

**COUNCIL MEETING TRANSCRIPTS**  
**276<sup>th</sup> Session of the**  
**Pacific Fishery Management Council**  
**April 5-11, 2024**  
The Westin Seattle  
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In-Person Meeting

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## Meeting Transcript Summary

Verbatim transcripts of Council Actions are available on the Council website. The transcripts may be accessed at <https://www.pcouncil.org/council-meetings/previous-meetings/>.

## A. Call to Order

### 3. Agenda

**Brad Pettinger** [00:00:00] All right with that I'll note that we have the, the agenda before us, and I'll look to approval of the agenda item.

**Chris Oliver** [00:00:13] I move to approve the agenda.

**Brad Pettinger** [00:00:15] All right. Seconded by Dani Everson.

**Dani Evenson** [00:00:17] Second.

**Brad Pettinger** [00:00:17] Thank you Dani. Okay, with that all those in favor of the agenda signify by saying "Aye".

**Council** [00:00:24] Aye.

**Brad Pettinger** [00:00:25] Opposed, nay? Abstentions? All right, the motion passes unanimously. Very good. All right, thank you.

## **B. Open Comment Period**

### 1. Comments on Non-Agenda Items

No transcription for this agenda item.

## C. Habitat Issues

### 1. Current Habitat Issues

**Brad Pettinger** [00:00:00] And then to Council action with the EIS coming out here shortly and there's been... the Habitat Committee has expressed their availability for a comment letter so to proof that, so Sharon.

**Sharon Kiefer** [00:00:15] Thank you Mr. Chairman. I do agree with the proposal from the Habitat Committee to brief, create a comment letter for Council review for the June briefing book. I certainly hope that that EIS stays on schedule so that we do have that opportunity.

**Brad Pettinger** [00:00:31] Very good. Anyone else have thoughts on that? I see some head nods. Okay. All right. Okay, very good. Kerry, I think I should've went to you first shouldn't of I?

**Kerry Griffin** [00:00:47] Thank you. If you're done with your discussion.

**Brad Pettinger** [00:00:48] It's my Monday morning.

**Kerry Griffin** [00:00:50] No problem. I just wanted to flag for everyone that there is some written public comment under this agenda item. It's mostly salmon production and habitat related. There's no one, there's no, I don't think there's any... well, yeah, there's no sign-ups as you already know, but I just wanted to let you know that there is something in the written record under public comment.

**Brad Pettinger** [00:01:08] Okay. All right. Oop, Marc Gorelnik.

**Marc Gorelnik** [00:01:16] Thank you Chair Pettinger. It has been some time since the Council has weighed-in on water management in California. And typically, we ask the Habitat Committee, or the Habitat Committee on its own initiative brings forward recommendations and a draft letter. And I'm wondering if this is the appropriate time or the appropriate mechanism for asking the Habitat Committee to provide some input or recommendations to the Council at the June meeting on California, including perhaps a draft letter if they think that's appropriate. If this is not the right time, I apologize. Let me know when it is.

**Brad Pettinger** [00:02:04] Executive Director Burden... oop, Kerry.

**Kerry Griffin** [00:02:16] Sorry. Was the question directed at me or more generally? I thought you were asking other Council members. Sorry.

**Marc Gorelnik** [00:02:25] I sort of assumed we were in Council discussion on the Habitat Committee Report and you noted the public comment we received on this issue and that prompted me to ask whether now would be the appropriate time, or maybe workload planning might be the appropriate time for us to ask the Habitat Committee to have a discussion and perhaps provide a recommendation.

**Kerry Griffin** [00:02:52] Got it. Thank you Mr. Chair, Mr. Gorelnik. Maybe the best way to move forward would be to look at sort of what comment opportunities and public notices and sort of vehicles might be coming down the pike and we could circle back at a future meeting planning. You know, if you, if the Council wanted to direct the Habitat Committee to start looking at that and maybe report back in June we could do that, but at a minimum I could confer with the director and the Habitat Committee Chair and Vice-Chair and circle back later at this meeting if that seems like an appropriate way.

**Marc Gorelnik** [00:03:35] All right, thanks. I just didn't want to let that... workload planning is days away and I just wanted to make sure we put a pin in that.

**Brad Pettinger** [00:03:42] There you go. Okay. Thank you Marc. Anyone else? Okay Kerry.

**Kerry Griffin** [00:03:53] If there's no further discussion then that concludes your business for this agenda item.

**Brad Pettinger** [00:04:01] Very good. With that I'll hand the gavel to Vice-Chair Hassemer.

## D. Pacific Halibut Management

### 1. Incidental Catch Limits for the 2024 Salmon Troll Fishery – Final Action

**Pete Hassemer** [00:00:00] The next step is Council discussion and action. As a refresher, I'm anticipating your Council action will appear before you on the screen. There it is. So, I'll look to see if there are any hands to initiate discussion. Heather Hall.

**Heather Hall** [00:00:22] Thank you Vice-Chair. And maybe I'll just start with the question to Frank, if you have any updates on the, the comment from the SAS on the timing for the licenses for each year?

**Frank Lockhart** [00:00:41] We don't have any updates at this point in time. Sorry.

**Heather Hall** [00:00:43] Okay. Thank you, and do appreciate your thinking about it and the challenge with trying to decide which license to apply for when things are in flux. So, thank you for that. Appreciate it.

**Pete Hassemer** [00:01:01] Further discussion? Phil Anderson.

**Phil Anderson** [00:01:10] Thanks Mr. Vice-Chair. Good morning, everyone. Just wanted to expressed support for the SAS recommendation. You know in reviewing the history of the fishery here that's provided to us in our Attachment 1, as we look through the catch data versus the allocation you can see that through 2019, for the most part, the salmon troll fishery was able to catch nearly all of its allocation. There were some years where inseason action was necessitated to actually slow the catch down to try to ensure that there were some halibut left to account for incidental catch as the troll fishery moved through the latter part of the summer. And then you can see that in, particularly in the where we started with the Covid era, and in a lot of things in fisheries including the salmon troll fishery got turned upside down, they did not catch their allocation. We also had some... the geographic distribution of salmon as it relates to the geographic distribution of halibut also plays a significant role in terms of the number of halibut bycatch that the trollers encounter. We have had a more southerly distribution off of Washington of Chinook salmon for a couple of years, which also deviates from the distribution that we saw in years from 2019 and previous. So, whether it's ocean climatic conditions, temperature, you know, I'm not sure what has, what caused that change, but the combination of those two things, that being the impact of Covid on the fishery and the distribution of Chinook salmon particularly in the last couple of years, has resulted in there catching less than the allocation. You know impossible for any of us to know exactly what will happen here in the future, but I think maintaining that one plus one per two and the 35 catch limit is a reasonable thing to move forward. I think it will give them an opportunity to catch their allocation, again, depending on some of those other factors that we can't control. And it also I think is consistent with the catch sharing plan of ensuring that there are halibut provided or an opportunity provided for the retention of incidental halibut that goes with the salmon troll fishery, particularly for Chinook salmon. Thanks.

**Pete Hassemer** [00:04:20] Thank you Phil. Further discussion? I'm not seeing any. Heather Hall.

**Heather Hall** [00:04:30] Thank you. I do have a motion.

**Pete Hassemer** [00:04:32] Let's go ahead with that.

**Heather Hall** [00:04:43] I move the Council adopt the Option 1 catch limit for the 2024 salmon fishery as described in the Supplemental Salmon Advisory Subpanel Report under Agenda Item D.1.a, April



2024. Option 1: Open May 16th, 2024 through the end of the 2024 salmon troll fishery and beginning April 1, 2025 until modified through inseason action or superseded by the 2025 management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

**Pete Hassemer** [00:05:38] That language appears accurate and complete. Do you agree?

**Heather Hall** [00:05:42] Yes, it does.

**Pete Hassemer** [00:05:43] Thank you. Is there a second to the motion? Seconded by Lynn Mattes. Please speak to your motion.

**Heather Hall** [00:05:49] Thank you. I think the SAS put a lot of thought into the range that they put out for public review. I know they're doing that at a time when salmon seasons are uncertain and there's a lot of discussion going on. And so, with their recommendation for the status quo I think it aligns with, as they say, their best match to meet the objectives in the catch sharing plan. I know that we've used this ratio for several years and I really appreciate the comments of Mr. Anderson in describing how that was really challenged in the post-Covid years. I think many times I've spoken about that relative to Washington recreational fisheries and the how our, the disruption to several of our sectors during those post-Covid years. So, I think this is a good place to start and that covers it. Thank you.

**Pete Hassemer** [00:07:01] Thank you. Are there questions to the maker of the motion for clarification? I'm not seeing any questions. Discussion on the motion? Seeing no discussion I will call the question. All those in favor say "Aye".

**Council** [00:07:18] Aye.

**Pete Hassemer** [00:07:19] Opposed? Abstentions? The motion passes unanimously. Thank you. I believe that completes the work but I'm going to turn to Robin here and check-in.

**Robin Ehlke** [00:07:37] Thank you Mr. Vice-Chair. Yes, your work under this agenda item is complete. The Council has adopted Option 1, which is essentially a status quo. And we will include this information in the upcoming salmon reports as well. So, this will be part of the salmon regulation package now that you've made your final decision on the halibut as well. All right, so that does it. Thank you.

**Pete Hassemer** [00:07:58] Okay, and before we close this I always look around for closing comments, discussion? Marci Yaremko.

**Marci Yaremko** [00:08:05] Yeah, thank you Mr. Vice-Chair. Just a follow-up really quick if I may for NMFS on the permit deadline item. Can you tell us how many permits have been issued for 2024?

**Frank Lockhart** [00:08:25] I cannot right now, but I might be able to get some help from online so if you can wait a little bit.

**Marci Yaremko** [00:08:37] Yes, thank you. Not urgent. I'm just curious. Attachment 1 doesn't provide us the information so I'm just wondering what our numbers look like. Thank you.

**Pete Hassemer** [00:08:55] While we're waiting that information might come through. I'll see if there are any other hands? Frank.

**Frank Lockhart** [00:09:08] Maybe rather than delaying, although we're going really fast, but we can provide that in a little bit. But I'm looking for the dots on the thing. I'm not seeing it right now so I don't know what to do. We can get it to you later or we can wait a few more, a few more minutes for staff to get me the information.

**Pete Hassemer** [00:09:38] Thanks. Tell you what we're going to do. We're moving very fast. Our next item is salmon and just to make sure everybody's here before we close this agenda item, let's take a ten minute break and come back here and then we can finish up this, see if we have additional information, and then move on to our next agenda item. So, let's take ten minute break here.....(BREAK).....All right, we're ready to come back into session here. And when we left, we were just finishing up item D.1 anticipating some information. I'm going to turn to Frank Lockhart to see if we have any news.

**Frank Lockhart** [00:10:32] Just to let you know, we have some information but not all of it. We will... Council staff had a good idea. We can provide this information at some future salmon agenda item. We'll get the complete information. But right now, what we have, we have about 150 directed commercial licenses and about 30 sablefish directed licenses, combined permits. We don't have the salmon numbers. That's going to have to come in the future. So, we'll provide that, it's probably going to be Monday because the staffer who has those numbers was not expecting to work this weekend, so it'll probably be Monday.

**Pete Hassemer** [00:11:18] All right. Thanks for that reminder. It might seem like Monday for us, but for a large number of people it's Saturday. So, with that I'll look around and see if there's anything else on this agenda item? And I am not seeing any hands so that completes our work here.

## **E. Salmon Management**

### **1. National Marine Fisheries Service Report**

**Pete Hassemer** [00:00:00] So that will complete our public comment and take us into Council discussion and action. Our action is simply discussion on this item. So, I will look around and see if anybody wants to initiate discussion. And I'm not seeing any hands. Marci Yaremko.

**Marci Yaremko** [00:00:30] Yeah, thank you Mr. Vice or Mr. Chair. Apologies Vice-Chair. Apologies Brad. I want to thank Doctor Lindley for being here with us and want to express that I understand what he's talking about in terms of needing to administer a bunch, a lot of money and spend it quickly under a deadline and the challenges that that creates and the need to prioritize projects and pick between a good number of what might be very worthy research endeavors. I guess I would just say that \$10.8 million for the Southwest Center seems like a lot of money and I would hope that, I mean we spend a lot of time on research and data needs in our discussions. Our stock assessors take great care to spend the time to articulate how our assessments can be better and what information would help them improve into the future. And then with regard to salmon modeling, we spend quite a bit of time each year developing a list of methods, review items, outside of the research and data needs questions. And I know oftentimes year over year there's just more on the list that can be accomplished in the timeline that we establish under methods reviews. So, I guess I'm just hoping to see... I understand that this is the look that we have about how the Science Centers intend to spend the IRA funds, but I would look forward into the future to see what deliverables actually are realized that contribute to our Council management discussions and our scientific pursuits. There just, you know, there are some good concepts here but I guess I'm looking for some, you know, more concrete information into the future. But I appreciate the chance to discuss here today and thank you for bringing this to us.

**Pete Hassemer** [00:03:06] Thank you Marci. Further discussion? I am not seeing any hands so I will turn to Robin and see how we've done here.

