

COUNCIL MEETING RECORD
272nd Session of the
Pacific Fishery Management Council
June 21-27, 2023
Hilton Vancouver Washington
301 West 6th Street, Vancouver, WA 98660

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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 – Marc Gorelnik, Chair

Mr. Marc Gorelnik, Council Chair, called the 272nd meeting of the Pacific Fishery Management Council (Council) to order at 9:00 a.m. on June 22, 2023. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Merrick Burden

National Marine Fisheries Service: Ms. Jennifer Quan
Mr. Frank Lockhart, designee
Mr. Ryan Wulff, designee
Ms. Keeley Kent, designee
Ms. Susan Bishop, designee
Mr. Lyle Enriquez, designee
Ms. Maggie Sommer, designee
Alaska State Official: Ms. Rachel Baker, nonvoting designee
Ms. Karla Bush, nonvoting designee
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. Briana Braby, designee
Ms. Caroline McKnight, designee
California Obligatory: Ms. Corey Ridings
Idaho Obligatory: Mr. Pete Hassemer
Tribal Official: Mr. Joseph Oatman
At-Large: Mr. Phil Anderson
Mr. Robert Dooley
Mr. Brad Pettinger, Vice-Chair
Mr. Marc Gorelnik, Chair
Pacific States Marine Fisheries
Commission: Mr. Chris Oliver, Parliamentarian, nonvoting designee
U.S. Coast Guard: LCDR Brett Ettinger, nonvoting designee
U.S. Fish and Wildlife Service: Mr. Mike Clark, nonvoting designee
Dr. Benjamin Cross, nonvoting designee
Mr. John Netto, nonvoting designee
Mr. Roger Root, nonvoting designee
U.S. State Department: Mr. David Hogan, nonvoting designee

Absent from the Meeting:

Idaho State Official:

Mr. Virgil Moore, designee

3. Agenda – Marc Gorelnik

a. Council Action: Approve Agenda

Motion 1: Adopt Agenda Item A.3, June 21-27, 2023 Council Meeting Agenda.
Phil Anderson/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. Administrative Matters

1. Council Coordination Committee (CCC) Meeting Update - Merrick Burden

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. Council and Process Efficiencies - Merrick Burden

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 considered the staff proposal to merge the Council’s grant renewal process with the Council and Process Efficiencies topic. This would involve staff analysis that examines process and structural changes the Council may wish to make to address the need to balance the Council’s budget alongside the development of the next grant, a process that will occur throughout 2024. As part of this agenda topic, the Council agreed to schedule a committee-of-the-whole to discuss any changes to Council process and structure in early 2024. Council advisory bodies and the public will have continued opportunities to weigh in on this topic in the fall of 2023 and much of 2024.

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**

Staff Summary: The Council considered several Marine Planning issues related to offshore wind energy development. Based on recommendations included in the Marine Planning Committee's [Supplemental Report 2](#), the Council directed staff to develop a quick response letter to the five [California offshore wind Lessees](#), requesting that the Council be included in the audience for communications, outreach, and reporting. The letter will also encourage continued engagement between the Council, Lessees, and the Bureau of Ocean Energy Management (BOEM) and will remind Lessees of the significant concerns about deployment and the importance of removing survey-related equipment that could represent a hazard to fishing gears.

The Council heard a verbal update from BOEM Pacific Region Director Doug Boren, who emphasized BOEM's commitment to continued engagement with the Council. He also said that BOEM is in the process of developing responses to recent letters the Council has sent to BOEM. John Hansen, Director of the [West Coast Ocean Alliance](#) (WCOA), also provided a verbal update. WCOA, which is the designated Regional Ocean Partnership (ROP) for the Pacific Coast, has initiated a strategic planning process, is planning an October ROP meeting and Tribal workshop, and is planning an offshore wind summit at some point in the future.

4. Legislative Matters - Merrick Burden

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

Staff Summary: None

5. 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 16: Council adopt the recommendations of the Budget Committee as contained in Agenda Item C.5.a, Supplemental BC Report 1, June 2023.
Marc Gorelnik/Butch Smith (Motion 16 carried unanimously)

Staff Summary: The Council approved a 2023 calendar year operating budget of \$5,898.682.

6. Approval of Council Meeting Records - Marc Gorelnik

a. Council Action: Approve Previous Council Meeting Records

Motion 13: Council approve the meeting records as shown in Agenda Item C.6, Attachment 1: Draft Council Meeting Record: 270th Session of the Pacific Fishery Management Council, March 4-10, 2023 (Electronic Only); and Agenda Item C.6, Attachment 2: Draft Council Meeting Record: 271st Session of the Pacific Fishery Management Council, April 1-7, 2023 (Electronic Only).
Phil Anderson/Bob Dooley (Motion 13 carried unanimously)

7. 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 17: Council appoint Mr. Clayton Wraith to the Commercial Troll position on the Highly Migratory Species Advisory Subpanel.
Brad Pettinger/Christa Svensson (Motion 17 carried unanimously)

Motion 18: Council appoint Mr. Christian Heath to the Oregon Department of Fish and Wildlife position on the Groundfish Management Team.
Lynn Mattes/Brad Pettinger (Motion 18 carried unanimously)

Motion 19: Mr. Brad Pettinger serve as Council Chair and Mr. Pete Hassemer serve as Council Vice-Chair for the August 11, 2023-August 10, 2024 term.
Marc Gorelnik/Bob Dooley (Motion 19 carried unanimously)

Motion 20: Council adopt changes to Council Operating Procedures 1-4 and 6 as proposed in Agenda Item C.7, Attachment 5, June 2023.
Pete Hassemer/Lynn Mattes (Motion 20 carried unanimously)

Staff Summary: The Council's membership roster was updated as described in the [Situation Summary](#). Additionally, the following appointments were made:

- The Council appointed Mr. Christian Heath to the Oregon Department of Fish and Wildlife position on the Groundfish Management Team.
- The Council appointed Mr. Clayton Wraith to the Commercial Troll position on the Highly Migratory Species Advisory Subpanel.
- Chair Gorelnik appointed Mr. Chris Oliver to the Parliamentarian position on the Council.

Mr. Brad Pettinger will serve as Council Chair and Mr. Pete Hassemer will serve as Council Vice-Chair for the August 11, 2023 to August 10, 2024 term.

Solicitations for the 2022-2024 Term

The Council is [soliciting nominations](#) for the following positions. Applications should be submitted via [JotForm](#) by **5 p.m. on Monday, August 7, 2023**.

- Coastal Pelagic Species Advisory Subpanel – Commercial – 1 Position
- Ecosystem Advisory Subpanel – Washington At-Large – 1 Position
- Groundfish Advisory Subpanel – Oregon Charter Boat Operator – 1 Position
- Groundfish Advisory Subpanel – Trawl At-Large – 1 Position

Continuation of the Ad-Hoc Marine Planning Committee

The Council considered the existing form and function of the Ad Hoc Marine Planning Committee and agreed to continue the committee for another two years without making any changes.

