

DRAFT COUNCIL MEETING RECORD
273rd Session of the
Pacific Fishery Management Council
September 7-14, 2023
Doubletree Spokane
322 N Spokane Falls Court, Spokane, WA 99201

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INTRODUCTION

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

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

MEETING SUMMARY

A. Call to Order

1. Opening Remarks – Brad Pettinger, Chair

Mr. Brad Pettinger, Council Chair, called the 273rd meeting of the Pacific Fishery Management Council (Council) to order at 9:15 a.m. on September 9, 2023. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Merrick Burden

Council Members present during the meeting week:

National Marine Fisheries Service:	Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Keeley Kent, designee Ms. Maggie Sommer, designee Mr. Josh Lindsay, designee
Alaska State Official:	Ms. Dani Evenson, nonvoting designee
Washington State Official:	Mr. Kyle Adicks, designee Ms. Heather Hall, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Butch Smith
Oregon State Official:	Mr. Mike Harrington, designee Mr. John North, designee Ms. Lynn Mattes, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Mr. John Ugoretz, designee Ms. Caroline McKnight, designee
California Obligatory:	Ms. Corey Ridings
Idaho State Official:	Mr. Virgil Moore, designee Ms. Sharon Keifer, designee
Idaho Obligatory:	Mr. Pete Hassemer, Vice-Chair
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson Mr. Robert Dooley Mr. Brad Pettinger, Vice-Chair Mr. Marc Gorelnik, Chair
Pacific States Marine Fisheries Commission:	Mr. Chris Oliver, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Brett Ettinger, nonvoting designee LT Karrie Jeffries, nonvoting designee Mr. Chris German, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Mike Clark, nonvoting designee Dr. Kyle Hanson, nonvoting designee

Absent from the Meeting:

U.S. State Department: Mr. David Hogan, nonvoting designee

3. Agenda – Brad Pettinger

a. Council Action: Approve Agenda

Motion 1: Adopt [Agenda Item A.3, September 7-14, 2023 Council Meeting Agenda](#).

Marc Gorelnik/Bob Dooley (Motion 1 carried unanimously)

4. Executive Director’s Report – Merrick Burden

B. Open Comment Period

1. Comments on Non-Agenda Items – Merrick Burden

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Discussion and Comment, as Appropriate

C. Salmon Management

1. National Marine Fisheries Service Report – Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Council Discussion and Comment, as Appropriate

Staff Summary: None

2. Methodology Review - Final Topic Selection – Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Identify Topics Ready for Review in 2023

Staff Summary: The Council identified three topics for discussion at the 2023 salmon methodology review (online) meeting scheduled for October 11-12, 2023. The topics for review are:

1. Consider technical modifications to the Sacramento River winter Chinook abundance forecast by examining whether an egg-to-fry covariate can improve forecast performance.
2. Review and consider improvements to methods used to model south of Falcon fisheries in Chinook Fishery Regulation Assessment Model.

3. Explore alternative forecast approaches for the Oregon Production Index Hatchery coho forecast.

In addition, progress on documentation of the Fishery Regulation Assessment Model will also be discussed.

3. Fishery Management Plan (FMP) Amendment 24: Southern Resident Killer Whale Chinook Threshold Clarifications – Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Revised FMP Language for Public Review

Motion 2: Council adopt for public review the draft language for Amendment 24 to the Pacific Coast Salmon Management Plan as presented in agenda item [C.3, Attachment 1](#), with the following modifications:

- In the first sentence of the third paragraph, replace “and Shelton et al.” with “and a spatial distribution model whose initial development is described in Shelton et al. (2019)”
- In the second sentence of the third paragraph, delete the word “model” from “FRAM model”

Kyle Adicks/Phil Anderson (Motion 2 carried unanimously)

Staff Summary: The Council adopted for public review draft administrative edits to the Pacific Salmon Fishery Management Plan (FMP) under Amendment 24. The edits (see [Attachment 1](#)) are intended to clarify and provide more detail in the process for updating the Chinook abundance threshold. No change in methods or analysis are proposed. Edits proposed in the Salmon Technical Team [report](#) and the Scientific and Statistical Committee [report](#) were also generally accepted. Changes to Attachment 1 adopted by the Council include:

1. In the first sentence of the third paragraph, replace “and Shelton et al.” with “and a spatial distribution model whose initial development is described in Shelton et al. (2019)”. The document will also be cited in the FMP’s reference section.
2. In the second sentence of the third paragraph, delete the word “model” from “FRAM model”.

The Council is scheduled to consider final edits for adoption at their November 2023 Council meeting.

D. Pacific Halibut Management

1. Preliminary Catch Sharing Plan and Regulations for Implementation in 2024 or Later – Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Preliminary Catch Sharing Plan and Regulation Changes for Public Review for Implementation in 2024 or Later, as Needed

Motion 3: Council forward for public review the proposed change to the Catch Sharing Plan for the Oregon recreational fishery as shown in [Agenda Item D.1.a, Supplemental ODFW Report 2](#).

Lynn Mattes/Christa Svensson (Motion 3 carried unanimously)

Motion 4: Council adopt the proposed season structure alternatives and changes to the Catch Sharing Plan for 2024 as described in [Agenda Item D.1.a, Supplemental WDFW Report 2](#) for public review.

Heather Hall/Lynn Mattes (Motion 4 carried unanimously)

Motion 5: Council adopt for public review the California Subarea Management options described in [Supplemental CDFW Report 1](#) to:

- Add a provision to the CSP to authorize use of the RCAs lines, as defined in Federal Regulations (50 CFR Part 660), in the recreational Pacific halibut fishery off California to limit catch of groundfish species of concern (including but not limited to quillback rockfish), either through pre-season or inseason implementation by NMFS.
- Implement a new recreational management line at Pt. Arena to form two California subareas north and south of Pt. Arena (38° 57.5' N. lat.). The California recreational allocation would be shared between the two areas with the area south of Pt. Arena receiving a set amount (up to 1,000 net pounds per year) to accommodate de-minimis incidental catch in that area.

Marci Yaremko/Marc Gorelnik (Motion 5 carried unanimously)

Motion 6: Council consider the status quo directed halibut fishery structure for 2024, that is the 2024 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday of that week. Include the following in the range of alternatives for public review two options for announcing three-day openings:

- Status Quo: Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.
- Option 1: Three-day openings would occur every other week, Tuesday through Thursday, for the first two openers with subsequent openings separated by four weeks. Notice the dates of the first three openers prior to the start of the season.

Heather Hall/Lynn Mattes (Motion 6 carried unanimously)

Motion 7: Council adopt for public review the proposed management objectives for the Catch Sharing Plan as described in [Agenda Item D.1, Attachment 3](#) with the revision to Section 1, Incidental Halibut Catch in the Salmon Troll Fishery, as written below:

1. INCIDENTAL HALIBUT CATCH IN THE SALMON TROLL FISHERY

(Section 5.7.2 of the current CSP)

The primary management objective for this fishery is to harvest the subquota as an incidental catch during the April-June salmon troll fishery. The secondary management objective is to harvest the remaining troll quota as incidental catch during the remainder of the salmon troll fishery. These management objectives will be achieved through landing restrictions (see section 5.7.4).

- The landing restrictions are meant to assure that the incidental harvest rate is appropriate for salmon and halibut availability, does not encourage target fishing on halibut, ensure an equitable sharing of the halibut landings among the fishers, and does not increase the likelihood of exceeding the quota for this fishery.

Phil Anderson/Butch Smith (Motion 7 carried unanimously)

Motion 8: Council adopt the proposed regulatory changes as described in [Agenda Item D.1, Attachment 6](#) for public review.

Heather Hall/Lynn Mattes (Motion 8 carried unanimously)

Motion 9: Council adopt for public review the following inseason management process for potential inseason recreational halibut quota transfer between states:

Similar to the flexibility provided in the non-treaty whiting fishery, create a process that sets up as an automatic action in which one state could notify the National Marine Fisheries Service (NMFS) at the earliest time possible, taking into account state management objectives, an amount of their recreational halibut allocation that could be made available to another state. Up to that amount could be transferred to another state for their use through the remainder of the calendar year.

NMFS would notify the other two states and determine through those discussions how to reapportion the unutilized pounds. The regulations also include a trigger date of August 15, where if a notification had not occurred by that time, Council staff would facilitate a discussion between NMFS and the three states to receive updates on catches and other inseason matters as needed.

Phil Anderson/Heather Hall (Motion 9 carried unanimously)

Motion 10: Council adopt for public review the inseason flexibility options as described in [Agenda Item D.1, Attachment 4](#) with the following modifications:

- Add August 1 and July 15 for consideration as trigger dates as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#) and [Agenda Item D.1.a, Supplemental GAP Report 1](#).
- Add the inseason flexibility process as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#), where following a trigger date, as described above, all recreational fisheries would be open seven days per week and fish against a combined recreational quota for all three states.
- Include an alternative for a one fish bag limit for all recreational fisheries in Area 2A through inseason trigger date (using the trigger dates described above), after which the bag limit could be increased to two fish coastwide, as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#) and mentioned in [Agenda Item D.1.a, Supplemental GAP Report 1](#).

Marci Yaremko/Corey Ridings (Motion 10 failed - Mr. Smith, Mr. Anderson, Mr. Moore, Mr. Oatman, Ms. Hall, Ms. Svensson, and Mr. Pettinger voted no)

Motion 11: Council adopt for public review the allocation modification options as described in [Agenda Item D.1, Attachment 5](#), as modified by the GAP in [Agenda Item D.1, Supplemental GAP Report 1](#) and slide 16 of [Agenda Item D.1, Supplemental Presentation](#), to omit method 2 and convert the Option 3 allocation to non-tribal equivalents while omitting Option 4. Also omit the FCEY triggers attached to these allocation alternatives.

Marci Yaremko/Bob Dooley (Motion 11 carried unanimously)

Motion 12: Council adopt for public review the inseason flexibility options as described in [Agenda Item D.1, Attachment 4](#) for public review.

Heather Hall/Phil Anderson (Motion 12 carried unanimously)

Staff Summary: At its September 2023 meeting, the Council continued their discussion from the June 2023 scoping exercise on potential changes to the Pacific Halibut Catch Sharing Plan (CSP). Four scoping topics were discussed along with the more traditional items on changes for 2024 sport season structures and the 2024 non-tribal commercial directed fishery season structure. The Council received reports from various advisory bodies and received numerous public comments. The Council adopted for public review proposed changes to the CSP and will take final action at its November 2023 meeting on topics ready for implementation in 2024 and identify any items that need more work to fully address any remaining issues and identify a timeframe to complete the work.