**Robin Ehlke** [00:03:19] Thank you Mr. Vice-Chair. Your work under this agenda item is complete. We've had a good discussion on some of the salmon topics and research going on and so, yes, you've completed your work. Thank you.

**Pete Hassemer** [00:03:33] All right. Thank you. That completes Agenda Item E.1.

## 2. Tentative Adoption of 2024 Management Measures for Analysis

**Pete Hassemer** [00:00:00] All right. Thank you everyone. We've completed all of our reports and public comment, takes us to Council discussion and action. Action is up there before us to adopt the tentative management measures that will require a motion. But before we get to that, let me look around for any hands to initiate discussion on this agenda item. I see no hands for any discussion. Do we have any motions? Anything we want to do here? Marci Yaremko.

**Marci Yaremko** [00:00:42] Thank you Mr. Vice-Chair. I am ready with a motion if now is the time.

**Pete Hassemer** [00:00:47] Now's the time. That can stimulate discussion. Please go ahead.

**Marci Yaremko** [00:00:51] All right. Thank you. Okay, I move to tentatively adopt the Ocean Salmon Fishery Management Measures for non-Indian fisheries as presented in Agenda Item E.2.e, Supplemental SAS Report 1, dated April 6, 2024 for STT collation and analysis, including the following additional guidance. Direct the STT to set the Sacramento River fall Chinook river recreational impact projection at 27,500 Chinook.

**Pete Hassemer** [00:01:32] Thank you. That language as I read it looks accurate and complete. Do you agree?

**Marci Yaremko** [00:01:37] Yes.

**Pete Hassemer** [00:01:38] Thank you. Is there a second to that? Seconded by Kyle Adicks. Please speak to your motion.

**Marci Yaremko** [00:01:47] Yes, thank you. We have the materials in front of us that we've considered under this agenda item and this would begin the process of collating them. With regard to the direction to the STT to set the Sac fall Chinook river recreational impact projection, I have a few words about that. At the March meeting you might recall that the Council gave guidance to model the three alternatives under different sharing arrangements that showed a range of allocations between ocean and inriver harvest. After internal consultation with the department's Inland Fishery Management Team and considering the California Fish and Game Commission's authority and their policy oversight over the inland salmon fisheries in the Central Valley, the Department would like to see the Council allocate 27,500 of the 33,600 Sac fall surplus to the inland fisheries. And just to note on that number of 27,5, that is the remainder once you subtract out the projected Oregon impacts on Sacramento fall from the harvestable surplus of 33,600. So, Oregon's projected impacts in Alt 1 were right there about 6,100 fish. So, 27,5 is the remainder. Although it might indicate that we're looking to allocate 27,500 fish to river harvest in a year when we're recommending ocean fisheries be closed, that's not what's intended here. It is the department's desire and intent to recommend closures for inriver fisheries just as we've recommended closure of ocean fisheries so that all of these fish would contribute to escapement. But we feel very strongly that we need to preserve the State Fish and Game Commission's authority to make that decision. The Council decision today to put that surplus all to escapement would preclude the Fish and Games Commission's authority to make their decision independently. But again, I want to emphasize that the preference is that the surplus be put to escapement rather than harvest by any sector. And our intent is to allow as much of that Sac fall surplus to pass to escapement. Thank you.

**Pete Hassemer** [00:05:00] Thank you Marci. Are there questions to the maker of the motion for clarification? Seeing no questions, discussion on the motion? Kyle Adicks.

**Kyle Adicks** [00:05:17] Thank you Mr. Vice-Chair, and thank you Miss Yaremko for the motion that covers the entire coast. I'll just speak briefly to the north of Falcon area. Just for some perspective, the quota levels that were in the SAS report were the middle option for coho and somewhere between the middle and high options for Chinook. As I said, we'll have ongoing co-manager discussions through the week. I'm hopeful that we can resolve the coho stock issues pretty quickly. The Puget Sound Chinook list of stocks that I think today in the STT report was the first time this year the Council has seen that full list and the number of issues we have to deal with, with some critically low abundance Puget Sound Chinook stocks. Those aren't impacted to a high rate in Council fisheries, but as we work through the week, we will be looking to see what can we do to minimize the impact to Council fisheries as we also craft inside Puget Sound freshwater and marine fisheries to make sure we're meeting that long list of conservation objectives. I don't know at what points in the week I'll have guidance for the Council process, but we will have inside modeling that we'll want to look at that at each of the salmon check-ins as we make progress towards our final package.

**Pete Hassemer** [00:06:33] Thank you Kyle. Any further discussion? John North.

**John North** [00:06:39] Thank you Mr. Vice-Chair. And just speaking to Miss Yaremko's motion, I thank you for submitting that for Oregon. The proposed alternatives in that package reflect the unanimous support for Alternative 1 that we heard at the public salmon hearing, both commercial and recreational for the area south of Cape Falcon to the border. I appreciate the Oregon SAS members working to incorporate also what we heard about troll fisheries at that meeting where they wanted to get some August opportunity, which I think required shifting some July, reducing some July time to get some August opportunity. That's now in that package as is some tweaks to the potential opportunity for commercial coho. For all Oregon this alternative provides us a starting point to work on the rest of the week. We're still in that spot where we're trying to figure out how to leverage or how to access harvestable numbers of, you know, healthier Chinook and coho off the Oregon coast while remaining within all the conservation measures and it's not easy, so thank you.

**Pete Hassemer** [00:08:01] Thank you John. Marc Gorelnik.

**Marc Gorelnik** [00:08:04] Thank you Vice-Chair Hassemer. At perhaps great personal hazard, I'd like to offer an amendment.

**Pete Hassemer** [00:08:13] Please go ahead.

**Marc Gorelnik** [00:08:13] Okay. On the second line, the beginning of the second line, I would insert "commercial troll". I mean in the second line of the motion. And then after the... and the next line after April 6, 2024 insert, "and for California ocean recreational fisheries". Alternative 1 as set forth in Agenda Item C.9.a, Supplemental STT Report, March 2024. And then the number below where it says 27,500, change that to 21,036. And before we ask for a second, I want to see if there's any technical issues or.....

**Pete Hassemer** [00:09:53] Can I ask you about California recreational versus California ocean recreational?

**Marc Gorelnik** [00:10:01] It should be California ocean recreational fisheries. Just to be clear, we're talking about ocean, not inland here. We're talking about California and not other states. So, I think it's clear from that STT report if we go to California ocean recreational I think it's clear from that. Ocean, put the word "ocean" in there, just so there's no ambiguity.

**Pete Hassemer** [00:10:46] Okay, I'll ask you to look that over carefully and make sure that language

is accurate and complete.

**Marc Gorelnik** [00:10:57] I believe it is.

**Pete Hassemer** [00:10:59] Thank you. Is there a second to the motion? Seconded by Bob Dooley. Please speak to your motion.

**Marc Gorelnik** [00:11:09] All right, so I know that there is a division here, and honestly, I don't know if this motion to amend will pass, but I felt that I needed the opportunity to set forth a few things. And I'd first like to start with the management guidelines that govern our Council. And I'll start with National Standard 4, conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be, A: Fair and equitable to all such fishermen, and B: Reasonably calculated to promote conservation. And from our salmon FMP which states, "to maintain ocean salmon fishing seasons, supporting the continuance of established recreational and commercial fisheries while meeting salmon harvest allocation objectives among ocean and inside recreational and commercial fisheries that are fair and equitable". Fair and equitable pops up a lot, "and in which fishing interests shall equitably share the obligations of fulfilling any treaty or other legal requirements, such as conservation, for harvest opportunities". Under the motion by Miss Yaremko we have an ocean fishery that takes place... ocean fishery on the Sacramento fall Chinook that takes place exclusively in Oregon, which is plainly contrary to National Standard 4. The conservation burden ought to be shared. Now this isn't an objection to Oregon's proposed opportunity because the science, the FMP, and NMFS tell us that we can afford a careful, limited harvest. This is a question of fairness and equity, and we have a California fishery that takes place, at least on paper right now, exclusively in the river. As with Oregon, this isn't an objection to some inland opportunity, it's a question of fairness and equity as expressly called for in the fishery management plan. There is no doubt that California Chinook salmon are under pressure. There is no ambiguity about the reason California water policies are decimating Chinook populations. We have an obligation not to compound the harm. Our FMP and the National Marine Fisheries Service provide constraints on harvest to ensure that fishing does not contribute to the further decline in the stock. As has been noted, our models are not perfect. NMFS has directed a substantial escapement buffer. Consequently, relatively few salmon are available for harvest. California salmon fisher... commercial fishermen, as opposed to those in Oregon, believe that the available opportunity isn't commercially reasonable. I don't quarrel with that. Oregon's impacts on California fall Chinook are forecast to be about 2.9 percent of the estimated abundance. California's ocean impacts under Alternative 1 are projected at 2.2 percent of that abundance. My amendment seeks to restore the 2.2 percent of forecast impacts from the recreational ocean fishery. Public comment from recreational anglers is overwhelmingly in support of a limited opportunity in the ocean. Nonetheless, we've heard from some about the need for every last fish to escape. It's very difficult for me to imagine a scenario where a 2.2 percent change in escapement could be material. In fact, escapement has proven to be a terribly unreliable predictor of production, at least for the last 20 years. In 2013, 406,846 Sacramento fall Chinook escaped. In 2016, the progeny of that cohort, the postseason Sacramento index was only 205,317, a little more than half, and the escapement in 2016 was less than 90,000 fish. Three years later, those 90,000 fish produced a postseason Sacramento index of over half a million. And these are not isolated examples from the last 20 years. Inland environmental conditions are the primary determinants to reproductive success. Favorable conditions allow for good production even with suboptimal escapement. Poor conditions result in poor production even with abundant escapement. So it's hard for me to understand how increasing escapement by 2.2 percent will materially benefit stock rebuilding. On the other hand, businesses that rely on the recreational fishery will continue to suffer. Tackle and boat businesses and others that serve the recreational fishery aren't seeing any disaster relief. And we've heard from recreational anglers that they want an opportunity. For many years our salmon fisheries have been constrained by ESA-listed and overfished stocks. The Sacramento fall Chinook is neither

listed nor overfished, but for stocks falling into those categories, like the critically endangered Sacramento River winter Chinook, we are given guidance by NMFS. That guidance comes from carefully considered statistical and scientific analysis resulting in Harvest Control Rules. For the winter Chinook NMFS guidance in 2024 is to limit impacts to 12.3 percent or less. Even in the upper Sacramento the fall Chinook is far more numerous than the winter Chinook, so it isn't clear to me how an additional 2.2 percent in forecast impacts for a total of 5.1 percent with Oregon's impacts, should result in a closure in a non-listed non-overfished stock when impacts of up to 12.3 percent would be allowed in a critically endangered stock. And allowed impacts on listed California coastal Chinook and overfished Klamath Chinook are also far more generous. Now there are always management risks, but we're in the business of managing those risks. CDFW stated in March that it could manage a salmon quota system as it has for Pacific halibut. I think we need to take CDFW at its word with the notion that we may only end up with one opener if the number of fish taken in that first opener exceeds the quota set forth in Alternative 1. Thank you.

**Pete Hassemer** [00:18:31] Thank you Marc. Let me first look around and see if there are any questions to the maker of the motion for clarification? Kyle Adicks.

**Kyle Adicks** [00:18:39] Thank you Mr. Vice-Chair. I think I understand the intent of the motion, but as I read it, I don't think it takes any action on Washington or Oregon recreational fisheries as written.

**Marc Gorelnik** [00:18:53] That's correct. This is directed to California fisheries south of Falcon.

**Kyle Adicks** [00:18:57] The original motion was to adopt the fisheries coastwide. As written, this adopts commercial troll fisheries but does not adopt Washington or Oregon recreational fisheries.

**Marc Gorelnik** [00:19:09] All right, my apologies. I had assumed as in past practice we're doing this state by state. So that was my bad, but if I could have permission of the second to withdraw and then make a minor change here, I would like to do that?

**Pete Hassemer** [00:19:34] The second agrees with that so you can try your motion.

**Marc Gorelnik** [00:19:36] And that would be the insert the word "California".

**Pete Hassemer** [00:19:40] Let's make sure that it's withdrawn.

**Marc Gorelnik** [00:19:44] Okay it's withdrawn.

**Pete Hassemer** [00:19:44] So now you have a new amendment.

**Marc Gorelnik** [00:19:46] So I will read this aloud but I will tell you where I'm going to insert a word. I move to tentatively adopt the Ocean Salmon Fishery Management Measures for California commercial troll non-Indian fisheries as presented in the Agenda Item E.2.e, Supplemental SAS Report 1, dated April 6, 2024. And for California Ocean Recreational Fisheries: Alternative 1 as set forth in Agenda C.9.a, Supplemental STT Report, March 2024 for STT collation and analysis including the following additional guidance. Direct the STT to set the Sacramento River fall Chinook river recreational impact projection at 21,036 Chinook. And.....