Changes to Council Operating Procedures (COP) and Professional Conduct

The Council adopted modifications to COP 1-4 and 6 to reflect current hybrid meeting practices for public comment registration, motions, and voting procedures ([Attachment 5](#)).

The Council adopted staff recommendations for promoting a respectful and harassment-free environment, as detailed in [Attachment 6](#). Measures include revisions to the COPs that allow the Council to remove advisory body members when they fail to adhere to proper decorum and show respect to Council participants. The COP will also state that the Council will not tolerate harassment or retaliation against those who report harassment. The Council requested improvements to the harassment reporting and investigation process, including the development of an anonymous reporting system. The Council adopted Ground Rules, with modifications proposed by the [Salmon Advisory Subpanel](#), to govern advisory body meetings and requested that advisory bodies prepare committee-specific Operational Guidelines. The Intent to Serve form will also be modified to outline expectations surrounding conduct during Council-sponsored meetings (online and in-person), noting the expectations apply for the duration of travel for such meetings, including when the meeting is in recess. The Council requested further development of materials including examples of harassment, a code of conduct, and a statement of intent regarding protections for vulnerable individuals to increase retention of Council participants. The Council also expressed their intent to require harassment prevention and reporting training for Council members, staff, and advisory body members.

8. Future Council Meeting Agenda and Workload Planning - Merrick Burden

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

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

Staff Summary: None

D. Habitat Issues

1. Current Habitat Issues - Kerry Griffin

a. Report of the Habitat Committee - Correigh Greene

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. Council Action: Consider Habitat Committee Report and Recommendations

Staff Summary: None

E. Pacific Halibut Management

1. Scoping Topics for Catch Sharing Plan and Regulation Changes - Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Identify Issues to be Addressed and Provide Guidance on Process and Timeline

Motion 2: Council direct its staff to prepare an Alternative and supporting analysis for the 2024 CSP that moves 2 percent from the OR sport sector to the CA sport sector. This minor change to the CSP allocations among Area 2A sport fisheries has the following purposes and is expected to aid with the following needs:

- improved utilization of the 2A FCEY
- increased harvest opportunity for the California sport fishery
- is not expected to negatively affect current fishery performance or opportunity in Oregon sport fisheries as reflected in Agenda Item E.1, Supplemental Attachment 2.

Marci Yaremko/Marc Gorelnik (No Action, Motion 3 presented as a substitute)

Motion 3 (as a substitute): Council direct staff to conduct a preliminary analysis of the following alternatives:

- Update and improve, where needed, the management objectives in the Pacific Halibut Catch Sharing Plan for each sector or sub-area with a specific allocation

- Request California review their fishery objectives to achieve a longer season (e.g., delay opening, open fewer days per week)
- Expand the PFMC Pacific halibut Catch Sharing Plan’s flexible inseason management provisions to allow transfer of projected unused quota between all WA, OR, and CA recreational sub-areas and commercial sectors after August 15
- Move 0.5 percent of the WA sport allocation and 1.0 percent of the OR sport allocation to the California sport sector in years when:
 - Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - Option 2: when the 2A FCEY is 1.3 million pounds or greater
- Regulatory changes as recommended by the Enforcement Consultants (Agenda Item E.1.a, Supp EC Report 1, June 2023)

Heather Hall/Phil Anderson

Amendment 1: Amend the motion by the following deleted in strikeout and additions as underlined:

Council ~~direct staff~~ to conduct a preliminary analysis of the following alternatives:

- Update and improve, where needed, the management objectives in the Pacific Halibut Catch Sharing Plan for each sector or sub-area with a specific allocation
- Request California review their fishery objectives to achieve a longer season (e.g., delay opening, open fewer days per week)
- Expand the PFMC Pacific halibut Catch Sharing Plan’s flexible inseason management provisions to allow transfer of projected unused quota between all WA, OR, and CA recreational sub-areas and commercial sectors after August 15
- Move 0.5 percent of the WA sport allocation and 1.0 percent of the OR sport allocation to the California sport sector in years when:
 - Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - Option 2: when the 2A FCEY is 1.3 million pounds or greater
- Move 1 percent from the non-tribal WA sport allocation and 2 percent from the non-tribal OR sport allocation to the CA sport sector in years when:
 - Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - Option 2: when the 2A FCEY is 1.3 million pounds or greater
- Regulatory changes as recommended by the Enforcement Consultants (Agenda Item E.1.a, Supp EC Report 1, June 2023)

Marc Gorelnik/Corey Ridings

Amendment 1a: Modify the Amendment to remove the strikeout portion: Move 1 percent from the non-tribal WA sport allocation and 2 percent from the non-tribal OR sport allocation to the CA sport sector in years when:

- ~~Option 1: when the 2A FCEY is 1.5 million pounds or greater and,~~
- ~~Option 2: when the 2A FCEY is 1.3 million pounds or greater~~

Marci Yaremko/Bob Dooley (Amendment 1a failed – Mr. Anderson, Mr. Smith, Ms. Hall, Mr. Oatman, Ms. Svensson, Mr. Pettinger, Ms. Mattes voted no)

Amendment 1 carried unanimously

Motion 3 carried unanimously

Staff Summary: In response to the scoping topics [report](#) (Agenda Item E.1, Attachment 1, June 2023) and Council discussion, the Council asked for additional analysis to be provided on the following items. State and Federal agencies represented within the Council body agreed to provide staff to conduct the analysis and try to provide as much information as possible for the September 2023 Council meeting.

- 1) Update and improve, where needed, the management objectives in the Pacific Halibut Catch Sharing Plan (CSP) for each sector or sub-area with a specific allocation.
- 2) Request California review their fishery objectives to achieve a longer season (e.g., delay opening, open fewer days per week).
- 3) Expand the PFMC Pacific halibut CSP's flexible inseason management provisions to allow transfer of projected unused quota between all WA, OR, and CA recreational sub-areas and commercial sectors after August 15.
- 4) Move 0.5 percent of the WA sport allocation and 1.0 percent of the OR sport allocation to the California sport sector in years when:
 - a. Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - b. Option 2: when the 2A FCEY is 1.3 million pounds or greater.
- 5) Move 1 percent from the non-tribal WA sport allocation and 2 percent from the non-tribal OR sport allocation to the CA sport sector.
 - a. Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - b. Option 2: when the 2A FCEY is 1.3 million pounds or greater.
- 6) Regulatory changes as recommended by the Enforcement Consultants (Agenda Item E.1.a, [Supplemental EC Report 1](#), June 2023).

F. Ecosystem Management

1. Fishery Ecosystem Plan Initiative 4 – Ecosystem Workgroup Update - 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 thanked The Nature Conservancy and endorsed their offer to cosponsor two workshops to further the objectives of Initiative 4. Marine Fisheries Project Director Gway Kirchner noted her intent to create an organizing committee to plan those workshops.

