it hadn't been implemented yet suggested it was not a valid reason. So just a thought and I know that pertains to other EFPs as well so I just throw it out there that maybe we should be considering that. Adding some language that that's a consideration or a valid consideration as well.

**Marc Gorelnik** [00:28:29] All right. Thank you Bob. Frank Lockhart.

**Frank Lockhart** [00:28:31] And just to follow-up on that a little bit. So, I think some of the things we're talking about, remember, you know, we have our COPs for the Council, but there's also NMFS regulations that apply to EFPs, and some of the things that you're talking about are in the NMFS regulation. So, I guess if Council's interested in kind of an.....in exploring this concept further, these concepts further, I would recommend that NMFS staff and Council staff talk about it a little bit more and then potentially come back to the Council at some future date to kind of lay out, you know, the results of that discussion.

**Marc Gorelnik** [00:29:12] So that would be sort of part of the longer-term housekeeping review of the COPs to sort of conform the scope of COPs in our, the scope of EFPs and our COPs to what the NMFS regulations provide? Mike Burner.

**Mike Burner** [00:29:31] Thank you Chair Gorelnik. Yeah, I think we could fold it either into that housekeeping exercise or a couple of those other endeavors to take a deeper look into our COPs regarding Exempted Fishing Permits, yes.

**Marc Gorelnik** [00:29:41] All right. Great. Thank you. All right. Is there anything further on this agenda item? Mr. Burner.

**Mike Burner** [00:29:54] Thank you Mr. Chair. Appreciate all the motions. We will get those new appointments going as quickly as we can. We will follow up on the COP tasks and assignments we just reviewed, and I believe you've completed your business here. Thank you.

**Marc Gorelnik** [00:30:07] All right. Thank you.

## 8. Future Council Meeting Agenda and Workload Planning

**Marc Gorelnik** [00:00:00] We have had our reports and so now it's time for Council discussion and action. And typically for this I will turn to Executive Director Merrick Burden.

**Merrick Burden** [00:00:17] Yes, thank you Mr. Chairman. You've heard a lot of good feedback and input from advisory bodies and the public. I've made note of a few things and I'll express those just in the interest of helping with your discussion. Let's see if we turn first to the November 2022 agenda there are a couple of things I've flagged. Undoubtedly, there is more to discuss, but a couple of things I've made note of. One was Mr. Dooley's comment that the Legislative Committee meeting be in person on that Wednesday, November 2nd. I'm inclined to say yes to that. It just makes sense given the overlap of committees, membership and things of that nature. I did make note of the GMT's request that Agenda Item H.2 be struck from the agenda, just given their outlook and belief that there wasn't much forthcoming. And then I did make note of the exchange that Dr. Braby had with, I forget which GMT, Miss Pierson, I guess it was, regarding breaking up some of the groundfish items. I don't have a current proposal for that, but I did make note of that. Let's see, moving over to the Year-at-a-Glance, we have a couple of couple of things. One is I captured what I think is a bit of confusion about the SONCC coho item and the research that the STT and MEW are doing. I have to admit it's not totally clear to me when that might come back onto the Council's agenda, so maybe an exchange with Miss Ehlke or some of the STT members may be in order if that confusion is still here on the floor. I did capture a couple of other things. So, looking at March 2023 there was a conversation about EFPs coming back, HMS EFPs coming back in March. Of course, March is quite full already. We try to aim for 5.5 days and we're already slightly over that, so if we were to entertain that we would need to be looking at moving some things around. We've got a couple of thoughts. I would also look at Mike for his thoughts if that's where the Council wants to go. Let's see moving over to.....what else did I make note of here? Just a minute. Oh, looking over at June 2023 there was also an HMS matter that came up concerning opah and an analysis for possible consideration of that species into the FMP. I've sketched that in for June. I believe the statement was no sooner than March, but if we were to look at that I would say June would be the most likely candidate meeting just given when the HMS bodies meet and the space we have on our calendar. So those are some things that I've made note of Mr. Chairman. Happy to take any questions.

**Marc Gorelnik** [00:03:17] Butch Smith.

**Butch Smith** [00:03:21] I think maybe one thing you missed is the request for the EC to come to the November meeting. I support that. I think they're a vital part of our Council and if they want to come to the meeting I think that they should be able to because they feel they have a work to do and if others don't let the record reflect that I do support the EC coming to the meeting. So that's on you guys and mind that they do carry guns and, and handcuffs and tasers and some have access to 50 caliber. So anyway.... no.... all kidding aside, I do feel that they're a vital part of this Council and support them coming to the November meeting. Thank you Mr. Chair.

**Marc Gorelnik** [00:04:14] Further comments? Frank.

**Frank Lockhart** [00:04:18] Well maybe, I'm not sure if this....if you had a specific plan, but I guess we're....we are interested in this, the recommendation by the STT/MEW and so is now an appropriate time to talk about that further since Merrick brought it up or should we wait?

**Marc Gorelnik** [00:04:36] Well certainly for purposes of meeting planning.

**Frank Lockhart** [00:04:40] Okay. Well, I guess I'll kind of state what I thought was the end result of

that and some of the discussions and I think what we would be supportive of. So, I think from what I understand that we need a sense of the Council or some guidance in general that we are interested in going forward with the first two items on the STT/MEW report. Then Robin was very helpful in her comments that perhaps if we gave that direction we could then task the MEW and STT to working on that subject workload constraints and their availability of time. They would then come back at the April meeting under the thing that's identified there already, identify topics under methodology review, then we could further plan out kind of their workload and what they're going to do and when they're going to present the results of that analysis. So, I guess, at the end of all that NMFS is interested in giving that Council guidance and direction to the STT/MEW to proceed and hearing back from them in April 2023 about their progress and how what they need from us in order to complete the tasks.

**Marc Gorelnik** [00:06:01] All right. Marci Yaremko has her hand raised I presume on the same topic.

**Marci Yaremko** [00:06:06] Yes. Thank you Mr. Chair. Appreciate Frank's opening remarks on that. I see things maybe a little bit differently in that it seems to me that the report describes the importance of the KOHM effort projections to the quality of the exploitation rates that come out in pre and post season estimates from FRAM. I'm feeling like because there's so much work going on with KOHM that that needs to be kind of factored into the planning into this part one of the assignment. I'm wholeheartedly supportive of merging the SONCC workload into that of the STT activities. And so maybe what Frank is suggesting is the right pathway forward if we expand that methods review item in April instead of it to be to just identify topics that we maybe take up what has transpired with SONCC, or with KOHM and how that pertains to the FRAM estimates and then go from there in terms of taking up other parts of the work list. But I would say there's a little bit more I think that can happen on the near term. I certainly support the examining of the sample data to project coho encounters. That would be data that already exists that reside in state databases with sampling program data. And secondly, exploring the idea of what additional sample data collection might occur as part of the existing sampling program, so not developing a new data collection program per se, but are there easy additions we can make to the current sampling programs that would capture information. I don't feel like that is too heavy of a lift for folks to just talk about that and consider potential modifications. The other piece I'd say that didn't seem too difficult embedded in this report that could be done by April would be that inventory of coho GSI data. I'm not sure what all that would entail, but it sounded like from the report that there was already a look at that and so it didn't seem like that would be too ominous. So really what I'm suggesting is maybe some reorganization of how this series of items is tackled and presented and that we take it up in a, within the context of other STT work when we first talk about methods review in April.

**Marc Gorelnik** [00:09:45] All right. Thank you Marci. Phil.

**Phil Anderson** [00:09:54] Well, I was going to change topics but I also want to make sure that that discussion was complete.

**Marc Gorelnik** [00:10:01] All right. I think that's a good idea. Is there any.....want to just check back with Mr. Burden and see if that has....Marci's suggestion has been received and whether that seems to be a sensible way to proceed.

**Merrick Burden** [00:10:17] Yes. Thank you Mr. Chairman. You know my first reaction is that does seem sensible. I would, I guess I'm trying to stitch together a couple of things. One is Mr. Lockhart's suggestion that this come back in April. I think scheduling-wise that also meshes with what Miss Yaremko was suggesting, but if there are questions about that I would look to Miss Ehlke or one of the members of our STT to respond to some of the some of her suggestions.

**Marc Gorelnik** [00:10:45] Well conveniently Robin Ehlke has her hand up. So go ahead Robin.

**Robin Ehlke** [00:10:51] Thank you Mr. Chair. I appreciate the opportunity to speak on this. I would be hesitant to put any more work on the STT prior to April. I feel like because they have other things going on with the KOHM, which has been a pretty heavy workload within itself, and they are going to start the preseason process come January and we all know what March and April looks like so... I first, I'm not sure they'll be able to do anything more before April. And so, I think initially what I was trying to express was to wait until April when we have the methodology review and then have these potentially first two items, you know the first steps be considered as a topic for a review, you know, starting after April. So, I guess I just wanted to put that out there. I would be very hesitant to ask the STT to do anything more than what's already on their plate prior to April. That's it. Thanks, if that helps.

**Marc Gorelnik** [00:12:12] All right thank you Robin. Well, we're not fixing the April schedule for sure here, just Year-at-a-Glance. Frank.

**Frank Lockhart** [00:12:21] Thank you Mr. Chair. I have a question for Robin. So, I guess we were under the opinion that we weren't.....or in my comments earlier I wasn't really suggesting that any work happen. It's just that the Council would provide guidance that, yes, this is something that we're interested in having the STT and MEW work on and not thinking that they would do any hard analyses, but that they would then know that this was expected them so that they could be prepared to talk in April. So wasn't specifically asking for any analyses by then, just kind of expressing the sense of the Council that we are interested in proceeding and then talk about it further in April.

**Marc Gorelnik** [00:13:12] All right.

**Frank Lockhart** [00:13:13] With that, I guess my question to her is, would that work?

**Marc Gorelnik** [00:13:17] Robin.

**Robin Ehlke** [00:13:18] Thank you. I think that sounds appropriate. Thank you for that consideration.

**Marc Gorelnik** [00:13:25] All right. Anything further on this before I turn to Phil Anderson? Marci.

**Marci Yaremko** [00:13:32] Yes. Thank you Mr. Chair. I'd agree with that, and I guess though I would add that it would be nice in April to see a reformatting of this work, of this list of tasks that was identified in this report. I mean there is a lot of meat on this list, and it reflects two full days of STT and MEW meetings to hash through them. I just don't want to see this lost. I mean this paper that's brought to us is titled scoping and so sounds like they've done some scoping. There's a formidable list here. I think this list is going to be even better informed following the work done this fall and winter on the KOHM and so my thought in April was let's get a revised look at this scoping, this list of tasks that they've identified in the scoping document as part of the discussion on methods review. So, I agree with both Frank and Robin that we're not looking for new or unique work to be done by the STT before April, but I think a refreshed look at this list in conjunction with the other tasks on the methods review list would help to pull the workload together under one umbrella and then we can go from there. Thank you.

**Marc Gorelnik** [00:15:18] All right. Thank you. I think that wraps up the salmon item and Phil Anderson.

**Phil Anderson** [00:15:24] Yeah, thanks Mr. Chairman. Just wanted to make a couple of comments here on the items having to deal with meeting in person versus virtually. I'm not sure what the criteria was that staff used in making the determinations or suggestions that they have in terms of who meets

in person, or what entities meet in person and which ones don't. There is a fair amount of unanimity I think in the coming from the various advisory groups that meeting in person was important and preferred in most cases, although I think there was a willingness to look at meeting virtually when perhaps their agendas were light. I guess my.....so I don't....if the lens that staff looked through in making their suggestions was primarily around workload and not a budget, also a budget consideration that would be good to know. Because if it's a workload, if it's an assessment of workload then I would probably defer to the individual groups as to whether or not they think meeting in person is needed. If there are some budget implications that need to be considered then that brings in an additional lens that I'm not sure is, or that people are looking through. So, you know, in keeping with that I support those entities that are recommending that they meet in person. And I'm just primarily speaking to the November meeting. I also noted the GMT's request to meet a day prior to what is currently being contemplated. The date is the 2nd of November. I would support that recommendation. I think that's all I've got right now. Thanks.

**Marc Gorelnik** [00:17:54] Caren Braby.

**Caren Braby** [00:17:56] If we can move on from that specific.....because it's kind of related but this is to the GMT's request for an additional day. I just wanted to acknowledge that I think their request to meet a day early and to split up the.....it wasn't their request but my evaluation of this November 5th line up moving a couple of the agenda items to November 4th granting their request to meet a day early which would add a day of their travel not shift the time that their Council would be supported by me, especially in light of the heavy lift for them on this November agenda.

**Marc Gorelnik** [00:18:50] Thank you Caren. Corey Riding.

**Corey Ridings** [00:18:50] Thank you Mr. Chair. I think what Phil said may have gotten to this, but I just wanted to be specific and note that the SSC requested to meet in person in November and I support that request. Thank you.

**Marc Gorelnik** [00:19:11] And also I think the Habitat Committee requested effectively a hybrid session mostly in person with some remote participation. Mr. Burden.

**Merrick Burden** [00:19:26] Yes, thank you Mr. Chairman. Thank you for this feedback. In regards to the GMT and the GAP meeting earlier we can certainly look into that. If we were to do that what I would also be considering is rather than adding another day is shifting them earlier and with the understanding that if we were to envision, you know the GMT reports and GAP reports, the matters in front of the Council on Monday and Tuesday, those team reports should be pretty well done by Sunday. So, I can't, you know, maybe that's not the right way to go, but rather than just adding days I think we'd want to shift with the anticipation that the teams' work also shifts earlier in the week. As I say that I'm contemplating this meeting week and reflecting back on when I was a GMT member in 2004 and we would spend lots of time in the Council chambers and we were told you don't need to spend that much time in the Council chambers. So, I'm channeling that experience and thinking that the GMT's time could be lessened in here and in the meeting room and then thereby producing their reports earlier. And so, I'm not sure if that's totally correct but that's the thinking that I have is rather than just adding a day is to shift up with the understanding that they would be in their chambers more often and working in that matter. I hope that makes some sense.

**Marc Gorelnik** [00:20:57] Caren Braby.

**Caren Braby** [00:20:59] Yes. Thanks. That does make sense. Just talking to my GMT members, they want another day very specifically. So, I would suggest that the Council staff work with GMT



leadership on that. I don't know that I can provide additional rationale here other than the workload associated with their calendar in November. This is going to be a huge meeting for them and that time working together prior to the Council meeting officially, so prior to day one is essential, and I'll just leave it at that.

**Marc Gorelnik** [00:21:42] Let me go to Heather Hall and then back to Merrick.

**Heather Hall** [00:21:46] Thank you. Just add to that as well. And I appreciate the thinking where you're going on that, Merrick, but also support Caren's request that you work with the GMT and the GMT staff officer to look at the schedule. So as I was thinking about how that might work, the idea of shifting just in the Council efficiencies idea, there is some travel time where the GMT won't be available to support Council, their Council members and so if as you're thinking about how the Council's structured and that shifting day concept rather than adding a day can also accommodate a day where they're traveling where groundfish isn't on the agenda. I just wanted to throw that out there, and it might be part of the more of the efficiencies process and discussion, but just relative to maybe thinking about November and their heavy workload and maybe not applying that idea in November if it's possible. So just.... thank you.

**Marc Gorelnik** [00:22:53] Thanks. And before going back to Merrick, I want to get a California perspective. Marci has her hand up. Go ahead Marci.

**Marci Yaremko** [00:23:00] Thank you Mr. Chair. Actually, I will wait. I'd like at some point to get into the topic of Pacific halibut on the Year-at-a-Glance. That's why my hand was up. Thank you.

**Marc Gorelnik** [00:23:11] All right. Thank you. We'll come right back to you. So, Merrick, you had your hand up?

**Merrick Burden** [00:23:16] Yes. Thank you Mr. Chairman. I also wanted to go back to the suggestion that Saturday groundfish matter is to be broken up somehow, and so what we would be, I guess, looking into would be potentially swapping some HMS and groundfish from Friday to Saturday. We could also go the other way and make Sunday essentially all groundfish by swapping some 'C' matters into Saturday. There are reasons to keep it as it is. There are reasons to go either way. I just wanted to make note that that's how I'm looking at it. I did note, Caren, that you were suggesting Friday, but I'm thinking I'm anticipating that if we went the other way that that might suffice for you also if that.....anyway that's where my head is at the moment, so I just wanted to make that comment.

**Marc Gorelnik** [00:24:07] Caren.

**Caren Braby** [00:24:07] Yeah I think going the other way and making Sunday all day groundfish is exactly not what I'm looking for. So, thank you for saying that so I could just share my other thinking, which is that by putting, for example H.1 and H.3 on Friday, putting some HMS on Saturday, we could split up the heavy groundfish items into different days rather than loading them all up on the same day. So, I recognize that that would spread groundfish over four days November 4th, 5th, 6th and 7th, but that is the request and the reason why I'm bringing that up. So, thank you for clarifying and allowing me to.

**Marc Gorelnik** [00:24:58] Merrick.

**Merrick Burden** [00:24:58] Yeah, thank you Mr. Chairman. And of course, the request to shift earlier, if we were to put groundfish on Friday the GMT would need to meet earlier. That's my anticipation so that was some of my thinking too is that if we shifted it later they'd have more days earlier on to work,

but that does create a heavy workload day, which also has some trade-offs so. I think we understand each other. Thank you.

**Marc Gorelnik** [00:25:29] All right. So just to put a bow on that, we're going to shift some groundfish from Saturday into Friday and we're going to add a day for meetings on November 2nd.

**Merrick Burden** [00:25:45] I believe that's where this discussion is headed. I would note that we don't ask the Council to make motions on this because we do have to go back and do some magic and make it all work so we will take that under strong advisement, if that's the appropriate terminology.

**Marc Gorelnik** [00:26:01] All right well do your magic. All right, looking for further input from the Council on the November meeting or on Year-at-a-Glance? Marci, we'll come back to you now.

**Marci Yaremko** [00:26:20] Thank you Mr. Chair. Since I have the chance I will also echo my support for the plan I just heard regarding groundfish and want to place emphasis on Caren's remarks to try to avoid scheduling full days of heavy groundfish. So, it sounds like that discussion has happened and very much support the outcome and thank Council staff for that magic. Turning to halibut on the Year-at-a-Glance, I'm reflecting on our discussion from earlier this week and a couple of things come to mind in terms of placing some tentative items on the Year-at-a-Glance. There was an exchange with the Enforcement Consultants based on a reminder from them about some needs for measures for the directed commercial fishery now that that fishery is fully under NMFS authority. Mr. Lockhart indicated that the shop is going to be busy this spring with the new permits and making sure that process is working as planned, but I would certainly support agendaizing maybe as tentative on the Year-at-a-Glance, but at least going ahead and placing directed fishery measures on the Year-at-a-Glance and thinking optimistically, and of course this is all subject to change as we get further down the line, but I would recommend the June, September, and November scoping ROA and PPA setup for one or more directed fishery measures. So, I'm not sure if there was some additional sidebar discussion on that topic after we closed it out that agenda item, but I would certainly be interested in scheduling that. I'd also note that we had some discussion about what might be some changes coming in terms of the 2A TAC and so I'm not really sure, I don't think any of us know how to envision how that might affect our thinking about catch sharing, but I just might suggest that if we are going to agendaize halibut items for June of 23 that we could put a CSP agenda item on, which would give us a three meeting process if we were contemplating any major changes to the catch sharing plan. So, I guess my question is, have there been discussions about scheduling halibut items on the Year-at-a-Glance and if there haven't been discussions, I'd just recommend those tentative additions. Thank you.

**Marc Gorelnik** [00:29:46] Merrick.

**Merrick Burden** [00:29:48] Yes, thank you Mr. Chairman. And thank you for the question and outline of your thoughts Miss Yaremko. I'm not aware of those halibut discussions. I guess I would look to others around the table to see if there are conversations that I'm not aware of.

**Marc Gorelnik** [00:30:06] Mr. Lockhart.

**Frank Lockhart** [00:30:08] Just some internal NMFS discussions and not many of them. But so, I guess, I think we're okay with kind of adding this to the Year-at-a-Glance but we would like to have further internal discussions and come back to the Council in November under this agenda item and perhaps provide a little bit more specific guidance on whether that's achievable given everything that I said under the halibut agenda items.

**Marc Gorelnik** [00:30:39] Heather.

**Heather Hall** [00:30:40] Thank you. And I guess in terms of the area 2A TAC that Marci brought up, I mean that'll be the conversation that the IPHC has at their annual meeting in January, so we won't really know. We'll get a first glimpse of the stock assessment at their interim meeting in November and then we'll know more at the conclusion of the annual meeting and probably have some ideas in between there where things are going, but we have had the consistent 2A TAC for our fisheries that's provided stability. That's up for discussion at these meetings so the four-year term has ended. So that's, I think what Marci's getting at. There's potentially some uncertainty of whether or not that would roll forward. There's a lot of us working to make sure that it does so that's the 2A TAC part. And then just on these ideas of bringing these issues that the EC has been raising since 2021 and getting them on the Year-at-a-Glance, I really I support and appreciate the idea of starting in June. I know the EC in their report under E.2.a at this meeting that included VMS, logbooks, the season pre-soak period, and the seabird avoidance measures, but they also brought up the, the current rule language relative to hook-and-line and set line fishing and I think we heard Mr. Lockhart say they'd be looking into that. So, appreciate that that's kind of included in this too. That's it. Thanks.

**Marc Gorelnik** [00:32:31] Frank.

**Frank Lockhart** [00:32:34] So it's been a while since I sat on the chair for this agenda item. So, at this point in time, I was planning on going through several comments on Year-at-a-Glance in November. Is that a good way to do it now or do you want to close out any other discussions or provide further guidance on how I should provide input? Okay. So quickly we support the changes that are in the supplemental report on the stock definitions and the timing under groundfish. And we've already talked about salmon maybe with one tiny addition. If the STT after hearing this discussion wants to provide input to us, there is an agenda item on November under methodology review. Perhaps they could comment back to us on that, but I'll leave that up to staff whether that's in order. With regards to HMS, we are supportive of removing the phase two update that's currently shaded in the Year-at-a-Glance summary. Yeah, and the other one. Where did it go? I'm sorry I lost my place here. And changing that to September I think. Well, in any way and then going on to hard caps for November we are in favor of keeping it where it is but potentially changing it to PPA/FPA as appropriate rather than right now it says final. And this is in light of the concerns expressed by the HMSMT whether an RFA analysis can be completed. So, I'm just leaving that option in front of the Council. And then the final thing under HMS, we're a little unclear if the Council wants an SSC review of MSY based proxies proposed by NMFS for November or March. And so just maybe if we could get some clarification of that. But anyway, and I think we are supportive of, it's already in there, but the initiatives progress review items that were added to the Year-at-a-Glance we are supportive of keeping that in there. They're currently shaded. And I think that is it, but I might get reminded of something if I forgot it and I might have to come back. Thank you.

**Marc Gorelnik** [00:35:33] We're not, we're still here. So, John Ugoretz.

**John Ugoretz** [00:35:36] Thanks Mr. Chair. And thanks Mr. Lockhart for the input. I agree with essential fish habitat, the management team recommendation to move that to September and November of 2023 for phase two. They've got enough on their plate right now. With regard to drift gillnet hard caps, I support leaving this as currently stated in both the agenda and Year-at-a-Glance that it's a final action in November. I understand what the team has suggested. There was significant discussion around this in agenda planning in June. We specifically moved to November because of NMFS concerns over the workload and ability to complete for October. I'd like to keep pushing forward towards November. If in November we don't have the analysis we need to come to a final preferred alternative then we can always not choose one at that time, but I'd rather have it on the agenda that way so that it's clear that that is our intent and continues to be our intent should we have the appropriate information available. With regard to EFPs and swordfish, we had significant discussion I think that was yesterday, it might

have been the day before, I don't know, but there was agreement around the table for some kind of a workshop and I think there's a little bit of work that needs to be done, not agenda time for the floor, but that the team and advisory subpanel need to have some time on their November agendas to help us flesh out that workshop and provide some input and advice on it. I'm not envisioning significant workload in advance of them meeting and discussing that. It's more of a simple flushing out at the meeting, either together or separately. So, I just want to flag that for workload for those groups at the November meeting.

**Marc Gorelnik** [00:37:51] All right. Thank you John. Christa Svensson.

**Christa Svensson** [00:37:53] And thank you Mr. Chair. I am supportive of pretty much everything so far that's been said by both Frank and John in terms of where things ought to go when moving things around. I do want to speak in favor of the workshop and getting it semi-agendized, meaning I think that we should ask on the HMSMT and the HMSAS their agendas to prioritize the topics that we discussed on the floor, I believe it was yesterday, and then provide comments under future workload planning. So not asking for an additional agenda item in November but just when I think about the workshop and everything we discussed, which I'm going to paraphrase as EFP performance metrics structuring of the SMMP or other documents or FMP amendments. And then the third one was that discussion around reviewing names and objectives. Any one of those topics I could probably spend five days on with a group of people and I don't think we're really probably looking at that for workshops so having the teams and the public clearly identify what the priorities are to move swordfish as the topic forward I think would be beneficial. And then, as part of that, I also think it would be beneficial to provide, and I'm going to propose March as a shaded topic, an item entitled Swordfish Workshop, and the concept really would be to either provide a brief check-in if we don't get enough information in November for those that are going to be structuring that workshop, it would be a brief check-in to finalize any remaining details. And otherwise, if we have had the workshop over the winter, it would be an opportunity for the Council to really look at the report of that workshop and start charting a path forward. So again, I picked March as a tentative and as a shaded because we don't know how that workshop is going to be structured, but also I think people are looking for us to have some movement and I would, I know that it's a full, full schedule already, but HMS doesn't meet in April so fallback, I suppose, could be June. We've certainly been on swordfish for many, many years and I don't know that three months will kill us, but my preference definitely would be for March, and we may be able to wrap that in with the EFP discussion for the current EFPs that we have pending to discuss.

**Marc Gorelnik** [00:40:54] All right, thank you very much Christa. Merrick.

**Merrick Burden** [00:00:00] Yes. Thank you Mr. Chairman and thank you Miss Svensson and Mr. Ugoretz for your thoughts regarding this workshop idea and concept. I do understand. Just to repeat what I've heard. We would be asking HMSMT and the HMSAS to consider the workshop and the priority items that the Council did discuss yesterday and to report back under future workload planning. Then there's the question of the Council taking this up as an item and looking at our Year-at-a-Glance March is quite full. We're already over time slightly so I would propose that we aim now for June and see how things go and if something starts to drop away from March that we look to maybe bring that up into March as you were desiring Miss Svensson. Does that seem acceptable?

**Caren Braby** [00:01:00] Question?

**Marc Gorelnik** [00:01:02] And then Caren or.....

**Caren Braby** [00:01:07] A question for you, Director, on that is around the timing of the availability of new criteria and new EFP applications coming in in June. I see that as problematic if we haven't

chosen criteria by June and we're getting another set of EFP applications in June.

**Merrick Burden** [00:01:34] Yes. Thank you Mr. Chairman. Very good comment Dr. Braby. Thank you. If we do have a need to move these I guess EFPs in the workshop up to March, and your rationale makes a lot of sense, we would need to start looking at moving some things around. So let me propose a couple of ways to look at it and I would look to some of you for some feedback on these. One is we have under groundfish we have the Amendment 31 Stock Definitions. We have been hesitant to put that into April because.... well it's.....let me start over. What's final there is in June and as we all know the March and April meetings are essentially one long meeting. We have that scheduled for March. Pushing that into April does create some risks if NMFS do not like that analysis and determined that we weren't ready after the April meeting, it would be difficult to then get to FPA by June, so that starts to make us a little bit nervous but that is one possibility to create some room. Another possibility, we do, I'll look at the Coast Guard in particular here, we do like to have the Coast Guard Annual Report in Seattle so the Admiral can join us if he so chooses. We could potentially move that. I'll look to Mr. Ettinger to see if there are troubles with that that I'm not foreseeing at the moment. That's another item that comes to mind.

**LCD Brett Ettinger** [00:03:14] Through the Chair, probably not an issue to move to April. I wouldn't want to speak for the Admiral's calendar. It does make it a little bit more difficult for him to get down to California, get out and travel instead of just a 20-minute drive, but I don't think that's outside the realm of possible. I can always just present the report on his behalf, or he could remote in as well. That's all.

**Marc Gorelnik** [00:03:40] Thank you. So those are some thoughts of some things we can move around to accomplish that. So let me just.....getting back to HMS, so is there a strong desire to see that item put on the March agenda and it will allow staff to do its magic, just sort of leaning heavy on the magic here. John.

**John Ugoretz** [00:04:11] Yeah, thanks Mr. Chair. I agree. We, we really do need the EFP item. The sideboards for what we're looking for, for EFPs in March. If we need to shift the workshop part of it later, that's absolutely understandable and is less timely in nature. So, I'm looking at the YAG and I'm looking, you know, trying to come up with things and I think it will require some magic, but would probably like to see that.

**Marc Gorelnik** [00:04:49] Merrick.

**Merrick Burden** [00:04:51] Yes. Thank you Mr. Chairman. I think I'm seeing some hesitant nods. I think we're generally on the same page but unless there is additional guidance, and maybe I'll look to Frank to see if he wants to speak to any nervousness he might have about Amendment 31 being moved. I guess I would start to look there and shift these two, the workshop and the EFPs together. I'm hesitant to add anything else to March at this point although I do note, I mean as Mr. Ugoretz stressed, we do want to have that HMS EFP conversation in March and we're just running out of room. So, if we were to move something I'm eyeing that Amendment 31 item. I would look at my deputies also to see if they have something to add also but.....

**Marc Gorelnik** [00:05:37] Frank.

**Frank Lockhart** [00:05:41] Well, I was going to say, yes, it makes me nervous, and then I got a staff text that said very nervous on Amendment 31. So, I think keeping it as is... is our strong preference.

**Marc Gorelnik** [00:05:57] Does the deputy have a comment at all? Kelly.

**Kelly Ames** [00:06:04] Thank you Chair Gorelnik. Mr. Lockhart I just wonder and maybe it is.....how should I put this? I wondered if you could just speak to the timing of the Electronic Monitoring FPA and the importance of March versus say April, given that it's really a month difference if that affects regulation implementation, that sort of thing?

**Marc Gorelnik** [00:06:30] Frank.

**Frank Lockhart** [00:06:33] I think since this is talking about something that's on the Year-at-a-Glance, I think that is something that we could support looking at right now. We'll talk about it further and we can come back in November. But I think under given the short amount of time we've had to kind of think about this that may make sense.

**Marc Gorelnik** [00:06:57] All right. Well, I think that we've got a number of pieces we can possibly move around and we can make that decision I guess finally in November, which will be before the March meeting. Caren Braby.

**Caren Braby** [00:07:12] So just to add some complexity to this because stock definitions needs more complexity. There has been a discussion about a workshop right between now and the March Council meeting in order to inform an FPA in March, sorry a PPA in March. So those discussions, and I have some language to elaborate on what that workshop would entail that may be more specific than the discussion during this agenda item at this meeting, but that's kind of in play as well on the timing there, planning for that workshop needs to happen. It's not floor time but it would probably be able to move in concert with any movement in the Amendment 31 agenda item. So, I'll just put that out there. Would you like more language on what that workshop might entail? I'd be happy to share that if we can Merrick.

**Marc Gorelnik** [00:08:29] Merrick.

**Merrick Burden** [00:08:32] Yeah, thank you Mr. Chairman. Thank you Dr. Braby. Certainly, more language would be welcome. I would note that we have already begun discussions with NMFS about how to put that workshop together and some of the early thoughts that we've been having or that it would start off thinking about it in concert with the GMT's winter meeting. So, it might be a, you might think of it as a GMT plus first couple of days of that GMT meeting and then it would proceed from there as the sort of regular winter GMT meeting. That's the timing we have in mind, which puts us about early February. I think you can de-couple that from the March or April floor time question because that's when the GMT looks like it has its availability. So, if you have more comments about design and things like that or scheduling they're certainly welcome, but those are our thoughts at the moment.

**Caren Braby** [00:09:24] No, thank you very much for that. And I think that's helpful in thinking about NMFS nervousness and reevaluation of that timing. If that workshop and discussion remains prior to the March Council meeting, there would be some preliminary serious discussion about where that's headed. It would not be Council discussion or decision, but it would frontload the GMT analysis and that workshop analysis prior to March and that would presumably help with some comfort of the potential of moving that to April. And I'm fine leaving it in March at this point but I'm just noting that.

**Marc Gorelnik** [00:10:15] Frank.

**Frank Lockhart** [00:10:17] I guess just one question of Caren. Have you discussed this idea with your groundfish staff and do they think it works for them workload-wise?

**Caren Braby** [00:10:28] I haven't. So, I'm just offering it food for thought but it's a very good question.

I do have little birds whispering to me, but I haven't been able to track that while we've been talking about that right now.

**Marc Gorelnik** [00:10:43] Thank you. I have a question in my mind. There was a discussion on our November agenda for the DGN hard caps, which was put down as an FPA. There was a suggestion to make it a PPA and John Ugoretz said, 'well, leave it as an FPA and if we need, if we just don't have the information to take the action', so I'm wondering how staff has that down now. Is it, does it remain and FPA or has it been changed to a PPA?

**Merrick Burden** [00:11:20] Yeah, thank you Mr. Chairman. I wrote down the as appropriate and then erased it after Mr. Ugoretz spoke and so I don't know, I guess, I would like to hear that preference of the Council whether we strongly aim for a FPA and if we're just not ready we just don't make a motion or whether to take Frank's preferred approach. I feel a little bit stretched here between the two concepts so....

**Marc Gorelnik** [00:11:46] Well, I'll give you my input in terms of Council efficiencies. If we can get it done in November, we should get it done in November and not kick the can down the road. And if we can't we can't. But by changing it to a PPA we're deciding in advance to kick the can down the road. Caren.

**Caren Braby** [00:12:04] I would agree with that.

**Marc Gorelnik** [00:12:08] John Ugoretz.

**John Ugoretz** [00:12:09] And I think that signals to NOAA what our preference is. What our priorities are there.

**Marc Gorelnik** [00:12:18] Frank.

**Frank Lockhart** [00:12:19] And we're not opposed to this change. I think keeping it as is... is fine.

**Marc Gorelnik** [00:12:27] Caren.

**Caren Braby** [00:12:29] Separate issue which is relieving is that opah in June I don't see as necessary. And if that's helpful to me that analysis could come back in September. Just flagging that as, you know, we're going to start having a problem with June and that for me would be an option.

**Marc Gorelnik** [00:12:59] Okay. Looking around the room and I'm seeing Bob Dooley's hand so I'm to call on Bob Dooley. Bob.

**Bob Dooley** [00:13:12] Thank you Mr. Chairman. I assume we can....well, I'll just shift gears from this topic is...okay, great. I just want to bring up the fact that we're going to March for a final preferred alternative in the non-trawl RCA and we have this outstanding question that I've brought up many, many times about observer coverage and have not really gotten a satisfactory answer that the observer coverage going forward will be adequate in this new area that hasn't been open for 20 some years. The GMT noted that in their report and that they're, you know, that they're noting the low levels of observer coverage and what that effect is on the uncertainty, and I just think that needs to be addressed. It's been kind of blown off every time we address it and I think it's important to at least go into it with our eyes wide open when we make this final preferred alternative in March. Don't know where it goes. Doesn't look like November has any room to talk about it, but I would think I'd like to hear from the observer program and the agency about observer coverage. I'd really like to understand how if they're ensuring

us that that 5 percent coverage or thereabouts is adequate as we move into this new area. And then in a bigger sense I'd really like to understand overall observer coverage and the wide disparity in the justification and of how they approach this, because it seems like there's no consistency in an observer coverage throughout all our fisheries. So don't know how to actually have a specific suggestion but I certainly going into March trying to make a decision on whether to vote for this or against the non-trawl RCA, it sure leaves questions in my mind if we don't have these things addressed, and I haven't seen any indication that we are going to address it before that time. So, lots of questions there. I think it's a big concern in my mind. I don't want to start a fishery that will be challenged, you know, start a new area that is ripe for a challenge because we don't have the data to support it. And I think that's important. Yes, I acknowledge we have logbooks coming in, but if 5 percent is the number to verify logbooks boy we have a lot of fisheries we could look at to put the same standard on. So, I just.....it's my concern. I know I seem to be yelling it in the room about it in an empty room, but it's of concern and it isn't sour grapes. It's about....it's about really kind of how do we protect this fishery going forward? How do we verify that we did the right thing? How do we know we're not having, you know, unknown interactions with species that were gutted that caused us to go out of that area 20 some years ago? So anyhow, I'll stop there. I'm really looking for some Council input, other Council members input on what they think is the proper way to do this and if it's a concern, and if I'm the only person, well that'll answer itself in March.