A) Four scoping items were discussed and the resulting Council action is provided below.

1. Management Objectives ([Attachment 3](#)). The purpose of the topic is to improve, update, or clarify the management objectives described in the CSP for each sector or subarea with a specific allocation. The Council adopted for public review all the edits provided in Attachment 3 with one modification in Section 1 that affects the first paragraph. The revised language adopted for public review now reads:

“The primary management objective for this fishery is to harvest the subquota as an incidental catch during the April-June salmon troll fishery. The secondary management objective is to harvest the remaining troll quota as incidental catch during the remainder of the salmon troll fishery. These management objectives will be achieved through landing restrictions (see section 5.7.4).”

2. Inseason Flexibility Provisions ([Attachment 4](#)). The purpose of the topic is to investigate ways to fully utilize the non-tribal portion of the overall Area 2A allocation. Ideas to expand inseason flexibility in the CSP focused on the transfer of projected unused quota between all Area 2A non-tribal recreational and commercial sectors as needed. Options included using a ‘trigger’ date to initiate an inseason process to transfer projected unused quota.

The Council adopted for public review all the edits provided in Attachment 4, along with a proposal for Area 2A sport fisheries to develop a process similar to what is used in the

non-treaty whiting fishery to transfer any projected unused sport quota inseason to another sport quota as needed. Such a process could require a state with a projected balance to notify National Marine Fisheries Service (NMFS) of the remaining balance, and NMFS would then discuss with the other fishery managers how to best reapportion the unutilized quota. This scenario would include an August 15 ‘trigger date’ where if no notification has occurred Council staff would facilitate a discussion between all the parties to receive catch updates and other inseason matters as needed.

3. Area 2A Sport Allocations ([Attachment 5](#)). The purpose of the topic is to consider options to adjust the current allocation structure for Area 2A sport sectors off the coasts of Washington (WA), Oregon (OR), and California (CA). Four options were provided in Attachment 5 for Council consideration. The Council adopted modified options after hearing input from the Groundfish Advisory Panel (GAP) [report](#) and Slide 16 in the Council staff [Presentation](#) and public comment.

All options are based on the annual [Area 2A non-tribal allocation](#) and would not be limited by the Area 2A fishery constant exploitable yield (FCEY). The options adopted for public review are described below.

Option 1: Move 2 percent of the OR sport allocation and 1 percent of the WA sport allocation to the CA sport allocation.

Option 2: Move 1 percent of the OR sport allocation and 0.5 percent of the WA sport allocation to the CA sport allocation.

Option 3: Move 0.6 percent of the OR sport allocation and 0.4 percent of the WA sport allocation to the CA sport allocation.

4. Regulatory changes ([Attachment 6](#)). The Council adopted for public review the three regulatory changes proposed (Vessel Monitoring System, fish ticket data, and sea bird avoidance gear) after hearing input from the GAP and the Enforcement Consultants [report](#).

B) Non-tribal commercial directed halibut fishery. The Council adopted for public review options for the 2024 season structure after receiving input from the GAP [report](#) and Council discussion. The Council preferred a status quo season structure with options for how subsequent openers are handled. The following describes options adopted for public review.

The 2024 season will consist of a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday of that week.

Status quo: Additional three-day openings would occur every other week, Tuesday through Thursday until the directed fishery allocation is obtained.

Option 1: The second three-day openings would occur on Tuesday through Thursday, two weeks after the first opener. Subsequent 3-day openings would be separated by four weeks, until the

directed fishery allocation is obtained. Notice of the dates for the first three openers would be announced in the Federal Register prior to the start of the season.

C) Area 2A non-tribal sport fisheries. The Council adopted for public review a series of proposed management changes for the 2024 halibut sport fisheries along the west coast. The following describes the proposed changes in reports from the WA, OR and CA departments of fish and wildlife (WDFW, ODFW, CDFW).

1. **Washington subareas ([WDFW Report 2](#))** –

a. Puget Sound

Status Quo: Open April 4 through May 20 five days per week, Thursday through Monday. Memorial Day open Friday, May 24 through Sunday May 26. Open, May 30 through June 30, seven days per week. If quota remains, open up to seven days per week in August and September.

Option 1: Open April 4 seven days per week through June 30. If quota remains, open up to seven days per week in August and September.

Option 2: Open MAs 6-10 (eastern Puget Sound) in February or March, seven days per week through June 30 and open MA 5 (western Puget Sound), April 1 seven days per week through June 30. If quota remains, open up to seven days per week in August and September.

Option 3: If 2024 2A FCEY is below 1.3 million pounds, open April 4 five days per week through June 30. If quota remains, open up to seven days per week in August and September.

b. North Coast

Status Quo: Open May 2 through May 18, two days per week, Thursday and Saturday. Memorial Day weekend, open Friday and Sunday, May 24 and 26. May 30 through June 29, open two days per week, Thursday, and Saturday. If quota remains, open up to seven days per week in August and September.

Option 1: Open May 2 through May 20, five days per week, Thursday through Monday. Memorial Day weekend, open Friday and Sunday, May 24 and 26. May 30 through June 29, open five days per week, Thursday through Monday. If quota remains, open up to seven days per week in August and September.

Option 2: If 2024 2A FCEY is below 1.3 million pounds, open May 2 through May 20, four days per week, Thursday through Sunday. Memorial Day weekend, open Friday and Sunday, May 24 and 26. May 30 through June 29, open four days per week, Thursday through Sunday. If quota remains, open up to seven days per week in August and September.

c. South Coast

Status Quo: Open May 2 through May 21, three days per week, Thursday, Sunday, and Tuesday. Memorial Day weekend, open Thursday, May 23. If sufficient quota remains, open June 13, 16, 20, 23. If quota remains, open up to seven days per week in August and September. If there is insufficient quota remaining to reopen the primary fishery for another fishing day, the remaining primary fishery quota will be used to open a nearshore

fishery.

Option 1: Open May 2 through May 21, three days per week, Thursday, Sunday, and Tuesday. Memorial Day weekend, open Thursday, May 23. If sufficient quota remains, open June 13, 16, **18**, 20, 23, **25**, **27**, **30**. If quota remains, open up to seven days per week in August and September.

d. Columbia River

Status Quo: Open May 2 through May 19, **two** days per week, Thursday and Sunday. Memorial Day weekend, open Thursday, May 23. Open May 30 through June 30, **two** days per week, Thursday and Sunday. If quota remains, open up to seven days per week in August and September. The nearshore fishery will be open Monday through Wednesday following the opening 4 of the all-depth fishery, until the nearshore allocation is taken or September 30, whichever is earlier. On days when the all-depth halibut fishery is closed, taking, retaining, possessing, or landing halibut on groundfish trips is only allowed in the nearshore area.

Option 1: Open May 2 through May 21, **three** days per week, Thursday, Sunday, and Tuesday. Memorial Day weekend, open Thursday, **May 23** and Sunday, **May 26**. May 30 through June 30, open **three** days per week, Thursday, Sunday, and Tuesday. If quota remains, open up to seven days per week in August and September.

2. **Oregon subareas** ([ODFW Report 2](#))

a. Central Oregon Coast

Status quo: Oregon Central Coast Spring All-depth Back-up dates may be established **every other week**, except week(s) may be skipped to avoid adverse tidal conditions. The potential Back-up dates will be identified pre-season.

Alternative 1: Oregon Central Coast Spring All-depth Back-up dates may be established **every week**, except week(s) may be skipped to avoid adverse tidal conditions. The potential Back-up dates will be identified pre-season.

3. **California** ([CDFW Report 1](#))

a. Use of Rockfish Conservation Areas (RCAs)

Status quo: no descriptions for authorized use of RCA lines to limit catch of groundfish species of concern in halibut sport fisheries off the California coast.

Option 1: Add a provision to the CSP to authorize use of the RCAs lines, as defined in Federal Regulations (50 CFR Part 660), in the recreational Pacific halibut fishery off California to limit catch of groundfish species of concern (including but not limited to quillback rockfish), either through pre-season or inseason implementation by NMFS.

b. Establish management subareas off the California coast

Status Quo: Halibut sport fishing off the California coast is managed as one area.

Option 1: Implement a new recreational management line at Pt. Arena to form two California subareas north and south of Pt. Arena (38° 57.5' N. lat.). The California recreational allocation would be shared between the two areas with the area south of Pt. Arena receiving a set amount (up to 1,000 net pounds per year) to accommodate de-minimis incidental catch in that area.

E. Habitat

1. Current Habitat Issues – Kerry Griffin

a. Report of the Habitat Committee – Correigh Greene

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Consider Habitat Committee Report and Recommendations

Staff Summary: None

F. Ecosystem Management

1. Initiative 4: Ecosystem and Climate Information - Progress Report – Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Council Discussion and Guidance, as Appropriate

Staff Summary: The Council reviewed [Agenda Item F.1.a, EWG Report 1](#), and [Supplemental Report 2](#), considered recommendations from its other advisory bodies, and provided the following guidance on further work on the ecosystem initiative:

- Deferred consideration of the species selection process and method described in [EWG Report 1](#), section 2, and Appendix A.
- Directed the Ecosystem Workgroup (EWG) to continue work on identifying on-ramps for providing ecosystem information in management processes, as presented in [EWG Report 1](#), Figures 1-3, based on input from advisory bodies.
- Directed the Scientific and Statistical Committee (SSC) Ecosystem Subcommittee to review the risk assessment rubric and application to petrale sole and sablefish (Table C-1 in [EWG Report 1](#) and Tables C-2 and C-3 in [Supplemental EWG Report 2](#)) and report to the full SSC at its November meeting.
- Endorsed a joint meeting between the EWG, the Groundfish Management Team (GMT), and the Groundfish Advisory Subpanel (GAP) before the November Council meeting, preferably to occur during the GMT's October 16-20 online meeting. This will allow further review and consideration of the risk assessment rubric and risk assessments for petrale sole and sablefish by the GMT and GAP.
- Endorsed a joint meeting or meetings between the EWG and the Coastal Pelagic Species Management Team and Advisory Subpanel over the fall and winter to discuss tools and processes for integrating ecosystem information into management processes.
- Provided advice on the content of the proposed The Nature Conservancy-Pacific Fishery Management Council workshops described in public comment. The Council recommended that the workshops be a forum for a broad look at the Council's fishery management processes and the provision of ecosystem information.

