

COUNCIL MEETING TRANSCRIPTS
271st Session of the
Pacific Fishery Management Council
April 1-7, 2023
 Crowne Plaza Foster City – San Mateo
 1221 Chess Drive, Foster City, CA 94404
 In-Person Meeting

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
3. Agenda	4
B. Open Comment Period.....	5
1. Comments on Non-Agenda Items	5
C. Habitat Issues	6
1. Current Habitat Issues	6
D. Pacific Halibut Management	7
1. Incidental Catch Limits for Salmon Troll Fishery – Final Action.....	7
E. Salmon Management	9
1. National Marine Fisheries Service Report.....	9
2. Tentative Adoption of 2023 Management Measures for Analysis.....	10
3. Clarify Council Direction on 2023 Management Measures	13
4. Methodology Review Preliminary Topic Selection	15
5. Sacramento and Klamath River Fall Chinook Conservation Objectives Scoping.....	18
6. Improvements to Southern Oregon/Northern California Coho Ocean Fishery Exploitation Rate Forecasts.....	24
7. Southern Resident Killer Whale Chinook Threshold and Other Fishery Management Plan Clarifications – Scoping CANCELLED	27
8. Further Direction on 2023 Management Measures	28
9. Klamath Dam Removal Update.....	29
10. 2023 Management Measures - Final Action.....	32
F. Administrative Matters.....	37
1. Regional Implementation of the National Equity and Environmental Justice Strategy	37
2. Council and Process Efficiencies.....	44
3. North Pacific Fisheries Commission (NPFC) Update	52
4. Marine Planning	54
5. Legislative Matters	61

6.	Membership Appointments and Council Operating Procedures	64
7.	Future Council Meeting Agenda and Workload Planning.....	71
G.	Groundfish Management.....	82
1.	National Marine Fisheries Service Report.....	82
2.	Trawl Cost Recovery Annual Report	84
3.	Trawl Catch Share Cost Project – Update	86
4.	Inseason Adjustments – Final Action	89
5.	Sablefish Gear Switching – Check-in and Refine the Range of Alternatives.....	90
6.	Considerations for a Sablefish Assessment Update.....	117
H.	Coastal Pelagic Species Management	121
1.	National Marine Fisheries Service Report.....	121
2.	Exempted Fishing Permit for 2023-2024 – Final Action	124
3.	Fishery Management Plan (FMP) Housekeeping – Final Action.....	126
4.	Sardine Specifications and Management Measures for 2023-2024 – Final Action.....	128
5.	Coastal Pelagic Species Essential Fish Habitat Amendment.....	134

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

3. Agenda

Marc Gorelnik [00:00:00] So before we get started, we have to have an agenda. There is an agenda in the briefing book, and I'll look for a motion. Phil Anderson.

Phil Anderson [00:00:16] Thanks Mr. Chairman. Waiting for my motion to come up on the screen here so everyone can see it. Thank you Sandra. I move that the Council approve the Council Meeting Agenda as printed in Agenda Item A.3, April 2023, which includes the strike out of Agenda Item E.7 Southern Resident Killer Whale Chinook Threshold and other Fishery Management Plan Clarifications Scoping.

Marc Gorelnik [00:00:45] All right. Thank you. The agenda, the language on the screen appears accurate and complete. I'll look for a second. Seconded by Bob Dooley. Please speak your motion as you feel necessary.

Phil Anderson [00:00:58] I think it's clear.

Marc Gorelnik [00:00:59] All right.

Phil Anderson [00:01:00] It's a great agenda. We're going to have a great week.

Marc Gorelnik [00:01:02] All right. I'm not seeing any hands for discussion, so I'll call the question. All those in favor say 'aye'.

Council [00:01:07] Aye.

Marc Gorelnik [00:01:07] Opposed, no? Abstentions? The motion passes unanimously. We have an agenda, so we have something to do this week.

B. Open Comment Period

1. Comments on Non-Agenda Items

No transcription for this agenda item.

C. Habitat Issues

1. Current Habitat Issues

Brad Pettinger [00:00:00] I believe there's no public comment which takes us to Council action, which is to consider comments and recommendations developed by the Habitat Committee. So, with that I'll open floor for discussion. Corey Ridings.

Corey Ridings [00:00:16] Thank you Mr. Vice-Chair. I just wanted to, this is actually more of a comment, just thank the Habitat Committee for looking into this biological opinion, just bringing that to the Council and the Council family. I don't think this is necessarily a new issue for folks here, but I think it's important that we are continuing to think and discuss and hear about that from the Habitat Committee so just wanted to voice that appreciation.

Brad Pettinger [00:00:43] Thank you Corey. Anyone else? Okay. All right. Well, with that I'll turn to Kerry. Kerry, how are we doing on this?

Kerry Griffin [00:01:00] Yeah, thank you Mr. Vice-Chair. I think you're doing fine. There were no specific requests or recommendations and so this was more of a discussion and an informational item, so if there's no further direction then that concludes your business on this agenda item.

Brad Pettinger [00:01:17] Okay. Thank you Kerry.

D. Pacific Halibut Management

1. Incidental Catch Limits for Salmon Troll Fishery – Final Action

Brad Pettinger [00:00:00] Okay, that concludes public comment, which takes us to Council action. And so, we do have to have some action, so with that I'll open the floor for discussion or a motion. Heather Hall.

Heather Hall [00:00:17] Thank you Vice-Chair. I do have a motion for this agenda item.

Brad Pettinger [00:00:24] Okay.

Heather Hall [00:00:28] I move the Council adopt the Option 1 Catch Limit for the 2023 salmon fishery as described in the Supplemental Salmon Advisory Subpanel Report under Agenda Item D.1.a, April 2023. That is Option 1: Open May 16th, 2023 through the end of the 2023 salmon troll fishery and beginning April 1, 2024 until modified through inseason action or superseded by the 2024 management measures. License holders may land no more than one Pacific halibut per 2 Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

Brad Pettinger [00:01:22] Okay. Thank you Heather. Is the language on the screen accurate?

Heather Hall [00:01:25] Yes, it is.

Brad Pettinger [00:01:25] Okay. Looking for a second? Seconded by Butch Smith. Thank you Butch. Okay, Heather, please speak to your motion as needed.

Heather Hall [00:01:33] Yes, thank you. I think the SAS has discussed this and reviewed the allocation this year, which is very similar to last year. This option reflects status quo from the landing ratio that was adopted for the 2022 season. This can be amended through inseason action if the allocation is projected to be reached before the end of the salmon season. And so, I think that's it. Thank you.

Brad Pettinger [00:02:08] Thank you Heather. Anyone else? Discussion, questions for the motion maker? Marci Yaremko. Marci.

Marci Yaremko [00:02:16] Thank you Mr. Vice-Chair. I believe you said we're in discussion? Thank you. I'll be supporting the motion. Thank you Heather. Just wanting to flag that I'm looking forward to additional discussions about the Catch Sharing Plan that will be occurring in our advisory body arenas here already is underway, started back in March. I'm noting that Attachment 1 of our materials as shown since 2020, the incidental catch of salmon, or halibut in the salmon fishery has not attained its allocation under the Catch Sharing Plan. And I'd also note that the rollover provisions that exist from the directed commercial fishery can roll into the salmon troll fishery as well, so I don't think that's happened in a while but just things to think about as we're looking forward and thinking about longer term changes that might be in order for our Catch Sharing Plan so that we can work collectively to ensure that we attain our Area 2a TAC. Thank you.

Brad Pettinger [00:03:39] Thank you Marci. Anyone else? All right, well, seeing no hands I'll call for the question. So, all those in favor signify by saying 'aye'.

Council [00:03:54] Aye.

Brad Pettinger [00:03:55] Opposed, no? Abstentions? Okay, the motion passes unanimously. Okay, thank you Heather. Robin.

Robin Ehlke [00:04:07] Thank you Mr. Vice-Chair. You made quick work of this halibut topic and I believe you've finished everything you needed to do. Thank you.

Brad Pettinger [00:04:15] Okay, very good.

E. Salmon Management

1. National Marine Fisheries Service Report

No transcription for this agenda item.

2. Tentative Adoption of 2023 Management Measures for Analysis

Pete Hassemer [00:00:00] That completes our public comment and takes us to Council discussion on action on this one. Before we get to that, we've been at it for an hour and 20 minutes. I just want to ask the desire of the Council. Do you want a short ten-minute break as opposed to a long ten minute break to get ready to come back or keep going forward? I'm seeing some indications to keep moving forward. Is that correct? All right, then we'll, I will open up the floor for any discussion on this item. Look for any hands to start that discussion. Susan Bishop.

Susan Bishop [00:00:46] Thank you Mr. Vice-Chair. I was just going to ask if Miss Yaremko might give a little bit more context to the document that, or to the report that Miss Easterbrook gave a little bit earlier in terms of kind of the intent of that and how that might fit into some of the discussions that we've been having over the last several months?

Pete Hassemer [00:01:06] Thank you. Marci, would you like to speak to that?

Marci Yaremko [00:01:10] Sure. Thank you Mr. Vice-Chair. Thank you, Susan, for the question. Didn't have an opportunity to give some kind of context remarks in advance of Grace presenting the report, but as she highlighted in the opening sections, CDFW has brought forward to the Council recommendations in past reports back in November of 2022 and then also orally during our March discussions as we began developing our alternatives, recommending that we incorporate the use of inseason management measures into the alternatives that we began developing back in March. I note that the refinements in the alternatives, the SAS package that we have in front of us, clearly outlines on page 6 for commercial the proposed use of inseason management measures for California C.8.g that references landing limits in California may be implemented or modified to sustain season length and keep within preseason expectations. So, the language in the package definitely reflects our intention and our request that we brought forward during the discussions in March. Similarly, page 11 of the package speaks to recreational measures and that modifications may become necessary to bag limits to sustain season length or achieve preseason expectations. So, we appreciate the addition of the language in the SAS package and we look forward to it in the upcoming Federal regulations once NMFS has completed their development for this upcoming management year. As we also note in the CDFW report, looking back to the NMFS guidance letter from March, NMFS indicated to the Council that you'll be including the use of inseason management measures as part of the proposed action in the reinitiation on California Coastal Chinook. So, you referenced that in your guidance letter. We agree that'll be a useful tool. So, with all that, we just wanted to make sure that we put some flesh on the bones in a written report that was submitted to the Council. Really there's not much new in terms of the concepts that were presented in the CDFW report here, but it does just add some additional flesh on the bones and put our previously made oral remarks into writing into the record. Thank you.

Pete Hassemer [00:04:12] Thank you Marci. Any follow-up Susan?

Susan Bishop [00:04:21] No, thank you Mr. Vice-Chair. That's very, very helpful. (off-mic).

Pete Hassemer [00:04:21] All right, thank you. Any further discussion on this topic? We've got lots of time so organize your thoughts or if anybody's ready for motion. We do need a motion to adopt the tentative salmon management measures for analysis. I'll also look for motions too if there's no further discussion. Kyle Adicks.

Kyle Adicks [00:04:53] Thank you Mr. Vice-Chair. I do have a motion for the Council. I move to tentatively adopt the ocean salmon fishery management measures for non-Indian fisheries as presented

in Agenda Item E.2.e, Supplemental SAS Report 1, dated April 1, 2023 for STT collation and analysis.

Pete Hassemer [00:05:19] Thank you. The language on the screen is accurate and as intended?

Kyle Adicks [00:05:23] Yes.

Pete Hassemer [00:05:24] I will look for a second. Seconded by Marci Yaremko. Please speak to your motion as needed.

Kyle Adicks [00:05:30] Thanks Mr. Vice-Chair. Maybe I'll just take a second to thank the SAS for bringing this forward and for bringing forward alternatives for the Council back in March. I know the issues and degree of difficulty vary between years and between states, but the SAS always does a great job of coming to us representing all the voices that they represent and putting things in front of the Council to help us get our job done, so as always thanks to that group for doing what they do. As I mentioned during my north of Falcon recommendations, I know we'll have north of Falcon work to do both with ocean fisheries and inside fisheries to come up with final packages that meet all our conservation objectives. Anticipate being back to the Council at least a couple of times this week with guidance to move us in that direction but think this is a good place to start and I'm sure that the Salmon Technical Team appreciates getting an assignment at this point of the day instead of into the afternoon, which was not how I expected it to work out today.

Pete Hassemer [00:06:29] All right, thank you Kyle. Questions for the maker of the motion? And I see no questions so I will go ahead and call for the question. All those in favor signify by saying 'aye'.

Council [00:06:42] Aye.

Pete Hassemer [00:06:43] Those opposed? Abstentions? The motion passes unanimously. We'll move forward and see if there's any other further motions? Mr. Joe Oatman.

Joe Oatman [00:07:02] Thank you Mr. Vice Chair. And I believe Sandra has the motion. I move the Council adopt for STT analysis the following treaty troll salmon management measure. That would be 50,000 Chinook and 60,000 coho. The Alternative consists of a May 1 to June 30 Chinook directed fishery and a July 1 to September 15 all species fishery. That Chinook quota should be evenly split between the two time periods.

Pete Hassemer [00:07:42] Thank you Joe. The language on the screen is accurate and as you intend?

Joe Oatman [00:07:48] It is Mr. Vice-Chair.

Pete Hassemer [00:07:49] Thank you. I will look for a second? Seconded by Kyle Adicks. Go ahead and speak to your motion.

Joe Oatman [00:07:56] Yeah, thank you Mr. Vice-Chair. So, for this particular motion the Coastal Tribes have been meeting and have come to agreement on what's reflected here on the screen before us. I wanted to point out that the Chinook option is the same as Alternative 1 from the March meeting, while the coho option is between Alternative 1 and Alternative 2 from what we did back in March. This option for the treaty Indian troll fishery management measures is also based on the recognition of a slightly better outlook for the harvest opportunities as well as the conservation concerns. I do expect that throughout this week the Coastal Tribes will continue to meet and discuss this matter as well as continue their co-management discussions with the State of Washington. Thank you.

Pete Hassemer [00:09:02] Thank you Joe. Are there questions for the maker of the motion? And I don't see any questions. Any discussion on the motion? I see no hands for discussion, so I'll go ahead and call the question on that one. All in favor signify by saying 'aye'.

Council [00:09:22] Aye.

Pete Hassemer [00:09:22] Opposed? Abstentions? The motion passes unanimously. Thank you Joe. Is there further discussion or while you think about that, I'll turn to Robin. Are there other things we need to do here?

Robin Ehlke [00:09:45] Thank you Mr. Vice-Chair. I think you have done your work under this agenda item. We've covered a lot of topics through it all, but in the end, we have ended up with some tentative measures for both tribal and non-tribal ocean fisheries and the STT will run those analysis and come back tomorrow with that. But under E.2 your work here is done.

Pete Hassemer [00:10:08] All right, thank you Robin. So, before I pass the gavel back to our Chair, I just want to note I did hear some auditory disturbance from an electronic device to my left during the course of this.

Bob Dooley [00:10:23] There will be donuts. (off mic).

Pete Hassemer [00:10:23] Thank you very much. So, I will pass the gavel back to the Chair.

Marc Gorelnik [00:10:29] All right, thank you very much Vice-Chair Hassemer for enforcing the Anderson rule.

3. Clarify Council Direction on 2023 Management Measures

Pete Hassemer [00:00:00] So that just takes us to provide any needed further guidance to assist the STT and analysis and I am going to look so I make sure I cover everything from my left to right. I will first look to California. Marci, if there's any further guidance?

Marci Yaremko [00:00:21] Not at this time. Thank you.

Pete Hassemer [00:00:23] Thank you. We'll then look to John North. Oregon, any further guidance?

John North [00:00:28] Thank you Vice-Chair. None today. Thanks.

Pete Hassemer [00:00:32] Thank you. Kyle Adicks. Washington.

Kyle Adicks [00:00:36] Thank you Mr. Vice-Chair. I do have some guidance for the STT, and this is speaking relative to Agenda Item E.3.a, Supplemental STT Report 1, dated April 3rd, 2023. Implement the following changes at the top of table one, adjust the overall non-Indian Chinook TAC to 80,000 and adjust all corresponding allocations, guidelines, and caps accordingly. Also, if I could, I'd like to make a request of the Council if we could keep this agenda item open and potentially revisit it tomorrow, we may have additional ocean guidance, may have additional inside fisheries that need to be matched up and modeled as the STT does their work and we move towards the end of the week.

Pete Hassemer [00:01:21] All right, Thank you. I'm just going to look towards to Dr. O'Farrell and make sure that guidance is clear and understood. Getting a head nod that we're good to go with that. And then I'll turn to Joe Oatman. Any tribal guidance?

Joe Oatman [00:01:38] Thank you Mr. Vice-Chair. No further guidance for the treaty troll option.

Pete Hassemer [00:01:43] All right, thank you. So, with that, let me check with Robin first and make sure that we've done everything we need.

Robin Ehlke [00:01:53] Thank you Mr. Vice-Chair. Yes. Under this agenda item we have further guidance for the STT and it's my understanding we'll leave the agenda item open in case we need to come back tomorrow with any additional adjustments.

Pete Hassemer [00:02:07] Yes, thank you. So, I think that concludes everything we need to do then. We will not close this agenda item. It will remain open tomorrow for one last possible check-in so thank you. And with that I will pass the gavel back to our Chair.....(AGENDA ITEM SUSPENDED).....And that completes our reports. I'm going to look. I don't see any sign-ups but just to make sure there are no public comment sign-ups. That will take us into our Council discussion, guidance, and direction. So, before I look for guidance, is there any further discussion on this item? I'm not seeing hands for discussion. Any further guidance to provide? Kyle Adicks.

Kyle Adicks [00:02:58] Thank you Vice-Chair Hassemer and thanks to the Council for leaving this item open yesterday and for your patience today. I thought it was a critical, critical step to bring some more north of Falcon guidance to position us to finish up our inside fishery planning over the next couple of days. I'm not seeing it on the screen. There we go. So, my guidance is in reference to Agenda Item E.3.a, Supplemental STT Report 2, dated April 4th, 2023. Implement the following changes for Table 1: Adjust the overall non-Indian TACs to 78,000 Chinook and adjust and 190,000 marked coho and adjust all corresponding allocations, guidelines, and caps accordingly.

Pete Hassemer [00:03:48] Thank you. And as usual I will just look to Dr. O'Farrell, the STT and make sure that's clear and there's no questions? We're good with that? Further guidance. Joe Oatman.

Joe Oatman [00:04:10] Yeah, thank you Mr. Vice Chair. So, if it's appropriate I'll go ahead and just read the guidance that I have. So, I do have guidance on the treaty troll salmon management measures for STT analysis. This would be for Table 3 of the Supplemental STT Report 2, dated April 4, 2023, and it would be as follows: 45,000 Chinook and 57,000 coho. The alternative consists of a May 1 to June 30 Chinook directed fishery and a July 1 to September 15 all species fishery. The Chinook quota should be evenly split between the two time periods.

Pete Hassemer [00:05:03] Okay, thank you Joe. And I'm going to again look to Dr. O'Farrell and we're good on that guidance? And anything else on this item beyond that guidance? I don't see any so Robin we'll turn to you. Does that complete our work on E.3?

Robin Ehlke [00:05:26] It does. Thank you Mr. Vice-Chair. The STT has guidance and they'll run a second round of analysis and they're scheduled to come back to the Council tomorrow morning. So, yes, that concludes your work.

Pete Hassemer [00:05:42] With that, I will close this agenda item and pass the gavel to our Chair for any closing comments or announcements.

4. Methodology Review Preliminary Topic Selection

Marc Gorelnik [00:00:00] Concludes reports. Last I looked we did not have any public comment so that will take us to our Council discussion and action. We do have action here. It's on the screen there so I will look to our Council members to get started with some discussion. There's already had some discussion sort of implicit in the questions, but let's get started. Kyle.

Kyle Adicks [00:00:34] Thank you Mr. Chair. I'll speak first to the MEW topics that Angelika brought to us. The FRAM documentations been an item that's been on the methodology review task list for a long time. We've debated in some years whether it's appropriate to have it there. I've supported having it there and getting that documentation moved along as much as we can every year so support the MEW doing that work over the spring and summer. Our modelers tend to over-promise their time but Miss Hagen-Breaux has assured me that that's going to be one of her focuses this spring and summer and she's going to get that as far along as she can come by September. Also support... it was on both the MEW and the STT list, the review and consider improvements to methods used to model south of Falcon fisheries in Chinook FRAM. There have been a few issues that have bubbled up since we did our FRAM period, FRAM-based period update a few years ago and continue to support making sure our models for FRAM fisheries and other fishery models that we use in our planning processes are talking the right way and giving us results that make sense. The other topic is that the OPI forecast more than ever view, try to find alternative methods. I'm not an expert on that forecast but I, and don't want to overcommit anyone's time but certainly support doing anything we can to improve that forecast method, whether it's within the framework of the existing model and figuring out how to improve it, or looking at other methods and seeing if there's something better out there. I'm not sure who all would be involved in that and how we make sure that task gets done but I support it.

Marc Gorelnik [00:02:26] Thank you Kyle. Marci Yaremko.

Marci Yaremko [00:02:31] Thank you Mr. Chair. You're right. There was some implicit recommendations kind of in some of the dialogue exchange we had earlier with the STT and SSC. I'm... I guess, you know, I have difficulty prioritizing the items that are brought to us under this agenda item in light of other methods reviews that we have scheduled in future agenda items this meeting. So, with that, I mean I support the fact that there are new items on this list. I think the reasoning for adding them to a methodology review list is appropriate. We have new information on winter run. New years of data that it would be good to incorporate and that was always the vision, I think, of the workgroup and the group developing that assessment that we would review it periodically, so I can't discount that. I think it's appropriate to be on the list. Where it fits on the matter of priorities, I'm unclear and how much additional work and effort this particular item on winter run will take relative to others still unclear. Looking to Item 4 and the Sac forecasting approach for abundance, I don't really have a good feel for how big an item this might be or the scope. The label is fairly generic, just review the abundance forecasting approach. Okay, well what is a review lead to and how, how big an item might this be? Again, it just plants a note of caution in my mind as we open up that topic in addition to others related to Sacramento Fall. So I guess I would say the other thing that came out in our delegation discussion about this preliminary list, there are other things that are not on this list that I know other people are interested in adding to the list, so I'm feeling like we have one snapshot here of current priorities that the SSC and the STT have identified, but it's not lost on me that there are other things that might equally be ripe for addition to the list, but, you know, our challenge is going to be prioritizing and making meaningful progress on the most important priorities in the near term. So, with that I'm, you know, I appreciate the reports and I appreciate the discussions that took place between the SSC and the STT. Thank you.

Marc Gorelnik [00:05:37] Thank you Marci. Susan Bishop.

Susan Bishop [00:05:42] Thank you Mr. Chair. I think this is just a point of clarification. I think there was reference to the fact that we have a couple of other agenda items that the STT will be involved in, potentially heavy lifts, those as well. There may be some tendrils connections between that work and some of the things on this list, at least with regard to the California tasks. So, my understanding is this is sort of a preliminary list of things that are identified and that the folks will come back to the Council in September to adopt that list. So, I'm curious what flexibility we have as we discuss the next two topics and as the teams do their work over the next several months and get a better sense of what the tasks might be and how they might be connected to come back in September and potentially revise the list as we know the information better?

Marc Gorelnik [00:06:37] So you're correct, this is a preliminary topic selection and I want to see if Robin has any, can illuminate.

Robin Ehlke [00:06:49] Thank you Mr. Chair. As far as the topics on the list, correct, preliminary candidate topics. Usually what happens is the STT and the SSC along with MEW will come back in September and just let the Council know what work has been done. The Council can certainly prioritize topics for the STT through workload planning or, you know, other avenues, but for the most part it catches catch can on, you know, where the time is allowed, what work has already been done. So, there is flexibility but typically when we come back, when your teams come back in September, they'll let you know what they think is going to be ready for that October review. And I think if the Council wanted to prioritize their work in light of what is already on the table, what may be added to the table, you know, what warrants prioritization in the Council's view is certainly their prerogative.

Marc Gorelnik [00:08:04] So we have a preliminary list and we'll return to this in September, but in the meantime some work is going to be going on.

Robin Ehlke [00:08:10] That's the intention, yes.

Marc Gorelnik [00:08:11] Right, so to the extent I guess the Council wants to prioritize the work between now and then it could because the plate is quite full with this and other agenda items so. Joe Oatman.

Joe Oatman [00:08:30] Thank you Mr. Chair. I did want to provide a comment on the Number 3 on the STT report the 'Explore Alternative Forecast Approaches for OPI'. As Kyle mentioned a moment ago, when this was considered in the April 2021 meeting, the Western Washington Treaty Tribes provided a supplemental Tribal report that laid out one their concerns with the forecast and the interest of trying to do some work on that, that some of those same concerns that they expressed then I think are still relevant today. I understand that some of the members from the Quinault Treaty Area had wanted to be here to provide comment on that, but they're tied up in meetings at the moment. And so, I just wanted to take this opportunity to reiterate some of the concerns that they expressed back in April of 2021. One of the concerns is that the over-forecast that was observed in those recent years prior to 2021 was concerning given that, you know, it does have a impact on, you know, ocean fishing opportunity, potential concerns on, you know, certain key stocks as well as kind of generally the preseason modeling process. So, I think those concerns are ones that they still hold and I think there's interest in doing, you know, what's being considered under the Item 3 here in the STT report. Thanks.

Marc Gorelnik [00:10:41] Thank you Joe. Well, we do need a motion here. I don't want to cut off discussion. Or do people want to break before a motion? Kyle Adicks.

Kyle Adicks [00:10:57] Thank you Mr. Chair. I don't believe we've done a motion on this in recent years. We certainly could put one together. I think we've just kind of given guidance from the Council

at this stage in the process, but others may recall it differently.

Marc Gorelnik [00:11:13] Okay, well then at least I'll look for a nod of heads. We have a report from the SSC with four topics and we've had some discussion so I... let's... I'd like a little more precise guidance because we've had some, there's been some consternation but I don't know that I've heard specific guidance. Marci Yaremko.

Marci Yaremko [00:11:37] Thank you Mr. Chair. I would support Kyle's recommendation that we don't need an explicit motion. While there is some consternation expressed largely by me on a number of these items, I'm comfortable with the approach that we heard based on Robin's recap of the process from here that there is expectation that work on these topics will go on in the summer and we'll hear back in the fall how ready these topics may be, and at that time we will finalize the list that will be conducted for review over the October series of meetings. So, I'm comfortable with the initial list. I would note that it's not exhaustive and I expect that there will be work on other topics that we'll be hearing about on other agenda items that also may progress over summer. So, I see this list as being fine but it's certainly not exhaustive and complete. So, I'm, I guess that's all I have to say about it. I think they're put on the methods review list kind of with this idea that they'd be ripe for review in October with what we know right now and, you know, I'm comfortable with that.

Marc Gorelnik [00:13:09] All right. And I'll look around the table to make sure others are comfortable and that there's no further direction to be provided at this time? Okay, Robin, how are we doing?

Robin Ehlke [00:13:26] Thank you Mr. Chair. I think you've done your work. I appreciate the conversation. It's my understanding that we'll take the four topics from the STT report, that's the one I have in front of me. They're the same, I believe, between STT and SSC reports. So, I'll take the four items listed there plus we'll add the MEW recommendation to do further documentation on the FRAM. And so, with that instruction I think you've done your work under this agenda item. Thank you.

Marc Gorelnik [00:13:56] All right, thank you. Well, we'll take our morning break here. We'll be back at 9:45 and we'll continue with another salmon agenda item.

5. Sacramento and Klamath River Fall Chinook Conservation Objectives Scoping

Pete Hassemer [00:00:00] We've completed all our reports. Had some good questions during those. I want to take the, give Robin Ehlke the opportunity to just review with us because there was a broad range of topics that came up, what our tasks are before us here to shape this discussion. So, Robin.

Robin Ehlke [00:00:25] Thank you Mr. Vice-Chair. Yeah, just recapping, we certainly have had a lot of conversation. We've heard from the California Commission, the SSC, the STT, the SAS, California Department of Fish and Wildlife and the Habitat Committee and there's a lot of different ideas out there. There's a lot of issues that are surrounded with that but the conversation here today from the Council perspective, the agenda item is a scoping exercise and so we want to, you know, have an understanding of certainly what the issues are, how we might go about addressing those, and then identify the process and timeline to do that. So, both of these items, both the Sacramento and Klamath Fall Chinook conservation objectives are certainly different with different issues surrounding them that are going to require some of the same but also different staffing and needs to achieve the goals of these topics. So, I think having the Council focus the discussion, you know, essentially remembering that it's a scoping exercise and learning what we can on how or what the best process would be and then what the timeframe to start and finish the process would be beneficial.

Pete Hassemer [00:01:59] All right. Thank you Robin. So, with that I will look for anyone's hand to start the discussion here. It's all very straight forward, I guess. Marci Yaremko.

Marci Yaremko [00:02:23] Thank you Mr. Vice-Chair. Looking at the Council action, I guess I would offer my thoughts in the order that they're shown on the screen. With regard to prioritization of the evaluation of Sac Fall and Klamath Fall, I think you've heard from the Department that our priority, if pressed, is Klamath Fall Chinook. However, they are both priorities and both important but they're important in different ways and potentially on different timelines. The situation with Klamath Fall Chinook and the need to address interim policy needs is clearly tied to dam removal, and as we've heard from Brett, that timeline's just not negotiable. I agree with Brett in his characterization that it would be irresponsible for the Council to not deliberately consider the dam removal process and how it affects our FMP, established Harvest Control Rules and other FMP criteria. So, I think the, the time is now. The urgency is clear. I just want to, I guess, make very clear that when we talk about the needs and what is in our immediate horizon, it's not so much about revising the conservation objective for Klamath Fall, it's about interim management in light of the fact that the situation in the upper reaches of the dam is unsettled and we're really unable to follow our FMP constraints without considering the current state of nature. So, as we've expressed, we feel very strongly that we need some advice to inform us during the interim period, whether that means developing an interim framework or providing interim annual guidance in advance of the preseason process, I think, is something that is worthy of additional consideration and it may be one or the other, we may wind up with annual recommendations or a framework but, I think, we need appropriate policy guidance from a workgroup that can help shape that. Thinking about Joel's comment on a Klamath Council. I think that's not what we're talking about within a workgroup that presumably would be an ad hoc Council appointed group that is for a particular task in a finite duration. The Klamath Council process, I was not involved then, but I understand that it was a much bigger scope, had a number of advisory committees created by Federal legislation. I don't think that's what we're envisioning with a workgroup just to make that clear. Turning to the Sacramento Conservation Objective, again this too is a priority and I think the Council has indicated such on an ongoing basis and most recently, as the SSC notes, we tasked them last year with the first step in the reevaluation of the conservation objective for SAC Fall. We asked them to undertake a comprehensive literature review and give us a starting point with which to continue on to the next step, which presumably will be sometime soon. But I think we had embarked when we did that last year under the

methods review item, we sort of had embarked on a series of stepwise progression activities that is intended to lead to a revision of the Sacramento Conservation Objective. I think with regard to the appropriate timeframe, we've discussed the Klamath Dam removal item and the time that being the driver on the timeline and the urgency. With regard to Sacramento, I am sensitive to James's comment that we can't keep kicking the can down the road, but when we took up our preliminary methods review topics we had some exchange about whether or not there might be appropriate additions that get added to the list in light of discussions and agenda items that were yet to come at this meeting. So I certainly, thinking back to the last methods review and the item that we tasked the SSC and STT with, with regard to the literature review, I think there's a very logical next step that can be added to the methods review list for this particular cycle and this leads into number three as well, but one thing that we had considered back in California that didn't make it into a report or any of the testimony from Brett, but the value that might be gained from a workshop that explores the latest developments and the science that has been in progress on the Sacramento Conservation Objective. We've heard about that in various circles and there's been references to work that's been done, whether it's independent work by university expertise and of course the Southwest Center has been engaged in a number of activities that we just haven't heard a whole lot about. Folks have been looking at things like basin-by-basin approaches to examining the conservation objective and what about the situation with flows and temperature? Can we possibly integrate those in the future into the conservation objective, recognizing how critical they are to actually determining the available habitat? So, I think there's a lot on the scientific front that we just haven't been hearing a whole lot about and I feel like our stakeholders would benefit from maybe a deeper dive look at some of the work that's in progress in a format that's like a workshop that might happen sometime this summer or fall in advance of the methods review activities in October. So that's just one idea that we've kind of considered back within our own agency that might help bring people to the table and at least update folks on the current state of the science and how far we might get with our next step on Sacramento Fall. That's it for now. Thank you.

Pete Hassemer [00:10:27] Thank you Marci. Further discussion? Chair Gorelnik.

Marc Gorelnik [00:10:36] Thank you Vice-Chair Hassemer. I agree with the need to prioritize the Klamath but mostly because we have finite resources otherwise it would be great to pursue them in parallel, but we have finite resources, and it's the Klamath that is undergoing, will be undergoing some rapid changes that we need to be nimble enough to address. On the Sacramento I would love to see a study done on to what extent our escapement goals match our objectives in producing abundant Chinook for the ocean and river fisheries. My sense is that that escapement target is relatively unimportant compared to matters that we have no control over, and I've beat that drum a number of times so I won't beat it here again. You all know where I'm coming from on that. But it would still be useful to have that study done and maybe one day inland policies will change. As far as a workgroup, I would support a workgroup. I do think it needs to be kept on the smaller side rather than the over-inclusive side, mostly because it's going to have to operate quickly and efficiently and as we learn new information, as we see how the river re-develops itself, but I would support a workgroup as well.

Pete Hassemer [00:12:35] Thank you. Corey Ridings.

Corey Ridings [00:12:40] Thank you Mr. Vice Chair. In terms of prioritization here I have to confess I'm not necessarily seeing the need at this moment to prioritize, and part of that I think is I'm a little bit confused about the resources we have available and what's actually needed. The SSC said that it would not require a lengthy process nor a long period of time to complete updating the conservation objective for the Sacramento. The STT noted a possible, I think, ad hoc working group and the SAS noted previous work that had already been done. So, I'm not sure if there's a point of clarification that someone can add here or just putting it out for discussion. I don't feel like I quite have a handle on what we have available to us at the moment that is in regards to updating the Sacramento Conservation Objective.

Pete Hassemer [00:13:46] Thank you. Phil Anderson followed by Joe Oatman. Phil.

Phil Anderson [00:13:53] Yeah thanks Mr. Vice-Chair. Just some, I guess, observations. The first is we ought to be really excited about this opportunity that's presented itself with the dam removal on the Klamath. It's... it represents a light at the end of the tunnel from my vantage point and we ought to be excited that we have this challenge in front of us and not be bemoaning trying to figure out how to deal with it. So, it's pretty cool and both these systems have been the pillars of the fishery and devoting resources to try to get them back where we want them to be is absolutely appropriate and should be a priority. So, I'm excited for California and Oregon and the interest, all the people that have an interest in these two systems. I find myself in agreement with both Marci and Marc. I think it's pretty clear why Klamath needs to be a priority. It is here and now, and it needs to be addressed and I share Marc's perspective that if we could, and I think Marci expressed some similar sentiments about trying to do these in parallel would be great but we're going to have to, obviously, we have to look at what our capacity is. But I wouldn't be advocating that we put one on the back burner to, you know, suggesting that we're not going to try to work on it. I like the idea of the workshop that, that idea and I think we, that should be further explored and I'm sure they will. Relative to the workgroup for the, on the Klamath side, yeah those, I think the Klamath Council is not, not the model that we need here. I'm not sure it's the model we need anywhere but it's not the model we need here, and I think ideally something that had a SRKW workgroup look to it in terms of the expertise that was assembled at that table is probably more in line with what I'm thinking would be the best kind of model. Obviously different seats and representatives there at that table but it is the kind of a model I'm thinking about and I agree with Marc that keeping it small, recognizing that it's not a decision making group that their recommendations are going to be fully vetted publicly and at the Council when the time comes, but at the same time they've got some work to do, a lot of work to do in a relatively short period of time and probably smaller is better within reason. So in terms of timing, I don't know if we're thinking about bringing this back in front of the Council in June in terms of after we've had some further, the appropriate folks have had some further time to evaluate the wishes of the Council in terms of priority, responding to the recommendations from the California Department of Fish and Wildlife, maybe bringing some more specifics to the table in terms of what this workgroup would look like, but time is of the essence I think so we need to, we will need to make some decisions here in the not too distant future. But again, just going back to the beginning, this is pretty exciting stuff and I'm very, very hopeful that the reopening of all those miles of spawning habitat and appropriate management by the co-managers is going to lead us to a better place. Thanks.

Pete Hassemer [00:19:29] Thank you Phil. Joe Oatman will be next. Before you go, Joe, I just want to mention I may ask Executive Director Burden to be prepared to talk about some of these timing issues and decisions and how that all might fit together since it keeps coming up and give his sense of when we might make some of those decisions and timing, but first I'll turn to Joe and let you go.

Joe Oatman [00:20:03] Thank you Mr. Vice Chair. And maybe before I go on to the comments that I'll be making here in a moment, I do want to acknowledge to the Council that I haven't had any direct conversations with either the Yurok or the Hoopa Valley Tribes. We didn't have a tribal report under this item so with that said, you know I'm sort of in the same place that Phil's at. You know this is a pretty exciting change that will be happening here soon so recognizing that timeline and understanding how critically important it will be for us to have a workgroup of this type help us go through this transition period, you know, if the dams start to come out, you know, we need to figure out what this interim management framework might look like. You know I think, you know, how, you know when you repopulate these areas and you revitalize, you know the tribal communities that have long depended upon these resources, you know, this is indeed, you know, pretty exciting times and I think the anticipation, you know, of seeing the changes that we think will happen, you know, to the fish and to the fisheries is something that, you know, probably's been a long time coming so I do think with this

timeline, you know, seems appropriate to prioritize Klamath River Fall Chinook, you know, create a workgroup. And thinking about, you know, there's going to be, you know, a couple of aspects that we talked about, you know, one is sort of the technical and the scientific type information that is available or will be developed that will help inform, you know, some of these, you know, co-manager and policy level type discussions, I think that will be a way to move forward from my prospective and having the tribes be part of that of course. I know the Council and the folks who's presented, you know, have acknowledged that, you know, they'll be indispensable I think, you know, to this process and having some, you know, communication with them I think will be pretty, pretty important so that they're aware of, you know, what could be created here with respect to that workgroup and what that might all encompass. And so, I think, again I think it's hopefully, you know, we're going to see some better days, you know, with these fish and look forward to seeing how this thing develops. Thanks.

Pete Hassemer [00:23:02] Thank you Joe. So Executive Director Burden sorry for putting you on the spot but there's timelines for getting work done and then there's timelines for the Council making decisions about that and I was hoping you could just provide some insights on the Council process and what we need to do related to that and when that might happen?

Merrick Burden [00:23:24] Sure. Thank you Mr. Vice-Chairman. I seem to recall that being put on the spot was part of the job posting so that's, you're forgiven. As this discussion has been unfolding, I have been sitting here wrestling with how we might pin down more specifically what it is a workshop or a workgroup might look like, what it might do, who might do it, and I don't think we would resolve that here. I think we need some more specifics and so as I look at our Year-at-a-Glance this is scheduled to come back up in June, and so as I was chatting with Robin during our break and I'm going to put Susan on the spot now and maybe Marci on the spot too. I think it would benefit from some discussion among all of us putting that into a paper for you all that would come back in June saying here are some possible ways forward. Here's what we think we're capable of doing. Here's what it might mean in terms of removing other things off the Council agenda, those sorts of things, so we can have a more clear-eyed discussion. And then from there I think you'd be in a better place to make a decision. So, as you ask about the process, Mr. Vice- Chairman, that's what's coming to my mind. Let me know if that did not answer your question.

Pete Hassemer [00:24:44] That answered my question, but I just want to make sure we keep that in mind as we go forward addressing these issues and figuring out how to address them. So, I'll still, you know, look for further hands, ideas on what some of the issues are that need to be addressed and how we would do that and the timelines. Any further thoughts? Virgil Moore.

Virgil Moore [00:25:17] Thank you Mr. Vice-Chair. I guess listening to the discussion, certainly what strikes me is what everybody knows, this is unprecedented relative to the Klamath and not only... to me we have an absolute obligation to move quickly and efficiently to get the work necessary done so that we can make the decisions in a science and social basis that we always have. And certainly, it takes time to do that stuff. I like what the Executive Director has outlined, a white paper, get it to June, make a decision, and let's get this started. Any further discussion on it puts us so far down the road that the useful tools that our fish managers and other people need are just not going to be there. We've got the skill, we've got the knowledge, we've got the ability, it's just a matter of us making the decision now to move that forward so we don't waste any more valuable time in getting the final product available or products. This is going to be adaptive management of the first order. It's the juice that keeps us going from a management standpoint, but it's different than the way we operate, and we've just got to accept that. It's been 20 years getting to this point taking these dams out. We should have probably anticipated this two years ago and been working on it, but we didn't. We're there, we're here and it's time for us to get on and move it forward. Thank you.

Pete Hassemer [00:26:50] All right. Thank you. Bob Dooley.

Bob Dooley [00:26:52] Yes, thank you Mr. Vice-Chair. In thinking about this, you know, I listened to Brett Kormos give us a prediction of how we may have downstream effects that might hamper the, our process and we have to deal with those in the short term, but I also listened very intently just to Phil Anderson speak about the fish are a little more adaptive when this happens and there has been past cases where they come back a lot faster, so we need to be pretty nimble to deal with this and I think it could happen a lot faster than we're prepared for it to happen, these changes either up or down. So I think we really need to expedite this the best we can and I don't want to beat a dead horse bare, but I think that we need to have a path to get us there as quickly as possible and make this work because the one thing I see in this is uncertainty and it could be very, very quick if when these dams are breached, we don't know. We don't know what's going to happen. We have past experience that says it could be pretty quick. We have positive but we also have Mr. Kormos showing us what his estimates are, and I don't doubt those. I know way, way more expertise than I have and so we need to be prepared to do both. So, thank you.

Pete Hassemer [00:28:15] Thank you Bob. I'll look for hands and while you're thinking about that I'm not seeing any fly up right now so I might ask Robin if she can summarize what you've heard. I've heard ideas about priorities and workshops and a paper and when it might come back before us so what have you heard, Robin?

Robin Ehlke [00:28:43] Thank you Mr. Vice-Chair. Yeah, definitely have heard the same types of things as well. It's, that it's difficult to prioritize but understanding and acknowledging the immediate need of the Klamath River Fall Chinook given the, the changes that are upon that basin and as early as this summer, but also understanding that the Sacramento Fall Chinook are also a very important and stock to the Central Valley and also contributes significantly to the ocean salmon fisheries as well. So really big rocks to lift, if you will, but it sounds like we're getting to the point where we can work, we, Council staff can work with NMFS and California Department of Fish and Wildlife staff and come up with some more succinct, detailed ideas on the best way to approach this in June in the form of a White Paper. It sounds like the Council is in agreeance that or like the idea of a workgroup for the Klamath River Fall Chinook so that we can adaptively respond to that stock as it goes into some areas of habitat that it hasn't seen before, or at least in many years. And... and for the Sac Fall consider a workshop a little bit, I don't want to say narrow in scope, but small enough to where it would be productive and start getting the information that we would need so we could also work on that conservation objective. Staffing and budgeting and workload is everyone's concern and probably constraint, but I do hear the Council saying that it's very important and a priority. So, all in all I think that you will hear from us again on this topic in June with the White Paper and hopefully have something a little bit more detailed for each one of these two stocks that the Council could then better formulate the path forward.

Pete Hassemer [00:30:58] Okay, thank you Robin. I'll look around and see if there's general agreement. We don't need a motion on this at this time. It'll come back to us. This is the scoping and is that, does everybody agree at this point that that's the direction we'll move forward? And seeing some general agreement there. Anything else anyone wants to say otherwise I'm going to ask Robin if we've completed everything.

Robin Ehlke [00:31:32] Thank you Mr. Vice-Chair. Yes, I think you've completed your work. The only thing that I would encourage the Council members to do knowing that this is coming in June is to help prepare and maybe blaze the trail. You know, if indeed, we are going to be setting a workgroup for Klamath Fall, internally start identifying who those members are. Think about, you know, the level of participation, just making sure that we have all the right people at the table once we get there. And same with Sac Fall, if there is a workshop, just you know keep that in your mind, you know, between

now and June so that we can get moving as quick as possible like everyone seems to think is the priority and agrees with that. So, with those final words, yes, you've completed your work under E.5 And thank you for the good, healthy conversation on that.

Pete Hassemer [00:32:29] All right, thank you. And I thank everyone for that conversation. We're going to take our lunch break.

6. Improvements to Southern Oregon/Northern California Coho Ocean Fishery Exploitation Rate Forecasts

Pete Hassemer [00:00:00] That I believe completes our reports and I will confirm that there is no public comment on this. There is no public comment so that will take us into our Council discussion and action then. And that's on the screen before us here. Thinking about further steps forward on that so I will, while you think about it, look for a hand to initiate discussion. Marci Yaremko.