**Marc Gorelnik** [00:17:03] All right. So just focusing on workload issues, you're questioning whether that should be an FPA or PPA or you're questioning whether we should schedule a further agenda item to flesh out those issues. Just for scheduling purposes what are we talking about here?

**Bob Dooley** [00:17:19] Yeah, the latter I think. You know I'm totally supportive of this FPA in March. I want this fishery to go forward. We've had industry since day one clamoring to get this. I mean they need that access. And there's, you know stocks that are rebuilt now out there that we can, that we can access and help our small communities and particularly our small boat fishermen and I'm 100 percent for that. But let's do it right so we don't, you know, so we don't come back two years from now and have to readdress that. So that, and it seems like I haven't had any answer, let alone an adequate answer about whether that's an appropriate amount of observer coverage to verify those logbooks going forward.

**Marc Gorelnik** [00:18:12] All right, Merrick.

**Bob Dooley** [00:18:13] Thank you.

**Merrick Burden** [00:18:16] Yes, thank you Mr. Chairman and thank you for your comments Mr. Dooley. I think it may be helpful to think of this in a couple of ways. So, one is some of your comments alluded to the idea that you would like a better handle on observer coverage levels before going to FPA in March. Just looking at our calendar that would mean essentially adding an agenda item. It's very difficult to envision at this point. Another way to think about it would be moving ahead with the FPA, knowing what we know now and your later comments and then think about this in a couple of steps. So, one is we could work with the agency and ask as part of a future NMFS report that information be brought forward on observer coverage levels and if you so desired you could schedule another item after that knowledge is gained if you felt like there is a need for the Council to weigh in on, on some of those items. So that would be after March, you know, April, June or September or something of that nature. We'd hear that first NMFS report and then decide whether there's something more for the Council to do. But I think that would be a conversation between Council staff and NOAA staff to figure out what that timing might look like.

**Marc Gorelnik** [00:19:37] Bob.



**Bob Dooley** [00:19:37] I think that's a good approach. However, I would think too that in that the GMT brought this point up in their report that maybe the agency, the observer program can help address this as we go to the next step that maybe it could be information they provide to the, you know, the various advisory bodies and in their reports to help answer these questions when we get to March. I mean it seems to me this is almost an ask for information from the GMT of how we mitigate this issue. And perhaps it could be part of the reports that we get in May, but I also think the other approach you had is totally valid. It's just I'm thinking of the decision in March that we make and having the information to answer the GMT's question and how we might be able to do both. So, I'm sorry if I'm confusing everyone.

**Marc Gorelnik** [00:20:48] All right. Thank you Bob. Caren Braby.

**Caren Braby** [00:20:52] Thank you Mr. Chair and a question for NMFS and I guess the Director on whether NMFS analysis on some of these questions could come up under the NMFS report in March to address some of that information to then, and be in the advanced briefing book so that the team could react to it and provide comment.

**Marc Gorelnik** [00:21:18] Frank.

**Frank Lockhart** [00:21:20] Rather than answer that definitively here, I guess what I would prefer is what the Executive Director suggested is that we talk and then we could come back to you in November with what is possible for March under this agenda item.

**Marc Gorelnik** [00:21:39] Vice Chair Hassemer.

**Pete Hassemer** [00:21:40] Thanks Mr. Chair. Well certainly there's action specific discussion there on the non-trawl action and observer coverage, but I think in listening to what Mr. Dooley was saying I would also support at least the Executive Director and staff looking at this Year-at-a-Glance and the topic of a more holistic view of levels of observer coverage across fisheries and what's necessary and what dictates that. Depending on who we listen to we could have from zero or 2 to 300 percent coverage in various fisheries and just simply to avoid what we're going through right now on the non-trawl action to have some information on what's dictated coverage levels in various fisheries and how this new technology may change some of those needs. So, it might be in line with what the Executive Director was talking about looking at this, but I think it's a holistic view at some point. There's the immediate issue of the non-trawl action. There's the larger issue across fisheries and how can we avoid these types of issues in the future. Thank you.

**Marc Gorelnik** [00:23:01] All right thanks. I think that that is pretty consistent with I think what our Executive Director Merrick Burden suggested, so unless I see any disagreement I think that's reasonable direction to staff. All right. Mr. Smith.

**Butch Smith** [00:23:27] I'm going to jump in the deep end of the pool again, so, Mr. Director, get your brick ready. I have watched this Year-at-a-Glance road show for now a long time and it's important, you know sometimes it goes for 6 hours and I'm wondering for efficiency, you can talk about this at Year-at-a-Glance, that this might kind of be better held at the designated state delegation meeting and then come to a Year-at-a-Glance committee made up of one of each state and a federal person and talked about and compiled there as we want to get efficient. I know it's always been done this way but, Mr. Burden, you and I have talked about this and once again we're now 2 hours and some minutes on talking about some very important issues no doubt. Not.....I'm just thinking about how to do this very important issue a different way and just food for thought that this might be handled in each state. You

know, go California, Washington, Oregon compiles their Year-at-a-Glance wish list, and then you go to a meeting sometime that's held in November in a room and compile and argue and cuss and discuss the Year-at-a-Glance for the next year. I think it might be a more efficient way to do it than we have done it and not just this particular time here but, you know, I remember having to wait four hours to testify at the end of the meeting after a Year-at-a-Glance at one meeting, which is fine as a SAS Chairman, last dog in the fight. But I just food for thought, you know, maybe to allow for further discussion, maybe to further internal discussion but, you know, just the chucklehead from Ilwaco's idea of maybe how to make this a little better, a little more efficient, because it seems like we always kind of....this is kind of a shorter one than I've witnessed before too, but it might be a little more efficient to do it this way. And so anyway that's my thought for this meeting. Sorry if it hurt somebody, but I just.... anyway, thank you.

**Marc Gorelnik** [00:25:44] I think I see some hands sort of dangling. Okay. Dr. Braby.

**Caren Braby** [00:25:48] Mine is a different topic. I'm going to let his comment percolate.

**Marc Gorelnik** [00:25:53] Can I can I just respond? I think that's worth, worth looking into, but we also have to calculate having the cumulative time spent in separate meetings and then a committee of meetings versus just having everyone, and as painful it is having everyone here at the same time. So, do you have to comment on that topic? Go ahead.

**Brad Pettinger** [00:26:17] Yeah, I mean to be fair we spent well over an hour going through the advisory panels and team reports and actually we haven't been doing it that long actually and I think I would say that this last few meetings, you know, Mike Burner has hit his stride and he's at a apex as far as ability and scheduling so this is about as good as it gets. So hopefully Kelly is taking notes and that this will continue into the future, but I agree with, with Marc on.....

**Marc Gorelnik** [00:26:57] We could maybe try to keep our focus on planning as opposed to substance but that always creeps in, it's inevitable. Caren.

**Caren Braby** [00:27:06] Counter to this discussion I have two more just really brief things to ask about. One is during discussion on the NMFS report we talked about a CPS Management Strategy Evaluation Update from NMFS. I don't think it needs to be agendized but it's just another request of NMFS to work that in at some point, maybe in a NMFS report. If that doesn't work then we'd want to hear about that in the CPS agenda item. And then I don't recall us this morning talking about tasking advisory bodies on the Climate and Communities Initiatives trailing items and so I would just flag that that we want to, I want to acknowledge that and not go through the list today but task our ABs in their meetings maybe to look at that report from the EWG and come back to us maybe in March, I don't know, and talk about those trailing items?

**Marc Gorelnik** [00:28:22] I agree. I think we all do. Great.

**Caren Braby** [00:28:27] And that does not require a new agenda item. I think it could come under the FEP Initiative's discussion.

**Marc Gorelnik** [00:28:39] Corey Ridings.

**Corey Ridings** [00:28:40] Thank you Mr. Chair. Thanks Dr. Braby. I would support that recommendation as well. I think that's a good idea to keep this work moving forward. Thank you.

**Marc Gorelnik** [00:28:56] Further discussion on either the November agenda or Year-at-a-Glance?

Going once, going twice. Let me ask Director Burden if he has what he needs.

**Merrick Burden** [00:29:13] Yes. Thank you Mr. Chairman and Council members for a very healthy discussion here. Let me see if I can try to recap what I'm taking away from our discussion because it did cover a lot of matters. First if we look at the November meeting there was some talk about which of the advisory bodies should be in person. I have flagged in particular the Legislative Committee, the EC, and the SSC also requested meeting in person, so we'll look into that. Let's see on the HMSMT and the HMSAS agendas we wanted to put a discussion of the workshop that we talked about yesterday and have them come back with some additional thoughts about the structure of that workshop and whatnot under the Council's workload planning item. I'm looking at the Council floor agenda. Moving through Thursday I didn't make note of any changes. Friday I struck HMS EFH Review. I put that down for September 2023 instead. Moving to Saturday, I've struck H.2, the Workload and New Management Measure Update. And we did spend some time talking about breaking up Saturday's groundfish items and trying to shift some of them earlier I guess in a swap with some HMS items so we will look into that. Let's see moving over to the Year-at-a-Glance I made note of a few things. Let's see going down the list, we did start talking about adding in March a discussion of HMS EFPs and made note that that is a timing matter that we need to hold to given our EFP schedule. And we did spend quite a bit of time about how to create some time for that. At this moment we're looking at the Electronic Monitoring FPA as moving that over. Given that, I would be....I guess I had originally been trying to lump the EFP discussion with the workshop update. I'm no longer aiming for that. I would keep those separate and move the workshop, HMS Workshop to June. Let me see here. Then going down through June we have note of the opah analysis for possible inclusion in the FMP, that could be either June or September. We have the workshop update in June. Moving over to September I see HMS EFH Phase 2 like I noted earlier. Then we had the matter, I almost missed it, under the April meeting we had some discussion about the SONCC matter and some of the modeling questions and that would come back under the April 2023 meeting. I also made note of Miss Yaremko's outline of a June, November, September schedule on some halibut matters, so that would begin in June of 23 also. So, June is quite full already. That's what I've made note of.

**Marc Gorelnik** [00:32:41] John.

**John Ugoretz** [00:32:42] Thanks Mr. Chair, and thanks Merrick for that overview. I just want to be careful about how we frame opah on the Year-at-a-Glance. We've had issues in the past where things get on to the Year-at-a-Glance and then the public starts thinking they mean something. So, I wouldn't put the phrase FMP in there. I would just say it's an opah analysis and we'll decide FMP at some later date.

**Merrick Burden** [00:33:09] Noted. Thanks.

**Marc Gorelnik** [00:33:09] Keep expectations in check. Caren Braby.

**Caren Braby** [00:33:16] Two questions. One about preparation for Stock Definitions in November. I understand that there's some discussion that's happened and just it's, I know it's a weighty topic. Is there any need for a discussion on that?

**Merrick Burden** [00:33:36] Let's see I would look at, I guess I would look toward Miss Ames to see if she has more to add on that. She's been tracking that one a little more closely than I have been.

**Kelly Ames** [00:33:50] Thank you Miss Braby. Dr. Braby. I don't believe so, but I may also look to see if John DeVore has any thoughts there.

**John DeVore** [00:34:14] Through the Chair. Thank you. We have had a little bit of some planning, initial planning, and we thought there were some things we could certainly bring to the table in November like a summary of the science that informs stock structure for the priority stocks, which are those assessed last year and to be assessed next year. And we obviously need to do a little bit more planning and talk a little bit more with some of the scientific and management experts out there to formalize a plan, but initial discussions did indicate we could bring a summary of the science that will help inform your decision to the table.

**Caren Braby** [00:35:02] Through the Chair, thank you. And of course, the states are standing by to help with that but I appreciate that. And then different topic, if I may? Just a question?

**Marc Gorelnik** [00:35:15] Yes, please.

**Caren Braby** [00:35:16] Marine planning is not on the April YAG agenda? I'm not suggesting it should be but that has been a standing agenda item for every meeting. So just a question there.

**Marc Gorelnik** [00:35:31] Mr. Burden.

**Merrick Burden** [00:35:33] Yeah, thank you Mr. Chairman. Thank you for the question Dr. Braby. Offhand I'm not sure why it's not on there. Certainly, we can put it on there as a shaded item. It's nice to have a break periodically but how about we shade it for the moment unless Mike has something else to add?

**Mike Burner** [00:35:53] No, I guess I was just thinking March and April often I consider them as one big meeting. There's not a lot of time between the two so I think that was part of the thinking there. But we could put it unshaded in April if there's a need to have it, I suppose.

**Marc Gorelnik** [00:36:06] Frank.

**Frank Lockhart** [00:36:07] This is a different topic and just a point of clarification so I can hold off if you want.

**Marc Gorelnik** [00:36:12] Let's just.... marine planning. Any further discussion? Okay. Frank.

**Frank Lockhart** [00:36:19] I guess it's still a little unclear to us on what are the expectations from staff for November regarding a swordfish workshop? What are they....what is the Council expecting to accomplish by this....in this regard for November?

**Merrick Burden** [00:36:40] Yes, thank you Mr. Chairman, and thanks for the question Mr. Lockhart. So my understanding of where Mr. Ugoretz and Miss Svensson were coming from is that we would put this on the agenda for the HMSAS and HMSMT agendas for those two advisory bodies and they would bring back a report on our day last and that the scope of that discussion would encompass the, I believe, there were three priority items that the Council had discussed yesterday, so not an open ended discussion but some greater input from those two bodies on those three priority items to help the Council then have some information upon which we can use to develop this workshop at a later date where we are looking at, well, I guess it would come back to the Council at a later date. I guess I would invite Miss Svensson or Mr. Ugoretz to add more detail and substance if you think more is necessary but that's what I've captured so far.

**Marc Gorelnik** [00:37:39] Christa.

**Christa Svensson** [00:37:40] Yeah, I would be happy to. You did summarize that as I had intended. So not having wide open, free ranging conversation and throw everything but the kitchen sink in, but really focusing on what will move the conversation in terms of swordfish forward. How do we want to prioritize that so that we can then take that information and move it forward through the Council process? I think all of these topics are important and we will hopefully get to all of them but if we have to pick only one because we only have one day or a half a day or 2 hours or whatever it happens to be, then let's really focus on where we think we're going to see the most benefit for fisheries.

**Marc Gorelnik** [00:38:33] All right, anything further? What.... had you concluded your summary Mr. Burden?

**Merrick Burden** [00:38:40] I have concluded my summary.

**Marc Gorelnik** [00:38:42] All right. And are there any other questions on that summary? Is there any other business under this agenda item? All right, I would like to ask Mr. Burner to come forward here. It's you, not your father.

**Pete Hassemer** [00:39:03] Front and center.

**Marc Gorelnik** [00:39:08] Have a seat.

**Mike Burner** [00:39:09] Thank you.

**Marc Gorelnik** [00:39:12] You want to bring us home here?

**Mike Burner** [00:39:14] I move we adjourn the meeting.....(laughter)....

**Marc Gorelnik** [00:39:16] Call the question.

**Mike Burner** [00:39:22] I don't think I can make.....any comments? Questions?

**Caren Braby** [00:39:27] Thank you.

**Mike Burner** [00:39:27] Do we have a second? All those in favor say 'aye'.

**Council** [00:39:31] Aye.

**Mike Burner** [00:39:32] Opposed no? Abstentions. Meeting adjourned. (Applause). Thank you. That was fun!

## D. Salmon Management

### 1. Methodology Review – Final Topic Selection and Update on Model Improvements

**Pete Hassemer** [00:00:00] So that concludes all our reporting, and we can move on then to Council discussion and action. So, our action items are listed there. Again, as Robin stated, typically this is not done through motion but affirmation by the Council that items are ready to go for the Methodology Review in October and which of those items go forward. We have five and then any improvements for the Klamath Ocean Harvest Model. So, I'll open up the floor, look for any hands here on discussion or comments from the Council. And I see Kyle Adicks has his hand up so please go ahead, Kyle.

**Kyle Adicks** [00:00:53] Thank you Mr. Vice Chair. I'll just say briefly I support the three items that really have the relevance North of Falcon, one, two and five on the list. I know that WDFW staff are prepared to make the contributions they need to make to push these forward through Methodology Review. I think one and two, we knew back in April that we were going to have to tackle and update the science as the FMP says we should do on that killer whale threshold. I would be interested in seeing if we could ask the STT and the SSC not only to go back and confirm whether or not the new models are best available science, but it would make sense to me if they say yes to ask them to go ahead and tell us what the new threshold would be, not that the Council will have to act on that right away, but it seems like that's an easy step once they get through the reviews, and one and two to go ahead and tell us okay this is what the updated threshold might be. So, I'll leave it at that. But again, supportive of the items that have relevance to North of Falcon.

**Pete Hassemer** [00:02:01] All right. Thank you. Other comments? Marci.

**Marci Yaremko** [00:02:06] Thank you Mr. Vice Chair. I'll be happy to pick up the South the Falcon piece here, and that would be items three and four. Certainly, support the inclusion of these two items on the work list. I want to speak for a second to the item four, which is the review of the basis behind the Sac fall conservation objective and it's primarily a literature review of the work that was relied upon in establishing the current conservation objective. There's been some additional discussion about other literature that is newer that might be more useful and informative in the future should there be a fresh look taken at a conservation objective for Sac fall. The SSC statement speaks to a recommendation of incorporating the information from the more recent studies as appropriate. I believe that literature search has already, you know, largely been done anyway, so I just to be clear, I think we certainly support a comprehensive literature review that does include both the past science that was relied upon in establishing the current objective, but also that might inform us should we take the next step in looking at what might be a new or refreshed or more appropriate conservation objective in the future. But I want to caveat my support for that by just noting that the task at hand for the methods review is the literature review and that's the discreet bite that I understood we'd be taking at this point in time. So, discussing the literature, looking at the literature as part of the methods review I think is what we had tasked them with and I'm expecting that's how things will go at the methods review. So anyway, I support the discussions that have taken place on this topic and looking forward to the reports back. Thanks.

**Pete Hassemer** [00:04:38] Thank you Marci. And I do want to step back a minute there. There was a question you had during Dr. O'Farrell's presentation to NMFS that seem more appropriate. Did you want to address that now, Susan, relative to the buy-op? Or Marci, please.

**Marci Yaremko** [00:04:57] Yes, thank you. I was, I'm looking at the Council action items on the screen and that I think falls more under item three. So, I don't know if we were working sequentially through it but....

**Pete Hassemer** [00:05:09] Let's take care of items one and two first then. Thank you. Any other comments or discussion regarding the Methodology Review? We've heard support for moving all five items forward and that they are ready to move forward. Or we finish up items one and two. Marci, please.

**Marci Yaremko** [00:05:33] Yeah, thank you Mr. Vice Chair. I want to thank the STT and the SSC for this list. And it's so nice and refreshing to read that all of these topics are ripe and they're all doable. I think in past years there's been a lot of uncertainty about what's going to be ready, kind of get....you know we talk about preliminary topic selection I think back in June or April and then summer happens and we kind of have a much smaller list by the time we get to September. So, I just want to commend the work that has gone on in the background to be able to get to the point where all of these items appear to be ready to go. So... thanks.

**Pete Hassemer** [00:06:23] Thank you for that comment. Yes, as we heard there are a number of bodies or entities involved in these reviews. So, before we finish up items one and two on our list, let me.....oh, Kyle, I see your hand is up there, please.

**Kyle Adicks** [00:06:44] Thanks Mr. Vice Chair. Sorry to drag this out but a thought crossed my mind. We're undertaking one and two because of changes to our fishery model FRAM as well as to the distribution model that was used as part of developing that killer whale threshold. We made a lot of changes to FRAM. We did a major upgrade to the base period updating it to more recent years and then have had a number of iterations since then as we refine the bugs that were discovered with that big upgrade. I don't anticipate changes to FRAM as frequent in the near future as we've seen in the past years. I'm less clear on the distribution model and when we might see additional changes to that and when it might mean that the Council needs to take this up again through first the Methodology Review and then updating a threshold. And that's not a question necessarily, but if anybody else has any insight into when we might need to update anything for models in the future it might be good to discuss.

**Pete Hassemer** [00:07:52] Okay. Thank you Kyle. Any response to that or anything else on the Methodology Review? Susan.

**Susan Bishop** [00:08:03] Thank you Mr. Vice Chair. We are aware that the Northwest Fisheries Science Center is doing some additional work on the distribution of spring chinook that could affect at some point the threshold. But I mean to me that is consistent with what the FMP envisions and so as most of us know there's been a lot of new information that's come out in recent years on killer whales. So that isn't unusual. The Council at some point may want to have some discussion about the frequency in which we evaluate information that's coming out and how we might integrate that into the process. But I am aware that that analysis is going on, but I don't see that as different than any new information that might come out. My understanding is that that analysis may be available around the first of the year, but it's unclear at this point. As you as you all know it's quite a heavy lift.

**Pete Hassemer** [00:09:07] All right. Thank you. Further comments on the Methodology Review? Otherwise, I will ask Robin on that piece if you have all the info that you need to proceed with the Methodology Review in October and there were some other comments or that you might keep as notes regarding future topics or actions. But for this, do you have enough to proceed with the Methodology Review?

**Robin Ehlike** [00:09:39] Thank you Mr. Vice Chair. I do have enough information in that all five items would be moved forward. But I did hear during discussion on how the information that is within items one and two might be expanded. I think there was a mention from Mr. Adicks about assigning the STT and the SSC to actually provide what a new threshold might be given this new information and I just

wanted to clarify if that is the expectation or not? Right now, it was not....I did not consider that to be an expectation and so I would need to know so that I could help direct the teams.

**Pete Hassemer** [00:10:28] All right. I'm going to turn back to Kyle then and ask him if that was an expectation he was wanting to see from that review?

**Kyle Adicks** [00:10:41] Thanks Mr. Vice Chair. I don't think I necessarily said it was an expectation but wanted to get the suggestion out there that it might not be too hard a step to take and might put us in a better place as we move into preseason planning next year if we went ahead and took that step so and I don't know if other Council members have similar feelings, but it seems like it would be a relatively easy step to take that would be beneficial. And if it is more work then I'm thinking it is I'm happy to stand corrected, but that's how I was looking at it.

**Pete Hassemer** [00:11:19] All right. Thank you. Phil.

**Phil Anderson** [00:11:24] Well just a little bit of discussion on that point. I mean I don't think it would be a good idea to wait until March to discover we have a new threshold. So, if we have the information to make that determination as once these reviews are complete, I mean, I just don't know what the thinking is here in terms of the timing of changing thresholds, but changing thresholds in the March, April timeframe is not ideal from my perspective. I don't know what was anticipated in terms of using this analysis for that purpose.

**Pete Hassemer** [00:12:21] Susan, did you want to respond?

**Susan Bishop** [00:12:25] Thank you Mr. Anderson for the question. Thank you Mr. Vice Chair. My understanding is that the analysis that's being done and the effect on the distributional model won't be available until after the first of the year, so very close to the start of our preseason planning process. I am assuming that, and I could stand corrected, it might be worth Council staff checking in with the SSC and the STT with regard to that assumption, but that's what I understand from the authors of the analysis. So that would be a new piece of information and it would.....it seems to me it might need to go through the same vetting process that we went through with the fall chinook change in distribution. I don't believe that the SSC or the STT has because the analysis isn't available, hasn't had a chance to weigh in on the spring assessment.

**Pete Hassemer** [00:13:31] Phil.

**Phil Anderson** [00:13:34] I'm just trying to understand what the expectation is here. I mean are you saying that we might find a new threshold in your guidance letter the first week of March?

**Pete Hassemer** [00:13:51] Go ahead Susan.

**Susan Bishop** [00:13:52] Thank you Mr. Anderson. No, I'm not suggesting that. What I'm suggesting is that the new information would need to go through the same process, which took several months as the fall distribution information would.....did to assure us that it was the best available science. And so, it would not be available, and we would not have had the input from the STT and the SSC as well as Council discussion by March on that particular piece of information.

**Phil Anderson** [00:14:25] Thank you for that clarification.

**Pete Hassemer** [00:14:27] Okay. Thank you. Kyle, your hand is up. Please go ahead.



**Kyle Adicks** [00:14:33] Thanks Mr. Vice Chair. And I hope I didn't cause a bunch of confusion here. I was thinking that as the STT and SSC do the Methodology Review on the current version of FRAM and the newest current version of the Chinook Distribution Model, that they would come back and tell us what the threshold was based on that. The sort of additional future step of another updated Chinook Distribution Model with springs, I was thinking that was something that would go into the Methodology Review possibly next year. So, we would be talking about the models that are in existence through Methodology Review, through getting a new threshold value if they are determined to be the best available science and we'd be going from there dealing with another potential update to the Ocean Distribution Model further into the future. And maybe I'm misunderstanding what the current plan is, but that's how I was thinking of it.

**Pete Hassemer** [00:15:35] Okay. Thank you Kyle. So let me look around the table and ask if there's agreement and also Robin, if she understood that what it sounds like to me is, I hate to use the phrase, but if there is an easy button as this goes through the Methodology Review to use the current models to see if there is an update to the threshold model they would bring that to us, but if there isn't that easy button, it's not necessary to come back to us. Is that what we're looking for? Susan.

**Susan Bishop** [00:16:20] I'm assuming that the question....everyone's looking at me, so it was a question that we're looking for an answer. I'm not sure that I would characterize it as an easy button. I would just say that we need to be consistent with the process that's in the FMP and in the biological opinion. And that would require I believe more time than what we will have after the analysis is completed. From what I understand that information won't be available until after the first of the year and that would not allow the process outlined in the FMP to be completed in time for the preseason salmon planning process.

**Pete Hassemer** [00:16:54] Thank you. So.....Phil.

**Phil Anderson** [00:17:04] I'm sorry to have to ask this but I'm confused. So, we have these two pieces in our Methodology Review, issue one and issue two that are in the pipeline. We're going to get the analysis. We're going to get the technical review. We're going to get the results of that in November. Then thrown into the mix in this discussion was the potential of having something on spring chinook come out in January or sometime after the first of the year. And I totally understand how that would then go through some additional review before it would potentially be used to modify the threshold. So... but to me that's, to me that was separate from what we are looking at now in issues one and two. It doesn't have anything to do with the analysis of the distribution of spring chinook. So why I'm confused by all that is I get that part and it's separate, it's on a separate track, separate process, but relative to these reviews that are going on right now that could result in a change in the threshold as I understand it, would that change in the.....would that potential change in the threshold, when would that occur? Would that occur and effect 2023? Which is what I thought but I may be mistaken. And that is a question for you Susan.

**Pete Hassemer** [00:18:59] Please.

**Susan Bishop** [00:19:03] Thank you Mr. Anderson for the question. Through the Vice Chair. That would occur in 2023. So, my understanding of the process is that the SSC and STT are reviewing the information under Methodology Review or could review it depending on the Council decision for Methodology Review for numbers one and number two, that will be brought back to the Council in November for decision. The outcome of that would be applied next year in 2023.

**Phil Anderson** [00:19:43] That confirms what I thought. It was the spring chinook piece that was being thrown in the midst of all that discussion that's on a different timeline and process that began to make

me wonder what we were doing under one and two. So, thanks for that clarification.

**Pete Hassemer** [00:20:05] All right. Further discussion on that or Robin I will turn back to you. Sorry I may have missed a hand. Did somebody else online....Kyle, please.

**Kyle Adicks** [00:20:24] Thank you Mr. Vice Chair. Now that I think we've got all that sorted out at least in my head, I think I would like to request that, assuming that through the technical reviews of both of the models, that the conclusion is reached that those are the best available science to use to recalculate the threshold for fisheries in 2023, that we ask the STT to just go ahead and do that calculation and tell us what that threshold is based on that latest, best available science.

**Pete Hassemer** [00:20:59] All right. Thank you. Head nods around the table. I'm seeing support for that to go forward. So, Robin, did you catch that piece to add in then on the threshold values?

**Robin Ehlke** [00:21:14] Yes, I did. Thank you Mr. Vice Chair. Message received. So, we got all five items moving forward. And as part of that included in the STT statement, they'll do their best to determine what a updated threshold may be given the new information. They haven't ran through that analysis before. We all know it's first time out of the gate and we all know that, unfortunately, November isn't that far off but knowing the STT I bet they can do it. But with that, yes we have everything we need under this portion of Agenda Item D.1, items one and two.

**Pete Hassemer** [00:21:57] All right. Thank you. Then let's finish this out with a discussion of the Klamath Ocean Harvest Model and looking for any hands? Marci.

**Marci Yaremko** [00:22:09] Yes, just to reiterate the question that I posed earlier to Dr. O'Farrell, I imagine you've heard that exchange, but I'm looking for maybe just a brief update from NMFS on whether the work that was undertaken in this STT Report 2 which we heard was quite extensive, took quite a bit of time on behalf of Dr. O'Farrell, as well as the STT. I heard that, you know, they had more than multiple meetings to accomplish this work. I'm just wondering will it feed into the reconsultation and along with the adjustment made in March to the contact rates? The reason for the question is of course we know that we've been notified that a reconsultation is in progress. I understood that the same folks would likely be involved in working on the models and that the update, or the reconsultation would be limited to a model review, model reviews considering of adjustments to models, et cetera. So that was the scope that was presented to us back in March, I believe, was that it was a technical review of the model and not beyond that. So, we are expecting that we're not going to hear the outcome of that until March, which is going to be unfortunate, but I'm just wondering if you can give us any idea of how that work is going? If this extra work that was conducted this summer that we have here today has helped you make progress, I guess is the way to, to couch it.

**Pete Hassemer** [00:24:19] Susan.

**Susan Bishop** [00:24:21] Thank you Miss Yaremko for the question. Through the Vice Chair. The biological opinion will be on the Council action for the California Coastal Chinook, which is a proposed conservation objective of no more than a 16 percent age four harvest rate on Klamath chinook. So, the question that we need to assess is whether or not that objective is, would cause jeopardy or not. As you well know the information is still very limited so many of the same reasons that we chose that proxy to begin with are still in place. There's not a lot of additional information about that ESU. We will incorporate in our assessment of that whatever the best available science is and using the best available.....or best available tools. So, part of that will be the KOHM Model and it will be the best version of that model. We will still need to go back and talk to Dr. O'Farrell and other folks that are technical experts on that, but that would be our intent. The difficulty that we have had in recent years

has not been so much the objective itself, it has been our ability to manage the fisheries to stay within it, which is what caused the reinitiation last year. So, I know we are spending a lot of time on that and this, this work that the STT did was one element of that.

**Pete Hassemer** [00:26:07] Okay. Thank you. Other.....Marci. Go ahead.

**Marci Yaremko** [00:26:10] And then, thank you Mr. Vice Chair. Just to reconfirm though, we don't expect that work, the reconsultation work to be complete until March. Is that correct? So, we will be getting presumably the guidance in the March letter and that will be our first indication of what the new threshold might be. Is that correct?

**Susan Bishop** [00:26:41] Thank you Miss Yaremko. I think there are sort of two questions that we will need to talk about going into the 2023 season. So, one is what the biological opinion concludes about the conservation objective? And then the second question is what additional issues might... we might, might we need to discuss with regards to how the fisheries will be managed to stay with under that conservation objective? And I see those as potentially two different questions. Both of them will come to play in our guidance letter for next year. Our intent is to talk with the parties early and often. So, we've already engaged in conversations with CDF and W about next year and we will continue those conversations from now through March. We are trying our best to complete the consultation if we're....if we can before the end of the year, but there's certainly the possibility that that won't happen before, very close to our planning for next year.

**Pete Hassemer** [00:27:48] Thank you. A follow-up Marci?

**Marci Yaremko** [00:27:52] Thank you. Thank you Mr. Vice Chair. Are we in discussion?

**Pete Hassemer** [00:27:56] Yes.

**Marci Yaremko** [00:27:57] Okay. Just to respond. Thank you Susan. Your understanding is the same as mine and has been consistent since we begun this discussion. I appreciate the efforts to communicate routinely as we have been throughout the summer on the situation and the developments and, you know, whatever you can share in terms of how NMFS is formulating the recommendations, the earlier we have to plan and to think about how we will be incorporating those changes into the 2023 preseason process, the earlier the better. Thinking about the situation, it's.....we know that we have had some significant overages and we appreciate the fresh look at the model and its performance and how we do better. Just want to thank the STT for the recommendations they've made in the report to us. I think they do advance the thinking and certainly confirm what we have been using as base periods for San Francisco and Monterey are probably the best we can do with the information we have right now. So I just want to say that, you know, we appreciate the dialogue continuing and I like hearing that you expect to conclude the work by the end of the year because certainly I wouldn't want to get to March and hear that we have to embark on a brand new say management strategy for Klamath stocks and try to build a series of management plans or actions in short order with only a, you know, between March and April. So, the sooner we can talk and think through some things, you know, of course with our goal being where we don't want to disrupt fisheries. We want to be transparent and do the best we can to ensure that our process is inclusive and thorough and transparent hopefully before we get to March. So anyway, just appreciate this discussion here today and I know you're working hard in the background so thanks for the update.

**Pete Hassemer** [00:31:02] Susan.

**Susan Bishop** [00:31:04] Thank you Mr. Vice Chair. I would also like to express my appreciation for

California's engagement and all the help that the staff has provided. This is a very difficult situation. It has not been for lack of trying on a lot of fronts. We worked very hard last season to make adjustments to the model. A lot of analysis in a very short time period. A lot of collaboration with the fishermen, with the states, with the Council staff. This is a tough problem and I appreciate the engagement that we have had, and I commit to being as transparent in terms of when we have the information as we can.

**Pete Hassemer** [00:31:46] Okay thank you. So, I'm going to look around once more for any hands or comments? The KOHM a work in progress. We got an update today. It will be....come before us or come back to us at a future meeting. So, Robin, is there anything else we need there?

**Robin Ehlke** [00:32:06] No, thank you Mr. Vice Chair. I think you've covered that as well. You'll hear again, like you said from the STT in November on the same topic.

**Pete Hassemer** [00:32:14] All right. Thank you. And I believe that closes out this agenda item and I will gladly return the gavel to our Chairman.

## **E. Pacific Halibut Management**

### **1. 2023 Catch Sharing Plan and Annual Regulations**

**Marc Gorelnik** [00:00:00] We have no public comment so this will take us to our Council action, which is up on the screen there to adopt for public review. So, I know that there may be a motion or two ready, but let's see if there's any discussion before we get into any motions. Heather Hall.

**Heather Hall** [00:00:20] Thank you Chair Gorelnik. I just want to start out by saying and this was, I think, captured a bit in our WDFW report, but since the pandemic our recreational fishery has not looked the same. We've really relied on this inseason flexibility. But going back before the pandemic we had fisheries that lasted three days or four days. It was incredible how quickly we went through our allocation. So, the discussions with our stakeholders have been different and fun, but a lot of that is due to we've had port closures in some ports that have had a lot of fishing effort following the pandemic this year. We were surprised with this incredibly poor weather that was just ongoing and high fuel prices and so just want to say that that's a lot of how we're looking at our changes for 2023, not wanting to make huge changes. Look at this flexibility but also wait for some stability to come back or see how things have really changed. And so that's just a bit overarching of where we are. But I would say the past few years have not seemed normal for our fishery and I'll leave room for other discussion, but I do have a motion when the time is right.

**Marc Gorelnik** [00:01:55] All right. Thank you Heather. Is there further discussion? Well, I'm not seeing any hands so, Heather, if you have a motion please feel free to offer it.

**Heather Hall** [00:02:14] All right. I think Sandra's got it and can....I move that the Council adopt the proposed season structure alternatives and changes to the Catch Sharing Plan as described in Agenda Item E.1, Supplemental WDFW Report 1 for public review.

**Marc Gorelnik** [00:02:46] All right. Thank you Heather. And the language on the screen is accurate and complete?

**Heather Hall** [00:02:49] Yes it is.

**Marc Gorelnik** [00:02:50] I'll look for a second. Seconded by Phil Anderson. Please speak to your motion.

**Heather Hall** [00:02:55] Thank you. I think I've covered most of it. This is range of alternatives. I think we've got a good base of alternatives out there for our meeting in October and enough to bring back with recommended season dates for the next Council meeting in November.

**Marc Gorelnik** [00:03:15] All right. Thank you Heather. Are there any questions for Heather on the motion? I'm not seeing any hands, so we'll call the question. All those in favor of please say 'aye'.