**Pete Hassemer** [00:20:53] Thank you. The language on the screen is accurate and complete?

**Marc Gorelnik** [00:20:59] It is, but I would like to before we receive a second so we don't go through this exercise again, see if there are any... or maybe we have a second and I have to go through this

process again, but I think that if there are any questions about the language before we get a second that would be helpful.

**Pete Hassemer** [00:21:20] Well, I will just note that this is now taking it state by state. So, this is only California.

**Marc Gorelnik** [00:21:27] It's only California. All right.

**Pete Hassemer** [00:21:31] And that that would be the impact of it. Is there a second? Seconded by Bob Dooley.

**Marc Gorelnik** [00:21:38] And I think I've spoke to the motion before. I just have to comment the change in the number of Chinook relates to the 2.2 percent that would be taken. It's roughly 4,626 in the fishery that would be added and that's the explanation for the change in the fish afforded to the river recreational impact.

**Pete Hassemer** [00:22:04] Okay, thank you. Again, I will look for questions to the maker of the motion for clarification? Phil Anderson.

**Phil Anderson** [00:22:14] Well, I don't know where to put this, but this looks a lot like a substitute motion to me not an amendment. This completely changes the original motion. Changes the geographic scope of the original motion. I believe that it's a substitute motion, but I would defer to our Parliamentarian.

**Chris Oliver** [00:22:33] Assuming the original intent of the original motion was to be coastwide, I would agree that's a substitute motion.

**Pete Hassemer** [00:22:47] All right.

**Marc Gorelnik** [00:22:48] As I stumble along here, I'd like to withdraw the motion and relabel it a substitute motion.

**Pete Hassemer** [00:22:56] It's agreed to by the second. You may withdraw that motion...

**Marc Gorelnik** [00:23:00] and I'm hoping I'm not wasting everyone's time here, but so this is a substitute motion now and is it the pleasure of the Vice-Chair that I read it into the record as a substitute motion?

**Pete Hassemer** [00:23:18] Let's stick with our protocol and read it into the record.

**Marc Gorelnik** [00:23:21] Okay. I should be able to do it by memory by now. I move to tentatively adopt the Ocean Salmon Fishery Management Measures for California commercial troll non-Indian fisheries as presented in Agenda Item E.2.e, Supplemental SAS Report 1, dated April 6, 2024. And for California Ocean Recreational Fisheries, Alternative 1 as set forth in Agenda Item C.9.a, Supplemental STT Report, March 2024 for STT collation and analysis, including the following additional guidance. Direct the STT to set the Sacramento River fall Chinook river recreational impact projection at 21,036.

**Pete Hassemer** [00:24:02] And as I read that, it's accurate and complete. Do you agree?

**Marc Gorelnik** [00:24:07] I do agree.



**Pete Hassemer** [00:24:07] Is there a second? Seconded by Bob Dooley.

**Marc Gorelnik** [00:24:11] All right I'm not going to belabor the point here, and I appreciate that some in the room may be unhappy with this. I think this substitute motion is a vehicle for me to express my concerns over this process. And while I would hope it would pass, I certainly understand if it doesn't and I'll be happy to answer any further questions.

**Pete Hassemer** [00:24:40] Thank you. Further questions for the maker of the motion for clarification first? I'm going to look very carefully. Phil Anderson.

**Phil Anderson** [00:24:52] Just want to make sure I'm clear. This motion would have a series of very short openings in the month of June, July, August, September, and October. Is that correct?

**Marc Gorelnik** [00:25:04] That's correct.

**Phil Anderson** [00:25:05] In all three management areas that are south of the Oregon-California border?

**Marc Gorelnik** [00:25:10] Right. I believe the opportunities are equal in each of the areas.

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

**Pete Hassemer** [00:25:16] Further questions for clarification? I'm not seeing any. Discussion on the motion? Phil Anderson.

**Phil Anderson** [00:25:30] I had a question for Miss Yaremko. And that is there was in some of the discussion around this motion, there was the indication that California Department of Fish and Wildlife either had the ability or would be willing to track the catches by opening and it would have the ability to close the fishery if the total amount of the fish taken were in excess of the amount that is anticipated in the motion?

**Marci Yaremko** [00:26:09] Thank you Mr. Vice-Chair. Thank you Mr. Anderson. As I recall, the way Alternative 1 is presented there is a harvest limit for pre-September fisheries. I believe it's 10,000 Chinook and then a different harvest limit for the post-September fisheries of 5,000 Chinook. So, the way it would work would be the first open period would be prosecuted, then we'd stop and count, determine an estimate of catch relative to that harvest limit, consult with our SAS as necessary. If inseason action would be necessary to close the remaining open periods that are scheduled, then if that answer was yes, then we would connect with National Marine Fisheries Service and ask for an inseason call to recommend scratching the remaining open dates. Hopefully that answers.

**Phil Anderson** [00:27:23] Thank you. It does. Thank you very much.

**Pete Hassemer** [00:27:26] Thank you. Further discussion on the motion? Corey Ridings.

**Corey Ridings** [00:27:35] Thank you Mr. Vice-Chair. Thanks, Mr. Gorelnik, for providing this. I agree with much of what he said, including concerns about fairness between Oregon and California. I will not be supporting the substitute motion, however. The margins and the number of salmon we are talking about are incredibly low. There is a lot of uncertainty in the environment and we're trying very hard with models that have high uncertainty and need a lot of work. And even more important in my mind, the proposed inseason management measures that Miss Yaremko just spoke to are untested and I believe uncertain. Going only on what my neighbors will do if there is a salmon season, I have concerns about

blowing through those numbers. I want to support a small angling season because it's important to support a salmon culture in California, and that includes recreational fishermen. History is long though and we have good reason to believe that this trend will turn around and provide opportunity in the near future. So again, I thank Mr. Gorelnik for this but will not be voting for it.

**Pete Hassemer** [00:28:48] Thank you. Further discussion? Butch Smith.

**Butch Smith** [00:28:54] Well, that exercise made my head hurt, but Marc's done that a lot of times to me over the years, but I'm not speaking for or against it this time. I don't even know what state I'm in right now but my wondering is, and California has got a great management team, but if you'd really be ready for the type of derby fisheries that would potentially show up and if the fish were there and biting, you know, possibly a quota that low could be gone over pretty fast. And I don't have the answers, I just wondered if you have an estimate on that because California's, we've been taught has a very big coastline where in a lot of places to go in and out and land salmon, that would just be my question. And thank you for your motion, Mr. Gorelnik.

**Pete Hassemer** [00:30:03] Okay. Was there a specific question directed at someone?

**Butch Smith** [00:30:10] I would just ask Miss Yaremko if they have any idea what angling numbers to anticipate in a derby style fishery like that?

**Pete Hassemer** [00:30:27] Marci.

**Marci Yaremko** [00:30:29] Thank you Mr. Vice-Chair. Thank you Butch. I can't give you precise numbers, but what I can say is it is certainly reasonable to expect there would be effort shift into these very short open periods. If they are the only open days, if people want to go salmon fishing, that's when they would go. As noted, the Alternative 1 proposal does open all of the California coast for those days at the same time, so we wouldn't expect folks to need to drive north or south to have access to only a few ports, for example. I think what we can say is that I believe the highest Chinook catch that we've witnessed, at least in recent times, talking about a full month period fully open was in a month of July where I believe we had 40,000 fish taken in the month. And again, that was a 30-day open period. If I may I'd like to turn around and look at my staff and see if there's any additional information we might offer. That's about all I can tell you at this time. Thank you.

**Pete Hassemer** [00:32:16] Thank you. Further discussion? Susan Bishop.

**Susan Bishop** [00:32:23] Thank you Mr. Vice-Chair. Thank you Mr. Gorelnik. We have focused a lot on the impacts to Sacramento in the proposal. I'm just curious if you have looked at the potential impacts to either the California coastal Chinook or the Trinity River, for example, that I notice are both either up against or over their objectives under Alternative 2, so I'm just curious, I mean as we're working our way through this if you have a sense of what those might be. Thank you.

**Marc Gorelnik** [00:32:58] I don't know that I can put the numbers at my fingertips immediately, but I recall them being fairly de minimis. I know the Trinity component was .1 or .2 against the 16 percent cap. I think that the age 4 Klamath was also pretty de minimis as a proxy for the California coastal, but I don't have those numbers immediately at my fingertips so I apologize. If you give me a few minutes I can find those.

**Pete Hassemer** [00:33:39] All right, while Marc is looking for that. Phil Anderson.

**Phil Anderson** [00:33:45] I had one more question for Miss Yaremko. That is, I hope this is a fair

question, do you...would you anticipate that your Director would be recommending to your commission that the inriver non-Indian fishery would be closed if the ocean was closed?

**Pete Hassemer** [00:34:16] Marci.

**Marci Yaremko** [00:34:16] Thank you Mr. Vice-Chair. Thank you for the question. If I wasn't impeccably clear in my earlier testimony, it is absolutely the department's intention to recommend to the Fish and Game Commission that inriver fisheries be closed presuming ocean fisheries are recommended to be closed by the Council. Thanks.

**Pete Hassemer** [00:34:47] Any further discussion? Marc, have you found what you're looking for?

**Marc Gorelnik** [00:34:55] Thank you Mr. Vice-Chair. I did find the Trinity component. For the California sport fisheries under Alternative 1 it was .1 percent. I think I'd have to go back and look at the tables in Preseason-2 to see the component of age 4 Klamath in the sport fishery, but I know that generally speaking they're a small fraction of what they are in the commercial fishery so, but I can't give you an exact number off the top of my head.

**Pete Hassemer** [00:35:40] Susan Bishop.

**Susan Bishop** [00:35:42] Thank you Mr. Vice-Chair. Thank you Mr. Gorelnik. I appreciate you doing the heavy lifting to find the numbers there. I guess the comment I would just make is given the status of those populations and the fact that we're already over them, I would not characterize any even small amount of impact as de minimis in the sense that we're looking to try to meet those objectives in the next few days. So, just a reminder there of the importance of it.

**Pete Hassemer** [00:36:11] Thank you. Further discussion? I don't see any hands so I will call the question on the substitute motion on the screen before you. All those in favor say "Aye".

**Council** [00:36:31] Aye.

**Pete Hassemer** [00:36:34] Opposed?

**Marci Yaremko** [00:36:35] No.

**Corey Ridings** [00:36:35] No.

**Phil Anderson** [00:36:35] No.

**Pete Hassemer** [00:36:35] Abstentions?

**Sharon Kiefer** [00:36:41] Abstain.

**Pete Hassemer** [00:36:45] Mr. Executive Director I could not discern the number of in favor and opposed. Would you please do a roll call vote?

**Merrick Burden** [00:37:03] Happy to Mr. Vice-Chairman. Just give me one minute here. Okay, I'll be working off of voting sheet number 1 regarding, the motion I'm referring to is the E.2 substitute motion. Kyle Adicks.

**Kyle Adicks** [00:37:27] No.

**Merrick Burden** [00:37:29] Christa Svensson.

**Christa Svensson** [00:37:32] I'm going to abstain.

**Merrick Burden** [00:37:34] Joe Oatman.

**Joe Oatman** [00:37:37] No.

**Merrick Burden** [00:37:39] Marc Gorelnik.

**Marc Gorelnik** [00:37:40] Yes.

**Merrick Burden** [00:37:43] Sharon Kiefer.

**Sharon Kiefer** [00:37:45] Abstain.

**Merrick Burden** [00:37:49] Susan Bishop.

**Susan Bishop** [00:37:50] Abstain.

**Merrick Burden** [00:37:53] Robert Dooley.

**Bob Dooley** [00:37:55] Yes.

**Merrick Burden** [00:37:57] Butch Smith.

**Butch Smith** [00:38:01] No.

**Merrick Burden** [00:38:02] Phil Anderson.

**Phil Anderson** [00:38:05] No.

**Merrick Burden** [00:38:06] Corey Ridings.

**Corey Ridings** [00:38:08] No.

**Merrick Burden** [00:38:11] Marci Yaremko.

**Marci Yaremko** [00:38:12] No.

**Merrick Burden** [00:38:16] John North.

**John North** [00:38:18] Abstain.

**Merrick Burden** [00:38:21] Brad Pettinger.

**Brad Pettinger** [00:38:22] Yes.

**Merrick Burden** [00:38:32] And Mr. Vice-Chairman I have three yes and six no so the substitute motion fails.

**Pete Hassemer** [00:38:39] All right. Thank you Executive Director Burden. That takes us back to the primary motion or main motion that was before us. And I just want to make sure this is exactly the language that we started with. That appears to be correct. So, discussion, further discussion on this motion? I'm not seeing any hands for discussion. I will call the question on this one. All those in favor say "Aye".

**Council** [00:39:25] Aye.

**Pete Hassemer** [00:39:27] Opposed? Abstentions? The motion passes unanimously. Thank you. Do we have further motions here? Joe Oatman.

**Joe Oatman** [00:39:45] Thank you Mr. Vice-Chair. I'll wait a second while the motion gets displayed on the screen. Thank you. For tribal ocean fisheries in the area north of Cape Falcon, I move for the following tentative option to be analyzed by the Salmon Technical Team. For a Chinook quota of 42,500 and coho quota of 42,500. This option consists of a May-June Chinook-directed fishery and a July, August, September all-species fishery. The Chinook quota will be split 50-50 between the May-June and the July, August, September time periods.