Marci Yaremko [00:00:44] Thank you Mr. Vice-Chair. As I read Attachment 1 and the two-step process, it appears to me that the two items on the list that would be done first that could inform future work, both of those activities appear to involve WDFW, the Northwest Indian Fish Commission and NMFS and acknowledging that previously, you know, the Council had given this high priority. I guess I'm just again struggling with how we integrate this agenda item with the general methods review schedule of events because I feel like I really, you know, have no ability to weigh in on what other agencies are capable of doing here. I would note that, you know, I mean this topic is of interest to us. There are certainly, I think, from the State of California's perspective and our fisheries perspectives we're just starting to learn how the SONCC coho exploitation rates affect our fisheries shaping preseason so I would just acknowledge that, you know, the outcomes of this analysis are, I think, very much of interest to us, but I'm certainly not intending to weigh in on ability of the agencies that are listed here to complete those tasks. Thank you.

Pete Hassemer [00:02:33] Thank you Marci. Further discussion? Susan Bishop.

Susan Bishop [00:02:47] Thank you Mr. Vice-Chair. I think I may have a question for Mr. Oatman. A lot of this information was at the urging of the Hoopa Valley and Yurok Tribes during, came out of this workgroup discussions and in particular were requests from the tribes. I notice we don't have a tribal report on this issue and so I was just curious if Mr. Oatman may have had discussions with the tribes and might have anything to help the conversation.

Pete Hassemer [00:03:20] Thank you. Joe, would you like to respond to that?

Joe Oatman [00:03:40] Thank you Mr. Vice-Chair. I apologize for missing that question but I haven't received any input or feedback from the tribes on this so I wouldn't have anything to offer for Council consideration at this time.

Pete Hassemer [00:04:06] See if there's any further hands. If there's no discussion, I guess that could be a determination that we're not going to instruct the STT to move forward on it which is possible. Susan.

Susan Bishop [00:04:22] I could stand corrected from either Dr. O'Farrell or Mr. Kerry, but my understanding in talking with them is that this work would be somewhat long lasting and so the recommendations, the data that's available on which the recommendations were based, and the resiliency of the recommendations would stand. If this was something that we might want to take up in the next several years, for example, we would have more information for some of the recommended analyses that could better inform us at that point if it became an urgent issue or one that was emerging. It would also give us the opportunity should the tribes bring forward a stronger request for the information we would, the report would still and recommendations would still be relevant for the Council is how I understand it so, I guess, I would just introduce that into the conversation.

Pete Hassemer [00:05:19] Okay, thank you. Marci Yaremko.

Marci Yaremko [00:05:22] Yeah, thank you Mr. Vice-Chair. I'm not sure like if our experts are available to respond to a couple of questions maybe now that are teed up in Attachment 1 but my challenge here is there's no STT report and there's no MEW report and yet we did receive reports from those entities under the methods review agenda item, but I would just be interested in hearing, I mean the Items 1 and 2 identified in Attachment 1, I don't know if it's correct to characterize them as low hanging fruit, but I'm noting that task one is estimated to take two weeks and task two is 2 to 4 weeks so I'm just wondering why there was not a recommendation to potentially accommodate that work and the methods review preliminary list that was presented earlier, and maybe there's just more to this than I'm just not aware of but I guess that would be my question.

Pete Hassemer [00:06:35] Robin I'll turn to you first for a response.

Robin Ehlke [00:06:41] Thank you Mr. Vice-Chair. I think it was not included in the list of methodology review topics because it's not a methodology review. And although it might be a topic that could follow the path of the methodology review in a three Council process, but it is separate from a methodology review. The report that was provided under Attachment 1 was, there really wasn't much more for the STT to provide in the sense the Council asked for a report on what it would take, the STT provided that and the Council said that they wanted to revisit this in April so there really wasn't much for the MEW or the STT, there wasn't much more to say, excuse me, on that topic is why you're not seeing individual statements.

Pete Hassemer [00:07:48] Okay. Further discussion or direction on this? I'm not seeing any hands. Robin, what's your sense?

Robin Ehlke [00:08:09] Thank you Mr. Vice Chair. I'm getting the sense that the Council understands that this is important, but is also understanding that there are a lot of matters in front of it that are going to take some time with the expertise of the salmon folks that we have working with us on items. We don't have a report right now from the California tribes signaling its high priority, which could certainly come, but at this point I feel like the Council is going to let this one rest for now and pick up at a later date when it appears to be maybe a little bit more bandwidth to do the work and maybe when it becomes a little bit more relevant. Also understanding that the information in this report is essentially long lived and no more work would need to be done to update it when it was brought back to the Council.

Pete Hassemer [00:09:18] Marci.

Marci Yaremko [00:09:19] Thank you Mr. Vice-Chair. Thank you, Robin, for the summary. And I guess I, this is my chance to ask a few additional questions that might shape the next steps. And again I have no intention of... I mean clearly the tasks involved that are listed in Items 1 and 2 would need to be conducted by other agencies but I'm not, I didn't hear from the Northwest Indian Fish Commission or WDFW or NMFS about their potential capacity to complete these two top priority items. Again, all I can do is note that it's not on the methods review and I'm not hearing comments from agencies suggesting an interest in taking this on. But I guess again I would, you know reiterate that we're just learning how important these forecast exploitation rates are to our preseason process that we have in the face of no scheduled fishing opportunities for Chinook south of Falcon that would have associated SONCC coho exploitation, we're already at 15 percent against the allowable 16 percent impact rate cap so that's concerning. I guess I'm just, you know, wondering if we might hear back about the potential for, again, you know, completing these two tasks that do not appear to be associated with a substantial amount of workload or better how we might accommodate these two items in the methods review list if possible.

Pete Hassemer [00:11:39] All right, thank you. Kyle Adicks.

Kyle Adicks [00:11:44] Thank you Mr. Vice-Chair. Earlier when we were on the methodology review topic, I mentioned that our modeling staff are always eager to get things done and I hesitate to overcommit them. One thing I didn't share was that our WDFW modeling staff essentially lost half of their unit since we were sitting here last April trying to fill some positions and get back up to full strength. They're certainly willing to help. I'm just not quite sure I have my head wrapped around what a time commitment it would be for them knowing there's probably only one person that has the expertise to work on it. So just hesitant to make a lot of promises that we can get something done this summer.

Pete Hassemer [00:12:29] Susan Bishop.

Susan Bishop [00:12:31] Thank you Mr. Vice-Chair. Our salmon modeling unit consists of one person, and he is also very much tasked with all of the Pacific Salmon Treaty Chinook technical work that goes on in the interim. We also have a couple of killer whale analysis that will be done for other time sensitive biological opinion, so as soon as he leaves here, he will be working on those agenda items and so I don't anticipate probably at least over the next year that he will have a lot of bandwidth to do that. Unfortunately, we don't have anyone else working with us that has that expertise so, you know, this could be something that we take up next year. That might be something that we could do, but at least for the rest of this year I think he will be fully committed.

Pete Hassemer [00:13:31] All right, thank you. I'm not seeing any more hands so I might summarize, and Robin can correct me then. What we're hearing is at this point there's no future work associated with this, but we're prepared to take it up again should somebody bring that. The report that's in there does not become stale. It is relevant when it comes back to us and would inform that decision process. Is that correct, Robin?

Robin Ehlke [00:14:05] Thank you Mr. Vice-Chair. Yes, that sounds right to me. And so, with that I think you have completed your work under this agenda item.

Pete Hassemer [00:14:14] All right. I'll make sure there's no less comments people want to make, and I don't see any hands so that completes work under this agenda item.

~~7. Southern Resident Killer Whale Chinook Threshold and Other Fishery Management Plan Clarifications—Scoping—CANCELLED~~

8. Further Direction on 2023 Management Measures

Pete Hassemer [00:00:00] That will complete public comment and take us to Council, any Council discussion and additional guidance as needed so I will look around for hands for guidance. Kyle Adicks.

Kyle Adicks [00:00:17] Thank you Vice-Chair Hassemer and thanks to the Council for their patience again today. We've had a long series of meetings in multiple meeting rooms around the hotel with the U.S. v Washington co-managers trying to work on fishery issues that get us down to our exploitation rate ceilings for the list of Puget Sound stocks that the STT reported identified were still over their allowable ceilings. I don't have any guidance for Council fisheries, for the Federal fisheries that we're here to plan, but we will have a number of modeling updates for inside fisheries in Washington. Those will not fix all of the exploitation rate exceedances that were identified, but I believe they will get us a lot of the way there to fixing many of them. So my request would be for to give us an hour or so to sort of compile those and get those to the Salmon Technical Team, ask them to take a break and come back and do another round of modeling for us, even though there are no changes to the Council fisheries, there's some significant changes to inside fisheries that will be important for getting us to final action tomorrow.

Pete Hassemer [00:01:25] All right. So no additional guidance on the Federal fisheries there. Is there other guidance provided? And I'm not... Joe Oatman.

Joe Oatman [00:01:41] Yeah, thank you Mr. Vice Chair. I just wanted to make the comment that I don't have any further guidance on the treaty troll.

Pete Hassemer [00:01:49] All right. Thank you. Let me just pause for one sec. All right with that we're not hearing any further guidance so I'm going to ask Robin Ehlke if there's anything else we need to do here before we close out this agenda item? Robin.

Robin Ehlke [00:02:13] Thank you Mr. Vice-Chair. Yeah, I think you've done your work here. It sounds like the STT is going to get some instruction on some of the inside fisheries and then we'll take it from there. We have salmon on the agenda tomorrow afternoon and look forward to talking then.

Pete Hassemer [00:02:31] All right, thank you. Any further comments before we close this out? Virgil Moore.

Virgil Moore [00:02:39] I guess it's a request. We've had a number of folks testify relative to that closure along the Oregon Coast and, you know, giving us detailed testimony as to they don't understand. I would hope there's some staff person here that can contact those folks or somehow interact with them to explain the information. I had an explanation given to me that I'm not competent to reply to, to give out, but it seems like we've got a fair number of people asking about that and it seems like we should have some of our local managers or somebody ready to interact with them on that. Thanks.

Pete Hassemer [00:03:31] All right. Thank you. Any further comments or discussion? And not seeing any hands I think that completes our action on this agenda item, which is our last for the day so we will close that out.

9. Klamath Dam Removal Update

Pete Hassemer [00:00:00] All right that completes the public testimony, takes us to our Council action which is just Council discussion and so I'm going to look around the table for some hands here to see who wants to kick this off. John North.

John North [00:00:22] Thank you Mr. Vice-Chair. You know although issues like this are generally outside my scope at ODFW, I wanted to provide an update on Oregon's current situation as it relates to the Klamath Dam removals. I thought it was most applicable to this agenda item but as background the Oregon Department of Fish and Wildlife has been fully engaged in this process for over 20 years in working on agreements and planning and lead, that would lead to the removal of the four Klamath Dams, and we hope to continue working closely with all the partners and the Klamath River Renewal Corporation as we move forward. However, the funding to monitor repopulation of Fall Chinook into the basin and to reintroduce Spring Chinook did not make it through our recent budget process, so we currently don't have any allocation or positions dedicated to this work after June of this year, but if and when funding becomes available, we intend to utilize the 2021 implementation plan and guide our reintroduction and monitoring efforts going forward. That work would include robust monitoring like spawning and carcass surveys, tributary life cycle monitoring stations and juvenile downstream traps. We also have plans for boots, other boots on the groundwork to determine if fish are repopulating and with an initial focus on Fall Chinook and to aid in estimating age specific abundance that will help in fishery modeling. We also intend to establish a counting station at Link River Dam and continue our work with California on a sonar system near the Iron Gate site. And we want to continue to work with our partners on that multi-year mark detection study that was initiated last year in, on yearling Spring Chinook. So, I just want to provide that update. Not the best news but I just wanted to get it out there. Thank you.

Pete Hassemer [00:02:38] Thank you John. Further discussion? Chair Gorelnik.

Marc Gorelnik [00:02:47] Thank you Vice-Chair Hassemer. I guess, I mean this isn't... it's great information we've received and the potential, the future potential for future production is great. I am a little concerned about the lack of well... relying solely on volitional transport, a fall run to all this great habitat when we know there's an obstacle to that so we're effectively foreclosing all that, I shouldn't say all that, but virtually all of the new habitat to Fall Chinook, and so I think that's an ODF and W issue. I'm not sure if it's coming from ODFW. If it's coming from another source, but I guess that's one concern I have. And then on the hatchery production, especially given the uncertainty about impacts to natural production and of course the lack of access for the most part to this new habitat for fall run I'm concerned about the reduction in hatchery production of 50 percent, and I know that Marci doesn't have an answer to this, but I guess, you know, it would be useful to understand why the state or whomever is not taking advantage of more modern techniques like parentage-based tagging to increase production, because one of the obstacles to raising these hatchery fish is they have to get large enough to be tagged and that requires a lot of room, which I imagine is the constraint on production at the Fall Creek Hatchery, but with parentage-based tagging you can release the fish much earlier and much smaller size and raise far more. So, I guess that's something, maybe it's not part of our Council process, but it is an inquiry to the respective departments.

Pete Hassemer [00:05:06] Thank you. Butch Smith.

Butch Smith [00:05:10] Just a little more to Chairman Gorelnik's statement there. This is not my neck of the woods but I am certainly the poster child or the Washington Coast as a poster child for things that haven't gone quite as well as planned in salmon science and... but I was amazed that I would have

thought the approach would have been better to leave the hatchery production where it was and reduce it as things came back, but to do everything at one time you have a lot of moving pieces so you really don't know what's working and what's wrong, you know, and so I wondered that myself. And, I too, you know, thought that maybe a better approach would be keep your production at this level and then reduce it as things come back so I too have those concerns. Thank you Mr. Vice-Chairman.

Pete Hassemer [00:06:13] Further discussion? Virgil Moore.

Virgil Moore [00:06:17] Just another comment on that in terms of the hatchery production. I actually believe the Council should have a nexus there. I mean our desires for sustainable harvest in the ocean relies on some understanding and predictability and recruitment, and with the uncertainty that we've got is eight years enough? And should we also have the production numbers reduced and how does that affect our abilities as a Council to plan and execute those sustainable fisheries in the ocean or constrain them because we don't have the fish in the ocean as the case may be. So I don't know how we get at that, but certainly I think our advisory and technical committees could perhaps be of benefit to the discussions as they move forward. Ultimately the responsibilities for these hatchery is going to rest upon either the states or tribes or some combination thereof long term and how do we get our heads together from that standpoint... to take a look at what's going on to validate that production. I also agree with the Chair on his statements about a parental-based tagging, it's the way to go.

Pete Hassemer [00:07:46] Thank you. Further discussion? Chair Gorelnik.

Marc Gorelnik [00:07:51] Yeah, I just had a further thought. The hatcheries have been paid for by Pacific Corp to mitigate for the loss of habitat and the notion, I guess, is that the habitat will be restored so therefore they should be, they should eventually be able to shed that obligation, but there are further constraints and obstacles upstream, the Keno Dam for one, and if that's being transferred to the Bureau of Reclamation then I think the Bureau of Reclamation should be mitigating for the existence of that dam and its impacts on the fishery.

Pete Hassemer [00:08:33] Thank you. Corey Ridings.

Pete Hassemer [00:08:36] Thank you Mr. Vice-Chair. I don't want to derail conversation here, but I did want to echo a little bit of the conversation we had earlier this week about how momentous this is and just how largely great it was to get this presentation and learn about the history here and how much opportunity this is going to provide in the future. And also, to just thank Glen Spain for providing comment today and just recognition of what he's put into this process for the last decades to make this happen. So, Glen just wanted to voice my appreciation and say thank you for what you've helped make possible.

Pete Hassemer [00:09:22] Okay thank you. Joe Oatman.

Joe Oatman [00:09:29] Yeah, thank you Mr. Vice-Chair. You know, again, I really appreciated getting this update information. The PowerPoint was really useful, helps me better understand, you know, both sort of the timeline and some of the elements that we'll be involved in as they move forward with removing the dams and the restoration that will occur, hatchery production and the expectation that, you know, we'll be seeing a positive increase in productivity of these fish and that that will also show up in, you know, ocean freshwater fisheries. I would request that, you know, as we get further updates on this that we do get some information specific to what the expected increase in harvest for both the ocean and fresh water would be pretty helpful. We do have to consider, you know, the tribal, non-tribal fisheries. How allocations might occur with these higher abundances that we might see, and so having some additional information, I think, will help us as we again, kind of go through this transition period

and seeing higher abundances and all of the different issues and discussions that we'll likely have to have.

Pete Hassemer [00:11:15] Thank you Joe. Bob Dooley.

Bob Dooley [00:11:21] Thank you Mr. Vice Chair. We've been at this for a bit, so I'll try to be brief. I really do appreciate the things we learned this week on this topic. I mean we learned, at least from my perspective, the bookends of the drain down of the, the drawdown and the sedimentation issues and the red suffocation issues and what the worst case scenario could be, but then reflecting on what some of the comments that Phil Anderson made earlier about the adaptability of these fish in reacclimating to a new environment that would be afforded by these dams not being there, not also acknowledging Chair Gorelnik's comments about the dam that will still be there, but I have a better feeling now that Glen Spain is also taking the time to kind of give us some reality checks on what's normal flows coming down the river in heavy rain periods and heavy water periods and how it compares to what is going to happen during this drawdown. It makes me think that, you know, it won't be worst case scenario, it might be pretty good. So, I would like to have a... since that drawdown will happen very quickly it'd be nice to get a report on what the actual effect was on the downstream of sedimentation and that should be something we should be hearing about. So it to me... I feel much better, particularly with all that information that, you know, the presentation we got today and comments earlier in the week and this that I feel much better about all of this. I think I have a better understanding, so I appreciate it all. Thank you.

Pete Hassemer [00:13:09] Thank you. So, as I look around here maybe I'll summarize. We don't have this noticed for any guidance or Council action but we've heard a lot about future updates and bits and pieces about what that would contain and I think everybody knows day last we get into workload planning and that's an opportunity to look at future schedules and see if you want a similar agenda item there, and I think the staff has heard what that update might contain. And so with that, not seeing any hands I'm going to turn to Robin and see how we've done.

Robin Ehlke [00:13:50] Thank you Mr. Vice-Chair. I think you've done your work under this agenda item. Very informational for sure and looking forward to getting more updates as the project continues. So, thank you.

Pete Hassemer [00:14:03] Susan Bishop.

Susan Bishop [00:14:05] Thank you Mr. Vice-Chair. I'd just like to thank Robin and Kerry in particular who worked really hard to help coordinate with Jim and others to bring their presentation to us together today.

Pete Hassemer [00:14:17] All right, thank you. It was a very good presentation and good to have him here in person. So, with that I believe that closes out this agenda item and I will pass the gavel back to our Chair.

10. 2023 Management Measures - Final Action

Marc Gorelnik [00:00:00] So that will take us to our Council action here. And as a reminder we need motions on this we'll bring...so let me just see if there are any discussion before we get to motions. We've spent a lot of floor time on this already, but I don't want to cut off discussion. Susan Bishop.

Susan Bishop [00:00:27] Thank you Mr. Chair. I noticed in the STT report there were several Puget Sound stocks that were still exceeding their objectives. I understand the co-managers have been working very hard to resolve those issues and I was just curious if there might be any additional information available on the status of that work?

Marc Gorelnik [00:00:50] Well, Kyle Adicks, do you have information?

Kyle Adicks [00:00:54] Thank you Mr. Chair. The co-managers did continue work through the day to address the five stocks that were identified, five Chinook stocks from Puget Sound that were identified in the STT report as exceeding their exploitation rate ceilings. We've developed new inside fisheries that, when modeled, do meet all of those conservation limits. I'll speak to them specifically when I speak to a motion, but that was the work we were doing through the day based on the work that the team did for us yesterday evening.

Marc Gorelnik [00:01:26] All right, any further discussion? All right, that means it's time for motions. So, Joe Oatman, would you like to start with the tribal motion?

Joe Oatman [00:01:51] Thank you Mr. Chair I'd be pleased to. So, if Sandra if you can put the motion on the screen. I move to adopt the treaty Indian trawl fishery management measures for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item E.10.a, Supplemental STT Report 1, April 6, 2023.

Marc Gorelnik [00:02:17] All right Joe. That language appears to be accurate and complete.

Joe Oatman [00:02:22] It is Mr. Chair.

Marc Gorelnik [00:02:23] And I'll look for a second? Seconded by Kyle Adicks. Please speak to your motion.

Joe Oatman [00:02:29] Thank you Mr. Chair. So, these treaty trawl management measures are the result of the many discussions among Tribes and the State of Washington during the north of Falcon process. This action directly relates to the Council's obligations under the MSA to address the federally recognized fishing rights of these tribes, which are detailed in their treaties and associated case law. The tribal co-managers considered the 2023 projected abundances of Chinook and coho salmon stocks and corresponding management objectives, determined how much fish can be available for tribal fisheries. Among other topics considered during the north of Falcon process, the projected abundance of these fish present unique stock specific challenges to shaping the treaty trawl ocean fisheries this year. Tribal co-managers have done their part in the challenging process of considering these complex matters and reaching agreed to treaty trawl management measures. I greatly respect the work of the Tribes, the State of Washington, NOAA fisheries that have led to these treaty trawl fisheries so that we can submit this to the U.S. Secretary of Commerce. I also appreciate the work of the STT in doing the analysis needed over the course of our March and April meetings culminating in their supplemental report on this agenda item today. Also want to recognize that the inside areas are critically important to other Tribes as well. The affected treaty Tribes of Western Washington and the Columbia River have

repeatedly emphasized over the years that rebuilding of these vital fishery resources cannot be achieved by these management measures alone. While they uphold the responsibility in this PFMC process, the Tribes continue to call for a broader, more comprehensive effort to rebuild these runs to healthy and harvestable levels so they can exercise their federally protected treaty rights on all stocks that are Council managed fisheries. Thank you very much Mr. Chair.

Marc Gorelnik [00:04:45] All right, thank you very much. Are there any questions of the maker of the motion? Any discussion on the motion? All right, I'll call the question. All those in favor say 'aye'.

Council [00:04:59] Aye.

Marc Gorelnik [00:04:59] Opposed, no? Abstentions? Motion passes unanimously. Thank you very much Joe for the motion. We'll go next to the State of Washington. Kyle Adicks.

Kyle Adicks [00:05:14] Thank you Chair Gorelnik. I, too, have a motion. I move that the Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6th, 2023.

Marc Gorelnik [00:05:43] All right, that language on the screen appears accurate and complete.

Kyle Adicks [00:05:46] Yes.

Marc Gorelnik [00:05:47] And I'll look for a second? Seconded by Phil Anderson. Please speak to your motion.

Kyle Adicks [00:05:51] First, thanks to the Council, as always, for their flexibility in scheduling our salmon agenda items this week as we work through the final steps of our fishery planning north of Falcon. That flexibility helps us a lot to get the progress we need before we come back and look at the next step. As I mentioned earlier, we worked throughout the day on additional modifications to inside fishery plans to ensure that they meet all identified conservation objectives when linked to Council area fisheries. There were several Chinook stocks identified as not meeting objectives in the STT report under this agenda item. Additional changes to planned fisheries have been made since last night and will bring projected exploitation rates under their allowable limits for Skokomish Summer Fall, Nooksack Spring, Stillaguamish Summer Fall, Snohomish Summer Fall and the Nisqually Summer Fall Chinook. These fishery changes will be reflected in the final model runs by the STT and the Preseason 3 document. I'm very thankful to be able to put a set of ocean regulations forward for the area north of Falcon based on some strong forecasts for key stocks in these fisheries that should provide good fishing opportunity for commercial and recreational fisheries in a year that's very grim for areas to the south and I hope that we'll be able to get things turned around for fisheries down there in the near future. I thanked the SAS earlier in the week for the work they do every year to help us get alternatives on the table and then get those narrowed down to one package, but we'll thank them again for their continued efforts this week as we refine that package to what's in front of the Council today. As always, in echoing Mr. Oatman's statements, thanks to the STT and the long list of State, Tribal, Federal staff that work tirelessly throughout the year, but particularly during our preseason process to get us to this important point. Finally, thanks to all our co-managers for working through another set of difficult issues this year so that we could bring forward non-treaty commercial and recreational fisheries and treaty troll fishery package to the Council this afternoon. Thanks Mr. Chair.

Marc Gorelnik [00:07:47] All right, thank you very much Kyle. Are there any questions for the maker of the motion or any discussion on the motion? Then I'll call the question. All those in favor say 'aye'.

Council [00:08:00] Aye.

Marc Gorelnik [00:08:00] Opposed, no? Abstentions? Motion passes unanimously. Thank you very much Kyle. Now, John North, it's your turn for the State of Oregon.

John North [00:08:17] All right, thank you Mr. Chair. Oregon does have a motion. I move the Council adopt the non-Indian commercial and recreational salmon management measures for submission to the U.S. Secretary of Commerce for the area from Cape Falcon, Oregon to the Oregon/California border as described in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6, 2023, including all season descriptions, minimum sizes and requirements, definitions, restrictions and exceptions.

Marc Gorelnik [00:08:56] Okay, and the language on the screen is accurate and complete?

John North [00:09:01] It is.

Marc Gorelnik [00:09:02] And I'll look for a second. Seconded by Christa Svensson. Please speak to your motion.

John North [00:09:07] Thank you Mr. Chair. It's been a long week and like everyone else I assume I'm pretty anxious to head home. However, the circumstances this year left us with some very difficult decisions and the effects on the salmon fisheries and coastal communities of those decisions are not taken lightly. I really do hope this is a short-term situation. I would like to thank the public that participated in the process and recognize the great work of the Salmon Technical Team and our Salmon Advisory Subpanel, and also thank my fellow co-managers and the Oregon staff for their assistance over this last several months. I would also like to acknowledge Dr. Braby for her years of service on the Council and wish her the best for the future.

Marc Gorelnik [00:10:01] All right, are there any questions for the maker of the motion? All right I'm not seeing any hands. Well let's vote. All those in favor say 'aye'.

Council [00:10:10] Aye.

Marc Gorelnik [00:10:10] Opposed, no? Abstentions? Motion passes unanimously. Thank you, John, for the motion. And now it is California's turn. Marci Yaremko.

Marci Yaremko [00:10:28] Thank you Mr. Chair. Believe Sandra has the motion. Thank you. I move that the Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area from the Oregon California border to the U.S./Mexico border as presented in Agenda Item E.10.a, Supplemental STT Report 1, dated April 6th, 2023.

Marc Gorelnik [00:10:58] All right, and the language on the screen as accurate and complete?

Marci Yaremko [00:11:01] Yes, it is.

Marc Gorelnik [00:11:02] And I'll look for a second. Seconded by Corey Ridings. Please speak to your motion.

Marci Yaremko [00:11:08] Thank you Mr. Chair. Escapement and abundance forecasts for California target stocks are at historically low levels. The 2022 Sacramento Fall jack and adult escapements are the third lowest since record keeping began in 1970. Following from that poor jack escapement, the

2023 forecast for Sac Fall adults is only 169,000-some fish, and that's the third lowest since implementation of our Sacramento Index Methodology. Meanwhile our goal range for escapement on this stock is between 122 and 180,000 returning adults, so before any fishing is scheduled whatsoever the adult forecast isn't even above the escapement goal range. Meanwhile, the Klamath adults and jacks are also well below the long-term averages and the 2023 Klamath Fall adult forecast of 103,000-some adults is the third lowest on record. As the STT referenced today in their Report 2 regarding the de minimis Klamath Fall exploitation rate, the stock also unfortunately continues to meet the status determination criteria as an overfished stock, and they've been meeting that criteria since 2018. The forecast numbers are comparable to the levels that led to historic fishery closures in 2008 and 2009. As detailed in the NMFS guidance we received in March, neither of these target stocks have performed well under the provisions of each of the respective Harvest Control Rules, consequently a shift to more conservative management approach is warranted. Coupled with the low abundances of Sac and Klamath Fall fish, there's been a trend of over forecasting prior to fishery planning, over forecasting inland harvest and over forecasts of returns that suggest that we will meet escapement targets. In light of these recent trends, an abundance of caution is warranted and our proposed seasons in California's view do constitute the extraordinary measures NMFS called for in its guidance. CDFW notes that even a small margin of error at these low abundance levels can have serious, significant consequences for the long-term health and sustainability of the stocks. So, thinking more about escapement this fall, the returns that come back in 2023 for both of these target stocks will factor into assessments of status determination criteria now and for three years into the future. We need to give the fish every chance to return this fall and the California ocean alternatives reflect the policy position that we intend the harvestable surplus be put toward escapement. In March, the Habitat Committee reported to us that for both Sacramento and Klamath stocks there are very few signs of optimism across over 20 indicators. The conclusion reached by the Habitat Committee in March is an important forewarning when it comes to the need for precaution now and in the near future. From an ecosystem indicator perspective, the outlook for both Klamath and Sacramento stocks suggests below average adult abundance in 2024 and 2025. This recommendation today to close all of California fisheries follows the reasoned advice of the Salmon Advisory Subpanel. It's extremely difficult. It negatively affects thousands of fishing businesses and fish processors and likely hundreds of thousands of recreational anglers and the economies driven by salmon fishing and related activities. However, the recommendation is intended to allow salmon to recover in order to provide future fishing opportunities. Salmon are an iconic species in California, and we treasure them for their intrinsic cultural, recreational, and commercial values. The State is committed to ensuring long term survival of our salmon runs and also committed to supporting our struggling fishing communities. But with all that said, there is reason for optimism. Salmon are resilient and short-lived. We have regularly seen periods of low abundance and a few years following we do see recovery. California has seen some historic precipitation events this winter and in response we're hopeful our stocks will rebound. Thank you.

Marc Gorelnik [00:16:25] All right, thank you very much Marci. Are there any questions for the maker of the motion? All right, all those in favor say 'aye'.

Council [00:16:36] Aye.

Marc Gorelnik [00:16:37] Opposed, no? Abstentions? The motion passes unanimously. Thank you for the motion, Marci. Okay, before I turn back to Robin I want to see if there's any other business under this agenda item? Bob Dooley.

Bob Dooley [00:17:03] Thank you Mr. Chairman. I just wanted to compliment Marci on a great motion for California and the comments she made afterwards. And it's a sad day that we shut all our industries salmon on the West and the California coast and it's cause for concern no doubt, but there is some optimism in the future. The thing I'm really impressed by is the responsibility and reactions of our fleets,

both commercial and recreational, to come together and realize that this is good for the resource, good for them ultimately, and I don't think it's rare to see such a drastic action taken with industry support for doing the right thing and I am just proud. Proud of everybody, so thank you.

Marc Gorelnik [00:18:05] All right, thanks for that comment. Certainly, there's some mercy for the California halibut in San Francisco Bay who, you know, without groundfish for much of the year and or at least nearshore and without salmon pickings are going to be slim. Let's see if there's anything else under this agenda item? Susan Bishop.

Susan Bishop [00:18:33] Thank you Mr. Chair. This has been a very difficult year as everyone has noticed. NMFS had very difficult guidance to give early in this year. I was awestruck, I guess I'd say, by this Council through the last several months that have been at least one of the hardest that I have seen people go through during my time here. And it was a reminder, given some of the other agenda items that we talked about, EEJ and inclusiveness and the importance of supporting each other that, you know, it's easy in the good times to get our work done. What really shows the metal of the Council is when we're confronted by challenges like this and it doesn't, it takes everyone pulling together, the fishermen, the technical folks, the managers, to make some very difficult decisions and support each other. It's not one person. It's not one fishery. It's the whole coast making it happen and I'm very appreciative of the support that I've received. The help that I've seen others receive and just how underscores the work that this Council does and the challenges it faces and overcomes. Thank you.

Marc Gorelnik [00:19:52] Thanks for that Susan. Yes, it has been a difficult year and we just hope that the federal and state agencies that can make a real difference in the fishery will do their part and not let us down again so. All right, Robin, how are we doing?

Robin Ehlke [00:20:14] Thank you Mr. Chair. You have completed your work under Agenda Item 10.a, so doing well.

Marc Gorelnik [00:20:20] All right. Well, that will conclude Agenda Item E.10 and salmon for this meeting.

F. Administrative Matters

1. Regional Implementation of the National Equity and Environmental Justice Strategy

Brad Pettinger [00:00:00] That takes care of public comment and brings us to Council action. I just point out that there was a couple of questions at the bottom or the end of the NMFS presentation that I think that is reflected fairly well in the Council action, so with that I'll open the floor for discussion, and we'll probably go to a break after that. So anyway. Lynn Mattes.

Lynn Mattes [00:00:27] Thank you. Just from the questions that were asked and the advisory body reports, it seems apparent some additional resources are going to be needed as we move forward, both in terms of staff time, possibly some training, et cetera, and the Council family and NMFS, I think, is going to have to make that commitment for those resources, but how do we balance that with all the other stuff we have on our plate? I know this week the North Pacific Council is meeting and they are having their SSC advisory body and Council members go through some cultural awareness training being put on by the First Alaska Institute, but that was a commitment of either a half day or a days time of the SSC, the advisory bodies, and the Council members to commit to that half day of training. I don't know if we have the capacity for something like that, but those are things that have been going through my mind as we work through this is balancing all the other things we have to do with the resources to participate in this. So just some thoughts. No question or motion at this point.

Brad Pettinger [00:01:35] Okay. Thank you Lynn. Well, I think there's a couple of questions there is do we want give input or comment on the draft of GSP in June and September, I assume we probably do. And then I really want to engage with NMFS on the EEJ Regional Plan, I assume we probably do. So Executive Director Merrick Burden.

Merrick Burden [00:02:10] Yes, thank you Mr. Vice-Chairman, and I appreciate Miss Mattes' comments. How do I say this? My personal perspective is that this is a... this is an important issue for us to address. As we all know we have budget limitations and things are getting tighter and so as I was listening to Mr. Rumsey give the NMFS presentation, the thought that was occurring to me is one along the lines of strategic partnerships and what we can do or what we can do with some NMFS's help or state agencies or what have you to start to connect with other entities that might be in a better position, frankly, than Council staff to do some of these, some of the efforts that we are seeking to take. So, one example, and I've not heard a commitment from this entity at all, but one example that might come to mind are the agents that are employed by Sea Grant. They're located in Coastal communities. The Council staff offices are not. We're in Portland. And so it occurs to me that perhaps this is part of the strategy that NMFS contemplates that this is part of the strategy that we may contemplate, and how that gets done I'm not sure, but I'm not sure that we could do it all and I think we would be better served if we tried to use ourselves as a catalyst perhaps and leverage our desires through some, some strategic partnerships. So just some remarks Mr. Vice-Chairman.

Brad Pettinger [00:03:54] Thank you Merrick. Anyone else? Christa Svensson.

Christa Svensson [00:04:00] Yeah, thank you Mr. Vice-Chair. And I'm appreciative of the fact that we're willing to grapple with this both at our level, but also at the national level in terms of really what our impacts are on the social side of things in addition to just the environment and economic opportunity, whether that is commercial, recreational, charter or just the ability to go out and enjoy nature. The piece that I keep circling around is how do we think about being more inclusive in terms of how we operate? And that really is for all walks and so I'm not saying any of these are ideas that we want to move forward with, but I do want to just talk for a couple minutes here about some components. I've had a number of people who have said, you know, it's amazing that we are now allowed to stay

home and testify remotely, but it would be helpful if we had the ability to listen to the advisory panel components, and I think that that's, it's a mixed bag. I think we have the ability to have a fairly safe space because the people in that room know who the people in that room are, but it also lends itself to is that person who's representing a particular user group effectively representing their stakeholders. It's a paid position essentially being there so they are not effectively a member of the public and it also, similar to me being on mic, I feel like I'm my best self up here. I don't tend to swear or say anything untoward, and I think we, in some cases, saw better behavior when we were online for stakeholders. And so there is kind of a trade-off there and perhaps we want to consider something like Chatham House Rules, which for those of you that aren't familiar with it and are more familiar with pop culture, a bit like Fight Club, what stays in the room stays in the room where we take some time to turn the mics off if we need to have a conversation with a vote in the room. I don't know what that looks like, but I do think it's something that is worth considering to allow the public more opportunity to understand the process. I think we really need to consider what equity looks like in the process of becoming an advisory panel member and even a Council member. You know, I won't speak for others but when I started this process it was, 'hey, you need to go back to D.C'. That is a tremendous amount of funding and where that comes from, maybe it's the stakeholder group you belong to, maybe it's your own personal resources, but not everybody has that ability to raise that type of equity or capital, and so having a clearer process for that, that allows equal opportunity for people that are running for positions, I think, would be helpful. And then the last piece I want to touch on are communications. I think we all go out and do our best to communicate with the public in this process but that does leave gaps. We don't know who we don't know and doing a bit of research around that, putting together forms of communication that would be tailored to going out to mass channels I think could be helpful. And I know we are doing that to some extent now, but I think there's always the opportunity to review. I think in terms of how we communicate just using harassment and discrimination, which we talked about at the last meeting as an example, that isn't warm and fuzzy and we may want to think about how we're communicating and I will be the first to say that I'm fairly stodgy in my communication, but taking the effort to communicate in a way that is modern and appropriate and gives people the ability to feel like they want to be a part of that process I think would be helpful as well. And with that I will wrap up my comments but just some things I think we should be grappling with as we move forward in addition to those that are outlined in our briefing materials and conversations we've had in the past.

Brad Pettinger [00:09:17] Thanks Christa. Anyone else? Phil Anderson.

Phil Anderson [00:09:25] Thanks Mr. Vice-Chair. Great discussion. Appreciated the National Marine Fisheries Service presentation on this topic. I find myself thinking about how we can make some strides forward in terms of the communication and the breadth of our audience that we are able to reach. I noted, I believe, in Michelle's comments that I think she said something like, that we have a very narrow slice, she didn't say slice, of the industry that participate in our advisory panels or that are a part of our process and I think she made a reference to people like truck drivers, for example, and when we think about the totality of the population that our decisions touch, it's multilayered and it goes out and encompasses a lot of people from a lot of walks of life. And I think if we try to improve upon the breadth of our constituents that are impacted by our decisions and we try to do it with a... I'll call it a... I don't, I shouldn't say shotgun because, but that a big broad brush approach with the limited resources we have, I think we'll find ourselves that it's going to be difficult to make much of an impact as opposed to thinking about the audience, the breadth of constituents that our current system is able to touch and thinking about in some sort of priority order are there some areas that we're, that are, that's the next layer out, if you will, that we need to touch, that we need to find a way to communicate with more effectively than we are now. And so, to me the, in order to be effective, in order to have to make some measurable gains here, I think we have to be strategic in our thinking and focus, and focused in terms of where we put our efforts. Thanks.

Brad Pettinger [00:12:15] Thank you Phil. Heather Hall.

Heather Hall [00:12:18] Thank you Vice-Chair. And I think, I hope my comments are going to be somewhat complementary to what Phil started off with there. And I'm thinking about some of the really good thought and input that we got from the advisory bodies and the public here on this that as was pointed out in the comment letter from, that Michelle commented on really was we have Attachment 1 in this agenda item that starts us with the baseline and then where do we go from here? And taking that input then from our advisory bodies and management teams and the public and using those as areas for improvement and how we then maybe take that next layer, how do we start moving forward on this process and thinking about this regional implementation plan? So, my suggestion here is to just take, use those advisory body comments and make a compilation of some of the common input that we heard from them and highlighting those areas for improvement. I am... also been thinking a lot about the additional resources that comes up and the comment from Merrick and Lynn and what does that look like? And I heard the SSC say, you know, we need additional expertise to help really identify some of these data gaps and how we apply this EEJ strategy in the work that we do. So, I don't have a solution there but I do think it's going to take a lot of creative thinking like you suggested, Merrick, to get there. Thank you.

Brad Pettinger [00:14:23] Thank you Heather. Anyone else? Joe Oatman. Joe.

Joe Oatman [00:14:31] Yeah, thank you Mr. Vice-Chair. So, this topic of EEJ is pretty important to tribes. Appreciate in the PowerPoint presentation, you know, talked about a number of things like slide 5 talked about, you know, how we manage our fisheries for sustainability and economic benefits. How we safeguard our protected species and propel their recovery and having a diverse workforce. And I think also how that might be applied here to the Council in relation to, you know, diversity, equity, inclusion, and accessibility. So those are all key themes from the tribal perspective and think, you know, if we are more diverse, more inclusive, you know, our way of dealing with things on fish will be more effective and inclusive. Part of the, you know, concerns I guess that I've heard from some of the tribal individuals here in the Council process is that, you know, the training will be pretty important. I know we've kind of touched upon that on some of the previous comments, but having some experts or other folks who may be skilled in this area to provide some assistance, you know, that might you know fit under some of Merrick's comments about, you know, strategic partnership, you know, getting some experts here that will help us. And as we do that we might want to give some thought to, you know, in the fishery world, you know, natural resource world, you know, we talk about best management practices but, you know, what could be some best operational practices that we might want to develop here as we move forward within this process to help deal with some of these issues, you know, now and as we move forward in this process. And there was one other thing, I think, that really struck me, and that was from the GAP report, and they noted that, you know, the fish and other wild caught seafood represent a rich source of high quality protein with extremely little alteration of our natural environment in comparison to agriculture impacts on natural ecosystems ashore, and so how that struck me is, you know, over the you know the years, you know, that I've been here and here more recently, you know, don't fight Klamath River Fall Chinook, Sacramento River Fall Chinook, you know, the Snake River, you know, Puget Sound, you know these stocks that are affected by non-fishing activities, you know, here of course, you know, we're able to deal with the harvest style, but there's a lot of stuff that occurs outside, you know, in the watersheds, in the ecosystems that impact the ability of say tribal people to access the resource in the abundances that they would need to, you know, meet their, you know, their ceremonial subsistence, commercial and other uses, and so I think that's a pretty key thing that we should be pretty mindful of. You know there's the process piece, you know, how we work together to deal with equity and diversity and so forth and accessibility, but there's also a what impacts the fish type of a thing that also can have a pretty significant impact on the ability to have, you know, the fisheries that would, you know, meet your needs whatever those needs might be. So, for example, like

for, you know, some tribal fisheries, there might not be any fish returning to have any harvest and so that really is a direct barrier to them to be able to go fish and practice their culture and meet their needs. So, I want to provide those comments and again appreciate, you know, what's being put forward here and, yeah, hopefully we'll have some additional work on it.

Brad Pettinger [00:18:51] Okay, thank you Joe. Make sure we get back to Council action here, basically I'm assuming we want... go provided, if I could, input to NMFS, I'm assuming we do, number one, but there's also we're asking for review of Attachment 1 if people were commenting on that. I guess I'm kind of curious how we're doing on that. If I could, Jim, as far as number two on the Council action, are we doing good on that so far? Before I go to Corey.

Jim Seger [00:19:27] Yeah, thank you Mr. Vice-Chairman. You've had some discussion on where you want to go. Some ideas have been presented. There was an idea of, you know, the strategic partnerships, taking the advisory body reports and creating a compilation of those to highlight areas for improvements. Let's see that would then be brought back to the Council at some time. We talked about communications, a number of communications issues, a number of the constraints we're under with respect to additional resources and getting trainings needed. And then so you've had a number of different ideas that have been put out and I don't know if there's more to come.

Brad Pettinger [00:20:07] Okay. We're not quite done yet, but I just wanted to make sure we're getting that because that's an important part so. And with that if I go to Corey. So, Corey, thank you.

Corey Ridings [00:20:14] Thank you Mr. Vice Chair. Given that, I think I'll just build on that. Regarding sort of Attachment 1, I want to again thank Jim and Council staff for putting this together. I think that it was responsive to the Council request. I also think it has some pretty serious shortcomings. It doesn't really address the history of how we got here and as our starting document I think that that's something important that needs to be included in this conversation, whether it gets appended to that particular document or is another one. If we are going to seriously address environmental justice, we need to think more about the history of the Council and fisheries management on the U.S. West Coast. To sort of blithely state all the good things we do, again it's a start, it's a baseline, it's a place where we can build discussion from, which is what we're doing today and, I think, that is a good thing, but it also can deny the past. It can erase people from the history of West Coast fishing, and it largely serves the status quo and highlights privilege for people who are enjoying it today. So, I think that part of this process we need to think about history and recognize who is not here and why our management is structured the way that it is and that that is really fundamental to doing better in the future. You know... I know that history can be uncomfortable, but can also be illuminating. It can be instructive. It can be inspiring. It is also part of the foundation for us to understand how we move forward, so I think that that's important. Also, the document is a really good effort, but it is not necessarily rooted in EJ theory or in social science. We saw those gaps highlighted by a lot of our advisory body and management teams. Environmental justice is a discipline with a long tradition and that was actually outlined in the CCC document, took a go with that. And there are experts who understand this, and we need them. So again, that is not meant as a criticism of the staff work around this document, just that it is a start and that it's insufficient. The STT especially noted non-western ways of knowing and I think that that's a really important piece to be added to how we move forward with this document, and we definitely need that expertise. I'm going to build on that and go to sort of my original point, which was thinking about the resources needed. I appreciate Director Burden's comments on sort of being creative and bringing others in. I think that's a really good way to move forward on this. I also, in reading the public comment letter, there's a concept of just sustainability from the environmental justice literature, and it poses that social justice is fundamental to long term sustainability and it connects the concepts of social justice and environmental sustainability. And I think that is really important for how we move forward with this concept in general, especially in the context of fisheries. It may not be something that happens

tomorrow or next year or five years, but I think over the long term that is something that is going to be critical to having fisheries on our West Coast. So, as we do this work, I understand that there are tradeoffs, absolutely, and where we spend our Council resources and where NMFS spends its resources, but noting that this is, I think, a core piece of the NMFS mission and its mandate. So there's, I think, many reasons to prioritize this in the work that the Council and NMFS is doing. So, I'm going to stop there. Thank you.