G. Coastal Pelagic Species Management

1. National Marine Fisheries Service Report - Jessi Doerpinghaus

- a. Regulatory Activities - Josh Lindsay**
- 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: None

2. Mackerel Assessment and Biennial Management Measures – Final Action - Jessi Doerpinghaus

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt Assessment, Harvest Specifications, and Management Measures for the 2023-2024 and 2024-2025 Fishing Seasons**

Motion 4: Council:

- 1. Approve the Pacific Mackerel stock assessment for U.S. management in 2023-2024 and 2024-2025 (Agenda Item G.2, Attachment 1, June 2023)
- 2. Adopt Tables 1 and 2 in Supplemental CPSMT Report 1 (Agenda Item G.2.a, June 2023)
- 3. If the ACT is met, adopt a 45 percent incidental landing allowance when Pacific Mackerel are landed with other CPS, or up to 3 mt of Pacific Mackerel per landing could be landed in non-CPS fisheries

Briana Brady/Bob Dooley (Motion 4 carried unanimously)

Staff Summary: The Council adopted a new benchmark assessment ([Agenda Item G.2, Attachment 1, June 2023](#)) and harvest specifications and management measures for Pacific mackerel for the 2023-24 and 2024-25 fishing years (Tables 1 and 2 respectively), which run July 1 through June 30. Should the directed fishery realize the annual catch target (ACT), the directed fishery will close and shift to an incidental-only fishery for the remainder of the fishing year, with a 45 percent incidental landing allowance when Pacific mackerel are landed with other coastal pelagic species (CPS). Up to 3 mt of Pacific mackerel per landing could be landed in non-CPS fisheries.

Table 1. 2023-2024 Pacific Mackerel Harvest Specifications (in metric tons)

Biomass	55,681
OFL	11,693
ABC $P^*=0.45$ (Category 2)	9,754
ACL (=ABC)	9,754
HG	7,871
ACT	6,871
Incidental	1,000

Table 2. 2024-2025 Pacific Mackerel Harvest Specifications (in metric tons)

Biomass	60,785
OFL	12,765
ABC $P^*=0.45$ (Category 2)	10,073
ACL (=ABC)	10,073
HG	8,943
ACT	7,943
Incidental	1,000

3. Essential Fish Habitat Amendment – Final Action - Kerry Griffin

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt a Final Preferred Alternative, as Appropriate

Motion 5: Council adopt Alternative 1b in Agenda Item G.3, Attachment 1, June 2023, as the Final Preferred Alternative and approve the proposed FMP amendment text (Agenda Item G.3, Attachment 3, June 2023) and include the Research and Information recommendation regarding krill and benthic associations from Agenda Item G.3.a, Supplemental HC Report 1. Briana Brady/Bob Dooley (Motion 5 carried unanimously)

Staff Summary: The Council adopted a new CPS Fishery Management Plan (FMP) Appendix as described in Alternative 1b of the [Alternatives Document](#). The new [EFH Appendix](#) includes updated EFH identification and description, life history summaries, fishing and non-fishing impacts, research and information needs, new maps, and more. The Council highlighted the need for additional research on krill benthic habitat associations (described in [Supplemental HC Report 1](#)), which will be added to the Research and Information Needs section of the EFH Appendix. The Council also approved the proposed FMP amendment language and directed staff to finalize FMP language and prepare an amendment package for transmittal to NMFS.

H. 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. Sablefish Gear Switching – Initial Preliminary Preferred Alternative - Jim Seger/Jessi Doerpinghaus

- a. Reports and Comments of Management Entities and Advisory Bodies**
- b. Public Comment**
- c. Council Action: Adopt an Initial Preliminary Preferred Alternative and Provide Other Guidance, as Appropriate**

Motion 11: Council adopt No Action and Alternative Two as outlined below as its Initial Preferred Proposed Alternatives to address gear switching in the trawl fishery. Regarding Alternative Two it would be as follows:

- **Gear Switching Control: Trawl-Only and Any-Gear (Unrestricted) Quota Pounds (QP)** Northern sablefish QP will be issued as trawl-only QP and any-gear QP (unrestricted QP).

- **Procedure for Determining the Amount and Distribution of Any-Gear QP:** NMFS will classify as legacy participants those individuals that owned quota share (QS) on the control date and at the time of implementation, based on the qualification criteria listed in the following section.
- **Legacy Participants:** Legacy participation will receive any-gear QP for their eligible QS (eligible QS is any QS owned by a legacy participant that does not exceed what the participant owned on the control date).
- **QS owned by non-legacy participants (and legacy participant QS that is not eligible):**

Any-gear QP and trawl-only QP will be distributed as follows.

QP Distribution Option 1: Increasing Proportion of Any-Gear QP— **Each year**, any-gear and trawl-only QP will be issued in a ratio such that the total amount of any-gear QP will equal 29 percent. As legacy participants divest of their eligible QS, the any-gear/trawl-only QP ratio will increase to maintain 29 percent any-gear QP.

QP Distribution Option 2: Constant Proportion of Any-Gear QP — In the **first year** of the program, any-gear and trawl-only QP will be issued in a ratio such that the total amount of any-gear QP will equal 29 percent. As legacy participants divest of their eligible QS, the any-gear/trawl-only QP ratio will not change, such that the total amount of any-gear QP declines to less than 29 percent.

~~*QP Distribution Option 3: No Any-Gear QP: Only trawl-only QP is issued. As legacy participants divest of their eligible QS, the total amount of any-gear QP declines to zero.*~~

- **Legacy Participants and Qualifying Criteria:** Legacy participants are individuals that meet the qualifying criteria provided below. The designation as a legacy participant stays with the individual and is not transferable. As legacy participants divest themselves of QS, the total legacy participant holdings of eligible QS will decline.

To qualify as a legacy participant:

Qualification Option 1: As of and since the control date, an individual must have some ownership interest in a permit (or permits) that landed northern sablefish QPs with non-trawl gear totaling at least 30,000 pounds per year in at least 3 years between January 1, 2011 and September 15, 2017 (the control date) and had some ownership interest in northern sablefish quota shares (any amount).

~~**Qualification Option 2:** Same as Option 2 plus, as of and since the control date, the current permit owner also have some ownership interest in a trawl permitted vessel that made at least one gear switched landing of northern sablefish prior to the control date.~~

- **Transferability and Accumulation Limits:** As under status quo, all QS and QP would remain fully transferable and the existing QS control limit (3.0 percent) and annual vessel QP use limit (4.5 percent) will continue to be applied for northern sablefish quota as a whole (without distinction by gear type).

Phil Anderson/Butch Smith (Motion 11 carried, Ms. Yaremko, Ms. Ridings voted no)

Motion 12: Instruct staff to stop work on this action.

Corey Ridings/Marci Yaremko (Motion 12 failed, Ms. Yaremko and Ms. Ridings voted yes)

Staff Summary: The Council adopted two initial preliminary preferred alternatives: No Action and Alternative 2 (gear-specific quota pounds [QP] distributed based on individuals' status as legacy/non-legacy participants). At its November meeting, the Council is scheduled to select a

preliminary preferred alternative and, if Alternative 2 is selected, will need to make refinements in order to fully specify its provisions. Selection of a final preferred alternative is scheduled for the March 2024 Council meeting.