**Pete Hassemer** [00:40:42] Thank you. That language appears complete and accurate. Is that correct?

**Joe Oatman** [00:40:49] It is Mr. Vice-Chairman.

**Pete Hassemer** [00:40:50] Thank you very much. Is there a second to the motion? Seconded by Kyle Adicks. Please speak to your motion.

**Joe Oatman** [00:40:56] Yeah, thank you Mr. Vice-Chair. So, the tribes feel that this is a reasonable option for treaty troll that is mindful of the management objectives of Chinook and coho salmon stocks in light of their 2024 projected abundances. I would also like to state for the record that there are ongoing discussions among the tribes and the state of Washington in which they will evaluate the total impacts of all proposed fisheries on Coastal Puget Sound and Columbia River stocks. Thank you Mr. Vice-Chair.

**Pete Hassemer** [00:41:33] Thank you. Questions for the maker of the motion for clarification? Not seeing any questions, discussion on the motion? Not seeing any hands for discussion, I will call the question. All those in favor say "Aye".

**Council** [00:41:53] Aye.

**Pete Hassemer** [00:41:53] Opposed? Abstentions? The motion passes unanimously. Thank you Joe. With that my checklist is complete, but the one that matters is the one Robin has. Robin.

**Robin Ehlke** [00:42:15] Thank you Mr. Vice-Chair. We've done a lot under this agenda item but you have worked through it well. We've heard from the STT. They gave us an update on the impacts associated with the March alternatives and how they've changed now that we're here in April. You've heard the summary of the public hearings that the Council hosted in March after we adjourned the March Council meeting. You've heard from the Pacific Salmon Commission Reports. You've heard from north of Cape Falcon Forum and their recommendations and the work they are continuing to do as we move through this April Council meeting. You've heard from our tribal governments and from management entities as well and additional public comment. And so, with that information you have made two motions, one to adopt the SAS recommendations under E.2.e with the further guidance to STT to add 27,500 Sac fall fish.....however it's written in the motion, sorry it's not in front of me, but

to make that one change. And then also we've heard from the tribal representative to include their motion on the number of Chinook and coho to start modeling for. So, with that you've completed your work. The STT will start their modeling process now and get that report out as soon as possible and I believe we're back here tomorrow to look at those results.

**Pete Hassemer** [00:43:57] All right, thank you Robin. Before we close it out, let me just look around, make sure there's no other closing comments. Not seeing any that completes this agenda item and I pass the gavel back to the Chair.

### 3. Clarify Council Direction on 2024 Management Measures

**Brad Pettinger** [00:00:00] That takes us to Council action and guidance. I'll open the floor for any discussion? All right, Joe, I'll look to... with the tribes and see if you have any guidance for us?

**Joe Oatman** [00:00:15] Thank you Mr. Chair. I do not have any guidance at this time to offer. Thank you.

**Brad Pettinger** [00:00:22] Okay. Thank you Joe. Kyle Adicks. Kyle.

**Kyle Adicks** [00:00:25] Thank you Mr. Chair. I do have some guidance for north of Falcon. So speaking to Agenda Item E.3.a, Supplemental STT Report 1, dated April 7th, 2024, implement the following changes. On Table 1 on Page 1 for the commercial troll management measures north of Falcon for the spring season between the U.S. Canada border and Cape Falcon, change 27,300 Chinook to 24,600 Chinook. And for the summer season change 13,700 Chinook to 16,400 Chinook. This is the same total quota. It's moving some fish from the spring season into the summer season to try to lower impact on Puget Sound Chinook stocks, in particular. I don't have anything else today. We're continuing meeting with co-managers. May have some inside fishery changes for the team to model as they go to work later, but we'll be back later this week with more.

**Brad Pettinger** [00:01:23] Okay. Thank you Kyle. We'll move to Oregon and John.

**John North** [00:01:27] Thank you Mr. Chair. Yes, Oregon does have a little bit of guidance today. Relative to the recreational salmon fishery south of Humbug Mountain. Specifically, our guidance refers to Supplemental STT Report 1, dated today, April 7th. Please implement on changes on Table 2 for the ODFW Recreational Management Alternative beginning on Page 9. Cape Falcon to the Oregon California border on the mark-selective coho fishery, please replace June 15th through the earlier of August 18th or 50,000 marked coho quota with two subareas, Cape Falcon to Humbug Mountain, June 15th through the earlier of August 18th, or the Cape Falcon to Oregon California border quota of 50,000 marked coho. And then second subsection, Humbug Mountain to Oregon California border, June 15th through the earlier of August 4, or the Cape Falcon to Oregon California border quota of 50,000 marked coho. And then in the Humbug Mountain to Oregon California border section Oregon KMZ, replace the dates referencing the mark-selective coho fishery of June 15th through August 18th with June 15th through August 4. And our modification here today should hopefully further reduce the impacts to SONCC coho by just shortening that mark-selective fishery south of Humbug by two weeks in August.

**Brad Pettinger** [00:03:07] Okay. Thank you John. All right. Looking south to California. Nothing's changed. Okay. All right. I see any discussion to be had here? I look to anyone. Robin.

**Robin Ehlke** [00:03:33] Thank you Mr. Chair. Can I just have a minute just to double check in my own head? California's guidance, or sorry, Oregon's guidance.

**Brad Pettinger** [00:03:46] Absolutely.

**Robin Ehlke** [00:03:46] And I'm wondering, sorry about this. Can we bring up Oregon's guidance again? And I'm sure it's just me, but I want to be clear before we walk out and maybe even just acknowledging that it's okay with the STT that the guidance looks clear. When scrolling down when we talk about the Oregon KMZ, so the Humbug to the border, which is the Oregon KMZ, I'm looking on Page 9. It's the very last cell. And it says May 16, oh... okay, I see it. It says May 16 to August 31, but in that paragraph below we have those dates of June 15. Okay. Sorry, you're fine Oregon. I just

wanted to clarify my own... making sure I had it straight in my head. So, I do see where that August 18th date is now. And also thank you for that time.

**Brad Pettinger** [00:04:51] Better to be... to get it right, absolutely.

**Robin Ehlke** [00:04:51] I appreciate that. Thank you so...

**Brad Pettinger** [00:04:56] All right. Well, I turn to you Robin. Are we good?

**Robin Ehlke** [00:05:01] Now that it's all straight in my head, yes, we're good. Thank you very much for the guidance. The STT will work on that information and bring another report out, probably tomorrow. We don't have salmon scheduled on your agenda for tomorrow, but we'll have a report and give folks some time to develop some additional guidance so that we can get to final in a couple days still to come. All right. Thank you.

**Brad Pettinger** [00:05:25] Okay. Thank you Robin. All right. Okay, well that takes care of E.3.



#### 4. Methodology Review Preliminary Topic Selection

**Brad Pettinger** [00:00:00] That takes care of public comment and takes us to Council action which is to provide guidance and support for candidate items, so I'll open the floor up for discussion. Kyle Adicks.

**Kyle Adicks** [00:00:12] Thank you Mr. Chair. I just wanted to flag a couple of topics that the Washington co-managers have been discussing. One was referenced in the STT report as a topic that required more discussion between co-managers and the National Marine Fisheries Service. That discussion's about methods for analyzing inseason actions, things like quota rollovers between seasons or conversions of mark-selective fisheries to non-selective fisheries. So those discussions will continue. I don't know that anything that comes out of those will be something that needs to go through methodology review, but it's going to be an ongoing discussion into the summer. The other is the OPI forecast that the SSC flagged as Number 6 in their report. As that report says, and as Miss Bishop mentioned, we did a lot of work last summer to come up with a new method that went through methodology review. I don't know if we have the staff time to commit to another review this summer to further refine that. We can certainly take a stab at it. I just sitting here today I can't commit to that. It was a lot of work for Washington and Oregon staff to get there. Certainly supportive of documenting how that forecast gets put into the models. Again, that wouldn't be something that needed methodology review, that would just be documenting what we're doing. But so just wanted to flag those two issues. I don't have any formal recommendations but we have been discussing those things.

**Brad Pettinger** [00:01:34] Thank you Kyle. Anyone else? Marci Yaremko.

**Marci Yaremko** [00:01:39] Yeah, thank you Mr. Chair. I just want to flag the earlier exchange between Phil Anderson and Doctor Schaffler on the preliminary list that was identified by the SSC and acknowledge that I think all of the co-managers that might be involved in any of those items would need to have some discussions, an agreement that there's capability to move forward with any of them. And then just noting the STT didn't have anything on their list. I think that their involvement in any work over winter, summer is very important. So, I guess these things proceed organically and I'm comfortable with that. But I would just like to thank Doctor O'Farrell for the discussion that the STT did have surrounding SONCC coho and certainly would encourage the STT and co-managers to consider the potential for improving the SONCC coho preseason inputs, which is consistent with past requests that the Council has made coming out of the SONCC coho workgroup process. Exactly what all that entails I'm not sure at this time. It could be including the, revisiting the feasibility of developing an abundance forecast or adjustments to inputs in coho FRAM, et cetera. But I just want to, I think, highlight the situation that we found ourselves here in April with the change to a preseason input here at the April meeting. Doctor O'Farrell highlighted for us yesterday the change to British Columbia SONCC coho impacts, an increase from .2 to .4. and what a significant impact that has on us trying to come together to reach resolution on how to ensure we stay within our new SONCC coho constrain of 16 percent. So I don't know if that's entirely within bounds of a methods review, but it certainly is something that I think we need to give a lot of thought to acknowledging that, you know, California's fisheries as shown in the package right now are completely closed and yet we will have impacts to SONCC coho if we schedule any seasons at all and we are just at the max right now with zero fishing in California and these other inputs certainly make a difference and yet they're not part of our Council process and our, I guess you'd call it sharing arrangement. So just want to flag that and hope that maybe we can think about that over summer. Thanks.

**Brad Pettinger** [00:04:52] Thank you Marci. Anyone else? Susan Bishop.

**Susan Bishop** [00:04:57] Thank you Mr. Chair. I would just note that several of the items mentioned in the SSC report, and also as highlighted in the various documents that they signed, are relevant to the Klamath and Sacramento stocks and we have ongoing, very active workgroups on both of those. On the Terms Of Reference for both of those workgroups sort of include looking at several of these same topics. I'd be a little concerned to get ahead of the workgroups. In addition, both workgroups include sort of the experts and also folks that are on the STT and the SSC so that perhaps once those workgroups get a little further along in their work or bring back recommendations to the Council, that might be a more appropriate time to take some of these things up. Thank you.

**Brad Pettinger** [00:05:45] Thank you Susan. John.

**John North** [00:05:48] Yeah, thank you Mr. Chair. And in support of Miss Bishop's comments, that's kind of what I was thinking too, that several of these things are underway right now and it just feels more like we should let the process play out and be more informed. Thank you.

**Brad Pettinger** [00:06:05] Okay. Anyone else? All right. Robin. I think there's some good suggestions there.

**Robin Ehlke** [00:06:14] Thank you Mr. Chair. You've had a good discussion about the topics that were brought forward and perhaps some reasoning of why some aren't. I think what I'm gathering from the Council is that although the topics that were provided in the SSC report may have merit, it may be a bit premature for some and that other processes just need to continue before we know for sure how things may plan out. If I'm hearing everything correctly, I'm thinking that the Council is supporting having no topics on the methodology review as candidate options at this time. We pick this conversation back up in September and if work can be done, we can bring any topics that may be ready for review in September. That was noted as part of the STT comments consistent with our COP, excuse me, our COP.

**Brad Pettinger** [00:07:18] Okay. All right. Before I close this item out anything? Anybody else?

**Robin Ehlke** [00:07:26] All right.

**Brad Pettinger** [00:07:31] Okay. Very good.

**Robin Ehlke** [00:07:32] All right. Thank you. Thank you Mr. Chair. That concludes your item, your discussion under this agenda item. Thanks.

**Brad Pettinger** [00:07:38] Thank you Robin. And we're going to take a break and back at 2:15.

## 5. Further Direction on 2024 Management Measures

**Pete Hassemer** [00:00:00] That completes our public comment. Takes us to our Council action, which is guidance and direction as appropriate. I'll look around and maybe it's best to start from my left and work right. Kyle.