Brad Pettinger [00:24:16] Thank you Corey. Executive Director Merrick Burden.

Merrick Burden [00:24:23] Yeah, thank you Mr. Vice-Chairman, and thank you Miss Ridings for those comments. In thinking about your comments in regards to Attachment 1, I think there are a couple of things to think through here. One is I think the paper Jim put together was responsive to the Council's ask. In the suggestions you're making I'm envisioning more of a diagnosis analytical type document. Would that be a fair way to describe what you see as the next steps on number two here?

Corey Ridings [00:24:55] Thank you. Yes, I do. I think that that would be helpful if we could have those resources. Again, I agree with you. I think Council staff did as they were directed. Just noting that, you know, we use best available science in this process and National Standard 1 and National Standard 8 talk about that in terms of social science and the need to use that and inform how we work. And we saw in a lot of comments today, we don't necessarily have that capacity to do that. Dr. Rumsey talked about that and Kristen talked about that, the lack of capacity that even NMFS has to really do this work well and have it be based in science and theory and existing thinking, which does exist. So I think that would be a good way to move forward with that document or any other documents that might flow from it.

Brad Pettinger [00:25:56] Okay. Anyone else? Christa.

Christa Svensson [00:25:59] Yeah, thank you Mr. Vice-Chair. I just want to lend support for Miss Ridings path forward. I do want to recognize the staff in terms of completeness of Attachment 1. I think that it is a great starting point and in terms of completeness of what we do I was impressed. I'm always impressed, don't get me wrong, but it was nice to see everything in there and just a shout out for the accessibility in terms of people who are hearing impaired, et cetera, I liked seeing that in as a component of that, but I also agree that there needs to be more awareness about how we got here and how we build from there. I do recognize the financial constraints but agree that this is something that impacts all of our fisheries and the way that we manage, and it is a directive that has been prioritized by NMFS and I do think that it would be worthwhile to spend the time getting this right so that we have a clear future for all of our stakeholders moving forward.

Brad Pettinger [00:27:14] Thank you Christa. Anyone else? Corey.

Corey Ridings [00:27:22] Thank you Mr. Vice-Chair. In terms of process moving this forward. In September when this agenda item was up, we discussed the possibility of forming some sort of working group to be able to help move this forward. I have to say I don't know if now is the right time. I noticed in public comment there was a suggestion to possibly just start scoping what that working group might look like so we could come back perhaps in June to have such a group executed to essentially help us with the regional implementation plans that it sounds like if I have my timeline right will be coming back to the Council in June. I could be incorrect about that.

Brad Pettinger [00:28:11] Ryan.

Ryan Wulff [00:28:13] Yeah, just a clarification to the point regarding timeline. So, the Geographic

Strategic Plan will potentially be available by June or September. That is on a little bit faster timeline than the regional EEJ strategy. So, they're two separate things. I would think that we would want a more iterative process, or at least we're asking if the Council would want a more iterative process, whether it's a working group, whether it's something else, whether it's us just coming back in June or September. On the regional EEJ side, that would be more of a update and dialogue process. We won't have a document like we will on the strategic plan by June for sure, but we may have something like an outline or something like that by September but that, I hope that clarifies the timeline of the two things.

Brad Pettinger [00:29:05] Thank you Ryan. Merrick.

Merrick Burden [00:29:10] Yeah, thank you Mr. Vice-Chairman. A question for Dr. Seger then. As we think about the timing of the, the EEJ strategy, or perhaps this is a question to Mr. Wulff, I'm not sure. Presumably if the Council wanted to weigh in on that strategy through whatever means, maybe a workgroup or some such thing, we would want that input before the strategy is put out. Or do you see a sequence of steps there that could help with this discussion?

Brad Pettinger [00:29:48] Ryan.

Ryan Wulff [00:29:49] Yeah. Thank you Mr. Vice-Chair. I'll speak and then Dr. Seger can weigh in as well. From our perspective regarding the strategy itself, right, I think we're very open to this. Like you heard Scott say in his presentation, right? This is an iterative process. It's not like the strategic plan, which is a three-year document which we won't be revisiting for some time, right? So that's separate. We can bring that back in June or September. It's very relevant. It will tie to that. You can make comments on it. But the regional implementation plan, which is more on a calendar year timeline, we recognize that we want to have this dialogue. We want to have that be an iterative process so we're very open to how the Council wants to engage. We're not trying to say we've laid out exactly how we want to do this just yet because we're looking for feedback right now, but we have a little bit more flexibility on that timeline. And again, it's a process that even when the strategy is out, it's not set in stone the moment we issue it. Does that make sense?

Brad Pettinger [00:30:52] Okay. Thank you. Corey.

Corey Ridings [00:31:00] Thank you Mr. Vice Chair. I guess with that in mind I would put out for discussion maybe the possibility of forming a working group or having Dr. Seger bring back to us some recommendations in June about a working group, sort of what the structure of that would be and some ideas about how we can make that most functional and help with the iterative process of getting that first regional implementation plan and then helping the Council move forward with this work in the near term future.

Brad Pettinger [00:31:32] Well, I would think that having to come back to this in June we have a lot more information to work with than what we have right now and so I think that that would be my recommendation and I would say that if somebody thinks different, let me know, but I think that's probably the second recommendation you gave as far as having come back in June with something maybe that would probably be a better way to do this. Fair enough? Okay, Jim, how are we doing besides being an hour late?

Jim Seger [00:32:04] Thank you Mr. Vice-Chairman. So, we have that direction that we just discussed about coming back in June. And then earlier you mentioned we do want to comment on the Geographic Strategic Plan, so that's separate from the environmental justice but it kind of overlaps a bit. In June and September was I heard you say earlier so I assume we'll be kind of looking at that for the, in the YAG, engaging in the regional plan. We discussed some of the other ideas about compiling the advisory

body documents, looking at the history of how we got here in a diagnostic way, recognizing that would take quite a few resources. Maybe that comes as we develop that, get that working group going and see what their guidance is, comes out of that in the strategic partnerships to deal with resource limitations. I also want to mention that as you continue to think about this issue in that Attachment 1 on page 2 there's a link to the CCC Working Group document on environmental justice. I didn't highlight it here because we're focused mainly on process, but it does include a section called 'Things Councils Could Do' with respect to environmental justice, and that's in the body of the document on page 20. And then there's an Appendix 2 in there that provides examples of things that Councils have done already. And so that might provide some seeding for thought about for this workgroup as well as any of you who want to take a moment to look at that as to what we might be doing as we move down the line here.

Brad Pettinger [00:33:43] Okay. Thank you Jim. Okay, with that, I think we're done with this agenda item.

2. Council and Process Efficiencies

Brad Pettinger [00:00:00] That finishes public comment and takes us to Council action before us. So, with that I'll open the floor for discussion. Chair Gorelnik.

Marc Gorelnik [00:00:14] Yeah, thank you Vice-Chair Pettinger. This... I've loved the comments we've received from our management entities and advisory bodies as well as the public comments, and it just illustrates, I think, what a difficult situation we have because there isn't one path we can take that's optimal for every objective and so we end up having to balance these things. I want to address the comments regarding the SAS, mostly because I spent a lot of years on the SAS and years before that I spent as a stakeholder. And, you know, there are talks in hallways. There are state dele... you know, state members will meet and I'm just not sure how you, how you can really, you know, they're all ad hoc and so I'm just not sure how... I mean it'd be great if we could figure out how to do that in a hybrid fashion. I'm just not sure how that does, how that happens and in regard to Miss Labriola's comment about folks, you know, on management teams or advisory bodies messaging each other, well, you know, that happens here too, you know, and people, Council members at breaks talk about how to solve problems. And so, there's always an aspect of this deliberative process that is facilitated by, you know, one on one discussions happening in hallways. And so, I don't think there's any... I think we need to recognize that this process is never going to be as transparent as we would all like. We want to make sure that we involve the public, we listen to the public, we listen to stakeholders, we allow full participation, but it's never going to be possible to make the process perfect for everyone. And I just wanted to just to express that.

Brad Pettinger [00:02:26] Thank you Chair Gorelnik and well said. Butch Smith.

Butch Smith [00:02:31] Thank you Mr. Vice-Chair. And a little bit to what Marc said, and I agree totally. Sometimes we use the terminology SAS or GAP members like it's a meeting and I think that's where the confusion is. It might be the Washington SAS member or the Oregon GAP member has to pull out and talk to a... it's not a meeting, it's something that, you know, things explode around here like crazy, especially in salmon from time to time where a member of the Council, of the subcommittee has to go and work things out not the whole group and I, you know, I understand what Mr. McLaughlin is saying and we could all approve, but this idea that, you know, we're behind the bushes having full SAS meetings is just, is fictional. It's not true and, you know, under my reign of terror at the SAS and under Richard's reign of terror, I know we don't let that happen. We incorporate everyone into the table and so I do take some exception that the rumor is that we do everything and that's the farthest from the truth. I'm involved in a lot of governmental processes, and I can say this is as open as we can make it. And to the point when this Council was set up, it was set up, you know, kind of before the zoom computer, cell phones and everything else so you had port and representatives who you went through if you couldn't make the meeting to convey your wishes and let's not get away from, you know, that's why we have sport reps, that's why we have a commercial reps, that's why we have NGOs, that's why we, you know, that's why we have, try to bring everybody to the table so it's well represented, and so I think sometimes in this day of high speed media and getting the answers, you know, as quick as we can, we can't lose sight of that this process was set up to represent everybody and not exclude anybody from the beginning. So I just wanted to throw those I guess remarks, you know, to what we heard publicly and to my Council member Mr. Dooley, Mr. MREP recruiter of the year, I think maybe Brian McLaughlin would be do good and getting in on an MREP program to kind of see and be a little more, not that he isn't, but a little more educated on the process and how it works. But anyway, thank you Mr. Vice-Chair for letting me comment.

Brad Pettinger [00:05:25] Thank you Butch. Further discussion? Virgil Moore.

Virgil Moore [00:05:28] Part of mine is a question that doesn't need to be answered right now but it is, given our operating procedures, are there any needs for the individual committees to ever go into executive session and exclude the public from observing and listening? Certainly, we have that as a Council. I do not know whether our various committees have that ability from a Chair standpoint, and if they do we need to be sure the public fully understands when and how that is done would be the only thing I would state about that. Certainly if a meeting is ever adjourned with the statement that further discussions can take place on this matter outside of the meeting, that's inappropriate in my mind, but an adjournment of a meeting with an understanding that individual members will likely continue those discussions without any decision making or deliberation relative to that is essentially what we heard Marc and Butch comment on and I'm fully supportive of that, and I hope that our public understands that in terms of maintaining both efficiencies in our meetings and decorum, that the Chairs have to have the opportunity to make decisions about when public input is cut off, but not excluding them from listening in and understanding what's going on in those meetings. Thank you.

Brad Pettinger [00:07:13] Thank you Virgil. Christa then Lynn.

Christa Svensson [00:07:19] Yeah, I guess I just want to reflect for a minute. I think we heard a lot from our advisory panels about not having mixed, meaning I don't particularly see that as a majority path forward, meaning most advisory bodies said, 'hey, we'd rather be in-person or we'd rather be remote', but it's challenging to have a mix in terms of capability, so just sort of highlighting that. I also want to reflect on the feedback that we got from the public today. We may not like what we have heard in some cases, but what our own personal beliefs are we kind of need to step away from that and say we have members of the public, and I will say to those too, because you're probably listening, it was brave of you to come forward. It was a hard thing to do. There are many other people out there that have had experiences that they don't feel comfortable enough coming forward with and we may not like that perception, but it is something that we need to look at in terms of efficiencies and moving forward both for this topic and for the one prior too. So, I just think we need to highlight that and not say, 'hey, this was a one-off deal or it was, you know just a couple of people'. My own experience having been a member of the public, not in salmon, was that I got told I needed to, as a member of the public sit in the back of the room and in general the public didn't say anything. So, you know, okay, I'm one person and everybody's experience is different, but I do think clarity for the public, whether that's expanding the MREP program, whether it's highlighting through, you know, a code of conduct, what that looks like I don't know, but I do think that it's something we should grapple with based upon commentary today.

Brad Pettinger [00:09:44] Thank you Christa. Lynn.

Lynn Mattes [00:09:46] Mine was on a slightly different topic if folks want to continue.

Brad Pettinger [00:09:49] That's fine.

Lynn Mattes [00:09:53] Okay. Just what I heard a lot in the various advisory body reports is we understand the situation we're in these days of hotels, space, budget, and another issue I haven't heard is carbon footprint, our carbon footprint of these meetings. I think that realistically moving forward we are going to have to have some meetings where not all advisory bodies are in person. But one of the key things I heard in a number of the reports was being strategic about it and having Council staff work with the leadership of those particular advisory bodies so that key items, big picture items aren't being discussed when they're remote. As an example, with the GAP and gear switching, if PPA was going to be here in April they wanted to be in person for gear switching for those discussions. That got moved to June so it was a little more palatable, but I do think this is going to be our future is looking at having to look at this or what are those trade-offs and just being very strategic and having the ABs involved

would be a good way to go forward.

Brad Pettinger [00:11:01] Thank you Lynn. Chair Gorelnik.

Marc Gorelnik [00:11:02] Yeah, I just want to add some perspective here, and I think that trying to improve our process for the public is critical to our mission here, but I think we should sit back and compare ourselves to comparable bodies and see how other bodies work. I know that in our state we have a Fish and Game Commission and it doesn't have a tiny fraction of the public involvement and transparency that we have here. And you can look at the legislative bodies, whether it's in your state or at the national level that doesn't have anywhere near the degree of genuine public participation and transparency we have here. So, we should always strive to do better but I do think we need to keep that in perspective that we already have one of the better processes, quasi-legislative processes that we have anywhere in the country. I just wanted to also touch on, I mean, I think that we're really, there's two pressure points here and one is to maximize genuine public participation and having the hybrid process that allows at least, at the very least remote public comment and to the extent it's possible listening in on and or participating in an advisory body and management entity and management bodies. I realize that it's, there's a tremendous technical challenge there but that we should perhaps take a look at. That's one pressure point we have. The other pressure point we have is budget. And so, while we can find hotels that can accommodate all of our groups, the selection is smaller and therefore the price is higher, but that's something we have accommodated in the past. But we haven't, our Council has not seen a funding increase notwithstanding inflation so that's a genuine constraint we have. So, I just wanted to clarify. Those are, I think I see those as the two pressure points under this agenda item.

Brad Pettinger [00:13:11] Thank you Chair Gorelnik. Corey Riding.

Corey Ridings [00:13:11] Thank you Mr. Vice Chair. Just a couple of comments in response to this discussion. I hear Chair's comments about other bodies, and, I think, in terms of comparing us to other Councils, this is the best Council. However, this is still a very opaque process for many people. It is still a process that is difficult to engage for many people and there's many reasons for that and I'm not going to pick on this, but as I said previously, you know, there are barriers to entry for many people, and I think this efficiencies process is a good way to be thinking about some of that and I appreciate the staff document on that. But there, it is not always transparent, and it is not always inclusive so thinking about these things moving forward is really important. You know, in thinking about how other bodies work, other political bodies, you know, it is not even allowed that members would be able to talk to each other off of the Council floor. Clearly, we don't adhere to that standard or that practice, but there's a wide range in terms of how political groups govern themselves and how transparency is conducted and what is allowed on the floor versus off the floor. I am not a governance and management expert so I'm not going to claim to have that answer, but I think it's worth considering and just noting that there's certainly a spectrum and that is something that we could educate ourselves on if we wanted to. Finally, while I appreciate the nods to MREP, MREP is for fishermen by fishermen. It is not for the public by the public. So, while it is a great model for how to better understand to engage with your government, it is not for the public. I just wanted to highlight that. Thank you.

Brad Pettinger [00:15:13] Thank you Corey. Phil Anderson.

Phil Anderson [00:15:20] Well, when I... first of all I just want to compliment the staff on the White Paper and help trying to bring clarity to some of the terms that we use so that's very much appreciated. I also, you know, when we started this topic, two things I had in my head in particular were touched on by Chairman Gorelnik. One was what budget limitations do we have in terms of having meetings that are include in person for all of our committees and panels? And the second was what limitations do we have in terms of facilities that are able to accommodate that? Those are two limiting factors that I, that

there's some clarity on the facility piece, there's less clarity for me on what the budget limitations are. So that is to say that if we wanted to go back to a total, to pre-pandemic we're every, virtually everything's in person, do we have the budget wherewithal to support that or not? And if we don't, that's obviously an important consideration of how we're going to move forward and prioritize meetings that are in person versus those that could be held virtually. So that's a point of clarification that I'm not asking for right this second, but in moving forward and thinking about how far do we need to move away from our pre-pandemic model as a result of budget limitations that we have now that we didn't have then? Setting that aside, I'm extremely proud of this Council and how we operate. We're not perfect for sure and as Chairman Gorelnik said, we always need to be looking for ways to improve. And this is an opportunity for us to take a little deeper dive than we do for the most part in terms of looking at how can we improve our process that allows better access to our process by the public, and that's a good thing. But when you stop and think about the, the geographic area and the number of fisheries and the number of communities that this Council covers with its actions, it's pretty overwhelming and it is difficult for people to participate, let alone the time commitment. The cost to follow us and come to our meetings is an obstacle. It always has been, and I suspect it always will be. So I think we have, if there's anything good that came out of the pandemic, I think we have learned about some tools that are available to us to help make our process more accessible by the public and to the extent that we can build on that experience and have that as a result, then that's a good thing and we ought to be exploring that. And my last, I guess, my last comment has to do with our AP process and other committees that we establish. I think we go out of our way to make sure that we provide for an opportunity for the public that attends those meetings to make comment to the committee. And there are, in some instances, maybe a lot of instances where the way those meetings are run don't separate the members of the committee from the public that are in the room. They allow the public to engage with the committee as they have their discussion. But I also think it's totally appropriate if the Chairman of their, of that committee or subpanel wants to bring the conversation back amongst the members that we have appointed as our advisors to have a discussion and bring forward a recommendation to us. So bottom line on my point here is, I think we've learned some things that we can expand our access to the public to our process and we ought to build on that and also recognize that we have a big job to do here that covers a lot of area that makes it very, very difficult to have a process. Miss Ridings has used the word opaque. I don't know that I would use that word. I think that our process, we meet five times a year up and down the coast and figuring out ways that we can improve people that can't travel to our meetings to make them feel like they can be a part of our process and have input into our decision making is the important part. Thanks.

Brad Pettinger [00:21:29] Thank you Phil. Bob Dooley.

Bob Dooley [00:21:37] Thank you Mr. Vice-Chair. I just, I agree with the comments that have been made here. I disagree with one that MREP is for fishermen by fishermen. That's the moniker that's on the website but I'm intimately involved in that and so are several members of this, this body and it is inclusive. We take applications from everyone. We try to balance the participants. Yes, we would favor probably fishermen over non-fishermen, but there have been plenty of non-fishermen that have attended that over the seven years we've been doing this on the West Coast. And I think that it's probably not a good thing to say that it's not for the public because we've had teachers, we've had several different non-fishermen apply and go through the program so are they not the majority? No, they're not, but it's hard to justify a fisheries issue like that or a fisheries training that to include just solely that. It's a balance. There are Council members that have attended. There are several agency folks up and down so I would take exception to calling it not inclusive. I think it's been very inclusive. One other comment here is, you know, it's budget. We've got so much, so many budget constraints and we've heard it many times, but perhaps, you know, with, I mean the genie's out of the bottle as far as virtual. Since we've went through COVID and come out of it I don't think you're ever going back. There will be a virtual component. So perhaps we don't need to be meeting in areas that we meet anymore. Maybe we don't,

maybe we can go to areas that aren't as expensive. This is a, where we are today is a pretty darn expensive county and things cost a lot of money here and other places too, but is it necessary to go to all the locales? Can we go to, I know in the future we're contemplating Fresno, not a port town but or even close to it, but maybe there's, maybe we find the places that fit our budget and perhaps that will enable us to invest in more virtual equipment and technology and like Merrick said, staffing, because it isn't just plop a speaker on the table and go at it. There's a lot of work to that and a lot... and staff support. We see it here in this room with, you know, three people full time manning this, the virtual stuff we do here. So, I'll stop there, but hopefully we can explore those. I guess one final thing, I do agree that this is, we are much like our government. We are representatives. We have, we're chosen to represent different parts of the fishery, different, you know, whether they be states, whether they be, you know, groundfish trawl CPS, all those people are representative. They're not.....and I know the last time I was in D.C., I don't get to help make the soup there. I can go and talk to a Representative or a Senator and they may listen to me, or they may not. They may vehemently disagree with me. I don't get to intrude in their decision-making too much. So, I think we're much modeled to that. We're representatives and we do the best we can, and if we're not doing a good job, I'm certain we won't be here next term so. So, thank you. I appreciate it and really I thank you, Merrick, for the report. Thank you.

Brad Pettinger [00:25:35] Thank you Bob. Corey.

Corey Ridings [00:25:39] Thanks Mr. Vice-Chair. Just a couple more bits to add on to the conversation here. First, thanks for your comments, Phil. I just wanted to highlight something you said, which was and appreciate the fact that time and money is always going to be an obstacle, that it's not solvable, and I agree with that. I don't think there's any perfect situation where the Council is able to overcome that. I think when I was speaking to that, when I think about that, I think about it in the context of the point is recognizing that that barrier is there and continually in an ongoing way thinking about that barrier and what we can do to address it and make sure as our fisheries change, as our world changes, as our coast changes, as the challenges that we're facing changes, to make sure that we're including different new people, different new ways of thinking, and that we are addressing that. So, I just wanted to say that I agree with you on that and appreciate your comments. Also, in terms of opacity, I think we do do a good job of our physical locations. We move up and down the coast and it's clear that that's a challenge for Council staff to make that happen with hotels. And again, there's no perfect location. You know it'd be wonderful if we could meet in some cases in smaller communities or different locations or mix it up, but that's, I'm not sure that that's something we can do or maybe that's a longer-term discussion, but there are limitations to that. You know, I think when I use that word, I think a lot about advisory bodies, those members and folks who are paid to be here and are paid to represent and Bob noted versus the public and the difference in barriers for entry for those two groups. Also, the ability to, and we heard this in public comment today, the ability to digest and understand Council documentation and process is hard. That's hard for people with multiple advanced degrees, you know, let alone people who don't have those degrees and don't have necessarily the time to be able to understand that. And again, there's no perfect solution, but just recognizing the difficulty in being able to engage, even if you do have the time and money, just what our documentation can be like is what I mean when I use the word opacity. Finally in response to Bob's comment about MREP, yes, the website says for fishermen by fishermen, which is where I got that. Also, you know, it is from what I understand, and I could stand to be educated about this, you know, it's not public. It is a private process. And it also depends a lot on who decides who gets to come to that. You know and you've spoken a bit to that, but how that process is decided and how that training is provided is not an open, it's not open to the public. So that is where that comment comes from. I think a lot of what's provided in there is obviously of really high quality and as a way to engage people, so I just wanted to be clear about that. Thanks.

Brad Pettinger [00:28:46] Executive Director Burden.

Merrick Burden [00:28:47] Go to Heather first.

Brad Pettinger [00:28:47] Heather.

Heather Hall [00:28:51] Thank you Vice-Chair. I'll just make it brief, and I've really appreciated the discussion here too. Again, the advisory body reports I think we've seen that the future looks different and it's probably going to include all of these things. And then just figuring out are all these approaches to meeting and engaging the public, it will all be included here as at least the way I see it. It's the way I see it when we meet in state-sponsored meetings. I will always have a virtual opportunity for people to provide input. There's just no walking back from that. It's been a great thing for our sport meetings where we're setting up talking about groundfish or talking about halibut before we come to the Council meetings. And it was something that I also thought about too and part of my responsibility as a state manager is helping people understand what those meetings provide to the Council process and how that all works. So, I feel like, you know, I go home with the refreshed reminder of the responsibility I have to make sure that the Washington stakeholders understand how they can contribute to this process and make it less intimidating, which I think it can be, so just a reminder for that. I also wanted to note the Ecosystem Working Group's comments, and I also want to say leadership. I think they've shown us really how effective and valuable these pre-meeting presentations can be and that are recorded that we can go look at if you can't participate. Going back to some of the initiative work that was done, to me I think that's also a really neat tool that we've learned a lot more about and even the GMT incorporating presentations into the way they present statements that are really complex, like around the harvest specification process was, has really been valuable. So, I was also just trying to think if there's anything in particular I could offer in terms of guidance and how, what the White Paper looks like coming back in June, but it's really just trying to incorporate all those different meeting options in a way and that is kind of helping us put this puzzle together as we go. I know it feels quite big, but that's it. Thank you Vice-Chair.

Brad Pettinger [00:31:36] Yeah, thank you Heather. I think it's, it is important that the input to the agencies, I mean it hasn't been really mentioned here around the table. That's a very important part, there's multiple ways to input into the system here so thank you for bringing that up. Merrick.

Merrick Burden [00:31:52] Yeah, thank you Mr. Vice-Chairman. This has been a really great discussion and I thought I would offer up some of my thoughts about where I see us going and some of the takeaways that I've taken from the advisory body comments and conversations with several of you. If I reflect on, you know, when we first started having this discussion I think there was a lot of divergence about what the future held in store. How much remote setting we were going to be doing? How much in person we were going to be doing? All the possibilities of a hybrid meeting format and what have you, and as I hear this discussion and I read the advisory body statements, it's my impression that there is a lot of convergence actually in what we all prefer as a meeting format. By and large there is a lot of value recognized through in-person meetings. There is acknowledgment that remote meetings make sense from time to time and that there are special occasions I believe when a hybrid setup makes sense. And when I think of a hybrid setup I'm thinking of the meeting, formal meeting participants, some remote, some in person. One example of a case where that would make sense would be, you know, if we have someone who is caretaking of their elderly parent perhaps and they can't make the meeting, yes, we'll see if we can provide options for them to patch in, and that's the kind of thing that I'm envisioning. As I think about where we are now and where we're headed, at the moment as you've seen in the White Paper, due to staffing and available technology and the fact that we have multiple concurrent meetings, we're able to host about two hybrid meetings in addition to the ballroom. That's about all we can do and feel confident that that meeting will be successful. There's a possibility that number will go up as, you know, Kelly and I are, you know, rethinking ways of staff organization. And so, one thing that we're exploring now is Sandra might not be the only person in that seat going forward,

and if we approach things that way then Kris might not be the only person in that seat going forward, and that would free up somebody to help man some of the hybrid meeting potential. So, I can't promise that's where we're going to go, but we're looking into it. And so, I think where we're at now is a fairly decent spot and there are places to entertain and manage a hybrid meeting and hopefully we can get a little bit better at it. And I think like many of you I don't see us putting that away, that possibility away. So, I guess I would ask let us keep making some steps in that regard, see if we can increase our capacities a bit for some of the hybrid format or at least some of the remote listening capabilities for in-person meeting and I think we are taking steps in that direction and we're hopeful. There's also questions from several of you and several of the advisory bodies about when advisory bodies will be in person, when they will be remote, and I can't tell you how much Kelly and I have thrashed about on that question, and it's a difficult one. I think where we're at is that we are converging with... to some general guidance for, you know, in general what sort of, what advisory bodies would tend to be in person more than others. So, one example, looking forward I do not see the GAP being in a remote meeting format in the future. I just think there's too much groundfish. I think the idea of having a remote GAP meeting is just, it's hard for me to imagine that again. Other groups, and in particular the SSC, has specifically asked to be remote at several occasions. So, if you look at those bookends and think about the various advisory bodies, I think what we could put together is some general guidance per our advisory bodies. How many meetings a year do we see them being remote? How many meetings a year do we see them being in person? The actual meetings then is something that we would happily consult with those advisory body Chairs to specify. That, of course as several of you noted, relates to budget and so we aren't prepared here to talk about that. There's been a lot of stuff on our plate here over the last fall and spring but what I've been, what I'm picturing is as we go forward with this more strategic planning session and folding this into our budget planning, I'm picturing a financial spreadsheet that says out of all the advisory bodies being remote and in person, what's the basic annual cost of that? And if we scale some upscale, some down, how does that affect our budget? And that's something that I think is in our future, we're just not prepared to do that at the moment, but it will get to some of the points that a couple of you have raised. So, where that leaves us is... I guess there's a mix of suggestions I have for where we're at and where I see us headed and our... Kelly and my intention in moving forward with this. Happily take more of your input if there's things that you would specifically like to see or direction that you would like us to take. But I offer those observations and thoughts and forecasts for what they're worth.

Brad Pettinger [00:37:32] Thank you Merrick. Okay. I don't see any other hands. Does that mean we're done with this agenda item?

Merrick Burden [00:37:47] If there are no more comments, I think I would maybe offer up a couple of additional remarks about what you would expect in June, just in case there are some additional thoughts about the June item. So, what I view June as being is a planning session. And so, there are two major parts to the paper that I'm picturing. One is the scope of the discussion, and that scope I'm envisioning, you know, a series of alternatives, for lack of a better word, going from the low hanging fruit up to more systematic and programmatic views of how we do business and what that might mean for our costs. And then timeline in terms of how we take this up. And the timeline, I think, gets us to the next five year grant period. So that's what I picture coming back in June with. And then of course hearing the reactions from the advisory bodies and allowing you all to read that and consider it ahead of time so we'd offer that up for your consideration and for the Council broadly and all the advisory bodies' consideration. If that sounds good to you all, I don't know that I need more guidance, but I do want to be clear that's what I have in mind.

Brad Pettinger [00:38:59] Okay. I guess I'm seeing head nods around the table so all right. Well, let's go with that and at least we finished this one within time allotted so it's perfect. So, with that I will hand the gavel back to our Chair and thank you.

Marc Gorelnik [00:39:20] All right, thank you very much Vice-Chair Pettinger and Council. Great work on the last two agenda items.

3. North Pacific Fisheries Commission (NPFC) Update

Marc Gorelnik [00:00:00] That concludes the only report we have. We do not have any public comment the last time I checked, and I'll double check, but I think that's still true. So that takes us to our Council discussion here. It was a very helpful report, and we understand that maybe looking for someone to step in the shoes that Rich has so ably filled for these years. So not a discussion we need to have now, not a decision that's going to be made now, but just something for us to think about. So discussion? And if there... Phil Anderson.

Phil Anderson [00:00:51] Well I don't know what the appropriate time is for that discussion, but my understanding was that Mr. Lincoln would be willing to continue his work there if we requested that of him. Maybe I, maybe he's changed his mind since the last time I've talked to him but I think his, what he brings to this position is pretty unique and his experience in the international fora and in the fishery issues and, you know, since he left his 30 some year career at WDFW he has worked in the international community relative to fisheries issues and frankly if he was willing to continue to do that I'd be trying to twist his arm a little bit to continue but, so I don't know when the right time is to talk about that or you may have had some discussions with him that revealed some different perspectives and...

Marc Gorelnik [00:02:14] I actually haven't had any discussions with Rich. That's word I received from a third party. So maybe we can ask Rich if this, are you, if he's prepared to continue in this role or whether he would prefer to transition out at some point, that would be very helpful for the Council to know that.

Rich Lincoln [00:02:37] Well, I have two answers for that. I'm more than willing to contribute if there is a Council desire, but I also recognize that there may be Council members that would have an interest in doing this so I certainly wouldn't presume or want to stand in the way that if Council so choosed, so chose.

Marc Gorelnik [00:02:57] All right, that's very helpful. That's, and that's a little bit different than I had been told so. I think you've done an excellent job and I also note that looking at the 2024 meeting that overlaps with the Council meeting, I think it'd be very especially difficult for a Council member to wear both hats at times, so what is the sense of the Council here? Bob Dooley.

Bob Dooley [00:03:32] Thank you Mr. Chairman. Well, if Rich is... I'm supportive of him staying on, I am, I will, you know, to me from what I witnessed with Dorothy and have many conversations and my experience on the... limited, however, is the whiting AP. When we negotiate with folks in the other countries those relationships are huge and I'm sure Rich has many of those relationships over time as he's been doing this so changing horses in the middle of the stream can be pretty detrimental to us, I think and if he's willing to stay I think that's a good thing. I also think that if there's a, you know, there will be a transition at some point in the future, always is, right? We're not getting any younger. I think there needs to be some overlap so whoever takes those reins in the future would have the benefit of having some of those relationships engrained. So, I think it's, I like the approach of keeping him on and doing this because of all that and like you mentioned the overlaps, but I also think we need to prepare for the future as well. So that's my thoughts. Thank you.

Marc Gorelnik [00:04:48] Well we have one appointment so I think that it may be appropriate to discuss that transition when Rich lets us know unequivocally. Christa Svensson.

Christa Svensson [00:05:03] Yeah, thank you Mr. Chair. So, I want to support Rich in terms of the commitment. I don't talk a lot about it for WCPFC, but in terms of attending scientific committee and

some of the other workgroups you really do need to participate to be fully engaged when you go to the annual meeting, so I think you're three weeks to a month, I mean that is legit. I also think what Mr. Dooley had to say was important in terms of changing horses midstream. I am extremely thankful for the Council to have given me a year, almost two years with Dorothy Lowman in terms of making that transition and that is something that I would fully endorse and encourage when the time does come to put somebody different in either of those commissions or IATTC for that matter.

Marc Gorelnik [00:06:03] Thanks for that. I'll look around the table and see if that captures the sense of the Council here? Any further comments? Phil Anderson.

Phil Anderson [00:06:15] So just for clarity we would ask of Mr. Lincoln to continue on representing the Pacific Council in this forum and to when he's ready to stop representing us in that forum he'd give us some lead time so that we can prepare someone to step into that seat. Was that where we ended up?

Marc Gorelnik [00:06:46] That's my sense of where we ended up.

Phil Anderson [00:06:49] Great. Thanks.

Marc Gorelnik [00:06:51] All right, thanks Rich. Thank you Council. Kit Dahl, how are we doing here?

Kit Dahl [00:07:00] Well it seems like you've had a very productive discussion. Mr. Lincoln, I think gave you a very good perspective on the role and activities of the commission. You have a greater understanding of that body and its relevance to Council interests. And then you also had this discussion around his continued role here and your perspectives on that, that he, you fully support him continuing if he's willing to continue serving. And also, when the time comes to work out a transition process so there can be some overlap whoever is chosen to succeed Rich and that he can help that person get up to speed on the process. So, I think you've covered that and perhaps we'll look forward to hearing from Rich again and in coming years and reporting back to the Council on the activities of this commission.

Marc Gorelnik [00:08:08] All right. Well thank you. And thanks again Rich. And that will conclude this Agenda Item F.3.

4. Marine Planning

Marc Gorelnik [00:00:00] So that'll take us to our Council action here today is to consider the report and provide guidance. We had recommendations, specific recommendations from the MPC as well as the GAP and comments from CPSAS and some cautions from the Habitat Committee. So, let's open the floor and see where we go. Dr. Braby.

Caren Braby [00:00:29] Thank you Mr. Chair. And I think we're in a different place this time than we were in March and that we have a lot of opportunity to kind of prepare for the future, maybe develop some proactive thoughts, maybe some proactive letter components at this meeting but not such a juncture as we had in March. I have a lot of thoughts and I am going to try my best to share them succinctly but the overriding theme for me right now is that the Council is clear on some of the outcomes that we would like to see relative to offshore wind planning and siting and implementation on the West Coast. And we are hearing some differences of perception at the least or understanding about different mechanisms to help us along the way in achieving those outcomes, particularly the PEIS, but what I'm hearing from the reports today and pulling from past conversations is that the Council and the Council family continues to prioritize communication between the wind industry and the fishing industry writ large, right? That's an overarching priority. I have some concerns related to the CPSAS report on how individual projects will obfuscate that communication with our regional fishing community and I think that should be a concern for the Council. I think the other piece is that the Council is very clear that we're concerned about cumulative impacts. It's not about one site that's 300 square miles or whatever it is in and of itself, it's about the California Current System. It's about the regional fisheries system and how taking one bite, one bite, another bite, a third bite, a fourth bite, impacts the function both for the ecosystem and for the fisheries. And I'm still left uncertain about whether the PEIS is the tool to help in a first blush because I'm concerned that if it's a check the box PEIS and we don't get to the more granular level of project level EIS that really digs into the impacts at that site that we're losing something. So, I want to gain the regional perspective and understanding of cumulative impacts on that large scale but not lose the specifics, and I think that's consistent with the Council's perspective generally. And I think in considering additional communications from the Council, those kind of higher order outcomes and objectives and intents of the Council should be primary with potential tools listed as an option, and some of the language in the reports that we have today is we want this tool and then it's followed by the outcomes, and I feel like our language should be the reverse, it should be we want these outcomes and a PEIS or this other tool might be in service of that. And... and so that, those are my thoughts right now. I'm probably going to have more but that maybe will start us off.

Marc Gorelnik [00:04:38] Thank you for that. Looking for additional discussion and guidance? Oh, thank you. Mr. Ugoretz.

John Ugoretz [00:04:56] Thanks Mr. Chair. I'll do a quick voice check.

Marc Gorelnik [00:05:00] Loud and clear.

John Ugoretz [00:05:02] Great. I just wanted to touch briefly on Programmatic Environmental Impact Statements generally, how they're used, how they work. And I think the key thing is that normally a PEIS is used for programs that are covering large areas geographically or a multitude of smaller projects, and there are ways for agencies to avoid piecemealing major programs with a bunch of unrelated EISs. I don't think they're normally used in lieu of project level EISs which must follow once those individual projects are developed, so I think some of the comments from some of our advisory bodies are good and pertinent. I would anticipate that some of those issues would be addressed in project

level EISs when the time comes. I'm also not opposed at all to the Council continuing to stay engaged in this PEIS process and to provide our input about the types of things that a PEIS cannot contain that we wholeheartedly expect to see in future EISs for individual projects.

Marc Gorelnik [00:06:33] Thank you. Dr. Braby.

Caren Braby [00:06:41] This is a continuation, not a response to Mr. Ugoretz, but just continuing on the PEIS tool specifically. You know right now we have the recommendations on the California, the five lease areas in California and conducting a PEIS or asking for that to be done there, but we know that imminently we may have additional sites in Oregon and so where does that leave those relative to a cumulative analysis, cumulative impacts analysis or a Programmatic EIS. Clearly the individual EISs would be done for anything that was delineated in Oregon and so it leaves me still with this question, or at least it leaves me with an additional question which is, would we want to see something like a PEIS applied in California, and then once their sites delineated in Oregon, another one conducted and if there were ones delineated in Washington, a third one conducted, how would that work? That's the kind of phasing that we're anticipating with individual sites on the West Coast and maybe that kind of phasing in that regional analysis is appropriate, but just throwing that out there for fodder as well.

Marc Gorelnik [00:08:07] Corey Niles.

Corey Niles [00:08:10] Thanks Mr. Chair. Yeah, on those, on that same line of thought, and I think Caren you said it the first time you spoke, I should have wrote it down because it was wonderful about the, you want to know how the California, I'm going to mess it up trying to paraphrase it but, but the California Current as a whole and the regional fishing economy as a whole are going to be affected over time so I think the main interest I think as the Habitat Committee said is really in understanding the cumulative impacts and like the scenario planning and the Council put this in the comments on the modernization rule and in some fashion was, BOEM so far has said, 'we don't have a program, therefore we're not going to do', and I'm paraphrasing maybe a little inaccurately, 'so we're not going to do a PEIS'. Yet then in there, part of that rule is we're going to do a five-year plan for announcing lease sales and you combine that with you have these federal goals for development and state goals for development, that sound an awful lot like a program to me at least, so I think that the interest is where, your second you spoke is their response so far has been we don't have enough specifics to give you a meaningful analysis. So maybe that's where a scenario planning of if California is going to want, I forgot how many gigawatts by 2050 and Oregon is going to have this much and Washington, that's where a scenario like can you start doing cumulative impacts type of look on that approach. So, I think what your second thing is where the interest has been and let's look at the ecosystem. Let's look at the economy of fishing and how it would be affected, you know, would be affected ensnares like that. So, I thought you articulate it very well and I think you're right. I think that's.. I don't have the exact answer to. Would it be beneficial just to do one for California or and then Oregon and then what, but I think the interest, as you said, the first time is in understanding those ecosystem level regional impacts.

Marc Gorelnik [00:10:33] Joe Oatman followed by Dr. Braby.

Joe Oatman [00:10:36] Thank you Mr. Vice-Chair. I wanted to provide a comment on that Programmatic Environmental Impact Statement and the Marine Planning Committee's report on this. They talk about the importance of tribal consultation in the process, and it relates to the Treaty Tribes located outside of California and references tribes in Oregon and Washington whose fisheries and usual and accustomed grounds could be affected. I want to also include the Nez Perce Tribe in the State of Idaho. We're one of the Treaty Tribes of course and I want to make sure that our fisheries and U & A's are also encompassed here.

Marc Gorelnik [00:11:34] Thank you Joe. Dr. Braby.

Caren Braby [00:11:40] Thank you Mr. Chair. I almost lost my thought but it came back and it's following on Corey's comments about what we have in hand in terms of a program in addition to the five sites in California. And we continue to hear from BOEM that they are considering the three gigawatt planning goal from legislation as a target essentially for Oregon waters and so I would just agree that from in terms of the thinking that I understand as is occurring about that kind of coastwide program, that that three gigawatt number is relevant to fleshing out a program and could be the subject of that cumulative impact approach. I think that's good thinking.

Marc Gorelnik [00:12:44] Well, I've got a process question and maybe Kerry can answer it. We have a specific request about sending a letter about a Programmatic EIS. And leaving aside the contents of that letter, do you have a notion of what the timing would be on that?

Kerry Griffin [00:13:01] Thank you. No, I don't have a notion. Yeah, no I don't. It would be... at the last meeting we had several letters, several very sort of large magnitude letters. We don't have as many so... as from a workload perspective it might be a little quicker but, and we also don't know for sure when, you know, when the leases are going to be finalized in California. We know it's sort of soon although, you know, the EIS wouldn't happen until the construction operations phase so that would be down the road a ways. I don't want to speculate too much but, you know, we could get a letter out fairly soon.

Marc Gorelnik [00:13:44] I guess my question wasn't so much about staff time as when would we, what would be the appropriate time to get something to BOEM? And I appreciate we're going to have detailed EIS on a specific project, but the topic is the Programmatic EIS. So when, what is our timing on getting something to BOEM if that's something the Council chooses to do?

Kerry Griffin [00:14:09] Thank you. I understand. I don't know but I'd be happy to reach out to BOEM staff. We have a good line of communication and we'd be happy to reach out and get back to you.

Marc Gorelnik [00:14:17] Well, the reason I'm wondering is because we're coming up on the end of this April meeting and is this something that must come out of this meeting or is it something that we could defer?

Kerry Griffin [00:14:28] I'm not really comfortable speculating on that. I'm sorry.

Marc Gorelnik [00:14:34] I know there are braver people here. Dr. Braby.

Caren Braby [00:14:38] I'm not going to comment on whether there should be a direction for a letter at this time, but I just want to reflect back on the conversation we had in March on the anticipated timeline, and BOEM was clear that they thought that we would have a lot to discuss in June and I don't want to fill in the gap of what it is that we would be discussing but they intend to have a good amount of material. It could be results from the modeling. It could be draft Wind Energy Areas. I don't know, but it occurs to me that there will be more specificity to the intended next steps for Oregon offshore and meanwhile we will continue to have the specificity that we already have off of California in the lease areas and that that could be a time to kind of have more discussion on this cumulative impacts evaluation request, whether it's a PEIS or something else, and that it could be informed by maybe some clarity between Council staff and BOEM staff on the PEIS tool versus project tools and kind of what those options are for the Council to consider at that time.

Marc Gorelnik [00:16:21] Ryan Wulff.

Ryan Wulff [00:16:25] Thank you Mr. Chair. Not on that point. And, in general, I think NMFS would defer to the Council for how it wants to make its position known to BOEM or to others. In relation to this I just note as I reread some of these reports too, and just for the purposes of thinking and consideration raised, it seems that there's constant reference to, you know, whether or not they should do a PEIS for the five California leases, and I just wanted to note that there's nothing that would prevent, it doesn't have to necessarily be one PEIS for all five, right? There is no reason that you couldn't have a PEIS for each of the two areas as an option. So, thanks.

Marc Gorelnik [00:17:18] Well what sort of guidance would... do we wish to provide to staff at the very least? Dr. Braby.

Caren Braby [00:17:25] This is a question for Kerry or for MPC, if they're still on, about kind of the timeline for next steps for California and the urgency. I kind of missed that in my thinking and I'm not sure if I'm being inconsistent with what I'm suggesting.