**Council** [00:03:28] Aye.

**Marc Gorelnik** [00:03:28] Opposed no? Abstentions? Motion passes unanimously. Thank you for the motion. Jessica Watson.

**Jessica Watson** [00:03:41] Thank you Mr. Chair. I have another motion.

**Marc Gorelnik** [00:03:43] Please.

**Jessica Watson** [00:03:46] So I'll wait. I move the Council adopt for public review the changes to the Pacific Halibut Catch Sharing Plan for 2023 proposed in E.1.a., ODFW Report 1.

**Marc Gorelnik** [00:04:06] All right. Thank you for that. Is the language on the screen accurate and complete?

**Jessica Watson** [00:04:10] It is.

**Marc Gorelnik** [00:04:11] And I'll look for a second? Seconded by Heather Hall. Please speak to your motion.

**Jessica Watson** [00:04:19] Thank you very much. I provided the rationale regarding these changes in the ODFW report, and I will just again note that most of these proposed alternatives are intended to provide some increased opportunity and or flexibility for the recreational halibut anglers in Oregon and we look forward to further review and feedback on these proposals in preparation for Council decision in November.

**Marc Gorelnik** [00:04:42] All right thank you. Are there any questions for the maker of the motion? Not seeing any hands. I'll call the question. All those in favor.....pardon me. Marci. I'm sorry.

**Marci Yaremko** [00:04:54] Thank you Mr. Chair. No questions. Just a point to say I support the motion. I support the report. I support putting these alternatives out for public review. I'm interested in hearing from the public on the alternatives, particularly on the bag limit proposal. We had a brief exchange there. I guess I'm interested in hearing the thinking about an alternative that begins a season with a two fish bag limit. I had understood at least in the recent past the use of increasing a bag limit to two fish as an inseason flexible mechanism that allowed for better attainment of the various allocations. So that's kind of how I've always seen that, that tool. Certainly, support its use for that purpose but just curious about the thinking behind starting a season with the bag limit that high. Thank you.

**Marc Gorelnik** [00:06:06] Jessica.

**Jessica Watson** [00:06:08] Thank you Mr. Chair. Thanks Marci. In our public meetings we definitely heard from anglers now the interest in having more opportunities early on in the season rather than later due to inclement weather and other things going on. So that is the rationale behind that of the two-bag limit is to increase the opportunity and flexibility to allow for that allocation with the understanding that it may then be used up earlier.

**Marc Gorelnik** [00:06:39] Any further discussion on the motion? All right... now I'll call the question. All those in favor say 'aye'.

**Council** [00:06:48] Aye.

**Marc Gorelnik** [00:06:48] Opposed no? Abstentions? Motion passes unanimously. Thank you Jessica for the motion. Let me see around the table if there's any further motions to be offered or any further discussion? I'm not seeing any hands. I'll turn to Robin and see how we're doing on this agenda item.

**Robin Ehlke** [00:07:16] Thank you Mr. Chair. We've had good discussions and we have the proposed changes from both Oregon and Washington and the Council has adopted those for public review. So, I think you've covered everything under this agenda item.

## 2. Commercial-Directed Fishery Regulations for 2023

**Brad Pettinger** [00:00:00] That will take us to Council action and so I'll open floor for Council discussion so....Phil Anderson.

**Phil Anderson** [00:00:09] Thanks Mr. Vice Chair. You know we undertook this I don't know how many years ago, but three I think or so at the urging of the Halibut Commission. This isn't something we sought necessarily to do. They've been, the Halibut Commission had been doing it for a long time and they had....I guess I would say they had a bit of a change in their focus and their mission and their direction as it relates to managing our directed fisheries. So, I know it's been a lot of work, particularly for National Marine Fisheries Service to get us to this point and just appreciate all the work that did go into it to get us here. I am very mindful of what the EC is telling us in their report about the difficulty of, you know, given the resources that they have and the way the fishery is conducted and the difficulty they are expressing to us about enforcing a series of three-day fisheries due to some of those constraints. And coupled with that as we all know they've made some recommendations to us that would help them. And while I am appreciative of the workload associated with those, maybe in particular maybe if you tried to take them all at once, there are a couple of those that seem to me to be particularly important based on what they're telling us about their ability to enforce the regulations associated with this fishery. So, number one, the change that they're recommending on the definition of hook-and-line gear be used in place of set line gear if you need direction or guidance from this Council, Frank, to look into that, I'm suggesting that we do just that, ask you to do that. I would also appreciate the Enforcement Consultants if there are in this list of four bullets if there are higher, if there are higher priorities associated with their ability to enforce the regs with one or the other of those four, if there is some sort of put those in priority, maybe give us a sense of what those priorities might be when in your next report, presumably in November so that given the, you know, the workload that's associated with doing one or more of those is an issue that we prioritize the ones that make the biggest difference, make their job not the easiest but to be the most effective in enforcing the regs. So, I would make that request of the Enforcement Consultants to, if they do have any priorities over those four to let us know what they are so we can build that into our thinking. So those are my comments. Thanks.

**Brad Pettinger** [00:03:52] Okay. Thank you Phil. Further discussion? Jessica.

**Jessica Watson** [00:03:57] Thank you. I think I just want to say that we heard from the GAP the importance of that two-week notification in reference to additional openings and I would say ODFW has similar concerns of the proposed rule language of as soon as practical, practicable in regards to announcing those additional openings. So, I would encourage NMFS to maintain the current notification process given the stated importance to the fishermen and the ports and buyers.

**Brad Pettinger** [00:04:29] Thank you Jessica. Anyone else? Motion? Heather Hall.

**Heather Hall** [00:04:43] Thank you. Sandra, do you have the motion? Okay. Thank you. I move that there are 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 that week. Additional three-day openings would occur every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.

**Brad Pettinger** [00:05:40] Thank you Heather. Is the language of the screen accurate?

**Heather Hall** [00:05:41] Yes it is.

**Brad Pettinger** [00:05:43] Okay. Second? Seconded by Jessica Watson. Thank you Jessica. Please speak to your motion.

**Heather Hall** [00:05:51] Yes. We didn't hear any changes proposed for public review to the structure for the directed halibut season. This just acknowledges what that status quo season would be. I know a couple of years ago we worked with directed fishery participants to come up with this, this structure and it's been working as we heard from the GAP. Thank you.

**Brad Pettinger** [00:06:18] Okay. Thank you. Discussion of the motion? Okay, then I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:06:34] Aye.

**Brad Pettinger** [00:06:34] Opposed? Abstentions? The motion passes unanimously. Okay. So, Robin, I'll look to you as far as how we're doing?

**Robin Ehlke** [00:06:52] Thank you Mr. Vice Chair. I think we have completed our work under Agenda Item E.2. We have a proposed season structure for the upcoming year of 2023. And, yeah, I think you did it. We can check off that box.

**Brad Pettinger** [00:07:11] Okay, very good. And I think with that I'm going to pass the gavel back to Chair Gorelnik.



## F. Habitat Issues

### 1. Current Habitat Issues

**Brad Pettinger** [00:00:00] And that concludes public comment and takes us to Council action, which I think is the letter before us and so I'll open the floor up for discussion. Marci.

**Marci Yaremko** [00:00:18] Just want to thank Glen for his explanation to us of the timeliness of the letter. We've had this on the work list for the Habitat Committee for some time. As Kerry mentioned in the overview while there is no deadline because we aren't responding to a comment period, I think Glen really highlights the importance of transmitting the letter now that under the current 2019 buy-op litigation schedule. The new IOP for 2023 is scheduled to be presented by BOR to the court on September 30th of this year and that a decision is expected sometime in November. The 2023 IOP should require a more protective temperature standard so the timing is ripe for us to convey our recommendation that the standard should be lower. Also, Glen mentioned the new buy-op and the ESA consultations that are ongoing with the expectation that that buy-op will be completed in 2024. Also want to reference back the presentation that Steve Lindley presented to the HC indicates that the temperature related egg fry mortality and the mortality of other juvenile life stages have some of the largest impacts on the life cycle. And so, I think, the time is right and I, again there has been a lot of work and a lot of discussion in the background and I just want to thank Glen for joining us here this morning and conveying to us the importance of the letter. Thank you.

**Brad Pettinger** [00:02:33] Thank you Marci. Further discussion? Chair Gorelnik.

**Marc Gorelnik** [00:02:37] I just want to briefly add my support for the letter. Nothing in the letter should be new to any recipients, but it's a matter of adding our voice to that and hopefully it's just not another sternly worded letter that's ignored. Hopefully we can make some progress with our audience.

**Brad Pettinger** [00:03:00] Okay. Thank you Marc. Okay, we've heard support for what's said in the letter. I'm not seeing anybody saying otherwise. So, Kerry, I'd look to you as far as are we good to go here?

**Kerry Griffin** [00:03:17] Yeah. Thank you Mr. Vice Chair. Okay, so there's support to send the letter. I did hear that... I think Glen said that the timeliness is important because the decision on the interim operating plan is coming up on September 30th if I heard that correctly. This is September 10th so there's not a lot of time and obviously we're sending it to three agencies that would need to have it sufficiently in advance to be able to look at it, digest it. I don't know if they have briefing books for these kinds of meetings or what, but I guess I'm thinking out loud here about and looking at Merrick about when we would get this letter going if we don't.....you know if we wait until after the Council meeting to.....you know anyway, maybe that's something we need to go huddle on the side but obviously there's a real timeliness element here.

**Merrick Burden** [00:04:13] Yeah. Thank you Mr. Vice Chairman. Kerry, just in response to your thinking out loud, are you...is your question implying that we would pursue a QR letter process rather than proceeding here with the decision to send the letter as it stands in the briefing book?

**Kerry Griffin** [00:04:29] Thank you. No, I don't think we need to do a QR letter process because this would be part of this, you know, Council meeting and the recommendation from the Council was pretty clear. I'm just thinking in terms of when do we get it proofed and edited? When do we, you know, make sure that the email addresses are correct and, you know, and gets to the right recipients and is that something that can happen during the meeting. Our admin staff is obviously always very busy

throughout the whole meeting, so I guess I'm just wondering if we try to get it going during the meeting or wait until after next Wednesday?

**Merrick Burden** [00:05:10] Thank you Mr. Vice Chairman. Well, Kerry, I think those questions are good ones. I do note that we have changed a bit of what we ask of our admin staff at our Council meetings and so I would put this on their table now and see if they can begin making headway and I think we should be able to make that September, late September deadline unless I'm not seeing something that you are seeing.

**Brad Pettinger** [00:05:39] Frank Lockhart.

**Kerry Griffin** [00:05:41] Yeah. Thank you. I'm sorry I don't want to belabor it, but I think that didn't I hear that the decision will be made on September 30th? So that means if this letter were to help inform that decision it would have to be received by the decision makers well in advance of that. So, it's not a matter of just sending it by September 30th, if my understanding is correct.

**Merrick Burden** [00:06:09] I see. Thank you Mr. Vice Chairman. If it's the will of this Council to send this letter in we can prioritize this as staff.

**Brad Pettinger** [00:06:18] Frank Lockhart.

**Frank Lockhart** [00:06:19] So I was anticipating a vote and that didn't happen. So, we abstain from any will of the Council for sending the letter as the federal representative. Just want to make that clear.

**Kerry Griffin** [00:06:33] Okay. Thank you. Well, I think then what I can do is get a Word version through our admin staff and start the processing process to get this thing going. So, thank you. I think our direction is pretty good.

**Brad Pettinger** [00:06:49] Okay, very good. And Frank, I asked if anybody had any contrary viewpoints as far as have been suggested so.... since I didn't get any I figured that was the will of the Council. So okay. So, Kerry, are we good?

**Kerry Griffin** [00:07:06] Yes sir. I think that concludes your business for today. Thank you very much.

**Brad Pettinger** [00:07:10] Okay.

## G. Groundfish Management

### 1. National Marine Fisheries Service Report

**Brad Pettinger** [00:00:00] That takes us to public comment and there is zero I'm informed, so that takes us to Council action, and which is discussion and guidance as appropriate. So, what's the will of the Council, if any? Phil Anderson.

**Phil Anderson** [00:00:21] Thanks Mr. Vice Chair. Just in thinking about 2023 and the surveys and the.....well not just 2023 but just the overall importance of the various surveys that contribute to the management of West Coast fisheries resources. You know a couple of years ago there was a funding shortfall that was having some pretty major or could have had some major implications on our various surveys off the West Coast and we made it one of our priorities to bring that issue to NMFS leadership at the CCC meeting, several CCC meetings and I'm....while there was plenty of caution and there wasn't necessarily a suggestion that we were going to have problems in 2023, but both in the GAP report as they heard from Mr. Russell as well as his presentation here, there was at least some suggestion that we need to keep an eye on that. And we have some new folks, new leadership at National Marine Fisheries Service. May or may not have heard from us in the past on this matter and I would just recommend that the leadership that attends the CCC meeting that I understand is going to be in October reiterates our concern and the importance of our surveys to our management capabilities here on the West Coast. So, we keep ringing that bell loud and often. I suspect that Dr. Werner will be there, well... probably Cisco and Kevin. I have already sent an email to Kevin, but I just would, would hope that the leadership and our representatives that go to the CCC meeting will make sure that they are aware of how important these activities are to this Council and our management of our fisheries. Thanks.

**Brad Pettinger** [00:03:01] Thank you Phil. Wise words and duly noted. Anyone else? Bob Dooley.

**Bob Dooley** [00:03:14] Yes, thank you Mr. Vice Chair. Phil, those are great, great comments and I agree with them. I'm also noting that there seem to be a concern there... kind of sub... below the surface of availability potentially of surveys next year. And one of the things that I know that I found out is that Shimada will be going to shipyard. I assume it's a major shipyard and I hope they keep the Council abreast. We all know boat owners; shipyards can blossom, and problems can surface and it's critical that that vessel is available for our work next year. So, if there needs to be an adjustment it'd be nice to be kept apprised of that shipyard as it goes forward and if there are any unanticipated problems. So, just wanted to bring that up. Thank you.

**Brad Pettinger** [00:04:10] Thank you Bob. Chair Gorelnik.

**Marc Gorelnik** [00:04:12] I just want to briefly respond to Phil. Of course, we will make those points at the CCC and we have made those points. Oftentimes our federal government speaks in two different tongues. On the one hand, we need to improve domestic supply of seafood, but of course that requires data to support the fisheries, but the same government doesn't provide the funds for the Science Center to do its work. So, we will continue to bang that drum.

**Brad Pettinger** [00:04:52] Okay. Todd, how we doing?

**Todd Phillips** [00:04:56] Yes, thank you Mr. Vice Chair. Well, the Council heard from both the Center and the Region as well as the GAP. You have had a discussion on those items, and I would say that you have completed the tasks under this, under the NMFS Report. Thank you.

**Brad Pettinger** [00:05:12] Very good. Thank you Todd. And with that I'll pass the gavel back to our Chair.

## 2. Workload and New Management Measure Update

**Marc Gorelnik** [00:00:00] Well that concludes public comment under this agenda item, and I would ask that Todd remind us of our action here.

**Todd Phillips** [00:00:09] Yes. Thank you Mr. Chair. So, under your proposed actions as shown there on the screen was to review the list of proposed projects and amendments and new fishery management measures. Those were brought forward under the GMT's report. And then evaluate the progress and prioritize items that would have been under Table A of the GMT report. Review proposed changes to EFP process, so that refers to of course the COP 19. And then consider all of these, all the above items under the overall groundfish workload and then provide guidance as appropriate for this particular agenda item.

**Marc Gorelnik** [00:00:45] All righty. Well, let's get started on discussion. We had a fair, fair amount of interchange with public commenters and on the report so I'm sure there's some discussion to be had here. Jessica.

**Jessica Watson** [00:01:02] Thank you Mr. Chair. I appreciate all of the advisory bodies work on their comments as well as the public testimony that we received here today. And I feel that a key component of this discussion is really of that Appendix 2, Table B in the GMT report and that these are items that are classified under this title as all other potential groundfish management items not in priority order nor scheduled on that Year-at-a-Glance. And therefore, to address some of the comments that we've received from the GAP and during this public comment period about processing south of forty-two that the GMT's recommendation on adding that back to the table seems appropriate at this meeting. I acknowledge that through the review of these items there'll be a more in-depth review in March and April where some of the concerns about the appropriateness of adding EFP regulatory process items to this table could be addressed more thoroughly with more comment and review by other groups. But I also think that this is an important item to have on that list for further discussion because I do appreciate Dan's comments on shifting distributions and resilient fisheries with the changing climates and distributions.

**Marc Gorelnik** [00:02:25] Thank you Jessica. Phil Anderson.

**Phil Anderson** [00:02:30] Yeah, thanks Mr. Chairman. Just a few comments and I appreciate all the work that's gone into this, the comments of GMT and the GAP and the members of the public that spoke to us here under this agenda item. Relative to B13, which is a shortbelly rockfish piece that Ben Enticknap spoke to, I appreciated the work that that has been done over the last several years relative to shortbelly rockfish. And we took some action back in November of 2021 to move that species into an ecosystem component species designation and I continue to be an advocate of having protections in place to for because of the high forage value of this species to the ecosystem. At the same time, recognizing that prohibiting a commercial fishery has a number of different considerations around it and complications around it. I'm not saying they're not insurmountable and there isn't ways to figure our way through that or that we shouldn't pursue that at some point in time, but just in consideration of the workload here, when I think about Year-at-a-Glance and some of the things that have been on our plate that we're trying to move forward to conclusion, I want to keep this up certainly on the list as it's represented, but I do think we need to clear our plate a little bit of some of these other items before we take on new ones relative to a Year-at-a-Glance perspective. Bob Alverson spoke to some item B15 and noted that he would like to have the GMT make some workload determinations relative to high, medium and low and prioritized of the three that are there, adding pots as being the most important. So, at a minimum I would like to ask the GMT to give some thought to that and in particular to the adding

of the pots and give us some sense of the workload that's associated with moving that forward. Now as for B17, I'm aware, very aware as we all are, of the interest of the whiting fishery to expand to the south of forty-two, their ability to process whiting. It has been obviously something that they have brought to us a number of times that was part of the package to try to increase utilization for a variety of reasons that surrounded the complexity of making that change, we set it aside believing that we could move the other pieces forward expeditiously, at least in Council expeditiously terms, and that's been done. And I'm not at all dismissive of their desire to look at it. And I would.....I'm also mindful we're not debating at this point in time whether we do it or not or whether an EFP is done or not, we're debating whether we have it on this list of potential groundfish management measure items for the Groundfish Management Team. It is a list that we have an opportunity to look at regularly and if things change we can add or take off of this list as appropriate depending on the status of the work. I think Marci spoke to least one that the create the 60-mile bank RCA lines as maybe one that shouldn't be on the list, but it is a list that we get to look at. And so it's not...making a decision today as to whether something is on or on the list doesn't either put it in the limelight or doom it to put it into some behind some wall never to be seen again. I do think in my mind the consistency piece that I'm struggling with, frankly, is that, you know that we, they talked about B2 and B5, the fact that there's EFPs in place and so given the outcome of those EFPs there's the potential that we would want to move those into regulation, so I get that. There is no....that is not the case with south of forty-two. We don't have an EFP in place and so I find it inconsistent, frankly, that B17 is on there with the argument that there might be an EFP and that might lead to a future regulation proposal. That's the inconsistency that I see. And I would note that whether it is on this list or not, at the end of the day isn't going to make a difference I don't think, because I believe that industry, the industry is serious about developing an EFP to put forward for the Council to consider and for NMFS to decide on, and I'm hopeful that that will happen. I would be supportive of having this on this list of potential regulatory measures when there is an EFP in place and then I think it's appropriate to put it on this list. I'm not going to break my pick off over this because at the end of the day I'm not sure it matters, but if we want to be.....in my mind if we want to be consistent about what's on this list in terms of a potential regulatory measure that we might consider in the foreseeable future, I can't imagine that we would do that without first doing an EFP and collecting information to help inform whether or not we take that step and make that regulatory recommendation. So, it is my view that it should not be on the list at this time. That does not say I'm not supportive of looking at it or not supportive of having the potential of an EFP brought forward and at such time when we review this list again, add it to the list at that time. But from a consistency perspective, I don't believe it should be on the list at this time. Those are my remarks. Mr. Chairman, thanks.

**Marc Gorelnik** [00:09:54] Thank you very much. Marci Yaremko.

**Marci Yaremko** [00:09:58] Thank you Phil. I couldn't agree more. Just also like to note that Brent's words are echoing in my mind on this particular point. He said, you know, when you have an EFP, the point of the EFP is to do a test and then determine if a reg change is go or no go. So that was quite different from what I heard from Dan, which is that let's go ahead and signal the intent to make a regulatory change. So, they're very different in concept in my mind. So, agree with everything Phil said. What this whole discussion highlights for me is that we, I think, need to consider some more comprehensive amendments to COP 19. I'm struggling with the difficulty of a one size fits all, because I am hearing the challenges that we are faced with, with the biennial cycle and the way the COP is structured that applications come to us in November with final action in June. I want to thank the Council staff for raising the COP now and giving us some time to think about it, but clearly we need more time and I appreciate the interchange with Lynn about the GMT might benefit from more time to review the COP more comprehensively and think about how we might do more than just surgically attempt to amend it. I'm thinking back two cycles ago on EFPs where we received a slug of new EFP applications in November. One of those applicants is in the room right now, Wayne Kotow. And Wayne had nothing but good intention but to build an EFP that was doable and implementable or approvable

in final form by June, but the workload that would be involved in trying to build a plan and get all of the kinks worked out, figure out the observer provisions, et cetera proved to be too ominous. And I admire Wayne for trying just like I admire Tom Mattusch for trying. But I think what it speaks to is we're working with new EFP coordinators to try to build EFPs to get them over the finish line and that type of a process would benefit from more time and potentially an initial review with the Council and where we provide some initial guidance on where improvements are needed way in advance of November, because by November it's really too late to be making major modifications or building major elements. I really appreciate Brent coming up here and talking about his experience over multiple EFPs and I would consider Brent and, and Dan, they're experts. They know how to build an EFP in advance of a deadline like November so that it's something that we can move forward with and approve and know that the majority of the legwork is done. So, I feel like we don't have a great structure in the COP to kind of deal with very different EFP considerations. I'm also thinking about the distinction between new EFP applications and renewals that is spoken to in the COP, but it does seem that it is far easier to deal with renewals that involve only slight modification compared to building a new EFP. So, I think ensuring that we have differing timelines for differing types of EFPs would benefit the Council process. I'm thinking about Travis's comments and the desire to get working on EFP terms in the south of forty-two processing EFP, noting there's a lot of work he mentioned, some of the elements and I agree that's going to be a heavy lift and just as Phil mentioned, I think we're ready to get some discussions going about that but we need check-ins and we need a process that allows that to happen, and I feel like a more holistic look at the COP to front load opportunities for us to engage in development of EFP plans and to hear from National Marine Fisheries Service about what reviews will be needed, what analysis will be needed that we would all benefit, you know, if there were multiple more check-ins, more opportunities than just the current structure that we have for November and June. So, I would support putting some more, having Council staff do a little more to tee-up modifications to COP 19 and allow for input from the GMT, the GAP and the EC. They've provided a great starting point with the remarks they've made here today. But I don't think we're in a position to move forward with just the minor surgical amendments that we have in front of us in Supplemental Revised Attachment 1. But I think the topic is incredibly important and I think, you know, we all very much value what EFPs and the work that is done under them, how pivotal it is to the management of our fisheries and how important it is, I mean, in terms of fulfilling our obligations under Magnuson to allow for new opportunities for development and testing and new science. So, I think it would serve us well to spend some time to get this COP right thinking about the varying EFP scenarios that we have dealt with in recent cycles and off-cycle. Thanks.

**Marc Gorelnik** [00:17:52] Thank you Marci. Heather Hall.

**Heather Hall** [00:17:55] Thank you Chair Gorelnik, and thanks for all the comments that have been made before and the really good discussion that we've had already. I also want to thank the GMT for their workload and management measure list. I think just overall it gives us a really good way to deal with groundfish workload and so I appreciate all the work that goes into keeping this list updated, facilitating these conversations and thinking about priorities. I want to echo Phil's comments about agenda or item number B15 in the non-prioritized list. These are the follow-on actions from the Limited Entry Fixed Gear Program Review. Right now, they have a TBD under the analytical workload, and I support the recommendation that the GMT do the work to identify the workload for those different items according to the priorities that Bob mentioned in his public comment. Relative to COP, I feel very much on the same page as Marci here and I appreciate the Council staff putting out the proposed changes to COP 19, but I completely agree that I think there's a lot of work to do and a lot of coordination that beyond just the GMT, including the GAP, the EC, National Marine Fisheries Service in terms of what that COP can look like and really help this EFP process and thinking about getting a good idea tested and the opportunity to move into regulation. Even thinking about the GMT's checklist that they use at the beginning of the EFP process in November when they're evaluating EFPs and

working with applicants so that they are clear about expectations of an EFP. I know I've experienced that and I don't fault the applicants, I just think it's not very clearly laid out. And so, for the timing of bringing this up now, knowing that November is when we'll look at COPs, I think it gives a good amount of time between now and perhaps June even to have some real focused work on building a better COP that helps this process for EFPs. Thanks.

**Marc Gorelnik** [00:20:32] Thank you Heather. Corey Ridings.

**Corey Ridings** [00:20:38] Thanks Mr. Chair. I want to start echoing Heather and agreeing with Marci around improving our EFP process and making it stronger and essentially easier to use. It's critical for building resilience in our fisheries and adjusting to changes that we're seeing in the water. I also wanted to echo Phil's earlier comments on shortbelly and thank Ben for his comments. The Council has noted that shortbelly is an important forage for salmon, seabirds, and marine mammals. Also, I very much appreciate what the whiting fleet is doing to reduce incidental catch as well as the cap that this Council put in place. I continue to be concerned about this stock, however, in light of the growing market for reduction fisheries for aquaculture, fish oil, and agriculture. The proposed Nordic aquafarms in Humboldt would be the largest on-land... the farmed salmon facility in the world. I personally oppose this project, but should it move forward I think it would be useful to send a clear signal that our coastal shortbelly are not an option for their feed and that they need to be available for our wild fisheries and the ecosystem that supports them. The report provided by ODF and W in November 2021 was excellent and provides a good jumping off point to begin work on this. Regarding timing, it seems like March and April are the right time to discuss taking this up. So just noting I look forward to discussing it more then and hopefully putting it on the agenda at that point. Thanks.

**Marc Gorelnik** [00:22:09] Thank you Corey. Pete Hassemer.

**Pete Hassemer** [00:22:13] Thank you Mr. Chair. In the interest of being brief, instead of trying to state everything I agree with around the table, I haven't heard anything I disagree with the comments made regarding these items. The one that I possibly did was B17, whether or not at-sea processing south of forty-two is on the list. Of course, in my perfect world it would be on the list, but I heard the reasons and rationale why it's not needed there. I would...I'm not going to argue over that. I would support it not being on the list. The point I wanted to make is I hope that does not discourage those who supported that. We heard public comment for having it on there for submitting an EFP application that would explore opportunities to process south of forty-two. I think it goes beyond just utilization in those fisheries. You know a target that was stated is to be able to fish cleaner, to fish with even lower salmon bycatch in that fishery and I'm very interested in that potential outcome. So again, I just encourage them to continue to pursue that because through the discussion, I don't know all the processes, but I just can't see how we would get to a regulatory change or amendment that would allow processing without first going through this EFP process. So, I hope that moves forward. Thank you.

**Marc Gorelnik** [00:23:56] All right. Thank you very much. Bob Dooley.

**Bob Dooley** [00:00:00] Thank you Mr. Chairman. And I agree with a lot of the comments and rationale, particularly that Phil made on this, and I see there's probably a distinction without much of a difference here or however you say that, you know, whether it's on the list or off the list regarding the EFP and the processing south of forty-two. However, I view this as it was part of a high priority process. It was the very, you know, top of the list that we were considering and because we didn't have this information to guide us we dropped it off the list. But I don't know if we had that information to guide us, it might have gone through, it might have been just part of the process. So, I see that priority and the need as still a priority should we get the data that supports it from an EFP, but that is the first step. And I, like I said, I agree with what your part is but I do think we need to understand that it's still a priority for that



mothership sector particularly to get utilization, and that's within the context it was used. So, I'm torn. I would love to see it on the list, but I don't know if it's, if it really matters either way at this point. But I would like to understand that the Council is really sending a signal to those folks that we heard testified to get started on that EFP and can get that data to us because I don't think in my mind it has not lessened the priority to get that sector as near full attainment as we can. So, I see that and I always look at from a fishermen perspective more choices to avoid bycatch, more choices, more ground to work with enables them to do the right thing. I have another comment on B15 and as we move forward with these, you know, the stuff that was contemplated with the limited entry fixed gear, I look at the slinky pot issue and I'm wondering if it just pertains to the limited entry fixed gear? There are other sectors there that are prohibited from fishing with pots, and I think it behooves us to consider those and maybe have the GMT look at that of the sectors that might be left behind if this only applies to the limited entry fixed gear tier vessels, the LAP program. So, we've had requests in the past and I don't recall, I'm not familiar enough with the sector, but there are permits out there that are only allowed to use long line and others that are allowed to use pots and there have been requests to let those guys use pots in the past and it's always been denied. So, I hope we don't leave them behind, and the reason for that is because of the whale entanglements, the things that are important and that have caused Alaska particularly to move in the direction of slinky pots. So, there's a lot of reasons to do it, but I would like to see them make sure we don't leave people behind and at the same time cause us more workload in the future by leaving them behind. So, thank you.

**Marc Gorelnik** [00:03:40] Thank you Bob. Jessica.

**Jessica Watson** [00:03:43] Thank you Mr. Chair. I just want to say that like others have stated, though I think my preference would be to have B17 on the list, I am happy to support moving forward with it not on the list with just the idea that Council remains consistent that this is a priority and that there is a process for it to come back on to this list at the appropriate time to address Phil's concern, like statement about inconsistencies... I totally am in agreement that there is some inconsistencies and maybe just a lack of criteria of how and when things get added to this list. But just to make sure that in those March timeframes that we have that time to really think about what to add back on to these lists as the process of EFPs move forward. And I just want to also state my support with regards to all of the statements that have been made about COP 19 and really moving that EFP process forward.

**Marc Gorelnik** [00:04:40] Thank you Jessica. Marci.

**Marci Yaremko** [00:04:46] Yeah, thank you Mr. Chair. Just back to the substance of the matter and consideration of an EFP for processing activity south of forty-two. I heard Brent suggest that probably what he would bring would be off cycle. And I guess what I am suggesting is that looking at what we have to work with right now under COP 19, I'd like to see a proposal before November if the expectation is that an EFP would be reviewed and approved by us in June with an implementation date of the following January. So, I think his suggestion that off-cycle is what he would be working under is correct and I think what, what I'm saying is that the COP we have doesn't allow the flexibility that's really needed to give us adequate time to consider, make recommendations for review, have NMFS have an opportunity through their own processes to review and to have there be multiple steps and check-ins. So, I guess just, you know, I'm speaking to you Brent. You know I'd like to see something sooner. I hope you're not feeling bound by the COP. It didn't sound like you were, but that's it. Thank you.

**Marc Gorelnik** [00:06:31] Merrick.

**Merrick Burden** [00:06:31] Yes, thank you Mr. Chairman. Miss Yaremko just in response to your comments, I would suggest that we make note of your desire to maybe consider an off-cycle EFP, but to bring that up more formally under the workload planning agenda item. We do have quite a full

November already and so we would need to think about that one fairly carefully.

**Marc Gorelnik** [00:07:02] Heather.

**Heather Hall** [00:07:06] Well, thank you Chair Gorelnik. This is a question for Marci and about the south of forty-two. And I'm wondering... I just want to clarify if you're just suggesting you want an early review of the EFP, not an off-cycle EFP, the Council would still consider it under the normal November process? That's the first part. And then wondering if that idea, that concept is something bigger to think about in the changes to COP 19? Is that something we want to think about for all EFPs, a preliminary, and I might be getting things mixed up, but some more of a preliminary type review of all COPs so that in November or when that goes forward there's more time to think about it. So, one is this just specific to south of forty-two and two, is that a bigger COP 19 idea?

**Marc Gorelnik** [00:08:07] Marci.

**Marci Yaremko** [00:08:09] Thank you Heather for the question. Thank you Mr. Chair. So, under the current COP where the EFP cycle is tied to the biennial cycle, I believe we will be receiving applications for EFPs next November. It's not this November. So, I should have been clear in saying I would hope we'd have an opportunity to see an EFP of the magnitude that we expect to see with, you know, proposing processing at-sea south of forty-two. I can't see us adhering to the schedule in the COP where we get a look at it next November and then we take final action the following June for implementation the next January. So what I.....we have used off-cycle EFPs in the past, but I don't know that we want to have every EFP application come to us off-cycle, so this is kind of where the disconnect is, where, you know, I think because we expect the issues and the workload involved with an EFP for south of forty-two to not fit the cycle, you know, how can we improve on COP 19? Because what I'm saying is, you know, the situation in this particular EFP highlights the amount of workload because we're all aware of the discussions and analysis that would be needed. But other EFPs similarly have challenges as I spoke to earlier with the Wayne Kotow application, you know, there was just no feasible way when the first look that we get in November is to, you know, develop a pilot study and have it be ready for approval in June. So, I'm just suggesting that I think more thought needs to go into how we structure the cycle for EFPs and just want to.....I think one thing that will help is increasing the number of check-ins with us. I think prior to the current way we do things we used to have an EFP agenda item in March as well as June, so I'm not sure what the solution is. I think that's where I'm looking to our advisory bodies and Council staff to help us think about that. I don't have any preconceived notions about how what might be best, but I'm just suggesting that I think a holistic review of the COP and thinking about some of our more recent successes and challenges with the way the cycle's designed might help us manage the workload effectively and make it more transparent and make it easier for folks to successfully get an EFP reviewed and approved.

**Marc Gorelnik** [00:12:03] So I think what I'm hearing is that we need more time on COP 19. That is one of our actions here is to make a decision on that. So, it seems like the decision is we need more time. There's been a fair amount of discussion. That's a separate discussion from any particular EFP that may be coming on or off-cycle. We also.....we have to discuss this prioritization list in which to move forward. There's been some discussion about moving, I think, B15 forward if I understood that correctly or not? No, I misunderstood that. There was discussion about removing B17 from this list and I think that while there are some mixed emotions on that and, yes, the general consensus is to remove B17 from this list. Marci.

**Marci Yaremko** [00:13:08] Point of clarification, it's not on the list. It's proposed to be added.

**Marc Gorelnik** [00:13:12] It's proposed to be on the list, okay, so it's in bold here as a proposal so

we're not going to add it to the list. Okay, I want to make sure I state that accurately. I want to see if there are any other.....are there any things we do want to add to the list? Are there things we want to remove from the list? There was one mention but I think that was just merely exemplary. I don't think it was really a proposal to remove what the 60-mile bank RCA lines. Marci.

**Marci Yaremko** [00:13:49] Thank you Mr. Vice Chair, or Mr. Chair, sorry. I think I'm struggling with understanding when Table B, like the cleanup and editing and ongoing maintenance of that table, like I think it resides in the GMT's coffers but from my understanding they don't edit it, they don't modify the language to it. They don't do anything to it unless we tell them to and so we consider amendments or we consider prioritization and moving things to Table A in March, but I don't think we want to get ourselves into a situation where we're asking them to clean up the table every meeting, but at the same time, you know, I'm acknowledging that there are some items on this list that probably deserve a cleanup in light of recent actions like spex and when the time is to do that, maybe come March.

**Marc Gorelnik** [00:15:09] Okay. Thank you. Well, let's look at the Council action on the screen there. I want to make sure that if there's any further direction or guidance to be provided that we provide that at this time under this agenda item. Phil Anderson.

**Phil Anderson** [00:15:28] Yeah, thanks Mr. Chair. So just on B15, just wanted to make sure we were clear there or that we have consensus around the table about asking the GMT to do the workload analysis and at least my feeling was specifically if we can, if they would break out the piece dealing with slinky pots so that we can look at.....so it's either the whole package of the three or it's just slinky pots just to get a sense of what that is. And I know Mr. Dooley said, you know, was thinking about pot gear and other.....not just the limited entry fixed gear, but my personal opinion is that we're talking about the limited entry fixed gear piece here and this is the follow-on action to our review of that LAP.