In addition to selecting Alternative 2 as one of its initial preliminary preferred alternatives, the Council eliminated two options from the alternative: QP Distribution Option 3 (which would have allocated any-gear QP only to legacy participants) and legacy Qualification Option 2 (which, in addition to ownership of quota shares and a permit with qualifying gear-switching history, would have required ownership of a vessel with gear-switching history).

3. Amendment 31 Stock Definitions – Final Action - Todd Phillips

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt a Final Preferred Alternative, as Appropriate

Motion 6: Council adopt the alternative definition of the “stock” for the following species as shown in the table below as the Final Preferred Alternative:

Species	Alternative	Stock Area(s) Delineation
Canary Rockfish	1	Single stock
Dover Sole	1	Single stock
Pacific Spiny Dogfish	1	Single stock
Petrals Sole	1	Single stock
Rex Sole	1	Single stock
Shortspine Thornyhead	1	Single stock
Sablefish	1	Single stock
Squarespot Rockfish	1	Single stock
Lingcod	2	North and South of 40° 10' N. lat.
Copper Rockfish	2a	North and South of 42° N. lat.
Vermilion and Vermilion/Sunset Rockfish	2a	North and South of 42° N. lat.
Black Rockfish	3	WA, OR, and CA
Quillback Rockfish	3	WA, OR, and CA

Heather Hall/Caroline McKnight (Motion 6 carried unanimously)

Motion 7: Council adopt the revised language to the FMP relating to stock definitions for the priority groundfish species as revised in Agenda Item H.3, Attachment 2: Draft Language for Amendment 31 to the Pacific Coast Groundfish Fishery Management Plan.

Caroline McKnight/Corey Ridings (Motion 7 carried unanimously)

Staff Summary: The Council adopted stock definitions for 14 priority groundfish species as detailed in Table 1 below. This action necessitated Amendment 31 to the Pacific Coast Groundfish Fishery Management Plan (FMP) and the Council adopted new language to formalize the stock definitions in the [FMP](#). The Council selected a timeline to integrate the stock definitions process into the overall groundfish biennial harvest specifications and management measure cycle, Council Operating Procedure (COP) 9. COP 9 will be revised to reflect the stock definition process and will be provided to the Council in September for formal consideration.

Table 1: Groundfish stocks within the fishery management unit (FMU) of the Pacific Coast Groundfish FMP and their boundaries, as amended through Amendment 31.

Stock	Alternative	Stock Definition
Pacific Spiny Dogfish	1	Pacific West Coast FMU
Shortspine Thornyhead	1	Pacific West Coast FMU
Dover Sole	1	Pacific West Coast FMU
Petrale Sole	1	Pacific West Coast FMU
Rex Sole	1	Pacific West Coast FMU
Canary Rockfish	1	Pacific West Coast FMU
Sablefish	1	Pacific West Coast FMU
Squarespot Rockfish	1	Pacific West Coast FMU
Lingcod – North	2	North of 40°10' N. lat.
Lingcod – South	2	South of 40°10' N. lat.
Vermilion Rockfish	2a	North of 42° N. lat.
Vermilion/Sunset Rockfish	2a	South of 42° N. lat.
Copper Rockfish – North	2a	North of 42° N. lat.
Copper Rockfish – South	2a	South of 42° N. lat.
Black Rockfish – Washington	3	North of 46°16' N. lat.
Black Rockfish – Oregon	3	46°16' N. lat. to 42° N. lat.
Black Rockfish – California	3	South of 42° N. lat.

Quillback Rockfish -Washington	3	North of 46°16' N. lat.
Quillback Rockfish – Oregon	3	46°16' N. lat. to 42° N. lat.
Quillback Rockfish – California	3	South of 42° N. lat.

4. Limited Entry Fixed Gear Follow-On Actions and Fixed Gear Marking – Scoping - Jessi Doerpinghaus

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Identify Issues to be Addressed, Including Potential Consideration of Alternatives, and Provide Guidance on Process and Timeline

Staff Summary: The Council provided guidance relative to the limited entry fixed gear (LEFG) follow-on actions and mixed gear marking and suggested moving the items forward into two packages as follows:

Fixed Gear Marking

- Develop gear marking requirements holistically for all fixed gear sectors (LEFG, directed open access, and individual fishing quota gear switchers)
- Analyze a range of line marking requirements at 5, 20, and 50 fathoms
- Consider prohibiting marks required by other fisheries (e.g., Dungeness crab)
- Analyze different types of line marking methods such as unique line, tape, paint, etc.
- Consider a phased approach if unique sector-specific line is required that could include interim gear marking (e.g., tape or paint) during the transition to sector-specific line
- Consider other surface gear marking concepts as described in [NMFS Report 1](#)
- Look at changes to the position of escape panels (required component of pot/trap gear) to not be on the bottom as described in [NMFS Report 1](#)
- Consider other entanglement risk reduction measures

LEFG Follow-On Action

- Examine changes to LEFG gear endorsements, including allowing slinky pots to be used by vessels registered to longline-endorsed permits, removing the longline and pot endorsements to create a single LEFG endorsement, or removing gear endorsements entirely so that vessels could utilize any legal non-trawl groundfish gear to harvest their limited entry limits
- Allow vessels to stack four sablefish tier permits for those owners without an owner-on-board exemption
- Require permit price reporting, potentially for all LEFG-endorsed permits
- Remove the base permit designation

- Develop a cost recovery program for the LEFG primary tier program, including an option for the GAP recommendation that the permit owner is responsible for paying cost recovery, not the vessel
- Change start and end times of the sablefish tier fishery from noon to midnight

The Council removed a potential management measure that would consider allowing multiple non-sablefish cumulative landing limits for vessels in the tier fishery and instead look at ways to provide opportunity through the harvest specifications or inseason process. At the September 2023 Council meeting, the Council is scheduled to consider a range of alternatives for these items.

5. Electronic Monitoring Implementation Update – Kelly Ames

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Receive Implementation Update, Consider Revised Business Rules, and Provide Guidance, as Appropriate

Motion 8: Council recommend the National Marine Fisheries Service add to the EM Program Manual the language recommended by the GEMPAC/TAC contained in H.5.a, Supplemental Report 1, Groundfish Electronic Monitoring Policy Advisory and Technical Advisory Committees Report on Electronic Monitoring Implementation Recommendations - Recommendation For Video Review.

Phil Anderson/Bob Dooley (Motion 8 carried unanimously)

Staff Summary: Starting January 1, 2024, the electronic monitoring (EM) video review rate for vessels operating under optimized retention rules (i.e., bottom trawl, fixed gear, and non-whiting midwater trawl) will be a random selection of ten percent of hauls per trip with a minimum of one haul per trip reviewed. The Council’s Ad Hoc Groundfish Electronic Monitoring Policy Advisory and Technical Advisory Committees, Enforcement Consultants, and the Groundfish Advisory Subpanel recommended that any determination made requiring additional review be made on a case-by-case basis. The Council agreed and recommended that NMFS include the following text in the EM Program Manual:

“Allowable discard species are approved by National Marine Fisheries Service and listed in the regulations and Vessel Monitoring Plans. If review indicates non-compliant behavior, it will be noted in the drive report. In such cases, the vessel operator will be notified and EM data, rather than logbook data, will be used to debit the vessel account for discards.”