Kerry Griffin [00:17:46] I can take a first shot at that and maybe if Susan or Mike Conroy are on, they can bat clean-up. So, yeah, the request in the MPC report, it seems to be more specific to the five California leases and doing a PEIS. As you know those were auctioned off in December and BOEM has been waiting for some other steps to take place. There's oil and gas leases that... sales that had to be issued, that sort of thing, but my understanding is that the execution of those leases is probably sooner rather than later. I mean this is not months down the road and, or, you know, many months down the road. My best guess is that it would be fairly, much sooner than that. So, you know, to that extent maybe this is what Chairman Gorelnik was getting at, you know, is this something that's going to happen before the June meeting? And that's where I, you know, I don't want to speculate that. We spoke with BOEM or I communicated with BOEM and I said, 'hey, for the April meeting you can be off the hook. You don't need to be here. You were on the hot seat in March.' And I know some are listening in if they felt so compelled to speak to this better than I could, you know, maybe they could make themselves known. But again, you know, we didn't want to, didn't feel like we needed to put them on the spot again here. So anyway, back to the leases, I think it's coming fairly soon that those leases will be executed soon. Then there's 120 days for them to develop the Fisheries Communications Plan and Tribal Communications Plan and Agency Communications Plans. But again, the EIS wouldn't be done for, you know, a couple of years down the road so... yeah. And Mike or Susan, maybe you have something else to add there?

Marc Gorelnik [00:19:42] Mike or Susan?

Susan Chambers [00:19:48] I'm not sure how to raise my hand, but Mr. Chair can I offer comment?

Marc Gorelnik [00:19:53] Please?

Susan Chambers [00:19:55] Okay. Thank you Mr. Chair and, Kerry, I think you're right. You know it still has to go through, BOEM still has to do the environmental assessments to inform their site assessment plans for each of the lease areas so I'm thinking a PEIS might be more appropriate. Well, there may be, there may be some further discussion on that, a PEIS to some may be preferred before they do the site assessment plans, others may prefer to see them done after the site assessment plans but before the construction and operations plans, at which time BOEM do their own EIS. Does that make sense, or did I muddy the waters with that?

Marc Gorelnik [00:20:50] I'm not sure. I guess the sense I get from the reports and from comments here is that we want, the Council wants to see a comprehensive, rigorous environmental review process and if it starts with a Programmatic EIS, that itself needs to be rigorous and comprehensive before we

drill down to the individual sites. Is that... I'm not an expert on these things I just want to make sure that I've captured that correctly and I'm seeing some nodding. Kerry.

Kerry Griffin [00:21:29] Yeah, thank you Mr. Chairman. I think that's accurate, but what I also hear sort of woven in here is sort of two distinctive lines of thinking. One is how do we handle, or how do we want BOEM to do the EISs? Do we want them to be programmatic, individual, coastwide, whatnot? But then there's this other notion or this sort of parallel notion of sort of a separate cumulative effects evaluation that might include scenario planning, might include or might address the very substantial renewable energy goals that have been adopted by the feds, by some of the states as well. Either Susan or Mike mentioned the, or someone mentioned the five-year schedule that BOEM will be presenting so, you know, there could be a separate sort of standalone long-term cumulative effects evaluation of some sort outside, you know, a scenario planning type of thing that isn't specifically tied to an EIS. So, for what it's worth, that's what I'm hearing is sort of the longer range, and the Council has commented on this several times in other letters, this notion of a long-term cumulative impacts approach not necessarily only within the context of an EIS. So, there's kind of two tracks here that I'm hearing just for what it's worth.

Marc Gorelnik [00:23:03] While appreciating the multiple tracks in the comments you've made and the past comments we've made, I guess I still come back to is this something that we need to get a QR letter on or is this something we can address in June, whatever the contents of that letter may be? Dr. Brady.

Caren Braby [00:23:22] Thanks, you know it occurs to me.....so I come back to how I started with my comments, which is that I want to focus on the outcomes not the tool because I feel like I don't have a grasp on the tools and how to apply those, but I know that I want and I hear that the Council wants cumulative impacts analysis and it seems that that would be a concept that BOEM has heard us say before, however, it could be the subject of another letter now in anticipation of additional delineated sites in June, and that at the June meeting then there might be some additional discussion on how to get that done as well as this PEIS topic, which could be referred to in the letter as well. So, it seems like a reasonable approach to just kind of craft a request and a statement and clearly because we're not necessarily doing that today around the table. And before we leave the topic, I do want to come back to the communications plans, so I just want to flag that I have one other topic I want to talk about.

Marc Gorelnik [00:24:50] All right, Corey, you had your hand up. Did you want to follow the same thread here?

Corey Niles [00:24:56] Yeah, just I thought, and I appreciate Kerry's two track summary and just on the timeline and whether and not meaning disagreeing with Caren but the interest is going to be and maybe the best chance of getting it be effective is... I don't, is the next stage of the EIS is when the construction and operation plans hit and that's going to be a couple of years away, so I think that's where the interest is in understanding the effects of the construction activity. So I do think, you know, maybe not following Caren's suggestion fully, but I think there is time and to put these questions back to the MPC about how do we think about those areas in California and the ones in Oregon in a cumulative fashion, but I think that's where the interest lies in that next stage of when they'll be doing their impact statement, but if Caren's idea is to craft something I'm not in objection to that.

Marc Gorelnik [00:26:04] You know perhaps if only to lay a foundation for June. So if you're on the same thread. Corey Ridings.

Corey Ridings [00:26:15] Thank you Mr. Chair. I want to say I agree with what's been said so far today. Just adding a little bit to that thinking about California specifically. We don't know the timing

exactly it sounds like, but it is going to be the first thing that's coming down the pike so want to make sure that we are sufficiently ahead of that. I'd echo questions, concerns about the appropriate scale of this, if whether it's a PIS or another form or function or another tool, assuming that it is a PEIS, you know, whether it's appropriate for just California or the entire California Current I'm not sure, but to Ryan's point, you know, maybe that's a question we don't need to answer now but I think it might be useful in some form or fashion to potentially send a short letter now that recognizes the Council's overarching desire to have cumulative impacts addressed potentially through a PEIS process. We still want to hear about other tools just to make sure that they hear from us loud and clear that this is a priority and that we would like to continue that communication in June, because it sounds like we are going to learn a lot more in June but just recognizing the timing. Something about California would be appreciated and also, as the MPC report noted and Mr. Oatman stated, noting the importance of tribal consultation as well.

Marc Gorelnik [00:28:01] Thank you Corey. Let me just see if there, look around the table and see if there's any disagreement with that so far? And I'm not seeing anything negative so, I think, Kerry, I hope you've captured that but we're not done because Caren Braby has further comment.

Caren Braby [00:28:22] So thank you Mr. Chair. I wanted to come back to the CPSAS comment on the communication plans and this, I won't call it cumulative impacts, but it's connected to this concept that our fishery is coastwide. We have people who go all the way from one end to the other and as they're conducting their fishing business are going to be interacting with different sites along the way. And so these concepts of Community Benefit Agreement or a communications plan of one individual site from one individual company, wind company being different from the next one right next to it where an individual is transiting through both of them in one fishing trip really seems terribly problematic to me and having different rules and expectations and agreements and all of that, and so the idea that the CPSAS raised in their point number one in their report today really resonates with me that if there truly isn't kind of a standardized expectation of what these plans are for how the companies are engaging with the communities and what they're defining as their audience, their community, and what those plans look like and the expectations look like for each of the sites that that's a big problem for our fishing community. I don't know what to do about it but I think it's important and so I just wanted to flag that, see if it strikes anybody else as being a high priority and whether there's some ideas on how we might message on this, either in this letter or in the future with BOEM.

Marc Gorelnik [00:30:32] I think it's an excellent point. I don't know exactly for sure how we message it other than just note that we will have vessels transiting and there needs to be some sort of common or minimum standard or some such that allows vessels to, basically to minimize interference in fishing operations. Corey.

Corey Niles [00:31:06] Yeah, thanks Mr. Chair and help from Kerry and Susan and Mike, but I think I believe the Marine Planning Committee's proposal, and if I'm off in left field here Caren apologies, but was to take that issue up at our May meeting. That's the, and Kerry just mentioned the 120 days after the lease sale timeline so that was a timely question. So, I think the hope was that the group would get the blessing to think about that question at our next meeting but if I'm, if you know that already, apologies.

Marc Gorelnik [00:31:44] Do you think it's worthwhile in the letter that Corey has, Corey Ridings has outlined to suggest that that's also a concern is that the need for some sort of standard freedom of movement or whatever terminology might be used in that context.

Caren Braby [00:32:09] I think that would be a great suggestion in highlighting the MPC's intention of addressing that specifically in May would be good as well, and that would be timely for the June

meeting so it would all come together there.

Marc Gorelnik [00:32:26] And I think it should be clear in the letter that this is not a comprehensive list of concerns, it's just something we're raising at this time and hope to further discuss perhaps in June. Further discussion on the MPC report of further things folks may want to see in this QR letter? Looking online I don't see any hands. I'm looking around the room and I don't see any hands raised so, Kerry, you want to tell us how we're doing?

Kerry Griffin [00:33:02] Well, you're doing fine. There's no action that you had to take here. It's provide guidance, so what I'm hearing is to write a somewhat succinct letter to BOEM expressing concerns and the desire for a programmatic type of approach evaluating cumulative impacts. We've said similar things before in other letters so I think we can pull from that. And then this element of the Fisheries Communications Plans and the Community Benefits Agreements, I'm not quite as clear exactly what you're looking for so we might have to have a little follow-up on that if that's okay with the providers of the guidance. And then two other items. We do have a May 18th meeting scheduled for the MPC so I would anticipate, as Corey Niles said, that we would sort of move along these discussions and considerations. And then the only other notion was since we've delved into the CBA and the Fisheries Communications Plans, somewhere in this library is the notion of proactively reaching out to the energy companies and saying, 'hey, here we are, we exist, this is a really good place to start if you want our help in developing your Fisheries Communications Plan'. So, I don't know if that was part and parcel to the discussion here but, you know, if the Council wanted to take that step, you know, we know who these companies are. We could probably reach out informally sort of staff to staff and open that door. I don't want to, you know, sort of tell the Council what they should or shouldn't do but that does seem to be kind of, seem to be maybe an obvious step that because we're already talking about what is going to be in this communications plan and what is the, what are their standards? So maybe we could at least informally reach out and see about engaging with them.

Marc Gorelnik [00:35:01] Let me look around the table and see if there's general agreement. I think I see nodding in the affirmative. I can't see people nodding online but I think there's enough people nodding in the room to give you a thumbs up on that.

Kerry Griffin [00:35:15] Okay, thank you.

Marc Gorelnik [00:35:17] Anything else?

Kerry Griffin [00:35:18] I think, you know, if there's no other comments or guidance from the Council then that would complete your business for this agenda item.

Marc Gorelnik [00:35:25] All right, I'm going to look around the table one more time. Dr. Braby.

Caren Braby [00:35:30] Thanks. I just want to acknowledge that this is my last time in the Oregon seat, and I appreciate the collaboration and camaraderie of this group and I appreciate being part of it.

Marc Gorelnik [00:35:47] I think we've all enjoyed immensely working with you on both the professional and on a personal level. And I'll point out that the seat right next to you is a Pacific States seat so we're going to take a break here until 4:15. It'll give us a chance to figure out what comes next and see if salmon's ready or not, find something else and to give Caren a hug.

5. Legislative Matters

Marc Gorelnik [00:00:00] Before we get into any discussion, I just want to confirm there is no public comment on this agenda item. All right, that will take us to our Council action here, which is to consider the report and recommendations. And we did receive a request for comment from a Legislator in the State of Oregon, so we have some things to discuss under this agenda item. So, let's see who wants to get us started, if anyone. I know people are tired, but we did receive a request for comment. Is there any interest in responding to that request? Christa Svensson.

Christa Svensson [00:00:48] Yeah thank you Mr. Chair. Just based upon the engagement from people from Oregon that brought this to the attention of at least the Oregon delegation, I think there's interest in responding. I'm not sure what the timeframe is, meaning can we take it up at the Legislative Committee in June or do we need to put some form of response together in the interim? But I do think it would be beneficial, interim? Okay, then I think it would be beneficial to put a response together. I do not have a response generated at this moment, but I do think that that would be helpful for Oregon stakeholders.

Marc Gorelnik [00:01:37] Okay because, you know, generally our portfolio here is to comment on how legislation could impact Council-managed fisheries and I guess if we do want to respond to this request we need to provide some parameters for the response. And if we're not sure of the timeline here it may not be important to do the letter immediately but I'm not, not being an Oregonian I'm not really in a position to weigh in on this. Heather Hall.

Heather Hall [00:02:15] Thank you Chair Gorelnik. And I'm just wondering, this is obviously a little bit out of my wheelhouse not being an Oregon rep, but that the Habitat Committee did give some help maybe on how we might focus our comments and their concerns about the impact to de-listing the Oregon Coast coho salmon might be our nexus for comment.

Marc Gorelnik [00:02:37] All right, I need to bring up the Habitat Committee report. And to sort of refresh our recollection here.

Heather Hall [00:02:56] So that if...

Marc Gorelnik [00:02:59] Go ahead please.

Heather Hall [00:02:59] I might, just the sentence that caught my eye here was that the concern that the bill would jeopardize NOAA's confidence in Oregon's ability to provide protections to salmonid habitat and then thus jeopardizing the Oregon Coast coho salmon.

Marc Gorelnik [00:03:20] Okay. And let me look around the table if that refreshes people's recollection on the Habitat Committee report. I needed that refresher to see if that is something that encompasses the Council's perspective on this bill and on the bill's impact on Council-managed fisheries. And, I need some nods or not. I'm seeing a nodding. Lynn Mattes.

Lynn Mattes [00:03:52] Thank you Chair Gorelnik. The last sentence of the letter about commenting on guidance on impacts of bypassing local and state land use laws, that seems very much out of our lane. As you described earlier, we are a body that is to talk about what impacts to fisheries and fish and fisheries. There is some nexus to coho habitat potential. I think some better guidance might be to inform Representative Wright of what the Council does and doesn't do and maybe provide him some guidance on who to contact, who might be a better body to contact.

Marc Gorelnik [00:04:48] I think you're right. We don't comment on land use. We comment on measures. I think the Habitat Committee is correct that environmental concerns, I want to bring back up the letter. Well, I do think... Virgil Moore. It doesn't matter what I think. Virgil, what do you think?

Virgil Moore [00:05:27] Mr. Chairman certainly there is a nexus here, I think, and it... it gets at the, but we don't know the scope of the project. All we know is what's in this letter. We haven't examined the legislation that he references there. But if in fact there is a deepening and an effect on the estuary, that falls in our wheelhouse to some degree from a habitat standpoint. If there are affected stocks that pass through that or use that estuary, that would be in my mind the nexus. Most of this should probably be on the local, county, and state folks given it's local inshore but and it may be that the letter stating here are the relevant people you need to coordinate with in terms of some of these impacts, our nexus would only extend to whatever there. And I think it's doable, it's a bit of a stretch in my own mind, but there is... he talks about the potential impacts to fish populations, especially listed coho, seafood processors, so those two are certainly something that we pay attention to routinely, whether or not because it's in the bay and it's part of a bay deepening or port activity we find that there's important oversight by the Council I will suspect not, but that they also should be coordinating with NMFS because of the ESA species involved, and I assume the Corps is but I don't know that. Thank you.

Marc Gorelnik [00:07:22] Well, as I understand the bill, it references compliance with state and local land use law, but it does not nor could it seek to exempt compliance with federal law, ESA. So, if we're talking about listed stocks, I don't know that there's anything in this bill that would interfere with use of the ESA or NMFS prerogative in that regard. I'm just gonna look to Ryan Wulff and see if that's... so is there a nexus here for the Council that's found in federal law, I guess, which is where we play? And I'm not, I don't want to presume to speak for the Council. I want to see people agree that we don't really have a nexus with this bill, and we can't, I don't know that we can really respond other than to say that. Well, Heather, I see you in your eyes offering help so...

Heather Hall [00:08:33] I was just wondering if it might be appropriate just for informally reaching out to Mr. Wright and, and following up to the letter and then providing a little summary of this discussion and, you know, our understanding about our responsibilities and how can we help? Maybe just understanding this discussion would be helpful to that.

Marc Gorelnik [00:09:01] Okay. So, I think in terms of informal an email or a call and in terms of formal just may be a one paragraph letter basically setting forth the lane in which we travel, and I think that I don't know if we need to do a QR letter on that, maybe just have Council leadership look at that and send it out. I think that's fair enough. Let me look around and make sure there's no disagreement with that approach. I'm not seeing any. So, Merrick, what say you about this?

Merrick Burden [00:09:45] Thank you Mr. Chairman, and appreciating this discussion. I think this sounds like a fine approach. I have already written back to the representative indicating you are going to be taking this up today and so I would anticipate that they're expecting something from me or you. So what I'm taking from your conversation is just a one paragraph or so letter that would say, you know, this is the jurisdiction of the Pacific Fishery Management Council and our understanding of the bill is that it contemplates actions that could affect fisheries habitat but we're still not sure what the nexus is, and try to engage in a bit of a dialogue with the representative about how we could help provide some information about our approach or our realm and what they're trying to get at and whether there's actually an overlap there. I don't think I'm being very clear but hopefully that's clear enough. Does that sound right to you Mr. Chairman and Heather?

Marc Gorelnik [00:10:51] Well, I think it... we'll take a look at the draft and but I think that, in general,

that's correct. You know if a more focused request could come forward that puts the request in our lane, then maybe we can consider it, but at present it doesn't really. All right. Let me see if there's any other action under this agenda item? Phil.

Phil Anderson [00:11:24] I was contemplating making a motion to accept the report of the LC?

Marc Gorelnik [00:11:32] Oh, I think that would be very useful.

Phil Anderson [00:11:34] Okay, well as magic has it here it is. I move the Council accept the report of the Legislative Committee as shown on Agenda Item F.5.a, Supplemental LC Report 1, April 2023.

Marc Gorelnik [00:11:52] All right, thank you for the motion. The language is accurate and complete. Looking for a second? Seconded by Christa Svensson. Please speak to your motion as necessary.

Phil Anderson [00:12:01] Go LC!

Marc Gorelnik [00:12:05] All right any discussion? Questions for the maker of the motion? Do not see any hands. All those in favor say 'aye'.

Council [00:12:11] Aye.

Marc Gorelnik [00:12:12] Opposed, no? Abstentions? The motion passes unanimously. Thank you, Phil, for catching that. I just want to look around the room, make sure there's no further action under this agenda item before we close it? And I'm looking online as well I'm not seeing any hands, so that will conclude this agenda item. Thank you.

6. Membership Appointments and Council Operating Procedures

Marc Gorelnik [00:00:00] That will take us to our Council discussion and action. And I would propose as a form of organization to take it in the order that we had in our overview. And our overview started with advisory body appointments so we have... I think it was mentioned that we had three, so I will look around to see if there's any discussion and if there is no discussion, and I'm not seeing any hands, I'll see if we have a nomination or a motion to appoint someone to the CPSAS, the processor seat. And Mr. Anderson.

Phil Anderson [00:00:56] Thank you Mr. Chairman. It gives me great pleasure to bring this candidate forward for Council consideration. I move the Council appoint Mr. Mark Fina to the processor position on the Coastal Pelagic Species Advisory Subpanel.

Marc Gorelnik [00:01:24] All right, thank you. The language on the screen does appear accurate and complete. I'll look for a second. Seconded by Corey Ridings. Please speak to your motion.

Phil Anderson [00:01:34] Thanks Mr. Chairman. As I said it's great to be able to bring this recommendation forward. Mark brings with him over 20 years of experience primarily working in the North Pacific Council arena. His background demonstrates that he has a solution oriented, brings a solution-oriented objective to complex problems and problem solving. He's currently the Executive Director of the California Wet Fish Producers Association and I think we've had the fortune, good fortune of seeing him here at the Council meetings since he took that position and he's demonstrated his ability to fit in and work within the Council process in a very meaningful way. So, I think he's going to be, bring a lot of value to the subpanel.

Marc Gorelnik [00:02:43] All right, thank you very much for the motion. Any questions for the maker of the motion or discussion? I'm not seeing any hands I'll call the question. All those in favor say 'aye'.

Council [00:02:54] Aye.

Marc Gorelnik [00:02:54] Opposed, no? Abstentions? Motion passes unanimously. Thank you for the motion and congratulations Mark Fina. Next, I'd like to turn to the vacancy on the Groundfish Endangered Species Workgroup. Mr. Wulff.

Ryan Wulff [00:03:14] Thank you Mr. Chair. I have a motion. I move the Council appoint Dr. Kayleigh Somers to the observer program position on the Groundfish Endangered Species Workgroup.

Marc Gorelnik [00:03:31] Okay, the language there appears accurate and complete. I'll look for a second. Seconded by Lynn Mattes. Please speak to your motion.

Ryan Wulff [00:03:38] Thank you. Dr. Somers has participated in past workgroup meetings as a lead author on one of the primary reports and provided expert guidance regarding the use of observer data and bycatch estimation, methodologies, and procedures and she has extensive bycatch and protected species experience as a key scientist producing those estimates for the West Coast for many years, as well as pertinent Council experience through her many years of service on the GMT. So, I think she'd be a great addition to the workgroup.

Marc Gorelnik [00:04:10] All right. Any questions for the maker of the motion or discussion? Lynn Mattes.

Lynn Mattes [00:04:18] Having worked with Dr. Somers on the GMT for many years I do believe she'll be a very valuable addition to this workgroup.

Marc Gorelnik [00:04:26] All right, thank you. All right, I'm not seeing any other hands, so I'll call the question. All those in favor say 'aye'.

Council [00:04:34] Aye.

Marc Gorelnik [00:04:34] Opposed, no? Abstentions? The motion passes unanimously. Thank you for the motion, Ryan, and congratulations Dr. Somers. We have one further vacancy on the Groundfish Management Team. Ryan Wulff.

Ryan Wulff [00:04:54] Yes, I have another motion. Thank you Sandra. I move the Council appoint Dr. Aaron Mamula to the Southwest Fisheries Science Center position on the Groundfish Management Team.

Marc Gorelnik [00:05:09] Okay, and the language there is accurate and complete and I will look for a second. Seconded by Phil Anderson. Please speak to your motion.

Ryan Wulff [00:05:15] Thank you. Dr. Mamula has over 12 years of economics research experience with a focus on marine fisheries. Has been an employee of the Southwest Center since 2008 and during that time he has served on numerous NMFS committees presented on multiple topics related to fisheries economics and made substantial scientific contributions to the field of groundfish and salmon fisheries economics and I believe his background and his experience will fill a needed gap on the GMT as noted by Deputy Director Ames in her overview and fully support this nomination. Thank you.

Marc Gorelnik [00:05:52] All right, thank you. Any questions for the maker of the motion or discussion? Lynn Mattes.

Lynn Mattes [00:05:59] I want to thank the Southwest Science Center for supplying and Dr. Mamula for volunteering or getting voluntasked to join the GMT. The team has been one person short for a number of years and having an economist on the team will greatly help fill a void in expertise so we really, really appreciate, and I'm going to say we because I still can't not say we when referring to the GMT at times. We really appreciate having that expertise added. Thank you.

Marc Gorelnik [00:06:30] All right any further discussion? I'm not seeing any hands I'll call the question. All those in favor say, 'aye'.

Council [00:06:38] Aye.

Marc Gorelnik [00:06:39] Opposed, no? Abstentions? The motion passes unanimously. Thank you for the motion and congratulations to Dr. Mamula. I think those are the positions we're able to fill on advisory bodies. We do have vacancies that Kelly Ames identified, and I guess we will continue to advertise the opening on, well, why don't you, Miss Ames, refresh our recollection on the vacancies and I want to get confirmation, we continue want to get, want to keep those advertised and try to get them filled.

Kelly Ames [00:07:33] Thank you Chair Gorelnik. Yes, we have three vacancies currently open. They are on our home page. There is a banner that directs you to the application process. So, the three positions are the Washington seat on the Ecosystem Advisory Subpanel. The commercial seat on the

Coastal Pelagic Species Advisory Subpanel and a commercial troll position on the HMSAS Advisory Subpanel. And thank you, Sandra, for demonstrating our website here. We would really appreciate nominations by May 22nd, which would allow us to prepare those materials for Council consideration at the June 2023 meeting.

Marc Gorelnik [00:08:21] All right, thank you for that. Also, with Joe Peterson resigning his position on the GMT there is a open tribal seat so we'll be looking for that seat to be filled and look forward to a nomination there. The only, you also mentioned that Dr. Hanson has retired from his position here at the Council and that leaves one vacancy to be filled on a Legislative Committee. One Council member has stepped forward with interest in that position. I would like to give, I don't want to short circuit the process so if anyone else has an interest in that open position please let me know in the next few days and if I don't receive any other interest that matter will be settled. So, before we move on to COPs and other matters under this agenda item, I just want to double check with Kelly Ames that we've taken care of appointments.

Kelly Ames [00:09:26] Thank you Chair Gorelnik. Yes, you have completed the appointments.

Marc Gorelnik [00:09:30] All right. So now we have changes to the COPs and I'll try to get some discussion going there or a motion. Caroline McKnight.

Caroline McKnight [00:09:54] Thank you Mr. Chairman. Unless there is discussion or questions, I believe I might be prepared to give a motion.

Marc Gorelnik [00:10:03] Well, I think that you should bring your motion forward and then that may engender some discussion.

Caroline McKnight [00:10:10] Very good. I will give Sandra just a moment. Very good I can see it. I move the Council adopt the changes to COP 9 as recommended by the CPSMT in Agenda Item F.6.a, Supplemental CPSMT Report 1, April 2023.

Marc Gorelnik [00:10:39] All right, thank you very much. The language on the screen appears accurate and complete and I'll look for a second. Seconded by Lynn Mattes. Please speak to your motion.

Caroline McKnight [00:10:51] Thank you. Yeah, the recommended changes here are supported by the CPSMT are very minor and editorial in nature to more appropriately reflect language and intent. It's very straightforward and minor so I don't think there's much more to speak to at this point, so thank you.

Marc Gorelnik [00:11:12] All right, thank you. Any questions for Caroline on the motion or discussion on the motion? And I'm not seeing any hands other than Caroline's and I assume you don't want to have a comment here. Very good, hand's down. So, I'm not seeing any hands for discussion on this motion and if there's nothing to discuss then the only thing left to do is to vote. So, all those in favor say, 'aye'.

Council [00:11:44] Aye.

Marc Gorelnik [00:11:46] Opposed, no? Abstentions? The motion passes unanimously. So that takes care of appointments. That takes care of the COP. I'll see if there's any other business for the Council. Corey Ridings.

Corey Ridings [00:12:04] Thank you Mr. Chair. I wanted to circle back on the committee idea that was discussed during our EEJ item earlier in the week. I have a motion if that's helpful.

Marc Gorelnik [00:12:18] Motions tend to be great organizing principles for discussion so please.

Corey Ridings [00:12:34] I move that the Council form an Ad Hoc Equity and Environmental Justice Committee to assist the Council in addressing EEJ issues and in particular to advise the Council on working with NMFS on the forthcoming EEJ Strategy Regional Implementation Plan and the Geographic Strategic Plan. The group includes a Tribal member, a member from each State, and a NMFS member. Mr. Joseph Oatman, Miss Heather Hall, Miss Christa Svensson, Mr. Virgil Moore, Miss Corey Ridings, and a NMFS member.

Marc Gorelnik [00:13:11] All right I'll look for a second. Seconded by Christa Svensson. Please speak to your motion.

Corey Ridings [00:13:22] I, actually just a quick procedural question Mr. Chair. The language on the screen isn't quite correct. Do you want to do that technical correction now or should I speak to the motion first?

Marc Gorelnik [00:13:34] Yes, let's do that. I thought it was, yeah, maybe I skipped that step or....

Corey Ridings [00:13:37] That's okay. It was a very last-minute addition so... Sandra, just after, oh there it is, the Geographic Strategic Plan. It was in that third line at the end of the sentence. Thank you.

Marc Gorelnik [00:13:55] Okay, so now we... moved by Corey, seconded by Christa. Please speak to your motion.

Corey Ridings [00:14:03] Thank you. We had a robust discussion under this agenda item earlier in the week. A lot was said. I think there was a lot of issues brought forward. I think a lot of good thoughts, considerations. There's a lot of sort of sub-issues under this, a lot of tentacles and I think this would be helpful to get that going. We discussed forming a group then as we did in September. Specifically, there's a need to have the Council engagement with NMFS on the forthcoming Regional Implementation Plan, as well as the Geographic Strategic Plan which includes EEJ as part of it to help ensure that the regional plan is well fitted for our coast, take into account the Council's responsibilities and processes, and can help the Council move forward with its EEJ efforts. It was noted to address issues such as Equity and Environmental Justice we need to be strategic and focused and hopefully working with NMFS on the regional strategy via this group can help us get us started in that direction.

Marc Gorelnik [00:15:10] All right, thank you. I have one comment. Generally, appointments are made by the Chair in consultation with the Council, so this would constitute consultation with the Council for the purpose of the appointments.

Corey Ridings [00:15:25] Yeah, sorry about that if that was not clear.

Marc Gorelnik [00:15:29] That's fine. Are there any questions for the maker of the motion? Or discussion on the motion? Ryan Wulff and then Phil Anderson.

Ryan Wulff [00:15:40] Yeah, thank you Chair. And I just want to thank Miss Ridings for the motion and just note that NMFS is fully supportive of this. This is very consistent with the, you know, feedback guidance interactions we were looking for with the Council on both the Regional Implementation Plan for the EEJ strategy as well as the Geographic Strategic Plan and I will be able to give a name to that NMFS member very, very shortly after this meeting so thank you.

Marc Gorelnik [00:16:13] Mr. Anderson.

Phil Anderson [00:16:15] Yeah, I just wondered if you had, Corey if you had some sense of how often this group would meet? I was wondering if there'd been any consultation with the Executive Director from a budget perspective just to understand what the budget implications of this, having this group are, that would at least in part be informed by how often this, you envision that this group would be meeting. Would they be in-person meetings? Would they be held in conjunction with the Council meetings? Or, you know, any of those types of details that you could provide would be helpful.

Corey Ridings [00:17:04] Thanks Mr. Anderson. I did have discussions with the Council Executive Director and Deputy Director about this to try to get a feeling for workload. As was stated during the agenda item earlier in the week, you know, there are some concerns about that as well as some thoughts about potentially some creative partnerships down the road, funding from NMFS, other ways to get this work done. To your question in forming this group, I think that there would be the potential for some in-person meetings. I think your idea about having them in conjunction with Council meetings is probably smart. The exact structure I don't know and would continue to lean on Council staff to make the best suggestions about how that was to happen.

Marc Gorelnik [00:17:53] Phil.

Phil Anderson [00:17:56] And maybe, if I could Mr. Chairman just... if I could ask either Miss Ames or Mr. Burden if they have thought about what the implications from a staffing perspective are relative to the Council staff and their capacity and ability to staff this ad hoc group?

Marc Gorelnik [00:18:24] Merrick.

Merrick Burden [00:18:27] Yes, thank you Mr. Chairman. And thank you for the discussion and for consideration of staffing Phil. As Miss Ridings did indicate, we have had a couple of conversations about this throughout the week. Of course, staffing is something that we are always thinking about and concerned about. Everyone at the Council office works at about 100 to 120 percent it seems. As we consider this, we would be intending to have Jim Seger to staff this committee for as long as he is available and working with us. What we have also discussed with Miss Ridings is that this committee would have to think of itself as a working committee, so I know a lot of committees will defer work to staff. We do not have much extra capacity on staff to pick up some additional work, as I think everyone knows, but we would be looking to this committee to do quite a bit of the legwork. So, I think that should address your staffing question Phil. Maybe just to rewind a little bit in regards to resources and when the committee would meet, we did discuss essentially two models. One, have the committee meeting during a Council meeting and take advantage of folks that are in transit anyway, so we might think of that as akin to a LC or a BC meeting. Have folks travel the day before or two days before for that meeting. Then we also discussed having online meetings. All that being said, as I'm sure you know and are well aware of, it's often hard to gather Council members for meetings so I would be surprised if a group met all that frequently, but the actual number of course is hard to pin down. Hopefully that answers some of your questions, Mr. Anderson.

Phil Anderson [00:20:34] Yeah, thanks very much Merrick.

Marc Gorelnik [00:20:34] Further discussion on the motion? Christa Svensson.

Christa Svensson [00:20:42] Yeah, thank you Mr. Chair. I am supportive of the motion and will be voting in favor of it. I think we had a robust discussion on the topic earlier in the week. I think there's a lot of support from the advisory panels and the public for this particular topic and I'm appreciative of the work that went into building out a committee potentially in terms of making sure that we had gone through the proper channels with the Executive Director, what that could look like for workflow, and

that it is inclusive of all of our geographic areas and state and federal level people. So just wanting to say thank you for the work that you've done crafting this and that I will be supporting.

Marc Gorelnik [00:21:33] All right, thank you. Merrick, your hand is still up. And I saw Bob Dooley raise his hand. Bob.

Bob Dooley [00:21:43] Yes, thank you Mr. Chairman. I support this as well. I think it's, you know, it's needed there's no doubt. Through all the conversations we've had I think it's something we could do. The question I have, and this is probably for Merrick, is how much Council floor time do you think this is going to take? Is this going to be something akin to the marine planning where we have every advisory panel weighing in? And how many times a year do you think this will be on our agenda? And I'm just trying to get a sense of how much this will add to our Council workload as far as agenda time. So that's it. Thank you.

Marc Gorelnik [00:22:28] Merrick.

Merrick Burden [00:22:32] Excuse me. Thank you for the question, Bob. That's a very good question. A couple of things are coming to mind in response. So one is as I think everyone is aware and I think, you know, Miss Ridings is specifically aware given her expertise, EEJ is a very large topic and it has the potential to be very broad, and this is something that Miss Ridings and Miss Ames and I spent some time talking about yesterday, and what we had envisioned in that conversation was, well one, to make sure that the Council is giving clear specificity to the committee about what it wants the committee to work on so that the committee is responding to the Council's needs very specifically. With that in mind, that model should then help to control the time and expansiveness of this item on the Council's agenda. That being said, as we look out into the future, so under the next agenda item that we'll take up, for instance, under workload planning, we do have EEJ scheduled on the Council's agenda coming up in September I believe. So that would be in response to the NMFS EEJ strategy. So, there are a couple of ways to do this. One is we could treat it like most of our agenda items and have all of our advisory bodies weigh in on it. I don't think that question is specific to this committee that's being contemplated right now. So, I think it's that matter in and of itself will create its own agenda, momentum or time, if that makes sense. This committee could simplify things for the Council, so this might be a question back to you all. If we have this committee set up as an adviser to the Council, do we want the other advisory bodies not to weigh in and defer to this committee entirely? That would be one question for you all as the Council. Or does this committee add to what other advisory bodies might be commenting on? And if so, that would be more akin to what we see usually on our agendas. So that's not a direct response Bob, but that is I think a question back to you all in terms of does this committee act to advise the Council alone or if not alone then be given clear priority? And if so, that could help us to streamline what's on the Council's agenda. I hope that makes some sense but I'm happy to elaborate a bit about it.

Bob Dooley [00:25:38] Thank you Merrick. That is exactly the point that I was trying to convey so thank you.

Marc Gorelnik [00:25:44] Phil Anderson then Lynn Mattes.

Phil Anderson [00:25:48] I'm thinking back, as an example the SaMTAAC Committee, the Council created a fairly specific charge for that committee and I'm, it's my opinion that this committee should also have a Council charge where we all understand what it's going to do. Obviously the, well I don't know about... obviously, to me the breadth of the equity and environmental justice issues can be extremely broad and or the charge could try to make sure that the ad hoc committee was focused and kind of stayed, my words, stayed within our lane, that is the Council's lane on this issue in advising NMFS on their EEJ strategy and their Regional Implementation Plan. So, I do have a concern about not

having those types of specific sideboards for the committee to work within. So, I just would express that concern. The issue that Merrick brings forward is one that I don't ever recall where we establish a committee and then we preclude other committees from engaging on the topic. That's a new one on me and would be in my mind unprecedented, so that is a concern if that's where we're headed. So, if you hear some reluctance in my comments to creating this committee without having some more of those specifics nailed down, you are reading me right. I don't intend to stand in the way nor could I, I don't think from the Council moving forward on the motion, but I do have some concerns that some additional work is needed to ensure that the committee is focused on the area where the Council wants it to be and where our primary focus on this relatively broad topic should be.

Marc Gorelnik [00:28:55] Lynn Mattes.

Lynn Mattes [00:28:58] Thank you Chair. Is there going to be, I know there's some discussion about how the advisory bodies would be involved, but will there at some point be a nexus? I know there's some folks on various advisory bodies who would have a lot to add to this conversation as we move forward. It doesn't have to be decided today, but at some point, I think, it would be good to bring their, some of their expertise in. You know I know as an example Katie Pearson on the GMT as part of her work within ODFW has been doing a lot of work on DEI stuff and she's the one that put in the equity lens in the GMT report. So, getting their expertise and advice at some point, maybe not right now, but at some point, I do believe would be helpful.

Marc Gorelnik [00:29:44] Thank you. Corey Ridings.

Corey Ridings [00:29:48] Thanks Mr. Chair. I would echo what Lynn just said and what Phil noted about making sure that our ABs and MTs are included in this and have the opportunity to be engaged. Earlier this week we heard, we got some really good reports, and we had some good ideas and I think reflected some fruitful discussion in those bodies so I think that they would, should certainly be part of this so.

Marc Gorelnik [00:30:25] Looking for any further discussion on this agenda item, or rather on this motion? And I'm not seeing any hands so I will call the question. All those in favor say, 'aye'.

Council [00:30:42] Aye.

Marc Gorelnik [00:30:42] Opposed, no? Abstentions? Not having heard any no votes or abstentions I will conclude that the vote is unanimous for this motion. Thank you for the motion. Let me ask if there is further action on this agenda item? Kelly, how are we doing?

Kelly Ames [00:31:13] Thank you Chair Gorelnik. You have made the requisite appointments under this agenda item. Adopted the COP 9 changes relative to coastal pelagic species management. And formed a new ad hoc Council Committee to work on environmental justice issues. And with that I believe you have concluded all necessary action under this agenda item.

Marc Gorelnik [00:31:42] All right, thank you.

7. Future Council Meeting Agenda and Workload Planning

Marc Gorelnik [00:00:00] So that concludes public comment and takes us to our task of going through the agenda and making any changes to the drafts that are before us. Typically, that's something that's led by the Executive Director, but since he's not in the room with us I will do my best to direct traffic, but I'll leave it to the Executive Director to take over here and then I will call on folks as they raise their hands. So go ahead Merrick.

Merrick Burden [00:00:34] Yes, thank you Mr. Chairman and thank you to all the advisory bodies are able to provide input. It's always very constructive and helpful for formulating our thinking and for us as staff, getting the insights that are necessary to make sure we can balance workload and timing and things of that nature. Maybe just a couple of things to help reorient you all before we have a discussion here. So first, just to reorient you to the June agenda, starting off on Wednesday we do have a variety of advisory bodies beginning to meet. We did hear from the Habitat Committee that they would prefer to have two days and so that would mean adding a meeting for them on Thursday. I believe that can be accommodated if the Council desires that. Moving through the June agenda, just to reiterate, we did have... we are proposing to strike the Workload and New Management Measures under groundfish. And we do have that June item shaded under G.2, the Sac Fall Age-Structured Assessment. It's quite late in the day to still have a shaded item. I realize that was there because of our concern over salmon workload matters. We did hear a bit of a discussion here just a few minutes ago. Let's see turning over to the YAG, there are a few issues that we discussed, none of which really caused me to highlight anything new that I already have not called out for you. Let me just pause here and look this over for a second just to be sure. The one thing to potentially note is that in June we do have some uncertainty around the marine planning item and discussions that Kerry Griffin and I have had with BOEM, we are anticipating that BOEM will release the Oregon Wind Energy Areas, I believe I've got that right, anyway the next step in their process in time for the June meeting, so that could be a large marine planning item. And as the Habitat Committee pointed out, we are still awaiting word on the Chumash Sanctuary designation. And so, depending on the timing of that process, we quickly run out of time. We are already out of time on the June agenda so that is a bit of a wildcard sitting out there. Moving through September, there's nothing new that I flagged for myself. I think I will go ahead and stop there, Mr. Chairman, and I think that now would be an appropriate time to take up Council discussion.

Marc Gorelnik [00:03:40] All right, I will look for hands for suggestions, questions, comments on the agenda items before us? Heather Hall.

Heather Hall [00:03:58] Thank you Chair Gorelnik. I'll just start with one that Merrick mentioned just a second ago, and that is supporting the Habitat Committee's request for adding a second day to the June Council agenda. And maybe while I have the mic I'll touch back on the question that I asked of the SSC relative to the May 11th Economic Subcommittee meeting that they're recommending with Darrell Brannon and support that when that meeting, if the Council supports that meeting, that when it is noticed that it also includes an invitation to the GMT and the GAP to participate in that discussion, I think that would be valuable. That's what I've got for now. Thank you.

Marc Gorelnik [00:04:56] All right, thank you. Caroline McKnight.

Caroline McKnight [00:05:03] Thank you Mr. Chairman. Thank you Heather. I would echo adding a second day with the Habitat Committee seems prudent given some of the things that we are expecting to be coming to us in June. To jump around a little bit here for June, I think it's fair to say that I would support the strike out to remove the Groundfish Workload and New Management Measures as is shown on the attachment. In addition, I do want to ask a, I guess, a clarifying question that may be most

appropriate for Council staff relative to the proposed age three, the gear switching or the initial IPPA for June? I understood that the changes to the motion this morning were not intended to change the overall workload, but I just wanted to verify that a selection of even an initial PPA in June is intended to be possible and there will be time for Council staff to provide analysis given all the actions we took this week. So, it's kind of a question more about should this be a check-in versus an initial PPA, I just want to verify that that can be accommodated?

Marc Gorelnik [00:06:30] Merrick.

Merrick Burden [00:06:33] Yes, thank you Mr. Chairman and thank you for the question, Miss McKnight. Yeah that's a....the, the issue here with the IPPA as we've been terming it, the action earlier today doesn't affect our thinking about striving for that in June. What we have in mind for June is to commit to making a decision in terms of the, I'm going to try to carefully use my words here, make a decision in terms of the philosophical approach that the Council wants to take to this matter and so is it, by that I mean, is it a quota pound approach? Is it a quota share approach? Is it something else? And commit to making that kind of a decision. After that's made Jim and Jessi are then able to do analysis of the, you know, all the different permutations and combinations of the different elements and design features within that decision. Right now, there is simply too much to analyze. I can't remember the actual number, but at one point Jessi counted all the different combinations and permutations and we literally have hundreds of alternatives. So, the IPA is intended to select one of the approaches, the big picture questions, and from that, that will enable us to make some headway into the analysis, which will set up what is thought of as, or being described as the second stage PPA, which is sort of the more traditional PPA in the way that we're used to thinking of it. Hopefully that answers your question, but if not happy to elaborate.

Caroline McKnight [00:08:24] Thanks Merrick. It does. I just want to make sure for the purposes of the June Council agenda and the public's interpretation of that, there's some level of understanding as to what that means since it is sort of a newer way to describe something that we're doing. So, I'm happy to leave it on June and as it is but just wanted to have that conversation so thank you for that. If I may Mr. Chairman, a few other comments?

Marc Gorelnik [00:08:53] Of course.

Caroline McKnight [00:08:55] Thank you. Just a few other observations across the June agenda. I'd be supportive in line with the EWG's recommendations to remove the FEP Initiative 4 Update to a later time when they can participate effectively. I would be supportive of that given all of their comments. And then relative to G.2, The Sac River Fall Age-Structured Assessment being shaded, I definitely appreciated the conversation with the STT and the STT report that shows that there are some limitation in time availability for the STT and noting that there are some noted workload constraints. I would be supportive of removing that item as well from the June agenda. I think I'll pause there and see if there's other comments but thank you.

Marc Gorelnik [00:10:03] All right, thank you Caroline. Heather Hall and then Lynn Mattes.

Heather Hall [00:10:09] Thank you. I just wanted to build on the discussion that Caroline started relative to the Ecosystem Working Group and there not being a need for a standalone agenda item, but I want to match that up with what we heard from TNC and Gway and their need to have some input from that May webinar from the Ecosystem Working Group, and I think I heard both Gway and Yvonne say they could provide an update. It didn't necessarily need to be under its own agenda item, but if that could be provided maybe under Future Council Meeting and Agenda Workload Planning, that would give TNC what they needed to plan for these fall webinars. So, I want to make sure that if folks want

to remove that agenda item that we still leave room for that input to TNC on the agenda somewhere. And maybe while I'm thinking about it too, I just... the agenda item one there is only 30 minutes and I just wonder if it would be easier to think about on the second day of the meeting then under future meeting planning, but as long as the input is provided I think that's the most important point I wanted to raise here on that. Thank you.

Marc Gorelnik [00:11:42] Okay. Thank you. Lynn Mattes.

Lynn Mattes [00:11:47] Thank you Chair Gorelnik. Heather hit on what I was going to respond to on the Ecosystem Workgroup report. I think there's a desire that we do get some feedback somewhere and it seemed like the good compromise might be the workload planning. Additionally, I have received a message from Dr. Braby that two and a half hours for Marine Planning in June is probably a minimum. I'm sure we can eat up that extra half hour on the 23rd with Marine Planning.