**Kyle Adicks** [00:00:18] Thank you Mr. Vice-Chair. I do have some guidance for north of Falcon fisheries.

**Pete Hassemer** [00:00:24] All right.

**Kyle Adicks** [00:00:27] So speaking relative to Agenda Item E.5.a, Supplemental STT Report 1 dated today, April 9th, 2024, implement the following changes. For Table 1, the north of Falcon commercial management alternatives beginning on Page 1 for the north of Falcon spring troll fishery. Change the catch limit for the U.S. Canada border to Queets River to no more than 5,600 Chinook. And for the north of Cape Falcon fishery in the summer season change the landing and possession limit beginning July 11th to 120 Chinook and 100 mark coho per vessel per landing week. And for the subareas north of Leadbetter Point, change the season end date to September 22nd. And Table 2 Recreational Management Alternatives north of Falcon beginning on Page 8. For the U.S. Canada border to Leadbetter Point, the Neah Bay, La Push, and Westport subareas, change the season end dates to September 22nd. And for the Westport subarea, add language saying that "possession of salmon on board a vessel is prohibited on days when the subarea is closed to salmon retention". That last piece there, 4 days in July in the Westport subarea that are closed to salmon retention, and this is just to clarify that it's illegal to possess salmon in that area during those days. The change to the troll fishery in the spring is to reduce the impact of ocean fisheries on Puget Sound stocks. We have a number of Puget Sound marine and freshwater fishery changes that we'll ask the team to model when they implement this guidance in their modeling, and there are ongoing discussions with the coastal co-managers about the effect of September fisheries on coastal Washington coho stocks. This change from September 30th to September 22nd is to try to add some protection for those coastal stocks, allow us to continue fishing the first three weeks of September and gather data and get a better understanding of the impacts of the September fishery on those stocks.

**Pete Hassemer** [00:02:22] All right, thank you. I'm going to look to Doctor O'Farrell to make sure that's all clear and good? Great. Moving around here... the coast. John North. Oh, excuse me, Phil Anderson.

**Phil Anderson** [00:02:38] I have a question for Kyle, but this may not be the right time.

**Pete Hassemer** [00:02:44] Let's take it now since we're on that.

**Phil Anderson** [00:02:46] Thank you. Just a question on that last provision at the very bottom. I understand the need for that in the July timeframe when we have different days of the week open. My question is, does that provision also apply to the time period between September 23rd and September 30th when the area south of Leadbetter is open and the area north of Leadbetter would be closed?

**Kyle Adicks** [00:03:32] Thank you Mr. Anderson. I hadn't thought through that level of detail with the addition of the closure on September 22nd. The intent is for those 4 days in July to make it illegal to possess salmon in the Westport subarea. We can think about the language and whether it needs to say something different for that end of September period.

**Phil Anderson** [00:03:51] Thank you.

**Pete Hassemer** [00:03:54] All right, thank you. Any further questions? Butch Smith.

**Butch Smith** [00:04:00] On that same line Mr. Adicks, I was wondering about the 8 day differential on the starting date between area in 2 and area in 1 in June? That should, or would it apply to that, those days?

**Kyle Adicks** [00:04:21] The way this is worded it would. If we need to discuss that we can.

**Pete Hassemer** [00:04:29] Thank you. Further questions? Not seeing any I'm going to move north along the coast. John North.

**John North** [00:04:40] Yeah, thank you Mr. Vice-Chair. Oregon does have some guidance on this agenda item today pertaining to both recreational and commercial salmon fisheries south of Cape Falcon. Specifically, our guidance would be on Agenda Item E.5.a, Supplemental STT Report 1 dated today, April 9th. On Table 1, please change for ODFW Commercial Management Alternatives Table 1, Page 2 on Cape Falcon to Humbug Mountain for the non-mark selective coho fishery, replace 5,000 coho quota with 2,500 coho quota. Also replace no more than 50 coho allowed per vessel per landing week with no more than 25 coho allowed per vessel per landing week. And then on Table 2 under ODFW Recreational Management Alternatives on Page 9, for Cape Falcon to Oregon California border on the mark-selective coho fishery, please replace all references to the coho quota of 50,000 mark coho with 45,000 mark coho. And in the Cape Falcon to Humbug Mountain non-mark selective coho fishery, please replace the September quota of 30,000 coho with 25,000 coho. And I think that was all we had, I think.

**Pete Hassemer** [00:06:07] All right, thank you. That looks like that's complete. Again, let me confirm with Doctor O'Farrell that's clear. It's good there. Any questions on the Oregon guidance? Not seeing any, continue along the coast. California. Oh, I'm sorry John.

**John North** [00:06:29] Oh, that's fine Vice-Chair. I was just going to add that, explain modification. We're hoping that this will facilitate meeting the ESA management objectives for the Lower Columbia River natural coho both, well, through reductions in both sport and commercial fisheries but while also attempting to maximize our harvest in that process so.

**Pete Hassemer** [00:06:57] All right, thank you. Let me pause a little longer and make sure there's no other hands regarding that guidance. I'm not seeing any. Let's move along the coast. Marci Yaremko.

**Marci Yaremko** [00:07:11] Thank you Mr. Vice-Chair. I do you have some California guidance. And I will just start by saying that all of these proposed amendments are regulatory cleanup in nature. They do not change the nature of the recommendations or the season alternatives for closed California sport and recreational ocean fisheries. So, working from Agenda Item E.5.a, Supplemental STT Report 1, dated March 9th, 2024, implement the following changes. Table 1, the Commercial Management Alternatives beginning on Page 3 from latitude 40 10 to Point Arena, the Fort Bragg area, remove the boilerplate regulatory language that shows now for 2025 and replace it with the following, "in 2025 the season opens April 16th for all salmon except coho. Chinook minimum size limit of 27 inches total length. Gear restrictions same as 2022. Harvest guidelines and vessel-based landing and possession limits may be considered inseason. Inseason actions to close fisheries, modify season dates, or modify vessel-based landing and possession limits may be considered when total commercial harvest in this management area is approaching its harvest guideline. Electronic fish tickets must be submitted within 24 hours of landing. This opening could be modified following Council review at its March or April

2025 meeting". Moving to the San Francisco area, Point Arena to Pigeon Point. Again, remove the boilerplate regulatory language for 2025 and replace with the following, "in 2025 the season opens May 1 for all salmon except coho. Chinook minimum size limit of 27 inches total length. Gear restrictions same as 2022. Harvest guidelines and vessel-based landing and possession limits may be considered inseason. Inseason action to close fisheries, modify season dates, or modify vessel-based landing and possession limits may be considered when total commercial harvest in this management area is approaching its harvest guideline. Electronic fish tickets must be submitted within 24 hours of landing. This opening could be modified following Council review at its March or April 2025 meeting". For the Monterey area, Pigeon Point to the U.S.-Mexico border, the same guidance as the San Francisco area above. Moving to Table 2, the Recreational Management Alternatives, beginning on Page 8. This is up at the top in the south of Cape Falcon supplemental management information. Remove the following item, Number 6: Fisheries may need to be adjusted to meet NMFS ESA consultation standards, FMP requirements, other management objectives, or upon receipt of new allocation recommendations from the California Fish and Game Commission. Moving to the California KMZ. Remove the boilerplate regulatory language for 2025 and replace it with, "in 2025 the season opens April 5th for all salmon except coho two salmon per day. Chinook minimum size limit of 20 inches total length. Gear restrictions same as in 2022. Harvest guidelines and bag limits may be considered inseason. Inseason action to close fisheries, modify season dates, or modify the bag limit may be considered when sport harvest is approaching a harvest guideline. This opening could be modified following Council review at its March 2025 meeting. Moving to Fort Bragg. The same guidance as the California KMZ cell. Moving to San Francisco. Remove the boilerplate regulatory language for 2025 and replace it with, "in 2025 the season opens April 5th for all salmon except coho two salmon per day. Chinook minimum size limit of 24 inches total length. Gear restrictions same as in 2022. Harvest guidelines and bag limits may be considered inseason. Inseason action to close fisheries, modify season dates, or modify the bag limit may be considered when total sport harvest is approaching its harvest guideline. This opening could be modified following Council review at its March 2025 meeting. And moving to the Monterey area. The same guidance for this area as was shown in the San Francisco cell above. Thanks.

**Pete Hassemer** [00:12:28] Thanks Marci. And if you can scroll that to the top. I know this isn't a motion, it's guidance, but words are always important. I think Marci you meant the April 9th report?

**Marci Yaremko** [00:12:39] Yes. Thank you.

**Pete Hassemer** [00:12:43] Just so we didn't scare the STT on what they needed to do. Then I'll look to Doctor O'Farrell and just make sure, confirm that that guidance is understood? It's good. Did you want to speak to that?

**Marci Yaremko** [00:12:55] Yeah, I do. I just want to add a little more background with regard to these clarifications. As we've been explaining throughout the March and April meeting process, we are working to refine and clarify, make as perfect as we can the regulatory language that will be effective once fisheries do open both for commercial and sport fisheries. So, we've spent quite a bit of time in the back rooms the past couple of days working on the specific language that will appear in the final regulatory action that would be effective for the next season. Of course, the possibility exists that next March we could take inseason actions on fisheries that are being scheduled right now and in this process. If we do have early openers next spring, we certainly want to make sure that the language that would govern those openers is as good as we can get it right now. So, we've spent some time trying to clean up what we had coming out of March to make sure that our terminology is correct and is as specific as it can be. You'll notice we've now, for example, changed out the term "harvest limit" to use "harvest guideline", which is probably more appropriate in this circumstance, and made clear that we're talking about vessel-based limits and possession limits, so we spent some time doing our best to get that right. We certainly want to make sure we're complying with the buy-op and making sure that, you

know, the required framework elements are met as best we can in the regulatory language. Speaking to the recreational fishery. Inseason management, which is something that did come up in the public comment, is not a requirement of the NMFS coastal Chinook buy-op. However, in the March process we spent quite a bit of time working with our SAS members to develop provisions of Alternative 1 and Alternative 2 that would allow for a very restrictive recreational season that was held to very clear limits. We certainly would not want to prosecute a fishery that exceeded expectations. We've been down that path. We don't want to do that again. So, when we built our alternatives in March we incorporated the use of harvest guidelines, both pre-September 1 and post-September 1 for 2024 should those alternatives ultimately be recommended by the Council. It also ensuring that we did not have realized catch that exceeded projections also not only would help us with management of our target stocks, the Sac fall and Klamath fall, certainly would have similar benefits to other stocks of concern like winter and spring. So, when we were asked to design a precautionary fishery, that's what we did and employed the use of harvest guidelines. So, looking to 2025 we anticipate that we will want to do that again, so we want to make sure that the regulatory language is available should we have an opportunity to commence fisheries next spring. Then there's another spot here where we're talking about some latent regulatory language that we recommend removal. This has been kind of a long standing carryover item from previous years, and it was pointed out to us that it was somewhat redundant and confusing so there is some strike-out because the content was really no longer relevant. So, you see that in that Item 6 that I referenced on the screen earlier. So that's the basis for that. Thank you.

**Pete Hassemer** [00:17:37] Thank you. Any questions on that guidance? Seeing no hands I'll look further down the table here and Joe Oatman.

**Joe Oatman** [00:17:52] Thank you Mr. Vice-Chair. I do not have any guidance to offer the STT on the Treaty Indian troll alternative.

**Pete Hassemer** [00:18:03] All right, thank you. I believe that completes our... no? Marc Gorelnik.

**Marc Gorelnik** [00:18:12] Thank you Vice-Chair Hassemer. I just wanted to offer some comments, both reflecting what we heard from the public and just sort of my long standing frustration. We're here fighting amongst scraps and that's not the case in other sectors that use our water in California. I mean, we have seen our salmon fishery fall from an annual average of a million Sacramento fall Chinook to an average, now at this point is probably less than 300,000. And at the same time other water users have vastly expanded their use of California's water. And that's not an equitable use, but unfortunately that's not something we can solve here. We've always been taught here that we need to follow the data and let the data take us where it goes. And as I argued earlier, and as we've heard in public comment, the data does take us to a small fishery. I made that effort the other day. I didn't prevail. I'm not planning on bringing that back again. But I do want to say that those who are not following the data this year, that could bite you in the ass later, because that runs both ways. Folks can say we need to do this because the data says that and other people say, 'well, we can't trust the data'. And once you don't trust the data our process becomes less credible. We did hear from the California Department of Fish and Wildlife before this process began that they were going to let the process play out. That's not how it turned out unfortunately, and as someone who interfaces with the public and tries to grow trust in our process, it makes that job much more difficult when we're not following the data and when we get representations from agencies that change without notice and without, in my view anyway, a valid explanation. I trust that this is the last year we have to go through this, but remember prior to 2008 we'd never had a closed salmon season, and now we've had four. And we're losing the fishery not because of what the fishery is doing, it's because we're not having any success in the inland waters. We're dewatering reds. We're cooking eggs and fry. We're not allowing the out-migrating juveniles to enjoy the benefit of a spring flood, which is what they were evolved to do. And those are all decisions that are made by the federal government and by the state of California. And so, the state of California wants us to close the salmon

season this year, but the state of California I'm sure will not follow through on the steps that are needed to avoid this process in the future. Thank you.

**Pete Hassemer** [00:21:36] Thank you Marc. I'm going to look around and make sure there's no other hands, comment, guidance? Corey Ridings.