Currently there are differences between the discard species list in regulation, which will be effective January 1, 2024, and the list in the Vessel Monitoring Plans currently used in the exempted fishing permit fishery. NMFS is seeking interim (2024) and long-term solutions to maintain the current discard species allowances. Moving the discard species list from regulation to the Vessel Monitoring Plans is on the Council’s groundfish workload priorities list and has not yet been scheduled for consideration.

6. Groundfish Endangered Species Workshop Report – Todd Phillips

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Consider the Recommendations of the Groundfish Endangered Species Workgroup and Identify Measures to be Considered in the 2025-2026 Biennial Management Process or Other Process, as Appropriate

Staff Summary: The Council reviewed the Groundfish Endangered Species Workgroup (GESW) report ([H.6.a, GESW Report 1, June 2023](#)) and did not recommend any management measures based on the findings of that report for consideration in the 2025-2026 Groundfish Biennial Management Process. The Council provided guidance to NMFS to continue to investigate eulachon take estimation, streamer lines, and humpback whale concerns as described in the GESW's report. The Council recommended NMFS continue to provide updates during the Groundfish NMFS report on endangered species issues as they have in the past. The Council noted they are continuing work on the fixed gear marking as a separate action, which addresses concerns related to humpback whales and entanglement.

7. 2025-2026 Harvest Specifications and Management Measures Planning - Todd Phillips/Marlene Bellman

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Initial Scoping, Adopt a Process and Schedule for Developing Harvest Specifications and Management Measures for 2025-2026 Fisheries

Motion 9: Council:

- adopt the proposed schedule and process for developing the 2025-26 harvest specifications and management measures as shown in [Agenda Item H.7, Attachment 1, June 2023](#)
- request an updated rebuilding analysis for quillback rockfish off California to be reviewed and endorsed in time for the November Council meeting.

Lynn Mattes/Caroline McKnight (Motion 9 carried unanimously)

Staff Summary: The Council adopted the proposed schedule and process for developing the 2025-26 harvest specifications and management measures as shown in [Agenda Item H.7, Attachment 1, June 2023](#). The Council also requested an updated rebuilding analysis for quillback rockfish off California to be reviewed and endorsed by the Scientific and Statistical Committee in time for the November 2023 Council meeting. The Council acknowledged, based on the action taken under H.3, that harvest specifications for the newly-defined stocks would be provided at the same scale as they are defined. Management measures, either routine or new, can be recommended for development at the September and/or November meetings under the appropriate harvest specification and management measure agenda items.

8. Inseason Management – Final Action - Todd Phillips

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Adopt Final Inseason Adjustments for 2023

Motion 10: Council adopt:

1. A 22” minimum size limit for all commercial lingcod fisheries south of 42° N. latitude, as described in Agenda Item H.8.a, Supplemental GMT Report 1.
2. Increase bocaccio trip limits as described in Option 1 of Agenda Item H.8.a, CDFW Supplemental Report 2.

Marci Yaremko/Lynn Mattes (Motion 10 carried unanimously)

Staff Summary: The Council recommended a lingcod minimum total length size limit of 22 inches for all commercial groundfish fisheries south of 42° N. latitude, as described in [Agenda Item H.8.a, Supplemental GMT Report 1, June 2023](#). The Council also recommended increasing trip limits to bocaccio south of 40° 10' N. lat. for periods 4 through 6 in the limited entry fixed gear fishery to 8,000 lbs. per two (2) months and the open access fishery to 6,000 lbs. per two (2) months as described in [Agenda Item H.8.a, Supplemental CDFW Report 2, June 2023](#).

The Council requested the Groundfish Management Team (GMT) provide analysis on the time/area aspects of Chinook salmon bycatch in the at-sea sector, as described in [Agenda Item H.8.a, Supplemental GMT Report 1, June 2023](#). The Council also requested the whiting sector cooperatives report to the Council in September with information on practices and measures that are being taken to avoid bycatch, and any further plans for managing salmon bycatch and the catch of set-aside species through the fall. The Council requested this information in advance of the September 2023 Council meeting. It is expected the Council will discuss these requests under the Groundfish Inseason Adjustment agenda item in September.

I. Salmon Management

1. Sacramento River Fall Chinook and Klamath River Fall Chinook Conservation Objectives – Scoping - Robin Ehlke

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Identify Issues to be Addressed and Provide Guidance on Process and Timeline

Motion 14: Council adopt the following:

1. For Klamath River Fall Chinook (KRFC), form an Ad Hoc KRFC Workgroup, and adopt the Draft Terms of Reference (TOR) and its proposed purpose, membership, milestones, and general timeline as shown in Agenda Item I.1, Supplemental Attachment 2.

- a. Task the KRFC Workgroup with developing recommendations to the Council regarding interim management measures by March of 2024, for inclusion in the 2024 pre-season planning process, with an update to the Council in November.
2. For Sacramento River Fall Chinook (SRFC), form an Ad Hoc SRFC Workgroup, and adopt, as modified below, the Draft Terms of Reference as shown in Agenda Item I.1, Supplemental Attachment 3.
 - a. Modify the Milestones and General Timeline elements in the Draft Ad Hoc SRFC Workgroup TOR to hold a first Workgroup meeting with the purpose of planning a technical workshop ideally in fall of 2023. The goal of the workshop would be to review recent science that may contribute toward developing a revised conservation objective, as referenced by the STT in Agenda Item I.1.a, Supplemental STT Report, June 2023.
 - b. The Workgroup would develop a summary report of the workshop for Council and advisory body review in support of a future Council agenda item for scoping of a revised SRFC conservation objective and related harvest control rule and reference point alternatives. The target timeline for this agenda item would be either November 2023 or spring 2024. The Workgroup would also update the Council on the recommended next steps, timeline, and process to evaluate the conservation objective and related management measures.

Marci Yaremko/Corey Ridings (Motion 14 carried unanimously)

Staff Summary: Based on information provided in the scoping report ([Attachment 1](#)) and Council discussion, two ad hoc technical workgroups were formed to review and evaluate the conservation objectives for 1) Sacramento River fall Chinook (SRFC) and 2) Klamath River fall Chinook (KRFC). The Council adopted draft Terms of Reference documents which describe the purpose, membership, milestones, and general timeline for each Workgroup.

The KRFC Workgroup Terms of Reference were provided in [Supplemental Attachment 2](#). The Council reiterated that the KRFC Workgroup focuses first on developing recommendations to the Council for interim management measures in time for the 2024 preseason planning process. A progress report from the workgroup is anticipated in November 2023.

The SRFC Workgroup Terms of Reference were provided in [Supplemental Attachment 3](#). The draft Terms of Reference for the Sacramento River ad hoc technical workgroup was modified to include planning for a technical workshop at the SRFC Workgroup's first meeting. The Council also tasked the SRFC Workgroup to 1) provide a summary report no later than the spring of 2024 to describe scoping of a revised SRFC conservation objective and related harvest control rule and reference point alternatives, and 2) update the Council on the recommended next steps, timeline, and process to evaluate the conservation objective and related management measures.