Marc Gorelnik [00:12:20] Yes, we've also expanded day last but... Merrick Burden.

Merrick Burden [00:12:28] Yes, thank you Mr. Chairman. Thinking specifically here about the Ecosystem FEP EWG Update, I'm sitting here trying to, trying to think through how to accommodate what both Heather and Lynn mentioned about trying to accommodate the TNC request for future guidance. I would find it, I think, a little bit awkward to take an ecosystem report on, well... let me back up. What I would envision for the EWG update is an update on their May webinars that are being planned. I would find it a little awkward to take that up under Future Council Meeting Planning. I would propose that if the EWG is capable of doing this that a short informational report is provided and then we can reference that when we take up Future Council Meeting Planning and we talk about the TNC workshops and things of that nature. I just, I can anticipate that if we have a EWG report on May webinars under Future Council Meeting Planning that that creates a different kind of discussion than the one that we're looking to have under that agenda item. But I do think if we prime our Future Council Meeting Agenda Planning discussion with that informational report, we're better able to talk about how to integrate with the TNC workshop proposal. Hopefully that makes some sense.

Marc Gorelnik [00:14:10] Okay. Caroline, your hand is up? And now it's down. Heather Hall.

Heather Hall [00:14:21] Thank you Chair Gorelnik and thank you Merrick. That makes sense to me. I want to just appreciate the Ecosystem Working Group saying it's too soon for a full initiative update and appreciate the TNC's guidance on just a brief summary from the May webinar, the work that's coming up over the summer and then what would happen after September's, what they need to get their work done, so that narrow focused report sounds great to me. Thank you.

Marc Gorelnik [00:14:56] Sounds like a good solution. Lynn Mattes.

Lynn Mattes [00:15:04] On a slightly different topic unless...

Marc Gorelnik [00:15:05] Yeah, I think we should move on to a different topic.

Lynn Mattes [00:15:08] Unless Corey, I think, maybe is trying to get our attention on this topic?

Marc Gorelnik [00:15:12] I'm sorry. Corey.

Corey Ridings [00:15:14] It's okay. Thanks Mr. Chair. I just wanted to briefly speak to this before we move on. I appreciate the conversation. Agree with what's been said. I do have some concerns. I heard Merrick talk about this being, you know, in response to the webinars as opposed to sort of an Initiative

4 Update, which I agree with. It was my understanding that we would potentially get some feedback on what happened at those webinars and there'd be an option for the Council and the advisory body to provide some input to help kind of design and help prioritize the rest of work that goes on over the rest of the summer, so there may be some additional value? My understanding of an informational report is that there just wouldn't be that opportunity for feedback, but I might be incorrect on that. Just trying to reflect on thinking about we just don't want to put too much under workload planning, trying to be respectful of that.

Marc Gorelnik [00:16:17] Merrick Burden.

Merrick Burden [00:16:20] Yes, thank you Mr. Chairman, and thank you, Corey, for the question. I believe Miss Ridings your question gets back to the discussion in March and the original rationale for putting this on the agenda as its own designated item. And so, as I rewind my memory back to that time, there was some discussion about having a 30-minute update to the Council that was fairly narrow and would allow for a bit of a discussion, but there was a desire to keep it tight and that that would then provide some understanding that would make its way into Future Council Meeting Agenda and Workload Planning. You're correct, if we do have this as an informational report that exchange, opportunity for exchange is not there. However, I still remain concerned about having that report come forward and the exchange come forward under C.8 on the last day of the Council meeting. I think it is essentially two different agenda topics at once, and so I'm not sure what the wishes are of the Council here, but I think the clear pathways forward for me are either to have it as a informational report or try to keep it on the agenda as scheduled. Try to keep it very tidy and have the C.8 item be its own item, if that makes sense.

Marc Gorelnik [00:18:02] Corey.

Corey Ridings [00:18:04] Thanks Merrick. I would agree with you. My understanding of where we came away from in March to keep the 30-minute update being very tight and tidy. I guess my preference hearing what you just said and reflecting it would be to keep the 30-minute agenda item. Keep it short but have the opportunity for a short discussion and if any of our advisory bodies want to weigh in, they can.

Marc Gorelnik [00:18:32] All right I'm seeing some nodding of heads around that, so I think that that does resolve that issue. Hopefully Mr. Burden agrees. Merrick your hand is up?

Merrick Burden [00:18:45] Thank you Mr. Chairman. I meant to put it down, but I can't see the head nodding so what I'm taking away is that the Council would like to retain the FEP Initiative EWG Update on Friday for 30 minutes. We'd have a brief, what I would imagine as a brief summary from the EWG in the briefing book on that matter and I don't anticipate the EWG going around to all the advisory bodies, but the advisory bodies would be welcome to offer up any comments if they have them. Is that consistent with the head nodding that's happening in the room?

Marc Gorelnik [00:19:27] It is indeed.

Merrick Burden [00:19:29] Okay. Thank you.

Marc Gorelnik [00:19:30] All right. Now we'll go back to Lynn Mattes.

Lynn Mattes [00:19:33] Thank you Chair Gorelnik. This is in regards to something else Miss McKnight brought up about the SRFC Age-Structured Assessment, and I apologize I don't speak salmon so I'm not fully sure what that means, but a message I got from John North was that Oregon

doesn't see a need to have G.2 on the June agenda since our understanding is that it is too early to have an informed discussion on this topic, so we consider this a lower priority given the other tasks that need to be addressed. And I believe that's in line with what Caroline was saying, that this is maybe not the time for that. Thank you.

Marc Gorelnik [00:20:11] All right. So, let's drill down on that. Ryan Wulff.

Ryan Wulff [00:20:16] Yeah thanks. To that point, I understand that and are okay if we want to remove this from the agenda, but I do want to note this task has been repeatedly noted by the STT and the SSC as important. It was a foundational recommendation in the last rebuilding plan related to improvements and our understanding of the stock and then development of improved forecasting and management tools, so I would hope that if you remove that as its own individual agenda item that you could still have some sort of discussion on this in, what is the previous agenda item, so G.1 as you're relating to the Fall Chinook, or the Sacramento River Fall Chinook Conservation Objectives Scoping, and at least have some discussions there including how it might be considered if there is a workgroup created that's focused on the conservation objective or any technical form that might precede that effort. I do think there is some overlap there so hopefully there could be at least some discussion as it's related to the conservation objective in G.1 if you remove G.2.

Marc Gorelnik [00:21:31] There is a nexus there after all. So, there's... what about G.2? It seems like there's an interest in removing it but not abandoning the topic altogether. And if we remove it from the June agenda, do we move it somewhere else on the Year-at-a-Glance? So, Merrick Burden followed by Caroline McKnight.

Merrick Burden [00:22:01] Yes, thank you Mr. Chairman. I think it would be helpful, it might be helpful for the Council if I outlined what, how I see G.1 proceeding after June and so as we discussed the other day. Excuse me. We will be coming back to the Council with a paper that we'll work on with NMFS and CDFW about these conservation objectives and I think there is a very high probability that we will want to treat SRFC and KRFC as two distinct agenda items going forward after June. Just the nature of the conservation questions between the two are very different. When we think of it that way, I think Mr. Wulff's comments here a minute ago is very pertinent that we would be thinking about the SRFC conservation objectives and the scoping of it and the development of it as incorporating perhaps the age structured assessment effort, so I can see those two coming together after we get through June. And as I look into my murky crystal ball, that's what becomes apparent to me and maybe that helps.

Marc Gorelnik [00:23:19] Caroline McKnight.

Caroline McKnight [00:23:23] Thank you Mr. Chairman and thank you Merrick. You said it far better than I could or would have. And thank you Ryan for your comments. I think there is a lot of important work that will come of this, it's just a little too premature at this time. So, discussion relative to it under G.1 as appropriate in June is very reasonable. And then what comes of that I think might give us a better indication where SRFC age-structure discussion should go on the YAG at a later date, you know, when we get to June, if that makes sense. Thank you.

Marc Gorelnik [00:24:01] All right. Looking for further hands? Lynn Mattes.

Lynn Mattes [00:24:11] Thank you Chair. I just want to bring up in the GAP report they requested some specific guidance on how to proceed on the halibut scoping item. I know the GMT has also requested some guidance on some scoping items, so there may at some point need to be some further guidance or discussion on what scoping means and who's responsible for what just in general, but in particular for the halibut agenda item it may be good, depending on scheduling, for the GAP to have

some sort of conference call or webinar well in advance of the June meeting where hopefully NMFS staff and or Council staff can start to set the stage for them as to what this agenda item will entail, what the sideboards may be, what they may not be, so that when they get to June they can have focused discussions on what all this agenda item is. I know Brett Wiedoff have has been working with the GAP, and has had some preliminary discussions with them and they've started thinking about this, but are really interested in some additional guidance on how to proceed with this. Thank you.

Marc Gorelnik [00:25:22] Thank you. Caroline McKnight.

Caroline McKnight [00:00:00] Thank you Mr. Chairman. Thank you Lynn. You read my mind. That was the next agenda item I was also headed for. I think in reviewing the GAP report under this agenda item and asking the question specifically, I think a pre-webinar before June would be very helpful, and leading up to that it would be extremely helpful to understand how the definition of 'long term' is being used versus 'short term' or are other standing September, November agenda items under halibut? Discussions have been happening along in the GAP here those last few meetings relative to making allocation changes to the CSP and we want to make sure that that 'long term' doesn't preclude that kind of allocation change from happening and understanding what can be accomplished in these next few meetings will be very important. So, I would ask the question now, like what does long term mean? What does that, what is defined as long term? But I don't believe we have Josh available. But I agree with Lynn that having set that out ahead of time would be... is very important. Thank you.

Marc Gorelnik [00:01:22] Thank you Caroline. Looking for further hands? Merrick Burden.

Merrick Burden [00:01:31] Yeah, I would like to actually turn to Miss Ames and ask her to comment on this halibut discussion. I think she's just having a hard time raising her hand.

Marc Gorelnik [00:01:42] Miss Ames.

Kelly Ames [00:01:45] Thank you Chair Gorelnik, and thanks for the questions, Lynn and Caroline. So, the language in the Year-at-a-Glance referencing 'long term' is simply to signal that it is unlikely that changes that come out of this process would be able to be implemented in 2024. So, recall the Catch Sharing Plan, you know, identifies kind of minor changes that can be done in a two-Council meeting process being September and November, and those changes can be implemented the following year. Here we're signaling that because we're not clear the scope of the item, the scope of the changes that you envision, we're flagging that the timeline for implementation is not the shorter term 2024. With regard to the scope of this item, you know, we really would be looking for the Council to tell us, NMFS and Council staff, what sort of changes you're envisioning. If you're looking for allocation changes, what is the scope of those changes? If you're looking to implement the Enforcement Consultant recommendations for the commercial fisheries, which had to do with the VMS for example, you know, those sorts of things. Understanding what you are interested to see in the materials for the June discussion would be helpful.

Marc Gorelnik [00:03:26] All right, thanks for that Kelly. Before we continue discussion on the YAG, let's make sure we've got our June agenda nailed down. And I will ask Merrick Burden to recap where he thinks we are and then we can capture anything further the Council has on that agenda.

Merrick Burden [00:03:49] Yeah, thank you Mr. Chairman. I've captured a few things from this discussion. Very much appreciated. So, one, I did see support for adding a day for the Habitat Committee, so we'd be looking to do that on Thursday, June 22nd. There was some talk on Friday of the FEP Initiative, talked about moving that around and at the end of the day we elected to keep that on the agenda, focus on a tight agenda item topic. There were a couple of discussions. One, I did take to

heart of Miss Mattes' comment that Marine Planning, two and a half hours, we'd probably be lucky to stick with that if any of the Oregon issues or the Chumash issues or anything come to light. And so, as I look out through the rest of the week, I believe we did land on striking the SRFC Age-Structured Assessment, which adds an hour to the day. So, what I'd be looking to do is perhaps spend 2 hours on Gear Switching on Friday and 5 on Sunday and then add some more time for Marine Planning on Friday with that trade-off. So that's something I'd be looking to do in consultation with other staff of course. So that's where I believe we've landed on June, but if I missed something please let me know.

Marc Gorelnik [00:05:19] I'm going to look and see if we've missed anything. Caroline McKnight.

Caroline McKnight [00:05:26] Thanks Mr. Chairman. My comment was in response to Kelly's Pacific halibut comment. So, I just want to, I guess I would make sure that somebody didn't have a follow-up for Merrick on June.

Marc Gorelnik [00:05:37] All right, so we'll come right back to you Caroline. So, I'm not seeing any other hands with regard to June so, well maybe, maybe not. Lynn Mattes.

Lynn Mattes [00:05:52] Sorry Chair, This does directly relate to June, not the agenda specifically. I think we're good there. The GMT asked for some very specific guidance on prioritization, and I just wanted to give them a quick overview of what I think. I don't think EM Implementation is something the GMT will need to comment on. The Age 4 Harvest Specifications and Management Measures Planning, I believe the majority of that work will be Council staff and NMFS staff outlining the timeline and process. And I don't think at this time the GMT should worry about the halibut long term agenda item. At some point they may get pulled in due to some groundfish nexuses with that, but I don't think they should be worried about that one at this time. So those are just a couple of items to hopefully help focus the GMT on their work as they go forward. So, thank you for allowing me that opportunity.

Marc Gorelnik [00:06:52] All right, thank you. Ryan Wulff.

Ryan Wulff [00:06:55] Thanks. Just very quick Merrick. I think you said it when you explained your vision for G.1 a while back, but I didn't hear it in the summary but just to clarify too that there would be, even if you strike the Age-Structured Assessment for Sac River Fall Chinook, there would still be some discussion related to that in the conservation objective agenda item. Thanks.

Marc Gorelnik [00:07:21] Okay, and I'll just go back to Merrick to see...

Merrick Burden [00:07:28] Yeah, thank you Mr. Chairman. I believe we've captured everything. And just in response to Mr. Wulff's comment, yes, that's consistent with my thinking is that we would, you know, in this paper looking forward about how we're going to achieve these conservation objectives for these two stocks. I imagine the Age-Structured Assessment being part of the SRFC discussion. So hopefully that addresses that comment.

Marc Gorelnik [00:07:57] All right. Unless there's something else for the June agenda, we'll go back to the YAG and Caroline has had her hand up, so go ahead Caroline.

Caroline McKnight [00:08:09] Thank you Mr. Chairman. So in response, Kelly, to your comments. That answered my question. Thank you. I think then that that answer supports my suggestion for there to be a pre-June webinar where GAP members could bring forward their specific type of proposal for allocation changes, and at that time it can be determined whether it fits most appropriately under a three meeting long term or a more short term two meeting planning that then doesn't put them in a position where they get to the June meeting and they haven't brought something forward that did in fact need

three meeting, if that makes sense. I think that having that webinar ahead of time gives everybody the full opportunity to know where their proposal might land and then proceed accordingly. So thank you.

Marc Gorelnik [00:09:19] Lynn Mattes and then Ryan Wulff.

Lynn Mattes [00:09:22] Good set-up because my question may actually be one for Mr. Wulff. On the Year-at-a-Glance with the Sablefish Gear Switching, if we do the IPPA, which to me sounds like a beer, in June and then we don't do a PPA until November and FPA in March, what would that do to the timeline for implementation? I know a lot of our public and the GAP had really wanted us to follow that Septem....or be done in November so that this could then be in place by January 1, 2025, I believe that was the date. Not doing FPA until March what does that do to the timeline for implementation?

Marc Gorelnik [00:10:07] Ryan.

Ryan Wulff [00:10:08] Yeah, thanks. I think that's fine, right? I think we had said, I mean I guess it depends on what your FPA has with that caveat in place, right? We had said if your FPA is done by March, that still allows us to meet that timeline of January 2025.

Lynn Mattes [00:10:25] Appreciate the clarification. Thank you.

Marc Gorelnik [00:10:31] And Ryan, go ahead.

Ryan Wulff [00:10:32] Sorry. 2026.

Marc Gorelnik [00:10:34] All right. Further discussion, suggestions on the Year-at-a-Glance? Ryan Wulff.

Ryan Wulff [00:10:48] Yeah, thanks. I have a number of things on the Year-at-a-Glance just to flag for folks. I will kind of go by FMP here. I don't have anything on CPS for groundfish. We would support eliminating Workload and New Management Measure Update in September as well. We just did that in March. We won't have the ability to take on I think new workload until the next one is slated for March 2024. We would recommend potentially putting a shaded range of alternatives there for the Tier Follow-on Actions and Gear Marking. I'm not 100 percent sure we'll get to ROA Scoping and we have ROA PPA in March and so we think it might at least for this point just to put a shaded agenda item in September where we could either refine or develop the ROA potentially at that point. We'd also support unshading the Stock Definitions Phase 2 as well as unshading the, in September the, oop I don't think I see it on here... there's... oh, sorry it's under 'other'. I just consider it related to groundfish. The Office of National Marine Sanctuaries Check-in. We have heard from the sanctuaries that they'll be ready, they believe, for scoping by September. And then on salmon, I think, it would be helpful to add an agenda item, I believe, for November on a couple of things. We, in particular the 3-year reviews for the LCN and Tule Matrices as well as the 5-year review of the Sacramento Winter run Chinook Framework. Just as a reminder, our biological opinions do require periodic reports to the Council about the performance of those Harvest Control Rules for those stocks so that would be good for adding to the November agenda. And then it also might be helpful to have a another Klamath Dam update in March of 2024, both to supplement any discussion of interim management measures should the Council decide to form a workgroup, but also because the first dam, as you heard from Jim Simondet, is scheduled to be removed in July 2023 and the drawdowns in the remainder of 2024 so just might be at least something to put on the YAG just to keep track of. And then finally just a small clarification, the way the EEJ Regional Implementation is on for September, just to clarify that that, or assuming the Council is interested, that is also when we would have a Draft Regional Geographic Strategic Plan as well. So, I think, you could just combine that into the same agenda item and it's just a matter of wording there.

And I'll stop there. Thanks.

Marc Gorelnik [00:14:15] Thank you Ryan. Heather Hall.

Heather Hall [00:14:18] Thank you Chair Gorelnik. I'm sorry Ryan, could you repeat what you said about the LA Fixed Gear Follow-on Action that's shaded for March?

Ryan Wulff [00:14:30] Yeah, so I'm not suggesting anything on the March one. What I'm suggesting is that it would likely be challenging to develop a full range of alternatives for the items currently slated to be scoped in June as a part of that, so that maybe having a September shaded agenda item for ROA only, I mean so that it would still keep the March PPA item, it would just allow at least the potential for us to have an agenda item in September if we needed to either initially develop an ROA or refine anything that came out of the scoping, that's all.

Heather Hall [00:15:06] Thank you. I appreciate and support that idea. Thank you.

Marc Gorelnik [00:15:10] Merrick Burden.

Merrick Burden [00:15:14] Thank you Mr. Chairman. And thank you Ryan for those comments. And I'm sorry I lost you there after a couple of them and so I'm unfortunately going to ask you to back up a little bit. What I captured was you all support striking the September Groundfish Workload and New Management Measures Update. I just captured the Gear Marking ROA in September. There are a couple of other groundfish items, one about unshading Stock Definitions? I wasn't sure what that was about, and there might have been one or two other things. And I didn't adequately capture your November salmon suggestion.

Ryan Wulff [00:15:55] Yeah, thank you Merrick. We're just supporting, I think, I can't remember what the report was, but there was a recommendation to unshade the Phase 2 Stock Definitions Scoping scheduled for November and I'm just noting that NMFS supports that if the Council wants to unshade that now. And then for salmon it was to add to the November agenda item, add to the November agenda, excuse me, the 3-year reviews of the LCN and Tule Matrices, as well as the 5-year Performance Review of the Sacramento Winter Run Framework and these, this is in relation to NMFS biological opinions which require those periodic reports to the Council about the performance of those Harvest Control Rules. So, I think those could all be incorporated in a November agenda item and happy to work with you offline on how that's noticed.

Marc Gorelnik [00:16:55] Merrick, do you have further questions there?

Merrick Burden [00:17:00] No, thank you Mr. Chairman.

Marc Gorelnik [00:17:02] All right. Looking for further suggestions, comments on the Year-at-a-Glance? Lynn Mattes.

Lynn Mattes [00:17:10] Thank you Chair. Under the CPS agenda items there was a request to have an EMSY workshop at some point. I don't believe there was any guidance as to when. I was just asked to bring this up so that it didn't fall off the table. Not sure where it would be tentatively scheduled but that that is something there is interest in having within the next year, preferably before next April when the sardine harvest specifications come up again. Thank you.

Marc Gorelnik [00:17:42] Caroline McKnight.

Caroline McKnight [00:17:46] Thank you Mr. Chairman. Just to touch back on Ryan's comments. I would support also, I think you said removing the Workload and New Management Measure Update from September, given the heavy workload associated with stock assessment work in September. I think that's appropriate in addition to the very thorough job we did earlier this year on that item. And also support unshading the Phase 2 Stock Definitions, in addition to adding I believe you said a potential ROA for the LE Fixed Gear Follow-on Action. So essentially, I think I'm affirming all the things you've said relative to groundfish in support of the same thing. Thank you.

Marc Gorelnik [00:18:41] Thanks. Thank you Caroline. Ryan Wulff.

Ryan Wulff [00:18:46] Yeah, thanks. I just wanted to respond to Miss Mattes' request regarding EMSY or not. Yes there wasn't a specific request, but I do want to note, you know we've had some additional discussions with our Science Centers and I don't think we will be ready to discuss things like that or our overall scientific priorities within the scope of the current Year-at-a-Glance, at least not before June of 2024, and especially given the timing of the new Benchmark Assessment, which is scheduled for April of 2024, work on EMSY is unlikely to occur between November of 2023 and June of 2024. Additionally, the assessment process and the outcomes of that Benchmark Assessment are going to be valuable information in evaluation of sardine research priorities, so if we are going to schedule a Council discussion, NMFS strongly feels it would benefit for having that after the Benchmark Assessment on sardines is completed in 2024.

Marc Gorelnik [00:19:49] All right, thank you Ryan. Further input on the Year-at-a-Glance? Well, Merrick, I'm not seeing any hands here online so would you please recap where you believe we are in the Year-at-a-Glance?

Merrick Burden [00:20:10] Yes, thank you Mr. Chairman. I think this was a helpful discussion. Let's see I captured a few things. Starting with September, I heard suggestion and support for striking the Workload and New Management Measures Update under groundfish. I heard suggestion and support for adding the Limited Entry Fixed Gear Follow-on and Gear Marking, a range of alternative item that would be shaded. And then Mr. Wulff also noted under 'other' on September that we should also make sure we make note of the Geographic Strategic Plan and suggested that be combined with the EEJ Regional Implementation item. Let's see, moving down through November, there was a suggestion and support for unshading the Phase 2 Stock Definitions. Mr. Wulff made note of the 3-year review of LCN and tule and the 5-year review of the Sacramento Framework, there might have been another stock in there. I believe I've captured that though. And let's see moving down through March, a suggestion to add a Klamath Dam Update in March, giving the timing at which the dams on the Klamath are scheduled to come out. Then there was this recent talk about the CPS EMSY item. I'm inclined to leave that off the YAG at the moment, but I imagine that will come up again over the coming months about how to best take that one up, but I plan to leave that off the YAG for the moment. That's what I have Mr. Chairman. If I've missed anything, please let me know.

Marc Gorelnik [00:21:59] All right. This is your opportunity. Any final comments, suggestions for the Year-at-a-Glance or on the June agenda? I'm not seeing any hands here. Merrick Burden so what say you on this agenda item?

Merrick Burden [00:22:24] I believe you've completed your action on this agenda item Mr. Chairman. Thank you.

Marc Gorelnik [00:22:30] All right, thanks very much. And unless someone has, wants to bring back another agenda item, there's only one matter left for us here today. Vice Chair Pete Hassemmer.

Pete Hassemer [00:22:48] Thank you Mr. Chair. Even though my flight is very late this evening, I move we adjourn now.

Marc Gorelnik [00:22:55] Seconded by Heather Hall. All those in favor say 'aye'.

Council [00:22:58] Aye.

Marc Gorelnik [00:22:58] Opposed? Abstentions? The motion passes unanimously. Thank you everyone for the hard work this week. Travel safely and be healthy and we'll see you in Vancouver.

G. Groundfish Management

1. National Marine Fisheries Service Report

Pete Hassemer [00:00:00] That completes all our reports and takes us into Council decision. There's no action on this item and I will look around to see if there are any further hands for discussion on this item or questions. Chair Gorelnik.

Marc Gorelnik [00:00:16] Thank you very much Vice-Chair Hassemer. I just wanted to just take this opportunity maybe to ask Mr. Wulff, I realize the hook and line survey is not a product of sustainable fisheries, but there have been a number of discussions with NMFS leadership about the need to expand that survey, and it worries me that probably a year or more into these discussions staff at the Science Center have not received, I guess, even a hint of resources being provided to even study how to expand these and we don't have Science Center Management here so you're kind of on the hook here. So, I want to know if you have any thoughts for the Council on how we can make that a reality, because there's a huge chunk of the fishery that we manage that simply doesn't get surveyed.

Pete Hassemer [00:01:22] Ryan.

Ryan Wulff [00:01:22] Yeah, thank you Mr. Vice-Chair, and thank you Chair Gorelnik for the question. I'm afraid that's a challenging one for me to answer for reasons that you've outlined. I mean, I know that the Council's raised that a couple of times in various fora, yourself as well. I know that concerns and questions along those lines have been passed on to the leadership, but when it comes to speaking to resource allocations from Headquarters to the Region to the Science Centers, I don't have any updates on that at this point, but this Council action is discussion and guidance as appropriate and any things that are taken here I'm happy to pass back and see if I can get you more information at a future date.

Marc Gorelnik [00:02:08] Thank you.

Pete Hassemer [00:02:10] All right, thank you. Phil Anderson.

Phil Anderson [00:02:14] Thanks Mr. Vice-Chair. And I'm pretty sure I don't even need to say this, but I know the Science Centers are very much aware of the concern that the whiting folks have over the integrated survey and the plans for beginning that in 2025. I had a chance to have a good conversation with Dr. Werner here eight or ten days ago about it, and I would just like to offer the same encouragement that Mr. Dooley did in terms of reaching out to the industry and trying to pull them in and have them a part of the design of the net or nets, depending on how many we end up with. I think that'd be really important for them to have some ownership in the redesign and the effort to integrate those two surveys, so thanks.

Pete Hassemer [00:03:18] Further discussion? Corey Niles.

Corey Niles [00:03:25] Yeah, thanks Mr. Vice-Chair. A question for Ryan and Sheila. I know we had an opportunity for a brief discussion in our closed session, but I don't think any of this information was not public. Sounds like you had folks communicating with the GAP well... but I'm just... I'm thinking on the lawsuit, the court decision that affecting the sablefish, you know, fixed gear fisheries and next steps on that just to have a little in the discussion. We know there's a meeting, a status conference if I'm remembering correctly, at sometime this month and maybe that's the wrong term for it, but that doesn't necessarily mean you have an answer at that time and so anything you could share for anyone listening here about what we still might be expecting a timeline that's extended well in that meeting. Anyway,

any information you could provide would be appreciated on, yeah, what expectations on timeline could be here?

Ryan Wulff [00:04:23] Yeah, through the Vice-Chair, thank you Mr. Niles for the question. Unfortunately, I don't have that level of detail at this point. We are reviewing the order. We're determining next steps. You are correct there is a status conference that is on April 20th, so a little over two weeks from now and we will know a little bit more after that, but we're still in the process and of course as things unfold, and once NMFS reviews it and takes a position, we'll be happy to update the Council at a future meeting.

Pete Hassemer [00:05:05] All right, thank you. Further discussion on this agenda item? And I don't see any more hands so, Todd, I will turn to you and ask if we've completed our business here?

Todd Phillips [00:05:21] Yes, thank you Mr. Vice-Chair. I would say that you've had a very good discussion. You have heard from both the Region as well as the Science Center and you've had some back and forth regarding the surveys and other such information so looking across the agenda and your action here, I believe that you have adequately covered it and I would recommend that you go ahead and move forward. Thank you.

Pete Hassemer [00:05:47] All right. Thank you Todd. With that, that completes G.1.

2. Trawl Cost Recovery Annual Report

Marc Gorelnik [00:00:00] Last I checked there was no public comment. So again, I gather there's still no public comment so that will take us to our Council discussion and we don't have an action here. Any comments on the report other than those that were implicit in questions raised during the report? All right I'm not....oh, Corey.

Corey Niles [00:00:27] Thanks Mr. Chair. Just to voice some thought, yeah, I just want to appreciate, yeah, and thanks to Jeff and the GAP for Jeff for elaborating there. I think and I know this has been going on for a long time and it's... thanks to NMFS and to industry for continuing to talk through it. I think that as the GAP suggests, the place to really think about this is, you know, we're coming up on our next agenda item and the five-year review, but, yeah, I think I understand what NMFS is saying in terms of how they did the analysis. I kind of see it very similarly, in a similar way. And, yeah, it's hard maybe to do perfectly, but I don't, I don't know what the cost savings, you know, still wanting to hear more, but, yeah, we have better data on what discards are but that's mainly for the individual accountability. You know or for those who don't get to go to the Chair's Briefing, our Executive Director was surprised to remember that we only have one inseason item now instead of the multiple ones we used to have under the trawl, the triple net fishery which... okay, that was one saving but is it... that would come out in NMFS's analysis of what a triple net fishery would look like. So, yeah, thank you. I guess thank you for the, the dialogue's that been going back and forth and I think the... we'll be looking at these questions of costs and what can be done about them you know upcoming in the upcoming review.

Marc Gorelnik [00:02:05] Thank you Corey. Bob Dooley.

Bob Dooley [00:02:09] Thank you Mr. Chairman. Yeah, I just think that, you know, I get it that it might cost more to do the work than the value, but just simply in catch monitoring, for instance, it didn't cost zero before. There ought to be some rational way of figuring out how many people they had assigned to that task before that are, you know, without the program and what they are now. Don't have to worry about dollars so much because it's hard to compare 13 years ago or 14, 15 years ago what was going on, but we certainly know the, should be able to know the tasks and should be able to do some type of a comparison there to show that, okay it cost X, you know, when we didn't have the program and now it cost X plus this and understand the trade-off, and that's really what the guidelines speak to, and I think that we... I don't think... I think it's easy to say, 'well, we just did a cursory look at it and it costs more to do it than not', but I think you've got to do it because that's what the program says. I mean, we need to know the offsets there and I think that that's what industry has been clamoring for for a long time. There is another component, probably next agenda item. There are programmatic things that the Council policy-wise put into this program that we need to analyze whether they are still relevant. I mean I don't know that we need to know. You know we put in the yearly requirement for the economic data report. Is that really as relevant now 13 years later on an annual basis or can we get that information by doing it? But that's a Council decision that made that happen. It isn't a NMFS decision. So anyhow I'll stop there. Thank you.

Marc Gorelnik [00:04:09] All right, thank you Bob. All right I'm not seeing, I am seeing Vice-Chair Pettinger.

Brad Pettinger [00:04:16] I'll weigh in here. You know we really don't have a before and after cost. I think it's getting those numbers are really... it's just not going to happen and so, because they're not available to us and I think I'm ready to give up on that fight. I think that... I think Ryan mentioned the, you know, this program review is really the best time to look into figuring out where those cost savings

could be. We really ought to put most of our effort into that. You know this Council went down the path of setting this program up based on some assumptions over 11 years ago, 13 years ago, and I think we ought to be very open to see what do we really need, what don't we need to make this thing work in an efficient manner and I think that's where we need to put our effort. And I appreciate Ryan seeing that as the, as the vehicle to really make a difference in what this program cost. And I would also say, you know, we're underachieving big time as far as OY attainment, and I think once this fishery attains, does that, I think you'll see the cost percentage go down because we're actually achieving what we set out to do to achieve. And so that will make the real difference, so we actually have a efficient, profitable trawl fishery. So anyway, thank you.

Marc Gorelnik [00:05:38] All right, great. Anything further? All right. Let me turn back to Dr. Seger and see how we're doing?

Jim Seger [00:05:52] Thank you Mr. Chairman. You know the task here was just to, after hearing these reports, to provide comments. I think you've had a good discussion and I sort of identified the landscape that you're working in here, both with respect to this agenda item, with respect to the next agenda item on the Cost Project and with respect to the upcoming Catch Share Review, all of which provide context and opportunity for continuing these discussions.

Marc Gorelnik [00:06:18] All right, great. Well, that concludes this agenda item.

3. Trawl Catch Share Cost Project – Update

Marc Gorelnik [00:00:00] We have our action here, which is to provide guidance. And I'll look around the table. Maggie Sommer. Thank you. You've always rescued us.

Maggie Sommer [00:00:12] Thank you Mr. Chair. You weren't in need of any rescue here. I first wanted to thank the Council and Mr. Brannan for his work on this project. We really appreciate it. We certainly feel that evaluating costs related to the required program elements is important and we concur with the GAP's concluding statement. We hope that information provided in this report will really help the Council as it moves into the program review and considering potential modifications that could provide cost savings and evaluating trade-offs that would come with changes. Mr. Brannon has provided a lot of information in this report and the GAP has requested more on costs related to items both that derive from the program's design and regulations as well as other costs, labor related costs, fuel, et cetera. Those are very important contexts, but given that the Council's purview and what we'll be looking at in the program review, I certainly would encourage particular focus on those design elements as Mr. Brannan noted, since that's where the Council would have the potential to, you know, to make changes and to find potential cost savings there. Thanks.

Marc Gorelnik [00:01:47] Thank you. Lynn Mattes.

Lynn Mattes [00:01:52] I'd echo the thanks on the report. I just wanted to go back to the GMT report about trying to reach out to additional participants. I think you've reached out to a fair bit and got a pretty good response rate and maybe with this draft report being out there some additional folks will be interested now that they know what the information is going to be used for. So just guidances, if possible, to reach out for some additional participants for the survey.

Marc Gorelnik [00:02:24] I think it's a good point, in particular, based upon what may have been a disconnect that Vice-Chair Pettinger noted. Bob Dooley.

Bob Dooley [00:02:38] Thank you Mr. Chairman. Yeah, I think this was excellent so far and I agree with Maggie's comments that we should focus on program cost, I think, rather than the profitability of the whole fishery. I think it relates but probably have enough done there. As far as contacting other people, I know when we spoke last night, you talked about that you contacted permit holders, but there were several different folks even around this table that have a lot to offer and, you know, how are you going to vet those out? Who to talk to without some maybe recommendations and maybe there's a place to... for people to actually request to be called for comments. Maybe there's a place on a website or someplace to do that so that you know who to contact... and just a suggestion... but I think this will be very useful information as we go into the Catch Share Review. So, I appreciate the efforts to date but looking forward to the next one. Thank you.

Darrell Brannan [00:03:43] Mr. Chairman, Mr. Dooley, and I do appreciate any suggestions that you may have for how to better reach people. And I think the methodology I use may have worked well for small mom and pop operations, probably worked less well for large industrial businesses because the email may not be the person that makes those kinds of decisions. I do have a pocket full of business cards with me. I'm happy to give them to anyone who wants to give me a call and talk about the project. If you want to create a list of people that I should contact directly, I'm more than happy to do that. I'm more than willing to do whatever the Council thinks is the appropriate way to get in touch with the people that I should talk to, and I'm happy to do it.

Marc Gorelnik [00:04:33] Yeah, I think that using the Council as a resource for that is an excellent

idea. Let's see if there's further discussion or guidance? Corey Niles.

Corey Niles [00:04:44] Yeah, thanks Mr. Chair. A question for Darrell. On, yeah, on the GAP I agree with comments made especially where our focus will be is really wanting to hone in on what the Council has some control over. So, I guess the first question I would have is the GAP has a general request to make this as relevant as you can to our upcoming deliberations. Did you have, do you have any thoughts from those discussions with the GAP and others on where you might do that between now and September?

Darrell Brannan [00:05:23] Mr. Chairman, Mr. Niles. Yeah, I think we do. In fact Dr. Seger and I over lunch were kind of going over an appendix from the original Catch Share Program that lists each of the items in the program, and we were kind of talking about, you know, will this affect costs or will it not affect costs and kind of trying to develop more of a list of those pieces of like levers for the Catch Share Program and talking about do they affect costs or not in talking to the extent we can, saying what those costs are based on the information that are collected from the economic data reports. And so, pulling a lot of that information in a more summary form and laying it out specifically in a table are the things that I hope to be able to do between now and the next version. I'm the first to admit that the version that you have is definitely a work in progress. It's got a lot of information in it, but it's not summarized to the extent that it should be for a final report. And, you know I, to be perfectly honest, Dr. Seger tried to encourage me to have a June initial review when we first started this project. I said, no, I can probably get enough done by April, and of course Dr. Seger was probably right.

Marc Gorelnik [00:06:48] Corey.

Corey Niles [00:06:50] Thank you for that answer. That's, that sounds really promising to me. Yes, I've learned, probably listened to Dr. Seger myself on what you can actually accomplish over... I guess so... and Jim is also saying probably don't worry about this now, we're in September after your other report is due. But I'm wondering just looking and looking at that slide for the slide you put forward from the fishery we manage, and it seems to be the bottom trawl sector in Oregon is doing pretty well. The whiting sectors are doing well in Washington and Oregon, but what we hear, yeah, costs, I think we have a duty under the Magnuson Act and National Standard 7 I believe and National Standard 5 to look at efficiencies and lowering costs, but the other....I'm kind of wondering just reading some of the feedback you got if you have any sense on, you know, from business it's pretty, you know, you get... you can lower costs or you can increase your revenues, really the two ways of growing a business or in growing profits, and what we hear, especially in the context of our gear switching discussions, is that revenues are an issue and that there was more revenues that could be earned from species like dover sole and thornyheads. So did you get, do you have any sense of where you would think, I'm sure attention to both is warranted, but whether from your initial discussions if you've had what is relatively more important to increasing the value over a broader geography here. You had some discussion about the processing sector and not growing, not growing as we had hoped that we would when we started this program, but, yeah, any thoughts on the revenue side and what might be, are we too focused on cost here? Is it revenues the more important? What could be possible to look at in a second phase of this, of a project?

Darrell Brannan [00:08:55] Mr. Chairman, Mr. Niles, both are important obviously, and the focus of this project is certainly on the cost side of things, but there's a placeholder in the document currently where I want to look at product or quota utilization rates in the fishery by species. That was something I had attempted to get into this version of the analysis and I got the request in too late and it took more time than I thought that it would to get that information together to provide some information on, you know, how much of the fish are being left in the water because achieving OY was one of the goals of the program initially, and how well is the Council doing at achieving that goal? And so, I want to

provide some of that information and some text around it to the extent possible in terms of why people think it might, we might not be achieving OY. I know I got some fairly strong feedback from some members of the whiting fishery in the mothership sector that they weren't able to deliver maybe only half of their quota because of the way the markets are structured and things. And so, they're both very important and I think we can do better at documenting those in the analysis that probably won't get exactly to where people want to go, but it'll be more than is in there currently, certainly.

Marc Gorelnik [00:10:30] Further discussion or guidance? I'm going to turn to Dr. Seger and see if he can recap what he has heard, and then I'll turn back to the Council and see if that is complete and accurate.

Jim Seger [00:10:48] Thank you Mr. Chairman. I think there are two main themes I heard. One is to focus on program costs related to design elements that the Council might be able to make adjustments to down the road. Another is to conduct this outreach, rely on the Council as a research for doing that outreach and to, extend the effort that has already been made. Beyond that, there has been some other discussion about, as we just finished here, about, you know, what's more important costs or revenues and some other inquiries into the data, but I think those are the two themes that I've walked away with here at this point.

Marc Gorelnik [00:11:30] Let me look around the table. I'm not seeing any hands or consternation or negative non-verbal clues. So, I think that's where we, we're going to end this agenda item. Thank you very much Darrell for coming and for your presentation.

Darrell Brannan [00:11:54] Thank you Mr. Chairman, members of the Council.

Marc Gorelnik [00:11:58] All right. That concludes our agenda for today.

4. Inseason Adjustments – Final Action

Brad Pettinger [00:00:00] That concludes public comment which brings us to Council action, which is... what's that? Okay, anyway just opening the floor for discussion. Nothing is necessary here but. Okay, Lynn Mattes.

Lynn Mattes [00:00:25] There's no action under this but before we close this out and let Mr. Phillips go, I think we should acknowledge that it's his birthday tomorrow and by doing, moving this up he doesn't have to be on the floor first thing in the morning on his birthday. So happy early birthday Mr. Phillips.

Brad Pettinger [00:00:39] There you go. All right. We'd sing happy birthday tomorrow morning, but we can't now, so... Marci.

Marci Yaremko [00:00:49] Thank you Mr. Vice-Chair. Just another thought. I want to go back to the GMT report for a minute. I appreciate, as always, the GMT keeping us apprised of progress to date on impacts in our groundfish fisheries and I was just wondering at some, we've had some discussions over the years regarding the Chinook retention. If information can be brought to the Council, it doesn't need to be every meeting or anything, but it would sure be nice to know of the reported occurrences where we've encountered and taken Chinook as bycatch in our groundfish fisheries. If we can get information on whether those fish were collected for sampling and processing since part of the goal with this tracking effort is to determine the stock composition of those Chinook and coho so I was just... it's not something that we need to know about every time but I know this is kind of an ongoing topic of interest to the Council, so I would just flag that and put it out there that at some point if we could get information on how many samples we've collected it'd be useful. Thank you.

Brad Pettinger [00:02:10] Okay. Actually, Marci, I do believe they're all sampled, I believe. So, and probably just need to ask for that information, at least the groundfish fishery, the trawl fishery. So okay, thank you. All right. I'm not seeing any hands for a motion or anything else, so I think I'll turn to Todd to close this out potentially. Todd?

Todd Phillips [00:02:36] Yes, thank you Mr. Vice-Chair. And thank you Miss Mattes for notifying the Council of my impending age-related event tomorrow. Looking at this particular agenda item, you have heard from the California Department of Fish and Wildlife and covered their two reports. You have heard the report each from the GMT and GAP, as well as two public comments. As noted, there was no real action proposed but and you did have some discussion so it is believed, I believe, that you have completed this action or this agenda item as appropriate and can close it out. Thank you.

Brad Pettinger [00:03:12] Very good Todd. Thank you, and thanks everyone for all the good work.

5. Sablefish Gear Switching – Check-in and Refine the Range of Alternatives

Pete Hassemer [00:00:00] That completes our public testimony and will take us to Council discussion. Just a refresher, in front of you is our looking at potentially refining the range of alternatives you have before us now and looking at guidance on the process for reaching a PPA and ultimately an FPA. We've heard a lot today obviously in the time this was before us, the reports and the testimony so we'd like to hear any discussion people have on that, but also recognize that at any point anybody can make a motion if they have one. So, we'll start it off just by saying I will look for any hands. Corey Ridings.

Corey Ridings [00:00:56] Thank you Mr. Vice-Chair. I have a motion that I'd like to put forward.

Pete Hassemer [00:01:04] Please go ahead.

Corey Ridings [00:01:06] Sandra, I didn't send this to you so I'm just going to speak here. It's short. I move to instruct staff to discontinue work on this action.

Pete Hassemer [00:01:35] All right, I think it's up there. Is the language on the screen as you intend and accurate?

Corey Ridings [00:01:41] It is. Thank you.

Pete Hassemer [00:01:42] Thank you. Is there a second on the motion? Christa Svensson. Thank you. Go ahead and speak to your motion.

Corey Ridings [00:01:52] Thanks Mr. Vice-Chair. Bringing this out at this moment in the discussion because I realize this is a bit of a bookend concept here so want to put this on the floor early and have this as part of the discussion. Before I dive in, I also want to start by saying thanks to all the folks who have been thinking about this and working to find solutions in the interest of all participants and groundfish program improvement generally. I respect this work coming from across the family and especially from membership across the table. The Council decided when it built this program to hand over much of the control to the market. There are many reasons this was done and many of those reasons have been justified by successes of the program, including safety at sea and conservation. But markets do what markets do, that is, environmental, economic, and social conditions change and the market changes accordingly. The Council is not privy to much of this information and that's, it's incredibly difficult to know what is happening towards economic and social goals. I do not see that further analysis by Council staff or by NMFS will provide this because they are business decisions and actions that, rightly so, are being made by business owners across a spectrum, vessel owners, captains, processors, quota owners, buyers, and these decisions are largely private. To the point, even if we were privy to all this information, it doesn't change the fact that this is a complex, interrelated, market-based program, and we're talking about just one slice of that program that is difficult to directly tie to the need for this item, that is underattainment in the trawl sector. It is a weak link under any of these alternatives that does not justify the likely harm done to other participants. None of the action alternatives address the purpose and need with confidence and in my mind do not pass the NS4 test of being fair and equitable. From what we do know, the total benefits to all participants likely does not outweigh the hardships imposed on those who will likely lose out. Given, and I recognize this, that No-Action is in the range of alternatives, why put this forward and stop work today? Industry members across the supply chain need to make business decisions and plans and we heard about that today. By continuing work on this item, we use Council time and NMFS resources that could be better spent working on this program and other needed groundfish items. It could be better spent preparing for the next program five-year review that begins in September, where systematic program issues can be addressed in a holistic manner. I'll

stop there and thanks very much.