G. Groundfish Management

1. National Marine Fisheries Service Report – Todd Phillips

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

Staff Summary: None

2. Adopt Stock Assessments – Marlene Bellman

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Stock Assessments for 2025 and Beyond**

Motion 13: Council adopt the following stock assessments, stock categories, and sigmas for use in 2025 and beyond (provided in the Council’s September 2023 Briefing Book, Agenda Item G.2) as recommended by the SSC ([Agenda Item G.2.a, Supplemental SSC Report 1, September 2023](#))

Full Assessments

- Copper rockfish off California (North and South)-Category 1, default Sigma = 0.5 for both
- Black rockfish Washington--Category 1, default Sigma = 0.5
- Black rockfish Oregon-- Category 1, default Sigma = 0.5
- Black rockfish California (North and Central) -- Category 1, default Sigma = 0.5
- Canary rockfish-- Category 1, default Sigma = 0.5
- Petrale sole-- Category 1, default Sigma = 0.5

Data Moderate Assessments

- Rex sole-- Category 2, default Sigma = 1.0
- Shortspine thornyhead-- Category 2, default Sigma = 1.0

Limited Update Assessment

- Sablefish-- Category 1, default Sigma = 0.5

Catch Only Projection

- Widow rockfish
- Yelloweye rockfish

Lynn Mattes/Bob Dooley (Motion 13 carried unanimously)

Staff Summary: The Council adopted the following stock assessments and the associated levels of scientific uncertainty in the stock assessments, represented as stock categories for the level of information available about the species and sigma for the uncertainty in estimating the overfishing limit from the assessment. These assessments were adopted for use in 2025 and beyond (provided in the Council’s September 2023 Briefing Book, under Agenda Item G.2.) as recommended by the SSC ([Agenda Item G.2.a, Supplemental SSC Report 1](#)):

Full Assessments

Copper rockfish California (North and South)–Category 1, default Sigma = 0.5 for both

Black rockfish Washington–Category 1, default Sigma = 0.5

Black rockfish Oregon–Category 1, default Sigma = 0.5

Black rockfish California (North and Central)–Category 1, default Sigma = 0.5 for both

Canary rockfish–Category 1, default Sigma = 0.5

Petrale sole–Category 1, default Sigma = 0.5

Data Moderate Assessments

Rex sole–Category 2, default Sigma = 1.0

Shortspine thornyhead–Category 2, default Sigma = 1.0

Limited Update Assessment

Sablefish–Category 1, default Sigma = 0.5

Catch-Only Projections

Widow rockfish

Yelloweye rockfish

3. Stock Assessment Methodology Review – Final Topics – Marlene Bellman

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Final Topics for Review

Motion 14: Council adopt Fish Age Estimates Developed using Fourier Transformed Near-infrared Spectroscopy methodology for review in 2024.

Lynn Mattes/Corey Ridings (Motion 14 carried unanimously)

Staff Summary: Per Council Operating Procedure 25 ([COP 25](#)), two types of methodology review topics are considered, and those proposed in September of odd years are for use in future groundfish stock assessments.

The Council adopted a single topic for groundfish stock assessment methodology review in 2024. The proposal adopted from the National Marine Fisheries Service Northwest Fisheries Science Center and the Pacific States Marine Fisheries Commission, aims to review the suitability of fish age estimates developed using Fourier Transformed Near-Infrared Spectroscopy for inclusion in groundfish stock assessments ([Agenda Item G.3.a, Supplemental NWFSC Report 1](#)).

4. Fixed Gear Marking and Entanglement Risk Reduction; Limited Entry Follow On Actions – Jessi Doerpinghaus

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt a Purpose and Need along with a Range of Alternatives, if Possible

Motion 15: Council adopt the following based on the reports by the [GAP](#) and [GMT](#):

Fixed Gear Marking

- Adopt purpose and need with proposed change to replace the last sentence with “Action is also needed to improve the effectiveness of the currently required biodegradable escape mechanisms in pot gear.”
- Adopt the ROA presented in [Attachment 2](#) with the following changes:
 1. Item 1: Buoy marking, remove Alternative 2 (sector and gear specific).
 2. Item 2: Line Marking, remove Alternative 1 (all of the line) from “Portion of line marked.”
 3. Item 2: Line marking, add a sub-option for Alternative 2 “Method of Marking” to include an interval of “at least every 10 fathoms.”
 4. Item 3: Add an alternative to the ROA for surface gear limitations that includes two options of maximum length: 5 fm and 10 fm.
- Consider developing a best practices guide.

LEFG Follow On

- Adopt purpose and need presented in [Attachment 2](#).
- Adopt the ROA presented in [Attachment 2](#) with the following changes:
 1. Item 2 (fourth permit stacking), remove from the ROA.
 2. Item 4: Permit price reporting, remove Alternative 1 (sablefish endorsed permits only).

Heather Hall/Lynn Mattes (Motion 15 carried unanimously)

Staff Summary: The Council adopted a purpose and need and range of alternatives for fixed gear marking and entanglement risk reduction and limited entry follow-on actions. The range of alternatives is as follows:

Fixed Gear Marking and Entanglement Risk Reduction

Item 1: Buoy marking

No Action: All groundfish longline, trap or pot gears must be marked at the surface and at each terminal end, with a pole, flag, light, radar reflector, and a buoy. No line marking is required. A buoy used to mark fixed gear must be marked with a number clearly identifying the owner or operator of the vessel that is in possession of, deploying, hauling, or carrying on board the fixed gear. The number may be either the vessel's number, the commercial fishing license number, or buoy brand number (if required by state law) or the vessel documentation number issued by the US Coast Guard (USCG), or, for an undocumented vessel, the vessel registration number issued by the state.

Alternative 1: Gear-specific – Distinguish between gear type (i.e., pots, bottom longline) only with buoy marking.

Suboption a: Require a sablefish-specific large patch, shape, or letter on the polyform buoy. Marked high, often (multiple perspectives), in a pattern distinguishable from other marks.

Suboption b: Cattle ear tags attached to the molded eye of the buoys.

Item 2: Line marking

No Action: Lines are not required to be marked in any sector, for any gear authorized for use in the groundfish fishery, including pot and bottom longline gear.

Portion of line marked- Require that some or all of the line (see Alternatives) be marked in a unique color scheme and method:

Alternative 1: Only vertical/float line

Alternative 2: Surface and vertical/float line

Distance of Marking- Require that lines be marked in a unique color scheme for a specified length of the vertical/float line (see Alternatives), starting where it attaches to the buoy closest to the ground line.

Alternative 1: at least 5 fm

Alternative 2: at least 20 fm

Alternative 3: at least 50 fm

Method of Marking: For the portion and distance that a line would require to be marked, the line would be marked in one of the following ways:

Alternative 1: Manufactured in a unique color scheme.

Alternative 2: Temporary markings- Require lines to be marked in a unique color scheme (e.g., spray paint/dipped/spliced colored twice/tape) at specific intervals (see suboptions) from the surface buoy.

Suboption a: at least every 5 fm

Suboption b: at least every 10 fm

Suboption c: at least every 20 fm

Suboption d: at least every 50 fm

Alternative 3: Transition from other temporary methods to manufactured line as lines need replacing (i.e., bring all lines along) to have comprehensive gear marking by a date to be determined. Suboptions for how many years in future balances (1) timely and (2) low added cost to industry, to be determined.

Item 3: Surface gear requirements

No Action: Fixed gear vessels are required to use surface gear (buoys and flag poles) at each terminal end of the groundline.

Alternative 1: Fixed gear vessels would be allowed to use surface gear on only one end of the groundline.

Item 4: Escape panel

No Action: Traps or pots must have biodegradable escape panels constructed with 21 or smaller untreated cotton twine in such a manner that an opening at least 8 inches (20.3 cm) in diameter results when the twine deteriorates.

Alternative 1: Modify regulations so that the position of the escape panels may not be on the bottom of the pot, with an exception for collapsible pots (e.g., slinky pots).

Item 5: Surface gear length restrictions

No Action: There are no limitations on the length of surface gear for fixed gears.

Alternative 1: Limit the amount of surface gear permitted for fixed gears to:

Suboption a: 5 fm

Suboption b: 10 fm

Additionally, the Council recommended that a best practices guide be considered. The Council is scheduled to select a preliminary preferred alternative in March 2024 and a final alternative in June 2024.

Limited Entry Follow On Actions

Item 1: LEFG Gear Endorsement

No Action: Vessels registered to a LEFG permit(s) would only be able to harvest their limits/quotas with the gear endorsed on a permit. If approved, Amendment 32 and the implementing regulations would provide an exception and allow vessels registered to a LEFG permit to use non-bottom contact groundfish gear to harvest up to their LEFG trip limits within the non-trawl rockfish conservation areas, regardless of the gear endorsement on their LEFG permit.

Alternative 1: Vessels registered to longline-endorsed permits would be permitted to also use slinky pots to harvest their quotas.

Alternative 2: Create a single LEFG endorsed permit (i.e., remove the specific pot and longline endorsements). Vessels registered to a LEFG endorsed permit could utilize either longline or pot gear to harvest their quota.

Alternative 3: Create a single LE non-trawl endorsed permit. Vessels registered to a permit with this endorsement would be permitted to use any legal non-trawl groundfish gear to harvest their quota.

Item 2: Base Permit Designation

No Action: NMFS designates the base permit as the permit registered to the vessel for the longest period of time so long as its length endorsement is sufficient for the vessel and unless the vessel requests a different permit as described at 50 CFR 660.25(b)(3)(iii)(C).

Alternative 1: Remove the base permit designation and associated regulations at 50 CFR 660.25(b)(3)(iii)(C).

Item 3: Permit price reporting

No Action: No permit price information is collected when LEFG permits are sold.

Alternative 1: Owners of all LEFG permits (sablefish and non-sablefish endorsed) would be required to disclose the permit price upon sale to a new owner.

Item 4: Season start time

No Action: The sablefish primary season would continue to start at noon on April 1 and close at noon on December 31.

Alternative 1: Remove the start and end times of the sablefish primary season dates in groundfish regulations.

Item 5: Cost Recovery

No Action: There would be no cost recovery program for the Tier Program, which is not consistent with the MSA requirements for LAPPs (16 U.S.C. §§ 1853a(e) and 1854(d)(2)).