J. 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: None

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 adopted the following recommendations for U.S. positions at upcoming regional fishery management organization meetings.

Eighth Inter-American Tropical Tuna Commission-Western and Central Pacific Fisheries Commission (IATTC-WCPFC) Joint Working Group on Pacific Bluefin Tuna

- Pacific bluefin tuna management strategy evaluation (MSE):
 - Evaluate a fishery impact ratio of 70:30 between the Western and Central Pacific Ocean and Eastern Pacific Ocean. Securing this allocation of opportunity in the long-term harvest strategy should be a key priority in future negotiations.
 - Narrow the list of evaluated reference points and harvest control rules according to U.S. proposal JWG08-DP13 ([Supplemental Attachment 2](#)).
 - Prioritize consideration of the safety, status, and stability management objectives and related performance indicators as identified in the [April 19, 2023, U.S. Stakeholder Meeting](#) on Harvest Strategy Components for a Management Strategy Evaluation for Pacific Bluefin Tuna.
- Oppose Korea's proposal (JWG08- DP-12, [Supplemental Attachment 1](#)) that would exempt fisheries that "do not target Pacific bluefin tuna, such as set net fisheries," from catch limits and increases the percentage of small fish (<30 kg) quota that may be converted to large fish (≥30 kg) quota. These provisions reduce accountability and lack scientific justification.
- Secure adoption of an interim Pacific bluefin harvest strategy with measures to ensure overfishing cannot occur.

WCPFC Northern Committee

- Propose and seek adoption of a complementary measure for the area between equator and 20° N. latitude that is consistent with [CMM 2022-02](#) for North Pacific swordfish in the area north of 20° N. latitude.

101st Inter-American Tropical Tuna Commission meeting

- Support the recommendations of the General Advisory Committee (GAC) to the U.S. Section to the IATTC and the Scientific Advisory Subcommittee (SAS) to the GAC.

Other Issues

- Consistent with the IATTC SAS recommendation, support scientific studies to determine the stock boundaries of North Pacific striped marlin, noting the unassessed portion occurs in the eastern Pacific Ocean. This would help the U.S. to press for action to address the depleted status in both the eastern Pacific Ocean and Western and Central Pacific Ocean.

3. Exempted Fishing Permits – Preliminary - Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Preliminary Review of Exempted Fishing Permit Applications

Motion 15: Council:

1. Recommend NMFS not approve EFPs for Mr. Hemstreet (Attachment 4) and Mr. Ephan (Attachment 5) for standard buoy gear in the Southern California Bight.
2. Recommend NMFS extend Mr. Nathan Perez’s night-set buoy gear EFP for another two years (Attachment 3).
3. Request that Mr. Donald Krebs clarify his request (Attachment 2) to confirm it is for his own EFP and not a modification of another EFP for consideration at the September 2023 Council Meeting.
4. Recommend NMFS approve the 2022 PIER EFP application for Extended-Linked Buoy Gear with 100 percent observer coverage until NMFS determines enough data have been collected, with a minimum of 10 observed sets per vessel.
5. Recommend NMFS not approve EFPs for testing more pieces of DSBG or NSBG including those submitted to the Council in 2022 that were put on hold and the application from Perez, Krebs, and Mintz at this meeting (Attachment 1) until the authorized fishery has been operational for two seasons.

John Ugoretz/Butch Smith (Motion 15 carried unanimously)

Staff Summary: The Council made the following recommendations to NMFS on exempted fishing permit (EFP) applications submitted in 2023 and 2022 applications on which the Council had deferred a decision.

1. Do not issue EFPs to Mr. Hemstreet ([Attachment 4](#)) and Mr. Eghan ([Attachment 5](#)) for standard buoy gear in the Southern California Bight. These applications were for the use of standard deep-set buoy gear (DSBG), which is now authorized under the HMS FMP. The applicants should instead obtain a DSBG-endorsed General HMS Permit, apply for a limited entry permit to fish in the Southern California Bight, or both.
2. Extend Mr. Nathan Perez's night-set buoy gear (NSBG) EFP for another two years ([Attachment 3](#)).
3. Approve the 2022 PIER EFP application ([Agenda Item I.3, Attachment 6](#)) for Extended-Linked Buoy Gear with 100 percent observer coverage until NMFS determines enough data have been collected, with a minimum of 10 observed sets per vessel.
4. Do not issue EFPs for testing simultaneous deployment of more than 10 pieces of DSBG or NSBG, including those applications submitted to the Council in 2022 for this purpose, which the Council deferred a recommendation on, and the application from Perez, Krebs, and Mintz considered at the June 2023 meeting ([Attachment 1](#)) until the authorized fishery has been operational for two seasons.

In addition, for consideration at the September 2023 Council Meeting, the Council requested Mr. Krebs clarify that his request (see [Attachment 2](#)) is for his own EFP rather than a modification of another EFP.

4. Drift Gillnet Bycatch Performance Report - Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Review Annual Estimates Against Performance Metrics for Bycatch Species

Staff Summary: The Council thanked the HMS Management Team for its report ([J.4.a, Supplemental HMSMT Report 1](#)). The HMSMT Report showed that in 2021 humpback whale take exceeded the monitoring threshold established by the Council, based on two observed takes. The Council will continue to monitor estimated bycatch to assess whether mitigation measures are warranted, recognizing that the fishery is currently scheduled to permanently close by the end of 2027.

5. Swordfish Fishery Management Workshop – Scoping - Kit Dahl

a. Reports and Comments of Management Entities and Advisory Bodies

b. Public Comment

c. Council Action: Identify Issues to be Addressed and Provide Guidance on Process and Timeline

Staff Summary: The Council acknowledged that the Swordfish Monitoring and Management Plan (SMMP) still has value but requires significant revision. Therefore, a new document should be developed to replace the SMMP that considers the range of species, in addition to swordfish, that have been economically important in the large mesh drift gillnet fishery. Because this fishery is slated to close, new fishing opportunities must be explored. This could be facilitated by developing priorities and methods for future EFPs.

To begin designing a potential workshop to further these objectives, the Council directed its HMSMT and HMSAS to hold a joint session coincident with the September Council meeting. In planning a workshop, these advisory bodies should consider as topics changes to plan goals reflecting the change in its scope, the design of EFPs addressing revised goals, transition of drift gillnet fishery participants to new gear types, timing and location of a workshop to facilitate stakeholder participation, and how an outside facilitator could help in the design and execution of such a workshop.