Pete Hassemer Thank you. Are there questions for maker, the maker of the motion? And I don't see any questions so I will open the floor then to Council discussion. Marci Yaremko.

Marci Yaremko [00:05:08] Thank you Mr. Vice Chair. I'll be supporting the motion. Throughout the discussion today I've made myself a list of bullet points to be speaking in favor of a motion such as this were one to come forward and the reasons why I might support such a motion and I'll tell you every bullet point that I had on my list you spoke to specifically in your speaking point. So, remarks are spot on and I agree with all of them. Thank you.

Pete Hassemer [00:05:45] Thank you. Further discussion on the motion? Corey Niles.

Corey Niles [00:05:58] Thanks Mr. Vice-Chair. I don't believe we can vote for this motion at this time, although much the, on the reasoning that we've committed to seeing this process through. I'm very, I'm concerned by the public testimony we've heard about narrowing this down to one alternative and if the Council were to do that, I'll be honest and say I might prefer stopping work altogether if we're going to move ahead with incomplete analysis. And Miss Ridings mentioned the National Standard 4 fair and equitable test and exactly is, that's exactly where my mind is about showing that the benefits of acting here are going to outweigh the hardships to the people that are affected and that we've committed to seeing that through in looking at the analysis and considering that question closely. So not disagreeing with the, many of the questions and thoughts that Corey has brought up. Again, we can't support this. Just we're committed to seeing the analysis and the decision through.

Pete Hassemer [00:07:18] Thank you. Lynn Mattes, I believe you had your hand up also.

Lynn Mattes [00:07:25] Yeah, Mr. Niles hit a lot of the thoughts I was having as well. I appreciate the, the reasoning behind it, but we've spent enough time and effort on this we need to see it through, make sure we've done our due diligence on the analysis. I am new to the seat. This is my first time on this agenda item, but I have gone back and listened to the last several meetings worth of recordings and one piece that has struck me is we really haven't heard from the people who are leasing the quota out. Somebody is making that business decision to lease quota to fixed-gear folks. I don't know that we will hear from those folks but that is a piece that has been sticking in my mind as well, is somebody is making the business decision and the market aspect of it I hope to learn more and by continuing the process hopefully that will come clear, but I do appreciate the reasoning and the, not necessarily intent, but the reasoning why we forward this at this time.

Pete Hassemer [00:08:28] Thank you. I see Vice-Chair Pettinger has his hand raised. Brad, would you please go ahead?

Brad Pettinger [00:08:37] Yeah, thank you Chair, Vice-Chair Hassemer. Apologize to folks for getting Covid. Timing's impeccable. You know I'm not going to support this motion. I think there's a process issue here. You know certainly there's no notice that this is going to be on the, on the docket again and so I think that's, that alone is what, is enough to vote against it. We've got people down on hardships and uncertainties like this affect anybody else, but the trawl fleet historically has been, is the largest fishery on the West Coast as far as production, we go across the, you know, as far as pounds landed. It's what keeps the ice houses open. Gear switching does not keep ice houses open. They might need ice. You can put an ice machine on a boat and, and he can, you know, catch their fish, but you don't need an ice house for gear switching. You know recently we just, one of my brother's boat that's fishing out of the Monterey, the only trawler in Monterey and there's no ice house in Monterey I'll guarantee that. There's no ice house, I don't believe there's an ice house in Monterey Bay period. We get our

lettuce ice shipped over and dump it on the boat because there is no trawl fleet in that harbor to support an ice house yet. I think that, you know, we talk about all these uncertainties and hardships, the trawl fishery, the fishermen and processors, they have all those uncertainties. We, you know, I don't go to Alaska. Most of the guys down here don't go to Alaska so that option isn't available to them. You know we're here, there's an issue here, the trawl fleet, the trawl fishermen, processors have said it over and over again that explain it to you, it's not, it isn't an illusion. It needs to be fixed long term. It needs to be fixed for the people in it today. It needs to be fixed for the people 20 years down the road. The fishermen and processors that are here now won't be here then and if you want to catch all the fish that's in our complex, sablefish is an integral part of that. Depending on how big the sablefish quota is and it's getting bigger, well it went up 30 percent last year and I think we fished a month from one of my vessels and maybe I got 50,000 pounds of fish already in and it'll be a very abbreviated season because there's just the survey is not... well the assessment or the ACL this year is not keeping up with the amount of fish in the water. Thankfully NMFS has seen, the in the Northwest Science Center has seen that there's going to be an issue here and they're going to try to address it but it's still going to be late. But we need to design a fishery that's going to survive high ACLs for sablefish and low ACLs for sablefish. And, you know, I think that we're here to narrow this, narrow the scope here a little bit, maybe add a proposal and get to work in June on what those things will look like, and I would hope that, I would hope that we would get there and so with that I will not support this motion and I look forward to getting to that and moving on here. Thank you.

Pete Hassemer [00:12:23] Thank you. Chair Gorelnik.

Marc Gorelnik [00:12:27] Thank you very much Vice-Chair Hassemer. I have a question for General Counsel on this motion. We've noticed this agenda item to refine a range of alternatives. This motion would effectively be final action as I interpret it. So, I'm wondering if this is an appropriate motion given the way this agenda item has been noticed?

Pete Hassemer [00:12:55] Miss Beale.

Laurie Beale [00:12:55] We reviewed the agenda item. It does indicate that the Council will consider narrowing the range of alternatives and it also says that the Council will provide guidance to staff on next steps. So, I believe that the motion would fall within those categories.

Marc Gorelnik [00:13:28] All right, thank you.

Pete Hassemer [00:13:29] Thank you. Further discussion on this item? Christa Svensson.

Christa Svensson [00:13:39] Yeah, thank you Mr. Vice-Chair. I just wanted to speak to why I seconded the motion. I think it is important that we continue to have the full set of discussion. For people that are at status quo, there is not necessarily a need to continue work, and I think for those of us that have other ideas about the need to continue that work that it is appropriate to allow for that vote. So that is why I seconded the motion to allow discourse on the floor. Thank you.

Pete Hassemer [00:14:18] Thank you. And I'm being careful to look very carefully and so as not to miss any hands, but I see no further hands so I'm going to call the question and I am going to ask Executive Director Burden to utilize a roll call vote to avoid any confusion in determining the final tally. So, Executive Burden, would you please call the roll for the vote?

Merrick Burden [00:14:51] Yes, thank you Mr. Vice-Chairman. I'll be reading from voting sheet number one. The motion references Agenda Item G.5, motion made by Miss Ridings. Phil Anderson.

Phil Anderson [00:15:05] No.

Merrick Burden [00:15:07] Butch Smith.

Butch Smith [00:15:09] No.

Merrick Burden [00:15:11] Robert Dooley.

Bob Dooley [00:15:14] No.

Merrick Burden [00:15:16] Corey Ridings.

Corey Ridings [00:15:18] Yes.

Merrick Burden [00:15:20] Marci Yaremko.

Marci Yaremko [00:15:21] Yes.

Merrick Burden [00:15:24] Corey Niles.

Corey Niles [00:15:27] No.

Merrick Burden [00:15:28] Joe Oatman.

Joe Oatman [00:15:30] No.

Merrick Burden [00:15:33] Maggie Sommer.

Maggie Sommer [00:15:35] Abstain.

Merrick Burden [00:15:38] Christa Svensson.

Christa Svensson [00:15:40] Yes.

Merrick Burden [00:15:43] Brad Pettinger.

Brad Pettinger [00:15:56] No.

Merrick Burden [00:15:59] Virgil Moore.

Virgil Moore [00:16:02] Yes.

Merrick Burden [00:16:05] Lynn Mattes.

Lynn Mattes [00:16:06] No.

Merrick Burden [00:16:09] And Marc Gorelnik.

Marc Gorelnik [00:16:11] No.

Merrick Burden [00:16:24] Motion fails with four yes and eight no, one abstention Mr. Vice-

Chairman.

Pete Hassemer [00:16:31] Thank you Executive Director Burden. The motion fails. So, we will continue with any discussion, further discussion on this agenda item. Christa Svensson.

Christa Svensson [00:16:52] All right. Well, I'm happy to take further discussion but I do have the motion from November to bring forward when it is appropriate. If we want to take that up now great, if not I'm proposed to, I'm perfectly fine to wait as well.

Pete Hassemer [00:17:07] All right. Phil Anderson.

Phil Anderson [00:17:12] Thanks Mr. Vice-Chair. I have a question for our analysts, and I'm not sure I can pose it in a manner that's fair to you, but our charge here was to refine alternatives, give guidance, all that good stuff, and we've had between March and now several new potential alternatives developed, well, I should say from November till now, we had the alternative that we voted on in November that I believe Miss Svensson will bring back. We had the alternative that I spoke to earlier in Report 2 and we've got our GAP statement which suggests elimination of Alternative 3 with some caveats of bringing a couple of those elements in the Alternative 2. And so, I keep... I'm, I'm over here trying to think about what, you know, what the realistic staff capacity is for analyzing those or, you know, keeping in mind as you laid out in your timeline earlier in the staff presentation that we would do an IPPA in June, refine the IPPA in September and then take final action. I don't, I think we were actually talking about March maybe. So just in thinking about again this refinement, refine to me doesn't necessarily mean it would expand and so I guess I just wanted to explore a bit with you what the capacity is if we were to add the alternatives that I just spoke to and made the modification to Alt 2 as suggested by the GAP, whether what does that, what does that hill, pile, whatever you want to call it look like to you all.

Jessi Doerpinghaus [00:20:26] Mr. Vice-Chair, Mr. Anderson. I'll start off and see if Jim wants to add anything or disagree with me. We'll see. If the Council, you know, I think it really does come down to one of the key points you were talking about as Jim outlined in his presentation this idea of kind of this IPPA, so an initial PPA. So if y'all wanted to add the various alternatives that have been spoken about, Miss Svensson and the 29 percent, you know, the quota pound alternative you've have spoken to, I think it's just the, as long as the expectations are we get to June and it is more of this high level policy analysis is what we'd bring back, so this would not be a detailed what we would normally have for making a full PPA decision because we wouldn't have all of the options and suboptions and everything specified, so I think that's very, that's doable in our assessment with the proposed, you know, additions, you know, coming back in June with a, what we can kind of consider what we would typically have in front of the Council for a PPA decision and adding all these alternatives like that, that does not seem doable just given the turnaround time of having to have that all available in the briefing book for June. I don't know if Jim wants to add anything. Okay.

Phil Anderson [00:22:03] Just if I may just a follow-up. Conversely, if we kept Alternative 3 and we kept Alternatives 1 and 2 as they may be modified, but in general if we kept all three of those are we in a similar position in June? That seems like some of the refinements, the what do we do with people that, you know, lost vessels or what do we do with the issues associated with survivorship and some of that thing. I'm just, do we get ourselves a lot farther behind or are we still looking at roughly the same schedule in terms of a PPA and an FPA?

Jessi Doerpinghaus [00:23:07] Mr. Vice-Chair, Mr. Andersen. So, if you were to theoretically keep the range that we came in with today, you know, Jim highlighted in his overview there was a couple of questions that would be needed for us to be able to come to June with some kind of our usual PPA analysis. You know... I know Mr. Niles spoke to the WDFW report that spoke to that main first receiver

question so a lot of the alternatives that are on front of us have, we've done, started that fuller analysis. So, but there is the question with like Alternative 3, I'm just thinking about with like the endorsement limit that that's something that would be more of an iterative process as Jim described so it's probably not a super clear answer but, you know, there are still questions that would need to be worked out with the current range of alternatives that are in front of you all as it stands.

Pete Hassemer [00:24:17] Jim.

Jim Seger [00:24:18] Thank you Mr. Vice-Chair. And I agree with everything Jessi just said. I just wanted to point out one other aspect of maintaining a broader range of alternatives than you might be interested in, and that is simply the amount of information that you have to digest that we have to present and then you have to digest and that alternative then takes up, you know, time and headspace when you're trying to sort out everything else. So if, you know, you're comfortable and ready to get rid of something then it's good to get it off the table. If that's not where you are, you know, it's not, you know, Jessi described the analytical issues well and we can certainly make the presentations.

Pete Hassemer [00:24:58] Thank you. All right. There's a lot, as Jim mentioned, to digest in our minds. If you can hold off for a second Corey. There's another digestion process in our lives. Because it's noon I'm going to propose this to you. It's the wishes of the Council that we break for lunch. Everybody has a chance to think about this, organize motions. I respect that Miss Svensson has a motion that is ready to go, and I will honor that whenever, but we come back after lunch and continue discussion and, and take up motions at that time. So, something for you to think about. Corey.

Corey Niles [00:25:52] In general Mr. Vice-Chair that plan sounds good to me. I would maybe if we could take five. I had maybe a one-minute thing I want to follow-up on Phil's exchange with Jim and Jessi. Otherwise, I mean it would be helpful to me to... if people want to... had some thoughts that would be beneficial to hear and think about why we're at lunch.

Pete Hassemer [00:26:14] If you want to continue that thread on workload and what it would take, please go ahead.

Corey Niles [00:26:21] Yeah, thanks Mr. Vice-Chair. I want to pick out this idea of an IPPA, which I'm not a fan of that acronym, but the concept I'm a fan of and what I see us doing in keeping a range of alternatives, and Mr. Vice-Chair I think you've had similar thoughts, is that what a high level policy discussion would look like in June and what we have are a few things and I'm going to keep this brief, but just to illustrate what I'm thinking, we have no action versus action and there's all kinds of reasons to consider there. If action, do we want to have the policy apply at the quota share level? Do we want to have it apply at the quota pound level? Do we want qualifying to be based on a permit? Do we want to have it be based on the vessel account or the vessel? So, I think that is what we should be doing for June and I want to respond to the comments about dropping Alternative 1 and just I would be very concerned with that with because I want to have that discussion and we were trying to have that discussion about what is the difference between quota share and quota pounds. So I just wanted to speak to, I really like this idea that Council staff proposed about the next, the next step of having a higher level of discussion along those lines while saving some of the implementation details like Mr. Anderson spoke to you about family exceptions and so on and so forth to when they, till after that stage and when and these would be things that don't necessarily bear on those questions, those higher level questions. So just sorry longer than I meant to, but I like that plan. I hope that is where we can head after lunch.

Pete Hassemer [00:28:23] All right, thank you. I'm going to look around for any head nods on my proposal that we take lunch and you come back and get back into this. And I'm seeing some positive thoughts for that so we will break until 1:10 and come back to our discussion and action at that time.

Thank you.

Pete Hassemer [00:00:00] Call our session on Agenda Item G.5 back into session. And before we begin, I just want to note I am trying to be as fair and respectful to everyone as possible but I'm watching my screen for hands, I'm watching the back for cues and I'm watching people on my left and right for cues so my apologies in advance if there's a little slip up in that process but I will try and recognize everyone. So, with that I'm going to carefully scan everything for any hands. Christa Svensson.

Christa Svensson [00:00:41] Yeah, thank you Mr. Vice-Chair. If now is the appropriate time I am happy to present my motion and if it is not, then I will put it forward at the next available time for having a motion.

Pete Hassemer [00:00:55] Please go ahead. You've offered to make your motion.

Christa Svensson [00:00:58] All right. Thank you. And Sandra, I believe you have my motion. Okay, are we ready? Okay. I move the Council add an option to Alternative 1 that drops all qualification criteria but would involve maintaining sablefish north QP as eligible to fish with any-gear throughout the year until 29 percent of the sablefish north QP is taken or is projected to be taken by fixed-gear vessels. This does not involve the quota conversion step but would only require inseason prohibition of fixed gear use of northern sablefish, northern QP.

Pete Hassemer [00:01:54] Thank you Christa. Is the language on the screen accurate and as you intend?

Christa Svensson [00:02:01] Yes.

Pete Hassemer [00:02:02] I'm looking for a second? Corey Ridings. Thank you. Go ahead and speak to your motion.

Christa Svensson [00:02:17] I'll start by saying the preference of proponents of some level of gear-switching is status quo and this motion is a reflection for their willingness to continue negotiating areas where they believe consensus might be achievable. In speaking to this motion, my rationale from November is still valid but to reduce the amount of time today I won't be reiterating those points. Should this motion pass, they should be included as part of the rationale. From my perspective, one of the challenges to the topic of gear-switching is that it's a social problem not a biological one. Some fishermen don't like that at times they need to pay more for sablefish leasing. Other fishermen are afraid that, and I quote, "Every pound of sablefish could be stripped out of the trawl fishery". Fishermen on both sides of the line are paralyzed from making business decisions as we've heard from both Mr. Ripka and Mr. Burkholder today because of the amount of time this process is taking. All of these statements point to being a market-driven problem, something the Council is not charged under Magnuson to take up, and if they are not solely market driven they are social in nature. For most Council members who are more familiar with biological science framework tools and constructs this is uncomfortable territory. My formal education is in social science and while I don't get to use it often in this process, I can say that based on that training the tools from hard sciences in many cases cannot resolve and at times have exacerbated the confusion on this topic. Any extreme that is outside of the results of the control date are not helping us to find common ground. And examples from both ends of the spectrum are a 6 percent fixed-gear limit not reflective of today's operating environment, or offering out a golden ticket, which may be straightforward on the surface but for the trawl community in general is equally inflammatory. We as Council members need to get out of our comfort zone and consider an alternative that industry initially provided. Furthermore, we should encourage industry in June to bring forward its suggestions for solutions to concerns or weaknesses that they believe are in any of the alternatives, including status quo. Whiting fishermen have a long, successful history with cooperative behavior and have been

incredibly effective in providing solutions outside of the Council process to mitigate salmon and other choke species. They and others should be asked to provide leadership in how to make alternatives viable on the water and not just theoretically in the Council room. Second is the discussion point for inclusion of this motion into analysis regarding that it is about freezing the footprint by the use of quota pounds managed with a hard stop rather than allocation of pounds, and the intent there is that it reduces cognitive bias, and since maybe not everybody is familiar with cognitive bias, I'm using the definition provided by the Cambridge Dictionary that it is a way a particular person understands events, facts, and other people which is based on their own particular set of beliefs and experiences and may not be reasonable or accurate. Now a subset of cognitive bias is loss aversion, which in terms of the economics of fisheries prosecution, impacts all of our stakeholders. Trawlers fear losing access to quota and therefore not having access to fish. Proponents of gear-switching, including fixed-gear, mixed-gear, and trawlers, fear having their quota reallocated in a way that prohibits them from operating their businesses. These fears point to loss aversion, which is an incredibly powerful motivator, so powerful that there have been two separate Nobel Prize winners in economics in the last 20 years whose work has focused on the science behind it and what that means for decision making. Loss aversion makes allocation battles particularly contentious and if the Council can come to terms with including for analysis a suboption that strives to remove or reduce loss aversion, it potentially gives us a platform to make additional hard decisions in an environment that is more likely to come to consensus. I also want to address questions found in the NMFS report about why the Council should consider this idea as it's a departure from the current management framework that uses rationalization and that it might create a race for fish. Firstly, this is not a departure from a rationalized fishery. The fishery is already rationalized which effectively curtails the race for fish or derby style fishing. If we want to preclude this option through a characterization of it as a race for fish, then we need to take up similar concerns for whiting fishermen who race for fish before heading north to Alaska to prosecute pollock, and for all active trawlers who race for fish in late November and early December when their processors generally stop purchasing groundfish due to needs around having the capacity to process Dungeness crab as well as the December 31st reset. If you think fishermen aren't actively competing with others for a limited number of delivery dates, please think again. I think the Council needs to have a clear understanding of the historic baggage associated with the term 'race for fish', particularly in the context of fixed-gear for many participants and why I'm strongly recommending we do not encourage the use of the term. Firstly, because it's not genuinely applicable to this fishery. And secondly out of the respect for those of us who have families who risked their lives during the halibut derby years. Personally, I find it incredibly offensive to hear our current allocation challenged, likened to the death defying situation created by past well-intentioned but disastrous decision making from fishery managers. To put some numbers on why this is such a misused term in the context of West Coast gear-switching fixed-gear participants. Today in the West Coast trawl fishery we're talking about approximately 16 fixed-gear vessels targeting millions of pounds of fish to reach the 29 percent potential cap on this year's TAC. It is physically impossible for them to capture all of that tonnage in a 24-to-72-hour window as was held during actual derbies. Additionally, it's economically inefficient for fishermen in terms of the volume of gear, bait, fuel, crew power and I will add ice. From a processing perspective, there's no capacity to handle 2.4 million pounds in a 24-to-72-hour window. And furthermore, they have no incentive to buy less valuable product which is the result of derby fishing. To contrast our modern rationalized fishery and provide further perspective on actual derbies, I took the highest number of vessels, 20 from table 24 of SaMTAAC Agenda Item F, Attachment 1 of May 2019, which is the highest number I could find a source for. By comparison, we had 3,450 halibut vessels and 1,196 sablefish vessels racing for fish in a 24-hour period in the final season prior to implementation of the IFQ program. During that era there was an average of 34 search and rescue events per halibut opening. You can hopefully understand why using the term 'race for fish' in this case is tone deaf and insensitive at best and fear mongering at worst. Happily, this particular fear is one parameter we can successfully discount. Considering the idea of freezing the footprint using solely quota pounds as the foundation in this motion from my perspective, is important to include in the range of analysis. I believe it is a clear and simple solution that reduces

persistent and pernicious fears held by industry stakeholders of all persuasions. It is an idea that provides information that would be useful to Council members in terms of contrasting alternatives, and it strengthens NEPA requirements for final action. More importantly, it is an alternative that initially came from segments of industry who have been until this time only willing to consider status quo and that are now indicating they're still interested in engaging in the process and being part of the solution. If the motion is moved forward it indicates the Council is also interested in finding a solution that takes into consideration all stakeholders' viewpoints. And with that I will close my statement.

Pete Hassemer [00:12:22] Thank you Christa. Are there questions for Miss Svensson on the motion? Phil Anderson.

Phil Anderson [00:12:34] Thanks Mr. Vice-Chair, and thanks Christa for the motion. My question, if I have this, I'm understanding this clearly, if just for example if we got to September 1 and the trawl fishery had taken 75 percent of the trawl quota, would that mean given that it would be a seven, under this model it would be a seventy-one twenty-nine split, but if the trawlers had taken for example seventy-five and this says throughout the year until 29 percent is taken, how would the twenty-nine adjust downward by those four points so that the total still equaled a hundred or what would happen in that kind of a scenario?

Christa Svensson [00:13:38] Thank you Mr. Anderson. I have thought about that. I did not include that in terms of this particular motion because I think that that is something that we could potentially take up under the five-year review or through a refinement of this alternative if it moves forward. Personally, I am not opposed if the trawl fishery is able to go out and prosecute 75 percent, then I think that that is appropriate but I wanted to put a percentage in there that we have been talking about consistently which is 29 percent.

Pete Hassemer [00:14:22] Thank you. Further questions for clarification to the maker of the motion? Lynn Mattes.

Lynn Mattes [00:14:33] Thank you Vice-Chair. Christa, it says drops all qualification criteria and maybe it's a wording choice and being somewhat new to this, but does that leave it then open for new participants or would they still have to have the history to participate? I just want to make sure I'm understanding this piece correctly.

Christa Svensson [00:14:53] No, thank you for the question. This motion does not specify. And again, really the intent of this motion is to bring forward a concept that the proponents of gear-switching would like to have folded into the analysis. I think it could be appropriate if there is Council staff time to look at both of those alternatives. I do not necessarily particularly have a preference but the way that this was initially put forward it does not clearly specify to leave that piece of discussion open for a Council decision.

Lynn Mattes [00:15:33] Appreciate the clarification. Thank you.

Pete Hassemer [00:15:37] Further questions or clarification? And I'm not seeing any so I will open it up for discussion on the motion. Maggie Sommer.

Maggie Sommer [00:15:52] Thank you Mr. Chair. And thank you very much Christa for the motion and for your remarks. I now recognize that the term 'race for fish' is problematic. I apologize for the insensitivity of that and appreciate you educating us with the examples you gave in your remarks. It was certainly not, pardon me, NMFS intent with our comments in the report to preclude consideration of this alternative and really rather we meant to be suggesting that we hope the Council would consider

and might come out in both public comment and the analysis whether and how the 29 percent season alternative might change fishery dynamics as a whole or across different geographic areas or different types of participants in gear-switching. I think I'll leave that there. I have another comment on a separate topic.

Pete Hassemer [00:17:08] Thank you. Further discussion? Corey Niles.

Corey Niles [00:17:15] Thanks Mr. Vice-Chair, and thanks Christa for the motion. I'll just... we put in our WDFW report we would have voted for this in November. I'll support it again here today. And just the reasons briefly are that it adds something to the range of alternatives that is not there. The way I was interpreting it would, there would be this, in Lynn's question to Christa, it would be no qualification criteria. So, what it does, what it would do compared to the other alternatives is just leave everyone's arrangements in place if you've had a long-time partner that you've traded quota pounds with. Under Alternative 1 your partner might not qualify and so that would disrupt that relationship. Under this one, that relationship would stand with the added, the added factor that you need to take into account that at some point in the year you might not be able to use your quota pounds with fixed-gear. So yes, this adds something on the dynamic, the derby dynamic that could possibly happen. I think people are jumping ahead to the analysis without having done it. I've heard, I was skeptical at first, but I've heard people that I respect their opinions of on both sides that think it won't be an issue. And we heard Bob Eder, who I take his word highly as well, but he thinks that it would exist. But, yeah, that's a matter that it can be looked at and there could be a cooperative way for the folks that participates in this fishery to avoid it. They... also it would be pretty simple for NMFS to implement. Lastly, I think the, I would add that I don't think that this would be intended necessarily as a long-term fix. It would put a... and everyone, those people who keep talking about 29 percent as a target, I would remind folks that as someone just said, that this is a IFQ program where it is possible that all, the scenario Phil brought up of 75 percent being taken by the trawl fishery, that that is free to happen and it's the business is making their own decisions on what to do with their quota that what's at play here. So, this would not necessarily be a long-term fix, but there's other things we could do to make this more attractive to the processors who are ambivalent about making investments in this fishery and for one raising control limits, considering using the Adaptive Management Program to give the quota pounds directly to processors who are investing. So, the point here, this doesn't have to be a long-term fix. It puts a limit, upper limit on the fishery, on risks, on fixed-gear vessel but with while, so keeping it from getting larger while and giving time for other issues to be worked on. So, I just thought there was some additions to Christa's rationale, and again I would think that this would add value to the analysis.

Pete Hassemer [00:20:24] Okay, thank you. Further discussion? Marci Yaremko.

Marci Yaremko [00:20:31] Yeah, thank you Mr. Vice-Chair. I'm thinking back about four years to discussion of the SaMTAAC recommendations. I remember asking a pretty lengthy series of questions along the lines of why doesn't the initial range of alternatives include the simplest and clearest and easiest option if we're intending to limit gear-switching? And the reason that I recall hearing was that it didn't involve ownership or transferable all gear quota and didn't create ownership rights associated with this new type of quota. There didn't appear to be a lot of interest in it. At the time no one was looking to add an alternative that was clear or simple. I would say that I appreciate the GAP and industry reps trying to reach a consensus opinion, working with one another on this issue in the GAP room over many years. I'm not sensing this is a consensus recommendation now anymore than it was then. My feeling is that adding this alternative to the range would require additional analysis. It's a different type of alternative and we're at the stage now where we're looking to refine our alternatives so I would be uncomfortable adding this to the mix at this stage after I believe it was pretty thoroughly contemplated some time ago. Thank you.

Pete Hassemer [00:22:57] Thank you Marci. Further discussion? Maggie Sommer.

Maggie Sommer [00:23:06] Thank you Vice-Chair. I appreciate your comments, Marci. I find myself with several thoughts on this. I'll share them briefly in the discussion. One is that we have spent a long time on this issue, and we have considered a lot of different approaches. I am very much hoping that as long as the Council is continuing to consider gear switching limitation that we can do so efficiently and not extend the timeline further. We have expressed concerns before about the, from the NMFS perspective, the cost and workload of doing so and we certainly heard a lot of input today on how disruptive that can be to some business operations. At the same time, after all of the consideration that a lot of folks very knowledgeable about the fishery and the issue have given it, we have not found ourselves with any clear path forward and any clear solutions. We have some very complex alternatives. I don't mean to, I guess I can't think of the word I'm looking for, but, you know, certainly the fishery, the rationalization program is complex. I don't mean to naively suggest there should be a necessarily a simple and easy solution, but I am troubled by the difficulty that I know that many people are having in understanding what the various alternatives would do which, and I, and with the risk I think that that complexity leaves for unintended outcomes in the future and so I do think there is some benefit in considering a simpler solution that does not make the changes to quota share and quota pounds. I certainly recognize some very good points in Christa's rationale for this. And so, at this time I do support including this in the range for further analysis. I hope that there will be some opportunity, some input from the public. I appreciate Mr. Eder's brief comment today and I, if the Council chooses to include this in the range, I hope people will be giving further thought to whether there are, you know, any additional modifications to it that might improve it or whether there are problems with it that the Council might want to be aware of in the future. I guess finally I'll just say I want to make sure we're all clear on how this proposal would work in light of Mr. Anderson's question earlier. This... my understanding of this is that it would not place any limit on how much of the northern sablefish quota could be taken with trawl gear in a year. So, if we got to the fall and the trawl sector was, or pardon me, the trawl gear was taking 75, 80 percent more, that's fine. They would, they would continue on and, you know, in that case the limitation on any gear-switching opportunity would just be when all of the quota pounds are used, at which point there is no more opportunity for harvest for anyone that year. I hope if I am mistaken about that interpretation please correct me, but I just wanted to make sure that was clear that this would not be a split in any way of the quota pound usage.

Pete Hassemer [00:27:22] Thank you. Further discussion? Christa Svensson.

Christa Svensson [00:27:26] Yeah, thank you Mr. Vice-Chair. You were correct in your intent, which is why I had said I do not see a problem if it's seventy-five, if it's eighty-five. I mean this is, it's a trawl fishery. At inception we have allowed the flexibility I put in a number that we have all consistently talked about as the upper end of that range but I think this is a market driven problem and that if the market is the one making those decisions, I think trawlers, if they do not have the ability to prosecute that fish would likely want to be able to lease it. If trawlers have the ability to make more money with their allocation harvesting it on board their own vessels or with other trawlers then they are likely to do so, but that is correct in your interpretation and understanding of my intention with this motion.

Pete Hassemer [00:28:30] Thank you. I have a hand raised. Bob Dooley.

Bob Dooley [00:28:39] Thank you Mr. Vice Chair. I will not be supporting this motion. I wanted to make a comment on the derby, the derby comments that Miss Svensson talked about. I would agree that it's not the same as a four day or 48-hour or any of those short term derbies that were in the past, but having participated for many, many years in the Olympic System, you catch all you can before somebody else catches it system, it's an issue of safety at sea, it's National Standard 10, it is a race for fish, and particularly for those that are vested in this fishery that we have been trying to recognize, the

ones that are in the qualification time, they would have to race to protect, to stay in the same economic catch that they've always had because they'd have people going after it at the same time. Yes, it would be a race for fish. Would it be the same as that? And I don't think it's disrespectful to compare the two at all, because many people died too participating in open access fisheries over longer term. So I think that, you know, the fact that you're forcing people to fish maybe in weather that they would never fish in, you're also forcing, buyers are going to buy fish of lesser quality to stay in the game to get their share, and believe me I've had that experience with pollock in the Bering Sea where all you needed to do was fill the boat up and bring it to the dock and quality suffered, price suffered, fishermen suffered, buyers suffered. A race for fish is not a good thing. That's the basis, premises of this rationalized fishery is to try to take it in a way that we could maximize value to the nation. I think that happens, but I think when you put a race for fish component on top of it, it takes away from that and it really jeopardizes the captain, crews, vessels that are being forced to race for fish for their economic survival. So, I'm against this. I don't think it's a good way to go. I'm supportive of the path that we're going without this and will not be supporting it. Thank you.

Pete Hassemer [00:31:20] Thank you. Further discussion? Butch Smith.

Butch Smith [00:31:28] Thank you Mr. Vice-Chair. You know a couple of things that come to my mind. One, I want to thank Christa for the motion. I think it's getting vetted where it didn't in November and I think that's a good thing whether I agree or disagree with the motion I think the thoughtfulness and the, and what Christa brings to the table is worth this discussion for sure. But I do hearken back to public testimony where, I can't remember the person's name but it's irrelevant, you know, said 'let's hone in and start knuckling down and making the decision because we keep adding layers of different alternatives and more analysis', more.....you know I was under the impression that we were to hone in on the alternatives that we had, make them, try to make them more workable. This is a, you know, a situation that's been going on for whoever you ask from 5 to 7 years. Obviously important decisions but I just like I said, I don't know if I will support or not support this at this instant, but I want to thank her for the motion, but I do, I did hear in public testimony, you know, we want to get this moving forward without too much more delay. So, I just wanted to vocalize my thoughts and thank you Mr. Vice-Chair.

Pete Hassemer [00:33:16] Thank you Butch. I see Vice-Chair Pettinger has his hand up. Brad and then Corey Niles. Brad, go ahead.

Brad Pettinger [00:33:26] Yeah, thank you Vice-Chair Hassemer. I apologize. I got dropped off here so I missed about 3 or 4 minutes of discussion so I may have missed something, so I apologize for that. I agree with Butch. I'm glad Christa got a chance to get her motion back up here on the table. That said, I won't support it. We've talked about race for fish, but I think what this actually does is... it's a race for quota and what it does it compresses the amount of time the people who want to participate in the trawl IFQ fishery, it's going to compress that timeframe and force people to be in the marketplace earlier, much earlier. And so, I think, that is, that's not necessarily a good thing because once people plan on gear-switching to get their fish they're going fishing. It will also drive the prices up I would assume to a certain extent because that's what demand does. I also thought it was interesting that Christa brought up the, you know, the race for fish and how they moved to the IFQ fishery and how great of deal that is, it is, it was. Well, you look at the gear- switching proponents by and large outside of the testimony heard today, Gary Ripka, they all had the advantage of being rationalized well in advance the trawl fishery. So we talk about let the market take over, let the market handle things, you're talking about somebody who comes from a very healthy fishery, he's got a bankroll from their healthy fishery entering into a fishery that's just coming out of a 20-year rebuilding program where the infrastructure is wasted away and they expect us to compete in that and so that's why we have sectors and they're there for a reason. I just point out by golly if we really think that's a great deal then let's open up the whiting. My

brother and I own 1 percent of Shoreside Whiting, but I guarantee you'd pay a lot more money for the catcher-processors because it's all going to the catcher-processors because they are the most efficient, but we don't do that for a reason. So, people began to lose sight of that. Anyway, Christa talked about loss aversion. Yeah, everybody's worried about losing their ass here, literally, and we haven't heard much from fishermen because they've already said it. I think they're getting tired of saying it because no one's listening, but it's real and they got not much else to fall back on. So anyway, I'll stop there but I do appreciate that Christa got her chance to put it up here as she should, and I'll just stand by and listen and go from there. Thank you.

Pete Hassemer [00:36:28] Thank you Brad. You can lower your hand and re-raise it if you have something else. And Corey Niles.

Corey Niles [00:36:37] Yeah, thanks Mr. Vice-Chair. Something Butch said, brought up. I may be unclear about an exchange between Christa and now I'm forgetting who, but on this idea of limiting participation... but the point I was going to make in response to Butch's, I think, yeah, I think that was something new we heard today and urging even more people urging us to be expeditious about this. But if my point I would make, if this were to go into place, if the Council were to recommend this, the implementation timeline, and NMFS please correct me if I'm wrong, would be pretty, it would be quicker by a good deal than the other options on the table, so it has that chance of, you know, meeting the timeline much more likely than the others. But the question that, sorry, I want to get to my clarification and I'm wondering if Jim and Jessi are clear too, but maybe a question for Christa. You said that you were contemplating leaving, adding some kind of endorsements so only people with history could participate. Were you intending that to be after the next step? Are you anticipating Jim and Jessi to analyze it now and having benefited from talking to staff since November I think we'd be looking at largely a qualitative type analysis, but if you added that endorsement option I think that would complicate it and so I guess I'll stop, and I did see Miss Sommer raise her hands, but maybe that question for Christa first on what your expectations were on looking at an endorsement addition to this?

Pete Hassemer [00:38:22] Christa, go ahead.

Christa Svensson [00:38:23] Yeah, thank you. I'm going to put a couple of statements out here. Firstly, Corey, I think that would come out under IPPA if we go that route, which it sounds like no matter what we do we're probably looking at needing to refine in June, but I could be very mistaken on that. I made the ask of industry in particular to come back with concerns for any alternative and if this moved forward and they wanted to see that as a solution to a concern, I think, we should consider it, but at this time it is not included in this motion which gets at yours that currently, yes, we could have new entrants, which in most cases we are actively trying to get new entrants into our fisheries. The other point that I just want to note is that fixed-gear only has 12 percent of the quota or approximately 12 percent of the quota, so when we're talking about people running out and making all of these leases we still need to take into account the fact that the trawl sector otherwise has the ability to maintain control over that remaining 88 percent. So just wanting to... to point out that there is already a bit of a governor there, but I'm also in favor of having a platform where we can at least consider it.

Pete Hassemer [00:40:00] Thank you. Corey, follow-up question?

Corey Niles [00:40:03] Yeah, I have the habit of, bad habit of asking three questions at once, but I would, if Miss Sommers still had thoughts on my assumption about the timeline of implementation being even potentially shorter for this one if it was the Council's final preferred, if you had thoughts on there I would be interested in hearing those.

Pete Hassemer [00:40:23] Maggie.

Maggie Sommer [00:00:00] Thank you Vice-Chair. Thank you for the question, Corey. It might be, the implementation timeframe needed might be somewhat shorter for this alternative compared to the others because it would not be allocating particular privileges. I think if the Council ended up selecting this as a FPA in November there's the possibility of a January 1st, 2025, implementation, but I cannot guarantee that at this time. We would need to do some further evaluation of the timing and needs. If we go beyond that to final action next, pardon me, in March or April of next year, I think we're probably still looking at 2026. So, the short answer is this alternative might require less time to get to implementation from Council final action, but we can't say for sure at this time.

Pete Hassemer [00:01:17] Thank you. Further discussion? And I don't see any hands I don't believe. I'm going to have to, I will then call for the question and just note we are in maybe a different area now where the voting log is being held in virtual space, which records any dissenting votes and abstentions in addition to the vote count, so I think it might be more efficient to simply go to a roll call vote if that's okay with the members so that is clear to the Executive Director who is recording the vote in that log. So, unless there's any dissension to that, I'm not seeing or hearing any. Merrick, assuming our electronic connections are still secure, they are going in and out as we proceed through this but can you call the roll call for the vote on this?

Merrick Burden [00:02:37] Yes. Good afternoon, Pete, but can you hear me okay?

Pete Hassemer [00:02:41] Yes, we can.

Merrick Burden [00:02:43] Okay, terrific. Yes, thank you. I will be calling the roll using voting sheet number 2. The motion referenced here is Agenda Item G.5, motion made by Miss Svensson. Brad Pettinger. Brad, can you try again I didn't hear you. I'll try coming back to Brad. Marci Yaremko.

Marci Yaremko [00:03:19] No.

Merrick Burden [00:03:22] Phil Anderson.

Phil Anderson [00:03:24] Yes.

Merrick Burden [00:03:27] Corey Ridings.

Corey Ridings [00:03:29] Yes.

Merrick Burden [00:03:32] Maggie Sommer.

Maggie Sommer [00:03:34] Yes.

Merrick Burden [00:03:37] Christa Svensson.

Christa Svensson [00:03:38] Yes.

Merrick Burden [00:03:41] Robert Dooley.

Bob Dooley [00:03:43] No.

Merrick Burden [00:03:43] Lynn Mattes.

Lynn Mattes [00:03:43] Yes.

Merrick Burden [00:03:52] Butch Smith.

Butch Smith [00:03:54] No.

Merrick Burden [00:03:56] Virgil Moore.

Virgil Moore [00:03:58] No.

Merrick Burden [00:04:01] Joe Oatman.

Joe Oatman [00:04:04] Yes.

Merrick Burden [00:04:07] Corey Niles.

Corey Niles [00:04:10] Yes.

Merrick Burden [00:04:13] Marc Gorelnik.

Marc Gorelnik [00:04:14] Yes.

Merrick Burden [00:04:17] I'll try Brad Pettinger once more.

Brad Pettinger [00:04:20] No. You got me now?

Merrick Burden [00:04:25] Got you. Thank you. And the motion passes Mr. Vice-Chairman by 8 to 5.

Pete Hassemer [00:04:42] All right. Thank you Executive Director Burden. That motion passes and will take us to further discussion. Phil Anderson.

Phil Anderson [00:04:59] Thank you Mr. Vice-Chair. Sandra, GS motion final. I know it's not all that final but... thank you Mr. Chairman. I almost started reading Christa's motion again. I move that the gear-specific quota pound alternative that was removed from the ROA last November be restored in a simplified form as follows. Individual permit owners who qualify as legacy participants would be designated as legacy participants and their control date holdings identified. The qualifying criteria would be as specified in the current version of Alternative 2. Annually quota pounds issued to quota share accounts owned by legacy participants would be issued as any-gear quota pounds for quota share in amounts up to what the legacy participant owned as of the control date. For quota share in excess of a legacy participants control date holdings, trawl only quota pounds and any-gear quota pounds would be issued in the same proportions as for accounts not owned by legacy participants. Quota pounds issued annually for the remainder of the quota share accounts would be designated as any-gear and trawl-only quota pounds in a proportion such that the total any-gear quota pounds issued each year would be 29 percent of the trawl allocation. All quota share and quota pounds would remain fully transferable.

Pete Hassemer [00:07:00] Thank you Phil. The language that is on the screen is accurate and as you intend?

Phil Anderson [00:07:06] Yes, it is.

Pete Hassemer [00:07:08] Thank you. Is there a second on that motion? Butch Smith. Please speak to your motion is necessary.

Phil Anderson [00:07:18] Thanks Mr. Vice-Chair. This alternative was developed in close consultation with Council staff and NMFS staff. The alternative was developed with the Purpose and Need Statement in mind and a portion of that Purpose and Need Statement was worded. The purpose of this action would be to keep northern sablefish gear-switching from impeding the attainment of northern IFQ allocations with trawl gear while considering impacts on current operations and investments. Also developed this alternative keeping in mind the principles that were identified in the SaMTAAC report. I'll just touch on several of them. We believe that unlimited catch of sablefish through gear-switching is not desirable. We want to consider impacts on existing operations and investments. We want to maintain the gear-switching option for trawl operations. We will continue consider industry and community impacts and ensure long term stability. We want to increase the net economic value of the trawl Individual Fishing Quota fishery. I believe the alternative respects the trawl and processor interests that have voiced the importance of placing a limit on gear-switching to give certainty that a large portion of the trawl sablefish is reserved for vessels using trawl gear. This alternative recognizes, like what I'm calling legacy participants, those individuals that had significant investment in landings up to the control date. This alternative preserves an opportunity for quota shareholders of trawl sablefish to catch or sell a portion of their quota pounds to gear-switchers to enhance their business plans and profitability. Since it creates an annually issued gear-specific quota pound rather than permanently issue gear-specific quota share, there will not be an opportunity to further accumulate long term gear-switching opportunity. At the same time, it allows annual decisions to be made by quota pound holders to retain or sell any-gear quota pounds to either trawl or gear-switching vessels. Legacy participants who don't receive a sufficient annual issuance of any-gear quota pounds to cover their typical or desired harvest levels will be able to go into the market and bid to acquire more. In addition to recognizing legacy participant historic fishing practices and dependence on the fishery, the alternative takes into account current and new participants. While there is a fleet limit of 29 percent, current participants and new entrants will have an opportunity to accumulate gear-switching opportunity to the same levels as legacy participants through an annual quota pound acquisition. Over time as legacy quota share owners leave the fishery, all participants will be on equal footing and competing for the any-gear quota pounds. And finally, to the extent possible the alternative was developed to try to keep it as simple as possible, as well as make it as cost effective in terms of implementation and maintenance as possible. Thank you Mr. Vice-Chair. I'd be happy to answer any questions.

Pete Hassemer [00:11:24] Thank you Phil. Questions for Mr. Anderson on the motion? Corey Niles.

Corey Niles [00:11:32] Thanks Phil. I think I got it but just to make sure on that last sentence where all quota share and quota pounds would remain fully transferable, you just spoke to it but I, it didn't quite sink in maybe, but so what happens when someone who qualifies as a gear-switcher sells their quota share to someone who does not? It's transferable but, can you say it goes back to the same percentage as, trying harder and harder to try and get this.

Phil Anderson [00:12:13] I think I understand your question.

Corey Niles [00:12:15] Yeah, thanks.

Phil Anderson [00:12:15] But if, if a person who qualifies under the provisions to recognize significant investments, I'm trying to not use that word, you know, hike, to someone who was not, did not qualify then their quota share and subsequent quota pound between any-gear and trawl-gear would be proportional to what they had at the time, so it would not, it would lose its... because if you think of it more of as a, think about the individual. It's the individual that owns that quota share and it's their history that determines whether or not they're in that class or not and if they sell their quota share to someone who is not, then they are treated as the balance of the people in the program.