**Marc Gorelnik** [00:16:25] Okay, thanks for that clarification. Let's see if there's anything further? Bob Dooley.

**Bob Dooley** [00:16:32] Yeah, I'm just responding to Phil's comments, Mr. Chair, if I could. My rationale for having the GMT at least look at that, I'm not looking at it as a action item, but I certainly would hope it would.....if we did look at the people that might be left behind and that we may end up with a larger workload in the future because we left them behind, and that's my sensitivity to that. I know there are those folks out there and I know this is in context of the limited entry fixed gear sector, you know, the tier program, but it seems to me if that work is considered and we get comments from the GMT how that might be either incorporated or not or some future action, I just want the thought process behind it at least looked at and I don't know what that takes. So, the scope, the number of people we're talking about, the, you know, and I do look at it in the conservation mode a bit with the actions that have been taken in other regions and this action too is to, you know, we have enough problems out there with whale entanglements and such and hopefully maybe this could mitigate some of that so anyhow. Thank you.

**Marc Gorelnik** [00:18:03] Looking around for any further hands. Okay, so I'm going to turn to Todd and see if you believe you have captured... maybe you could recap it so to make sure we're all on the same page?

**Todd Phillips** [00:18:17] Yes, thank you Mr. Chair. So if.....this is what I heard regarding.....we'll start at the list, the B list. The B list has the proposed projects. So, what I heard is that B13, which is the shortbelly one would stay on the list. B17, which refers to the processing south of forty-two would be removed from the list but at such a time that the Council directs the team to or staff to it could be re-added. I also heard that for B15, which deals with the LEFG fishery as well as the information that Mr.

Dooley gave that the GMT should provide some sort of preliminary analysis to give us an idea what the workload could be on that particular item, and that would be brought back presumably when this agenda item is on the floor again. I also heard that for COP 19 that there needs to be a much more comprehensive review of that particular COP and also to integrate both the GMT and the GAP and EC and other folks or NMFS as well into, I guess, redesigning it so it's much more robust and much more clear about how our EFP processes work here on Council. That's what I have heard, sir.

**Marc Gorelnik** [00:19:37] All right. Let me go around the table and see if anything got missed there or any corrections? Phil.

**Phil Anderson** [00:19:46] I don't think....I don't have any.....well, if I had a correction it would be that we're not taking B17 off the list. It's not being added, but Marci already said that. We also clearly indicated that we are encouraging the industry that is interested in exploring an EFP to look at the issue about processing Pacific whiting south of forty-two. We're encouraging them to work on that and bring something forward for our consideration. And I know that's not....doesn't fit perfectly but I just wanted to make note that I think there was everything I heard around the table, around the discussion about B17 and whether it's on or off the list was in no way meant to discourage that additional action.

**Marc Gorelnik** [00:20:43] All right. Thank you for that. So not seeing any other hands I think we have concluded this agenda item.

### 3. Electronic Monitoring Update

**Marc Gorelnik** [00:00:00] Well, that concludes our reports. We don't have any public comment so that takes us to any Council discussion we may have. I will say this is the most optimistic report I've heard in a while on EM so that's great. But let's see if there's any discussion around the table on this agenda item. I'm not seeing any hands. Maybe that means folks want to go to lunch but I don't know if we need to provide any guidance at this stage. It sounds like a roadmap's been, been laid out unless folks want to comment on that. Vice Chair Pettinger.

**Brad Pettinger** [00:00:41] Yeah, I just....the progress you made here in the last six months, seven months is exceptional. It's great to see and I just like the direction we're headed, and it'd be nice to see put this one to bed and get it off our slate so but just outstanding work by the committee.

**Marc Gorelnik** [00:01:05] Phil Anderson.

**Phil Anderson** [00:01:07] Well, I appreciate that but frankly we're behind. We are behind where we should have been by this time and we have a lot....we've got a lot to do here in a short period of time to be ready for November but I appreciate the comment. You know I'm kind of a.....I think of myself as a glass half full, so I try to be optimistic. And I am optimistic because I think there are going to be some good changes to where, from where we were a year ago in November but the committee... we've got a lot of work to do... so... but thanks.

**Marc Gorelnik** [00:01:48] All right. Anything further from the Council on this agenda item? Mr. Wiedoff, how are we doing?

**Brett Wiedoff** [00:01:56] I think we're good. You got the program overview and the update where we're at. So, we'll look forward to scheduling something for November. You know if it's not already on the Year-at-a-Glance, I think we've already maybe drafted something but at any rate I think this closes this agenda item.

**Marc Gorelnik** [00:02:14] All right. Well thanks everyone.

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

**Marc Gorelnik** [00:00:00] That completes our reports, and I don't think there's any public comment and Council staff confirms. So that takes us to our Council action here. Identify preliminary methodology review topics for 2023 and adopt any new methodologies recommended by the SSC. We can take them in that order. We have a suggestion from the GMT and we have recommendations from the SSC. So, let's see if we have any discussion or direction from the Council here? Are we simply willing to adopt the, what's in our report? Need some direction. Marci Yaremko. Thank you.

**Marci Yaremko** [00:00:51] Sure. Thank you. It sounds to me like the SSC and GMT have communicated effectively and worked through their plans. Some things are ripe for consideration for 2023 and some are not, and it sounds like they agree and sounds like they've done some good work here. So, I see that....seems like we can support the recommendations that come out of both reports. Thank you.

**Marc Gorelnik** [00:01:17] All right, thank you for that Marci. Is there any disagreement with that or anything further folks want to bring up under this agenda item? Well, I don't want to drag this out so if we don't see any hands and we're all on the same page here, I'll turn to Mr. DeVore and see how we're doing on this agenda item.

**John DeVore** [00:01:39] Okay. Thank you Mr. Chairman. So, from my understanding of that conversation, you've agreed with the recommendations of the SSC regarding use of the hook-and-line survey data and the use of the Species Distribution Model. And you've also recommended for further consideration in November the Sablefish Trip Limit Model proposed by the GMT. And with that understanding you have completed this agenda item.

**Marc Gorelnik** [00:02:14] All right. Thanks very much, John.

## 5. Stock Definitions Update

**Pete Hassemer** [00:00:00] That concludes public comment and would take us to our Council discussion and action, and we'll see that pop up on the screen. John gave us an overview of that but up there we've got four items for our consideration and as we start this I just want to remind everyone again that it's so closely linked to our stock assessment discussions that are going to occur tomorrow under item G.7, but if we can focus our discussion on what's pertinent to making decisions regarding stock definitions, our update that that's most helpful to us. So, I will look for any hand to start off the discussion here. A lot of thinking going on here. Corey Niles.

**Corey Niles** [00:01:08] Thanks Mr. Vice Chair. Just maybe I'll get people warmed up here. I just wanted to thank staff and the Science Centers for the information they brought forward on this link that you brought up. We are a bit worried that we are being forced to answer the question before we even had the discussions for some of these species, like black rockfish and copper rockfish. And it looks like there's good thinking and maybe more thinking to be done and discussed under G.7 tomorrow, but it looks like we'll be able to preserve a pretty good range of options with these species were assessing. And so again, just thanking the Science Centers and staff for the effort they put into those materials. It's appreciated.

**Pete Hassemer** [00:01:53] Thanks Corey. Other comments or discussion? Jessica Watson.

**Jessica Watson** [00:02:01] Thank you Mr. Vice Chair. I want to echo Corey's thanks to all of the advisory bodies and the GMT and SSC and Council staff for all the hard work that they've put in on this agenda item and all of the information that we've received. I just want to maybe ask a clarifying question to Director Burden maybe about the timeline between September and November is pretty tight between when advanced briefing book materials would come out, and since there is a slated potential schedule for a PPA for certain priority stocks for November, I was just curious on the timeline in which you would be able to notice anything or if this is more just probably additional information would come through Council staff's direction for that November agenda item. So, if there's enough time to notice a meeting, to have a meeting in between, or if it's more just needed to be Council staff directing a report?

**Merrick Burden** [00:03:02] Yes. Thank you for the question Miss Watson. So, backing up through our schedule, our briefing book process to start that first full week of October. So, coming out of this meeting we take several days to do the wrap-up of this meeting and then we'll start to scramble to put together what's necessary for November. I'm maybe going to look for John on what the actual timing is to notice a meeting. I think that would be difficult and certainly would be difficult to get any materials of any great substance together in time for that advance briefing book. There is, of course, our practice of doing things supplemental. I think we prefer not to do that for something that's as substantive as this. We want to give people time to review and read, but there is a small window where something could be done, and I guess I'd just look to John to add any flavor to that.

**John DeVore** [00:03:57] Excuse me. So, thank you Merrick. Yeah, we have a 23-day notice deadline, and if you do the math, if we were to notice it at the end of today, which is not practical, we'd be right on the briefing book deadline. So, there's really no way we can have a noticed meeting, especially with a product coming from a workshop or whatever that meeting would produce that would be in the advanced briefing book. So, I certainly, you know, we've been contemplating work that beyond what you've seen in this briefing book for November consideration and without, you know, notice, staff are working with the Science Centers to accomplish some of, you know, do some of the analyses and provide some of the information that we anticipate you will need. But doing that through a notice meeting is.....we just don't have the time to do that unless of course it's a supplemental attachment.

**Pete Hassemer** [00:05:09] Thank you. Did that answer your question, Jessica?

**Jessica Watson** [00:05:13] That did. Thank you.

**Pete Hassemer** [00:05:13] Great. Further questions or discussion? I'm sorry. And at some point we'll move to motions. I'm wondering if we need a little break here for people to consider things? Unless.....I give a few minutes for, seconds for a few more hands if there's discussion you want to have now. Caroline McKnight. Caroline McKnight.

**Caroline McKnight** [00:05:46] Thank you Mr. Vice Chair. At the sake of stepping out of order of the Council actions here, I think maybe I will just offer some comments and maybe a few questions regarding number two. This is specific to considering how we can adopt a preliminary preferred alternative for defining stocks for '23. And this is specific to copper rockfish and black rockfish, which would be on deck for November. In looking across all of the reports and all the information that we received this afternoon, I'm hearing a couple of similar things which is, there's not a lot of information, there's not a lot of time for information. Meanwhile, I'm hearing a lot of general terms like 'flexibility' or 'maximum flexibility' around using a coastwide definition. So, those are just a few of the things that I'm connecting dots with right now. And then in consideration of what we just heard about the timeline being very, very tight. I think I'll just pause there. Maybe that will spur a little bit of discussion.

**Pete Hassemer** [00:06:55] Okay. Thank you. Further discussion? John.

**John DeVore** [00:07:04] Yeah, thank you Mr. Vice Chair. Caroline. You know clearly in the, in the Attachment 1 road map we're recommending a preliminary preferred alternative in November and not at this meeting. But one of the things that we wanted to be really careful about were kind of getting a sense of what tendency you have for two particular species that are to be assessed next year, and that's copper and black rockfish. And as stated earlier, if we heard any kind of support for a stock definition boundary at forty-ten for either of those species, then the stock assessment plan that was tentatively adopted in June and will be considered tomorrow will have to be modified in a significant way. And so that's the one bit of feedback we were hoping to sort of suss out from the discussion here today under this agenda item was.....clearly it's not a preferred alternative, yet since that's scheduled for November but if there's any support for a forty-ten stock definition boundary for copper or black rockfish then that would cause I guess some concern at this stage in getting a final stock assessment plan decided tomorrow under item G.7.

**Pete Hassemer** [00:08:35] Yes, Caroline.

**Caroline McKnight** [00:08:37] Thank you Mr. Chair. Yes, thank you John. I think that looking through all the documents to date there is nothing that is strongly suggesting or supporting that forty-ten is an avenue that is being recommended by anyone. I think that the signal would be that either a coastwide or a break at forty-two would be the more likely candidates at this point.

**Pete Hassemer** [00:09:04] Okay, thank you. Further discussion? Just want to confirm what you heard previously from my gavel mates that it's difficult to see hands from up here. I don't know why, but.....and now I'm not seeing any. So, if we need to take a break prior to getting to motions, we can do that. Are we ready for that? Jessica Watson.

**Jessica Watson** [00:09:35] Thank you Mr. Vice Chair. I'd be happy to provide a motion when the Council's ready.

**Pete Hassemer** [00:09:41] Okay. We don't need any break? Go ahead. Thank you.



**Jessica Watson** [00:09:47] Thank you. So, I move the Council adopt the following Purpose and Need Amendment 31. Underline shows additions to the Purpose and Need in Attachment 1 and strike-through shows deletion. With Amendment 31 to the Pacific Fishery Management Council Groundfish FMP, the Council intends to enhance the ability to attain sustainability objectives, especially for the, especially those outlined in National Standard 1 of the Magnuson-Stevenson's Act and guided by National Standard 3 and informed by National Standard 2. Appropriate specification of stocks in need of conservation and management at the 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 and bring together information concerning biological basis of groundfish populations of the West Coast, and the level of which conservation and management measures are needed, such as the geographic to 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. Two: Prioritize for Amendment 31 species that were assessed in 2021 and are scheduled to be assessed in 2023. Number three: Task the Council staff to develop a white paper for 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 of 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. Four: Convene a multi-day workshop of experts, geneticists, managers, social scientists, economists, and assessors to develop a suite of criteria for defining stocks using the best scientific information available as mentioned in the G.5.a, GMT Supplemental Report 1 before the March 2023 Council meeting to aid in the selection of the FPA selection for all priority species for June 2023.

**Pete Hassemer** [00:12:44] Thank you for that motion. Before I ask for a second I'm guessing it looks as you read but.....

**Jessica Watson** [00:12:51] It looks different.

**Pete Hassemer** [00:12:53] Right there. I didn't catch any strike-through or underline.

**Jessica Watson** [00:12:57] I did not as well. And when reading it through the strikethroughs and the additions are included in that. So, I can resend to Sandra with the strikethroughs.

**Pete Hassemer** [00:13:22] John.

**John DeVore** [00:13:25] Hopefully, I'm not out of line here, but another solution would be just to remove the parenthesis at the beginning that talks about underline and strike-through if you wanted to.

**Jessica Watson** [00:13:37] Well, the issue is that the strikethroughs are included in what I just read, which is not the intent.

**John DeVore** [00:13:41] Oh, I see and so they're not intended to be in there. I get it. Thank you.

**Pete Hassemer** [00:13:58] I assume it's being re-sent and without our Parliamentarian here since we don't have a second, options are to withdraw the motion and go through this again but the change will be we will observe the strike-through and the underline and I don't know if it's appropriate to just replace that text with the appropriate text. Phil.

**Phil Anderson** [00:14:33] Given that you don't have a second, the maker of the motion is free to modify what is being presented.

**Pete Hassemer** [00:14:41] Thank you.

**Jessica Watson** [00:14:52] I am happy to modify what is being presented.

**Pete Hassemer** [00:14:56] My expectation is that is occurring in cyberspace right now. And it does take a little longer going through smoky air. Let's take a five-minute break. I have 2:44, 2:45. Let's come back at 2:50.....(BREAK).....can move back to their seats. We are ready to resume on G.5 and we have a motion before us. I am going to ask the maker of the motion if, number one, if this is as you intended and have read to us?

**Jessica Watson** [00:17:08] It is not what I read to you, but this is what I intended.

**Pete Hassemer** [00:17:11] Okay. I shouldn't....

**Jessica Watson** [00:17:15] I would like to make one more edit, if possible, to the motion. And that is to remove bullet four.

**Pete Hassemer** [00:17:21] Okay. All other parts are as you read. So, I would like to ask you to reread the section that has changed.

**Jessica Watson** [00:17:43] So I move the Council, one: Adopt the following proposed Purpose and Need Amendment 31. The underline shows additions to the Purpose and Need in Attachment 1 and strike-through 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 the 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. It is the Council's intent that when this amendment is completed, NMFS will make the necessary status determinations concerning the identified groundfish stocks managed under the groundfish FMP.

**Pete Hassemer** [00:19:07] Thank you. And the remainder of that does not change from what was previously read into the record. So, is what's on the screen then what you intend in this motion?

**Jessica Watson** [00:19:19] Yes.

**Pete Hassemer** [00:19:20] Yes. Is there a second? Virgil Moore. We have a second. Please speak to your motion.

**Jessica Watson** [00:19:31] Thank you. So, with regards to the purpose and need, most of these suggested edits are what we have already seen in the GMT report with the exception of calling out National Standard 2 and National Standard 3, and the intent here is really to bring forth the importance of these standards with regards to this topic. With regards to bullet point two, the prioritizing for amendment the species. It has been the intent of the Council to tackle this process in a phased approach

and to have that we need priority species, those being those that were assessed in 2021 and are scheduled for assessment in 2023. And the goal here is to make sure that the FPA occurs and this amendment is finalized in a timeline that's appropriate for the 25-26 harvest specification and management measures. And as stated that we heard today in the GMT report, the proposed timeline for this amendment is really that November of 2022, the PPA for stocks assessed in 2023 will occur with March and April, PPA for other stocks, and then June a FPA for the amendment. With regards to bullet point number three, as mentioned in the SSC report it's unlikely that there's going to be new data or information that will be available to inform the stock structure decisions for the stocks in the near term, specifically for those for that are being assessed in 2023. So, the intent here is to try and bring information available for those 2023 stocks as an expansion of Table 1. So that table from G.5, Attachment 2 to really provide some trade-offs between the different choices of stock definition that we've discussed today, whether that be coastwide or forty-two. And then also discuss some of the flexibility to assess those specific geographic areas based on assessor inputs and recommendations, and then kind of follow a suite of possible management implications that can range from that management measure and how different options would be available, whether those be rebuilding plans and how those would be applied if a stock was to be found to be overfished. And that is what I have.

**Pete Hassemer** [00:22:02] Thank you. Are there questions for the maker of the motion? John.

**John DeVore** [00:22:11] Thank you Mr. Vice Chair. Thank you Miss Watson. You know clearly in the written motion here you've addressed two of the three decision points that we spoke to. Although I don't see it written in the motion, the recommended decision-making schedule that was provided in Attachment 1 you did speak to it. In the motion, are we to understand that you are also moving that proposed schedule for decision-making? And I guess to the Executive Director and the Council, is it sufficient to orally include that in the motion or should there be an amendment to the motion to include the schedule?

**Pete Hassemer** [00:23:03] So sorry John. We were conferring about the motion here. Can you repeat the question about an amendment?

**John DeVore** [00:23:19] So one of the decisions that we're asking the Council to make at this meeting is the decision-making schedule and there's one proposed in Attachment 1. While it's not written in the motion here, Ms. Watson did speak to the schedule and I was really asking the Council if we should have an amendment to the motion or another motion to move that schedule as well, even though Miss Watson did speak to it as part of this motion, it's just not written into the motion.

**Pete Hassemer** [00:23:53] All right. Thank you. Phil.

**Phil Anderson** [00:23:58] Yeah, thanks Mr. Vice Chair. It is my recommendation that the maker of the motion be requested to read the motion in its entirety and then we can move on to John's question. But the previous....the motion that was put on the screen originally was withdrawn. We have a new motion. Granted some of it is the same that was on the screen before, but I am recommending that we ask the maker of the motion to read the other two parts of the motion.

**Pete Hassemer** [00:24:33] All right. Thank you. There's a request to do that. So, I will ask the maker of the motion to do that now.

**Jessica Watson** [00:24:39] Happy to do that. So, I move the Council, one: Adopt the following proposed Purpose and Need Amendment 31. Underline shows additions to the Purpose and Need in Attachment 1 and strike-through 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. It is the Council's intent that when this amendment is completed, NMFS will make the necessary status determinations concerning the identified groundfish stocks managed under the groundfish FMP. Number two: Prioritize for Amendment 31 species that were assessed in 2021 and are scheduled to be assessed in 2023. Number three: 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 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 a PPA.

**Pete Hassemer** [00:26:44] Thank you. And what's on the screen is as you read it. And we have a second on that motion already. So back to the discussion we had. Council's desire either via amendment or a separate motion and discussion about the schedule. Virgil.

**Virgil Moore** [00:27:12] Mr. Vice Chair. In the situation summary.....

**Pete Hassemer** [00:27:18] Microphone please.

**Virgil Moore** [00:27:21] I'm sorry about that. In the situation summary, it says there that we're to provide guidance on a schedule and next steps for completing. And so, the question I would have is, has the discussion on this motion as stated provided that guidance or does it need to be part of the motion?

**Pete Hassemer** [00:27:44] Thank you. I'm going to refer to our Executive Director on that question.

**Merrick Burden** [00:27:50] Yes, thank you Mr. Vice Chairman. My advice would be to take the motion as it is written now, and there are some follow-up items that we may want to hear from you all that may be additional guidance or an additional motion, but what we have in front of us now is what I would recommend we proceed with. This matter can come up later.

**Pete Hassemer** [00:28:14] Thank you. Further questions for the maker of the motion? Still under questions for clarification. Caroline McKnight.

**Caroline McKnight** [00:28:28] Thank you Mr. Vice Chair, Miss Watson. Regarding number three, could you possibly elaborate or expand a little bit on some specifics that you might be looking for in asking to essentially maybe expand Table 1 or some more specifics that would be helpful.

**Jessica Watson** [00:28:52] Through the Vice-Chair, thank you Miss McKnight. As I was saying the intent here is to really bring information with regards to that Table 1, G.5 Attachment 2 and provide some trade-offs between choosing some of those different stock delineations. Part of that would be also exploring any flexibilities to assess specific geographic areas based on that, based on those definitions and potential management implications based on whether or not a stock would be determined overfished or not given those stock definitions and how potential rebuilding plans would work, maybe also some potential discussion of sub-populations. So just kind of expanding that table to include all of the possible

management implications under that, under each one of those definitions.

**Pete Hassemer** [00:29:45] Follow-up?

**Caroline McKnight** [00:29:46] Yes, if I may. Thank you. And just to make sure I'm understanding correctly, the guidance here is to provide some scenarios that demonstrate whether it's coastwide or something less than that as a stock being defined, then it gives some options for how the areas can be assessed for stock assessments and then depending on the results from those assessments, what the management options are. Is that correct?

**Jessica Watson** [00:30:12] That's correct.

**Caroline McKnight** [00:30:13] Thank you.

**Pete Hassemer** [00:30:15] All right. Thank you. Further questions, clarification for the maker of the motion? Not seeing any so that will lead us to discussion, Council discussion on the motion. Any discussion? Corey Niles.

**Corey Niles** [00:30:37] Thanks Mr. Vice Chair, and thanks Jessica for the motion. I will keep it brief. I think lots of thoughts bouncing around the head here but they're for the next steps, and I think this sets up some next steps, some nicely. I think what we're dealing here with some pretty complicated, layered questions, as I think Dr. Hastie might have called them complex in his presentation today. And they came to light in a different way for a lot of us this past assessment cycle and the essential question, you know, I think... you know people are saying coastwide but I don't think that's what people are meaning. I actually have the, I think the quote from the GAP quoted the GMT, quoted from the GMT report was, was basically using localized management measures while defining stocks possibly coastwide. So, it's really, to me it's not coastwide, it's coastwide but inter-related and how do we use localized management? And we've learned that you can't do localized management unless you have some kind of spatial aspect to the stock assessments. And then there are different considerations on why the stock assessors want to pick different areas and these things are multi-layered and, yeah, I'm hoping that this white paper, the synthesis of the state of knowledge really helps us folks sort through those, through those questions and maybe does what was just clarified by Caroline and Jessica. But I'm, yeah, have maybe too many hopes for this white paper but I do think that it will help us move through these layered complex questions and I appreciate the approach being proposed here.

**Pete Hassemer** [00:32:33] Thank you, Corey. Further discussion? I'm not seeing any so I'm going to call for the question on this. All in favor of the motion signify by saying 'aye'.

**Council** [00:32:50] Aye.

**Pete Hassemer** [00:32:50] Opposed same sign? Abstentions? Motion passes unanimously. Thank you Jessica. I'd like to ask to have displayed again our action item checklist. And I think we need to circle back to a process schedule here. There was discussion about that so just....and maybe while it's coming up, John, you can refresh us on our need there.

**John DeVore** [00:33:28] Yeah, thank you Mr. Vice Chair. We are asking the Council to provide guidance on the decision- making schedule so that we can adequately plan. Obviously there's a lot of moving parts to inform this Amendment 31 decision and it would be helpful to know the decision-making schedule at this stage so that we can plan accordingly.

**Pete Hassemer** [00:33:57] All right. So, the request there is guidance on that schedule and next steps

forward. So, looking for any discussion there. Suggestions? Jessica Watson.

**Jessica Watson** [00:34:14] Thank you Mr. Vice Chair. I would say the guidance that I...was the intent of my motion was to use what was stated in the GMT report as a proposed timeline for Amendment 31 for those priority species, which were stated with November 2022 being PPA for stocks to be assessed in 2023, March or April of 2023 PPA for the stocks considered under Amendment 31 and then June of 2023 Amendment 31 final preferred alternative.

**Pete Hassemer** [00:34:50] Other discussion? Recommendations? I'm going to ask John and our Executive Director, does that give you enough to go on to work with this, develop a schedule?

**John DeVore** [00:35:07] Yes. Thank you. That was very helpful, and I didn't see any dissent from Miss Watson's reiteration of the proposed schedule, and I think that is adequate for us to do the planning necessary to provide the information you need for Amendment 31 and at the time that you need it. So given that you have covered all the decision points that we were asking the Council to weigh-in on for this agenda item, and I'd say you have completed Agenda Item G.5.

**Pete Hassemer** [00:35:45] All right. Thank you. Any closing comments on that? If not I will pass the gavel back to our Chair.

**Marc Gorelnik** [00:36:00] Well, I have to say I'm very impressed with the work of the Council on this agenda item. It was quite substantial and a great job done by Vice Chair Hassemer.

## 6. Non-Trawl Area Management

**Brad Pettinger** [00:00:00] Okay, well we've had an excellent overview and presentation yesterday from staff and a lot of good information from the States, the management team and advisory bodies and Brett why don't you just set us up here as far as what we've got to do.

**Brett Wiedoff** [00:00:19] Thank you Vice Chair Pettinger. We're here at Council action now looking to review and potentially revise the purpose and need and the range of alternatives and adopt preliminary preferred alternatives as appropriate. So, I think we've presented all we need to present, and I think it's now just up to the Council to deliberate on what they'd like to do.

**Brad Pettinger** [00:00:41] Very good. With that I'll open up the floor for discussion. I know there's three motions out there, so I don't have to worry about that so that's the rumor. But we had a lot of hard work went into this and it's really smooth at least so far, and shows all the great work that's been put into it by everybody involved. Jessica.

**Jessica Watson** [00:01:12] Thank you Mr. Vice Chair. I just want to share my appreciation for all the work that Council staff and the advisory bodies have put into this item and the collaboration and the mapping portal and tool, as well as all of the public testimony. It's really kind of helped shape the discussion. And we've heard multiple reports that reference the EFH review and I appreciate that we have all....that we have this detailed process for EFH review and that this process is slated for 2025 and that's when the process begins, but I just want to acknowledge that based on the last review this has the potential to be a multi-year, very detailed and complex review that will then need to move through the regulatory process, and with that in mind I'm very sensitive to the GAP report and public testimony that the priority remains getting some part of the non-trawl RCA open immediately to provide fishermen the flexibility to fish in deeper waters and take some of the pressure off those nearshore stocks. Overall, I support a precautionary but balanced approach protecting important and sensitive habitats while opening areas to fishing where habitat impacts are less likely with the understanding that a comprehensive review of habitat under EFH review will better inform the type of habitat protections that may be needed in those areas being discussed today. Thanks.

**Brad Pettinger** [00:02:37] Thank you Jessica. Anyone else? Okay. Well I....yes, Jessica.

**Jessica Watson** [00:02:51] Thank you Mr. Vice Chair. I'm happy to provide a motion when the Council is ready.

**Brad Pettinger** [00:02:58] I think we're ready.

**Jessica Watson** [00:03:10] I move the Council adopt the following proposed Purpose and Need from G.6, Attachment 1. Edits are bolded and underlined and strike-through shows deletion. The purpose of the proposed actions are to provide additional access 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 adverse effects on designated essential fish habitat, EFH, and sensitive benthic habitat areas exposed to fishing activity under the proposed actions and mitigate for bycatch of groundfish and protected and prohibited species. 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 benefits to fishermen, communities, and the infrastructure they support. The proposed actions include moving or modifying the existing non-trawl RCA allowing groundfish fishing inside the non-trawl RCA using only select gears that minimize bottom contact, removal of the CCAs and the development of new closed areas that may restrict some fishing activity and the development of block area closure tool for preseason or inseason bycatch management. The discretionary authorities under section 303(b)(2)(A) and (B) of the Magnuson-Stevens Act may be used to protect species and habitats, including deep sea corals and overfished species.

**Brad Pettinger** [00:05:33] Thank you Jessica. Is the language of the screen accurate?

**Jessica Watson** [00:05:35] It does.

**Brad Pettinger** [00:05:36] Okay. Thank you. Looking for a second? Second by Marci Yaremko. Thank you Marci. Please speak to your motion.

**Jessica Watson** [00:05:44] Thank you Mr. Vice Chair. Staff provided us with an updated purpose and need to include potential alternatives and suboptions that would be applicable to the non-tribal directed commercial Pacific halibut fishery as well as the groundfish bottom, or the groundfish fishery and that the measures could mitigate fishery impacts to habitat including Essential Fish Habitat Conservation Areas. The edits provided in this motion seek to clarify the impacts to EFH and incorporate that intent.

**Brad Pettinger** [00:06:16] Very good. Thank you. Discussion of the motion? Marci.

**Marci Yaremko** [00:06:22] I just want to voice my support for the edits and the editing process that went into this motion. We've had a couple of bites at the apple on the purpose and need statement and it has changed a fair amount from where we've started. I really appreciate the input that we've had along the way, and I think this language very well strikes the right balance. It clearly reflects what our intent is and that in doing so the measures that we have developed here to provide additional opportunity certainly serve to minimize adverse effects on designated EFH and sensitive benthic habitats. So just appreciate the continuous review as we've developed the alternatives and express my support for the revised purpose and need.

**Brad Pettinger** [00:07:20] Thank you Marci. Further Discussion? Okay, I'm not seeing any. I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:07:37] Aye.

**Brad Pettinger** [00:07:37] Opposed nay? Abstentions? Motion passes unanimously. Okay, wonderful. And we have a little more business here to be done I believe... so Marci.

**Marci Yaremko** [00:07:59] Thank you Mr. Vice Chair. Sandra, I believe, has CDFW motion 1? Thank you. I move the Council adopt Alternative 1 as a preliminary preferred alternative, which would allow non-trawl fishery vessels which include 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 the Oregon and Washington border and the border of Mexico as described in section 2.2 of Agenda Item G.6, Attachment 1 with the following additions and modifications. Number one: Limited entry fixed gear vessels targeting groundfish in the non-trawl RCA using approved hook-and-line gear may fish up to the limited entry fixed gear trip limits, which is otherwise known as Suboption 1. Number two: Only those vessels using vertical stationary midwater gear may use natural bait.



Number three: 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.

**Brad Pettinger** [00:09:30] Thank you Marci. Is the language on the screen accurate?

**Marci Yaremko** [00:09:32] Yes it is.

**Brad Pettinger** [00:09:33] Okay. Looking for a second? Seconded by Jessica Watson. Please speak to your motion.

**Marci Yaremko** [00:09:45] Yeah thank you Mr. Vice Chair. The amendments to Alternative 1 and the developments I guess I should say, that have occurred in refining this alternative have.....well we appreciate NMFS's help in working to refine this alternative and Council staff. This is a large body of work on the item of making the limited entry fixed gear and trip limit and declaration programs work so that they can fish up to the fixed gear trip limits. That work is ongoing, and we're pleased with the progress. The analytical document describes the declarations that may need to be amended as a result in order to accommodate their ability to do this, but this is certainly a key element of the proposal that will allow the limited entry fixed gear participants to utilize this gear that right now would require them, because it's open access gear, to fish only to the open access limits. So, this is a very key element that will provide opportunity using new midwater gear in the RCA for this sector of our groundfish fishery. So, we look forward to them taking advantage of this new opportunity just as the open access sector will. The second, only those vessels using vertical stationary midwater gear may use natural bait. In the specifications process that we just completed there is no authorization in the 12e item, which is what we term the action that incorporated the Emley-Platt EFP into regulation. That regulation right now does not allow the use of bait whatsoever. So, another enhancement of this Alternative 1 action is that those vessels that are using the vertical stationary midwater gear, or the Emley-Platt gear, will be able to use natural bait as part of this Alternative 1 action. So again, this is an additional and new opportunity that will be afforded to those fishing in the RCA with the appropriate gear. Third, at industries request we're looking to add analysis of an option where the stationary vertical midwater jig gear, the depth of the bottom hook be not less than 30 feet from the bottom rather than the current requirement of 50 feet, and that's referring to the definition that was implemented as part of the specifications process. So, this option in this package might allow for a change to that definition based on expected improvement in operation of the gear. So, these amendments to Alternative 1 taken on the whole should allow additional midwater fishery opportunity under this action item compared to the specifications 12e action that we just completed. Thank you.

**Brad Pettinger** [00:13:41] Thank you Marci. Further discussion on the motion or questions for the motion maker? Bob Dooley.

**Bob Dooley** [00:13:48] I have a question for Marci if I could? Thank you Mr. Vice Chair. It's my recollection that the 30 feet was in the original EFPs and that's what they did. Yeah, but the 50 feet was added but it was tested at 30 feet in the EFP. Is that correct?

**Brad Pettinger** [00:14:15] Marci.

**Marci Yaremko** [00:14:17] Thank you Mr. Vice Chair. I will give you my understanding of the situation in hopes that National Marine Fisheries Service can jump in and fill in some details or correct me if I misspeak here but from my recollection back in 2014, the Emley-Platt EFP allowed for a 50-foot distance. 30 feet? 30 feet. 30 feet and then it went to 50. Okay. Never went to 50 but they fished. I think I'm going to stop here.....(laughter).....

**Brad Pettinger** [00:14:59] I thought we had charades going.....

**Marci Yaremko** [00:14:59] .....Other than to say the concerns with yelloweye bycatch were the concern and they were addressed so I'll let Keeley take it over.

**Brad Pettinger** [00:15:12] Keeley, please.

**Keeley Kent** [00:15:13] Thanks. I will say this has been a roller coaster to figure out exactly what happened, so I think it is a little confusing. The Emley-Platt EFP has always been at 30 feet but our understanding from talking with the EFP sponsor is that they only actually fished at 30 feet the first year, the first two years because they got more yelloweye than they were expecting, which wasn't a lot of yelloweye, just more yelloweye than they were expecting. They voluntarily pulled up to 50 feet. Our understanding is that after that, so that was setting after 2015 onward, they were always fishing at 50 feet out of yelloweye concern. So, I think, you know we support analyzing this. I think it's going to be an important conversation for us in March whether there is much data to be looked at about that difference between 30 and 50 and really kind of what that potential additional yelloweye could be down at 30 versus 50 but so it's kind of a nuanced answer if that helps.

**Brad Pettinger** [00:16:21] Thank you Keeley.

**Bob Dooley** [00:16:22] Thank you. Thanks for clarifying that. Appreciate it.

**Brad Pettinger** [00:16:26] Okay. Thank you Bob. Further discussion? Questions? If not I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:16:38] Aye.

**Brad Pettinger** [00:16:38] Opposed nay? Abstentions? Motion passes unanimously. Thank you Marci. Okay. I knew there was. Jessica.

**Jessica Watson** [00:17:07] Thank you Mr. Vice Chair. I move the Council adopt Alternative 2 as a preliminary preferred alternative off Oregon. Adjust the seaward boundary of the non-trawl 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. One: Suboption 1a. Create a groundfish and non-tribal directed halibut bottom contact EFHCA in bottom trawl EFHCAs that would otherwise be re-opened under this action for Nehalem Bank and the Bandon High Spot. Number two: 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. Number three: 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 that would be implemented immediately. Number four: Suboption 3. Develop the Yelloweye Rockfish Conservation Areas for groundfish and non-tribal directed halibut presented by the staff in Attachment 1, Alternative 2, Suboption 3 that could be used to mitigate impacts to yelloweye rockfish resulting from this action and which could be implemented in biennial management measures or inseason action.

**Brad Pettinger** [00:18:47] Thank you Jessica. Is the language on the screen accurate?

**Jessica Watson** [00:18:51] It is.

**Brad Pettinger** [00:18:51] Very good. Looking for a second? Seconded by Corey Ridings. Thank you

Corey. Please speak to your motion Jessica.