Alternative 1: Develop a cost recovery program for the LEFG primary tier program.

Suboption 1: The owner(s) or authorized representative of the vessel that makes landings of sablefish in the Tier Program would be responsible for paying the fee.

Suboption 2: The owner(s) or authorized representative of the sablefish-endorsed permit that makes landings of sablefish in the Tier Program would be responsible for paying the fee.

The Council removed an alternative that would have permitted LEFG primary tier vessels from stacking a fourth permit subject to the owner-on-board requirement. The Council is scheduled to select a preliminary preferred alternative in June 2024 and a final alternative in September 2024.

5. Cordell Bank Conservation Area Revisions – Scoping – Jessi Doerpinghaus

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt the Scope of Revisions Under Consideration and Discuss Next Steps

Motion 17: Council adopt the recommended revisions for further development as described in [Agenda Item G.5.a, CDFW Report 1 September 2023](#).

Caroline McKnight/Bob Dooley (Motion 17 carried unanimously)

Staff Summary: The Council recommended that the proposal outlined in [Agenda Item G.5.a, CDFW Report 1](#) to remove the Cordell Bank Groundfish Conservation Area and develop a new Groundfish Exclusion Area in the area of the Cordell Bank (50-fm isobath) bottom contact essential fish habitat conservation area should move forward for development. In November, NMFS and Council staff will report on the proposed process and timing.

6. Initial Harvest Specifications and Management Measures Actions for 2025-2026 – Todd Phillips, Marlene Bellman

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Final Overfishing Limits, a Range of P*/Acceptable Biological Catches, and Annual Catch Limits for Stocks that may Depart from Default Harvest Control Rules; Adopt a Preliminary List of Potential Management Measures Necessary to Implement Harvest Specifications to be Included in the 2025-2026 Regulation Process

Motion 20: Council conditionally adopt:

- the 2025-2026 OFLs, stock categories, and P* values presented in [Agenda Item G.6, Supplemental REVISED Attachment 1](#) and [Supplemental REVISED Attachment 2](#), Tables 1 (2025) and Table 2 (2026) in [Agenda Item G.6.a, Supplemental SSC Report 1](#), including updates in the SSC Report
 - correcting the Dover sole default harvest control rule ACLs in Table 1 and Table 2 in Attachment 1 to be constant catch of 50,000 mt
- default harvest control rules for copper rockfish off California, black rockfish off Washington, Oregon, and California, and petrale sole as recommended in Table 1 in [Agenda Item G.6.a, Supplemental GMT Report 1](#) (reproduced below):

Stock	Default HCR
Copper rockfish CA	ABC P* 0.45
Black rockfish WA	ABC P* 0.45
Black rockfish OR	ABC P* 0.45
Black rockfish CA	ABC P* 0.45
Petrale Sole	ABC P* 0.45

In addition, for the stocks indicated below, request projections associated with the alternative harvest control rules presented in Table 2 in [Agenda Item G.6.a, Supplemental GMT Report 1 September 2023](#) (reproduced below) with the exception of Alternative 2 for sablefish, prior to the November Council meeting, to inform adoption of a range of alternative harvest control rules at that time:

#	Stock	Default HCR	Alternative 1	Alternative 2
1	Rex Sole	ABC P* 0.40	ABC P* 0.45	N/A
2	Shortspine thornyhead	ABC P* 0.40	ABC P* 0.45	N/A
3	Canary rockfish	ABC P* 0.45	ABC P* 0.40	N/A
4	Sablefish	ABC P* 0.45	ABC P*0 .40	* 0.40 with sub-ACLs for North and South

And request the Science Centers’ Staff provide:

- catch only projections for yellowtail rockfish north of 40° 10' N lat. and chilipepper rockfish, as requested by the SSC ([Agenda Item G.6.a, Supplemental SSC Report 1](#))
- a catch only projection for Dover sole, if possible in time for the October GMT work session, as requested by the GAP ([Agenda Item G.6.a, Supplemental GAP Report 1](#))
- an update of the catch assumptions for black rockfish off Oregon using the updated mortality estimates for 2023 and 2024 as outlined in [Agenda Item G.6.a, Supplemental ODFW Report 1](#).

The Council will confirm or update these values after receiving results of the SSC's review of all values in November 2023.

Lynn Mattes/Bob Dooley (Motion 20 carried unanimously)

Motion 21: Council adopt for public review the Preliminary Range of Management Measures outlined in:

- [Agenda Item G.6.a, Supplemental GMT Report 1](#)
 - Routine measures as shown in Table 3.
 - Remove items 1 and 2 from new measures as shown in Table 4.
 - Clarify item 5 on new measures as shown in Table 4 is to apply discard mortality rates for commercial open access fisheries as appropriate.
- [Agenda Item G.6.a, Supplemental GAP Report 1](#)
- [Agenda Item G.6.a, Supplemental CDFW Report 1](#)
- [Agenda Item G.6.a, Supplemental ODFW Report 1](#)

Caroline McKnight/Marc Gorelnik (Motion 21 carried unanimously)

Motion 22: Council request a 2024 removal assumption for the California quillback rockfish rebuilding analyses of 6.32 mt.

Caroline McKnight/Marc Gorelnik (Motion 22 carried, Mr. Wulff abstained)

Staff Summary: The Council conditionally adopted the 2025-2026 OFLs, stock categories, and P* values for West Coast groundfish stocks and stock complexes ([Agenda Item G.6, Supplemental REVISED Attachment 1](#)). The Council will confirm or update these values after receiving results of the SSC's review of all values in November 2023. The Council recommended the Dover sole default harvest control rule be corrected to be 50,000 mt constant catch and requested revised Dover sole revised harvest specifications to evaluate whether the default harvest control rule is feasible for 2025-2026.

The Council requested catch-only projections for yellowtail rockfish north of 40° 10' N. lat. and chilipepper rockfish and revised projections considering updated removal assumptions for Oregon black rockfish ([Agenda Item G.6.a, Supplemental ODFW Report 1](#)). Additionally, the Council requested new projections for Dover sole that set removals for 2023-24 equal to the annual catch limit (ACL), which will provide a revised overfishing limit (OFL) and allowable biological catch (ABC) for 2025 and beyond. The Council adopted alternative harvest control rules (HCR) for rex sole, shortspine thornyhead, canary rockfish, and sablefish (Table 1). They requested projections for these alternative HCRs prior to the November Council meeting to inform adoption of a range of alternative harvest control rules for detailed analysis.

Table 1: Council adopted alternative harvest control rules (HCR) for rex sole, shortspine thornyhead, canary rockfish, and sablefish.

Stock	Default HCR	Alternative 1
Rex Sole	ABC P* 0.40	ABC P* 0.45
Shortspine thornyhead	ABC P* 0.40	ABC P* 0.45
Canary rockfish	ABC P* 0.45	ABC P* 0.40
Sablefish	ABC P* 0.45	ABC P*0 .40

The Council also adopted a range of new management measures for 2025 and 2026 recommended by the Groundfish Management Team for public review as shown in [G.6.a, Supplemental GMT Report 1 \(with modifications noted below\)](#), [G.6.a, Supplemental GAP Report 1](#), [G.6.a, Supplemental CDFW Report 1](#), and [G.8.a, Supplemental ODFW Report 1](#).

The Council removed two items shown in Table 4 of the GMT Supplemental Report 1 from consideration, specifically, Item 1, prohibition directed fishing on shortbelly rockfish, and Item 2, natural bait allowed with longleader gear in the recreational fishery. The Council also requested the GMT clarify Item 5 in Table 4, the update of discard mortality rates for the commercial open access fishery, at the Council’s November meeting.

The Council is soliciting input from the public for its consideration in November on the priorities for these management measures, recognizing the workload associated with analyzing impacts of the full range may be beyond the capacity of available staff resources.

The Council considered the California quillback rockfish removal assumptions that will be used for the rebuilding analysis. The Council recommended the Northwest Fishery Science Center complete an alternate run of the rebuilding analysis using a quillback removal assumption of 6.32 mt in 2024 based on expected inseason actions. This information is expected to be presented to the Council in November.

7. Final Trawl Cost Project Phase 1 Report and Next Steps for the Trawl Catch Share and Allocation Reviews – Jim Seger

a. Final Trawl Cost Project Phase 1 Report – Darrell Brannan

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Review the Final Report for Phase 1 of the Trawl Cost Project and Provide Guidance for Phase 2; Recommend Next Steps for the Trawl Catch Share and Allocation Reviews

Motion 23: Council adopt the proposed Catch Share and Intersector Allocation Review Process shown in [Agenda Item G.7, Attachment 2](#).

Corey Niles/Lynn Mattes (Motion 23 carried unanimously)

Staff Summary: The Council received the [final report](#) on Phase I of the trawl catch share cost project and indicated that Phase II will focus on the policy decisions and tradeoff that would be required to further reduce program costs. Phase II might also focus on other ways to improve fishery performance and economic benefits under the program, such as by increasing revenue. A contract for Phase II will be developed based on Council guidance and taking into account comments provided in the [SSC](#) and [GAP](#) reports.

The Council also adopted the adopt the proposed Catch Share and Intersector Allocation Review Process shown in [Agenda Item G.7, Attachment 2](#). The schedule would be considered a framework for moving forward, with the exact dates and process subject to potential modification as the Council develops its future meeting plans.

8. Harvest Specifications Technical Corrections and Inseason Adjustments – Final Action – Todd Phillips

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Technical Corrections to the Yelloweye Rockfish and Sablefish Harvest Specifications and Inseason Adjustments for 2023 and 2024 Fisheries, as Needed

Motion 24: Council adopt the GMT recommendations for commercial trip limits and recreational quillback zero retention and season closures as described in [Agenda Item G.8.a, Supplemental GMT Report 5, September 2023](#).

Caroline McKnight/Heather Hall (Motion 24 carried; Mr. Smith, Mr. Gorelnik, Mr. Dooley, and Mr. Pettinger voted no; Mr. Moore and Mr. Anderson abstained)

Motion 25: Council adopt the technical corrections to the 2024 harvest specifications as described in [Agenda Item G.8, Supplemental REVISED Attachment 1, September 2023](#) and [Agenda Item G.8, Supplemental Attachment 5, September 2023](#).