**Corey Ridings** [00:21:46] Thanks Mr. Vice-Chair. I'm going to switch gears just a little bit here. But I wanted to briefly respond to some public comment that we heard around sort of the way that this Council does business. We heard a previous public comment earlier in the week too, so I just didn't want to let those go unacknowledged and just share a few thoughts. It's been my experience that this Council tries hard to make a space where genuine discourse and disagreement is encouraged. Processes like the Council don't work unless there is opportunity for disagreement. If we all agreed there'd be no reason for us to be here. And so having a diversity of voices and having different opinions and bringing our stakeholders together and bringing the public together and having those opportunities to me is what makes the Council the Council and is our strength. I don't think that probably any organization or group of people potentially in the world does this perfectly. Sort of an ongoing search for how we do that better. And so, towards that end of trying to operate this Council on principles of openness, transparency, discourse, disagreement, we have a professional and respectful workplace policy. We discussed this last year. I bring it up here because the Council staff has been doing good work to implement that and there's been ongoing discussion around ground rules, codes of conducts, and operational guidelines. And so, I just wanted to bring that up because I know a lot of, you know, salmon people aren't necessarily in the room for those discussions. We have very long Council meetings and not everyone is in the room for every agenda item. So, I just wanted to highlight those and note that it's an ongoing process, and that I believe that this Council continues to do the work to try to meet those principles and do the best job that we can.

**Pete Hassemer** [00:23:54] Thank you Corey. Further comments? I think I've looked fairly hard around the table here. I don't see any hands. So, Angela, do we have, do you have all the information you need here?

**Angela Forristall** [00:24:14] Yes. Your Council's work is now complete under this agenda item and the STT will be taking this guidance and is scheduled to present again tomorrow.

**Pete Hassemer** [00:24:24] All right, thank you. That will close out Agenda Item E.5.

## 6. 2024 Management Measures – Final Action

**Pete Hassemer** [00:00:00] That completes our public comment, our reports, takes us to Council action. Motions will be needed to adopt the final management measures. But before we get to those I'll look around and see if there are any opening comments, discussion? Kyle Adicks.

**Kyle Adicks** [00:00:20] Thank you Mr. Vice-Chair. I did have an issue I wanted to circle back to from March. You may recall when Mr. Anderson gave his Pacific Salmon Treaty Report, then he identified an issue that had come up in the Pacific Salmon Treaty process with the exploitation rate on Nooksack spring Chinook in southern U.S. fisheries and the obligations of the treaty. After that issue was identified, the co-managers recommended to the Pacific Salmon Commission a number of actions, including a review of the terminal area run reconstruction and alignment with estimates of harvest rates from coded wire tags. In response to the report recommendations, the Lummi Nation, Nooksack Indian Tribe, and Washington Department of Fish and Wildlife undertook a detailed review of the terminal area run reconstruction. For each fish caught or encountered in the freshwater fishery, the review entailed assigning the origin of each fish encountered using genetic analyses, otoliths marks, coded wire tag recoveries and mark status. After completing that review, the co-managers reassessed estimates of exploitation rates in southern U.S. fisheries from 2009 through 2022. The updated analysis indicates that a preseason southern U.S. management objective of 10.9 percent is consistent with achieving the Pacific Salmon Treaty obligations, and that 10.9 percent is the value that's in the co-managers Puget Sound Chinook Resource Management Plan as well as was in the NOAA Guidance Letter back in March. So, the co-managers have agreed to use this management objective for planning the 2024 to 2025 fisheries. And the co-managers will be providing the complete analysis to the Pacific Salmon Commission as a supplement to the report submitted back in January. Also, just like to say this was a huge lift from biologists in the watershed to our modeling staff to even lab staff running otoliths in an expedited manner so we could get this done, make sure we had a clear path on our management objective for this year. And also, thanks to NOAA staff for being available to review the work once the co-managers had completed it.

**Pete Hassemer** [00:02:23] Thank you Kyle. Any further discussion, comments here? Susan Bishop.

**Susan Bishop** [00:02:35] Thank you Mr. Vice-Chair. I just want to express my... this has been another difficult year on a lot of different fronts coastwide and I just want to express my appreciation to all the discussions and the conversations that happened, whether it was with the fishing community, management agency, staff, the tribes, people just hung in there to get things done and I stand in admiration of that. And I'm particularly appreciative to the CDFW staff and WDFW staff, ODFW, everyone else who helped us work through our questions and were patient and just making sure that this all worked. So, thank you everyone.

**Pete Hassemer** [00:03:21] Thank you Susan. Any other comments? Discussion? And if not, I will be looking for any motions. You want to go in a particular order? Let's start with Kyle Adicks.

**Kyle Adicks** [00:03:40] Thank you Mr. Vice-Chair. I do have a motion. I move that the Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area north of Cape Falcon as presented in Agenda Item E.6.a, Supplemental STT Report 1, dated April 10th, 2024, with the following modifications. On Table 1 for the U.S. Canada border to Cape Falcon spring season, in the section on landing and possession limits add, "landing and possession limit of 150 Chinook per vessel combined across all subareas per landing week". And for the U.S. Canada border to Cape Falcon summer season for the subareas north of Leadbetter Point, change the season end date to September 15th. And then the boilerplate language at



the bottom for all commercial troll fisheries north of Cape Falcon add, "vessels fishing in a subarea north of Cape Falcon with a higher limit may transit through and land in subarea with a lower limit. Prior to crossing the subarea line at Leadbetter Point or Queets River, vessels must notify the Washington Department of Fish and Wildlife at (360) 249-1215 with area fished, total Chinook, coho, and halibut catch aboard, and destination with approximate time of delivery". For Table 2 in the north of Falcon recreational Management alternatives on page 7, for the U.S. Canada border to Leadbetter Point, the Neah Bay, La Push and Westport subareas, change season end dates to September 15th. And for the Westport subarea add, "prior to September 16th" to the language prohibiting possession of salmon on board a vessel on days when the subarea is closed to salmon retention.

**Pete Hassemer** [00:05:22] Thank you Kyle. As I read that it appears accurate and complete. Is that correct?

**Kyle Adicks** [00:05:27] Yes.

**Pete Hassemer** [00:05:28] Thank you. Is there a second to the motion? Seconded by Phil Anderson. Please speak to your motion.

**Kyle Adicks** [00:05:34] Thank you Mr. Vice-Chair. The most significant change in this is the shifting of the season end dates for those three subareas from September 22nd to September 15th. We continued co-manager discussions through the night and day today on making sure we're understanding the impacts to coastal Washington stocks of September fisheries. We are closing on this date this year. Have an interest in looking at ways to continue to assess that even if fisheries are closed. And we'll hear a little more on that later. The other things are really just cleaning up some rulekeeping things. Our intent with the possession limits is not to let someone go get the maximum limit from every area. It's to have a combined limit across the north of Falcon area. When I introduced the language for the Westport recreational fishery yesterday prohibiting possession of salmon on board a vessel, you heard a couple questions on that. The intent here is to make it illegal to possess on the days the subareas closed during June and July and August, but once the Westport area closes on September 15th and the area to the south is still open, it would be legal to possess salmon to transit back to Westport. It's been a different year, and we had some new stocks of concern that really drove our inside fishery planning in Puget Sound. A ton of staff worked on that through the nights and days this week to get us to a place where we have a package that will meet all of our conservation objectives. There was one bolded value in the team report for Skokomish summer fall Chinook. We do have new Inside Puget Sound Marine and Freshwater Fisheries Plan that will meet the 50 percent objective there once it's run with the ocean package that's being put forward. As always, just thanks to all of the state staff, tribal staff, federal staff, the Salmon Technical Team, the SAS, all the people who worked really hard over the last month and especially the last week to get it to this point today.

**Pete Hassemer** [00:07:41] Thank you Kyle. Questions for the maker of the motion for clarification? I'm not seeing any questions. Discussion on the motion? I'm not seeing any discussion I'll call the question. All those in favor say "Aye".

**Council** [00:07:57] Aye.

**Pete Hassemer** [00:07:58] Opposed? Abstentions? The motion passes unanimously. Thank you. Let's proceed southerly. John North.

**John North** [00:08:12] Thank you Mr. Vice-Chair. Oregon does have a motion today. We have it on the screen. I move that the Council adopt for submission to the U.S. Secretary of Commerce the non-Indian commercial and recreational salmon management measures for the area from Cape Falcon,

Oregon to the Oregon California border as described in the Agenda Item E.6.a, Supplemental STT Report 1, dated April 10th, 2024, including all season descriptions, minimum sizes and requirements, definitions, restrictions, and exceptions.

**Pete Hassemer** [00:08:52] Thank you John. That appears accurate and complete. Is that correct?

**John North** [00:08:56] It does.

**Pete Hassemer** [00:08:57] Thank you. Is there a second to that? Seconded by Christa Svensson. Please speak to your motion.

**John North** [00:09:04] Thank you Mr. Vice-Chair. To echo Miss Bishop, this has been another difficult salmon cycle. I haven't been here that long but it seems like, unfortunately, that's a bit of the norm. We're facing challenges up and down our coast with different salmon stocks. I really do hope we can turn things around, especially for the California fall Chinook stocks in the Klamath and Sacramento. I hope that the dam removals and maybe the improved water outlook could get us headed that direction. I also want to acknowledge the huge, huge economic impact of another full closure on the California salmon industry and their coastal economy. I truly do feel for that. Oregon has struggled in a similar vein. Our troll fishery has been in disaster relief for six of the last eight years. But through the Council process, which included valuable input from our stakeholders and advisors and the public, Oregon's goal this year has been to try and develop salmon seasons that will provide some opportunity and access to our relatively healthy salmon runs coming back to Oregon while remaining within the overall management guidelines, ESA constraints, and also below recent average sharing of the Sacramento and Klamath fall Chinook. But unfortunately, prosecuting fisheries along Oregon does require an impact to California salmon stocks. However, to help explain Oregon's thought process, that impact will allow us to this year produce a modeled harvest of approximately 100,000 combined coho and Chinook, of which 7.5 percent would be Sacramento and Klamath fall Chinook. So, we're trying our best to leverage that into a viable fishery. I would like to thank the public that participated in the process and recognize the great work of the Salmon Technical Team. I was impressed with them. The Salmon Advisory Subpanel was a pleasure to work with and also my coworkers at ODFW and my fellow managers. Thank you.

**Pete Hassemer** [00:11:29] Thank you John. Any questions for clarification? Seeing no questions, discussion on the motion? No hands for discussion. I will call the question. All those in favor say "Aye".

**Council** [00:11:44] Aye.

**Pete Hassemer** [00:11:44] Opposed? Abstentions? The motion passes unanimously. Thank you John. Proceeding around the table here. Marci Yaremko.

**Marci Yaremko** [00:12:02] Yes, thank you Mr. Vice-Chair. I move the Council adopt for submission to the U.S. Secretary of Commerce the 2024 non-Indian commercial and recreational salmon management measures for the area from the Oregon California border to the U.S. Mexico border as presented in Agenda Item E.6.a, Supplemental STT Report 1, dated April 10th, 2024, including the commercial and recreational requirements, definitions, restrictions, or exceptions.

**Pete Hassemer** [00:12:39] Thank you Marci. That looks to me that it's accurate and complete, do you agree?

**Marci Yaremko** [00:12:44] Yes.

**Pete Hassemer** [00:12:45] Thank you. Is there a second to the motion? Seconded by Corey Ridings.

Please speak to your motion.

**Marci Yaremko** [00:12:52] Thank you Mr. Vice Chair. I mentioned since March about the numerous concerns and constraints that have made planning California fisheries this year exceedingly difficult. The abundance forecasts for our Sacramento and Klamath target stocks are just too low. Meanwhile, our spawner returns for Sacramento winter Chinook, Central Valley spring, and the Upper Sacramento fall populations were historically low. We're also working through new conservation objectives for California Coastal Chinook and SONCC coho and how those new constraints affect California fishery planning. The letter from our Director that's now in the briefing book under this agenda item requested the Council design fisheries to minimize impacts in all Council managed fisheries that encounter Sacramento and Klamath stocks. And it is the department's desire that all foregone harvest of these stocks be put toward escapement this fall. The informal sharing arrangements between California and Oregon that John referenced earlier played an important role in shaping the fisheries south of Falcon in 2024. By recommending closures for California this year that could have left fish on the table for harvesting in Oregon's fisheries, however, California and Oregon and our SAS representatives at the helm came to an agreement to maintain those historical and formal sharing arrangements, which ultimately allows California's share of the harvest to be left in the ocean or put toward escapement, as the case may be, rather than allowing those fish to be available for harvest in Oregon's fisheries this year. That traditional sharing between Oregon and California of both Sacramento and Klamath stocks was a feature of the SAS worked hard to incorporate in each of the three alternatives that we developed in March and has continued forward in the final recommendations. The Director's letter also expresses the department's intent to recommend to the California Fish and Game Commission that it close the recreational salmon fishery in inland waters in the Central Valley and Klamath River Basin. Protecting these stocks across the ocean and river phases of their life history will be critical to maximizing escapement in 2024 and this recruitment to future fisheries in the years to come. I want to acknowledge the work of our SAS. Beyond just working on the sharing arrangements, the work that was done in March to begin crafting season alternatives and regulatory measures that utilize inseason management tools that have not yet been employed in California fisheries. This took a lot of creative thinking and flexibility on everyone's part, and that work from March continued here in April. Ultimately, the number, excuse me, numerous conservation concerns and the restrictive management constraints that would have been needed this year led us to the decision to stay tied up for a second year in a row. We know, based on the public comment we've received in the briefing book at our hearings, comments to our department directly, how hard another year of closure will be on our California fishing communities. Looking ahead I just want to acknowledge that we're moving ahead with the process of toward dispersing the 2023 fishery disaster funds that were allocated to California. A draft spend plan was released this week. That's also, a notice on that is available in the briefing book on Informational Report 3. And that plan is out for public review through April 19th. Additionally, we are working very hard right now as we speak in collaboration with the California Governor's Office to make a request for a 2024 fishery disaster declaration immediately following the Council's action here today to close 2024 ocean salmon fisheries in California. Thank you.