**Jessica Watson** [00:19:00] Thank you Mr. Vice Chair. My intent with this motion is as stated in the ODFW report to kind of review the suitability models and habitat information when evaluating these suboptions and when reviewing the suboptions really looking at that two-code inundation to evaluate habitat abundance and complexity and consider the data quality and habitat information being considered to address uncertainty. When evaluating the suboptions for each of the areas and considering which alternative to support, my intent was to reduce the potential of yelloweye bycatch and important habitats, including rocky habitat, deep sea corals and sponges and overfished species. I would also say my intent was to provide consistency between spatial closures, between the groundfish and the non-tribal directed halibut fisheries, which was also supported in the GMT report. I also was intending to preserve current fishing opportunities so I will definitely be looking for additional feedback from industry on these suboptions moving forward. And I also intended to take a precautionary approach until information on habitat, fishing effort, location, gear impacts could be updated and the EFH is evaluated using additional relevant data sets such as updated habitat suitability models for deep sea corals or sponges, which has been recommended by NMFS for the next EFH review process. Now I would like to speak to the rationale for each of these areas specifically under these suboptions. So, with regards to under Suboption 1a. Nehalem Bank EFHCA. This suboption maintains the status quo of no groundfish bottom contact gear in the EFHCA that is within the current non-trawl RCA and to protect substantial amounts of rocky habitat. As stated in the HC report in addition to the rocky reef throughout this area, ODFW has long term study sites at Nehalem Bank since 2007, investigating the micro-invertebrate responses to the bottom trawl closure. The study sites are inside and outside of the Nehalem Bank EFHCA and the study primarily examines shrimp trawl areas, the mud habitats, but also surveys some rock habitats as well. Disturbance to these areas by new bottom contact gear activity inside the EFHCA could compromise this long-term study. So, this option does not include a small sliver of the EFHCA that would be exposed under alt 2, but there appears to be negligible amount of rock and that does not affect the ODFW survey sites. For the Bandon High Spot EFHCA, also under Suboption 1a. It also provides status quo protections. These are highly diverse rocky reef habitats that which largely encompass the Coquille Bank, a focus of long-term research and this EFHCA has been closed to groundfish bottom trawl for quite some time. And as stated in the HC report surveys conducted by NOAA's Deep Sea Coral Research Technology Program at the Bandon High Spot EFHCA found significant recruitment of Grogonian corals as well as other densities of an increased fish abundances. So, maintaining that bottom contact gear closure at the Bandon High Spot EFHCA provides the opportunity for further recovery and Council's research priority. The suboption was chosen really to preserve fishing opportunities in the area outside the existing non-trawl RCA rather than moving forward with an additional, an option that would have closed off those opportunities. With regards to Suboption 1c., Garibaldi Reef North and Garibaldi or Garibaldi Reef North for EFHCA. This suboption 1c maintains the status quo for no groundfish bottom contact gear in the EFHCA to protect a substantial amount of rocky habitat. This is similar in Garibaldi Reef South EFHCA and as visualized on the mapping tool with that hard soft habitat layer that's underlying the bathymetry and backscatter data that ODFW evaluated, we maintain that this seems like a status quo of no groundfish bottom contact to protect that rocky mixed relief islands among the soft bottom habitat which the HC has noted has been found to create unique habitat features for benthic organisms. With regards to Arago Reef, this Suboption 1c maintains the status quo for no groundfish bottom contact gear in EFHCA to protect substantial amounts of rocky habitat. That rock has been validated in new high resolution multibeam data that ODFW acquired in 2019 for much of the area and will inform the next EFH review. For number three, here under Suboption 2 with regards to Heceta Bank. As mentioned in the Supplemental ODFW Report 1, in April of 2022 this area is extremely valuable for yelloweye rockfish habitat in sensitive habitats and based on the species habitat probability of occurrence models which indicate high probability for yelloweye in this highly complex and sensitive habitat in the area and the high data quality, it's my intent in this motion that the area be....that the area not be exposed, or the area exposed

to non-bottom contact gear should be added as a YRCA. This area then could be considered in the next EFH review, but turned on immediately for these concerns with habitat and yelloweye bycatch. For number four here, Suboption 3, develop the Yelloweye Conservation Rockfish Conservation Areas for groundfish and non-tribal directed halibut. As we heard from Council staff under this suboption, staff identified there were three areas in Oregon to propose YRCAs. Staff identified these areas using that Yelloweye Habitat Suitability Model and overlapping that with the impacted by removal....or that would...areas that would be impacted by the removal of the non-trawl RCA and existing bottom trawl EFHCA areas. These areas were considered for enforceability and have met that criteria and my intent moving this suboption forward to PPA is to allow for additional discussions with industry about the potential impacts of this suboption. I look forward to having continued conversations as this PPA is developed and we move forward. Thank you.

**Brad Pettinger** [00:25:45] Thank you Jessica. Okay questions for the motion maker? Discussions on the motion? Okay, you made me call for the question. Oh, Jessi.

**Jessi Doerpinghaus** [00:25:57] Thank you Mr. Vice Chair. Miss Watson on Suboption three, just given the rest of your suboption PPAs, was this intended to be groundfish bottom contact gear or all groundfish fishing?

**Jessica Watson** [00:26:12] This is intended to be groundfish bottom contact gear.

**Brad Pettinger** [00:26:21] Thank you Jessi for the clarification. Okay. I guess now I'm going to call for the question. So, all those in favor signify by saying 'aye'.

**Council** [00:26:35] Aye.

**Brad Pettinger** [00:26:36] Opposed nay? Abstentions? Okay motion passes unanimously. Thank you. Okay. Marci.

**Marci Yaremko** [00:00:00] Thank you Mr. Vice Chair. We've just completed the motion on the California portion of the RCA, or the Oregon portion of the RCA. Now we'll turn to the California portion and have a separate motion for that.

**Brad Pettinger** [00:00:15] Okay. And there you go.

**Marci Yaremko** [00:00:19] Thank you Sandra. I move the Council adopt Alternative 2 as a preliminary preferred alternative for the Oregon California border to Point Conception. Adjust the seaward boundary of the non-trawl 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.

**Brad Pettinger** [00:01:01] Okay, thank you Marci. Is the language on the screen accurate?

**Marci Yaremko** [00:01:03] Yes it is.

**Brad Pettinger** [00:01:04] Okay. Looking for a second? Seconded by Chair Gorelnik. So please speak to your motion.

**Marci Yaremko** [00:01:11] Thank you Mr. Vice Chair. This is the line move that has been long under consideration and long supported by members of industry. It's providing substantial additional

opportunity for our non-trawl fisheries. Per the analytical document, the alternative in total would open over twenty-three hundred square miles to fishing with legal non-trawl groundfish and Pacific halibut gear and would allow opportunity for vessels in the directed open access, limited entry fixed gear and the IFQ gear switching fleets and directed halibut sectors to fish a significant amount of new territory. I'm thinking back several cycles to industry requests to move the seaward line in from 100 or 125 into 75. With that request, industry's always identified the abundance of healthy shelf and slope stocks and halibut in this depth zone that haven't been able to be accessed, particularly off California. In the past in those discussions there just weren't, there wasn't the comfort, there weren't the tools, and there certainly wasn't the room in the yelloweye limits to be able to pursue this request. Yelloweye has been highly constrained. All sectors have paid the price for yelloweye, and the allowable yelloweye impacts continue to be limited to all sectors. But, fortunately, yelloweye are rebuilding and this action represents a significant step forward in the belt loosening that we're considering as we see the stock rebuild. Of course, with that belt loosening being in a stepwise and precautionary fashion across many sectors that share the yelloweye resource. Under this alternative, although the analytical document identifies there could be additional impacts to yelloweye, the proposal is still expected to remain within what was disclosed in the 23-24 harvest specifications EA. The yelloweye are managed with ACTs and harvest guidelines for the non-trawl sectors and with quota pounds for the IFQ sector. Yelloweye are prohibited from retention and catch has stayed within the prescribed limits for all sectors in recent years. The mitigating tools proposed in this package should serve us well as we contemplate this line move. Vessels operating in the area would continue to be subject to any bottom contact EFHCA restrictions such as at Cordell Bank or other Groundfish Conservation Areas like the one at Cordell Bank and in new areas that.....oh, scratch that. We're at the PPA stage. I want to speak to that and the information that's now available to us through the map or tool. It gives a tremendous amount of new information for all interested parties in this action to take a better look at the newly exposed areas that would occur in moving this line to 75 fathoms. We've just, the CDFW staff begun to kind of consider the implications of that line move and the various waypoints involved at the 75-fathom contour. So we do want to keep the discussion going about whether or not adjustments are necessary and if now, when revealed by the new map or tool, there are any particular areas that are existing EFHCAs that are now in that red map area that was so nicely shown yesterday in our presentation that are extremely sensitive or there's information that we're not yet aware of, we're looking forward to having those discussions as we work toward final action if there are areas that are extremely sensitive and warrant additional protection. So, we're putting out this PPA, not proposing any suboptions but encouraging industry and the public to take a look at the tool and let us know if adjustments are necessary. Thank you.

**Brad Pettinger** [00:06:48] Okay. Thank you Marci. Further discussion? Keeley.

**Keeley Kent** [00:06:53] Thanks. Just a quick clarifying question. In that last sentence Marci, I presume you meant to include the non-tribal directed halibut fishery, so you're not intending to create new groundfish or non-tribal directed halibut bottom contact prohibitions?

**Marci Yaremko** [00:07:19] I believe the answer is yes. In other words, we want the commercial groundfish RCA line adjustment and tools to.....or the available tools to apply to Pacific halibut.

**Brad Pettinger** [00:07:34] Thank you for that clarification Keeley. Okay. Bob Dooley.

**Bob Dooley** [00:07:42] I assume we're in the discussion mode not the questions?

**Brad Pettinger** [00:07:46] Yeah.

**Bob Dooley** [00:07:46] Okay. Thank you Mr. Vice Chair. I will beat the drum again. In the GMT report they noted that the observer coverage is very low and increases the uncertainty around the mortality

estimates. Therefore, as this action moves forward, I'm quoting this, forward in the future consideration will be given to how we inform projections of non-nearshore and non-sablefish fleet activity and impacts. I understand we're going to have a mandatory logbook and ultimately will be electronic, but it has a paper option for awhile. I understand that. But we've been reported that in the non-sablefish limited entry gear it's for about four percent observer coverage. And in the open access fixed gear sector it's approximately six and a half percent. These are very low levels in my opinion, and I think that it's going to be hard to verify these logbooks with comparisons to observer data at those low levels to assure that this fishery is performing like we thought. And I'm concerned about that because recalling back to the Trawl Catch Share Program, that was the biggest concern of the Council. That's why we have a hundred percent observer coverage in that sector. And I'm not suggesting that in this sector at all, not even thinking about it. But that uncertainty is what, there was a belief by the Council and probably warranted that there was discards in that sector that were unaccounted for, and it looks like 12 years later that's a whole different picture there. I think we need to be prudent about this and we need to ask NMFS to up the observer coverage. Shy of that I know it's not part of this and maybe it's something we can add as we go forward, but short of that I would like to see the Council engage in a review of all the observer coverage levels throughout all of the fisheries that we do on the coast and look at it and comment on it and understand where maybe we can input our concerns and rationale for different levels. I mean, we have levels in observer coverage on the coast of from nearly one percent all the way up to what you could call three hundred percent, and I'd be nice to get a handle on that because those are the costs. Whether it costs the agency or whether it cost the industry, it costs, and I'm worried about the cost of our fishery should we launch this fishery, which it looks like we're going to, and three years from now there's questions about the validity of the data, and it's not.....so that's my concern. I would hope that we address it at some point. I would hope if it's not addressed in this, we have time to address it in the future when we can look at all the observer data and at least comment on it as a Council and understand what the levels are and how they might affect our fisheries. So, I'll stop there. I hope I'm not talking just something that everyone agrees to, but I just worry about past actions, what we've done and the results of those and where we've been. That experience tells me that we need to be careful. We haven't been in this area for over 20 years. So, a lot of similarities between what happened in the trawl industry and what's going to, what potentially could happen here so. Anyhow I'll stop there. Thank you very much.

**Brad Pettinger** [00:12:01] Thanks Bob. Further discussion? Corey Ridings.

**Corey Ridings** [00:12:07] Thank you Mr. Vice Chair. I actually have a question for Marci if that's okay? I didn't realize....

**Brad Pettinger** [00:12:14] Absolutely.

**Corey Ridings** [00:12:15] Okay. Thanks. Thanks Marci. Thanks for the motion. During this process we've heard from the public that there is some interest in collaborating on some protections for areas as described by the suboptions. Thinking particular about the six areas that were highlighted by the Habitat Committee, I've heard you speak to this but just checking that the motion matches what I think I heard you say that we're leaving some options open for final action.

**Marci Yaremko** [00:12:44] Thank you Mr. Vice Chair. Thank you Corey. Yes, this is a preliminary preferred alternative. We think that the tool is certainly a helpful place to start in terms of looking at what the newly exposed areas are that already are existing EFHCAs that now would be open to fishing. I would say that regarding the areas that you've mentioned that were identified by the Habitat Committee, I think we're looking for more information about what makes these areas extra special. I think we're not looking to avoid every rocky reef that is out there or protect it as part of this action, but I think we're certainly interested in knowing if there's more information that hasn't yet been considered

in the analysis about sensitive coral and sponge habitat or biogenic habitat that we may be overlooking. So, yes, I'm certainly open to hearing about that and folks taking a close look at the documents and those newly exposed areas. Thank you.

**Brad Pettinger** [00:14:06] Thank you Corey. Bob.

**Bob Dooley** [00:14:11] Sorry Mr. Vice Chair. I forgot to add something to my comment there. I think this is a great move by the way. I wanted everybody to understand that I support this. I support the two motions prior to this. I think it's a long time coming. A lot of research into it to make it work. I think it's a good thing. It gives opportunity, particularly in California, to fleets that have long wanted to get back into this area. And I think it's going to help our small boat fleets particularly to get out and use this. So, I support it. My previous statement is about being precautionary. Doing, being careful and understanding that we can justify this in the end should there be issues. So, I'll leave it there, but I will be supporting this motion. Thank you.

**Brad Pettinger** [00:15:07] Thank you Bob. Okay. Anyone else? Then I'm going to call for the motion. All the favor signify by saying 'aye'.

**Council** [00:15:17] Aye.

**Brad Pettinger** [00:15:17] Opposed nay? Abstentions? Motion passes unanimously. Very good. Thank you Marci. Are there .....yes Marci.

**Marci Yaremko** [00:15:29] Thank you Mr. Vice Chair. One more?

**Brad Pettinger** [00:15:36] Look at you.....(laughter).....

**Marci Yaremko** [00:15:41] Thank you Sandra. This speaks to Alternative 3. I move the Council adopt Alternative 3 as a preliminary preferred alternative. Repeal the Cowcod Conservation Areas for commercial and recreational groundfish fisheries and include the following: One. Propose new non-trawl RCA lines around islands and banks for management within the current boundaries of the Cowcod Conservation Area. Two. Eight proposed closed areas that prohibit fishing for groundfish as follows: A. Hidden Reef. B. West of Santa Barbara Island. C. Potato Bank. D. The 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 on board providing gear is stowed for commercial or gears not deployed recreational. Next maintain the ability to fish for non-groundfish species in these closed areas without groundfish aboard the vessel.

**Brad Pettinger** [00:17:10] Thank you Marci. Is the language on the screen accurate?

**Marci Yaremko** [00:17:13] Yes, it is.

**Brad Pettinger** [00:17:15] Okay. Looking for a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion.

**Marci Yaremko** [00:17:21] Thank you Mr. Vice Chair. Appreciate the public comment that we received and the continuing acknowledgment of the hard work of a subgroup of individuals that got together to build this recommendation. As we heard from Ben Enticknap yesterday, the proposed eight closed areas will go very far in protecting coral and sponge areas of abundance as we move forward

with repealing the Cowcod Conservation Area, which is an area that's been virtually locked up to commercial and recreational groundfish fishing since I believe the year 2000. In considering how we move forward, I believe this is a precautionary approach. It's a well-reasoned one. We are looking to provide new access to lots of additional fishing area that has been off limits for so long but that contain an abundance of healthy shelf and slope groundfish stocks that are of critical importance to our commercial and recreational non-trawl fleet. Just want to signal that in the first item here, the proposal to build new RCA lines and the waypoints defining those lines in the area that would be repealed in the CCA, the strategy here is that we have a big large closed area in the Cowcod Conservation Area and meanwhile in the rest of the adjacent areas we've been using waypoints to define our depth constraints that we use to manage our fisheries when we are managing our fleets using depth as the management tool. So, we want to be sure that we have that tool available to us when the RCA is repealed so that we can have the tool in that area around, particularly around the islands that are within the Cowcod Conservation Area. So just to signal that in repealing the cowcod area, we would also be looking to establish consistency with other RCA regulations that would be in effect at that time. So, for Southern California we have an RCA that's from a hundred to a hundred and fifty fathoms in depth that will remain effective with the 23-24 specification. So, we would be looking to likewise establish that RCA within these, these Cowcod Conservation Areas once we repeal the cowcod area. So that was the goal with the tool is to replace the big, closed area with the tool that we use elsewhere along the coast with RCA depth-based management. Thank you.

**Brad Pettinger** [00:20:39] Thank you Marci. Discussion on the motion? Okay I'm not seeing any, so we'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:20:53] Aye.

**Brad Pettinger** [00:20:53] Opposed nay? Abstentions? Motion passed unanimously. I think it's been 20 years since our CCA was closed I believe by LB. Yeah.....

**Marci Yaremko** [00:21:08] More than that.

**Brad Pettinger** [00:21:08] Wow. What a great day. Okay. Are there any other motions? And I thought there were just three.....(laughter).....Heather Hall please.

**Heather Hall** [00:21:27] Thank you. I move the Council: One. Remove Alternative 4, non-trawl RCA adjustments off Washington for pot gear as described in Section 2.5 of Agenda Item G.6, Attachment 1 from further consideration under this action. And two. 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.

**Brad Pettinger** [00:22:05] Thank you Heather. Is the language accurate on the screen?

**Heather Hall** [00:22:08] Yes it is.

**Brad Pettinger** [00:22:09] Okay. Seconded by Phil Anderson. Thank you Phil. Please speak to your motion.

**Heather Hall** [00:22:14] Thank you Vice Chair Pettinger. So as described in the WDFW report under this agenda item, we are not ready to propose specific area openings at this time. WDFW took a little bit different approach to looking at changes to the non-trawl RCA off Washington. Our report acknowledges that we have more work to do with our stakeholders to understand where conflicts between fisheries might be avoided. Our initial discussions on this revealed that there is more overlap



in the areas of interest than we anticipated. And in addition, the goal of avoiding conflict also applies to tribal fisheries in Washington and we need more time for those co-manager discussions. Relative to the Block Area Closures, BACs could be a useful tool for mitigating bycatch of other groundfish stocks as well as protected or prohibited species. As mentioned in the staff report yesterday, there's limited inseason data that could be used to determine areas of high bycatch by non-tribal vessels, but there, the forthcoming logbook data may provide some additional insight into bycatch locations. That will depend on the timeliness of the data which we think will improve as participants utilize electronic logbooks. It's also important to note that the logbook data is accurate. That information will help identify specific areas that can be closed to address management issues rather than relying on broad area closures. Thank you.

**Brad Pettinger** [00:24:08] Okay thank you Heather. Questions for Heather on her motion? Okay. All righty. Well, with that I'll call for the question. All those in favor signify by saying 'aye'.

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

**Brad Pettinger** [00:24:24] Opposed nay? Abstentions? Motion passes unanimously. Wonderful. So okay. Are there any other motions out there? Just checking? Well, I've been wrong a couple of times on this agenda item so.... with that I'll turn to Brett or Jess, Jessi?

**Jessi Doerpinghaus** [00:24:50] Yes. Thank you Mr. Vice Chair. So, the Council has adopted a revised Purpose and Need for this action. In addition, you've adopted your final range of alternatives and selected four preliminary preferred alternatives that would make modifications and expansions to the 12b proposal adopted in the spex, moving the non-trawl RCA boundaries, removing the CCA and creating a series of new YRCAs, EFHCAs, and proposed groundfish closures in addition to adopting Block Area Closures. So, you have completed your action for today.

**Brad Pettinger** [00:25:24] Wonderful and thank you for summing that up Jessi so....

## 7. Stock Assessment Check-In and Plan – Final Action

**Marc Gorelnik** [00:00:00] We are on Agenda Item G.7, the Stock Assessment Check-in and Plan Final Action. We have had all of our reports. We have had public comment. I know that Mr. Anderson has a question for Dr. Hastie and it looks like Dr. Hastie is with us so why don't we start there and then we can have some discussion and at some point we'll, presumably there'll be a motion somewhere. So, Phil did you want to address your question to Dr. Hastie or did you want to wait?

**Phil Anderson** [00:00:37] No, I can do it now.

**Marc Gorelnik** [00:00:38] Okay.

**Phil Anderson** [00:00:39] Thanks. Thanks Mr. Chairman. Jim, I know you heard the testimony that we got from Kevin Dunn as well as the last paragraph in the GAP statement talking about sablefish and the concern that we have a strong year class that may not be represented in the most current assessment for sablefish. And I.....we have.....off of the area that I have fished this summer we've also encountered lots of them and they're about, I don't know, 12 inches long or so. And so, I don't know much about the growth rate of sablefish and I'm just trying to get a sense of whether or not this year class, and I don't know what year class it would be. Is it the '19 year class which.....or is it '20 or '21? If you have any thoughts about that issue and the number of these small sablefish that all, all the different fishery sectors seem to be encountering and whether or not you think we're, that our current assessment is capturing the presence of that year class?

**Jim Hastie** [00:02:32] Thank you Mr. Anderson. In the package that we submitted for prioritization back in June, the detailed data package, there that included some figures for each species, one of which for species that are selected by the trawl survey shows the length, composition information over the entire run of that survey and there is certainly a large bubble that shows up at a fairly short fish length for the '21 survey. And so, if that were reflecting, say, one-year-olds that have not been selected well in the.....or since we didn't have a survey in 2020 it's quite likely that we didn't have much of any information about that, the fish that would be represented in that bubble. Now we obviously aren't going to have data from the '22 assessment for quite some time and it's not clear whether there might be an additional pulse of young fish beyond what we saw in the '21 survey. With regard to how sablefish might fit into the '23 planning, if the Council wants to consider the possibility of a sablefish assessment, we'd note that the SSC recommended after the 2019 or the 2021.....was it '21 update or '19? Gosh, I can't remember. At any rate, the last update the SSC recommended that the next assessment be a full assessment. So, if we had to do a full assessment for sablefish, I think pretty clearly we would have to either drop petrale or canary and then basically substitute sablefish for one of those species. It's been a longer time since we assessed canary. I think the last assessment was 2015. We did an update for petrale 2019, but we, that's also been subject to a somewhat higher utilization rate over the years, and we have a new recruitment driver relationship for to include in a new full assessment for that. Either one of those could wait. If we did a sablefish update then I think at least one of the length-based data moderates that we've assigned for shortspine or rex sole would have to be dropped, potentially both, but I think we would try to do what we could to get both of them done or sablefish and one of the others, which would probably be shortspine. And then I would note too that if we did sablefish as an update without dropping either canary or petrale, those two species are where we have most of our aging burden for next year right now, and so if we're adding sablefish to that and trying to catch up with two years from the fishery and the trawl survey, that would probably mean we would have to back off of some of our aging for petrale and canary and that might well apply to the WDFW aging plants as well. So hopefully I answered your question and maybe a bit more that is at least useful at some point in this discussion.

**Phil Anderson** [00:07:08] Yeah. Thanks Jim. No, that was informative and I appreciate you adding those additional pieces and the kinds of trade-offs that we'd have to think about if we were going to add sablefish. So, I appreciate that. Thanks.

**Marc Gorelnik** [00:07:29] All right. Corey Niles.

**Corey Niles** [00:07:34] Thanks Mr. Chair, and thanks Jim for the information. You mentioned petrale and this has come up last, you know, we hadn't thought about this until now, but I think petrale wasn't there also concern about not seeing recent recruitment? I think I'm looking at that document you mentioned in your last answer, but do you recall if that's correct? If part of the interest in petrale was a concern about a lack of incoming recruitment?

**Jim Hastie** [00:08:06] Yes. The presentation that we made in June stressed that, you know, that we had some large year classes estimated for petrale back in the sort of mid-to-late 2000s and those really started showing up in our survey more prominently around 2010 to 12, kind of in that range, and were very noticeable at the shorter fish lengths. And we really haven't seen any substantial recruitment in the length data in those same lengths since then. So that's, you know, it's been about ten years since we've seen a lot of fish showing up in those younger lengths where we saw them previously when we got strong recruitment.

**Marc Gorelnik** [00:09:12] All right. Any further questions for Dr. Hastie or any discussion amongst Council members on this agenda item? Oh. Vice Chair Pettinger.

**Brad Pettinger** [00:09:25] Yep. Thank you Jim. As far as this year's survey the way it's going I didn't really talk too much to the first pass. I did have a....after talking to Kevin Dunn this Council meeting getting caught up on what's been happening on the shelf and so I reached out to our vessel. My brother's vessel participates in the FRAM survey, and he tells me the skipper said there's a lot of fish, small fish inside 50 fathoms and he sent me a picture of the table loaded up with about a foot long sablefish and so he says that they're kind of everywhere inside 50 fathoms. So, have you any feedback you can add to what they're seeing and what potentially would a big year class....if they're saying how much would that....how that would affect the potential stock assessment or update and as far as an update goes, what could we expect out of an update as far as meaningful difference as far as what the ACL might be? Just roughly.

**Jim Hastie** [00:10:37] Yes. Thanks Brad. I have not gotten any feedback from the trawl survey on sablefish, and unfortunately we didn't become aware as much that this issue might come forward to the Council under this agenda item until yesterday and so it wasn't as feasible to reach out to folks from our trawl survey group on the weekend to just try to see if there was some anecdotal information. I would say that, you know, if these fish are one-year-old or two-years-old now, you know, they're not contributing much to either the spawning biomass or the exploitable biomass and so it's one of these real awkward situations where it's possible....what they would more likely contribute to though is increases during the projection period as those fish get to be three- and four-years-old where they're more of marketable size and more of them are beginning to transition, you know throughout the projection period into somewhat mature states. So, on the other hand, you know, I do appreciate the comment that was made I think by Kevin about, you know, if we don't do an assessment this year then our next chance to implement new information is 2007. And that is a long ways away and these fish grow fast. Sablefish are right up there among the fish that we have that are growing rapidly so, at early ages. So, it is a very challenging situation to know how to treat this and I wish I had, you know, a magic bullet or some insight to pierce through all of this but I don't.

**Marc Gorelnik** [00:13:04] Go ahead Brad.

**Brad Pettinger** [00:13:05] Yeah, well Jim, I guess with that, an update, what would we get out of an update assessment as far as the small fish looking forward as compared to a full assessment? What's the difference? Obviously a full assessment's better.

**Jim Hastie** [00:13:22] Yeah, I mean the update would still include, you know, as long as we're doing a complete update, not just a catch-only update but a complete update, we would be including new compositional information and certainly all of the length information from the most recent fishery and survey. The question would be how much aging can we do? To a certain extent the recruitment signal is going to show up pretty clearly in the length data for sablefish so maybe we would have to get by with a little bit less aging for sablefish than we might normally want to do. And we'd have to take, we'd have to reduce some of our plans for canary and petrale that would probably mean, you know, we have multiple years of data. I think like we've got eight years of recreational data from Oregon that haven't been read for canary going all the way back to the 2000....what was aged for the 2015 assessment. And so it could be that some of those years that are farther away from the present might not get aged at all. So, we might have some gaps and it's not the end of the world. That happens from time to time if we don't have enough time to do everything that we'd like to do. The one thing is of course while we, our lab does try to keep up a little bit with sablefish as they can in sort of the offseason, we haven't addressed or directed any of our aging effort in our shop toward sablefish since last spring because it didn't look like it was going to be a priority, and so we'd be really playing catch-up on that. I'm not sure what state Washington is in other than Washington State but they may have been able to keep up on more of their sablefish than we have along the way, but I'd have to check with Teresa about that.

**Brad Pettinger** [00:15:55] Okay. Well, thank you Jim. I really appreciate that. Thank you.

**Marc Gorelnik** [00:16:00] Executive Director Burden.

**Merrick Burden** [00:16:03] Yeah, thank you Mr. Chairman. Undoubtedly we've heard and seen quite a bit of evidence that is a good thing that there's a lot of sablefish in the pipeline and of course that can be difficult if our ACLs are proving to be constraining. And so, as we think about, at least I'm anticipating that's why this discussion about potentially doing a stock assessment is on the floor right now, and it might be helpful to anticipate what the ACLs will be like over the coming years and whether that may address some of the concern that I'm hearing from this Council. And so, I'm wondering if Mr. DeVore has that information at his fingertips and whether you could speak to that John.

**John DeVore** [00:16:47] Thank you Merrick. Yeah so this year's ACL for Sablefish is.....north of 36 is 6,566 metric tons. Next year's ACL goes up to 8,486 metric tons, a 29 percent increase from this year. And then it goes up further in 2024. The other point that I wanted to make that's a little bit off from your question is that in June of last year when the SSC reviewed the 2021 update assessment of sablefish, they did make the recommendation that the next sablefish assessment be a full assessment. And you know clearly this discussion was not had at this meeting with the SSC to sort of gauge whether they would change that recommendation for this particular, you know for sablefish, a sablefish assessment next year, so it wasn't known to them that this would be an issue.

**Marc Gorelnik** [00:18:06] All right. Thanks for that John. So, whether on sablefish or anything else, let's continue our discussion on this agenda item and then get to a motion when folks are ready. I assume someone at some point will have a motion. I can't bring it.

**Marci Yaremko** [00:18:29] When we're ready?

**Marc Gorelnik** [00:18:30] You're ready?

**Marci Yaremko** [00:18:30] When we're ready for a motion?

**Marc Gorelnik** [00:18:32] Well, if there's no more discussion then someone, if someone wants to offer a motion I'd look for a hand. Marci Yaremko.

**Marci Yaremko** [00:18:42] Thank you Mr. Chair. Give me just a second to transmit my motion. Thank you.

**Marc Gorelnik** [00:19:16] Okay, there's some language before us. Marci, why don't you take a look at it and let us know whether that's accurate and complete. Or do you want to read your motion and then....yeah, got to do this in right order.

**Marci Yaremko** [00:19:32] Yes. Thank you Mr. Chair. I move the Council adopt: One. 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. Item two. For 2025 the preliminary list of species to be assessed and potential stock assessment types for 2025 as recommended by the GMT in Table 2, Agenda Item G.7.a, Supplemental GMT Report 1.

**Marc Gorelnik** [00:20:11] All right. Thank you. Now I will ask whether the language is accurate and complete?

**Marci Yaremko** [00:20:15] Yes it is. Thank you.

**Marc Gorelnik** [00:20:16] I'll look for a second. Seconded by Jessica Watson. Please speak to your motion.

**Marci Yaremko** [00:20:22] Yeah, thank you Mr. Chair. First, I'd like to acknowledge the Council and Council staff and NMFS staff for extending final action on stock assessments following our discussion in June, where we found ourselves in a situation where we needed to work through a few issues with the stock definitions question. So, the extra time allowed us to thoroughly contemplate the order of operations and how to get this list right so that folks could proceed efficiently and effectively with stock assessment plans in 2023. The final list reflects those species that were identified as priorities for assessment using a matrix that evaluated the key factors such as the importance to the fishery, the potential conservation vulnerability, or that are in need of being reassessed as they approach the end of the ten-year abundance projections. The lists that we're adopting today does reflect the same species that we recommended in June, but now have had the benefit of multiple meetings and discussions and review both by NMFS stock assessment staff and GMT and GAP and the SSC. Appreciate NMFS's concurrence. The Science Center staff has confirmed that the species and the schedule identified in Table 1 is doable in terms of workload for them and that they'll be able to staff and accommodate the STAR Panel schedules and timelines, as well as effectively staff the STAT Teams. Based on the presentation we heard today from Dr. Hastie and the Q&A that followed, the schedule would allow for additional opportunity in November if needed to amend the list to add updates for length-based data moderate assessments for Oregon and Washington, and again that's if needed following the outcome of the stock definitions decision on copper rockfish that we expect to take place in November. I'd like to take a second to just reiterate the importance of a full assessment for copper off California in two areas, incorporating the newest data and indices that we're working hard on. We had an index-based assessment for copper rockfish in 2013 and now two 2021 length-based data moderate assessments and we're very excited and looking forward to see the California stock undergo a full assessment. We're also looking forward to the benchmark assessments for black rockfish in each state. Motion also includes removing the cowcod catch-only update as recommended by the GMT, which hopefully will lighten the assessment load just a little bit. Turning to the 2025 list, we recommend the preliminary list

that the GMT has provided us in their Table 2, noting that it's nice to have a preliminary list. It gives agencies an opportunity to plan ahead with their data collection activities and prioritize any additional data collection work that might be accomplished before those assessments might get underway. I think the Council just started adding a 2025 list a cycle or two ago and it certainly has helped already in planning ahead and focusing data collection efforts, noting that there's opportunities in the future to reevaluate the 2025 list if new information becomes available that might lend itself to changes for the preliminary list as we get closer to adopting the final list down the road. Anyway, thank you again. That's it.

**Marc Gorelnik** [00:24:48] All right. Thank you for the motion. Any questions for the maker of the motion? Any discussion on this motion? All right I'm not seeing any hands. Do you.....Brad.

**Brad Pettinger** [00:25:09] Well, just a comment. I just....of course my phone broke last night so I haven't been able to reach out to anybody and get some more clarification on things. Hear what Dr. Hastie had to say it's.... I mean it looks like what I'd like to ask is a little late I believe. Otherwise, a little more informative I'd maybe amend but, you know, the ocean is a crazy place. I mean why the stars line up and why does one stock just bloom for a period of time? I have no idea. I don't think anybody else does. I think that there's a lot of information being gathered. I think folks get better at it and maybe someday we will, but it will be a tough few years for the trawl fleet the way we're going right now because I hope there's some shrimp around because I hope to be shrimping because at ten thousand pounds a trip of what Kevin talked about is about exactly what we did this year. We did, we had two trips a month and we were done by May and there is no fish available on the auction. So anyway, it is what it is and but we got to take care of the assessed species so that's all I'll say for now.

**Marc Gorelnik** [00:26:30] All right. Thank you Brad. Phil Anderson.

**Phil Anderson** [00:26:34] You know just voice a few thoughts here. Appreciate the motion. Will support it. And I have some similar concerns that Brad just expressed. We've already delayed making this decision and I don't think there's room for further delay. And I don't think, at least from my chair, that we have the information in front of us that would help us make an informed decision about adding sablefish and the trade-offs to that. Everything from, you know, the SSC's perspective to really understanding what the trade-offs are. I'm not at all comfortable with pulling canary or petrale off the list at this juncture. I think having, you know, understanding that we've got a significant increase in the ACL in '23 and another one in '24. I don't know how significant the additional increase is in '24 but hopefully that will help address the concerns that we've heard and that I share. But I think at this juncture this is the right decision. So, thanks.

**Marc Gorelnik** [00:28:07] All right thanks for that. Any further discussion on the motion? I'm not seeing any hands so I will call the question. All those in favor say 'aye'.

**Council** [00:28:22] Aye.

**Marc Gorelnik** [00:28:23] Opposed no? Abstentions? Motion passes unanimously. Thank you very much for the motion. Let me ask. I think we're okay here but let me just ask around the table before I go back to John to see if there's any other business from folks. John, how are we doing?

**John DeVore** [00:28:52] Yeah, thank you Mr. Chair. With that last motion you have adopted a final list of groundfish stocks to be assessed next year. With that you also adopted the proposed schedule for STAR Panel reviews that was in Table 1 of Attachment 1. And you also adopted a preliminary list of stocks to be assessed in 2025 as recommended by the GMT. So, with that you have completed action on this agenda item.

**Marc Gorelnik** [00:29:20] All right. Thank you very much. So that checks off that agenda item.

## 8. Trawl Catch Share Program – Cost Project

**Marc Gorelnik** [00:00:00] That concludes all the reports I have before me. We have no public comment so that will take us to our Council action and an opportunity for discussion on the project. And I know that Mr. Anderson had a question so but whomever raises their hand first shall be called on first. Okay. Phil Anderson.