Heather Hall/Lynn Mattes (Motion 25 carried unanimously)

Motion 26: Council encourage the Pacific Whiting Conservation Cooperative (PWCC) and the Whiting Mothership Cooperative (WMC) develop an intercooperative agreement that establishes preseason and inseason measures to minimize the bycatch of groundfish species

that have set asides, and salmon species that have whiting sector guidelines associated with the biological opinion.

Ideally, the intercooperative agreement will specifically reference bycatch avoidance measures that each cooperative has in their respective bycatch reduction plans recognizing that there will be differences as well as commonalities in the avoidance measures used by the two sectors; and would contain a suite of possible inseason actions that will be taken if a cooperative exceeds, or is projected to exceed, its preseason expected bycatch rate and/or share of a groundfish set aside or salmon guideline.

The Council encourages the intercooperative agreement contain a data sharing component. The goal of the data sharing portion of the agreement is to allow individual sector participants to obtain real-time bycatch information thereby assisting each sector's goal of minimizing bycatch of key species.

The Council requests the PWCC and WMC provide a status report at the March meeting relative to progress made on developing the potential agreement with the hope that an agreement is in place for use in the 2024 season.

Phil Anderson/Bob Dooley (Motion 26 carried unanimously)

Staff Summary: The Council adopted the technical corrections to the 2024 harvest specifications as described in [Supplemental Revised Attachment 1](#) and [Supplemental Attachment 5](#). These specification corrections are to be in place by January 1, 2024.

The Council adopted the commercial trip limits as described in and as shown below. The Council also adopted a measure to prohibit retention of quillback rockfish in all recreational fishery (i.e., 0 bag limit) and commercial fisheries (i.e., 0 lbs. trip limit) and season closures in Federal waters off California <https://www.pcouncil.org/documents/2023/08/g-8-a-cdfw-report-1-cdfw-report-on-inseason-adjustments-for-2023.pdf> or the remainder of 2023 as described in [Supplemental GMT Report 5](#). This action aligns with recent California Department of Fish and Wildlife (CDFW) decisions to prohibit retention of quillback rockfish in the marine recreational and commercial Deeper Nearshore Species fisheries statewide ([Agenda Item G.8.a, CDFW Report 1](#) and [Supplemental CDFW Report 2](#)) Recreational fishing in the Northern, Mendocino, San Francisco, and Central California groundfish management areas (GMA) is allowed seaward of 50 fathoms for shelf and slope rockfish as well as lingcod. Retention of nearshore rockfish, cabezon, and greenlings is prohibited.

Sablefish north of 36° N. lat.

- Limited Entry Fixed Gear (LEFG): Option 2 of 9,000 lbs. per week, not to exceed 18,000 lbs. per bimonthly period
- Open Access (OA): Option 2 of 4,000 lbs. per week, not to exceed 8,000 lbs. per bimonthly period

Lingcod north of 42° N. lat.

- LEFG: Option 1 of 9,000 lbs. per bimonthly period
- OA: Option 1 of 4,500 lbs. per month

LEFG: for the following stocks and areas, 0 lbs. per bimonthly period (per month for lingcod):

- Minor Shelf Rockfish complex 42° N. lat. to 34° 27' N. lat.
- Widow rockfish 42° N. lat. to 34° 27' N. lat.
- Yellowtail rockfish 42° N. lat. to 40° 10' N. lat.
- Canary rockfish 42° N. lat. to 34° 27' N. lat.
- Minor Nearshore Rockfish complex 42° N. lat. to 34° 27' N. lat. (shallow and deeper nearshore)
- Lingcod 42° N. lat. to 34° 27' N. lat.
- Chilipepper rockfish 40° 10' N. lat. to 34° 27' N. lat.
- Bocaccio rockfish 40° 10' N. lat. to 34° 27' N. lat.
- Cabezon 42° N. lat. to 34° 27' N. lat.

OA: For the following stocks and areas, 0 lbs. per bimonthly period (per month for lingcod):

- Minor Nearshore Rockfish 42° N. lat. to 34° 27' N. lat. (shallow and deeper nearshore)
- Lingcod 42° N. lat. to 34° 27' N. lat.
- Cabezon 42° N. lat. to 34° 27' N. lat.

OA: For the following stocks and areas, No Action trip limits with the requirement that only legal non-bottom contact gear types listed at [50 CFR 660.330\(b\)\(3\)](#) can be used:

- Widow rockfish 42° N. lat. to 34° 27' N. lat.
- Yellowtail rockfish 42° N. lat. to 40° 10' N. lat.
- Canary rockfish 42° N. lat. to 34° 27' N. lat.
- Bocaccio rockfish 40° 10' N. lat. to 34° 27' N. lat.
- Chilipepper rockfish 40° 10' N. lat. and 34° 27' N. lat.

OA: For Minor Shelf Rockfish:

- 42° N. lat. to 40° 10' N. lat.: Alternative 3, 400 lbs. per month with a gear-specific trip limit for non-bottom contact gear types listed at [50 CFR 660.330\(b\)\(3\)](#) only
- 40° 10' N. lat. and 34° 27' N. lat.: Alternative 3, 2,000 lbs. per bimonthly period, of which no more than 200 lb. may be vermilion with a gear-specific trip limit for non-bottom contact gear types listed at [50 CFR 660.330\(b\)\(3\)](#) only

Per Council request at the June 2023 meeting, the mothership and catcher-processor Pacific whiting cooperatives briefed the Council on their bycatch-related issues related during the Spring and their Fall fishing plans. The Council encouraged the Pacific Whiting Conservation Cooperative (PWCC) and the Whiting Mothership Cooperative (WMC) to develop an inter-cooperative agreement which would establish preseason and inseason measures to minimize the bycatch of salmon and groundfish. The Council requested the PWCC and the WMC provide a status report at the March 2024 meeting.

H. Administrative Matters

1. Chumash Heritage National Marine Sanctuary Designation – Kerry Griffin

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Discuss Designation Documents and Comment, as Appropriate

Staff Summary: The Council directed staff to develop comments via the Quick Response process, capturing comments in the Supplemental [GAP Report 1](#) and in Council discussion. The comment letter will highlight the positive working relationship between the Council and the West Coast National Sanctuary Program, as well as characterizing concerns about proposed or future direct fishing regulations or ancillary regulations (such as discharge rules) that could impact existing fishing activities within the Council's purview.

2. Greater Farallones and Monterey Bay National Marine Sanctuaries Coral Restoration and Research Plan – Scoping – Kerry Griffin, Jessi Doerpinghaus

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt the Scope of Fisheries and Areas to be Closed to Promote Coral Restoration and Research within the Greater Farallones and Monterey Bay National Marine Sanctuaries

Motion 16: Council proceed with developing the possible closure of the Año Nuevo and Ascension Canyon Complex sites and the Sur Ridge site as shown in [Agenda Item H.2.a, ONMS Report 1 Scoping Document](#), to promote deep-sea coral restoration and research within the Monterey Bay National Marine Sanctuary. Ask National Marine Fisheries Service to explore use of its discretionary regulatory authority to ensure fisheries closures would be applicable to all bottom contact gears.

Marci Yaremko/Marc Gorelnik (Motion 16 carried, Mr. Lockhart abstained)

Staff Summary: The Council recommended that three areas (Año Nuevo, Ascension Canyon, and Sur Ridge), described in the Office of National Marine Sanctuaries [scoping document](#), move forward for consideration for potential closures to promote coral restoration and research. The Council also asked NMFS to explore use of its discretionary regulatory authority to close these areas to all bottom contact gears, including fisheries managed by the state of California. NMFS will explore use of discretionary authorities, including potential application to state-managed fisheries.

3. Marine Planning Update – Kerry Griffin

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Consider Marine Planning Committee Report and Provide Guidance

Motion 18: Council:

- 1) Direct Staff to work with the Marine Planning Committee and Habitat Committee to develop a timely comment letter utilizing the quick reference (QR) process to request that BOEM not take any further actions offshore of Oregon until concerns outlined in the Recommendation One of [Agenda Item H.3.a, Supplemental MPC Report 2, September 2023](#) are addressed and included in the process.
- 2) Submit a request for an extension of the BOEM public comment deadline for an additional 30 days to allow the Council to provide sufficient feedback through our stakeholder process.
- 3) Request that NMFS quantify the potential impacts and uncertainty in scientific surveys that may result from OSW development in the draft WEAs.

Christa Svensson/Virgil Moore

Amendment 1: Add to item 3 “and California lease sites”.

Corey Ridings/Marc Gorelnik (Amendment 1 carried, Mr. Harrington abstained)

Motion 18, as amended, carried (Mr. Lockhart, Mr. Harrington, and Mr. Ugoretz abstained)

Staff Summary: The Council directed staff to submit a request to the Bureau of Ocean Energy Management (BOEM) requesting a 30-day extension of the comment period on the Oregon Draft Wind Energy Areas (WEAs), to allow the Council to provide sufficient feedback. In addition, the Council directed staff to work with the Marine Planning Committee and Habitat Committee to develop a comment letter utilizing the quick response process to 1) request that BOEM not take any further actions offshore of Oregon until concerns described in Supplemental [MPC Report 2](#) are addressed, 2) develop comments focused on identifying and proposing for removal, those areas of the Draft WEAs that are integral to fishing and/or habitat, and 3) request that NMFS quantify the potential impacts and uncertainty in scientific surveys that may result from offshore wind (OSW) development, in the draft Oregon WEAs as well as the OSW leases off California.

~~**4. Magnuson-Stevens Act Confidentiality Provisions – Proposed Rule-CANCELLED–
Jim Seger**~~

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

~~**b. Public Comment**~~

~~**c. Council Action: Council Discussion and Guidance, as Appropriate**~~

5. National Marine Fisheries Service Geographic Strategic Plan and Regional Equity and Environmental Justice Implementation Plan – Jim Seger

a. National Marine Fisheries Service Report

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Council Discussion and Guidance, as Appropriate

Motion 19: Council:

- Adopt the recommendations found in [Supplemental EEJC Report 1, Agenda Item H.5.b](#)
- Forward all advisory body reports under this agenda item, H.5.b, to NMFS for consideration in their development of the Geographic Strategic Plan

Corey Ridings/Christa Svensson (Motion 19 carried unanimously)

Staff Summary: The Council will forward its advisory body reports to the NMFS WCR for its consideration when finalizing its WCR geographic strategic plan ([Equity and Environmental Justice Committee \(EEJC\) Report 1](#); [SSC Report 1](#); [GMT Report 1](#); and [GAP Report 1](#)). With respect to the NMFS regional EEJ implementation plan, the Council heard from NMFS that planning for development of the implementation plan is still under way. The Council authorized a limited number of EEJC members to take part in NMFS work group discussions regarding the regional EEJ implementation plan. The Council also adopted the recommendations in the EEJC report pertaining to considerations of EEJ within the Council process. These included developing a proposal for a gap analysis that would review Council processes and products noting where there might be improvements that would address EEJ related concerns. This proposal would be developed taking into account the constraints of existing Council priorities, budgets, and workload. Additionally, the Council will solicit comment on whether the definitions in the NMFS National EEJ Strategy should be used by the Council as is or modified; review Council operating procedures to identify areas for potential improvement; and develop an EEJ webpage, as staffing and resources allow. The Council is tentatively scheduled to receive an update at the April 2024 Council meeting.