Corey Niles [00:13:13] Thank you. That was my question. Appreciate it.

Pete Hassemer [00:13:21] Thank you. Further questions for clarification to the maker of the motion? Lynn Mattes.

Lynn Mattes [00:13:30] Thank you, and I apologize if I'm being somewhat daft in this question. The quota shares or quota pounds in excess after the legacy control date would be proportional trawl-only and any-gear so a fixed-gear vessel would then have trawl-only quota at... say they had a thousand pounds that was over, they would now have 710 pounds of trawl quota and 290 pounds of any-gear quota. Is that the correct way to understand this?

Phil Anderson [00:14:11] I'm not sure I follow the example but if the question. I think the point here is someone who qualifies, sorry to use this Corey, as a legacy individual any quota share that they have that is in excess of what they had at the control date would be divided proportionately as if they were not legacy participants. So, they would be treated the same as everyone else that does not, doesn't qualify under that, that legacy category. Did that get there?

Lynn Mattes [00:14:55] I think so. There would be people who currently could fish it as fixed-gear would now have or any-gear would now have trawl only quota that currently is, they could fish with fixed-gear.

Phil Anderson [00:15:15] Maybe I'm not following that question and I think Dr. Seger is. Perhaps he could assist.

Pete Hassemer [00:15:22] Dr. Seger.

Jim Seger [00:15:24] Thank you Mr. Vice-Chairman and Miss Mattes. So, they would have some trawl-only quota pounds. They would get their... for whatever they held on the control date 100 percent any-gear quota pounds, and then for the amount over a portion would be trawl-only and a portion would be any-gear.

Lynn Mattes [00:15:42] Thank you that's helpful and what I was trying to get at.

Pete Hassemer [00:15:48] Thank you. Virgil Moore.

Virgil Moore [00:15:51] Phil, does this create a new alternative or is it a subset of Alternative 2? How does that work?

Phil Anderson [00:16:01] I believe it would be a new alternative. My original thought that came out in my first paper would have been a suboption of Alternative 2, but that was a quota share-based approach as was Alternative 2. Once, I mean I listened and interacted with a bunch of people after I put that initial one out and subsequently decided that the best way to go was through a quota pound approach, and so because it deviates in that manner I think it would be best to be a standalone alternative, and in talking with Dr. Seger, Miss Doerpinghaus, and Miss Sommer, they agreed with that and or advised that.

Pete Hassemer [00:16:56] Thank you. Further questions, clarification? Seeing none we will move into discussion of the motion. I'll look for any hands if there is necessary discussion. And I see Bob Dooley has his hand raised. Bob, go ahead.

Bob Dooley [00:17:19] Yes. Thank you Mr. Vice-Chair. This is, I'm a little slow on the draw so it is a

question, and really just a clarifying question I think I know the answer to, but it seemed like there was a little confusion there and I just wanted to go over that. So, Phil thanks for this motion and I think it's very well thought out and very clear to me, but the base of this is there would be no quota share specific to gear-switching or trawl-only, there would only be one type of quota share. The, and this is a question, and so what you would end up with is quota pounds that are either designated as trawl-only or any-gear and it seemed like there was a little bit of confusion on that and some of the questions so I just wanted to make sure that was, that I had it clear and hopefully you can clear that up for me.

Phil Anderson [00:18:21] Thank you for the question, Mr. Dooley. You are absolutely correct. There would, because I moved away from that quota share approach to determine putting this alternative together, believing that under this situation the quota pound approach would be superior to it for several different reasons. There would be no quota share designation, quota share designation between trawl or any-gear. That comes when the quota pounds are determined on an annualized basis by National Marine Fisheries Service. And again, if you're in a non-legacy pool you would get the proportion between the trawl and any-gear would be the same proportion that you have in terms of the total quota shares associated with the trawl quota share group.

Bob Dooley [00:19:23] Thank you.

Pete Hassemer [00:19:26] Further discussion on this agenda item? Corey Niles.

Corey Niles [00:19:34] Thanks Mr. Vice-Chair. Supportive of adding this to the analysis. I think it was dropped prematurely, the approach in November, out of concerns about how costly it would be to implement, but I know there was... Brad in particular and Bob wanted to compare and contrast a quota pound approach to Alternative 1 and we dropped it in November without ever having that discussion. There's been a lot of confusion this week, and late yesterday of people not even understanding the difference. So, I'm supportive of this so that people would better understand the difference if Alternative 1 is maintained in the range of alternatives. Otherwise, this is adding an extra restraint onto those who bought quota share in terms of it, it theoretically will be less valuable because it's only transferable as trawl-only or not trawl, it is subject to being not all any-gear anymore once it's transferred. So that creates a change in value and that under National Standard 4 that change in value above beyond what Alternative 1 would do needs extra justification on where the benefit of that comes from. So, I think that's where we need if... first, yes, I think Miss Sommer said it earlier, there's people are still not understanding the basics of these alternatives so I would, I'm much more comfortable reaching a decision when people are more up to speed in understanding the differences, so that is why I would support this being added to the range. And Mr. Anderson made reference to the word 'legacy' and we purposely did not use it in Alternative 1. I do not want to get into it too much right now, but I think it was mentioned in public testimony by Bob Eder and it implies that something is being given to you. Well, Phil, I do agree I think it does and it's, but the policy issue is here, is this an exception we're creating because of people invested. We would rather these folks not be in the fishery but since they invested, they should be able to remain, or is it more that anyone who is willing to invest in any-gear quota pound should be able to participate? So, it is an important policy difference to me and I don't mean to get nitpicky over words and apologies for any kind of implication that I am, but that is, I know that is a policy difference I think the Council should be debating before it arrives at its PPA. So again, main message I'm supportive of it is. I think it was prematurely dropped. The other aspect it adds in comparison to Alternative 1 is that it's based on permit and owning a permit on the control date and maybe it's a principle thing instead of a practical thing, but that means someone who leased out their permit would get credit for someone else's fishing activity and Alternative 1 is meant to be different in that the person who was leasing the permit and doing the fishing would be given the qualification credit. So, there are some important differences that we compare and contrast and again supportive for analysis.

Pete Hassemer [00:23:27] Thank you. Further discussion? And I'm not seeing any hands. I'm going to call the question. I'm going to risk and call for a voice vote on this one. All in favor signify by saying 'aye'.

Council [00:23:46] Aye.

Pete Hassemer [00:23:46] Opposed?

Marci Yaremko [00:23:54] No.

Pete Hassemer [00:23:54] Abstentions? Thank you. Everyone has voted. Marci Yaremko voted no. All others voted in favor of this motion for your recording Executive Director Burden. The motion passes. Thank you, Phil, for that motion. And now we can continue with further discussion or action. And with the completion of that maybe if we can refresh the screen with our action items before us. Corey Niles.

Corey Niles [00:24:42] Thank you Mr. Vice-Chair. I do have a motion for making some clarifications to Alternative 1. I would put that forward if the timing is appropriate.

Pete Hassemer [00:24:54] Is appropriate so if you can.....there it is.

Corey Niles [00:25:10] Am I clear to go Mr. Vice-Chair? I was thrown off here by the... it looks like it's shifted to the left or right a little bit.

Pete Hassemer [00:25:18] Yes, you are clear to go. We're getting a signal hold on a minute and.

Corey Niles [00:25:32] Okay. Thank you.

Pete Hassemer [00:25:39] Okay, does that look better Corey?

Corey Niles [00:25:43] Yes, thank you. Okay, I move that the Council, one: Make the following refinements and clarifications to Alternative 1: Drop the Fishermen's Collective Marketing Act aspect of how registered co-ops could qualify under the gear-switching participant criteria. Change the first receiver suboption gear-switching participant criteria to require that the first receiver must have made the majority of its purchases from the IFQ fishery from fixed-gear vessels based on ex-vessel revenue. Clarify that the ownership and common requirement between a first receiver and a quota share account-owning entity should be the same as that for a vessel account owner and a quota share account-owning entity. Two: Make those refinements and clarifications recognizing that it would likely be best to defer close attention to the details of how they would be implemented until the Council identifies Alternative 1 as a PPA or determines that better understanding of the details would.....please strike that 'be there' Sandra. Thank you. Would benefit the choice of a PPA. Three: In that same recognition about the relative value of implementation details to the Council's main policy deliberations, request that the analysis continue to consider the individual and collective approaches and consider how to preserve the Council's option to issue Adaptive Management Program quota, AMP quota as any gear eligible under Alternative 1 if the Council chooses to develop the AMP in the future.

Pete Hassemer [00:27:23] That language on the screen is accurate and as you intend?

Corey Niles [00:27:29] I believe it is.

Pete Hassemer [00:27:30] It looks good. Is there a second to that motion? Corey Ridings seconds the

motion. Go ahead and please speak to your motion.

Corey Niles [00:27:45] Thanks Mr. Vice-Chair. On number one there, there was the main feedback we provided in responses to feedback in our WDFW report and requested by Council staff to make clarifications. I won't explain those again unless folks have questions. The second one is in the vein of what we spoke to before lunch and Jim brought up in the overview about focusing on trying the IPPA approach in focusing on the comparing and contrasting some of these major issues first and then once we get to IPPA then delving into some of the details that don't have as much bearing on that choice. And then the third is just in the same type of thought about the value of helping us with an IPPA for the individual collective approach. And then the issue that was brought up in public testimony and in writing and spoken today and I'm agreeing with Mr., I think, Anderson's summary at the time in the Q&A but that the Council would have to preserve the flexibility to use AMP as it saw fit if it developed but thought we should, you know, add it in for considerations, and just again when it would be relevant to the Councils final action. And again, these are just changes that were from mainly from the pieces added in November and I will stop there.

Pete Hassemer [00:29:43] Thank you Corey. Are there any questions for clarification to the maker of the motion? No questions? Discussion on the motion? Not seeing any hands for discussion, I will call for the vote. All those in favor signify by saying 'aye'.

Council [00:30:08] Aye.

Pete Hassemer [00:30:08] All opposed?

Marci Yaremko [00:30:13] No.

Bob Dooley [00:30:13] No.

Brad Pettinger [00:30:14] No.

Pete Hassemer [00:30:17] Abstentions? And what I heard was Marci Yaremko, Bob Dooley and Vice-Chair Pettinger voting no. All other members voting in favor of the motion therefore the motion passes. Thank you Corey. You have your hand up. Go ahead.

Corey Niles [00:30:47] Thank you. I just want to say one more thing. I forgot I was going to include Gary Ripka testified today about his situation in terms of changing a vessel and changing a permit and not knowing how he would be affected by these alternatives, and as Maggie again spoke to and others have, a lot of people are still not understanding how they're affected. I thought that was important to really keep our eye on... in all these alternatives. I didn't include it here because in consultation with Jessi that situation, given the way Alternative 1 works, the person is tracked over the vessel and the permit and so someone like Gary, in the situation that Gary spoke of, as long as they met their criteria would not be disqualified by needing to change the permit or upgrading a vessel. So, I thought that was, you know, again I wanted to emphasize I think that's important to keep our eye on that and didn't include it in here as it wasn't necessary for Alternative 1.

Pete Hassemer [00:31:56] Thank you. Phil Anderson.

Phil Anderson [00:32:02] Thanks Mr. Chairman. I have one more motion for consideration but I'm not sure it has made it. Oh, it has... over to Sandra. If it pleases the Vice-Chair, I move the following. You think my visions that bad, huh? One: Add to Alternative 2 a suboption. To qualify as a legacy participant, you must have landed 30,000 pounds in each of three years prior to the control date, own

quota share as of and since the control date, and owned a vessel that gear-switched as of and since the control date. Two: Add to Alternative 2 a suboption that provides for the expiration of any-gear quota upon the transfer to a new owner or owner added. And three: Suspend further analytical work on Alternative 3.

Pete Hassemer [00:33:11] Thank you Phil. The language on the screen as accurate and as you intend?

Phil Anderson [00:33:15] Yes, it is.

Pete Hassemer [00:33:17] I will look for a second of that motion? I see Bob Dooley's hand is up. Seconded by Bob Dooley. Go ahead and speak to your motion.

Phil Anderson [00:33:29] Thank you Mr. Vice-Chair. So, these three items were contained as recommendations from the GAP. They, and I think, well, at least one of them made it clear that this was a, this was a package of these three items that if there was consensus on, I use the word suspend, further analytical work on Alternative 3 it was with the understanding that these two suboptions that are in Alternative 3 would be added to Alternative 2. So, this gives us a little bit broader continuum in terms of who would qualify under legacy and add the expiration piece. So, I think that covers it.

Pete Hassemer [00:34:33] Thank you. Are there questions, clarification for the maker of the motion? I don't see any hands. Discussion on the... oh sorry. Maggie Sommer.

Maggie Sommer [00:34:49] Thanks Vice-Chair. Phil, your intent with this is to... okay, I'm sorry I think I'm just slow on the uptake. I'll finish asking my question. I think I got it, but is indeed to apply this to the Alternative 2 that was presented in the original staff document for this briefing book described as the narrow distribution quota share alternative? I just want to make sure I'm right since there have been so many numbers floating around.

Phil Anderson [00:35:36] The Council replaced what had previously been known as Alternative 2 with a replacement Alternative 2 in November. So, if that's, if that label that you put on that is in fact that alternative that was adopted by the Council in November, then yes, this was intended to mimic these two suboptions that were in Alternative 3 and add them to alternative, to the current existing Alternative 2. Did I answer the question?

Maggie Sommer [00:36:26] Yes. Thank you.

Phil Anderson [00:36:29] Okay.

Pete Hassemer [00:36:29] All right any further questions? I didn't see any, but we'll check again. And again, any discussion on the motion? Lynn Mattes.

Lynn Mattes [00:36:44] Thank you Vice-Chair. Mr. Anderson was a little quicker on the send button than I was. I was frantically typing away trying to write something similar. I'm supportive of this as this, the way I'm reading this it's based on the GAP report. We rely on the GAP to provide us the industry perspective and recommendations and I know this was a tough discussion for them to get to this point, therefore, I think we need to honor what they're recommendation. Removing Alternative 3 from further analytical workload doesn't fully remove it from the range of alternatives, it will still stay there. It will be more like what we do in groundfish spex, sometimes items considered but not forwarded. So, it'll still be there for reference it's just, will help us focus a little bit more. So, thank you Mr. Anderson for the motion.

Pete Hassemer [00:37:36] Thank you Lynn. Further discussion? Not seeing any hands I'll call the question. All in favor signify by saying 'aye'.

Council [00:37:47] Aye.

Pete Hassemer [00:37:47] Opposed?

Marci Yaremko [00:37:51] No.

Pete Hassemer [00:37:53] Abstentions? Miss Marci Yaremko voted no. I heard all others vote yes in favor of the motion. The motion passes. Thank you Phil. Further discussion, motions? I'm going to talk to, turn to Dr. Seger and ask him how we're doing here besides going very long.

Jim Seger [00:38:37] Thank you Mr. Vice-Chairman. So, with respect to your first action here, refining the range of alternatives, what we have is a modified Alternative 1, the quota share Alternative 1 with the motion from Mr. Niles. You just finished modifying quota share Alternative 2 by adding the two options that were requested by the GAP. We did not add in there Mr. Anderson's Report 1. We added, then we suspended, you suspended Alternative 3, suspended work on that. Added in the new quota pound alternative for Mr. Anderson's Report 2 and added in the seasonal approach. And with respect to that new quota pound Alternative 2, alternative have chosen not add the GAP requested options that would be parallel to those that were just added into Alternative 2. So, I just want to identify what was done. You have been at this for almost an hour and a half after lunch. There's been a lot of complexity here. I wonder if it would be worthwhile taking a break just to take a breath, make sure we're, are totally finished on this and then come back and finish off with what I hope might be a fairly brief discussion on Council action too with respect to what happens in June.

Pete Hassemer [00:39:58] All right. Thank you for that suggestion for a break. Let's do that so everyone can reflect on what they heard from you and what else we need on this. Let's come back at 2:40.

Pete Hassemer [00:00:00] All right, I thank everyone for coming back. We had a summary of actions, refinement of alternatives and new alternatives that you've added so far. I'm going to look around and see if there are any other motions that members desire to make just to make sure we've completely covered our refinement of the range of alternatives. And I don't see any hands so I'm going to turn to Dr. Seger to just summarize what he's heard regarding guidance on the process for moving forward. Dr. Seger, it's yours.

Jim Seger [00:00:46] Thank you Mr. Chairman. You've done some good work in working through some complex material on that range of alternatives, so I appreciate that. So, bringing us then to item two there on guidance on the process moving forward and reaching a PPA. During the discussion heard a lot of it sounded like support from various Council members about this approach of having an initial preferred preliminary preferred alternative in June at which you would focus it on the high level policy levels and then after that initial IPPA was selected, then we would work on, just focusing and then refining that alternative. And unless I hear otherwise from you, I would take that as guidance from the Council.

Pete Hassemer [00:01:29] All right. I will look around to see if there's anybody that disagrees with that move forward to treat that as an initial preliminary preferred alternative. And Marci Yaremko.

Marci Yaremko [00:01:41] Yeah, thank you Mr. Vice-Chair. I just have a question, and it's the same question both of Council staff and of NMFS staff. Does that process and proposed timeline have any effect on what I see on the Year-at-a-Glance? The tentative schedule for scoping the five-year review?

I see it's grayscale in September and I'm just wondering if this will align or have an effect?

Pete Hassemer [00:02:20] Dr. Seger.

Jim Seger [00:02:22] Thank you Mr. Chairman. If we follow the process in terms of the Council meeting time, we have a slot for the FPA in November and so we would bring that in, we would probably bring the finalization, the PPA, into that slot. In terms of other workload associated with trying to do the catch share review, at the same time we were working on this and sort of the Council considering both of those at the same time, that would be a choice for the Council to make and I would presume that would probably be advised by Mr. Burden. I don't know if he wants to speak to that as well at this time.

Pete Hassemer [00:03:08] And I see Executive Director Burden has his hand up. Go ahead Merrick.

Merrick Burden [00:03:16] Thank you Mr. Vice-Chairman. And thank you for the question, Marci. I do think it would be appropriate to get into a little more detail on this tomorrow, but in the interim as we've spoken about before we do have a contractor that we have been in discussions with and we have been holding her back for a while now until gear switching starts to... we start to see the light at the end of the tunnel there. So, the way that we would approach this if we still wanted to have this bit of overlap that you pointed out, Marci, is that we would begin to engage her in some of the initial work on scoping out for the Trawl Catch Share Program Review essentially, while Jessi and Jim are focused on wrapping up gear switching. From this vantage point that still seems theoretically possible, but as we start to learn more about how this will unfold, we may want to delay the Catch Share Program Review a little bit more, but at this point I don't have the visibility but this is also why items are shaded on the YAG like they are now. So, I hope that to answer your question.

Pete Hassemer [00:04:29] That answer your question, Marci?

Marci Yaremko [00:04:30] Yes it does. Thank you Mr. Vice-Chair. Thank you Merrick. Certainly, we'll learn more as we go but that's a good initial assessment. Appreciate that.

Pete Hassemer [00:04:40] All right. Any other further questions, disagreement regarding the path laid out there to proceed on this? I'm not seeing any so I will turn back to Dr. Seger and see if we've wrapped this up?

Jim Seger [00:04:59] Mr. Chairman I believe you have. Thank you.

Pete Hassemer [00:05:01] All right. Thank you. And with that we'll close this agenda item, and I will pass the gavel back to our Chair. (AGENDA ITEM REVISIT - NEXT MORNING)

Marc Gorelnik [00:05:09] Let's see before we get started if there are any remarks from the audience, from the Council here? Heather Hall.

Heather Hall [00:05:19] Good morning, Chair Gorelnik. Good morning, everybody. I would like to start this morning if we could by revisiting Agenda Item G.5.

Marc Gorelnik [00:05:32] Okay, in order to do that we would, do you have a motion in that regard?

Heather Hall [00:05:37] I do have a motion. I move that we reconsider action under G.5.

Marc Gorelnik [00:05:52] Okay. The language on the screen is accurate?

Heather Hall [00:05:58] Yes it is.

Marc Gorelnik [00:05:59] I'll look for a second. Seconded by Butch Smith. Please speak to your motion as necessary.

Heather Hall [00:06:07] Yes, thank you. I have another motion that I'll speak to. I think the idea here is to just offer some streamlining of the action that was taken yesterday, and I can talk about that in a second motion.

Marc Gorelnik [00:06:23] All right, let me just see if there any discussion? I don't imagine there is, but I want to give folks an opportunity. I'm not seeing any hands, so I'll call the question. All those in favor say 'aye'.

Council [00:06:34] Aye.

Marc Gorelnik [00:06:35] Opposed, no? Abstentions?

Caroline McKnight [00:06:41] Abstain.

Marc Gorelnik [00:06:42] That motion passes unanimously. That transports us into back into Agenda Item G.5 and because Vice-Chair Hassemer had the gavel for that, I'll hand him the gavel for any further action you wish to be taken here.

Phil Anderson [00:07:00] Mr. Chairman. Mr. Chairman?

Marc Gorelnik [00:07:03] Yes, Mr. Anderson. I may have been hearing things, but I thought I heard someone abstain, but it may be my ears. Well, if we should get that on the record if that's the case. Did someone abstain from this motion?

Caroline McKnight [00:07:17] That's correct. Just a soundcheck. This is Caroline McKnight.

Marc Gorelnik [00:07:23] Caroline abstained?

Caroline McKnight [00:07:25] That is correct.

Marc Gorelnik [00:07:26] Okay, very good. Thank you.

Pete Hassemer [00:07:38] All right. I think the gavel is in my hands on this agenda item then. We're not going to do an overview, but I will turn to Miss Heather Hall and let her take the floor first.

Heather Hall [00:07:56] Thank you Vice-Chair Hassemer. I do have another motion to amend the motion from G.5 yesterday. Thank you very much Sandra. I move that we amend the motion as follows. In Number 1 strike out Alternative 2 and replace with "New QP Alternative". Strikeout Number 2 and replace with "add to New QP Alternative the expiration option described under the new alternative section in the Agenda Item G.5.a, Supplemental GAP Report 2". To Number 3 add, "and remove Alternative 2 from the range of alternatives".

Pete Hassemer [00:09:18] Thank you. I would ask Sandra to please scroll to the top. And, yes, my first question is, is it clear to Council members which motion this refers to because we have multiple motions that were made and addressed through the course of this action. And so, first question.

Heather Hall [00:09:55] Okay. Thank you Vice-Chair. I should have provided a little bit more about that before I started in the motion. But this is a change to that alternative that Phil brought forward yesterday and so this is specific to that, the Anderson motion from yesterday.

Pete Hassemer [00:10:23] Thank you. And as you read through it, I do not believe I heard you read what's on our screen in front of us, parts one, two and three. Is that specifically referencing what was done yesterday?

Heather Hall [00:10:42] That's exactly right.

Pete Hassemer [00:10:43] And so that could be struck and your motion is the, I'll just say the different font below. I just make want to sure we...

Heather Hall [00:10:59] Yeah, I wouldn't strike the entire thing because the motion really in the language in the different font just changes certain parts of one, two and three. So, there's some parts of that original motion that need to remain.

Pete Hassemer [00:11:16] Okay, then let me...

Heather Hall [00:11:22] There, I think Sandra is going to show it as the new motion describes it.

Pete Hassemer [00:11:38] I will consider this you are working on your motion to make sure it is displayed correctly.

Heather Hall [00:11:44] Thank you. Vice-Chair Hassemer?

Pete Hassemer [00:12:22] Yes.

Heather Hall [00:12:24] As a suggestion another way to approach this would be to in the where it starts, "in number one strikeout", before that it could say "referencing the language above".

Pete Hassemer [00:12:43] Okay.

Heather Hall [00:12:45] We may have moved far enough along in this approach that that's okay.

Pete Hassemer [00:13:12] Are we... so, Heather, would you please take a minute and review that?

Heather Hall [00:13:39] In number one, Sandra could you delete after "add" delete "to" and replace or replace "to" with "a".

Pete Hassemer [00:14:11] Yes, Jessi.

Jessi Doerpinghaus [00:14:14] Thank you Mr. Vice-Chair. Miss Hall, so the quota pound alternative was already moved as a part of a separate motion so this would I think, too, might be appropriate because you're adding to the motion that was the first one that was adopted by Mr. Anderson.

Heather Hall [00:14:30] Thank you. So, since we've shown the motion now with the strike-through approach, I think we could remove, if you scroll down, the remaining language that was there. Is that?

Pete Hassemer [00:15:07] I just want to make sure because I will ask you to reread your motion.

Heather Hall [00:15:14] Okay.

Pete Hassemer [00:15:15] And as you work on this, I want to make sure when you're ready to do that it's correct.

Heather Hall [00:15:20] Okay, thank you. I'm ready to read the motion as edited.

Pete Hassemer [00:15:54] All right. Please go ahead.

Heather Hall [00:15:55] Okay. Add to... I move that we amend the Anderson motion as follows. One: add to New Quota Pound Alternative, a suboption to qualify as a legacy participant you must have landed 30,000 pounds in each of three years prior to the control date, owned quota share as of and since the control date, and owned a vessel that gear-switched as of and since the control date. Add to New Quota Pound Alternative, the expiration option described under the new alternative section in Agenda Item G.5.a, Supplemental GAP Report 2. And three: Suspend further analytical work on Alternative 3 and remove Alternative 2 from the range of alternatives.

Pete Hassemer [00:17:05] And we want to make sure then are you striking everything after that?

Heather Hall [00:17:14] Yes. So, then it could, before maybe deleting all the, the language below the motion, one, two and three, just confirm with staff that that's clear to them.

Jessi Doerpinghaus [00:17:37] Mr. Vice-Chair, Miss Hall, yes, that is clear and I think would cover what we would need.

Heather Hall [00:17:43] Thank you. So, Sandra if you could remove the language that starts with "in Number 1", yep, thank you.

Pete Hassemer [00:18:03] Let's get it all up there as best we can. Sandra, I think above the number 1 if there's just a line break there you can delete, that might all appear on the screen. There. All right now I will ask is the language on the screen accurate and as you intend?

Heather Hall [00:18:40] Yes, it is.

Pete Hassemer [00:18:42] Thank you. Is there a second? Seconded by Butch Smith. Please speak to your motion.

Heather Hall [00:18:49] Thank you. And thanks everyone for your patience getting this just right. I after thinking about the motion yesterday and talking with folks and thinking about what was in GAP Report Number 2 under this agenda item this motion would remove Alternative 2 from the range, but it would incorporate provisions from Alternative 3 that are related to qualification and expiration into the New Quota Pound Alternative brought forth by Mr. Anderson yesterday. This would maintain the range of approaches for all alternatives using quota share and quota pounds, a seasonal approach that would maintain consideration of quota share vessel and permit history in establishing gear-switching opportunity and would reduce the workload for the analysts and reduce the amount of information that Council members and stakeholders would need to understand the alternatives. So really just streamlining where we ended up yesterday and cleaning up a bit so to help us all out in June.

Pete Hassemer [00:20:05] Thank you. Are there questions for the maker of the motion for clarification? I don't see any questions. Discussion on the motion? Mr. Phil Anderson.

Phil Anderson [00:20:20] Thanks Mr. Vice-Chair. I'll just speak briefly in favor of the amendment to the motion from yesterday. I think Heather did a great job of explaining the rationale behind it. I think it helps reduce workload. I think it reduces the number of alternatives, which I think is a benefit to both the public as well as to all of us around the table, and as Heather mentioned, maintains a quota share approach, quota pound approach and the approach that was contained in the motion that Christa Svensson brought forward that was approved. So, I think it gives us a good range and tries to streamline as much as possible a complex issue. Thanks.

Pete Hassemer [00:21:07] Thank you. Further discussion? I'm not seeing any hands. Oh, sorry, Lynn Mattes.

Lynn Mattes [00:21:17] Thank you Vice-Chair. I was a little slow to get the hand up. I'm supportive of this as I think it gets us where we need to go or where we're trying to get to. I do have some concerns about the process. Both the GAP and the GMT have been adjourned for a day and a half and have not had a chance to discuss this. I do think it's in line with what the GAP was trying to get at. Additionally, public was not aware that this would be coming back to us and may have not have had a chance to fully review. So just wanted to point out a process issue but I am supportive of this as I think it's in line with the GAP recommendation and with what we heard in a lot of public comment yesterday. And I appreciate the Washington folks working on this to try to get us to a better place.

Pete Hassemer [00:22:08] Thank you. And I guess I would take this opportunity since I hold a gavel that understand your concerns but if this were done under our normal process under Council discussion and action that it would not go back to the GAP, GMT, or the public for comment, that it would be a course of action. Heather Hall.

Heather Hall [00:22:34] Thank you Vice-Chair and thank you Lynn. I appreciate the sensitivity to this. I just want to say for the advisory bodies and the public that this doesn't change the intent of the motion from yesterday. This really just streamlines how it's presented so other than removing the Alternative 2 that was in place in November, this really doesn't significantly change where we ended up yesterday. Thank you.

Pete Hassemer [00:23:08] Thank you. Further discussion? I don't see any hands. I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:23:19] Aye.

Pete Hassemer [00:23:19] Opposed? Abstentions?

Caroline McKnight [00:23:26] Abstain.

Pete Hassemer [00:23:29] Thank you. We have one abstention, Caroline McKnight. All others voted in favor of the motion therefore the motion passes. Is there any other business to take up on this agenda item while it's open? I'm not seeing any hands so we will close this agenda item.

6. Considerations for a Sablefish Assessment Update

Pete Hassemer [00:00:00] All right, he is not online with us at this time so we will not be able to take that comment, which will conclude our public comment and take us into Council discussion and action. So, I will look for any hands to start the discussion on this agenda item. Heather Hall.

Heather Hall [00:00:30] Thank you Vice-Chair. I'll just get started by saying that I think an update here would be important and very beneficial. I think we've heard from the GMT under inseason at this meeting catch of sablefish in 2022 approaching the ACL. We've been hearing from the GAP last year that the catch of sablefish in all sectors is really high. I think I appreciate the concern for, you know, what does this mean for the stock assessment process and trying to anticipate, you know, potential problems or bottlenecks, but I think the bottleneck really could be in having a huge discrepancy between the ACL without an update and what folks are seeing in their fishing operations and so I'm just obviously supporting the sablefish assessment update and just wanted to offer that for now for discussion.

Pete Hassemer [00:01:45] Thank you. Further discussion? Caroline McKnight.

Caroline McKnight [00:01:52] Thank you Mr. Vice-Chairman, and thank you, Heather, for your comments. I'm very conflicted on this item. In general, I've been thinking about it since March. I feel pretty comfortable as of this morning hearing from all the advisory bodies that the front initial workload to complete the limited assessment can be accommodated. But one thing that is really hanging on me really heavily is that we don't know what the outcome of any of our priority species might be, and we also don't know what the outcome of this update or limited update might be. And hearing that there is only half of one year's worth of the age data being included. Hearing that, you know young fish can increase the uncertainty, I'm really sitting here thinking what happens if there is trouble on the other end and then what do we do with it? I'm troubled by the fact that this is limited and not a full update. I'm not sure if we have anything within our Terms of Reference that prescribe how to handle this type of a situation. I very much appreciate that we are seeing these fish also in the fishery and the ACL might be constraining in the years to come, but I also don't want to put us in a situation where we do a limited amount of work now that may cause more uncertainty rather than just waiting to do the full assessment when more of the aging work can be completed, another year of trawl survey can be completed, and we can take the time to do the full assessment and give it full attention and a full Star Panel review. It is likely that I am channeling or feeling that I am reflecting on our past assessment cycle where we learned some lessons, some hard lessons, and I feel that there is maybe something to take and apply here. I do appreciate everyone's input and looking at this and I welcome a little bit more discussion on, on how to work through this and come to the right decision but at this time I'm leaning more with not supporting adding this workload to the plate. Thank you.

Pete Hassemer [00:04:33] Thank you Caroline. Further discussion on this? We've heard some guidance to support moving forward. We've heard guidance to not move forward on this. So I want to get a sense of the full Council's position on this and what we should do. Caroline, your hand is still raised, did you have something additional? Oh... it's down now but Vice-Chair Pettinger.

Brad Pettinger [00:05:19] Yeah, thank you Vice-Chair Hassemer. You know we asked to have them do this, the Science Center do this, to work it in last year. They said they couldn't do it. They've got to look at the information and they've said this would be an issue and they've set aside people to do it and they say they could do it. I don't know what the issue is here. You know we could get the information back and at end of the summer we can judge it on its merits and I'm sure the Science Center folks will give us the full, the full backstory on how things went and whether they lack that information or where

the uncertainty was and we could decide then but I think that, you know, this is needed to be done. It was... it was recognized that by the fleet in November and this seems to me like a no brainer. Thank you.

Pete Hassemer [00:06:16] Thank you. Chair Gorelnik.

Marc Gorelnik [00:06:20] Thank you Vice-Chair Hassemer. I'm sympathetic to this potential problem on the horizon that we're going to see an explosion in sablefish and not have an assessment available to avoid problems in the fishery. I wish we could get the same enthusiasm for another stock assessment that's now scheduled for 2025 that is currently shutting down or extremely limiting a fishery, a Council managed fishery. So I am inclined to support this but I would ask the Council and the Science Center to perhaps provide a similar priority or a similar interest in the quillback, which is, I know we have copper, hopefully we can get it taken care of this year, but right now quillback's scheduled for 2025 and that's going to be basically maybe three years of a severely constrained and maybe even further constrained they are right now non-trawl fishery in California.

Pete Hassemer [00:07:43] Thank you. Further discussion? Phil Anderson.

Phil Anderson [00:07:51] I ,too, am... I don't know if I'm sympathetic, but I recognize and agree with folks who have observed this and what I think is an unprecedented number of small sablefish on the grounds. I just in my little world where I go, I haven't seen anything like it before that I recall of the catches so far this year as well as last year in terms of the small sablefish seem to me to validate the concern. Sablefish, obviously we spend a lot of time talking about sablefish and acknowledging how important it is to our fisheries. I don't think I would be enthusiastic about supporting this if I didn't think that this was truly an unusual circumstance and that in the absence of trying to get some updated information from a stock assessment perspective that we don't, that we're not risking some significant cutbacks in restrictions based on the stock assessment that we're currently making our management decisions on. So, I support moving forward with this.

Pete Hassemer [00:09:45] Thank you. Joe Oatman.

Joe Oatman [00:09:52] Yeah, thank you Mr. Vice-Chair. And I want to say I do support comments that Phil just made. I think those are, you know, similar points. You know from the tribal perspective we think that this update would be pretty important relative to tribal fisheries, and we would support moving forward with that.

Pete Hassemer [00:10:27] Thank you. Look for further hands. We don't have clear agreement on what to do. Heather Hall.

Heather Hall [00:10:35] Well, thank you. You might have been going in this direction Vice-Chair. I was going to ask... I don't know if we can just provide our guidance here or there's a need for a motion?

Pete Hassemer [00:10:46] A motion would make it cleanest.

Heather Hall [00:10:53] I do have one ready that I've sent to Sandra if that would help us.

Pete Hassemer [00:10:57] All right. If you're ready to make that motion, I'll still look for hands for additional discussion but there it is on the screen so go ahead and read your motion.

Heather Hall [00:11:11] I move the Council add a sablefish stock assessment update to the current groundfish stock assessment cycle.

Pete Hassemer [00:11:20] The language on the screen is accurate?

Heather Hall [00:11:23] Yes.

Pete Hassemer [00:11:25] Thank you. Is there a second? Seconded by Lynn Mattes. Speak to your motion?

Heather Hall [00:11:31] Well, I have started to hear a little bit this morning. I think this is an important move for us to make here given what we're hearing from, and I feel comfortable with that given what we're hearing from the Science Center. If the motion passes, I have some guidance to offer as well too. Leave it at that, thank you.

Pete Hassemer [00:11:55] Thank you. Are there questions to the maker of the motion for clarification? I don't see any hands, so we'll move to discussion. Any discussion on the motion? Caroline McKnight.

Caroline McKnight [00:12:17] Yes, thank you. I was trying to get my hand up. I actually had a question on the language of the motion for Heather. Thanks for the motion, Heather. Was the intent here for it to read, "Add a sablefish unlimited Stock assessment update" as that's how it's been referred to in the Science Center documents to date.

Heather Hall [00:12:47] Thank you for the question, Miss McKnight. I don't know if adding the word "limited" is needed here. I was just taking this as the guidance from the Science Center. If it would be helpful, I would do that. I think that is the way it's been spoken to. We could add "limited" after "a". And that, that's right.

Pete Hassemer [00:13:24] I think in speaking to your motion if you make it clear that you're referencing the reports and the documents it should be on the record.

Heather Hall [00:13:37] Okay. Thank you.

Pete Hassemer [00:13:41] So as long as you state that that's what you intend.

Heather Hall [00:13:44] Yeah, that's, that's the intent. I'm looking to the statements from the SSC. The report by, from the Northwest Fisheries Science Center and NMFS regarding their approach to doing this stock assessment update in a limited way. Thank you.

Pete Hassemer [00:14:02] Thank you. Does that answer your question, Caroline?

Caroline McKnight [00:14:08] Yeah, thank you. I just want to make sure we were, we had as much clarity as possible so thank you.

Pete Hassemer [00:14:13] Thank you. Further discussion on the motion? And I'm not seeing any hands. I will call the question. All those in favor signify by saying 'aye'.

Council [00:14:25] Aye.

Pete Hassemer [00:14:25] Opposed?

Caroline McKnight [00:14:30] No.

Pete Hassemer [00:14:32] Abstentions? Caroline McKnight voted no, all others voted in favor of that

so the motion passes. And I will look for any further discussion? Heather Hall.

Heather Hall [00:14:54] Thank you. I just wanted to offer the guidance that we also heard from the SSC and the Science Center in terms of scheduling the groundfish subcommittee review at the, the later in August, the August 28th through 29th timeframe to give the folks that are working on it the most time for age rating. Also really appreciate the thought in bringing in the... and the importance of bringing in the GMT and the GAP for that review when the time comes. Thank you.

Pete Hassemer [00:15:34] Thank you. Further discussion, guidance needed? Making sure I cover everybody's hands but I don't see anything so I will turn back to Marlene and ask if there, how we've done here and is there anything else for the Council to do?

Marlene Bellman [00:16:00] Thank you Vice-Chair Hassemer. The Council heard updates and had an opportunity to provide additional questions for the Science Center regarding the stock assessment activities there. You also heard from your advisory bodies and had a robust Council discussion on various aspects of considerations that were relevant to this discussion. There was a clarity of providing a motion and passing a motion related to adding this, as well as the additional guidance for the SSC, the GMT and the GAP. And so, I believe that that concludes the objectives that we had for this agenda item.

Pete Hassemer [00:16:49] All right, thank you Marlene. Last chance for hands. Not seeing we will close this agenda item.

H. Coastal Pelagic Species Management

1. National Marine Fisheries Service Report

Brad Pettinger [00:00:00] Okay and with that I'll open the floor for discussion and Briana Brady.

Briana Brady [00:00:04] Thanks Mr. Vice-Chair. I just wanted to say thank you to the Southwest Fisheries Science Center for holding the sardine workshop in November and for bringing forward a new fix to the habitat model. And then also to express appreciation to the SSC for noting that the revised approach is reasonable and an improvement to the earlier model and I'm looking forward to hopefully having some of the major uncertainty be removed from the next stock assessment. So, thanks again.

Brad Pettinger [00:00:34] Thank you Briana. Anyone else? Corey Niles.

Corey Niles [00:00:41] I might have a couple thoughts here, but just I know Josh was having problems with his computer at the start and I'm probably going to get wrong exactly what Jeff just raised to our attention here on the anchovy rule and it not being in place according to our COPs, but I'm not seeing much explanation in the report. Just want to know if you had any response to that or I know this was the first time I think we have been using the COPs and just if you had a explanation to that response would be appreciated.

Josh Lindsay [00:01:27] Through the Vice-Chair. Thank you for the question Corey. I'm going to use that 'w' word that you often hear from NMFS staff in this chair of workload unfortunately. We've been focused on some of the other amendments assisting sort of in the background in getting Amendment 21, which you're going to be looking at tomorrow as well as getting Amendment 20 in place. We've also been continually working on defense litigation for the Sardine Rebuilding Plan, that takes a fair amount of staff time and has certain deadlines that we have to meet. And there were some, even though we were following along assisting in the development of that COP and the framework, there were some nuances in the implementation of that action that we've been working on, but we feel like we're ready and I expect a proposed rule within the next two months or so, so it has not fallen off our radar, it's been there in the queue. Thankfully the ACL that the regulation will put in place of 25,000 metric tons is currently in place in regulation so the fishery is operating at the same ACL that would be in place once the new regulation is in place. Hopefully that helps.

Brad Pettinger [00:02:42] Okay, thanks Josh. Anyone else? Dr. Braby.

Caren Braby [00:02:47] Thank you. Just a couple of thoughts. Appreciate the discussion today and obviously we have more agenda items that will come back to this, this agenda item on, that was terrible syntax sorry, but my sense leaving this discussion and update is that we seem to be on the right track in kind of setting up survey designs, setting up projects to better inform the Council management in the future and there are some needs or flags that have been expressed around the table in terms of making sure that this is best available science and making sure to work with industry on survey design and comparing against past survey designs to make sure they're comparable, and that was all really good, good discussion. I'm glad that we had those questions and those answers. So, I think with that in mind, some additional work in the future makes sense including, you know, thinking more about evaluating the temperature productivity relationship makes a lot of sense. I'm not sure on the timeline of that but I'll just say that I think in the current low directed fisheries situation that we're in, particularly on sardine, that I think we're in a good place to invest in more learning and bringing more information to the table. So, I just wanted to share that before we move on to our next agenda items. So, thanks.

Brad Pettinger [00:04:46] Thanks Caren. Anyone else? Corey.

Corey Niles [00:04:53] Yeah quickly, thanks Mr. Vice-Chair. And just following on part of what Caren said, I do, I hope, and maybe for Council staff, NMFS to think on of where do we have these talks about the science priorities. I echo Briana's thanks to all the Science Center and all the efforts they did in the workshop and we are pushing for more than they are able to take on and so you need a question about, you know, setting priorities and the SSC, the AS, the public to be able to weigh in to us in a measured fashion, so I'm hoping we can find a way to do that. Yeah, and I think maybe we'll get, start to get into it more tomorrow as Caren also alluded to. But this question about the range of the southern substock and how it's deducted from the northern substock, the catches and all that, I think that it does need to be talked about over time and science will be coming in at, you know, some unknown timeline, but yeah, just those are, I think those are some key questions. As Jeff said, we are taking them on in groundfish, they are raising some of the same questions here. I understand that I think the history of the FMP, and there has been a determination that the southern substock does not belong in the FMP and our understanding is maybe opening that question again, and the question to me is where do we do that and what timeline? And but, yeah, maybe we'll get more into that tomorrow, workload planning. But yeah, really appreciate all the thoughts that were put into the NMFS report today.

Brad Pettinger [00:06:32] Okay. Thank you Corey. Bob Dooley.

Bob Dooley [00:06:37] Thank you Mr. Vice-Chair. Following up on Caren's comments, I hope that as we go forward, I really do appreciate the openness that's been presented today in collaborating on the, with industry on this survey design, the integrated survey, but I would hope that it's not just a listening session or a check-in and then go forward from there without industry. I think this is a very important issue and I think that it, you know, it would warrant check-ins and understanding as they go forward and make decisions on the changes they're going to make, that they're informed by that fishermen have a chance to, the industry has a chance to weigh in on that and understand what they're doing. I think it leads to better trust in the end of the end product and I think there's a lot of expertise there that is really needed as we make this big change. So, I hope it's not just a one-time check-in and that we follow it up all the way to the end and continue with that. So that's my comment. Thank you.

Brad Pettinger [00:07:47] Thank you Bob. All right. I don't see any other hands. Corey Ridings.

Corey Ridings [00:07:57] Thank you Mr. Vice-Chair. I just wanted to express my concern based on what we've been talking about today and seen today that there seems to be a lot of evidence that there is a need for conservation and management of the southern subpopulation. I'm opening that question. I don't want to sort of put NMFS or GC on the spot, but I would be curious if they have a response now or curious, I think to what other Corey just mentioned about when and where to have this conversation. I think, you know, we heard a little bit today about allowing access at some point and how we do that also accounting for climate change, anticipating a potential northward shift of maybe both of these stocks. So just wanted to put that out there. Just waiting for NMFS to answer that question.

Brad Pettinger [00:08:49] Josh.

Josh Lindsay [00:08:49] Thank you Mr. Vice-Chair. Corey, I don't know if I have a direct answer. I think it's an, you know, it's an open question. It's a question you guys have been dealing with in groundfish. I think Dr. Shester read the list of factors that can be reviewed. Not one of those factors has to be the one factor. I do think in this case and what we're seeing currently without not looking into the future is the amount and type of catch we're seeing on the stock and whether or not that is necessarily impacting or if we think changing that level would somehow help the stock, a stock that we don't really have a good handle on, or at least right now, presume is at fairly high levels given some of the catch that's occurring in Mexico. So, whether or not the 1500 tons we're taking at the moment dictates a need for conservation management, I think that would be a conversation the Council can have. And if I can,

well I'm sorry, Corey you may have a follow-up.