**Phil Anderson** [00:00:29] Thanks Mr. Chairman. So, my question, as you probably inferred, was around the objectives of the project and it's tied into a portion of item number six in the GAP. And before I go there let me just say first that I really appreciate National Marine Fisheries Service putting this out. Taking this project on. I think it's been.....the whole issue of costs has been a big one for a long time and we've, I say we in a broader sense of wrestled with trying to answer their questions and in a meaningful way and so I think this is.....I really appreciate and commend you for doing, bringing this forward. What I didn't see in the objectives that I was.....or which is a source of concern is that when we implemented the program in 2011 I think it was, you know, there were.....you know we were incurring a certain level of costs to manage this fishery prior to the time we put the catch share program in place. And the policy as I understand it that was brought forward at that time was that additional costs over and above this base that was directly associated with the various provisions of the catch share program were to be borne by the industry through cost recovery. And I think one of the things that I have heard repeatedly since that time is the inability to have some sort of a quantification of the base. What was the base cost of managing the trawl fishery pre and then post-implementation of the LAP program and so that there could be a clear understanding and a delineation between the costs of managing the fishery without it and the additional costs that occur as a result of managing with it and then understanding that that difference, or at least my understanding which could be wrong, was that it was that difference that the industry was responsible for to pay for through these primarily of the cost recovery fund. So that's the piece that I didn't see in the objectives that were listed in the situation summary, those three. And again, tying into the area that the GAP brought forward about understanding what pre and post-program costs are, credit to savings where there were savings as we're going to the LAP but also understanding what the additional costs were. So that's my general concern and what I didn't see as might be an outcome of the project.

**Marc Gorelnik** [00:04:00] Maggie.

**Maggie Sommer** [00:04:03] Thank you Chair and thank you Mr. Anderson for raising that. We are well aware that's an important issue that's been raised repeatedly by stakeholders. It is not part of the intent of this particular project, which is to really focus on current costs of the required elements of the program, cost of participating in the program today, and as described in order to be able to set the Council up to be able to consider potential changes to the structure of that program that could result in cost savings. I'm not discounting the questions you just raised and that the GAP raised. We believe the appropriate time to really get into and discuss those issues would be at the next annual cost recovery report.

**Marc Gorelnik** [00:05:05] Thank you. Is there anything further? A response from Dr. Seger at all? Okay. Brad.

**Brad Pettinger** [00:05:13] I have a question for Maggie I think. I'd like to thank the agency for moving ahead with this project and you established a number of \$170,000 I believe to fund it. And was it....was the agency's intent to look at the bottom trawl fishery because it's lacking.....its lack of catch from what we would hope to see without looking at whiting or was it from the very beginning looking at all the entire catch share program? And I'm asking that question because, and I certainly understand the



whiting fishery for wanting to be involved in it as far as what potential they could gain as far as from identifying some of those areas that need to be....cost reductions could be had. But if it was the intent of the organization to have just do the bottom trawl fishery, is \$170,000 going to be enough to do a complete review of the program as you envision?

**Maggie Sommer** [00:06:38] Thank you Chair. Thanks Mr. Pettinger. The money provided by the National Marine Fisheries Service was not specific to only the bottom trawl sector within the trawl catch share program. We certainly anticipated that there may be a focus on that sector given what we have heard and the data we have seen about some of the challenges facing that fishery, but certainly not an intent originally to exclude the at-sea whiting sectors.

**Marc Gorelnik** [00:07:19] All right. Further? Mr. Dooley.

**Bob Dooley** [00:07:24] Thank you Mr. Chairman. And thank you Maggie and Darrell. Good to see you and thanks for the report. Maggie, when you started the.....and explained to us what was the approach here, you also left the door open that the Council might suggest doing things a little differently, at least that was my impression. I happen to agree with Phil that you really can't have a look at the cost of cost recovery unless you're just going to take the cost recovery as a number in and of itself and not look how that affects cost to the industry in this, and I think that's a significant cost. We've heard it for years now since the very first cost recovery report that industry is not satisfied with the way it's calculated, not satisfied with the lack of transparency and I think it's been well documented and the GAP has offered ways to look at it, maybe a way to build more trust with industry. In the final result there's guidance that accompanied cost recovery in the very beginning in the final motion, and one of those was I think they referred to it as Appendix C at the time that was adopted in the final motion and it was pertinent to the design and use of limited entry access privilege programs, authors Lee G. Anderson and Mark C. Holiday, and it specifically gives you the roadmap of how to interpret cost recovery. I think it's important to get to the bottom of that to understand how it's being implemented and how it might be adjusted per those guidelines to potentially save a lot of cost to the industry. So, to that end I don't see how you do a report that's going to be....have any meaningful effect unless you dig a little farther under the hood on that. That's my opinion. The other things, I do agree with Brad's question. I don't know if he had a point there, but I think you can't do this with just the bottom trawl sector. I think all the sectors have to be considered when you do this because it affects them all. Just because some have a lot more income because of the size and scope of their fisheries doesn't mean it's any more affordable and I think that could really point to some of the issues that we've dealt with at this meeting that talk about equity and environmental justice and such because the disproportionate costs have taken their toll as well. So that analysis I think to get to the bottom of costs and the effects, it needs to go a little deeper than that. So it leads me to another part of this and I assume it's what you're looking for is Council input into how this should be, should go forward or is it a canned....is it what the agency has come up with to as an approach and is it.....are we....is it are we waiting for the results of that approach and then adjust it or should we be making comments now? Thank you.

**Marc Gorelnik** [00:11:11] Maggie.

**Maggie Sommer** [00:11:16] Thank you Chair. Recognizing that Director Burden might respond to the last part of your question, I wanted to respond to the first two. First we.....as I said we certainly recognize the very strong interest in exploring the cost recovery issues. And we recognize the interaction of that with the total cost numbers overall with the design of the program, and all of those work together to determine the cost borne by industry and by the agency of this program. You know again, the intent of this project is to look at costs overall regardless of whether they are recovered or recoverable or not, there are costs to industry, to the agency of operating this program as a catch share program and, you know we want to be able to provide the Council with that opportunity to see a synthesis of that

information and have a well-informed discussion of whether there could be changes to the program elements that could reduce the costs. I fully recognize that changes to cost recovery fee calculation could potentially reduce the portion of those costs borne by the industry. And again, I am aware of the interest in that and the next cost recovery report will be the appropriate time to really dig into that. As for the....again on the scope of the project and whether it is focused solely on the shore-based IFQ sector of the program or includes the at-sea whiting sectors, I would suggest that at some point it might be appropriate to ask Mr. Brannon for his input on what he thinks the trade-offs there would be in terms of the depth in which he is able to go in the analysis.

**Marc Gorelnik** [00:13:32] Bob, was that response.....

**Bob Dooley** [00:13:35] I'll hold my comments til.....

**Marc Gorelnik** [00:13:36] Okay, so Dr. Brannon did you want to weigh in here?

**Darrell Brannon** [00:13:41] Mr. Chairman, I certainly think that it's doable to look at all of the sectors as part of this contract. And, you know, there may be some trade-offs in the depth that we can get into instead of looking at one sector looking at all three sectors. You know when we talk about comparison against other fisheries I think it may bring in additional fisheries that we'd want to consider comparing against looking at cooperative structures, you know, true cooperative structures versus the IFQ type system, and so it may require that we add additional cost information on cooperative structures. And when I was in the GAP they informed me that the whiting IFQ system does have many of the costs of cooperative systems because, you know, they do have people that manage the quota and they have quota pools and they have those kinds of things so those are.....you know there may be some overlap. A long-winded answer to say I think I can do what you're asking for under this contract and look at all three sectors and provide information that's necessary and try and tease out the different costs associated with.....and a true IFQ model, kind of a quasi-co-op IFQ model and a true cooperative model.

**Marc Gorelnik** [00:14:58] Thank you for that. Phil Anderson.

**Phil Anderson** [00:15:04] Yeah, thanks Mr. Chair. I just feel a need to pursue clarity a little bit on what we might expect to get out of this given the last response to my previous question left me with feeling like I had an empty bag. That's a joke. So, when I look at the first bullet under the three broad objectives, to me there are two different things there that are captured in a single bullet. Documentation of the industry concerns to me is one thing, identifying costs related to the specific program elements is an entirely different thing. And so, to me there ought to be at least four bullets but.....and when I look at the second part of that, the identifying costs related to specific program elements, then I go up into the first paragraph and it talks about one step considering these concerns. Look at the funds for a contract to look more closely at costs that are borne by industry and National Marine Fisheries Service. So, there's a question in here for Maggie. So, under that second part of that first bullet, identifying costs related to the specific program elements and understanding that you're going to be looking more closely at the costs that are borne by industry and National Marine Fisheries Service, would the report that comes out of this for those specific program elements identify whether NMFS was paying for those specific elements or whether industry was paying for this, for those specific elements or some combination thereof? And the reason I'm asking that is, is if the answer were, yes, then in my view the report would help in a potential subsequent step getting at one of the underlying concerns that industry has about what is the base cost of managing the fishery and what are the pieces of managing the fishery that are borne by industry and being able to make some at least qualitative judgment as to whether those are associated with the catch share program or just basic management.

**Marc Gorelnik** [00:18:02] Maggie.

**Maggie Sommer** [00:18:04] Thank you Chair. Thank you for the question. I first I would remind us all that this...it is a Council contract. NMFS provided the funding but with the intent that it be a contract with an independent expert to conduct the review. And so, I think certainly if you have specific questions on expectations for what will be included in the report resulting from this contract, I would defer to the Council's Executive Director and Mr. Brannan. I, personally, I think what you just suggested would be reasonable to include and probably feasible and I understand the potential value in that as we seem to be really getting quite a bit into discussion of cost recovery, and that's not the either the intent of this project or our discussion today, but I just want to be, make sure that we are all clear with expectations that the determination and calculation of cost recovery fees is a NMFS responsibility. And so the ways that, the levers the Council has to adjust to potentially affect cost savings in this program really are the regulatory elements of the program, the monitoring components for example et cetera, and so those are the ones that we really envisioned this project digging into and providing information to tee up for the Council information needed to support an informed conversation about the trade-offs that would come with potential program changes. You might consider reducing monitoring rates for example, but what would you lose and what's the, the value of that, et cetera.

**Marc Gorelnik** [00:20:17] Merrick Burden.

**Merrick Burden** [00:20:19] Yes, thank you Mr. Chairman and thank you Maggie for your explanation. In response to your questions Mr. Anderson, just to reiterate with what Miss Sommer indicated, we are prepared to work with Darrell to modify the contract based on your feedback. And so, we've spoken with Darrell. This is one of the reasons why we're here today and so I think you're, within your questions are suggestions that we are taking. And what I would maybe try to outline as a picture for where this could end up is if you were to envision a list of the design aspects of the trawl IFQ program next to that, we'd be trying to say here are....here's how much it costs for those elements, and that would give you some information to start to say, 'okay, are these things that we would want to tweak and if so would that have a major impact or not on the cost of the program?' Maggie's point, I think, is worth reiterating that some of those costs are determined to be recoverable by the agency and some are not and that's not within the scope of this project, that's the NOAA's internal deliberations. But we can work with Darrell to try to outline the actual costs, not necessarily how it's recovered if that makes sense to you. And so, if it's helpful to then separate whether it's a cost that is to the agency or whether it's a cost internalized by the industry, we can talk with Darrell about trying to break that out a bit. Hopefully that helps.

**Marc Gorelnik** [00:22:03] Phil.

**Phil Anderson** [00:22:05] Thanks Mr. Burden. Yeah, that, I mean that helps. I'm just reading what's in the sitsum here and maybe I'm taking too many liberties in interpreting what it says, but when it says to look more closely at costs that are borne by industry and NMFS that suggested to me that they would be looking at both those elements and that those could be represented and quantified so that we could understand the cost of the various elements and who's paying for them under the current system. I totally get that it's within NMFS prerogative to determine what is eligible to use cost recovery dollars for, I get that. But I mean this project it seems to me among the objectives is try to address some of the concerns that have been raised by industry, better understand what the costs are, look at cost comparisons for similar elements in other catch share programs and hopefully maybe inform us on where we might look to reduce costs of this program. So that's what I'm.....and maybe I'm wrong about all that.

**Marc Gorelnik** [00:23:38] Dr. Brannan.

**Darrell Brannon** [00:23:40] Thank you Mr. Chairman. Mr. Anderson. Dr. Anderson?

**Phil Anderson** [00:23:43] No.

**Darrell Brannon** [00:23:45] Neither am I so. The....when I think about the costs of this program, you know there's agency costs that the agency will be able to provide to me. There are industry costs, many of which have been collected through these economic data reports that have been, the industry has been filling out over the last several years. There's probably also some, you know, I haven't had an opportunity at this point to dig deeply into those to see all the costs, but between that and as much as we all love Paperwork Reduction Act summaries that we have to do, there's information in there as well. So, it was my intent to look at all those different kinds of costs in this. And as Mr. Burden indicated, you know, there could be a field in a table or whatever that says this is a cost directly borne by industry, this is a cost that was borne by the agency. You know I've already heard from industry that they'd also like to see things like, well what about the things like some areas have their observer coverage paid for, or partially paid for, and those kinds of costs that, you know, are differential between different areas. And so, you know, to the extent I can come up with that information relatively easily, that's what I intend to do. It's not my intent to go out and conduct my own surveys of costs for things that may not be easily gleaned from the information that's currently available, but it is my intent to look at that information as much as I can and provide summaries.

**Marc Gorelnik** [00:25:21] All right, thank you for that. Corey Niles.

**Corey Niles** [00:25:29] Yeah, thanks Mr. Chair. I think this is a question for you, Darrell. Yeah, this has been helpful to hear that... Mr. Anderson's back and forth. I'm having trouble envisioning what the analysis will look like and maybe most it's waiting for April is going, I'm going to be curious. But, yeah, I was going to ask you about the economic data collection and how you're reading those, because we have, I was just looking at the forms and the level of information they collect is pretty extensive. And I think if I'm doing the math here, cost recovery as you said is just a piece and looks like it's less than three percent of the variable cost that people are bearing. I might have done the math wrong there, but so I guess in this part where you're going to compare to other programs around the world or nation, you know we've....a lot of us have been involved with this program since it's development and there aren't really any programs out there, especially the bottom trawl IFQ program that are equivalent in terms of how many species we have IFQ for and the small quotas, you know, they've gotten bigger over time, but still have small quotas for yelloweye rockfish for example. So, it's a long way of getting to my question of it comes down to me, and electronic monitoring is one this Council has been working on the cost of that for a long time. And so, the question is what is the right level of monitoring? It's almost gets down to a, you know, a tough question on, you know, how much monitoring is needed for these conservation objectives we have and I'm not seeing....I'm not maybe haven't paid attention in a few years if there's programs, new programs in the world that have similar conservation, you know, low quotas would be the easiest way to say it. Yeah, so anything you respond to that? I'm just trying to envision, you know, what the report is going to look like here when we see it in April.

**Darrell Brannon** [00:27:35] Mr. Chairman. The....it's kind of difficult to say exactly what the report's going to look like when it comes out because, you know, we're just really getting started on it. And in terms of, you know, the fisheries that we're going to compare it against, we were looking for input from you, but we will develop those as possible. You know we've got the East Coast sector fishery, that's one that people have mentioned, the Canadian model. You know I think we need to exercise a little bit of caution when we start looking at fisheries outside the U.S. because they don't operate under the Magnuson Act and so there's a lot of different requirements and costs that would be prescribed, not cost that would be prescribed, but elements of the program would be prescribed under the Magnuson Act that wouldn't necessarily apply to other areas and in looking at those kinds of costs. And so, you know, I don't feel like I'm giving you a great answer at this point simply because it's, you know, we're still trying to figure out exactly what the scope of the project is and, you know, what people are looking for.

And as I've indicated it's my intent to provide as much information on costs and separate those costs between the, what the industry bears, what the agency bears, and provide that information and a discussion of those costs and why they're there. Beyond that I don't know that I can give you a good answer at this point. I apologize.

**Marc Gorelnik** [00:29:08] Corey.

**Corey Niles** [00:29:08] Thanks Mr. Chair, and fair enough. Thank you for what you offered there. And moving from a question to comment, I just....if we're going to get to comments, that would be, we would of course be supportive of you looking at the at-sea sectors as well. So, I was glad to hear that you thought you could work that in.

**Marc Gorelnik** [00:29:26] All right. Further discussion? Okay. Well, we've gotten some guidance here. I don't know if Dr. Seger you want to recap the guidance and then we can all....so when we go forward after today we're all on the same page.

**Jim Seger** [00:29:50] Thank you Mr. Chairman. I heard a lot of support for expanding the scope beyond the shoreside sector to include all sectors. And then for a, I would characterize it as a full identification of the, the costs that are being borne by industry and NMFS and being able to have some separation there, know which side is bearing which costs, that you would like to see us modify the existing contract to indicate that.

**Marc Gorelnik** [00:30:20] Well let me look around the table and make sure that folks who are closer to the issue believe that's has captured our guidance and it seems so. So, thanks very much. So, let me ask if there's anything further from the Council on this agenda item? I'm not seeing any hands. Thank you Dr. Brannan for coming. Thanks Maggie.

## 9. Trawl Catch Share Program and Inter-Sector Allocation Review – Planning

**Pete Hassemer** [00:00:00] And that concludes the public comment on this so it will take us to Council discussion and action. And just a reminder it's up there before us. We're just looking at an initial process for the trawl catch share review. Jim outlined those elements in the introduction and the schedule so I'll look for hands to kick off this discussion and I see Corey Niles. Thank you.

**Corey Niles** [00:00:31] Yeah thanks Mr. Vice Chair. The question for Jim on the schedule starting and I'm looking at the situation summary fall '22 develop preliminary draft based on update of core information. And I had something similar in mind to what Jeff Lackey was thinking about gear switching and I heard you in the GAP yesterday afternoon saying that you didn't think that you would have the analysis you want in November for gear switching therefore as much analysis as you would hoped liked for, for November and so that, you know, that thought there will be more analysis work to be done certainly after November for gear switching and I'm sorry if I missed it, but what is the....I imagine the same people are going to be producing this document we're having here as working on that analysis for gear switching and just curious about your thoughts on how you all would do both at the same time?

**Pete Hassemer** [00:01:40] It looks like Executive Director Burden will tackle that.

**Merrick Burden** [00:01:46] Yes, thank you Mr. Vice Chairman, and thank you for your question Mr. Niles. There is indeed a, a workload and staff management question here. In our budget we do have funding set aside for a contractor that we've envisioned supporting this work. For a variety of reasons, we haven't yet pulled the trigger on that. One of those is getting some clarity on the schedule here, but we do envision securing a contractor who I've already spoken to who does appear to be available to help with this work. There is still a question of timing. We can't overlap those two matters much at all but we can get started while Jim and Jessi are wrapping up the, the gear switching item. Hopefully that answers your question.

**Pete Hassemer** [00:02:35] All right is that good, Corey? Follow-up?

**Corey Niles** [00:02:42] Just the thought I'll put out. Yeah, I'm just kind of curious what I think what we want as much analysis as we can get to support the final preferred recommendation from the Council, so I'm just I guess a little bit worried and you're bring it on capacity so I'm not seeing what that trade-off is, but, yeah, not wanting to lose any analytical capability for helping with the gear switching decision.

**Pete Hassemer** [00:03:10] Okay. Further discussion on it? Dr. Seger please.

**Jim Seger** [00:03:14] Thank you Vice Chairman and Mr. Niles. Yeah, I would anticipate with the additional help that Mr. Burden has outlined there that, you know, the work to be done to essentially update the previous analysis is kind of like, you know, looking at previous tables and just updating dates and putting additional, you know, years in and so forth so it's a.....you know we're not going to do a lot of digging in and therefore with the additional help I don't see it as impinging much on our ability to work on the gear switching.

**Pete Hassemer** [00:03:50] Thanks. Further discussion? Brad Pettinger.

**Brad Pettinger** [00:04:00] Yeah, I just... I think with a baseline, what a baseline would look like. I mean this or comparing errors in the catch share program and, you know, this fishery is just in constant

flux. I mean we started this fishery out with overfished petrale stocks right off the get go and, you know first few years sablefish quotas dropped by 30 or 40 percent. Stocks rebuilt and implemented in 2017 on the rockfish side of things. We've have an RCA opening. We have COVID. I mean it's going to be tough to get the read on this and a lot of....I think the hearings are going to be an important aspect of that to get the kind of dig into it to get the full story, but that's going to be a challenge I think because the numbers alone just aren't going to tell the story. So anyway, I just wanted to say it. Thank you.

**Pete Hassemer** [00:05:09] Thank you. Maggie Sommer.

**Maggie Sommer** [00:05:11] Thanks Vice Chair Hassemer. I'd just like to offer a few thoughts and recommendations to the Council as you begin the process of developing the review. I'd like to encourage you to include a few considerations that really bring in a few things that the Council has or will be talking about in other places in this agenda, and the first is equity and environmental justice. The review presents an opportunity to advance several EEJ objectives, including possibly contributing to the identification of underserved communities and barriers they may face in accessing services and information, and also ensuring equitable Council outreach and opportunities for public engagement in the review process as has been touched on in some of the discussion about hearing format, et cetera. Second, I'd encourage Council staff, the Council itself and staff and stakeholders to include climate change considerations in your thinking about the review. While the review is intended to be a retrospective look at changes that have occurred that have actually occurred in the fishery, we know that climate change impacts have been occurring over the timeframe that the review will be looking at and looking at the fisheries performance through a climate change lens and thinking about how robust the existing management structure has been to those changes might be informative as the Council looks ahead to managing the fishery in projected future conditions. And then finally I feel that a robust discussion on the best use of adaptive management pounds should be part of the review. As you all know so far 10 percent of the non-whiting quota pounds have been passed through to quota share owners in the initial annual distribution of quota pounds. The catch share program originally specified that the Council would develop alternative criteria for the distribution of AMP quota pounds, and in this program review the Council and stakeholders should give some meaningful attention to identifying potential issues and needs that could be addressed with the AMP, such as unintended and unforeseen consequences of IFQ management and facilitating new entrants and potentially other issues. Thanks.

**Pete Hassemer** [00:07:45] Thank you. Further discussion? Bob Dooley.

**Bob Dooley** [00:07:53] Thank you Mr. Vice Chair. I'm just thinking about the hearings themselves if we choose to have them. It seems like with the virtual world we've gotten better at, that potentially I like the idea of in-person meetings like was recommended, but those would be, I think, those are obviously regional, right? Where they're surrounded by wherever we place those for to get the maximum participation, but it seems like the virtual part, rather than try to make those regional you might want to make those a couple of open opportunities with a mix. And then I'm thinking about, the other part of what I'm thinking about is... is it worth doing some type of a questionnaire or something to get a sense of what's on people's mind that might guide these meetings and expedite them a bit. I'm not trying to filter the input, but trying to at least make sure we get a weigh-in on things that we're concerned about. We've talked about a number of those. Maggie just talked about a number of them so I think if we don't have some type of a sense of what we want to talk about they could be, we could waste a lot of time. So just thinking about that. So, I'm sure there's people that are much better at than me but I would just offer those thoughts.

**Pete Hassemer** [00:09:34] Thank you Bob. Merrick.

**Merrick Burden** [00:09:41] Thank you Mr. Vice Chairman. And thank you, Bob, for those points. I

know I saw Jim writing them down. They're very good. I think it might be helpful to just think about a process step here that, you know, Jim did touch on in his overview but I feel compelled to reiterate, and that is that this isn't the only time we'll talk about hearings. I think what we're looking for here is do you all like the idea of putting hearings together? I'm generally hearing yes. As Mike and I have been emailing about the Year-at-a-Glance, what we are prepared to talk about under that agenda item is bringing this back up, this being the plan for our hearings, bringing this back to you in March. And so, you would have another time at that point to weigh-in on what we see as a plan and the advisory bodies would presumably weigh-in if they have something to say as well, and we can continue to flush out some of these ideas. So, I just want to be sure that that's clear, that we are looking at a future meeting in the spring where we'll talk about this again. We'll take the time between now and then to formulate more of a plan that you all can react to that's more concrete than where we are today.

**Pete Hassemer** [00:10:53] Thank you. Caroline McKnight.

**Caroline McKnight** [00:10:58] Thank you Mr. Vice Chair. Thank you Merrick. That is very helpful in terms of direction. I, too, was looking at Year-at-a-Glance just now and thinking about some of the public testimony we heard regarding final action on gear switching in addition to the cost report we're going to hear under G.5, and thinking there may be a timing issue to make all these hearings happen in the right order at the right time and also service all of the right industry members up and down the coast to get all the input that we want. So, I'm relieved a little to hear that there will be another opportunity. Just noting that, yes, very supportive of hearings and to the extent they could be in person along eleven hundred miles of coastline is difficult. Logistics are difficult. So maybe a blend of both would be the right, hitting the right note. But thank you just some general comments.

**Pete Hassemer** [00:12:01] Thank you. Sorry. Jessica Watson.

**Jessica Watson** [00:12:06] Thank you Mr. Vice Chair. I just wanted to echo Miss McKnight's comments. I'm also in support of Council staff coming back at that March workload planning that Director Burden discussed with a view of what these hearings would look like. I'm supportive of trying to incorporate some of these equity and environmental justice components that Miss Sommer spoke to with regards to either hybrid or virtual as well as the in person to touch on both aspects of that. And so, I would be supportive of seeing what that would look like in a schedule form and having that move forward for these hearings.

**Pete Hassemer** [00:12:53] Thank you. Further discussion? Not sure I'm seeing any hands. Jim, are you getting what you need in terms of guidance for what you talked about, the preliminary draft and putting together a preliminary hearing schedule to bring back to the Council?

**Jim Seger** [00:13:20] Yes. Thank you Mr. Vice Chairman. Yeah, in terms of the draft document itself, I get the impression there's support for the recommendations that the GMT made with respect to a baseline, but also a need to make sure we don't lose the variability and the dynamics of the fishery that Mr. Pettinger spoke to that are going on as we develop the initial review document. And then right with respect to the hearings and the guidance there, it sounds like again on the environmental justice aspect of it thinking about both in person and at least one or two virtual hearings, wanting to have them up and down the coast and on that basis we'll come back to you with a proposal in March as Mr. Burden spoke to, to take a look at.

**Pete Hassemer** [00:14:13] All right. Thank you. Is there any other specificity you need there to develop that or guidance?

**Jim Seger** [00:14:21] No, I think that covers it. Any additional specificity is always helpful though to



narrow things down, so if anybody does have other ideas it would be glad to hear.

**Pete Hassemer** [00:14:35] All right. Is there further discussion, input on this and the process? Corey Niles.

**Corey Niles** [00:14:44] Yeah, thanks Mr. Vice Chair. I seem a little bouncing around here on topics but, yeah, not clear what would.....on specificity I think we could all have a bunch of ideas for.....maybe as an example Jim can respond to is I think one of the more, the bigger management questions out there is our species that are IFQ managed and where the catch is coming in well below the trawl allocation but it is still constraining to individual levels, stuff like darkblotched rockfish, canary rockfish. And what the dynamic is that's causing that is that is something I hope will be a focus of the review and, yeah, and it might, you know, there are species like canary rockfish where it is multi-sector.....is across multiple sectors and not being used in the trawl sector even though it's needed by the IFQ folks, individual folks. Yeah, it could also, you know, we might have needs in the non-trawl sectors. So, yeah, I'm just wondering how we can explore that dynamic of that the quota systems creating and that will, you know pose.....there was possible interest in looking at canary for example this past management measure cycle but came in late and but we know there's still interest in looking at that when, when it comes up next but, yeah, maybe too specific for you there, Jim, but if that's the kind of ideas you're looking for in terms of how analysis could be focused then that's been a thought on the forefront of my mind.

**Pete Hassemer** [00:16:27] Yes. Jim.

**Jim Seger** [00:16:29] Mr. Vice Chairman. Mr. Niles. Yeah, I apologize. With the specificity reference in terms of needing more now it was kind of around the development of the hearings. Our plan with respect to the analysis itself is as I'll try it again. We'll take what was done previously and will kind of identify the core tables and so forth previously identified and update that and bring that to you in June. And then that would be the point at which I think that Council members would be able to say, you know, I really want to look more into the issue that you just described and so forth. And on that basis we would make the plan for moving towards expansion of the document as appropriate and completion. Obviously we don't need to get too much into that right now, but there will be that opportunity down the road for it.

**Pete Hassemer** [00:17:15] Thank you. Yes, as Jim said the final decision is in June or what the review should be. So, looking for guidance as to what to get into that preliminary review document they'll come back, that will come back to you. So further discussion on this? Otherwise, I'm not seeing any hands and I've heard from Dr. Seger that he has everything he needs to proceed and come back to us in June with this. So, thank you and I believe that closes out this agenda item.

**Jim Seger** [00:17:55] And just it will be March you'll hear about the hearings and then June will be back with results.

**Pete Hassemer** [00:17:59] Thank you. So, I will pass the gavel back to our Chair.

## 10. Inseason Adjustments – Final Action

**Marc Gorelnik** [00:00:00] Well that completes public comment. We've had our reports. It takes us to Council discussion and action on inseason adjustments and I will open the floor for discussion and action. Keeley Kent.

**Keeley Kent** [00:00:21] Thank you. There was a question a while back to NMFS about the long leader issue and I felt like I should respond to it. So, we have spoken with ODF and W about the long leader request. And just from the procedural aspect we've indicated that, you know, they should submit either a report to the Council and or to the GMT whenever the next meeting or whenever it suits them. What we'd be looking for is really some sort of information, quantitative or qualitative, depending on what's available, that the impacts of that bag limit change are within the recreational impacts previously disclosed or otherwise not expected to exceed recreational allocation. So, you know, happy to answer more procedural questions but just trying to make that clear that that's the information that we are looking for when we're trying to evaluate whether something can be done as an inseason.

**Marc Gorelnik** [00:01:19] Thank you Keeley. Further discussion on this agenda item? In particular responding to the GMT recommendations? Any....Marci Yaremko.

**Marci Yaremko** [00:01:38] If we're done with Council discussion I would have a motion.

**Marc Gorelnik** [00:01:42] I think if we have a motion it'll spur any further discussion people want to have.

**Marci Yaremko** [00:01:51] Thank you. Just waiting on the screen.

**Marc Gorelnik** [00:02:17] All right. Go ahead Marci.

**Marci Yaremko** [00:02:20] Thank you. I move the Council adopt the inseason adjustments as recommended by the GMT as shown in Agenda Item G.10.a, Supplemental GMT Report 1, September 2022.

**Marc Gorelnik** [00:02:33] All right. And the language on the screen is, pardon me, is accurate and complete?

**Marci Yaremko** [00:02:37] Yes it is.

**Marc Gorelnik** [00:02:37] I'll look for a second. Seconded by Bob Dooley. Please speak to your motion.

**Marci Yaremko** [00:02:45] Thank you Mr. Chair. I appreciate the GMT taking a look at fishery performance in 2022 and evaluating if the requested increases are within limits. We have lots of room within these limits, an awful lot of room in many cases. I also appreciate them taking a look at equitable adjustments and where possible if the request came in, for example in the case of canary rockfish where the request was specific to north of forty-ten, taking a look at the south and see if an increase is likewise appropriate, so I appreciate them thinking about that. GAP and GMT concur in the recommendations and I appreciate learning that in fact come January 1 the increases that we might be authorizing here are good only through the end of period 6 and come period 1 of '23 the new trip limits that we approve with the specifications will take effect. So, you know, this is what we do in inseason management is do our best to attain the 2022 limits that we have in place. So this, these recommendations are certainly

consistent with that goal. That said, I encourage some discussions to take place into the future about how we might make adjustments either in future spex cycles or elsewhere so that we are ensuring that there is equitable sharing, particularly in the case of canary.

**Marc Gorelnik** [00:04:41] All right. Are there any questions for the maker of the motion? Discussion on the motion? Phil Anderson.

**Phil Anderson** [00:04:57] I hesitate to weigh into this, but I support the motion. The canary discussion was a little concerning to me. I've voiced my concerns about canary and the harvest guidelines that were assigned to the states for the recreational fisheries before, recognizing that we have a big delta between what we're catching overall in the fishery and the ACL and that holding these recreational fisheries to these amounts which were speculative at the time they were set because of unknown, when we didn't know the effects of the pandemic on the angler efforts and let alone the catches that would occur, so I was left with the impression that there was some flexibility there to deal with situations like this that where we might be exceeding the harvest guideline or specified but that we had, there was some flexibility to do that given that we have such a big difference between the total catches, both sport and commercial and the ACL. So, I'm appreciative of the logic that Jeff gave in his description of how they came to making their recommendations and I don't, I'm not being critical of that in any way. I think it was well-placed logic, but I just I am concerned, and I continue to be concerned about the canary piece as it relates to the recreational fisheries and these harvest guidelines and how tight we think we need to hold them to those, again given the big difference between overall catches and the ACL. I'll stop there. Thanks.

**Marc Gorelnik** [00:06:56] Thank you Phil. Any further discussion on this motion? I'm not seeing any hands. I will call the question. All those in favor say 'aye'.

**Council** [00:07:09] Aye.

**Marc Gorelnik** [00:07:09] Opposed nay? Abstentions? Motion passes unanimously. Thank you for the motion, Marci. Before I turn to Todd let me see if there's any other action under this agenda item? Todd, how are we doing?

**Todd Phillips** [00:07:29] Thank you Mr. Chair. Yes, I would say that, well, the Council has adopted the inseason adjustments that are described quite thoroughly in the GMT's report, Supplement Report number 1. And you've had some discussion about the potential increase in bag limits for off of Oregon regarding those species. So, I would say that you have completed your agenda item and.....

**Marc Gorelnik** [00:07:51] All right. Thank you very much. Good work Council.

## H. Ecosystem Management

### 1. Fishery Ecosystem Plan Initiatives Appendix and New Initiative

**Brad Pettinger** [00:00:00] I guess since we had a break you want to refresh what our charge is here today?

**Kit Dahl** [00:00:06] Thank you Mr. Vice Chair, Council members. As you can see on your screen it's to adopt the revised Fishery Ecosystem Plan Initiative and so there is a draft of that. You did have one of your reports from the Habitat Committee that had some suggested revisions to one of the initiative descriptions on EFH but otherwise I think most of the recommendations from the advisory bodies were to go ahead and adopt that appendix. And then once you've done that and you then have that list before you to decide whether and to embark on a new initiative, and if so, which one or ones you want to move forward with. And I would expect that there would be some guidance to your advisory bodies associated with that to come back with a more detailed plan of work for whatever you want to do.

**Brad Pettinger** [00:01:13] Very good. Okay, with that I will open the floor up for discussion. John Ugoretz.

**John Ugoretz** [00:01:28] Thanks Mr. Vice Chair. I appreciate all the input we got. I think it's good to see all of the advisory bodies that commented on this and thought about it. I also appreciate the work of the EWG and EAS kind of leading the charge on these new initiatives. What I see in the comments, including the public comments we received, is a pretty solid support for moving forward with Initiative 2.1 as kind of a starting point as the EWG laid out, considering 2.6 and 2.8 and even as the HMSAS pointed out that 2.2 kind of fits in there a little bit as well, and that gets us towards 2.10, the combined but not taking that huge bite to start with. So, I'm supportive of what we've heard and, you know, think it gives us a good next initiative to start off on.

**Brad Pettinger** [00:02:36] Thanks John. Caren Braby.

**Caren Braby** [00:02:41] Thank you Mr. Vice Chair. And I agree with John's comments. I think that I really appreciated the EWG specifying, you know, we want to move forward but with really clear goals and clear action and which of these initiatives is ready for that? And certainly, I think there's agreement that there, we're there with 2.1. I'm also very sensitive to and agree with the comments about 2.6 and 2.8 and how important discussions on those two topics of resilience and flexibility are to the Council's work, and so I just want to go on the record saying those are important and I think that we can do it in phases and I think we as a Council if we agree with that we can indicate that today and hold ourselves accountable to that without taking on 2.10 at this time. The other thing I just wanted to highlight was the GMT comment about overarching themes of safety, flexibility in management, and inclusion, you know, participation inclusion for all of our initiatives and just wanted to voice my support of that concept. So, I think we're in a good place to take the next step forward.