6. National Standards 4, 8, 9 Considerations and National Standard 1 Technical Guidance – Jim Seger

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Comment on the Advance Notice of Proposed Rulemaking and Revised National Standard 1 Technical Guidance, as Appropriate

Staff Summary: The Council will write a letter regarding the advanced notice of proposed rulemaking for National Standards 4, 8 and 9 and forward to NMFS SSC comments on the National Standard 1 Technical Guidance. The Council had a wide ranging discussion on the content for the letter, including that if NMFS moves forward to proposed modifications the motivation and proposals should reflect national perspectives, rather than regional interests; that any major changes to the national standards should be motivated by Congressional action related to the Magnuson-Stevens Act; that revisions to the National Standard guidelines should take advantage of all available expertise, including that on the Councils; and that timeframe for public comment on this and future issues on which Council comment is solicited should span at least two Council meetings, with sufficient advance notice to provide an opportunity for the item to be added to

agendas and fully reviewed by the Council and its advisory bodies. The Council was generally supportive of the letter written by the North Pacific Fishery Management Council, with some exceptions which will be noted as the Council develops the letter through its “quick response” process.

7. Fiscal Matters – Patricia Hearing

a. Report of the Budget Committee – Pete Hassemer

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Consider Budget Committee Report and Recommendations

Motion 29: Council adopt the recommendations of the Budget Committee as shown in [Agenda Item H.7.a, Supplemental Budget Committee Report, September 2023](#).

Marc Gorelnik/Virgil Moore (Motion 29 carried unanimously)

Staff Summary: The Budget Committee will be meeting in November to discuss the 2024 provisional budget, review of IRA funding proposals and financial impact, and topic development for the “Committee of the Whole” for Council review.

8. Approval of Council Meeting Record – Brad Pettinger

a. Council Action: Approve Previous Council Meeting Record

Motion 30: Council approve the Council meeting record as presented in [Agenda Item H.8, Attachment 1: Draft Council Meeting Record: 272nd Session of the Pacific Fishery Management Council, June 21-27, 2023](#).

Phil Anderson/Bob Dooley (Motion 30 carried unanimously)

Staff Summary: None

9. Membership Appointments and Council Operating Procedures – Kelly Ames

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures, As Appropriate

Motion 31: Council appoint Mr. Marcus Min to the Washington At-Large position on the Ecosystem Advisory Subpanel.

Corey Niles/Phil Anderson (Motion 31 carried unanimously)

Motion 32: Council appoint Mr. Matthew Everingham to the Commercial position on the Coastal Pelagic Species Advisory Subpanel.

Marc Gorelnik/Bob Dooley (Motion 32 carried unanimously)

Motion 33: Council appoint Mr. Christopher Cooper to the Trawl At-Large position on the Groundfish Advisory Subpanel.

Bob Dooley/Lynn Mattes (Motion 33 carried unanimously)

Motion 34: Council appoint Ms. Sarah Nayani to the At-Sea Processor position on the Groundfish Advisory Subpanel.

Phil Anderson/Butch Smith (Motion 34 carried unanimously)

Motion 35: Council appoint Mr. William Jasper to the Tribal position on the Groundfish Management Team.

Joe Oatman/Lynn Mattes (Motion 35 carried unanimously)

Motion 36: Council appoint Mr. Bryan Van Orman to the Tribal position on the Salmon Technical Team.

Joe Oatman/Christa Svensson (Motion 36 carried unanimously)

Motion 37: Council adopt the proposed changes to COP 9 schedules 1 and 4 for groundfish and halibut respectively, including updating the language in reference to JMC process in March.

Lynn Mattes/Christa Svensson

Amendment 1: after “March” add “in years when the JMC is unable to reach agreement the Council may recommend a TAC to National Marine Fisheries Service for its consideration in setting the US TAC.”

Phil Anderson/Bob Dooley (Amendment 1 carried unanimously)

Motion 37, as amended, carried unanimously

Staff Summary: The Council Roster was updated as follows:

- Ms. Sharon Kiefer was added as a designee for the Idaho Department of Fish and Game Director, Mr. Jim Fredericks.
- Rear Admiral Charles Fosse is the primary United States Coast Guard designee, replacing Rear Admiral Melvin Bouboulis.

The Council made the following Advisory Body appointments:

- Mr. Marcus Min was appointed to the Washington At-Large position on the Ecosystem Advisory Subpanel.
- Mr. Matthew Everingham was appointed to the Commercial position on the Coastal Pelagic Species Advisory Subpanel.
- Mr. Christopher Cooper was appointed to the Trawl At-Large position on the Groundfish Advisory Subpanel.

- Ms. Sarah Nayani was appointed to the At-Sea Processor position on the Groundfish Advisory Subpanel.
- Mr. William Jasper was appointed to the Tribal position on the Groundfish Management Team.
- Mr. Bryan Van Orman was appointed to the Tribal position on the Salmon Technical Team.

The Council adopted modifications to COP 9, Schedule 1 to reflect the process for considering new or revised groundfish stock definitions ([Agenda Item H.9, Attachment 2, September 2023](#)). The COP modifications also clarify the Council role as it relates to Pacific whiting management and the Joint Management Committee. In the years in which the Joint Management Committee is unable to reach agreement on the total allowable catch, the COP includes the option for the Council to recommend a US total allowable catch to National Marine Fisheries Service for its consideration.

The Council also adopted to COP 9, Schedule 4 ([Agenda Item H.9, Attachment 3, September 2023](#)) to reflect Council and NMFS management of the commercial directed Pacific halibut fishery.

10. Future Council Meeting Agenda and Workload Planning – Merrick Burden

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Discussion and Guidance on Future Meeting and Workload Planning

Staff Summary: None

I. Highly Migratory Species Management

1. National Marine Fisheries Service Report – Kit Dahl

a. Regulatory Activities – Ryan Wulff

b. Fisheries Science Center Activities – Annie Yau

c. Reports and Comments of Management Entities and Advisory Bodies

d. Public Comment

e. Council Action: Council Discussion and Guidance, as Appropriate

Staff Summary: The Council endorsed NMFS’s intent to continue observer coverage, as appropriate, for the limited entry deep-set buoy gear fishery in the Southern California Bight but recommended that after an initial period it cease requiring pre-trip notifications by fishery participants, recognizing that the fishery has demonstrated low bycatch through extensive testing under exempted fishing permits.

2. International Management Activities – Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings and Other Forums, as Appropriate

Staff Summary: The Council endorsed its HMSAS recommendation to communicate the following priorities to NMFS:

- Pacific bluefin tuna
 - Continue to prioritize progress on the long-term harvest strategy through development of the management strategy evaluation (MSE), including providing NMFS Southwest Fisheries Science Center (SWFSC) staff capacity and resources to support MSE analysis.
 - Adopt the Northern Committee (NC) recommendations at the upcoming December 4-8 WCPFC meeting and reject any attempts to negotiate outside of the Pacific Bluefin Joint Working Group (JWG) process.
 - If feasible given time constraints, consider a 2024 workshop with U.S. stakeholders once the preliminary stock assessment information is available (anticipated May 2024).
- North Pacific albacore tuna
 - Support adoption of the NC recommendation.
 - Consider further discussions with U.S. stakeholders regarding potential effort controls as part of the implementation of the new harvest strategy, after the International Scientific Committee/SWFSC does its work advising how fishing intensity should be interpreted to actual management measures under the harvest strategy.
- North Pacific swordfish
 - Adopt the NC recommendation and work with other countries to address the management gap (equator to 20° North) and data collection issues.
- North Pacific striped marlin
 - Adopt a more aggressive rebuilding plan to recover the stock to sustainable levels.

3. Exempted Fishing Permits – Final – Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Final Recommendations on Exempted Fishing Permit Applications

Motion 27: Council recommend approval of the night-set buoy gear application submitted by Mr. Donald Krebs ([Attachment 1](#)) and forward to NMFS. John Ugoretz/Bob Dooley (Motion 27 carried unanimously)

Staff Summary: The Council recommended issuance of an exempted fishing permit to Mr. Donald Krebs to test night-set buoy gear with the use of satellite-based electronic monitoring buoys based on his application ([Agenda Item J.3, Attachment 2, June 2023](#)) and clarification that he wishes to receive the permit in his own name ([Agenda Item I.3, Attachment 1, September 2023](#)).

4. Driftnet Modernization and Bycatch Reduction Act – Transition Update – Kit Dahl

a. National Marine Fisheries Service Report – Ryan Wulff

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Council Discussion and Guidance, as Appropriate

Staff Summary: The Council deferred engagement in development of the transition program mandated by the Act until NMFS receives funds to implement the program. It recommended adding an item to a 2024 Council meeting to begin scoping an amendment to the HMS FMP. This is necessary to address the prohibition of large mesh drift gillnet gear coming into force in December 2027.

5. Highly Migratory Species Essential Fish Habitat (EFH) Amendment - Preliminary – Kerry Griffin

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Preliminary Proposed EFH Revisions for Public Review

Motion 28: Council adopt the proposed EFH modifications for public review identified in Agenda Item I.5 [Attachments 1](#) and [2](#) with the suggested edits proposed in the [HMSMT](#), [SSC](#) and [HC](#) reports, and addition of the importance of deep-water canyons, offshore banks and seamounts to Research and Information Needs as recommended in the [HMSAS](#) report.

John Ugoretz/Marc Gorelnik (Motion 28 carried unanimously)

Staff Summary: The Council adopted the proposed essential fish habitat (EFH) modifications for public review (see Agenda Item I.5, [Attachment 1](#) and [Attachment 2](#)). The EFH review team will address comments in advisory body reports and develop revised EFH documents and proposed FMP amendment language for final action at the November 2023 meeting.