INFORMATIONAL REPORTS

[Informational Report 1](#): Pacific Whiting Conservation Cooperative Amendment 20 Catcher/Processor Cooperative Annual Report 2022

[Informational Report 2](#): Whiting Mothership Cooperative – An Amendment 20 Mothership Catcher Vessel Cooperative; Annual Report on the 2022 Pacific Whiting Fishery

[Informational Report 3](#): Shorebased Whiting Cooperative; Salmon Mitigation Plan Postseason Report on the 2022 Pacific Whiting Fishery

[Informational Report 4](#): In Loving Memory, Mr. Frank Warrens

[Informational Report 5](#): FY22 Annual Enforcement Report to the Pacific Fishery Management Council; West Coast Enforcement Division (June 2023)

[Informational Report 6](#): Notice from NOAA – Reminder to all vessel owners and operators of the responsibility to provide a safe working environment for fisheries observers carried on their vessels

[Informational Report 7](#): MREP 2023 Workshop Series Flyer

[Informational Report 8](#): Applications Open for Limited Entry Deep-Set Buoy Gear Permits and Endorsements

[Informational Report 9](#): NOAA’s public outreach event – Integrated West Coast Pelagics Survey

[Supplemental Informational Report 10](#): *Federal Register* Notice, June 5, 2023 U.S. Coast Guard Port Access Route Study: The Pacific Coast From Washington to California

[Supplemental Informational Report 11](#): Electronic Monitoring and Reporting Program Fact Sheet; National Fish and Wildlife Foundation

VOTING LOG

Motion 1: Adopt [Agenda Item A.3, June 21-27, 2023 Council Meeting Agenda](#).

Phil Anderson/Bob Dooley (Motion 1 carried unanimously)

Motion 2: Council direct its staff to prepare an Alternative and supporting analysis for the 2024 CSP that moves 2 percent from the OR sport sector to the CA sport sector. This minor change to the CSP allocations among Area 2A sport fisheries has the following purposes and is expected to aid with the following needs:

- improved utilization of the 2A FCEY
- increased harvest opportunity for the California sport fishery
- is not expected to negatively affect current fishery performance or opportunity in Oregon sport fisheries as reflected in [Agenda Item E.1, Supplemental Attachment 2](#).

Marci Yaremko/Marc Gorelnik (No Action, Motion 3 presented as a substitute)

Motion 3 (as a substitute): Council conduct a preliminary analysis of the following alternatives:

- Update and improve, where needed, the management objectives in the Pacific Halibut Catch Sharing Plan for each sector or sub-area with a specific allocation
- Request California review their fishery objectives to achieve a longer season (e.g., delay opening, open fewer days per week)
- Expand the PFMC Pacific halibut Catch Sharing Plan's flexible inseason management provisions to allow transfer of projected unused quota between all WA, OR, and CA recreational sub-areas and commercial sectors after August 15
- Move 0.5 percent of the WA sport allocation and 1.0 percent of the OR sport allocation to the California sport sector in years when:
 - Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - Option 2: when the 2A FCEY is 1.3 million pounds or greater
- Move 1 percent from the non-tribal WA sport allocation and 2 percent from the non-tribal OR sport allocation to the CA sport sector in years when:
 - Option 1: when the 2A FCEY is 1.5 million pounds or greater and,
 - Option 2: when the 2A FCEY is 1.3 million pounds or greater
- Regulatory changes as recommended by the Enforcement Consultants ([Agenda Item E.1.a, Supp EC Report 1, June 2023](#))

Heather Hall/Phil Anderson (Motion 3, as amended, carried unanimously)

Motion 4: Council:

1. Approve the Pacific Mackerel stock assessment for U.S. management in 2023-2024 and 2024-2025 ([Agenda Item G.2, Attachment 1, June 2023](#))
2. Adopt Tables 1 and 2 in [Supplemental CPSMT Report 1](#) (Agenda Item G.2.a, June 2023,)
3. If the ACT is met, adopt a 45 percent incidental landing allowance when Pacific Mackerel are landed with other CPS, or up to 3 mt of Pacific Mackerel per landing could be landed in non-CPS fisheries

Briana Brady/Bob Dooley (Motion 4 carried unanimously)

Motion 5: Council adopt Alternative 1b in [Agenda Item G.3, Attachment 1](#) (June 2023), as the Final Preferred Alternative and approve the proposed FMP amendment text ([Agenda Item G.3, Attachment 3, June 2023](#)) and include the Research and Information recommendation regarding krill and benthic associations from [Agenda Item G.3.a, Supplemental HC Report 1](#).

Briana Brady/Bob Dooley (Motion 5 carried unanimously)

Motion 6: Council adopt the alternative definition of the “stock” for the following species as shown in the table below as the Final Preferred Alternative:

Species	Alternative	Stock Area(s) Delineation
Canary Rockfish	1	Single stock
Dover Sole	1	Single stock
Pacific Spiny Dogfish	1	Single stock
Petrale Sole	1	Single stock
Rex Sole	1	Single stock
Shortspine Thornyhead	1	Single stock
Sablefish	1	Single stock
Squarespot Rockfish	1	Single stock
Lingcod	2	North and South of 40° 10' N. lat.
Copper Rockfish	2a	North and South of 42° N. lat.
Vermilion and Vermilion/Sunset Rockfish	2a	North and South of 42° N. lat.
Black Rockfish	3	WA, OR, and CA
Quillback Rockfish	3	WA, OR, and CA

Heather Hall/Caroline McKnight (Motion 6 carried unanimously)

Motion 7: Council adopt the revised language to the FMP relating to stock definitions for the priority groundfish species as revised in [Agenda Item H.3, Attachment 2: Draft Language for Amendment 31 to the Pacific Coast Groundfish Fishery Management Plan](#).

Caroline McKnight/Corey Ridings (Motion 7 carried unanimously)

Motion 8: Council recommend the National Marine Fisheries Service add to the EM Program Manual the language recommended by the GEMPAC/TAC contained in [H.5.a, Supplemental Report 1, Groundfish Electronic Monitoring Policy Advisory and Technical Advisory Committees’ Report on Electronic Monitoring Implementation Recommendations - Recommendation For Video Review](#).

Phil Anderson/Bob Dooley (Motion 8 carried unanimously)

Motion 9: Council:

- adopt the proposed schedule and process for developing the 2025-26 harvest specifications and management measures as shown in [Agenda Item H.7, Attachment 1, June 2023](#)
- request an updated rebuilding analysis for quillback rockfish off California to be reviewed and endorsed in time for the November Council meeting.

Lynn Mattes/Caroline McKnight (Motion 9 carried unanimously)

Motion 10: Council adopt:

1. A 22” minimum size limit for all commercial lingcod fisheries south of 42° N. latitude, as described in [Agenda Item H.8.a, Supplemental GMT Report](#).

2. Increase bocaccio trip limits as described in Option 1 of [Agenda Item H.8.a, CDFW Supplemental Report 2](#).

Marci Yaremko/Lynn Mattes (Motion 10 carried unanimously)

Motion 11: Council adopt No Action and Alternative Two as outlined below as its Initial Preferred Proposed Alternatives to address gear switching in the trawl fishery. Regarding Alternative Two it would be as follows:

- **Gear Switching Control: Trawl-Only and Any-Gear (Unrestricted) QP** Northern sablefish QP will be issued as trawl-only QP and any-gear QP (unrestricted QP).
- **Procedure for Determining the Amount and Distribution of Any-Gear QP:** NMFS will classify as legacy participants those individuals that owned QS on the control date and at the time of implementation, based on the qualification criteria listed in the following section.
- **Legacy Participants:** Legacy participation will receive any-gear QP for their eligible QS (eligible QS is any QS owned by a legacy participant that does not exceed what the participant owned on the control date).