**Brad Pettinger** [00:04:17] Very good. Thank you Caren. Anyone else? Corey Ridings.

**Corey Ridings** [00:04:23] Thank you Mr. Vice Chair. I just wanted to thank all the ABs and MTs for their excellent reports on this. They were thoughtful and it was good to see so much of that thinking and opinions coming in on how to do this, especially the EWG for being so thoughtful in how they put the reports together. They also had, I think you've pointed out, in the advance briefing book so everybody was able to take a look at that and think about it and that was really appreciated as, you know, as well as having an advance meeting so that was great. In general, this work, I think, is just a

really good step and an opportunity to move forward. You know we had our Climate Communities Initiative scenario planning process that was all great. We had good input from the Council family as well as the public and I think this is a good opportunity to keep that work moving forward. This Council is a recognized leader in thinking about climate change as well as Ecosystem Based Fishery Management and I'm just happy to have this on our agenda and have the opportunity to discuss this.

**Brad Pettinger** [00:05:34] Thank you Corey. Anyone else? Okay. Well, Corey.

**Corey Ridings** [00:05:49] When it's the appropriate time I do have a motion.

**Brad Pettinger** [00:05:52] Oh, okay. Please.

**Corey Ridings** [00:06:08] I move that the Council. One: Adopt the revised Fishery Ecosystem Plan Initiative Appendix as described an Agenda Item H.1.a., EWG Report 1 with revisions proposed by the Habitat Committee in their Attachment 2, Agenda H.1.a., Supplemental HC Report 1. And two: 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 of 2023.

**Brad Pettinger** [00:06:57] Okay. Corey, is the language in the screen accurate?

**Corey Ridings** [00:07:01] It is.

**Brad Pettinger** [00:07:02] Very good. I'm looking for a second? Seconded by Caren Braby. And please speak to your motion.

**Corey Ridings** [00:07:10] Thank you Mr. Vice Chair. As I just mentioned we've had really good leadership from the EWG and we saw general consensus and ideas from most of our ABs and MTs around starting with Initiative 2.1, the Ecosystem and Climate Information for Species, Fisheries and Fishery Management Plans, and then actively and revisiting and scheduling work for ideas from 2.6 and 2.8, the Supporting Fishery and Fishing Community Resilience Initiative and the Assess Flexibility in Fisheries Management Processes Initiative. I think this represents a good and appropriate next step building off the Climate and Committee's initiative and the excellent work that went into the Council by the Council and the public. This is an opportunity to adopt the Appendix and update the FEP with work completed and possible future initiatives as drafted by the EWG. I'll note that the CPSMT report had a note about updating the scientific name of Pacific Sand Lance, which I will not try to pronounce, but suggest that little bit go ahead. I will also note that here in the motion I have included edits from the Habitat Committee on the draft 2.4, the Cross FMP EFH Initiative, and even though we're not picking that initiative today or I'm proposing to pick that initiative, I think that's a good update to make and just go ahead and move forward with that. Finally, just one last note. We heard from the public about a presentation that Dr. Punt gave, and it'd be great to maybe under workload planning or something I think that would be appropriate to think about that under given this agenda item. So, I'll stop there. Thank you.

**Brad Pettinger** [00:08:58] Very good. Thank you Corey. Questions for Corey on her motion or discussion? Or I just could call for the question. Oh, Caren Braby.

**Caren Braby** [00:09:12] Thank you Mr. Vice Chair. Just one other note. The EAS called out the more scientific leaning language of 2.1 and suggested we broaden participation and that was something I didn't speak to before you made your motion but is something that I'm supportive of. I don't know if

you have any thoughts on that.

**Corey Ridings** [00:09:35] Thank you Dr. Braby. Yeah, I would agree with that.

**Brad Pettinger** [00:09:39] Okay. Very good. Thank you Caren. Further discussion? Questions? Okay now I'll call for the question. All those in favor signify by saying 'aye'.

**Council** [00:09:53] Aye.

**Brad Pettinger** [00:09:53] Opposed? Abstentions? Motion passes unanimously. So wonderful. Great work everyone. Fantastic work by the advisory bodies and the EWG so with that I'm going to hand the gavel back to our Chairman.

## 2. Western Regional Action Plan

**Marc Gorelnik** [00:00:00] That will conclude public comment and take us to our Council action here, which is to provide comments as appropriate. We've received some specific recommendations in the report so let's see what sort of discussion we have here and what sort of comments we as a Council want to provide if any. Dr. Braby.

**Caren Braby** [00:00:34] I'll bite. Thank you Mr. Chair. I appreciate the presentation by Toby and learning a little bit more about some of the work. I think this Council is clearly interested in success along these lines and I just want to express, you know, support from myself for funding for this type of work and disappointment that there isn't more funding to make some of these initiatives fly more fully. So, I'll share that. I also, as my question alluded, I think that the idea of asking the Science Centers for work related to FEP Initiative 2.2 is appropriate here, whether it goes in the RAP document or not, it's just a flag that that's important science that we need in order to move forward with that under the FEP specifically, so I think that would be good to put in the list. And appreciate Josh... your willingness to bring back a presentation to us on the CPS MSE work so thanks. That's about all I have to say.

**Marc Gorelnik** [00:02:00] All right, thank you for that. Further discussion? Well, we do have some.....I'm sorry Corey. Please go ahead.

**Corey Ridings** [00:02:17] Thank you Mr. Chair. I would just echo what Caren said. That sounded great. Also just looking at the EWG report and just asking that the Council staff forward their report on as well as the EAS report, comments from the public and any discussion here today. Just make sure that that gets through to NMFS.

**Marc Gorelnik** [00:02:42] Thank you. Josh.

**Josh Lindsay** [00:02:49] Thank you Mr. Chair. I guess just following up on those comments. Obviously I think you have members of the RAP on listening. You have Northwest and Southwest leadership sitting in the room, myself, but it doesn't always hurt to formalize some of those comments to us. So, in terms of forwarding or some sort of letter so I just wanted to make that note.

**Marc Gorelnik** [00:03:10] All right, thank you. So, Kit, let me ask you if you have captured our discussion here in terms of guidance and comments?

**Kit Dahl** [00:03:22] Yes, thank you Mr. Chair. Certainly have and then based on Mr. Lindsay's last comment there I think we would essentially write a letter to get something formal in the record that reflects the Council's endorsement of the recommendations found in your advisory body reports and mentioned what discussion there was across the floor today and the fact that there was some related public comment that the Council heard on this topic.

**Marc Gorelnik** [00:03:57] All right. Thank you. Is that acceptable to everyone? Phil Anderson.

**Phil Anderson** [00:04:03] Thanks Mr. Chair. I just wanted to make sure that that did include what would the letter that we got and the public testimony, a letter from Ocean Conservancy, there were some specific recommendations in there and would that be a part of what would be conveyed?

**Marc Gorelnik** [00:04:20] I think, Kit, the intent was to include the public comments with our letter?

**Kit Dahl** [00:04:27] Yes, that's what I heard. So, we can certainly do that, either I mean both or either

summarizing or just attaching those letters and to a letter that the Council sends to NMFS.

**Marc Gorelnik** [00:04:45] All right. Well, I think that if there's nothing further on this agenda item that concludes this ecosystem agenda item.



# **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] Well that completes reports and public comment. We have on the screen there our task here, which is Council discussion and guidance as appropriate. We've received some very specific recommendations from the AS, as well as in public comments so let's commence our Council discussion. Christa. Thank you.

**Christa Svensson** [00:00:22] Yeah, I'd be happy to start that discussion. I think we heard a lot of good conversation already from our advisory panel and from the public about the need for making some recommendations, including supporting the recommendations we've already made at prior meetings simply because we do have new leadership in the WCPFC, which I think is exciting. I know we don't typically do motions. Normally we just make the recommendations and I guess I'm looking for other people's input. I would be in favor of moving these recommendations forward as our own and then just, because it's a little out of the ordinary in terms of recommending if we need to make a motion, I will work on that if there's support for the direction I'm proposing, which is to support our AB and the public is asking for us to weigh-in.

**Marc Gorelnik** [00:01:25] All right. Thanks very much Christa. Further discussion? So, we have recommendations in the AS report. I believe the public testimony was consistent with that. There were, also were in the AS statement some recommendations to NMFS as opposed to.....so I think we're talking now about under this agenda item recommendations for these international meetings. So, let me see if there's any disagreement on our adoption of the recommendations in the AS report? And I'm not seeing any. Let me ask if there's any further discussion or guidance to come from this Council? And if I don't see any hands I'm going to turn to Dr. Dahl and see how we're doing?

**Kit Dahl** [00:02:21] Thank you Mr. Chair. Well, I think you've summed it up. Essentially you're endorsing the recommendations that were made by your advisory subpanel and also that includes reiterating those that came up at the June meeting under this topic so we can communicate those to NMFS. I think perhaps that doesn't need to be any more formal than that and NMFS is here at the table but if you have a different view in terms of how to communicate those I'm certainly glad to follow direction.

**Marc Gorelnik** [00:03:00] I guess I would suggest I would leave it to Council staff and NMFS to determine the appropriate method of that communication.

**Kit Dahl** [00:03:08] Thank you Mr. Chair.

**Marc Gorelnik** [00:03:09] Sure. And I'd like to acknowledge again and thank Dorothy Lowman for her long-term participation and representation on these important international matters.

### 3. Exempted Fishing Permits – Final Action

**Marc Gorelnik** [00:00:00] Welcome back. We have our Council action on the screen. We have recommendations. We have had some good public testimony. So, let's have some discussion and when we're ready, which is signaled by a lack of discussion, we'll have a motion. John Ugoretz.

**John Ugoretz** [00:00:23] Thanks, and I think I'll start by sort of talking about where we've been with deep-set buoy gear, what our outside goal is. And the Council has been working diligently. EFP holders have been working diligently. NMFS has been working diligently to get deep-set buoy gear in its current configuration approved as a gear type under the HMS FMP and I think that is clearly our priority at the moment. We have heard and continue to hear questions about economic viability of the gear, about different configurations, different uses, different possibilities that are all somewhat outside the original discussion that we honed in on over many, many meetings as to what deep-set buoy gear would look like initially. I am totally supportive of continued innovation using deep-set buoy gear in different ways to increase swordfish and other HMS production in California and elsewhere and I think that we should be moving towards that. I think we should continue to exercise the caution that we exercised with the original deep-set buoy gear. And so, I have some questions that I didn't have in June about these EFPs. We asked them to come back. In some cases, we asked them to reduce from more pieces of gear to 15. I now actually have some pretty significant questions about who is qualified to fish more pieces of gear? What level of experience is appropriate? I don't have an answer to that question right now, but I think we could analyze some of the existing data and come up with some criteria there. I think we've heard things about electronic monitoring of buoys that is important. I'd like to consider and discuss what that means and what criteria we would place on EFPs for gear monitoring. And I've heard some comments and I share some concerns about where we test this gear. Is it everywhere? Is it limited to certain locations? Do we have some boundaries on that? All of those things are going to take time. And then the process to approve new EFPs for deep-set buoy gear will take time with NMFS. If we approved these EFPs today based on my understanding of NMFS workload, and I'd be happy to hear from NMFS on this, they're not going to be issued any time soon. And so, I think we do have time. I think we can use that time to our advantage, and we can at some later meeting take up these requests for additional pieces of gear and do it in a more thoughtful manner.

**Marc Gorelnik** [00:03:40] All right, thank you very much John. Further discussion. Lyle?

**Lyle Enriquez** [00:03:46] Yes, thank you Mr. Chair. I would like to speak to John's comment about, you know, NMFS workload and the process for issuing modified deep-set buoy gear EFPs. You know if the Council were to recommend these modified EFPs today for 15 additional pieces of gear, it is going.....or for any additional pieces of gear now or in the future, it's going to require us to revisit our ESA consultation. Right now, our coverage is a maximum of 10 pieces of gear, so we would have to at a minimum reinitiate our ESA consultation and let PRD go through the process of evaluating our proposed action. And it's unlikely to be a quick process and before we start that process with PRD, we should be very clear what the proposed action is in terms of pieces of gear and numbers of vessels. I mean it seems kind of inefficient to initiate now for a certain number of vessels and then have to do it all again next year. So, in any case it's not going to be quick. And we also, just as a reminder, we also do have some other consultations going on with PRD at this moment. One is deep-set buoy gear authorization. That one is getting close. And we're also working on an initiation package for the midwater snap gear EFPs. So, there are a few things in line right now and it's never a quick process with ESA, which we would definitely have to do for these EFPs.

**Marc Gorelnik** [00:05:15] Thank you. Caren Braby.

**Caren Braby** [00:05:18] I'm going to pin you down a little bit more on 'not quick'. I would like to understand better what 'not quick' means. And you know if we as a Council decide to ask for further analysis to inform this decision, like the criteria that John is asking about or just mentioned, and we asked some of the applicants about and we made a decision in March or made a decision in June about those permits. If we tell you today that we are interested in this can you get more specific about the ability to issue EFP permits in 2023?

**Lyle Enriquez** [00:06:12] Thank you Caren. Thank you Mr. Chair. I can't be more specific on an exact timeline, but I can mention that we do these other consultations we have going on right now we would like to get those complete. And, you know, whether the Council makes recommendations early next year or today, I mean we may be beginning consultation on modified EFPs at the same date. It may not make a difference whether we get the recommendation early next year because we're still working on these other ones. We'll be done soon with deep-set buoy gear authorization. And then next in line is the midwater snap gear. So, we would like to do that one first before we get going on this one. And again, I think it would be valuable to have a total number of vessels before we start that with PRD and rather do that once then do that twice.

**Marc Gorelnik** [00:07:02] Caren.

**Caren Braby** [00:07:06] Thank you Mr. Chair. Okay so great. Thank you for that. Is there such a thing as a queue in your PRD consultation? Is there something that we need to do today to indicate that we might be interested in this being... let's say the third thing that you consult PRD on?

**Lyle Enriquez** [00:07:26] Thank you Mr. Chair. We don't have a queue with PRD. We tell them our priorities for consultation. If we....if they're working on one and we initiate another one, their first question to us is which one is your priority? Which one should we be working on? But, you know, from the Council we have some recommendations that we had last year that we're still working on and it'll be interesting to know from the Council what's your priority for us to work on and for us to tell PRDs our priority.

**Marc Gorelnik** [00:07:59] Okay. Corey Niles.

**Corey Niles** [00:07:59] Thanks. Thanks Mr. Chair. And, yeah, and thanks Lyle for that. And maybe not expecting a response. Definitely recognizing all the workload you have. But I'm just hearing things today and wondering along the same lines of John and Caren and something that Bill said in public testimony, basically it's you have 300 permits with 10 hooks. And Bill, I'm not going to do the math right now either. But it's, you know or 200 boats with 15 pieces of gear. You're talking about the number of, same number of hooks if you get those numbers right. So, in terms of thinking about where the extra protected species concern comes in, it's possibly and people seem to be worried about losing gear, does that have much more of an effect on the protected species? You know would they not be able to actively tend them as much? So, there's some questions. I'm just kind of wondering if...and just maybe putting that and the thoughts out there along these lines of getting in the queue and what can be done analysis-wise? You're going to know, and you did start off with a pretty wide range when we did this first, when we did the consultations up to so many permits. But you have some kind of criteria along the lines of John's asking about. You're narrowing in the universe of people, the number of boats, number of permits. So I'm just wondering if there's something....yeah, it sounds like a lot of things to get through the process, but it kind of in my mind just hearing the discussion today is kind of narrow in scope and maybe we couldn't get to the exact number of boats right away, there is something that could be done to shape it before waiting to know until exactly how many permits would be issue. But, yeah, so just putting those thoughts out there, part of the discussion not necessarily asking for response. But I'm wondering if it could be more narrow than we're worrying about?

**Marc Gorelnik** [00:10:15] John Ugoretz and then Caren Braby.

**John Ugoretz** [00:10:19] I think following on what Corey just said, I would really like to see some analysis of the level of experience in current deep-set buoy gear 10-piece configuration holders and an understanding of, you know, what the range of experience is from no sets to X number of sets. I think we heard this morning, you know, well over a hundred for one individual. I suspect with some analysis of that maybe from the management team that we could come to some agreement as a Council on what the level of experience needed is and then we can let the applicants know that in advance so that when we do consider applications for this expanded gear that people will understand okay, well, you're going to need X amount of experience. We're going to require perhaps electronic monitoring of your buoys. We may be asking you to fish specific areas and we will be asking for a certain level of observer coverage. I think all of those things could be developed. We could get some recommendations from the team on all of those things, and it would really help people understand when applying the likelihood of that application being accepted.

**Caren Braby** [00:11:53] Thank you Mr. Chair. And an additional element that occurs to me is that, you know, EFPs as we all know are meant to be for informational purposes to our management. And so, the number of vessels is partly a quantitative exercise and partly us deciding how many vessels should be out testing expanded gear to inform the Council's management decisions. And that is not necessarily the number of people who might apply. We could have fewer or more apply for that, the ability to have an EFP and that doesn't relate to the Council's need for information and enough information to make a good decision, so I'd be more interested in kind of having that discussion separate from the interest and eventually fishing expanded gear.

**Marc Gorelnik** [00:12:53] John Ugoretz.

**John Ugoretz** [00:12:56] Just going to shift gears a tad for a moment to make sure we don't lose this. There are actually a couple EFP requests in here, one for the standard buoy gear that was somewhat overlooked at our last meeting, and then one who has asked for both expanding the number of buoys but also a request for night-set gear which we are currently testing, and I think want to continue testing. I'm supportive of those ones, but, you know, just wanted to flag it as separate from this issue of the expanded gear.

**Marc Gorelnik** [00:13:39] Thank you John. Further discussion? Phil Anderson.

**Phil Anderson** [00:13:48] Thanks Mr. Chairman. So just thinking about what I've heard during the discussion here in leading up to the Council discussion, it sounds to me like if we were to move forward with a recommendation for a certain number of EFPs to use an expanded number of an expanded number of units that it would result in a requirement to reconsult on the Environmental Impact Statement. And I heard that a couple of pieces of information would be very helpful in ensuring we don't have to do it several different times. One was getting an understanding of how many additional pieces of gear we're talking about, and the number of vessels is what I heard among other things, but those were two of them. You know I find myself in agreement with John's thinking around developing some criteria or conditions that include some consideration of experience, consideration of a requirement of electronic monitoring of the gear, and further consideration of potential geographic restrictions where we might either not want or want the gear, the expanded number of unit gears to be used. And I heard John say, you know, is there, can we do some analysis of what we know about the level of experience that participants currently have or the holders of EFPs currently have to help inform that criteria should we want to have that as a piece of it? I think it would be helpful to understand what the costs are associated with requirement of electronic monitoring of the gear and then some consideration of the geographic scope of where we would want this to occur. It seems to me that, and

I'm thinking about how do we leave here with and have some elements in place that would help advance the consideration of adding the additional gear to some certain number of the EFPs? And it seems like in those three areas is some places where we could get some addition, we could get some work going so that we would have a more informed deliberation and discussion next time we take this up. So all of those three pieces and then having some consideration of how we would go about quantifying the maximum number of boats that would, that we would consider recommending in terms of having an EFP that expands the number of units would be an additional piece that would be good to have so that again if we step off the edge and recommend approval of EFPs that we've done some of that work so that we have those answers or estimates for to feed into the NMFS process and the PRD and the reconsultation period. So those are just.....I'm just maybe for my own benefit as much as anybody trying to kind of capsule what I've heard here and some of the things that I think we could do coming out of this discussion that would help advance the potential of the eventuality of improving and actually getting additional EFPs on the ground that can use a higher number of gear sets.

**Marc Gorelnik** [00:18:21] Thank you Phil. That's very helpful. Corey and then Bob Dooley.

**Corey Niles** [00:18:27] Yeah, thanks Mr. Chair. And I'll just add the one thing to what Phil's summary is what I'm wondering about and maybe this could be added to the analysis is whether at least in terms of the number of vessels and the people fishing them and the number of hooks, those might be within, they wouldn't be additive to what has been analyzed in terms of protected species impacts, it could be within the universe of people and the number of vessels operating. The number of hooks out there could be within the sub.....it could be a subset of what's already going to be happening when the fishery is authorized. So that's what I was wondering and would be something that I think the team and folks could think about. You know the areas could be different. You know the active tending can be different but just in terms of vessels and the people it wouldn't be extra fishing. Bill's example from.....he might just fish, you know 5 more pieces of gear instead of the 10 and so it's not maybe as additive as adding something completely on top of what has already been analyzed.

**Marc Gorelnik** [00:19:36] Bob Dooley.

**Bob Dooley** [00:19:38] Thank you Mr. Chairman. Just a couple of thoughts. I think, you know, so much time has passed since we started this process to implement this new fishery and there was thoughts that it would be maybe 300 participants at the ultimate level, but it's so much a year that we had, it was an implementation that was over time. And understanding this is a new fishery we're going to have, we're going to have EFPs until we think we get it right. Right now, we've had some EFPs approved so the base program can get done. And I'm worried about keeping.....maybe delaying final implementation of the gear type and getting on with going forward, we're always going to have we have EFPs that want to learn something new and they'll continue on, but if they're tied to their initial implementation, this could go on a long time. And I heard loud and clear that we need swordfish. We need....this fishery needs to be particularly with, you know DGN going out I think we need to make sure we get our, you know, original thought at least implemented and we can always adjust it and we can continue to adjust it while we go forward, but I'm worried about that a bit and maybe I have it all wrong because it's been a long time and I'm drawing on bits and pieces of past information that we've decided on and I worry that we, if we keep convoluting what the end result is because of new information that we may not get to the original part is implementing this fishery. This fishery is new. It's going to change over time. Another thought I had, and this is a little separate is this thought of GPS trackers. I don't know a lot about them, but I would assume they're kind of expensive. And so, I'm thinking, at least my understanding, please correct me if I'm wrong, the problem lies when you start expanding the number of the amount of gear in the water and so you don't have this ability to tend it as closely because it's obviously farther away and I can see that for sure. But maybe we ought to think about the steps where you're required to have this because we also heard about different levels of operators, smaller boats that

can't take this large amount of gear, but in that just intuitively to me might create a burden for them to participate if we require them to have this when they really don't need it for, you know, for the maybe the smaller amounts of gear. So just something to consider as we do the analysis. I just wanted to throw that in there so thank you.

**Marc Gorelnik** [00:22:41] Christa.

**Christa Svensson** [00:22:42] Yeah, thank you Mr. Chair. I share some concerns, I think, with Mr. Dooley. I do want to see the buoy gear fishery as it stands move forward and I think I heard that it's already in the queue and likely to move forward early in the year. Maybe I'm hallucinating on that one. It certainly has been known to happen, but it sounded like it was at the top of the queue so I'm going to be ambitious on that statement. We've also heard testimony from Nathan Perez today saying, hey, you know I think it might actually be 20, and if we are going to take the time and the effort to look at 15 pieces, I think we may want to do the due diligence to think about whether it's 20 or 30 as part of that and have some discussion around that simply because I don't want to have to come back to them and say, okay, we did it for 15 now next year we want to redo the whole thing for 20. So, if we're going to take a pause on these EFPs having heard from the applicants that potentially it might actually need to be more. We probably should look at what the ramifications of that are both in terms of workload and in terms of environmental impact.

**Marc Gorelnik** [00:24:07] Thank you Christa. John Ugoretz.

**John Ugoretz** [00:24:18] If we're finished discussing I do have a motion for this item.

**Marc Gorelnik** [00:24:24] Well, I think the motion may spur some additional discussion and I think it'd be very productive. So please go ahead.

**John Ugoretz** [00:24:31] Thank you. I move that the Council approve the Exempted Fishing Permit applications submitted by G. Harold, Attachment 1 for standard buoy gear, ten 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. And the screen is missing an 'in federal waters' at the end there. Thank you.

**Marc Gorelnik** [00:25:07] All right John. The language on the screen is accurate and complete?

**John Ugoretz** [00:25:09] Yes.

**Marc Gorelnik** [00:25:10] I'll look for a second? Seconded by Christa Svensson. Thank you. Please speak to your motion.

**John Ugoretz** [00:25:16] Thank you Mr. Chair. I think we've had some very good discussion around the table here. I do think we need to pause on our consideration of the applications for additional pieces of buoy gear. I would like to make it clear that my intent is that we are not denying those applications nor are we approving them. I would consider them held as active applications that the Council is still considering. I think we've had some excellent discussion about the types of information that we would be asking from the team in order to move forward with consideration. And we've had some great discussion about the types of analysis and consultation that NMFS would have to do to eventually approve those applications. So, they're not mentioned in my motion because of that. I consider them still active. In the case of the two applications that I mentioned here, I would point out that Mr. Honings asked for both night-set gear and additional pieces of gear and this motion is approving the night-set gear portion of his application and the rest again would be held as active. Thank you.

**Marc Gorelnik** [00:26:36] All right. Thank you John. Are there any questions for the maker of the motion? I'm not seeing any hands. Any discussion on the motion? Corey Ridings.

**Corey Ridings** [00:26:51] Thank you Mr. Chair. Thanks John for this motion. I'll start by saying I plan to vote for this motion but I'm having a little heartburn delaying the EFPs that are before us. I realize that they are not, there's never a promise or an entitlement to an EFP, but I'm struggling with the timeline in terms of the clarity for the applicants who've put a lot of hard work into this as well as a longer standing issue around NMFS timelines related to HMS issues in general. I think this speaks to a concept of EFP performance metrics, which we've discussed before and I think would help this issue in the future, both in terms of making it clear about the information that we need and we want around EFPs, and as well as helping support applicants to make that happen in the smoothest way possible and continue to do our best by this fishery and get fish out of the water on a healthy stock. So, thank you.

**Marc Gorelnik** [00:28:00] Thank you Corey. Further discussion on the motion? Caren Braby.

**Caren Braby** [00:28:05] Thank you Mr. Chair, and thanks, Corey, for your comments. I agree. I'm struggling with the timeline and the uncertainty and I'm not an applicant, so I can imagine the frustration or uncertainty at the very least. And so that was the purpose behind my questions before is really trying to dig into what that uncertainty truly is and how we can create more certainty and emphasize our priorities, recognizing you can't do everything all at the same time and get it all done. And so, I just want to reiterate my personal encouragement that we as a Council, and I'm including NMFS in that statement, I feel really need to be ready to move forward on these requests. And I appreciate John's comment that the four that he is suggesting are not part of his motion are still active and we as a Council, and I would respectfully suggest NMFS as part of that, should consider those active and that we need to be prepared for making decisions on this as quickly as possible. And so, I'm going to vote yes on this motion as well. I appreciate the motion, but I really want to underscore getting our ducks in a row so that we can move forward. I want to develop the criteria. I think that's very wise and good counsel and I think we have a good idea of how to move forward on that. And so, it's not in the motion and hope we have some discussion after the motion is considered to really give that guidance to the team and requests of NMFS.

**Marc Gorelnik** [00:30:12] Thank you Caren. Absolutely that's what we should do. Christa Svensson.

**Christa Svensson** [00:00:00] Thank you Mr. Chair. I am also going to support the motion. I have the same concerns as Miss Riding and Dr. Braby and I'm not going to elaborate on that. But I do want to say I appreciate that Honings' application has been moved forward for the 10 pieces and night setting so that we really are moving forward quickly on at least the piece that we are certain about rather than holding back the entire application. So, I do think from my perspective that does show some intent that we do want to move quickly and I would wholeheartedly be behind doing that and being very clear to the public in terms of what that timeline is moving forward for when they will get these permits should we decide to issue them.

**Marc Gorelnik** [00:01:02] Thank you Christa. Further discussion on this motion? Virgil Moore.

**Virgil Moore** [00:01:06] Obviously Idaho doesn't have a dog in this fight, but from a Council standpoint I have a tendency to say, no, to this motion because I don't think it's inclusive enough, and I don't think we're doing our job to consider all the information we have before us based on the testimony I've heard, based on the discussion that's here. I think there's general concurrence that we can do more but we're reluctant because some may not be comfortable with it. I just add that to this discussion as an observer that we need to get things done and this is an opportunity to get a huge amount of information on some new fishery methods that could help us in the future with real serious decisions. So, I mention



that. I will support this motion because it does incrementally move us forward, but I'd love to see another motion that did more. Thank you.

**Marc Gorelnik** [00:02:00] Thank you very much Virgil. Butch Smith.

**Butch Smith** [00:02:07] I tend to agree with Councilman Moore. I, you know, came into this, you know, supportive of it because some of the public testimony and possibly leaving out fishermen. I just right now I'm going to abstain. I just don't.....because of the information that we received in public testimony and stuff I just am not comfortable with a yes vote, but I don't want to be the dissenting vote because I think that, you know, the information and continuing to let people fish on this fisheries is important but I am going to abstain on this vote. Thank you.

**Marc Gorelnik** [00:02:48] All right. Thank you very much. Further discussion on this motion? Brad Pettinger.

**Brad Pettinger** [00:02:54] Thank you Chair Gorelnik. And really appreciate that Virgil. Ultimately, a commercial fishery has to be economically viable or it's not a commercial fishery at all. And I mean for a lot of people saying that the gear we have isn't going to do it, but I understand what Lyle's has laid out we probably wouldn't get to it anyway for a while so if we approved it, it wouldn't necessarily be approved in a timely manner. But I think that ultimately we need to find out what the right amount of gear is and whether this fishery is truly economically viable or not because from what I've seen, I've been a fisherman vessel owner for 40 years and a commercial fishing operation is.....you don't make it on a thousand bucks a day I'll guarantee you that so... if that. So, but I will support the motion and hopefully we will get there sooner than later, but we need to find out. Thank you.

**Marc Gorelnik** [00:03:59] All right. Thank you. Corey Niles.

**Corey Niles** [00:04:03] Yeah, thanks Mr. Chair. And I think Brad got to a little bit of what I was going to say and John and speaking to the motion is we've asked a lot of NMFS and the management team and everyone else on the analysis of the approach we've taken with the EFPs for deep-set buoy gear. And I think that was based on, you know a belief that the gear is low risk to the protected species. And we've had other EFPs that Lyle mentioned that protected resources and then are continuing to work on. So and, yeah, I think there's....when we do these, and we've done this in a slightly different way, there are these fairness issues that the AS and others have brought up about it's basically an allocation of who gets to participate. So, there are some complex pieces here. We have asked quite a bit of NMFS in the last however many years it's been and so I think, yeah, I was....I'm probably repeating kind of what Brad, the spirit of what Brad is saying but, yeah, appreciative of all the efforts and support the motion and, yeah, wish all these questions could be.....people were feeling, you know, better about it but, yeah, this has been a lot of work and effort and this is a good way forward.

**Marc Gorelnik** [00:05:22] Lyle.

**Lyle Enriquez** [00:05:23] Thank you Mr. Chair. I'd just like to speak to one part of this motion and make note that the night-set buoy gear component of it, we are currently covered under ESA for one vessel. This will also require us to reconsult to add an additional vessel and following on Caren's comments that NMFS should be prepared to work on this, and the applicant should be aware of potential timelines. I just want everyone to be aware that this will require a new consultation, but I expect this to be a whole different beast than we would have had for recommendations for multiple vessels fishing with 15 or more pieces of gear. So, we'll be prepared to work on this.

**Marc Gorelnik** [00:06:03] Caren Braby.

**Caren Braby** [00:06:03] That makes me ask a different question which is, if this were limited to authorization for a single vessel and night-set buoy gear and day set buoy gear, would it go forward immediately?

**Lyle Enriquez** [00:06:25] If I can clarify. Our current coverage is for one vessel that is fishing right now. This would add to that.

**Caren Braby** [00:06:34] Different vessel. Got it.

**Lyle Enriquez** [00:06:35] Yes.

**Caren Braby** [00:06:37] Thank you. Different question to the maker of the motion. Does that change anything in your motion?

**John Ugoretz** [00:06:46] Thanks for the question Caren. No, I still stand by the motion. I think it does highlight something Christa said regarding the analysis of additional pieces of deep-set buoy gear when the time comes for that we should probably consider being inclusive enough in that consultation that it covers potential future EFP fishing so that we're not circling back every time we have an EFP. And it's something I think we should probably discuss with NMFS, you know, again as we move forward on these other applications that we're not yet acting on because I do think, as several people have said, we need to be moving forward on this and our own processes and NMFS's processes have a tendency to slow us down.

**Marc Gorelnik** [00:07:45] Dr. Braby.

**Caren Braby** [00:07:46] Thank you. And one of the reasons why I'm asking is we are talking about moving, modulating this, these EFPs in multiple ways, right? Night set is one way. Number of pieces of gear is another. This motion reduces the requested amount of gear I believe. It's only set at ten pieces of gear instead of I thought that they requested 15. And if the desire is to fish 15 at night and it's going to require consultation regardless, do we move this forward now or do we hold it as an active application and reconsider it as both an expansion of gear and night set. And please correct me if I'm wrong.

**Marc Gorelnik** [00:08:36] So I think what you're saying is this is going to open the door to reconsultation based on night time so if we're going to open it on that basis then.....John.

**John Ugoretz** [00:08:52] I'd have to look back at the request specifically to see if they were asking for 15 pieces at night. So, they are an existing EFP holder and can fish 10 pieces during the day. Frankly, I'm not ready to approve extra pieces of gear at night before we've seen more than one vessel even fishing at night. So, no it doesn't change my motion. And, no, I would not be voting to approve a night-set buoy gear EFP for more than 10 pieces, frankly, any time in the near future before we see additional gear fish during the day.

**Marc Gorelnik** [00:09:50] Vice Chair Pettinger.

**Brad Pettinger** [00:09:52] Yeah, well it does talk about fishing up to 15 standard buoy gear, three hooks per buoy and an ability to attempt at deploying gear at night. So, I think you're correct in what your assumption was.

**Marc Gorelnik** [00:10:11] All right. I'm not seeing any other hands. And I'll give folks another chance. So, then I'll call the question. All those in favor say 'aye'.

**Council** [00:10:26] Aye.

**Marc Gorelnik** [00:10:26] Opposed no? Abstentions?

**Butch Smith** [00:10:34] Aye.

**Marc Gorelnik** [00:10:34] Was that... Virgil was abstaining? Is there an abstention over here by Butch Smith? Oh, you voted yes. It was just Butch. I want to make sure we capture that vote. So, the motion passes and I know we have other parameters to discuss. So... Dr. Braby.

**Caren Braby** [00:11:01] Thank you. And I'm glad that this motion moved forward. I voted yes on it as most of us did, but it's clear that the Council has questions and has discomfort about exactly where we are and how we're going to move this forward and I agree wholeheartedly with all of the statements, including those by the maker of the motion, that criteria need to be developed. I think that is true for night-set buoy gear and the number of pieces there and having a discussion about that as well as moving from 10 pieces to 15. And so, I would urge us to have those conversations, get serious about having those conversations. And on the Honings' EFP in particular, having that as part of the discussion of if it was proposed at 15 pieces for a night-set that that should be part of our discussion moving forward. That should be an active part of the discussion. We may decide that we don't want to do that. I may decide that I don't want to do that. But we haven't had that discussion yet about what number of pieces is appropriate for day versus night and that was the point of the motion was to have that conversation. So, I would like to just keep that there and add that separate thought along with the ones that I offered during discussion on really wanting us to be ready to take these on early in 2023 and get permits out the door as quickly as possible. And appreciate the workload issues but I think we owe it to ourselves and to the applicants to move as quickly as we can and I'll do my part to try and make that happen.

**Marc Gorelnik** [00:13:05] Corey Niles.

**Corey Niles** [00:13:08] Yeah thanks Mr. Chair. Maybe not too differently from Caren, I'm not sure where.....I still support the motion and voted yes. But something you said Mr. Chair was if NMFS is going to open, have to do the consultation and has to consult again then why not add it so I didn't think we could really straighten that out today. But, you know, frequently we hear that NMFS can issue EFPs on its own authority, but NMFS prefers to come to the Council so that it's part of the overall consideration of the workload and they care about the Council's priorities. So, I'm expecting that these questions will come up and I'm hoping that, yeah, just maybe just expecting NMFS to be asking us some questions moving forward about priority of, and asking them to be, you know flexible and creative in terms of how new consultations can take on these questions that you've heard discussed today.

**Marc Gorelnik** [00:14:14] Bob Dooley.

**Bob Dooley** [00:14:17] Thank you Mr. Chairman. I just reflect back on something that Caren was talking about. And, you know, it doesn't just apply to this fishery but it applies to other fisheries too. We, you know, we need to make room for these fisheries to improve and we do that through EFPs. So, when we have reconsultations on every, every, you know, every little addition, it doesn't leave room for improving our fisheries without a Herculean lift. And I don't know, you know, I don't know the process that well to make a specific suggestion, but it seems to me there ought to be some allowance where limited EFPs that don't trigger this because these fisheries need to progress and this is new and there's going to be....this isn't the last EFP we're going to see coming forward. I'm, you know, so I think we need to be a little more flexible than that. So, I don't know how to specifically do that, but I was just commenting on what you had said. So, thank you.