6. Opah Stock Considerations – Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Review Catch Data and Provide Guidance on Next Steps

Staff Summary: The Council directed its HMSMT to continue gathering information on opah biology, stock structure, status, landings, and any current or planned management by the WPFMC. The Council could then revisit the question of including opah in the HMS FMP at a future meeting.

INFORMATIONAL REPORTS

[Informational Report 1](#): California Department of Fish and Wildlife Final Report on 2021-2022 Exempted Fishing Permit

[Informational Report 2](#): Washington Department of Fish and Wildlife Final Report on Exempted Fishing Permit Project to Conduct Enhanced Yelloweye Recreational Fishery Biological Sampling

[Informational Report 3](#): 2021/2022 Final Report for the Emley Platt EFP; 2023/2024 Interim Report

[Informational Report 4](#): Monterey Bay Regional Chilipepper Rockfish Final Exempted Fishing Permit (EFP) Report 2021-2022

[Informational Report 5](#): NOAA Fisheries' Marine Recreational Information Program Certification of West Coast Recreational Fishing Surveys

[Supplemental Informational Report 6](#): Procedural Directive: Guidance on Council Authority for Preparing Fishery Management Plans for Stocks that May Extend across the Geographic Areas of more than one Council, pursuant to MSA §304(f)

[Supplemental Informational Report 7](#): Year-Round Coastwide Midwater Trawl Gear EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery; 2021-2022 Final Trawl Gear EFP Report

[Supplemental Informational Report 8](#): "Reintroducing Salmon to the Upper Columbia River"; Presentation to the PFMC Salmon Advisory Subpanel, Sept 8, 2023

VOTING LOG

Motion 1: Adopt [Agenda Item A.3, September 7-14, 2023 Council Meeting Agenda](#).

Marc Gorelnik/Bob Dooley (Motion 1 carried unanimously)

Motion 2: Council adopt for public review the draft language for Amendment 24 to the Pacific Coast Salmon Management Plan as presented in [Agenda Item C.3, Attachment 1](#), with the following modifications:

- In the first sentence of the third paragraph, replace "and Shelton et al." with "and a spatial distribution model whose initial development is described in Shelton et al. (2019)"
- In the second sentence of the third paragraph, delete the word "model" from "FRAM model"

Kyle Adicks/Phil Anderson (Motion 2 carried unanimously)

Motion 3: Council forward for public review the proposed change to the Catch Sharing Plan for the Oregon recreational fishery as shown in [Agenda Item D.1.a, Supplemental ODFW Report 2](#).

Lynn Mattes/Christa Svensson (Motion 3 carried unanimously)

Motion 4: Council adopt the proposed season structure alternatives and changes to the Catch Sharing Plan for 2024 as described in [Agenda Item D.1.a, Supplemental WDFW Report 2](#) for public review.

Heather Hall/Lynn Mattes (Motion 4 carried unanimously)

Motion 5: Council adopt for public review the California Subarea Management options described in [Supplemental CDFW Report 1](#) to:

- Add a provision to the CSP to authorize use of the RCAs lines, as defined in Federal Regulations (50 CFR Part 660), in the recreational Pacific halibut fishery off California to limit catch of groundfish species of concern (including but not limited to quillback rockfish), either through pre-season or inseason implementation by NMFS.
- Implement a new recreational management line at Pt. Arena to form two California subareas north and south of Pt. Arena (38° 57.5' N. lat.). The California recreational allocation would be shared between the two areas with the area south of Pt. Arena receiving a set amount (up to 1,000 net pounds per year) to accommodate de-minimis incidental catch in that area.

Marci Yaremko/Marc Gorelnik (Motion 5 carried unanimously)

Motion 6: Council consider the status quo directed halibut fishery structure for 2024, that is the 2024 season would be a series of three-day openings beginning at 8 a.m. on the fourth Tuesday in June, ending at 6 p.m. on the Thursday of that week. Include the following in the range of alternatives for public review two options for announcing three-day openings:

- Status Quo: Additional three-day openings would occur, every other week, Tuesday through Thursday, until the directed fishery allocation is obtained.
- Option 1: Three-day openings would occur every other week, Tuesday through Thursday, for the first two openers with subsequent openings separated by four weeks. Notice the dates of the first three openers prior to the start of the season.

Heather Hall/Lynn Mattes (Motion 6 carried unanimously)

Motion 7: Council adopt for public review the proposed management objectives for the Catch Sharing Plan as described in [Agenda Item D.1, Attachment 3](#) with the revision to Section 1, Incidental Halibut Catch in the Salmon Troll Fishery, as written below:

1. INCIDENTAL HALIBUT CATCH IN THE SALMON TROLL FISHERY
(Section 5.7.2 of the current CSP)

The primary management objective for this fishery is to harvest the subquota as an incidental catch during the April-June salmon troll fishery. The secondary management objective is to harvest the remaining troll quota as incidental catch during the remainder of the salmon troll fishery. These management objectives will be achieved through landing restrictions (see section 5.7.4).

- The landing restrictions are meant to assure that the incidental harvest rate is appropriate for salmon and halibut availability, does not encourage target fishing on halibut, ensure an equitable sharing of the halibut landings among the fishers and does not increase the likelihood of exceeding the quota for this fishery.

Phil Anderson/Butch Smith (Motion 7 carried unanimously)

Motion 8: Council adopt the proposed regulatory changes as described in [Agenda Item D.1, Attachment 6](#) for public review.

Heather Hall/Lynn Mattes (Motion 8 carried unanimously)

Motion 9: Council adopt for public review the following inseason management process for potential inseason recreational halibut quota transfer between states:

Similar to the flexibility provided in the non-treaty whiting fishery, create a process that sets up as an automatic action in which one state could notify the National Marine Fisheries Service (NMFS) at the earliest time possible, taking into account state management objectives, an amount of their recreational halibut allocation that could be made available to another state. Up to that amount could be transferred to another state for their use through the remainder of the calendar year.

NMFS would notify the other two states and determine through those discussions how to reapportion the unutilized pounds. The regulations also include a trigger date of August 15, where if a notification had not occurred by that time, Council staff would facilitate a discussion between NMFS and the three states to receive updates on catches and other inseason matters as needed.

Phil Anderson/Heather Hall (Motion 9 carried unanimously)

Motion 10: Council adopt for public review the inseason flexibility options as described in [Agenda Item D.1, Attachment 4](#) with the following modifications:

- Add August 1 and July 15 for consideration as trigger dates as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#) and [Agenda Item D.1.a, Supplemental GAP Report 1](#).
- Add the inseason flexibility process as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#), where following a trigger date, as described above, all recreational fisheries would be open seven days per week and fish against a combined recreational quota for all three states.
- Include an alternative for a one fish bag limit for all recreational fisheries in Area 2A through inseason trigger date (using the trigger dates described above), after which the bag limit could be increased to two fish coastwide, as described in [Agenda Item D.1.a, Supplemental CDFW Report 1](#) and mentioned in [Agenda Item D.1.a, Supplemental GAP Report 1](#).

Marci Yaremko/Corey Ridings (Motion 10 failed - Mr. Smith, Mr. Anderson, Mr. Moore, Mr. Oatman, Ms. Hall, Ms. Svensson, and Mr. Pettinger voted no)

Motion 11: Council adopt for public review the allocation modification options as described in [Agenda Item D.1, Attachment 5](#), as modified by the GAP in [Agenda Item D.1.a, Supplemental GAP Report 1](#) and slide 16 of [Agenda Item D.1, Supplemental Presentation](#), to omit method 2

and convert the Option 3 allocation to non-tribal equivalents while omitting Option 4. Also omit the FCEY triggers attached to these allocation alternatives.

Marci Yaremko/Bob Dooley (Motion 11 carried unanimously)

Motion 12: Council adopt for public review the inseason flexibility options as described in [Agenda Item, D.1, Attachment 4](#) for public review.

Heather Hall/Phil Anderson (Motion 12 carried unanimously)

Motion 13: Council adopt the following stock assessments, stock categories, and sigmas for use in 2025 and beyond (provided in the Council’s September 2023 Briefing Book, Agenda Item G.2) as recommended by the SSC ([Agenda Item G.2.a, Supplemental SSC Report 1, September 2023](#))

Full Assessments

- Copper rockfish off California (North and South)-Category 1, default Sigma = 0.5 for both
- Black rockfish Washington--Category 1, default Sigma = 0.5
- Black rockfish Oregon-- Category 1, default Sigma = 0.5
- Black rockfish California (North and Central) -- Category 1, default Sigma = 0.5
- Canary rockfish-- Category 1, default Sigma = 0.5
- Petrale sole-- Category 1, default Sigma = 0.5

Data Moderate Assessments

- Rex sole-- Category 2, default Sigma = 1.0
- Shortspine thornyhead-- Category 2, default Sigma = 1.0

Limited Update Assessment

- Sablefish-- Category 1, default Sigma = 0.5

Catch Only Projection

- Widow rockfish
- Yelloweye rockfish

Lynn Mattes/Bob Dooley (Motion 13 carried unanimously)

Motion 14: Council adopt Fish Age Estimates Developed Using Fourier Transformed Near-Infrared Spectroscopy methodology for review in 2024.

Lynn Mattes/Corey Ridings (Motion 14 carried unanimously)

Motion 15: Council adopt the following based on the reports by the [GAP](#) and [GMT](#):

Fixed Gear Marking

- Adopt purpose and need with proposed change to replace the last sentence with “Action is also needed to improve the effectiveness of the currently required biodegradable escape mechanisms in pot gear.”
- Adopt the ROA presented in [Attachment 2](#) with the following changes:
 1. Item 1: Buoy marking, remove Alternative 2 (sector and gear specific).
 2. Item 2: Line Marking, remove Alternative 1 (all of the line) from “Portion of line marked.”
 3. Item 2: Line marking, add a sub-option for Alternative 2 “Method of Marking” to include an interval of “at least every 10 fathoms.”

4. Item 3: Add an alternative to the ROA for surface gear limitations that includes two options of maximum length: 5 fm and 10 fm.

- Consider developing a best practices guide.

LEFG Follow On

- Adopt purpose and need presented in [Attachment 2](#).
- Adopt the ROA presented in [Attachment 2](#) with the following changes:
 1. Item 2 (fourth permit stacking), remove from the ROA.
 2. Item 4: Permit price reporting, remove Alternative 1 (sablefish endorsed permits only).