**Pete Hassemer** [00:18:05] Thank you Marci. Questions for clarification to the maker of the motion? Seeing no questions, discussion on the motion? And with no discussion I will call the question. All those in favor say "Aye".

**Council** [00:18:22] Aye.

**Pete Hassemer** [00:18:23] Opposed? Abstentions? The motion passes unanimously. Thank you Marci. And now I will look down the table to Joe Oatman for any tribal motions.

**Joe Oatman** [00:18:42] Thank you Mr. Vice-Chair. I'll wait a moment. Thank you. So, for the tribal

motion I move to adopt the Treaty Indian troll fishery management measures, including the requirements, definitions, restrictions, or exceptions for submission to the U.S. Secretary of Commerce for the area north of Cape Falcon as shown in Table 3 on Agenda Item E.6.a, Supplemental STT Report 1, April 10th, 2024, but with the following changes. Remove item number 2 under Supplemental Management Information in the table. The second bullet to read as follows, "For the all-Indian fishery, the end date will be through the earlier of September 15 or 21,250 Chinook quota or 42,500 coho quota". Additionally, the treaty troll tribes may conduct an experimental fishery through the month of September for gathering genetic stock identification or GSI data to inform the treaty troll fishery in future years. Impact from this non-retention fishery will be accounted for in the modeling associated with the treaty troll fishery. And this will be reflected in the regulatory language.

**Pete Hassemer** [00:20:15] Thank you Joe. Before I look for a second, that line that says the second bullet you read, is it supposed to say all-salmon fishery? You mentioned something different there.

**Joe Oatman** [00:20:27] Thank you Mr. Vice-Chair.

**Pete Hassemer** [00:20:36] Is that language correct there for the all-salmon fishery? You had read it as all-Indian fishery.

**Joe Oatman** [00:20:45] Oh, I apologize if I misread it. Yes, that should be all-salmon fishery.

**Pete Hassemer** [00:20:51] All right. Thank you.

**Joe Oatman** [00:20:52] Thank you for the clarification.

**Pete Hassemer** [00:20:54] With that, I'll ask you if everything else there is accurate and complete?

**Joe Oatman** [00:20:59] It is Mr. Vice-Chairman. Thank you.

**Pete Hassemer** [00:21:01] Thank you. Is there a second to the motion? Seconded by Kyle Adicks. Please speak to your motion.

**Joe Oatman** [00:21:06] Thank you. So, the contingencies mentioned in Item 2 in the table where potential changes required by things that have already happened. Those changes were not required so this language is no longer needed. We appreciate the work of all the co-managers to reach agreement. They are the result of many discussions among tribes and the state of Washington during the north of Falcon process with difficult decisions on all sides. This action directly relates to the Council's obligations under the MSA to address the federally recognized fishing rights of these tribes, which are detailed in their treaties and associated case law. The tribal co-managers considered the 2024 projected abundances of Chinook and coho salmon stocks and corresponding management objectives, determined how much fish can be available for tribal fisheries. Among other topics considered during the north of Falcon process, the projected abundances of these fish present unique stock specific challenges to shaping the treaty troll ocean fisheries this year. Tribal co-managers have done their part in the challenging process of considering these complex matters and reaching agree to treaty tribal management measures. Also, the STT will be incorporating a number of changes from the co-managers that were agreed to through the north of Falcon process that will result in all Washington stocks making their management objectives, including the Skokomish summer fall Chinook stock. I greatly appreciate and respect the work of the tribes, the state of Washington, and NOAA fisheries that have led to these fisheries so that we can submit this to the U.S. Secretary of Commerce. I also appreciate all the work done by the STT throughout this process and the contributions of the many individuals involved in salmon fisheries. Also, our hearts go out to those fishing communities who will go without a salmon

fishery this year. It is in our interest to rebuild salmon stocks across the West Coast so no fishing community has to go without fish. Finally, the inside areas are critically important to the other treaty tribes as well. The affected treaty tribes of Western Washington and the Columbia River have repeatedly emphasized over the years that rebuilding of these vital fishery resources cannot be achieved by these management measures alone. While they uphold their responsibility in this PFMC process, tribes continue to call for a broader, more comprehensive effort to rebuild these runs to healthy and harvestable levels so that they can exercise their federally protected treaty rights on all Council managed stocks. With that, Mr. Vice-Chairman, that concludes my remarks in support of this motion.

**Pete Hassemer** [00:24:11] Thank you Joe. Are there any questions for clarification on the motion? I'm not seeing any questions. Discussion on the motion? Kyle Adicks.

**Kyle Adicks** [00:24:23] Thank you Mr. Vice-Chair. I just wanted to express my support for the experimental fishery identified in the motion. Without fisheries operating in that part of September this year we don't have a way to gather data to help inform future decisions, so support that and would like to be involved as that fishery gets designed and implemented.

**Pete Hassemer** [00:24:44] Thank you. Further discussion on the motion? I'm not seeing any. I'll call the question. Those in favor say "Aye".

**Council** [00:24:52] Aye.

**Pete Hassemer** [00:24:53] Opposed? Abstentions? The motion passes unanimously. Thank you Joe. I believe that completes our action. Before I turn to Robin to check to make sure, I want to look around see if there are any other comments. I'm not seeing any on my checklist. I do have one other, before people run off, one other brief report or issue to address, but let me check with Robin on the motions and the action needed.

**Robin Ehlike** [00:25:29] Thank you Mr. Vice-Chair. You have completed your work under this agenda item. We have motions from the tribes, Washington, Oregon, and California Department of Fish and Wildlife so we can move forward with putting forward the transmittal letter for the 2024 salmon season. Thank you.

**Pete Hassemer** [00:25:47] Robin thanks. And as I said, there was one other issue. I think it was Salmon Advisory Subpanel clarification. We need Richard Heap, can you come up please? You might be able to answer that or direct a question. Well as I said, we've got other work here and actually it's not in the report. It's the fact that this is your last in-person salmon agenda item before the Council and we can't let you sneak out the door in that manner quietly. So, I just wanted to let everyone know Richard here has been with the Council to the SAS since 2006 doing a lot of work, quite a leader in finding a way to make things work here. I think what I've heard is his direction or guidance to the Salmon Advisory Subpanel is that together we can make it work. He's kept things calm. We all know how difficult, often contentious these discussions are and he's been a great calming influence, helped to summarize the issues so people can understand them, and just a really strong proponent of the Council process that helps us. So, I just want to take this time while all your salmon group and everybody is gathered here to recognize the great work. And I know you're not quite leaving the SAS yet, but as I said, it's your last in-person meeting so I want to congratulate you and thank you for all your contributions to the Council.

**Richard Heap** [00:27:39] Well, I thank you all for the confidence you placed in me allowing me to do this for all these years. And it has been one of the most fulfilling things I've ever done. And I'm very appreciative of the SAS and the people that have been there and how productively they've learned work

and most importantly, because of the relationships that we have. And that's what makes this all work are those relationships. So, with that I thank you all very much.

**Pete Hassemer** [00:28:09] All right, thank you. And with that we have completed our work on Agenda Item E.6 and I'll turn the gavel back to our Chair.

## F. Groundfish Management

### 1. National Marine Fisheries Service Report including a Take Reduction Team Overview

**Pete Hassemer** [00:00:00] All right, thanks all. Let's get back to work here on this item. We left after hearing all of our reports and public comment. So, guidance here. Council discussion. Any comment is appropriate. And as usual I will look around and see if there's a hand to initiate discussion. It doesn't appear there's going to be any discussion. Heather Hall.

**Heather Hall** [00:00:29] Well, thank you. I'll just share some thoughts maybe to get started. And starting with the appreciation again to Dan and Kristy for being here. What was coming to my mind was where we really had a lot of questions and what I also feel is that there'll be more questions in this preparing stage as we get closer to that pre-meeting and the first meeting of the TRT. So, I was thinking about how we keep in communication with PRD both as the Council and as state fishery managers when we go home. I have a lot of confidence in that team that they'll keep those lines of communication open. But one thought came to mind was there was a mention of the pre-meeting, and I wondered if there might be potential for more than one pre-meeting just because of all the questions. And then I did think that the GAP's comment about recording the meetings was a good idea. And I don't know if this is a question for Kristy or Dan if that's a possibility that those meetings are recorded or not. Something I could follow-up with them, but these are just some of the, the notes I had for discussion, or maybe they're just comments. Thanks.

**Pete Hassemer** [00:02:03] All right. Thank you Heather. Further comments or discussion? Marci Yaremko.

**Marci Yaremko** [00:02:15] Yeah, thank you Mr. Vice-Chair. The discussion and the Q&A today was enlightening and I appreciate us having this opportunity. I guess I'd say I continue to have concerns about the long term outlook and where this effort may lead. What fisheries might ultimately be included? What scope it might encompass? And particularly, why there isn't a better way to integrate compliance with MMPA, with ESA and MSA mandates? And I'm so proud of this Council process and the work we do, and the framework that we have available to our public to participate and engage and shape the future of our fishery management and our fishery regulations and it's, I guess, just somewhat disappointing that, at least in my mind, we're creating, or rather NMFS is creating here some redundancy in terms of a public process with regard to developing fishing regulations and management measures. So, I understand, you know, I think what's on the near term plate and I see that the plans are set for those activities, but I do hope that NMFS, Headquarters, PRD, West Coast Region has some discussions, strategic discussions long term about what the vision is. Again, I think, you know, our Council process does so well to integrate achieving other federal mandates as we can and provide recommendations that meet the goals, particularly with regard to ESA formation of our ESA workgroup. We've I think done a really good job to try to serve as, again, a public process that can be advisory to NMFS for items more than just strictly the nuts and bolts of MSA. So that's all I have. Thank you.

**Pete Hassemer** [00:05:10] Thank you Marci. Any further comments? Bob Dooley.

**Bob Dooley** [00:05:17] Thank you Mr. Vice-Chair. I guess my comment isn't in regards to the delivery of these meetings. I guess would be the better comment is I think it really needs to have access of being a virtual meeting for industry folks. I mean we're... fishermen are... this is a big lift to ask fishermen to be this dedicated to this with no pay, no compensation, but and to be involved in the process to make a better product in the end. I mean the Council grappled through this in Covid and we came out of it in a better place, I think. You know we, a couple of years of virtual meetings that showed their difficulties

very well to the Council, but we've come out in a better place. I mean we have remote participation now for public testimony. We have, we stream the Council meetings on YouTube. There's ways for people to participate. And as important as this is and as diverse in, you know, geographic diversity as far as, you know, up and down the coast and ability for people to travel and take the time off the water to be there, and not have access to it and not be able to actually confer with the people that their representatives are and have them understand what the feelings are on an ongoing basis, I think it really detracts from the overall efficiency of this program and ultimately the result that's derived from it. So, I would hope that that's rethought and we get virtual participation to a degree and make it a much more public process because I think the industry is going to be, you know, a vital part of this to get it developed and I can't imagine it going forward, even alternates as was talked about, doesn't make sense to me because you lose context when people aren't continually involved. I've been through many of these kind of negotiations long term putting together co-ops and all that, and you need people that are dedicated that are there all the time, but you also need input from all the people you represent and the only way to do that is to get the total context. So, I'll stop there. I just hope that we get to a place where this is an open transparent program just much like, much like the Council process. Thank you.

**Pete Hassemer** [00:08:01] Thank you Bob. Marc Gorelnik.

**Marc Gorelnik** [00:08:03] I just want to follow-up on Bob's point. I understand the need for in person. You know we've made that same argument here for Council meetings. But I think the only way to demonstrate the importance of involving stakeholders is to accommodate stakeholders. And I've heard the willingness to be flexible on scheduling. As has been pointed out, in particular, I don't know much about the spot prawn or the sablefish pot fisheries, but I do know that a lot of the fishermen that participate in the Dungeness crab fishery, I mean the same guys who are losing the salmon fishery, and so this is basically the only time they have to try to cover the rent or the mortgage payment and I think we need to accommodate them. We need to allow them to make a living and participate and I think that can be done scheduling-wise.

**Pete Hassemer** [00:09:04] Thank you. Corey Ridings.

**Corey Ridings** [00:09:08] Thanks Mr. Vice-Chair. I'm just going to briefly add to that, agreeing with what Mr. Dooley and Mr. Gorelnik said. And just noting that when you're only including those who can pay to be there, you are fundamentally biasing your input into the process. This is true across government processes, but I think this case is especially true given the costs that might be incurred for fishermen to be able to attend. They are in a sense paying potentially significantly high amounts of money to be able to participate. I'm not familiar with the regulations that Miss Long noted earlier when she answered my question, but I would just note that if it's possible to get an exemption from those regulations to be able to offer payment to participants, especially fishermen, to be able to participate, that seems reasonable.