- **QS owned by non-legacy participants (and legacy participant QS that is not eligible):**

Any-gear QP and trawl-only QP will be distributed as follows.

QP Distribution Option 1: Increasing Proportion of Any-Gear QP— Each year, any-gear and trawl-only QP will be issued in a ratio such that the total amount of any-gear QP will equal 29 percent. As legacy participants divest of their eligible QS, the any-gear/trawl-only QP ratio will increase to maintain 29 percent any-gear QP.

QP Distribution Option 2: Constant Proportion of Any-Gear QP — In the **first year** of the program, any-gear and trawl-only QP will be issued in a ratio such that the total amount of any-gear QP will equal 29 percent. As legacy participants divest of their eligible QS, the any-gear/trawl-only QP ratio will not change, such that the total amount of any-gear QP declines to less than 29 percent.

~~*QP Distribution Option 3: No Any-Gear QP: Only trawl-only QP is issued. As legacy participants divest of their eligible QS, the total amount of any-gear QP declines to zero.*~~

- **Legacy Participants and Qualifying Criteria:** Legacy participants are individuals that meet the qualifying criteria provided below. The designation as a legacy participant stays with the individual and is not transferable. As legacy participants divest themselves of QS, the total legacy participant holdings of eligible QS will decline.

To qualify as a legacy participant:

Qualification Option 1: As of and since the control date, an individual must have some ownership interest in a permit (or permits) that landed northern sablefish QPs with non-trawl gear totaling at least 30,000 pounds per year in at least 3 years between January 1, 2011 and September 15, 2017 (the control date) and had some ownership interest in northern sablefish quota shares (any amount).

~~**Qualification Option 2:** Same as Option 2 plus, as of and since the control date, the current permit owner also have some ownership interest in a trawl-permitted vessel that made at least one gear-switched landing of northern sablefish prior to the control date.~~

- **Transferability and Accumulation Limits:** As under status quo, all QS and QP would remain fully transferable and the existing QS control limit (3.0 percent) and annual vessel

QP use limit (4.5 percent) will continue to be applied for northern sablefish quota as a whole (without distinction by gear type).

Phil Anderson/Butch Smith (Motion 11 carried, Ms. Yaremko, Ms. Ridings voted no)

Motion 12: Instruct staff to stop work on this action.

Corey Ridings/Marci Yaremko (Motion 12 failed, Ms. Yaremko and Ms. Ridings voted yes)

Motion 13: Council approve the meeting records as shown in [Agenda Item C.6, Attachment 1: Draft Council Meeting Record: 270th Session of the Pacific Fishery Management Council, March 4-10, 2023 \(Electronic Only\)](#); and [Agenda Item C.6, Attachment 2: Draft Council Meeting Record: 271st Session of the Pacific Fishery Management Council, April 1-7, 2023 \(Electronic Only\)](#).

Phil Anderson/Bob Dooley (Motion 13 carried unanimously)

Motion 14: Council adopt the following:

1. For Klamath River Fall Chinook (KRFC), form an Ad Hoc KRFC Workgroup, and adopt the Draft Terms of Reference and its proposed purpose, membership, milestones, and general timeline as shown in [Agenda Item I.1, Supplemental Attachment 2](#).

a. Task the KRFC Workgroup with developing recommendations to the Council regarding interim management measures by March of 2024, for inclusion in the 2024 pre-season planning process, with an update to the Council in November.

2. For Sacramento River Fall Chinook (SRFC), form an Ad Hoc SRFC Workgroup, and adopt, as modified below, the Draft Terms of Reference as shown in [Agenda Item I.1, Supplemental Attachment 3](#).

a. Modify the Milestones and General Timeline elements in the Draft Ad Hoc SRFC Workgroup TOR to hold a first Workgroup meeting with the purpose of planning a technical workshop ideally in fall of 2023. The goal of the workshop would be to review recent science that may contribute toward developing a revised conservation objective, as referenced by the STT in [Agenda Item I.1.a, Supplemental STT Report, June 2023](#).

b. The Workgroup would develop a summary report of the workshop for Council and advisory body review in support of a future Council agenda item for scoping of a revised SRFC conservation objective and related harvest control rule and reference point alternatives. The target timeline for this agenda item would be either November 2023 or spring 2024. The Workgroup would also update the Council on the recommended next steps, timeline and process to evaluate the conservation objective and related management measures.

Marci Yaremko/Corey Ridings (Motion 14 carried unanimously)

Motion 15: Council:

1. Recommend NMFS not approve EFPs for Mr. Hemstreet ([Attachment 4](#)) and Mr. Eghan ([Attachment 5](#)) for standard buoy gear in the Southern California Bight.
2. Recommend NMFS extend Mr. Nathan Perez's night-set buoy gear EFP for another two years ([Attachment 3](#)).

3. Request that Mr. Donald Krebs clarify his request ([Attachment 2](#)) to confirm it is for his own EFP and not a modification of another EFP for consideration at the September 2023 Council Meeting.
4. Recommend NMFS approve the 2022 PIER EFP application for Extended-Linked Buoy Gear with 100 percent observer coverage until NMFS determines enough data have been collected, with a minimum of 10 observed sets per vessel.
5. Recommend NMFS not approve EFPs for testing more pieces of DSBG or NSBG including those submitted to the Council in 2022 that were put on hold and the application from Perez, Krebs, and Mintz at this meeting ([Attachment 1](#)) until the authorized fishery has been operational for two seasons.

John Ugoretz/Butch Smith (Motion 15 carried unanimously)

Motion 16: Council adopt the recommendations of the Budget Committee as contained in [Agenda Item C.5.a, Supplemental BC Report 1, June 2023](#).

Marc Gorelnik/Butch Smith (Motion 16 carried unanimously)

Motion 17: Council appoint Mr. Clayton Wraith to the Commercial Troll position on the Highly Migratory Species Advisory Subpanel.

Brad Pettinger/Christa Svensson (Motion 17 carried unanimously)

Motion 18: Council appoint Mr. Christian Heath to the Oregon Department of Fish and Wildlife position on the Groundfish Management Team.

Lynn Mattes/Brad Pettinger (Motion 18 carried unanimously)

Motion 19: Mr. Brad Pettinger serve as Council Chair and Mr. Pete Hassemer serve as Council Vice-Chair for the August 11, 2023-August 10, 2024 term.

Marc Gorelnik/Bob Dooley (Motion 19 carried unanimously)

Motion 20: Council adopt changes to Council Operating Procedures 1-4 and 6 as proposed in [Agenda Item C.7, Attachment 5, June 2023](#).

Pete Hassemer/Lynn Mattes (Motion 20 carried unanimously)

ADJOURN

The Council meeting adjourned on Tuesday, June 27, 2023 at 11:38 a.m.



November 14, 2023

Brad Pettinger
Council Chair

Date