Heather Hall/Lynn Mattes (Motion 15 carried unanimously)

Motion 16: Council proceed with developing the possible closure of the Año Nuevo and Ascension Canyon Complex sites and the Sur Ridge site as shown in [Agenda Item H.2.a, ONMS Report 1 Scoping Document](#), to promote deep-sea coral restoration and research within the Monterey Bay National Marine Sanctuary. Ask National Marine Fisheries Service to explore use of its discretionary regulatory authority to ensure fisheries closures would be applicable to all bottom contact gears.

Marci Yaremko/Marc Gorelnik (Motion 16 carried, Mr. Lockhart abstained)

Motion 17: Council adopt the recommended revisions for further development as described in [Agenda Item G.5.a, CDFW Report 1 September 2023](#).

Caroline McKnight/Bob Dooley (Motion 17 carried unanimously)

Motion 18: Council:

- 1) Direct Staff to work with the Marine Planning Committee and Habitat Committee to develop a timely comment letter utilizing the QR process to request that BOEM not take any further actions offshore of Oregon until concerns outlined in the Recommendation One of [Agenda Item H.3.a, Supplemental MPC Report 2, September 2023](#) are addressed and included in the process.
- 2) Submit a request for an extension of the BOEM public comment deadline for an additional 30 days to allow the Council to provide sufficient feedback through our stakeholder process.
- 3) Request that NMFS quantify the potential impacts and uncertainty in scientific surveys that may result from OSW development in the draft WEAs and California lease sites.

Christa Svensson/Virgil Moore (Motion 18, as amended, carried; Mr. Lockhart, Mr. Harrington, and Mr. Ugoretz abstained)

Motion 19: Council:

- Adopt the recommendations found in [Supplemental EEJC Report 1, Agenda Item H.5.b](#)
- Forward all advisory body reports under this agenda item, H.5.b, to NMFS for consideration in their development of the Geographic Strategic Plan

Corey Ridings/Christa Svensson (Motion 19 carried unanimously)

Motion 20: Council conditionally adopt:

- the 2025-2026 OFLs, stock categories, and P* values presented in [Agenda Item G.6, Supplemental REVISED Attachment 1](#) and [Supplemental REVISED Attachment 2](#), Tables 1 (2025) and Table 2 (2026) in [Agenda Item G.6.a, Supplemental SSC Report 1](#),

including updates in the SSC Report

- correcting the Dover sole default harvest control rule ACLs in Table 1 and Table 2 in Attachment 1 to be constant catch of 50,000 mt
- default harvest control rules for copper rockfish off California, black rockfish off Washington, Oregon, and California, and petrale sole as recommended in Table 1 in [Agenda Item G.6.a, Supplemental GMT Report 1](#) (reproduced below):

Stock	Default HCR
Copper rockfish CA	ABC P* 0.45
Black rockfish WA	ABC P* 0.45
Black rockfish OR	ABC P* 0.45
Black rockfish CA	ABC P* 0.45
Petrале Sole	ABC P* 0.45

In addition, for the stocks indicated below, request projections associated with the alternative harvest control rules presented in Table 2 in [Agenda Item G.6.a, Supplemental GMT Report 1, September 2023](#) (reproduced below) with the exception of Alternative 2 for sablefish, prior to the November Council meeting, to inform adoption of a range of alternative harvest control rules at that time:

#	Stock	Default HCR	Alternative 1	Alternative 2
1	Rex Sole	ABC P* 0.40	ABC P* 0.45	N/A
2	Shortspine thornyhead	ABC P* 0.40	ABC P* 0.45	N/A
3	Canary rockfish	ABC P* 0.45	ABC P* 0.40	N/A
4	Sablefish	ABC P* 0.45	ABC P*0 .40	* 0.40 with sub-ACLs for North and South

And request the Science Centers’ Staff provide:

- catch only projections for yellowtail rockfish north of 40° 10’ N lat. and chilipepper rockfish, as requested by the SSC ([Agenda Item G.6.a, Supplemental SSC Report 1](#))
- a catch only projection for Dover sole, if possible in time for the October GMT work session, as requested by the GAP ([Agenda Item G.6.a, Supplemental GAP Report 1](#))
- an update of the catch assumptions for black rockfish off Oregon using the updated mortality estimates for 2023 and 2024 as outlined in [Agenda Item G.6.a, Supplemental ODFW Report 1](#).

The Council will confirm or update these values after receiving results of the SSC’s review of all values in November 2023.

Lynn Mattes/Bob Dooley (Motion 20 carried unanimously)

Motion 21: Council adopt for public review the Preliminary Range of Management Measures outlined in:

- [Agenda Item G.6.a, Supplemental GMT Report 1](#)
 - Routine measures as shown in Table 3.

- Remove items 1 and 2 from new measures as shown in Table 4.
- Clarify item 5 on new measures as shown in Table 4 is to apply discard mortality rates for commercial open access fisheries as appropriate.
- [Agenda Item G.6.a, Supplemental GAP Report 1](#)
- [Agenda Item G.6.a, Supplemental CDFW Report 1](#)
- [Agenda Item G.6.a, Supplemental ODFW Report 1](#)

Caroline McKnight/Marc Gorelnik (Motion 21 carried unanimously)

Motion 22: Council request a 2024 removal assumption for the California quillback rockfish rebuilding analyses of 6.32 mt.

Caroline McKnight/Marc Gorelnik (Motion 22 carried, Mr. Wulff abstained)

Motion 23: Council adopt the proposed Catch Share and Intersector Allocation Review Process shown in [Agenda Item G.7, Attachment 2](#).

Corey Niles/Lynn Mattes (Motion 23 carried unanimously)

Motion 24: Council adopt the GMT recommendations for commercial trip limits and recreational quillback zero retention and season closures as described in [Agenda Item G.8.a, Supplemental GMT Report 5, September 2023](#).

Caroline McKnight/Heather Hall (Motion 24 carried; Mr. Smith, Mr. Gorelnik, Mr. Dooley, and Mr. Pettinger voted no; Mr. Moore and Mr. Anderson abstained).

Motion 25: Council adopt the technical corrections to the 2024 harvest specifications as described in [Agenda Item G.8, Supplemental REVISED Attachment 1, September 2023](#) and [Agenda Item G.8, Supplemental Attachment 5, September 2023](#).

Heather Hall/Lynn Mattes (Motion 25 carried unanimously)

Motion 26: Council encourage the Pacific Whiting Conservation Cooperative (PWCC) and the Whiting Mothership Cooperative (WMC) develop an intercooperative agreement that establishes preseason and inseason measures to minimize the bycatch of groundfish species that have set asides, and salmon species that have whiting sector guidelines associated with the biological opinion.

Ideally, the intercooperative agreement will specifically reference bycatch avoidance measures that each cooperative has in their respective bycatch reduction plans recognizing that there will be differences as well as commonalities in the avoidance measures used by the two sectors; and would contain a suite of possible inseason actions that will be taken if a cooperative exceeds, or is projected to exceed, its preseason expected bycatch rate and/or share of a groundfish set aside or salmon guideline.

The Council encourages the intercooperative agreement contain a data sharing component. The goal of the data sharing portion of the agreement is to allow individual sector participants to obtain real-time bycatch information thereby assisting each sector's goal of minimizing bycatch of key species.

The Council requests the PWCC and WMC provide a status report at the March meeting relative to progress made on developing the potential agreement with the hope that an agreement is in place for use in the 2024 season.

Phil Anderson/Bob Dooley (Motion 26 carried unanimously)

Motion 27: Council recommend approval of the night-set buoy gear application submitted by Mr. Donald Krebs ([Attachment 1](#)) and forward to NMFS.

John Ugoretz/Bob Dooley (Motion 27 carried unanimously)

Motion 28: Council adopt the proposed EFH modifications for public review identified in Agenda Item I.5 [Attachments 1](#) and [2](#) with the suggested edits proposed in the [HMSMT](#), [SSC](#) and [HC](#) reports, and addition of the importance of deep-water canyons, offshore banks and seamounts to Research and Information Needs as recommended in the [HMSAS](#) report.

John Ugoretz/Marc Gorelnik (Motion 28 carried unanimously)

Motion 29: Council adopt the recommendations of the Budget Committee as shown in [Agenda Item H.7.a, Supplemental Budget Committee Report, September 2023](#).

Marc Gorelnik/Virgil Moore (Motion 29 carried unanimously)

Motion 30: Council approve the Council meeting record as presented in [Agenda Item H.8, Attachment 1: Draft Council Meeting Record: 272nd Session of the Pacific Fishery Management Council, June 21-27, 2023](#).

Phil Anderson/Bob Dooley (Motion 30 carried unanimously)

Motion 31: Council appoint Mr. Marcus Min to the Washington At-Large position on the Ecosystem Advisory Subpanel.

Corey Niles/Phil Anderson (Motion 31 carried unanimously)

Motion 32: Council appoint Mr. Matthew Everingham to the Commercial position on the Coastal Pelagic Species Advisory Subpanel.

Marc Gorelnik/Bob Dooley (Motion 32 carried unanimously)

Motion 33: Council appoint Mr. Christopher Cooper to the Trawl At-Large position on the Groundfish Advisory Subpanel.

Bob Dooley/Lynn Mattes (Motion 33 carried unanimously)

Motion 34: Council appoint Ms. Sarah Nayani to the At-Sea Processor position on the Groundfish Advisory Subpanel.

Phil Anderson/Butch Smith (Motion 34 carried unanimously)

Motion 35: Council appoint Mr. William Jasper to the Tribal position on the Groundfish Management Team.

Joe Oatman/Lynn Mattes (Motion 35 carried unanimously)

Motion 36: Council appoint Mr. Bryan Van Orman to the Tribal position on the Salmon Technical Team.

Joe Oatman/Christa Svensson (Motion 36 carried unanimously)

Motion 37: Council adopt the proposed changes to COP 9 schedules 1 and 4 for groundfish and halibut respectively, including updating the language in reference to JMC process in March in

years when the JMC is unable to reach agreement the Council may recommend a TAC to National Marine Fisheries Service for its consideration in setting the US TAC.”
Lynn Mattes/Christa Svensson (Motion 37, as amended, carried unanimously)

ADJOURN

The Council meeting adjourned on Thursday, September 14, 2023 at 11:00 a.m.

Brad Pettinger
Council Chair

Date