Brad Pettinger [00:09:58] Thanks Josh. Okay, Dr. Braby.

Caren Braby [00:10:03] Thanks, and thanks Corey for asking that question. And you know the way that I'm thinking about this is that we're actually in a good situation because we have a larger population of sardine in the south moving north with climate change and pushing a more but less populated stock north, and so the fishing that's occurring is not only limited but it's being replaced by this larger stock and so I feel like we have that evidence and we have some need for additional clarity on definition of where the stocks start and stop, and how to define those and have time to do that, and I'm curious about Council discussion on whether that is different from other Council members, but that's why if I feel like I have some confidence in allowing for some time on some of these questions rather than jumping to an urgent conservation and management action that I think is less, less urgent than is being portrayed.

Brad Pettinger [00:11:23] Okay Caren, good point. Anyone else? Okay, Josh.

Josh Lindsay [00:11:32] Sorry. Thank you Mr. Vice-Chair. I just wanted to respond to a little bit more of some of the comments made by Mr. Niles and Miss Braby earlier before the question on conservation management. And not to speak fully for the Science Center, but the charge for the Stock Structure Workshop was really the immediate needs, and the immediate needs was to produce the best possible assessment for the northern stock in 2024. And it appears that that workshop will in fact do that, it's resolving a lot of the uncertainties in that. But as you saw in in Dr. Yau's slides, that does not mean we're not looking towards the future also, although we are focused on the present, trying to assess the stock currently that is managed by the FMP and the Council and the agency, I see this really tied into a lot of the conversations we had in the Climate and Communities Initiative, making sure as we move forward talking about CPS management, sardine management, not maybe a specific action but ensuring when we do take actions we're cognizant of this potential, this potential change in the past archetype to use our word of the day again and a potential future one because it's based on the updated model of the last 20 years, it's really only been three years we've seen any sort of level of southern stock in U.S. waters. Is that a trend? Is that the future? I think that's still some questions to be answered, but I think being cognizant of that and making sure we don't have a blind eye to that's going to be important and it's something that the agency is actively thinking about and considering. Thank you.

Brad Pettinger [00:13:11] Okay, thank you Josh. All right. Jessi, I think we've had a good discussion, which is what we need to have here, pretty thorough. How are we doing?

Jessi Doerpinghaus [00:13:21] Mr. Chair, or Mr. Vice-Chair, I completely agree. I think you guys had a good conversation around the reports in front of you and I expect we'll continue some of this discussion tomorrow under Agenda Item H.4.

Brad Pettinger [00:13:34] Okay, wonderful.

2. Exempted Fishing Permit for 2023-2024 – Final Action

Brad Pettinger [00:00:00] Okay that concludes public comment. That takes us to Council action, which is to adopt final EFP recommendations for 23-24 and so with that I'll open the floor for discussion. Briana.

Briana Brady [00:00:13] Thanks Mr. Vice-Chair. I just wanted to briefly say thanks to CWPA and the West Coast Pelagic Group for their continued contributions to collecting data for use in the Sardine Stock Assessment, and also that I support adopting the CWPA EFPs for the upcoming season. Thanks.

Brad Pettinger [00:00:33] Thank you Briana. Okay anyone else? I'll take a motion. Briana.

Briana Brady [00:00:44] Thank you. Sandra, may I please have the motion displayed? I move the Council adopt the Exempted Fishing Permit proposals in Agenda Item H.2 and Attachments 1 and 2 for consideration of harvest amounts under Agenda Item E.3.

Brad Pettinger [00:01:06] Is the language on the screen accurate?

Briana Brady [00:01:09] Yes. Thank you.

Brad Pettinger [00:01:10] Okay. Looking for a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion.

Briana Brady [00:01:14] Thanks. Just briefly that these EFPs provide information for the Sardine Stock Assessment by verifying the tonnage estimates that are associated with nearshore aerial surveys and also maintaining the time series of fishery dependent data. This collaborative effort by industry fosters participation in collecting the science used in the assessments and benefits our management process in general. So, thanks.

Brad Pettinger [00:01:36] Thank you Briana. Okay, discussion on the motion of questions for the motion maker? Corey.

Corey Niles [00:01:44] Thanks Mr. Vice-Chair. Thanks for the motion, Briana. Supportive, also want to thank NMFS and the West Coast Pelagic Conservation Group for moving that effort into the scientific permit. That makes a lot of sense and we're supportive of that and very, you know, it's as we said in the past years, really appreciate the cooperative research effort going on there. On the amounts on the EFP, I think maybe tomorrow it'll might make more sense, but I think what they're asking for sounds reasonable especially unlikely to take, a low probability of taking that 520, I probably got the number wrong there but, and but, yeah, I think supportive. Don't have much more to add than Briana and we'll have a look at the catches in total tomorrow under H.4 I think it is.

Brad Pettinger [00:02:39] It's come to our attention that we think it's item H.4 instead of E.3.

Briana Brady [00:02:48] Oh yeah. Thank you.

Brad Pettinger [00:02:49] Okay, so how do you want to handle that?

Briana Brady [00:02:53] I can rescind it?

Brad Pettinger [00:02:55] Amendment? Caren.

Caren Braby [00:02:55] Mr. Vice Chair I'd be happy to offer a friendly amendment.

Brad Pettinger [00:03:02] Please.

Caren Braby [00:03:06] Thank you Sandra. I'd like to change Agenda Item E.3 in the motion to reflect that it is actually H.4.

Brad Pettinger [00:03:25] Is the language on the screen accurate?

Caren Braby [00:03:27] Yes, it is.

Brad Pettinger [00:03:27] Looking for a second? Seconded by Christa Svensson. Thank you. I guess we don't need to essentially speak to it since we know what it is. So, all right... no discussion needed. Oh yeah... (talking off mic)... we got it covered Bob... (laughter). So actually, yeah, confusing me here. Okay, all those in favor signify by saying 'aye'.

Council [00:03:58] Aye.

Brad Pettinger [00:03:58] Opposed, no? Abstentions? Okay motion passes unanimously. And now we're back and all good here so with the amended motion. So okay any discussion on the amended motion? All right I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:04:18] Aye.

Brad Pettinger [00:04:18] Opposed, no? Abstentions? Okay motion passed unanimously. Thank you. Jessi, how are we doing?

Jessi Doerpinghaus [00:04:31] I don't know if you beat the record for Todd's item last time around but we got pretty close, so but you have adopted the two EFPs for consideration under Agenda Item H.4, so we will discuss those amounts tomorrow.

Brad Pettinger [00:04:48] Very good. Okay, well with that that'll close out this agenda item.

3. Fishery Management Plan (FMP) Housekeeping – Final Action

Marc Gorelnik [00:00:00] That concludes our public comment and takes us to our Council discussion and action, and this is final action so I will open the floor for any discussion and if we don't get any discussion we'll go in motion. So, Briana.

Briana Brady [00:00:22] Thanks Mr. Chair. I just wanted to express thanks to the CPSMT for continuing to work on revisions to the FMP Housekeeping Amendment and to the advisory subpanel and the public for providing comment, and to NMFS for reviewing the draft edits as well. And I support adopting the final Housekeeping Amendment and can offer a motion if you'd like.

Marc Gorelnik [00:00:44] Well, let's just see if there are any other hands for discussion and I don't see any so why don't you, if you have a motion to bring forward we'll start there.

Briana Brady [00:00:53] Great. Sandra. Thanks Sandra. I move that the Council adopt the FMP changes as described in Agenda Item H.3, Attachment 3 with the modifications recommended in supplemental report, Supplemental CPSMT Report 2.

Marc Gorelnik [00:01:24] All right, and the language on the screen is accurate and complete?

Briana Brady [00:01:27] Yes.

Marc Gorelnik [00:01:28] Look for a second? Seconded by Corey Ridings. Please speak to your motion.

Briana Brady [00:01:35] Thank you. I just briefly, Jessi outlined that this is an FMP amendment where we're just improving clarity and consistency across the sections and making formatting revisions and incorporating references to the anchovy framework and that none of the proposed changes are intended to change the management of the CPS fisheries. Additionally, the CPSMT had provided their rationale in their report explaining each of the revisions. Thanks.

Marc Gorelnik [00:02:05] All right, thank you. Are there questions for the maker of the motion? Any discussion on the motion? All right I'm looking real hard, I don't see any hands so barring that we'll call the question. All those in favor say 'aye'.

Council [00:02:24] Aye.

Marc Gorelnik [00:02:25] Opposed, no? Abstentions? Motion passes unanimously. Thank you very much Briana. Let me see if... Lynn Mattes please.

Lynn Mattes [00:02:40] It doesn't have to do with that motion we just passed, but in the CPSMT report they do request that some additional work happen on the CPS FMP and don't know when that was going to get scheduled but wanted to make sure that was still on our radar. Maybe we discussed it under workload planning, but they do recommend some additional work on the FMP be conducted.

Marc Gorelnik [00:03:02] All right, thanks very much Lynn for pointing that out. And I'll see if there's any other business for the Council under this agenda item and not see any hands I'll turn to Jessi and see how we're doing.

Jessi Doerpinghaus [00:03:15] Mr. Chair Y'all did fantastic. We will, pending the approval of

Amendment 20, we will work on adopting these, getting these changes incorporated to the FMP and posted on the Council website.

Marc Gorelnik [00:03:30] All right everyone stay in your seats. We're moving straight ahead to Agenda Item H.4.

4. Sardine Specifications and Management Measures for 2023-2024 – Final Action

Marc Gorelnik [00:00:00] Well then that concludes public comment and takes us to our Council action here in which Sandra will bring up, and that's our Council action to adopt an OFL and the other parameters. And so, we'll start with some discussion and then we will have a motion and further discussion upon that. So, let me just first see if there's any general discussion on this agenda item?
Caren Braby.

Caren Braby [00:00:33] There was ESP, I barely...

Marc Gorelnik [00:00:34] Pardon me....

Caren Braby [00:00:36] I didn't even raise my hand, but I was thinking about it.

Marc Gorelnik [00:00:38] No, you're... I know. Briana. Briana Brady.

Caren Braby [00:00:42] Oh... okay.

Briana Brady [00:00:48] It's okay with me if Caren wants to...

Marc Gorelnik [00:00:50] No, Briana go.

Briana Brady [00:00:51] Okay, thank you. I just wanted to express my appreciation to the SSC for providing a recommendation for the best available OFL and ABC, and to also thank the advisory bodies and the public for the discussion regarding the sardine management. I am supportive of the MTs and the ASs recommendations for the specifications and the management measures, including the amount specified for the EFPs so 520 metric tons and 150 metric tons. So those are just some initial thoughts.

Marc Gorelnik [00:01:25] Thank you. Further? Caren Braby. Dr. Braby.

Caren Braby [00:01:30] Thank you. Yeah, I'm going to wax a little more philosophical I guess and I wanted to just start with a statement that, you know, we're not in the ideal situation, right? We're in a situation where the assessment is and, you know, applying staleness factors we have a lot of anecdotes about where sardine are and how to deal with them. We've had this great workshop but there are some questions about the two-stock hypothesis and how to apply that. We have clear need for better understanding productivity correlates. Right now, we're using temperature productivity correlates that don't seem to be working very well and we're in a situation where we've been in a very small scale, non-directed fishery harvest regime for some time and that gives me confidence to think just generally about where we are and where we need to go next... that we have some time. And I alluded to this or maybe said this straight out under different agenda items yesterday that that's where I think we are and today's discussion has maintained, I have maintained my confidence during today's discussion that that's where we are, so I think that I still have some questions about the timeline of how we could build in some additional workshopping and bring in some additional information to kind of get us in a better position for the next steps and would love some more clarity on that aspect of it, maybe that's a question for NMFS, Josh, whether or not you want to address that, that's kind of where my head is going and feeling like we're kind of in this uncertain but okay stable situation to proceed with spex, but where we're going next and is of interest to me as well.

Marc Gorelnik [00:04:07] Josh.

Josh Lindsay [00:04:10] Thank you. Thank you Mr. Chair. I think I was about to say your last sentence, so now I'm trying to struggle with what to say. Yes, I think that's the, I would agree, I think that's the place we're in. We have continually to... as an agency we review the recommendations from the Council and make best scientific information available determinations each time we set those spex and we plan to do that again this time. We review what sort of recommendations come to us. And I think I mentioned this maybe yesterday to alleviate maybe some concern and not to speak for the Science Center, a lot of these questions are at the top of our minds as well and constant communication between the Region, the Science Center trying to figure out where to put sometimes limited resources and where can those be directed I think to best conserve and manage sardine as that's the goal here and sometimes those priorities will change depending on the size of the stock, what the stock is doing, but I think the agency would welcome a fuller conversation about what we view as our research and science priorities as well as what the Council may view as those priorities. If that helps answer the question or understood the intent of your question Dr. Braby.

Marc Gorelnik [00:05:43] Caren Braby.

Caren Braby [00:05:46] Maybe, thank you Mr. Chair, maybe a follow-up question. So, follow-up on research priorities. When would you see that happening?

Josh Lindsay [00:06:03] Through the Chair, Dr. Braby, in terms of when the agency might be able to provide what we view as research priorities? I think that'd be best answered by the Science Center. Dr. Yau did give a list of priorities, I believe, last June. Those weren't explicitly highlighted in our presentation yesterday, but as far as I understand those have not changed substantially but they would be the best people to speak to that but, or we can look back at that, that presentation that of course she gave in June.

Marc Gorelnik [00:06:46] Oh, so Kristen Koch. I don't know if we're putting you on the spot here or not but, but I guess we are.

Kristen Koch [00:07:05] Good morning members of the Council. Thank you for the discussion on the topic and I appreciate the Council wrestling with. I've been listening to the discussion between the different members and some of the questions that you're all wrestling with, as Josh indicated are questions that we are wrestling with as well at the Science Center and I think, as Josh indicated, we put forward some research priorities last June. This issue related to EMSY was on that list as a bit of a longer-term priority for us and that was as it stood last June. I think, you know, I recognize the interest that the Council has on the topic and as we have moved into the stock structure topic and moved through some of the activities that we had planned on there in terms of a workshop last fall and or earlier this year and are continuing as Dr. Yau indicated yesterday, a number of research projects on that topic. This particular one on EMSY, you know, I think deserves additional conversation and I don't know whether or not this is something we could come forward and talk to the Council in greater detail in June if that's a possibility or to look at the various different alternatives and options there for how we might get at this issue and on what kind of a timeframe. I think as usual, workload is top of mind for us as we talk about frequently in this Council and that's no... situation's no different for this topic but certainly willing to hear what the, where this ranks in the Council's mind in terms of priority and we can continue that conversation.

Marc Gorelnik [00:09:24] Thank you Kristen. Corey Niles.

Corey Niles [00:09:31] Thanks Mr. Chair. Thanks Kristen. Maybe not, well, a question for anyone from NMFS, but I think I'm of a similar mind Briana expressed and Caren where we are for this cycle and the team has come up with a good recommendation for us but, yes, looking ahead I guess just

summarizing what I've been, what I heard in questions and answers of the team and others was that we have in the EMSY that is everyone seems to say is not giving us the signal it's supposed to. We have a big issue with distribution and what catches should come off of our ACL so to speak, but it seems like the team was recommending we take this up sometime in 2024 and we're coming, the Science Center's going to be working on an assessment later this year at the end of the year which we will see in 2024 and they'll be taking up some of these issues as part of that assessment and when they have that and the SSC's reviewed it we may know more about what to do on next steps for workshops and giving more attention to these bigger questions. I also, I still have a question not to be answered today, but if the SSC is seeing something very wrong why can't they do something like Dr. Shester was saying of using the recent recruitment rather than just rely on this relationship, everyone it was wrong. But I think what I've been hearing is 2024 sometime after the assessment, and we can take these issues up under work, these longer-term issues up under workload planning or even maybe November. We have a methodology review shaded on there which could be expanded, but what I was hearing from in Q&A from Josh was, and the team was that we're talking, we probably can't do something this year but planning for something to happen in 2024 is what we should be looking at, and just wanted to summarize what I've heard and, yeah, asking NMFS to see if I'm hearing that correctly and we're talking about 2024 and planning for something then and most ideally, probably after the assessment given that it's the people involved with the assessment and just what we will learn from the assessment?

Marc Gorelnik [00:12:05] That was a question for anyone at NMFS so...

Kristen Koch [00:12:07] If you're looking at me, I think, yeah, I think that's a reasonable path forward. So, after the assessment which should happen earlier in 2024 taking this up, following that would, I think, be a reasonable timeline.

Marc Gorelnik [00:12:39] All right. Thank... I'm sorry.

Kristen Koch [00:12:42] No, just recognizing I have not had any conversations with my folks on this issue of looking at recruitment, some of the issues that were brought up earlier today as some kind of proxy so, you know, I just put that out there, but I think the timeline of identifying this as a research topic in that timeframe so sort of mid-2024 is, I think, what we're looking at, what we're talking about.

Marc Gorelnik [00:13:16] Thanks, and appreciating that you don't have, that you need conversations with your folks in order to manage that. Caren Braby.

Caren Braby [00:13:27] Thank you Mr. Chair. And I'm left a little bit confused. I'm clear on, you know, maybe tackling this in 2024 seems to be like a good option. What I am confused about is when we talk about what we do in 2024 and there is these, the pivot point is the 2024 assessment result and whether we can do some discussion before that or whether it's after that so is it June 2024 that we will then have the information in hand to then tackle the EMSY slash productivity indices issue? Or is there work that we can do this year and what I'm thinking is maybe a straw dog of what that timeline looks like in workload planning in June of this year, for example, like if the Science Center could spend some time thinking about, well, what would be possible pathways and then that could come back to the Council in June for discussion just as a workload issue. So, I'm confused, not sure whether other Council members are, but that's what I'm trying to get my head around.

Marc Gorelnik [00:14:55] I mean it may be unfair, but Kristen or Josh could you respond to that? I realize that maybe getting some information and bringing it back in June may be more helpful but what information can you provide for us now in terms of clarity and what you can do this year versus next year?

Kristen Koch [00:15:16] Yeah, and this is... so I had hoped to get a little bit more information this morning from my division on this and I don't have that so I'm a little bit hesitant to commit to what we can do this year, but I recognize the confusion that you have Dr. Braby on this and would like to have a little bit more clarity on what we might be able to do in 2023 to clarify the path for management in 2024 is what you're getting at and where, if we put the EMSY issue on the tail end of the stock assessment being completed, what does that mean for management in 2024?

Caren Braby [00:16:09] Thank you. And, no, that was not, thank you for clarifying that, that was not intended to change the management in 24 or 25 cycle but just what we would do about a workshop or how we would proceed with identifying future improvements in 2024 separate from the management decision that is happening. And if we don't need to do anything this year that's fine, I'm just thinking how are we teeing this up and what are we, how are we kind of building that path forward and I don't see it right now.

Marc Gorelnik [00:16:49] I want to get us back to our Council action that's on the screen there but if there's a further comment we can make here. Go ahead Phil.

Phil Anderson [00:17:01] Well I'm just looking that we have an NMFS report on CPS at the June meeting and maybe you could do some further thinking about this and come back with some additional thoughts that would help us identify a path forward on the EMSY issue.

Marc Gorelnik [00:17:25] Josh or Kristen does that seem like an appropriate goal here to come back with that NMFS report and provide the further detail we're seeking here?

Josh Lindsay [00:17:40] Thank you Mr. Chair. I think we could. I don't know if we would be able to provide, and again, this is probably a Science Center thing, much more detail than we'd be able to provide now, except that having heard this discussion we're aware that EMSY remains a high priority for the Council and that we can begin, and not to promise resources on the Science Center side, to be thinking more about that topic, highlighting the fact as I noted earlier, we have been thinking about that topic for some sort of future workshop. If the Council is looking for specific guidance on what a workshop would look like, I'd be hesitant to promise that for this coming June without an opportunity to have more of a brainstorming of what exactly we mean by that, that sort of workshop. We didn't really hear that from the SSC. I've heard different things about what that would look like compared to the one we did in 2014-15 and I think we've also heard stock structure and we've heard distribution and there's some other priorities in terms of continuing to look at the nearshore and revise the ATM that remain priorities on the Science Center side, so I think there could be benefit of having a fuller discussion of whether or not EMSY is the thing to move forward with first, not that it won't go forward but I think that'd probably color some of my comments about bringing something in June. Thank you.

Marc Gorelnik [00:19:16] Corey Niles.

Corey Niles [00:19:18] Thanks Mr. Chair. I will just quickly, the other idea I put out there and I'll ask Jessi to chime in here. I did have a conversation on just looking at the Year-at-a-Glance we're scheduled in November for a methodology review, which apparently, we have nothing currently queued up for that, but hearing what Josh is saying, yeah, I think the question is going to be what is not just EMSY, what else? But maybe we could take that time in November was the other alternative I put out there to have this type of discussion but that was the only point I was going to add.

Marc Gorelnik [00:19:51] All right, so we do have those future touchstones. Vice-Chair Hassemer.

Pete Hassemer [00:19:56] Thank you Chair Gorelnik. And I won't pose it as any question just my

observations. You know, it is frustrating I guess to hear that we're not sure about a workshop. This isn't the first time we heard about the need to look at the EMSY and today we heard from our SSC, the management team, the advisory subpanel and the public that you should go ahead and you need to do this workshop to sort that out and it seems to elevate to a pretty high priority. I appreciate the offer to come back in June and talk to us about how that might be. I guess I would just add on the dates there was a lot of 2024 was mentioned very generally that, well, we could do it sometime then, but if I heard things correctly during our reports there was a question I believe to the SSC and when's the right time to do this? And I believe the response was after the assessment was done. The advisory subpanel came back and said, 'well, you should do it before the next specification cycle begins'. So that to me that put a couple of bookends on, so when we talk about 2024 if you come back in June with something that when could this be wrapped up in more specificity on dates? And so, I'll end there and just express my, I guess, you know, frustration that it seems to be extremely important and a high priority and we're just talking about it generally. So, thank you.

Marc Gorelnik [00:21:44] All right thank you for that. At this point it seems like all our discussion has been on a potential workshop. We haven't had any discussion on the Council action before us. I'm going to assume from that that there isn't a need for any discussion until we have a motion, so if there's a motion here let's get it on the table and then we'll have discussion then. Briana Brady.

Briana Brady [00:22:08] Thanks Mr. Chair. Sandra, may I please have the motion posted? Thank you. I move that the Council adopt the OFL of 5,506 metric tons. A P Star buffer of .4. An ABC Tier 2 of 3,953 metric tons. An ACL of 3,953 metric tons and an ACT of 3,600 metric tons, with the following management measures of exempted fishing permit amounts for Agenda Item H.2, Attachment 1: 150 metric tons. Attachment 2: 520 metric tons. An incidental landing limit in CPS fisheries of 20 percent if landings in the live bait fishery attain 2,500 metric tons a per landing limit of one metric ton of Pacific sardine per trip will apply to the live bait fishery. If the ACT of 3,600 metric tons is attained, a per trip limit of one metric ton of Pacific sardine applies to all CPS fisheries and an incidental per landing allowance of two metric tons of Pacific sardine in non-CPS fisheries until the ACL is reached.

Marc Gorelnik [00:23:20] Okay, thank you. Is the language on the screen accurate and complete?

Briana Brady [00:23:22] Yes, it is. Thank you.

Marc Gorelnik [00:23:23] I'll look for a second? Seconded by Caren Braby. Please speak to your motion.

Briana Brady [00:23:32] Thanks Mr. Chair. As noted by the SSC last November, they intended to consider any new information provided at this meeting along with the results of the update assessment endorsed in 2022 for providing recommendations for 2023 management, and as such they recommended rolling over the 2022 2023 OFL given a lack of compelling evidence that an SP biomass has changed substantially between 2021 and 2022. The SSC also recommended a Category 2 Sigma to inform the ABC. And additionally, the directed fishery continues to remain closed to allow for rebuilding and the incidental take allowance in other CPS fisheries continues to be limited to 20 percent. In looking at the research set asides, I think that highlights that we will continue to work together to improve the science to more fully account for the stock in the nearshore. And having an ACT in place will allow for small amounts of catch in other CPS fisheries until the ACL is reached. Thanks.

Marc Gorelnik [00:24:37] Thank you. Questions for the maker of the motion? Discussion on the motion? Brad Pettinger, our Vice-Chair.

Brad Pettinger [00:24:51] Yeah, thank you Chair Gorelnik and I'd just like to just address the

exempting fishing permit amounts and how I do agree with the amount you have before us and there was some consternation about those amounts yesterday in public comment but I think it was also pointed out that there's 920 tons available last year and they only used 327 ton and I expect that to, that will happen again this year is basically the EFP folks will use what they need and so I'm perfectly confident in what we have before us and thank you for the motion.

Marc Gorelnik [00:25:24] All right, thank you very much. Corey Niles.

Corey Niles [00:25:29] Thanks Mr. Chair. Just briefly, well, I think the other, and what Brad's... and thank you for the motion, Briana. Supportive. I think so where our interest was, was in figuring out a lot of these issues about EMSY and distribution. The other thing... on top of the worry is a lot of this we heard from, as the MT say, we don't know exactly how much but a lot of the catch is, looks like it could have been coming from a different stock that's not even in the FMP so that's a big source of confusion. And while, yeah, the EFP catches were in the... the catches we are seeing are of... looks like of the southern substock but, yeah, a lot of issues to work out and appreciate our discussion earlier about finding a timeline to do that in a rational manner.

Marc Gorelnik [00:26:21] Further discussion on the motion? All right not seeing any hands we'll call the question. All those in favor say 'aye'.

Council [00:26:30] Aye.

Marc Gorelnik [00:26:30] Opposed, no? Abstentions? The motion passes unanimously. Thank you for the motion, Briana. So, let me look around the table and see if there's further discussion under this agenda item? And I'm not seeing any hands. I think we... well now, I'll turn to Jessi and find out if we truly have done our business here.

Jessi Doerpinghaus [00:27:01] Thank you Mr. Chair. Yes, you did complete your action for today. You adopted harvest specifications and management measures for the 23-24 Pacific sardine fishery so we will work on getting this transmitted to NMFS for the start of the fishery on July 1. You also had a discussion about future priorities for sardine and, you know, interested in hearing some updates from the Southwest Fishery Science Center at a future meeting or in having another discussion at this so...

Marc Gorelnik [00:27:32] All right. Well great job. We're going to take a break here.

5. Coastal Pelagic Species Essential Fish Habitat Amendment

Brad Pettinger [00:00:00] All right. That takes care of public comment, takes us to Council action which is before us. Kerry.

Kerry Griffin [00:00:15] Yeah, thank you. I guess that was my cue. Yeah, as I summarized before, your main task that is required of this meeting is to adopt a range of alternatives, so this would be the opportunity to either add something into the range, remove something from the range, but at the end of today adopt the range of alternatives within which any specific alternatives will fall, and then the team will come back in June for final action. So, this is also your opportunity to consider what you heard in the AB reports and public comment and in the presentation and think about any guidance you might want to give regarding, you know next steps. There's a lot of, there's a couple of sort of high level topics, obviously like with HAPCs, but there's also you heard a lot of other I think sort of less magnitude but also important items that were, you know, either captured in the AB reports or, you know, in other like in my presentation. So that could I think fall under Council guidance for, you know, next steps. But really that's your... oh and then of course if you wanted to select preliminary preferred alternatives for either Alternative 1 or 2, you could do that as well. So, I think that summarizes the overall action, yeah.

Brad Pettinger [00:01:59] Okay. Well thank you for that and so with that I will open the Council floor for discussion. Briana.

Briana Brady [00:02:08] Thanks Mr. Vice-Chair. I just wanted to start off the discussion by expressing my gratitude to Council staff and the EFH team, Dr. Emmanis Dorval, and Eric Chavez, and Kym Jacobson, and also for their work in updating and providing recommendations for CPS EFH and for drafting the alternative documents. And I'd like to say thank you to our advisory bodies and the public for the additional input on the alternatives document. Thanks.

Brad Pettinger [00:02:43] Thank you Briana. Anyone else? Caren Braby.

Caren Braby [00:02:48] Briana beat me to it. That is exactly what I wanted to say, and I think probably, we probably will speak for everybody on the Council. This is a great improvement on the tools we had before and it's obvious that a lot of work went into it, and I also appreciate that. I think that the work on EFH in particular just feels like a really good description of the science and my personal understanding of the resource, and I have a lot of comfort in a potential vote that I might make in a few minutes on putting that forward as Essential Fish Habitat for these species in a range of alternatives and so I really feel good about that step. I do just want to acknowledge the discussion on HAPCs. There's been a lot of discussion and a lot of questions back and forth with some of our advisory body representatives presenting reports today and to our Council staff, Kerry, on this topic and in public comment and I feel a certain pause in identifying the appropriate next step given our understanding of the resource of squid in particular proposed as being subject to a HAPC designation, in that we know more about squid than is represented in the alternative and really still are fairly limited in knowing what areas are most important to that species, and so I'm looking forward to Council discussion on that topic in particular and really kind of giving us a compelling reason to include or disinclude HAPCs in the range of alternatives or a preliminary preferred alternative at this meeting.

Brad Pettinger [00:05:08] Thanks Caren. Anyone else? Bob Dooley.

Bob Dooley [00:05:17] Thank you Mr. Vice-Chair. I echo what Caren and Briana said about the work for EFH. I think it's well... explained well and a lot of good advice on that. I also question the designation of HAPCs for squid. I mean I see the areas that are being designated as being really where

the fisheries are and the major part of the fisheries. I'm, I live just outside of that zone and a lot of squid was caught over the years in that area right in front of my house, and I know you folks who were at the house the other night you could hear the winches running and everything right out the front and that's rocky substrate that they were fishing on, so it isn't just that. I think squid are pretty opportunistic, they go where they, wherever the conditions are right. I'm really concerned about, you know, taking areas that we have a lot of data on and actually singling them out. It's kind of the rarity of the habitat type to me doesn't pass that test. It's not rare, it's they are opportune. And another thing that was brought up there was the fact that squid occur in a lot of places but they're not close to markets and they're, you know, they're pretty volatile. You can't carry those for a day and a half on the boat, so they're limited by that as well. So, I don't know that designating HAPC is really the right way to go. I think it's covered by the EFH. I think a lot of the definitions are there. I also, I'm also concerned just because of my personal experience with HAPCs. When I was fishing in the Bering Sea pollock fishing designated HAPCs that protected skates, and, you know, it was the same thing, 'oh, it's just a HAPC it's not going to bother you'. Well, the next thing you know it's a no-trawl zone and I worry about the value of those fisheries to those communities that they're based around and how what could happen. Now I do, I'm very sensitive to the other uses of the ocean, but I'm pretty confident, at least in Monterey, and that there are a lot of protections offered just by the sanctuaries and other things that have been, other areas that have been designated so that's my prime concern. If it was, if we had enough data to call the whole coast HAPC, well then, we might be thinking about it but then once again, just as Mark Fina pointed out, and if it's all critical habitat and the EFH then it doesn't matter where you do it because it's all there. And so that point was driven home to me on the granularity of the marine planning stuff for aquaculture when we had presentations by James Morris, and his concern was the granularity of the data and that if all the areas are important then none of them were important, so I think of that too. So, I would, I'm really hesitant to adopt Alternative 2 at this time, really hesitant and I think Alternative 1 really covers it so I'll stop there. Thank you.

Brad Pettinger [00:08:59] Thank you Bob. Anyone else? Corey Ridings.

Corey Ridings [00:09:04] Thank you Mr. Vice-Chair. I, like everyone else, and thanks for all the work that went into this. I'm thinking here a little bit about the market squid HAPC. This is tough, I mean the question about what would be broad enough? And I agree with the comments about we need to think very critically about what a HAPC is, because as Mr. Fina pointed out it will lose its meaning if it's applied too broadly. That's what it's supposed to be, and I think that's what it should be. You know I was thinking on this and this was where I was trying to go with my question on methodology to get a better understanding of kind of... how wide of a... how wide of a net did the science and the folks actually look at this to get a sense of that? I think questions like this are hard because, you know, we won't know the whole EEZ probably ever. You know that's an impossibly high standard. We want to but we can't so where you draw the line about having done enough science to make a determination, perfect science, best science available, all those lines and I think, ultimately, it's a hard question of translating the science into policy and this is a great case of that. I... in reflecting deeply on the fact that the Habitat Committee and our NMFS Coordinator saying that this does meet their standard, that to me is a high bar. They're providing compelling evidence so I'm just putting that out there as some thoughts I'm having right now. I think I'll pause there. Thanks.

Brad Pettinger [00:10:50] Thanks Corey. Corey Niles.

Corey Niles [00:10:55] Thanks Mr. Vice-Chair. Yeah, echoing all the thanks. This is, and focusing on one issue does not mean I'm not recognizing all that, all the value and the other issues that Kerry is pointing us towards. But I would in response, I don't have an answer but when I hear Bob speak about how that area is important for fishing, I kind of think of the analogy of offshore wind and what areas would you want protected? Would you want that area protected from offshore wind? I would say you're

going to say yes, then why wouldn't you want projects to consider the impact on the habitat of that species in that same area? And then I hear this, yes, we want them to be of particular concern but just because people fish everywhere doesn't mean it's not important to fishing and we don't want BOEM, for example, to consider what the impact is going to be when it puts, considering what it's doing now and putting offshore wind. So, this idea that it's, yeah, we have a situation where it's EFH is everywhere. We just... and there is going to be... I don't understand the EFH consultation, the consultation process well enough but, yeah, as I think Corey said, the Corey Ridings said the other piece of our EFH Coordinator is thinking that this meets the criteria and that it could be useful and I'm having trouble disagreeing. At the same time, I don't know that we're going to make much progress between now and final action on having more information. But, yeah, I think that we had kelp I think in groundfish and this was before my time, but I think 1990, no that sounds too early 1990. 2006 probably was when they designated, you know, kelp and all those in rocky reefs and all the other and we, I think they are all important. It's... we don't want a project, yeah, we want them to consider their impacts on those habitats, whether there's still plenty of kelp elsewhere in the coast, you still want them to consult and figure out what the impacts could be and if it could be mitigated so those are some thoughts, some thoughts in my head and probably my own needing to learn more about how EFH works. Yeah, really appreciate the way that the advisory subpanel, the Habitat Committee, and the management team all framed the issue for us to think about and the public as well.

Brad Pettinger [00:13:20] Thanks Corey. All right, anybody else? Motion? Maybe? Briana.

Briana Brady [00:13:37] Thanks Mr. Vice-Chair. I just wanted to address the offshore wind question. I believe if we're looking at spawning habitat specifically that that's considered nearshore. You think if we were to broaden it to the points that Mark Fina brought up regarding the other life cycle parts, juvenile stages that would be more offshore but that's not considered the purpose of the potential or proposed HAPC at this point.

Brad Pettinger [00:14:19] Corey.

Corey Niles [00:14:24] Maybe....yeah, maybe the analogy was not clear but I do, and this would not be where BOEM would be citing, but it was an analogy. If the same thing were happening in federal waters why wouldn't BOEM, we would want BOEM to pay attention to a HAPC, and we want them to pay attention to EFH, and we want them to pay attention to fishing areas of particular concern, and just we want to know what the impacts are going to be so, yeah, I didn't mean to be too specific of that analogy, but generally speaking that's the thought, and all of you who think about salmon much more than I do, think of all of the Essential Fish Habitat designated in the freshwater and what if it were more effective at protecting all the things that are affecting the salmon runs, runoff, et cetera, et cetera?

Brad Pettinger [00:15:13] Okay. Anyone else? I'm still looking for a motion if someone's so inclined or we could take a break. Put one together? Caren Braby.

Caren Braby [00:15:46] I feel like I do not have one prepared and I feel like this one could go sideways if it's not prepared already and so I would request, I'd be happy to offer one, but I'd like a few minutes to compose it.

Brad Pettinger [00:16:01] Okay. So how many minutes would you be comfortable with?

Caren Braby [00:16:06] About ten.

Brad Pettinger [00:16:06] Ten. Okay. All right let's take 10 minutes and be back here at 3:35, six, 3:35, oh... (laughter)... yeah, that might've been better, sorry. Yes 3:35, 3:36 since I've wasted a minute.

Merrick Burden [00:16:36] 2:45.

Brad Pettinger [00:16:36] 2:45.....(COUNCIL BREAK).....Okay, we're back in session and so with that I think that, I think we have a motion prepared and I'll look to Caren Braby for that motion.

Caren Braby [00:17:11] Thank you Mr. Vice-Chair. And, Sandra, I think you have it. It took a little walk around the Council room but it is here. I move that the Council adopt Alternative 1 with the Salish Sea Extension, as recommended by the Habitat Committee and CPS Management Team as the range of alternatives and 1b as the preliminary preferred alternative under Agenda Item H.5.

Brad Pettinger [00:17:43] Okay. Is the language on the screen accurate?

Caren Braby [00:17:47] Yes.

Brad Pettinger [00:17:48] Very good. We're looking for second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion Caren.

Caren Braby [00:17:58] So in Council discussion I started by saying we have really great information and improvements on EFH delineation and description in the documents that have been presented to the Council today and I very much appreciate the work that's gone into those and the thought, and for the EFH descriptions I think there is clear consensus in support of those being adopted and moved forward, and that includes adopting the Appendix under Alternative 1b with all of the improvements, and there have been multiple, but I specifically wanted to call out the Salish Sea Extension as part of the input we've heard today. In contrast, I think I want to start by saying that the Council and our advisory bodies and the public recognize and value market squid as an ecosystem and harvest species. It is a very important component of the California Current System. However, we've heard very good rationale for being careful with the designation of habitat of particular concern, Habitat Area of Particular Concern, and specifically for market squid spawning areas we have evidence of spawning in a much broader range of areas across the full spectrum of our California Current System than is represented by the current HAPC designation alternative, which is not included in my motion and is designated as 2b. I think the calling everything special, calling everything important and critical devalues the areas that are, and I think that we have some information in hand that could improve future designation potentially of HAPC for market squid, but I don't feel that that is ready for decision making today and I think the risk is that we devalue areas unknowingly that are more important for the species than are currently represented. And for those reasons and also for the reason that the EFH designation covers the same habitat down to 93 meters of depth, that is the HAPC designation. I feel that area is covered by the EFH designation and that the coastwide representation of that spawning habitat is more accurate than is the HAPC designation. I think I'm going to leave it at that.

Brad Pettinger [00:21:26] Okay, very good. I'll open the floor for questions or discussion on the motion? Briana.

Briana Brady [00:21:38] Thank you Mr. Vice-Chair. I just wanted to say thank you to Caren for the motion and that I will be supporting it.

Brad Pettinger [00:21:46] Thank you Briana. Bob Dooley.

Bob Dooley [00:21:50] Thank you Mr. Vice-Chair. And Caren, I too, thank you for the motion. It's very well crafted. Thank you. I agree with your description of the Alternative 2. I think it's, you know, if everything's, if everything is HAPC I think then nothing's HAPC. I also think that the part that really pushes me to think that we should not be going on Alternative 2 is it's by description of what we've

heard it's not rare habitat. It is all, the whole coast is habitat, and areas even not included in the 92 meters is habitat to some degree, so I don't think it's the right thing to call it something special even though our advisory panels have, or a couple of them have said that. I don't think that that is what we should be doing and I really... my take home on this is really contained in the management team report in the last bullet point, squid are dynamic in nature will go anywhere, go where habitat is ideal, moving and adapting with changing temperature conditions. Much of the available data on squid spawning grounds are obtained from areas where significant fishing activity occurs, representing only grounds accessible to and favored by fishing boats. As such, other spawning grounds may exist, we know they do, and designating discrete spatial areas as HAPCs for squid may not be warranted. And that really pushes me to think that we're premature on this. Maybe at some time in the future we might change our mind, but right now I don't think it's critical because I think it is covered by the fact that it's an EFH. And so I agree with you and I will be supporting your motion and thank you very much.

Brad Pettinger [00:23:47] Thank you Bob. Anyone else? Corey Ridings.

Corey Ridings [00:23:52] Thank you Mr. Vice-Chair. Thank you, Caren, for the motion. I will be supporting this motion but I did want to speak a little bit to what you spoke to, which is that I do have some significant heartburn at this point when we are at the range of alternatives of taking away the second part around the market squid HAPCs. Looking at what we heard across reports, especially in the Habitat Committee report as well we heard from the NMFS Coordinator today, I think there was some good science presented. I think they made a strong case. I 100 percent understand the argument here and the logic that folks are talking to, I just do not feel at this point I'm not super-psyched on not continuing to see what could be brought forth in the coming months and have a wider ranging conversation at that point about what's in front of us and what the science is really telling us. So, thank you for pulling this together. Again, I appreciate the staff time that went into this and all the advisory bodies and management teams who took the time to look into this. I just wanted to note that and I hope at some point there can be a discussion about how we can take the suggestions that were made to us in the various reports about what needs to be done, how we could expand that scope and come back to look at this, because I do continue to think... I think HAPCs are important when they are done well. I've seen them be effective for this Council on this coast and I continue to have concerns about ocean uses that are not fishing and thinking about what that might be. And I think I'll stop there. Thanks.

Brad Pettinger [00:25:49] Thank you Corey. Okay. Corey Niles.

Corey Niles [00:25:57] Yeah, thanks Mr. Vice-Chair. If this were, if we were talking about areas off Washington, I think I would be singing a much different tune about that they should remain in the range of alternatives at this time based on a lot of what Corey just said. We've got a team of scientists put this together for us. We have the Habitat Committee who is our experts on how EFH works, and they as a consensus position are recommending that this would be useful to keep in the range of alternatives right now. Who am I to disagree with that point? At this point in time, I would say I'm not. So I'm, I would, if this were again areas off Washington and the evidence suggested that they were important and they were the people reading that evidence were saying they were of particular importance, I wouldn't, I don't think I would let the fact that the other areas on the coast had not been looked at yet get in the way of taking advantage of what EFH can do. And again, the Habitat Committee is the one that leads us on the benefits of what EFH can do. So given that these are not areas off of Washington I will, you know, support this motion and defer to, to the states with the, where these areas are, but, yeah, I'm a little bit, on the rationale's given, and again maybe I'm conflating a HAPCs with EFH which is essential and it is everywhere and it has, it is getting diluted in its importance but the important thing is the goal of EFH in making sure that when they're consulting on other uses of the ocean and in habitats that affect salmon et cetera that they are looking at the impacts to those habitats and the effects on the species. So, while supporting this, I guess not supporting the rationale or the precedent it would set again if these were

areas off the state I'm here representing.

Brad Pettinger [00:28:15] Thank you Corey. Phil Anderson.

Phil Anderson [00:28:19] I have very similar thoughts as Corey just expressed. I couldn't quite figure out how to put them into words so he did a great job of doing that, more articulate than I could have been. It's... there's a... I share the perspective that setting aside Habitat Areas of Particular Concern is a relatively high bar, but given the input that we've had from our experts and our scientists on the subject matter it seems to me premature to take these off, to take that that is out of their range of alternatives. I would equally not support having them identified as a preliminary preferred alternative either, but to take them out at this juncture I'm not comfortable with. I have a kind of the same perspective as Corey, if these areas were off of Washington and we were in this process I would be voting against this motion for that reason, for those reasons, but given that they're not I will listen to the wishes of the folks that are representing the states off of which these are located. Thanks.

Brad Pettinger [00:29:45] Thank you Phil. Virgil Moore.

Virgil Moore [00:29:50] My comment is more a question. I don't think I can add much. In terms of the mixed input we got from our advisory groups and technical and other advisory groups, we had one recommendation for including 2a in the range of alternatives. It takes no action, but does it not recognize this as an issue? And so, I'm asking the question, and maybe, Caren, it is to you because you made the motion and I'm certainly not suggesting any changes. I'm just asking the question in terms of that diversity of input we had, recognizing that this is something those folks have said, yeah, but we're not sure because of all of those different things that are out there. What is the effect of including 2a in our action versus not including it? And I guess that's my question. Thank you.

Brad Pettinger [00:31:00] Caren.

Caren Braby [00:31:05] Thank you for that question. I don't feel that I have the expertise to answer that. That specific option was not part of my thinking. The specific thinking in the motion that I made was to not include further discussion prior to the June Council meeting, where an FPA will be selected on the HAPC 2b Alternative.

Brad Pettinger [00:31:44] Thank you Caren. Anyone else? All right looks like the end of discussion. With that I'll call for the question. All those in favor signify by saying 'aye'.

Council [00:32:00] Aye.

Brad Pettinger [00:32:00] Opposed, no? Abstentions? Okay motion passes unanimously. Thank you. Kerry.

Kerry Griffin [00:32:16] Thank you Mr. Vice-Chair. As I said at the outset, your primary task at this meeting was to adopt a range of alternatives and if you so wished you could adopt a preliminary preferred alternative or suggest some modifications. So, you have adopted a range of alternatives that includes Alternative 1. Does not include Alternative 2 and it selects the Alternative 1b as the preliminary preferred, which is to update the Appendix and all those component parts. And then you specifically included the inclusion of the Salish Sea as EFH for squid and for the krill species per the recommendations you heard in the advisory body reports. So, with that you completed your primary task.

Brad Pettinger [00:33:14] Okay, well thank you and great work everyone. A lot of good information

there and okay so that takes care of H.5.