**Marc Gorelnik** [00:15:28] Thank you Bob. Dr. Braby, and then Christa.

**Caren Braby** [00:15:31] And teeing off of what you said, I don't know, Lyle, if you have any thoughts about how to make it more flexible in the consultation with PRD, if it's by, you know, it's not the number of EFP applications or the number of pieces of gear per captain, but rather the number of pieces of gear total or I don't know how to make it more flexible that we then allocate out to EFPs in a way that we don't get, we don't run into the issue of we authorized 15 pieces but now somebody wants 20 and we have to reconsult. Do you have any ideas on that today or is that something that you could think about and bring that to us?

**Lyle Enriquez** [00:16:14] Thank you Mr. Chair. I think that's something that we can think about. I know that's something we do, we've been doing in our NEPA world, being more programmatic in that arena. But when it gets to the ESA, you know, we have to have some pretty specific proposed actions for them. But we could come back with some ideas at a future Council meeting.

**Marc Gorelnik** [00:16:38] Christa.

**Christa Svensson** [00:16:39] Yeah, thank you Mr. Chair. You know it's funny I was planning on bringing up EFPs under Swordfish Management Plan. This is something that I think the HMS room has talked about a lot. I know last year at the September meeting we had Theresa come up and speak to us about the need for performance metrics. I didn't really understand until the conversation today that asking for one more boat or 5 more pieces of gear was such a major impact. And I think when we're thinking about Council efficiency, which we had a major conversation about, as well as hearing from our groundfish participants earlier in the week about the EFP process, this is probably a bigger issue than Swordfish Monitoring and Management Plan, but I do think that it's something that we need to grapple with in terms of efficiency. It will help us not have people coming into the process asking questions repeatedly about where we are, and it will help us really streamline that process for them. So not asking for us to make a decision to put it on future workload right now, but maybe we can have some conversations about how we want to fold this in to really tackle the issue and get what we need, whether that's analysis and some feedback from NMFS at the next meeting, but just really clearing a path forward to provide some insight and give people more opportunity than they may be feeling at the moment.

**Marc Gorelnik** [00:18:29] All right, thank you Christa. John Ugoretz.

**John Ugoretz** [00:18:35] So something to consider here and I'll put this to NMFS to think about. I don't expect a response. But one of the things that is causing these additional consultations every time we make a change is that they are ESA consultations, and deep-set buoy gear to date has entangled one ESA-listed species, that was a sea turtle that was released unharmed. Gear modifications were put in place by NOAA to avoid a repeat of that. There have been hundreds if not thousands of sets since that time with no impact to ESA-listed species. Conceivably, NOAA could make a finding of no potential impact to ESA-listed species for this fishery as EFPs and conceivably that would shorten the consultation timelines. I think there is ample evidence to a finding of no effect.

**Marc Gorelnik** [00:19:59] Thank you John. I mean I'll just....it's interesting from someone who's from the salmon world where we have here deep-set buoy gear as you point out that has been exceptionally clean and we're talking, at least in terms of adding gear, such a marginal increase in the amount of gear and we're sort of threatened with an overwrought consultation process potentially. And then on the salmon side we see basically a slaughter of the critically endangered winter chinook, you know, without any successful action by protected resources so I just....that contrast is quite striking to me. So, I do think I heard earlier in our conversation that we wanted to task the management team with looking at a

variety of issues and I'm going to ask Kit to see what he has captured, or should we have a recap from one of our Council members? I think Phil did an excellent job there, but I don't know if Kit captured it or we.....I'm going to ask Phil to recap it.

**Kit Dahl** [00:21:18] Thank you Mr. Chair. Yeah, I've been diligently trying to take notes here. So, what I heard there are a number.....I think the discussion overall has been the Council being able to explore and understand a variety of parameters that might set some criteria for what you might recommend for future EFPs that expand or have variations on the gear. And so, some of those parameters were sort of looking at the number of vessels. The total number of pieces of gear per vessel. The use and cost of electronic monitoring or GPS on the gear. Information about the range of experience in the fishery that could be a basis for setting some criteria in that regard. So, I think those are all the things that I can remember from without rereading my notes. So and... so those would be all kinds of questions for the management team to explore. You also had this very fulsome discussion about the ESA consultation process and what are sort of the parameters that trigger that and are there possibilities to make that less, more flexible and not need to have as lengthy a process if the changes are modest and well understood. So, I would guess that that would be a request for NMFS to return with more information about kind of what those parameters are in terms of, of triggering consultation for these variations on gear configurations. So that's kind of what I heard. So, I'm sure I missed some points and happy to hear as additional clarification.

**Marc Gorelnik** [00:23:46] John Ugoretz.

**John Ugoretz** [00:23:49] Thank you Kit. And I think that was a very good overview. I'm not sure I heard analysis of observer coverage rates requirements, but that's something else I think we should be considering when we approve these EFPs.

**Marc Gorelnik** [00:24:11] Anything further to add to that summary? Mr. Anderson.

**Phil Anderson** [00:24:21] Well I'm just thinking, you know, along the lines of wanting as we've I think been trying to figure out a way to make progress here in terms of hopefully expediting the further consideration of the EFP applications that are requesting more gear. And I just want to make sure that relative to the, that the consultation piece that I think the more that we can narrow the scope of what the potential change is, the better it will be in terms of NMFS evaluating what the consultation needs are. And so, I think we're getting there in terms of the list that Kit went through and the pieces that I and others referenced here. But if you just ask the blanket question of do we need a reconsultation if we're going to add gear to all the EFP applicants or permit holders, then you're probably going to get a yes, if you ask that question with some criteria built in, you might get a different answer or a more, a narrower consultation horizon if you will. So, to me that's an additional goal here of taking these additional steps of getting this additional information is so that we can put the proposal back in front of NMFS for consideration with some further definition of exactly what it is that we're contemplating. I don't know if that's helpful but anyway.

**Marc Gorelnik** [00:26:17] Thank you. All right I'm sure Kit captured that. And let me see if there's anything further from the Council on this agenda item? Caren Braby.

**Caren Braby** [00:26:31] One more question about timeline for Kit and not that we're going to have a workload planning discussion here, but just wondering if we already have this teed up in our November or YAG?

**Kit Dahl** [00:26:54] Thank you Mr. Chair, Ms. Braby. So, I don't think there's anything on the Year-at-a-Glance for November as far as EFPs. I guess my inclination, and this gets kind of into workload

planning discussion which you'll have tomorrow, but given the other tasks before the management team, it seems like it would be appropriate to ask them to come back in March with the information you're asking for around kind of these criteria for modifications to gear, and you know and EFPs for those and then you could kind of use that in March to put out a call for proposals or something like that and then it would feed into our standard June, November process next year, but that's just an idea. It may be that's not expedited enough for you, but just given workload considerations and so on. That was kind of what I was thinking of.

**Caren Braby** [00:28:06] And the reason for my question is just so that we have that on the table to think about before tomorrow. So, I think that that's worth thinking about before tomorrow. Thanks.

**Marc Gorelnik** [00:28:18] Thanks for making sure that's prominent on the table. John Ugoretz.

**John Ugoretz** [00:28:23] Yeah thanks. And I'm hoping and hoping and hinting that maybe the team can provide us some input on that in a statement for tomorrow so that we're.....they're clear and we're clear on what they think they can do.

**Marc Gorelnik** [00:28:39] All right. That would be very helpful. All right. Christa Svensson.

**Christa Svensson** [00:28:44] Yeah, thank you Mr. Chair. I'm just going to resurface EFP and metrics as a topic specifically and I don't think we need to make a decision right now. Meaning originally, I said, hey, I'll bring it up under swordfish. It may be under future workload planning but I do think that it would be really beneficial to have some direction more than, hey, we all think it's a good idea or most of us think it's a good idea and devote some time to that. So given everybody a break to think about it and not tying it necessarily to this conversation, but not wanting to lose the point on that either.

**Marc Gorelnik** [00:29:22] All right. Thanks very much. All right. One last round up for any comments on this agenda item? I'll turn to Kit and see how we're doing.

**Kit Dahl** [00:29:34] I think you're doing well. This is a very extensive and thoughtful discussion triggered by further consideration of these EFPs that are, you know, asking to look for changes and increase in the number of gear. You've put out a lot of ideas so you can gather the information to carefully consider, you know what the parameters should be on modifications to the gear and hint at a potential discussion to work that out and revisit both the applications that were put forward now and potentially other or additional applications that might come forward next year. So that's where I see we're at.

**Marc Gorelnik** [00:30:19] All right. Thank you very much Kit.

#### 4. Biennial Harvest Specifications and Management Measures – Preliminary

**Brad Pettinger** [00:00:00] And I think that takes care of the reports and we have zero comment cards in so that would take us to Council action. And so, with that I'll open the floor for discussion. John Ugoretz.

**John Ugoretz** [00:00:18] Thanks Mr. Vice Chair, and I appreciate the work that's gone into the reports. I don't really see any major action on our part. I wanted to point out one thing that's in the NMFS report regarding work towards stock determinations for bluefin tuna and Eastern Pacific skipjack, and I think we need to tee up, make sure the SSC is aware that there's an evaluation need as to whether the reference points that NMFS recommends in Tables 1 and 2 in their report are suitable proxies for MSY-based reference points. So, this is something that I think NMFS would want the SSC to evaluate.

**Brad Pettinger** [00:01:08] Okay. Thanks John. Further discussion? Caren Braby.

**Caren Braby** [00:01:19] Thanks Mr. Vice Chair. Yeah, just following up on the management teams report and suggestion of the opportunity to evaluate what's coming to be significant opah landings and potential management needs there, I think that's something that I would support them putting on their longish list as workload allows. Not an urgent need but I think that is something that we would like to see as a Council as they have time to provide us with that information. Not sure if it's appropriate under a bi-spex agenda item or another one, but that information would be welcome.

**Brad Pettinger** [00:02:05] Okay. Thank you Caren. John.

**John Ugoretz** [00:02:11] Yeah... thanks, Caren, for that. And I agree. I think it would be good to get the team's input on this. I appreciate the team's suggestion that they be proactive in looking into it, and I agree that it doesn't have to happen under bi-spex. It could happen on their timeframe, maybe again something that they could point to in workload planning as to what they think the appropriate timeline is.

**Brad Pettinger** [00:02:36] Thanks John. Okay. Anybody else? Okay. Kit, how are we doing?

**Kit Dahl** [00:02:47] Thank you Mr. Vice Chair, Council members, I think you're doing good and we've got a little bit of guidance here. So, with regard to the note, a request for the SSC to review those proxies used in the bluefin and skipjack status determinations. I think we'll work to schedule that on their agenda in November and they can report to you this will be coming back in November. I think NMFS will be in a position to finalize those reference points and determination criteria that they presented at this meeting so then the SSC could weigh-in there. And also noting interest in having the team further look at opah and perhaps they would be able to weigh-in tomorrow in terms of any thoughts they might have about when and how this might come back to you. So, I think we've got a plan of action there.

**Brad Pettinger** [00:03:54] Okay, very good. So, with that I will close out I.4.

## 5. Swordfish Management and Monitoring Plan

**Brad Pettinger** [00:00:00] And now that will conclude public comment and take us to Council action which is before you. And with that I'll open the floor and Phil Anderson.

**Phil Anderson** [00:00:14] Yeah, I don't...I'm not going to dive into the substance of the discussion here. I just wanted to express my appreciation to all the people that came and testified under this agenda item. I particularly wanted to call out Gary Burke. I can't think of another gear type that's faced more challenges or has been under attack more than the drift gillnet fishery has over the last decade or more and Gary's still here, still fighting for his fisheries, still fighting for his gear type and I just really admire him for doing that. Thanks.

**Brad Pettinger** [00:01:00] Thank you Phil. Okay. Bob Dooley. Bob.

**Bob Dooley** [00:01:05] Yeah, thank you Mr. Vice Chair. Thanks Phil for those comments. And I wholeheartedly agree. I'm baffled here. I think we, in general when we face challenges in fisheries we've faced them head-on and used our fishing industry to help us defeat these challenges. We've seen it in the trawl industry. I think our job as a Council is to set the limits, set the parameters, the performance standards that it takes to do a fishery and encourage people to meet those standards. Industry I've heard over the years come here time and time again saying they'll do that, that they're willing to do that. They're willing to take observers, they're willing to have real time reporting and hard caps. And it's not just this fishery but I, you know, I keep thinking about, it's really off track, but you think about the days when they used to say an SUV ran over a kid in a parking lot or ran over a lady in the parking lot and killed her. It was the SUV. It's not the SUV. It's the driver. And, you know, cars don't kill people. People kill people. And I think fishermen can control what they do. They tell us that. We just don't give them the opportunity. And I think, you know, a good friend of mine once said, if you want something done you tell a fisherman he can't do it, he'll show you how to do it and he'll get it done. We as a U.S. fishery, we are the shining light worldwide that we know how to prosecute sustainable fisheries. Focusing just on the gear and saying this particular gear is bad or that particular gear is bad and we need to eliminate it, we need to shine the light. Potentially it can't be fixed, potentially, but we've never given it a chance. And I'm one that thinks we need to do that. We need to set standards. We need to do, enable our fishermen to show us they can or they acknowledge they can't. And by exporting our fisheries to places we know don't care as much about sustainability and exporting our fisheries to that rather than shining the light and being that guide that we do so well... we do that and we have a long track record of it. So that's what I'll say. And I know this has gone down the road a long time, but it's just sad. And I agree with you Phil about Gary. He's still here and still begging to be, to remain here. So anyhow I just wanted to say that. Thank you.

**Brad Pettinger** [00:03:59] Thanks Bob. Vice Chair Hassemer.

**Pete Hassemer** [00:04:02] Thank you Mr. Vice Chair. Maybe just an opportunity to provide a general comment while others think about specifics to the management monitoring plan here and a follow-up to what Bob was talking about. In the public comment I heard the statement that there are some mechanisms maybe in the Magnuson Act, the Marine Mammal Protection Act, that could be used to help to boost the value of the domestic product restrictions on imports that would provide some benefit to our domestic fisheries. And I guess maybe it's a question to NMFS, Mr. Enriquez, or Lyle, to tell us if there are any openings or pathways? If there are such pathways, recommendations, guidance that the Council could give to NMFS, I would like to know that because I think our charge here is really the viability, sustainability of our domestic fisheries. And if there are more things we can do then some of the actions, the obvious ones we take up, that we could consider that also. Thank you.



**Brad Pettinger** [00:05:18] Lyle.

**Lyle Enriquez** [00:05:18] Thank you Mr. Vice Chair. Thank you Pete. Well, I know we do have a MMPA import rule where we can restrict imports from countries that use fishing gear that are not quite up to our domestic standards for protecting marine mammals. Again, that does not apply to sea turtles, which seems to be a focus of a lot of our HMS fisheries here. You know long line, drift gillnet, we do have sea turtle concerns. So, the MMPA import rule would not apply to that. I'd have to look a little more into MSA mechanisms that might offer the same type of restrictions. I'm not as familiar with that, but we do have the capacity to identify nations for IUU. That's.....and for bycatch. We can identify them but I'm not sure about restricting the imports.

**Brad Pettinger** [00:06:10] Thank you Lyle. Pete? John.

**John Ugoretz** [00:06:14] Thanks Mr. Vice Chair. So, I'm looking at our Council action and what's agendized today and I appreciate the discussion that's occurred, but I do kind of want to get back on topic of scoping what it is this Council feels the SMMP should look like moving forward and perhaps a brief discussion of sort of timeline and when that would happen. I think one of the comments mentioned Council priorities. I still see our priorities, you know, definitely we are seeking to authorize deep-set buoy gear as a gear type in the HMS fishery, something this Council has made very clear on many times. Just as we've done today we want to continue to consider EFPs for new gear types that are helping us to achieve our goals of increasing production of locally caught swordfish or other HMS species. And, you know, the Council has on multiple times and we still have on our Year-at-a-Glance the discussion of hard caps and where we want to go with that. I see all of those as existing priorities. I also see several ongoing actions that may impact what we want to see in a final SMMP and what it would look like, includes the California Drift Gillnet Transition Program. That program is still in process and won't complete for another month or so. Again, deep-set buoy gear implementation and importantly a better understanding of what the real fishery looks like and how it performs, which impacts I think many of our decisions on swordfish moving forward as well as other ongoing federal actions and considerations in terms of drift gillnet. So, there's a lot going on and that's been going on and it's why we've taken a pause on dealing with the SMMP for quite some time now, and I think we're still in that process. I also think we've already tasked the management team with some new chores regarding deep-set buoy gear EFPs, the opah fishery, as well as some past analytical requests regarding swordfish and long line and other things that, again all of this would help inform what a final swordfish monitoring and management plan looks like. I could easily see us waiting a fair amount of time to really dig in to the SMMP specifically, but that said I think there's some actions that we could take to help advance a final SMMP and we could take them now, importantly some of the work that we've asked the management team to do. I think we could look at the goals of the SMMP, determine if any of those goals are no longer valid and possibly have some discussions surrounding changes to those goals since the plan was last updated. And then, you know, really and truly maybe one of the most important ones as our discussion just prior to this involved, is the EFP criteria and metrics and, you know how we move forward on EFPs for swordfish or HMS. And I think that we could actually get some work done outside of Council floor time that furthers that workshop meeting something that focuses specifically on a lot of these questions we've had with EFPs and brings back some recommendations. I think once we've got all of that we could come back to the Swordfish Monitoring and Management Plan. Keeping it as it exists now as a draft document is not harmful and it does help inform some process, but we've got other work to do before we dig in in detail. Thanks.

**Brad Pettinger** [00:10:29] Thank you John. Christa Svensson.

**Christa Svensson** [00:10:33] Yeah, thank you Mr. Vice Chair. And I appreciate the comments from Mr. Ugoretz. I am going to get a little bit off track, but I am in agreement in terms of we may need to

have some short term and long term and I'm not completely off track, but I just want to talk a bit about why I see the urgency for this. You know in 2019 when I pushed for scoping I talked about the biomass that's out there. We're not to a new stock assessment so we're still looking, I'm going to use my numbers of 3,000 to 6,000 metric tons. I got on PaCFIN this morning. I was looking at numbers and so far today we've brought in \$660,000 and some change with an average price of \$5.39. And what that tells me is we're missing an opportunity again at that 3,000 to 6,000 metric tons that we've discussed in the past. We're missing the opportunity of between 35 and 71 million dollars by not having a strategic plan and not refocusing our time and efforts. And I was thinking.... man... Heather Mann and the whiting fleet, a large portion of that is in Oregon. I mean I think Gary Burke would probably be pretty tame by comparison if we winnowed the whiting fishery down to less than a million dollars over the course of a decade. So, I think we owe it to our fleets. I think we owe it to our first receivers, our processors, and our small communities. I mean when I was at Jessie's anything coming across my dock would have made a difference. And a fish at a \$5.39 landed value that I could turn around and make money on would have made a lot of difference even if it was a few pounds. I don't typically talk about my processing experience or my sales and marketing experience. I did that for two decades and I'm currently doing it and I hear a lot of conversation around, 'well, we can't compete with exports or we shouldn't compete with exports'. I think there's a place for buoy gear. I think there's a place for a lot of different fisheries. And buoy gear in terms of how it's handled and the price point that it receives is much more in line with, say a Columbia River summer or spring salmon than with a Bristol Bay sockeye or a Kodiak pink salmon. And I think we have a lot of people in the United States where the number one market for swordfish who would like access to that product, it can't just be high end. So, we need a wide variety of sustainable, both from the environmental perspective and from the ethical sourcing perspective with relation to human rights. I also want to talk about retailers and we don't hear from them in the process, but typically they're looking 12 to 18 months down the road and with the amount of fish that we're currently bringing in, we don't have the ability to support markets like Walmart or Costco, and you might think well those are so big we could never do that. They buy in regions. They might say, 'Hey, you know what? Let's just put it into the State of Washington or Southern California'. But we don't currently have the ability because we're not willing to sit down and think about a strategy and support our commercial fleet and in some cases our recreational fleet, particularly with the adoption of buoy gear. We've, we've seen adaptation to that commercial, or excuse me, that recreational fleet, and I think we need to be cognizant of that and fold that into this plan. How are we going to help bring value to our communities and to our small buyers, our large buyers and to our fishermen? So, as it stands right now we're really stuck with a very hyper-local market. You know these are the guys that buy across the dock and they might go into one or two restaurants, but we're not close to reaching.....I'd be happy with 35 million. I can only imagine 70 million dollars. That would be huge for the West Coast. Now the second point I want to talk about, and Pete you asked the question about marine mammals or other importation. We have something coming in January 1st. So, I see again another window, which is the list of foreign fisheries for the Marine Mammal Protection Act. This requires all fisheries imports to have a comparability finding with U.S. fisheries. This has the potential to impact all imports for items like swordfish if they don't meet marine mammal standards and it won't do anything for turtles, it won't do anything for human rights, but it does mean that we may have far fewer imports. And once things come off the shelf or they come off the menu, they will be filled-in with other species and we will lose that opportunity if we don't act sooner rather than later. So, it's just kind of another item to be aware of in terms of opportunity and it's coming hard and it's coming fast, excuse me. So, in conclusion, just for at least this portion, looking for a path forward I think we need to do everything we possibly can to support our fishermen. You know we.....and I commend you Gary, but I'm also going to commend Austin Brown. I mean here's a guy, he came in after the 2015 date. He's got a hundred percent observer coverage. He's out there trying to figure out an EFP to do something different. He's looking at electronic monitoring. He's been open to change. How do we find a future for a guy like that? How do we find a future for other guys like that? I think it's important to recognize these guys that keep showing up saying we need to find a solution and we see it in our fisheries and particularly with HMS fisheries. I mean we

have a history of open access. We have a history of permitting to try and get new entrants in. And I see an opportunity for an awful lot of fishermen up and down the coast if we're willing to spend the time on it. So, thank you again, John, for setting forth an idea on some of the short term things we can do because I agree, I think the swordfish plan may take a bit more time but if we can have some type of workshop to lay out what that EFP process looks like, that would be beneficial because we need it.

**Brad Pettinger** [00:17:49] Thank you Christa. Further discussion? Caren Braby.

**Caren Braby** [00:18:02] Thank you Mr. Vice Chair, and thanks for the discussion. I feel like I should say something, but I mostly have a question for Christa, which is the same question I had for Lyle if I can do that Mr. Vice Chair?

**Brad Pettinger** [00:18:17] Please.

**Caren Braby** [00:18:18] Which is, you know, what is it about the Swordfish Management and Monitoring Plan as a document that gives us the ability to access the millions of dollars of swordfish versus us making decisions about initiatives? And is it the workshop concept? Is there....I'm looking for the next step and I don't think it's the pages of the plan.

**Christa Svensson** [00:18:46] No, and I....thank you, through the Vice Chair. I agree with you and that's why you don't hear me saying it must be this plan. I'm saying the urgency is there. We need to come up with something. And if the first step is let's get a workshop together so that in March or whenever we can get the next step on the calendar, I'm open to anything and everything. But I do think that we need to find a clear path forward so if it is FMP, if it's hey, that's really, really static and we need to have some other document or some other forms of documents that are less static that we can adjust as needed in terms of planning, I'm open to it. I just think we need to get to where we can get some guys on the water and have a clear path forward.

**Brad Pettinger** [00:19:44] Caren. Okay. Lyle.

**Lyle Enriquez** [00:19:51] Thank you Mr. Vice Chair. Caren, maybe I can expand on some of that in NMFS view. You're wondering, you know, what specifically is it in this draft plan that, you know, NMFS finds valuable and is really supporting some of the actions we're taking? You know the plan has these goals and objectives. They're in this draft plan right now. And we have this list of actions and measures. I mean some of these measures have been authorizing deep-set buoy gear, testing with EFPs, drift gillnet hard caps, and, you know, those could be supported by the goals of the FMP, but I think the draft SMMP has some very more specific goals that, you know, we can rely on for those, you know, in decreasing reliance on imports, managing bycatch through innovation and gear changes. And so, you know, for some of these actions that the Council's recommended to us, we've kind of pointed to the draft SMMP as, you know, a reason for taking these actions and also the FMP itself. But, you know, I don't feel these need to be in a draft swordfish management and monitoring plan in order for us to rely on them, but it's just the question is are these goals still valid and where would the Council want them to be in the future? So, if they're still valid where should they be? Should they be incorporated into the plan? And then we rely on them in the plan? Of course, that requires plan amendments. You don't....it's a little bit more of a process to maybe change the goals of the plan rather than to revise a draft SMMP. But, you know, this is a draft plan. It's a living document. I'm not sure how it could ever be finalized in its current format because it, you know, things change, things get completed. The Council has other...adds priorities. So, I think the, you know, the important part is those goals that we've been relying on and wherever the Council goes with this in the future whether to, you know, move the goals and objectives somewhere else, either the same ones or revised ones and then maybe use the actions and activities as some sort of separate workload planning process. I think I did mention earlier we'd like

some continuity in the process and rather than just throw the whole thing out right now and just drop it, we would like some continuity. So, I think, you know, this has been a good agenda item for us to check-in on lots of actions and items that the Council has identified they may take and some recommendations that they made. So, this agenda item has been very helpful for us to provide reports and just let the Council know where things are. So, and like John said, you know, after two more years we may have a lot more information on actions that are currently ongoing and we may have a chance to see, you know, where we want to go with the fishery in the future. So, it is a good agenda item, but we're not tied to the plan, but the goals are important to us.

**Brad Pettinger** [00:22:40] Okay. Caren.

**Caren Braby** [00:22:44] Yeah, thank you. So, as you were talking it occurs to me, you know, we've been doing tactical management and the goals and framing of that have been in question. I mean we have them, the SMMP, the FMP are consistent, we just don't have a lot of clarity and direction. I think that's what we're struggling with. But I don't see.....so I think that one of the things I would like to see in terms of scope changes ultimately is really to kind of rectify that difference. I think the goals and objectives should be an FMP and they shouldn't be easy to change. We should feel confident enough with those goals and objectives that they're there. They're our shining star. They're our north star in our tactics or somewhere else and those tactics can change. That takes a lot of time to get there and so, you know, I'm comfortable with the direction that I feel like maybe we're going, which is we don't have to fix the goals and objectives today. We are recognizing some needs that we've been expressing for many Council meetings at this point in terms of trying to achieve economic benefits and access more swordfish as one. And workshops don't solve all problems, but I think we need some discussion off the Council floor to really, you know, workshop this kind of framing and goals and objectives and bring some of this material that's been parked in the SMMP into the FMP more centrally and have a tactical document that's separate. That's our work plan. So that's what's occurring to me right now and I don't feel like we have urgency except on some of the tactical stuff that we already have going and that should continue. But we need to start thinking about how we tee this up for that more strategic framing and planning. That's my thoughts.

**Brad Pettinger** [00:24:57] Thanks Christa.....uh Caren. Christa next and then John. So... Christa.

**Christa Svensson** [00:25:02] Yeah, no thank you. I agree with Dr. Braby. I think goals and objectives probably should be in the FMP and less movable than something like a work plan. My original question was going to be the ask since California put out the idea of a work plan, excuse me a workshop, if they were also thinking about hosting or how that would happen or if they had thoughts on that? How that would happen if we were to do that outside of the Council process just so that we get some discussion around really what that looks like if we're going to have a movement on shorter term items.

**Brad Pettinger** [00:25:51] Thanks Christa. John.

**John Ugoretz** [00:25:56] Thanks Mr. Vice Chair. No, I don't think we have a specific plan about how a workshop would occur. Possibly something that we could discuss under workload given the interest at least from three of us around the table to do something on that. More broadly, I don't know if I agree with, with Dr. Braby that the goals and objectives of the SMMP belong in the FMP. I think there's possibly some separate goals and objectives. However, I do think that the current goals and objectives are pretty consistent with the FMP. So, I think there's again discussion around that. Decisions on what goes where and what is said in what document is worthwhile. Two other points though in regards to the issue of how we are accessing that resource and what the Council has done to date, because I don't want the Council or the public to forget that we've also taken action on some other EFPs. In particular, we had a short line EFP that was approved by the Council, issued by NMFS, unfortunately the fishermen

involved lost access to the vessel he was planning to use. I still think there's extreme value in that EFP. I would love to see it fished. I'd love to see someone come back and ask for the same thing and maybe be able to access that EFP through the existing consultations on it. So that's one. The other one is the snap gear EFP Council has approved. NMFS is nearing the point of issuance of that. I don't know how close near is, but they're moving on it. I would love to see that EFP fished. I'd love to see what sort of volume of target catch it can get and whether or not there are bycatch issues. So, I think we are working on that, and I think we continue to and I do think these discussions will help us continue to do more on that.

**Brad Pettinger** [00:28:10] Thank you John. Further discussion? Okay. Brett how are we doing here?

**Brett Wiedoff** [00:28:24] I've been waiting for that question.....(laughter).....it seems we're not going to make any changes to this plan today, but there is a lot of talk about some more discussion is needed obviously so on this plan. How that happens is a little bit of a mystery, but a workshop sounds like that might be a best avenue, something outside the Council process. Who that would entail is something that we need to think about. Who would be invited to that? How would that work out? And so that's something I have a question in my mind about. Maybe there could be some help and guidance on that end to conduct that workshop. Of course, timing of all these things too is, would you like to look at the Year-at-a-Glance and maybe schedule something at some point to come back to this discussion after a workshop? Something to that effect. It'd be nice to hear something along those lines either today or tomorrow during workload planning.

**Brad Pettinger** [00:29:29] Okay. I guess does anybody disagree with that summation? Oh, Corey.

**Corey Ridings** [00:29:39] Thank you Mr. Vice Chair. I don't necessarily disagree with that summation, but I did have a question for Brett if that's okay. Yeah. Brett, thanks for that and this might be even a larger question for others at the table, but I heard you sum up that a workshop may be a tool that we're interested in using, but I remain a little bit confused on the what that workshop would be, what the topic would be, and what we'd be trying to accomplish with that? Do you mind sharing your thoughts or maybe other members could share their thoughts on that too? Thank you.

**Brett Wiedoff** [00:30:15] Through the Vice Chair, thank you Corey. What I've heard today was sort of some discussion on EFPs and trying to establish some criteria on EFPs. I think that was one of the ideas that was floating around. I think also maybe just talking a little bit about the goals of the SMMP and taking a hard look at that. Taking a look at maybe the actions that are listed there, what might be still outstanding that the National Marine Fisheries Service has identified some things that are still in there but haven't been worked on. Do we need to continue with those? I'm trying to summarize some of the things I've heard, but those things stand out in my mind. But I'd be very interested in hearing what other Council members would like to hear or what we'd like the workshop to accomplish, right? And get back to the Council then with some report on that and how to proceed.

**Brad Pettinger** [00:31:20] John.

**John Ugoretz** [00:31:21] Well, just maybe to make staff feel good, that's sort of what I thought the workshop would entail. So great.

**Brad Pettinger** [00:31:37] Caren.

**Caren Braby** [00:31:40] Thank you Mr. Vice Chair. And I would agree. I mean I think I haven't heard anybody say that the goals of the SMMP or the goals of the FMP are trash and should be recycled and we should start over again. So, I think that there's improvement, there's reshaping that needs to happen,

but I think they're a good foundation for having a workshop about how the species in this FMP, how swordfish in particular could be accessed and could be developed further from where it is today and that would allow enough direction to have a really good conversation. But allow the space for creative thinking on how to improve the goals, how to, you know, think a little bit outside the box, which I think is what we need. That's my thoughts.

**Brad Pettinger** [00:32:43] Okay. Thank you Caren. Corey Niles.

**Corey Niles** [00:32:50] Yeah, thanks Mr. Vice Chair. And, yeah, very much in line with the thoughts so far and just it's implied at least in some what's been said. But... and I think we've heard from the team in the past about analyses that are part of this but the local swordfish issue is existing in the greater conservation picture of the North Pacific or Pacific wide and especially with leatherback turtles who, you know, is probably the most endangered animal we have. It interacts with our fisheries and then how you produce swordfish, you know, while not preventing recovery of the leatherback turtles, which is I think how the recommendation of NMFS's recovery plan and species in the spotlight type work that we've seen in recent years. So, I hope those....and maybe not right off the bat, but we have to have these discussions in that greater conservation context. And I know Pete mentioned the imports and bycatch of other species too but. Yeah, the bigger conservation picture and what's acceptable levels of bycatch, not just of leatherbacks, but of everything I haven't heard anyone say that directly. We're talking goals and objectives and I would really like to one day get into the difference between FMP goals and objectives and purpose and need statements and, you know, all that. But these are just all labels but and it is these discussions that are worthwhile and needing to happen. So, I will reserve those thoughts and stop there.

**Brad Pettinger** [00:34:29] Okay. Thank you Corey. Anyone else? Executive Director Merrick Burton.

**Merrick Burden** [00:34:39] Thank you Mr. Vice Chairman. I'm not sure who to direct the question to, maybe it's to Brett, maybe it's to those of you who are discussing this idea of a workshop. Just to be clear so we can be prepared, is there desire to bring this concept back on a future meeting so we should be prepared to start thinking about when we would do that, when we would place it on our Year-at-a-Glance? Is that where this group wants to head?

**Brad Pettinger** [00:35:11] Christa.

**Christa Svensson** [00:35:12] I'm going to take a swing and we'll see... I may strike out. But just kind of reading the room, I think we're not ready for Year-at-a-Glance. I think we may need to have the workshop to kind of figure out what it is that we're going to be asking to put on the Year-at-a-Glance. So, is that the EFP conversation? Is it where we're going to put goals and objectives and any other items within? I think all of that kind of needs to be determined within that workshop and at that point we will probably come in and say, 'hey, we need to add this, that and the other thing to the F, or excuse me, Year-at-a-Glance'.

**Merrick Burden** [00:35:52] Yes. Thank you Miss Svensson. So maybe that a more direct question would be when would we decide the scope of the workshop?

**Christa Svensson** [00:36:07] I suspect that there will be some conversation between now and tomorrow and I will volunteer, I guess, to give an update in future workload planning, kind of at what may possibly be and at least start that discussion. But I don't think we're going to know in the next 5 minutes. So, if we can have at least until tomorrow to come up with where what the structure is that would be beneficial.

**Merrick Burden** [00:36:36] Okay. Thank you. I'll look to Brett to see if that satisfies what I think both he and I are looking for, which is there's a step in here somewhere where we would have this conversation again if we need more clarity.

**Brad Pettinger** [00:36:47] Caren.

**Caren Braby** [00:36:52] Thanks. I assume that it would include advice from the MT and the AS on scope, who should be at the table? And I don't think that's going to happen by tomorrow either. So, it seems like we need feedback from them.

**Brad Pettinger** [00:37:13] John.

**John Ugoretz** [00:37:15] Thanks. I think I agree. More input's needed. There's no rush. We are actively moving forward on a number of items that we've talked about just now. Those items are the most important. So, if we do nothing on this and we discuss it in workload planning again in November to see if a workshop has come to more of a congealed state at that point, that's fine. And if it waits until March, then it waits until March. If we were to put anything on the Year-at-a-Glance for swordfish monitoring and management plan at this point I would say shaded and somewhere in the distant future.

**Brad Pettinger** [00:38:02] Okay. Okay. I'm not seeing anybody. Okay. I think we're good. Brett.

**Brett Wiedoff** [00:38:12] Yeah, I think.....thank you Vice Chair. I think Mr. Ugoretz final statement there did help put context to how quickly to move on this, what to sort of expect and think about so that's appreciated. If there are statements made tomorrow at least in workload planning that you come up with something that's a little more that's fine too. So, I think we've scoped some changes. Lots of good thoughts around the table so let's shelf this for now as we have in the past, but look forward to trying to have some more discussion with National Marine Fisheries Service as well and sort of their thoughts on the side. But all in all, trying to get some time with the MTs and the ABs that, you know, scope that out too and those ideas about the workshop, I think, would be useful. So, we're going to have to have some pointed discussions on what that workshop would look like I think so at some point.

**Brett Wiedoff** [00:39:06] Okay. Thank you Brett. And before we leave HMS, Lyle, has something to do....uh... speak to. Lyle.

**Lyle Enriquez** [00:39:13] Yes. I'd just like to make the Council aware of a revised NMFS report under H.1 that does not include the Mako shark information. That was in error. I apologize.

**Brad Pettinger** [00:39:23] And that has been reposted and we're good to go right? Yep.... okay. Okay. Well, thanks everyone on a very interesting subject. And with that I'm going to pass the baton back to our Chairman.