**Pete Hassemer** [00:10:03] Thank you. Executive Director Burden.

**Merrick Burden** [00:10:09] Yeah, thank you Mr. Vice-Chairman. Just putting some thoughts out here on the floor. It sounds like we're all struggling with the time commitment associated with this Take Reduction Team and the timing at which the time commitment takes place. In terms of myself and some of my fellow staff on the Council, I don't think we were anticipating anything like five-day meetings four or five times a year. And so, while we had been discussing, you know, Miss Doerpinghaus, as being an obvious person to represent the Council or participate on behalf of the Council, that's no longer clear to me that that's doable. And so, I don't know what the answer is right away, but our ability to commit resources to that I think is in question, just given the time commitment and our competing workload. So, I don't have clarity about how to move forward if you continue to want staff to represent



the Council in this forum, but that's something that we will have to grapple with.

**Pete Hassemer** [00:11:14] I'll look around and see if there are any other hands. Discussion? There's no formal action here but I want to make sure the members of the Protected Resource Division are here. They heard these. I don't know if there's any disagreement. Butch Smith.

**Butch Smith** [00:11:44] Sorry Mr. Vice-Chair for being a little slow on the trigger but, you know, this is never a good outcome for the fisherman if this process is being set and I will say if we're going to ask them to pick their poison, they need to be fully invetted in the room. And however, that process has to be, if it has to be a longer process, more incumbency process, it has to be online, offline, you know, two days a week versus five, I believe we need to, you know, I think we're saying it but we need the direction to be fisherman-friendly. There's a lot of bad stuff going on to the fishing community and this is just another sprinkle of cherry sauce on top. So, anyway I just thank you Mr. Vice-Chair.

**Pete Hassemer** [00:12:42] All right, thank you. I'm not seeing any further hands here. Executive Director Burden.

**Merrick Burden** [00:12:56] Just thinking about process here. This is all new to me, but I believe in June we're coming back again and discussing membership to the Take Reduction Team. And I guess I'm looking at Todd and maybe Keeley to verify that that's the case. But we do have a couple of bites at the apple to figure out how we should move forward. So, I don't know, Miss Kent, if you're able to speak to that sort of timeline and when we would be putting forward our recommendations about membership and participation?

**Keeley Kent** [00:13:31] Thank you. As Kristy and Dan spoke to, there's sort of a long lead up process to the team convening. So, I think you have some time. I'm not aware of a deadline specifically for the Council seat on the team, but I will follow-up with Kristy and Dan and check-in about that, but I believe it's dealt with a bit differently than the stakeholder interview process that takes some time. And I can certainly get back to you if there's a specific date. I'm not aware off the top of my head, and that's probably a better question for Todd about memberships and appointments in June if that's already slated to further discuss the Council seat on the Take Reduction Team.

**Todd Phillips** [00:14:07] Yes, thank you Mr. Vice-Chair, Miss Kent. It is slated for June for the COP item to begin at least discussing or at least, not adopting, that'd be a little odd, setting the membership for that particular TRT or this particular TRT.

**Pete Hassemer** [00:14:29] All right, thank you. I'm not seeing any other hands. I'm going to look to Todd and see if there was anything else we need to do here?

**Todd Phillips** [00:14:38] Yes, thank you Mr. Vice-Chair. You have heard from the Region and Science Center via miss Kent. You had a very good discussion with Miss Long and Mr. Lawson regarding the TRT, and you had some good discussion afterwards. I would say you have addressed all items within this agenda item and have completed your tasks. Thank you.

**Pete Hassemer** [00:14:58] All right, thank you. With that, we'll close out this agenda item.

## 2. Biennial Harvest Specifications for 2025-26 Fisheries – Final Preferred Alternatives

**Pete Hassemer** [00:00:00] All right, thank you. We're all gathered back here around the table and we are on our Council action, which is to adopt Final Preferred Harvest Specification Alternatives for 2025 through 2026 Fisheries. I will look to see if there's any hand to initiate discussion here. Caroline McKnight.

**Caroline McKnight** [00:00:30] Thank you Mr. Vice-Chair. Thanks, I guess I'll just get us started here on one particular species in the reports, which is the quillback rockfish off of California. I'm very, very grateful to the GMT and the other advisory bodies for their reports. I'm seeing a lot of general consensus and agreement on how to approach quillback at this late hour, noting that we have a rebuilding plan that needs to be done by June. So, I think that the GMT laid it up very nicely and very clearly and very succinctly and I'm supportive of that approach and so I'm ready for a motion if there's any discussion relative to quillback, and then I'll pause to see if there's some other comments on other matters.

**Pete Hassemer** [00:01:17] All right, let's take that pause and see if there are any other comments? Discussion? I don't see any. You've offered a motion. We're ready to hear that.

**Caroline McKnight** [00:01:30] Thank you. I move the Council adopt the ABC Rule as the Preliminary Preferred Alternative for California quillback rockfish and remove the alternatives for the default Harvest Control Rule and the CDF and W proposal from further consideration as recommended by the GMT in Agenda Item F.2.a, Supplemental GMT Report 1.

**Pete Hassemer** [00:01:53] Thank you. That looks accurate and complete. Do you agree?

**Caroline McKnight** [00:01:58] Yes.

**Pete Hassemer** [00:01:58] All right. Seconded by Bob Dooley. Please speak to your motion.

**Caroline McKnight** [00:02:03] Thank you. I think that choosing the ABC Rule here as the PPA, not only does it meet the rebuilding time, max time, but it gives every single scrap of fishing opportunity possible here. And just want to note that it's still very constraining. And I'm thankful to the GAP for the input in their report, just noting the impacts that the next two year biennium harvest specifications are going to have on them. And I expect that public input will continue through to our F.5 and management measure discussions. But in terms of dropping the other two, I just want to elaborate that, you know, really this is about a workload issue and four alternatives is a lot and not very reasonable to develop for a rebuilding plan considering the timeline that we're on. So, I think that dropping the default Harvest Control Rule just simply comes down to that, what the GMT noted that there's a fractional percent difference in the OFL and ABCs from the ABC Control Rule. And really that just alleviates the need to essentially duplicate workload for no attributable difference in the outcome, so it just seems very reasonable and sensible to drop that one. Similarly, dropping the CDF and W proposal, you know, does not meet the BSIA standard and just needs no further analysis at this time. I think we've clearly demonstrated over winter why that needs to cease at this point. So then lastly, I just think having these two alternatives that would maintain the fishing to zero for the rebuilding plan purposes and the approach is consistent and supported by our GMT and the SSC and the GAP. So thank you.

**Pete Hassemer** [00:03:44] Thank you. Are there any questions to the maker of the motion for clarification? I'm not seeing any questions. Discussion on the motion? Not seeing any discussion, I will call a question. All those in favor say "Aye".

**Council** [00:04:05] Aye.

**Pete Hassemer** [00:04:05] Opposed? Abstentions? The motion passes unanimously. Thank you. I'll look around to see if there's anything else. Lynn Mattes.

**Lynn Mattes** [00:04:25] Thank you Vice-Chair. I don't want to cut off any further discussion, but if we're to that point I have a motion that I think covers the most, covers the majority of the rest of the items we need to do under this action.

**Pete Hassemer** [00:04:39] All right. I didn't see any other hands willing to go up so we'll take your motion.

**Lynn Mattes** [00:04:44] Okay. Could you remove the last line that says "quillback rockfish off California" since we already did that. Thank you. I move that the Council adopt as Final Preferred Alternative the default Harvest Control Rule for all species in the groundfish FMP except quillback rockfish off California. Rex sole, shortspine thornyhead, and Dover sole. Adopt Alternative 2 as the FPA for the following three species: Rex sole: ACL equals ABC with a P Star of .45. Shortspine thornyhead: Alt 2. ACL is less than ABC. P Star of .45 with the 40 10 adjustment applied. And Dover sole: Alt 2. ACL equals ABC with a P Star of .45.

**Pete Hassemer** [00:05:36] Thank you. That language appears accurate and complete. Do you agree?

**Lynn Mattes** [00:05:41] Yes sir.

**Pete Hassemer** [00:05:42] Thank you. I'll look for a second. Seconded by Christa Svensson. Please speak to your motion.

**Lynn Mattes** [00:05:50] Thank you Vice-Chair. The GMT... did we miss something Chair? Okay. You just looked like something was going on. I think the GMT and the GAP both spoke pretty thoroughly back in November as well as here this week about these recommendations. We have had some continued discussion about Dover sole. I do want to acknowledge that and I'm including Dover sole as an FPA at this time, even though I know there was some interest expressed in further conversations. The comment that was made that it probably would not, it would not have any practical implications is why I'm including it. I do think we will need, we need to have some additional discussions about process on situations like this moving forward, just maybe not as part of this agenda item. I did not include California quillback because Miss McKnight already covered that, therefore my motion is not intended to supersede quillback rockfish. And then on the shortspine thornyhead, we will have some additional discussions under F.5 about the management line, whether or not we need to remove that or modify that, and based on that discussion we may have, we may need to revisit a piece of this. And I think those are the main points I have.

**Pete Hassemer** [00:07:27] Thank you Lynn. Questions? Oh, sorry. Marlene.

**Marlene Bellman** [00:07:34] Thank you Vice-Chair Hassemer. I just have a question for clarification for the record. Does this motion include the revised Washington cabezon harvest specifications or will that be handled in a separate motion? Thank you.

**Lynn Mattes** [00:07:47] Through the Vice-Chair, Miss Bellman, I believe we were going to handle that through a separate motion that is forthcoming. And that reminds me, I meant to specify also that this does include the default Harvest Control Rule for canary rockfish. I know coming out of November I was slightly unclear, but this does include default for canary as well. So, thank you for opening that

door for me.

**Pete Hassemer** [00:08:09] All right, thank you. Further questions for clarification? Not seeing any questions, discussion on the motion? Corey Niles.

**Corey Niles** [00:08:24] Yeah, thanks Mr. Vice-Chair. Thanks, Lynn, for the motion. Yeah, I would... if it were me I would give the chance, the GAP a chance to discuss this Dover sole thing here. I do think there's a little more at play here than others do in terms of we have a constant catch ACL that's to me more thoughtful about than a P Star approach. And as John Field was talking about, it takes that fishing down into account where, you know, when you're above B 40 you get surplus catch and then you fish it down and there's reasons for that. Yeah, as Lynn said, there is not much practical significance. I wouldn't push it if it's just us with these thoughts. But yeah, if this one, and again I don't, we don't mean to be critical of anyone or all of us, but there's just so many issues involved in groundfish and we recognize that that's what happened and we did ask for this back in November, or were almost, but then process considerations were addressed back then. And yeah, Lynn, I forgot about canary so thanks for mentioning that. We also left November with different ideas of what was still in the range. We thought the P Star of .4 was in the range and then others were of the opposite mind. So again, just difficulty in tracking all these things. And keeping it brief, I do think this Council should be thinking harder about P Star. There seems to be this idea that .45 is good enough, and I think we'll find out in the near future that that really is not necessarily what the science is telling us. So again, yeah, supportive of the motion. Again, Dover sole too much, too much process over substance. It's clear that our harvest policy stands in my mind but recognizing that the GAP and others have a lot more to discuss under F.5, although they did, Sara thought they would be interested in discussing it as a matter of precedent. But again, if we're the only ones with this B point, well, happy to support the motion.

**Pete Hassemer** [00:10:31] Thank you Corey. Further discussion? Caroline McKnight.

**Caroline McKnight** [00:10:39] Thank you Mr. Vice-Chair. Thank you, Corey, for your comments and for the, the motion Lynn. I will be supporting it. I do just want to add, relative to Dover sole, I do think that this illuminates maybe some more discussion as we get into our stock assessment process and how we ensure that whether it's a catch update or catch update only, that things like this don't fall through the crack and we do a more comprehensive look at some of these things that maybe haven't been assessed but need to be reevaluated. I don't think Dover is probably isolated in this particular scenario, we're just catching it. I agree that while there's no practicable event or effect on it, it's a principle and if we had all the time in the world and we were here longer, maybe this should be something we're considering. But I can support it as is as long as we can acknowledge maybe this is something we need to be looking for in the future so it doesn't happen again.

**Pete Hassemer** [00:11:32] Sharon Kiefer.

**Sharon Kiefer** [00:11:35] Thank you Mr. Vice Chair. And I guess just for clarity so I understand. Because this motion does not exclude Washington cabezon, yet I heard that potentially that will be addressed in a separate motion, I'm supportive of the motion, I just want to make sure I know what exactly I am voting on since cabezon is not excluded.

**Pete Hassemer** [00:12:11] Lynn, would you like to address that?

**Lynn Mattes** [00:12:15] Thank you Vice-Chair and Miss Kiefer. There was some last minute scrambling at the end of the break where it seemed like we were going to, we, the big we, it might be more appropriate to have cabezon as a standalone so that the update, the technical correction information, all of the pieces of that, the supplemental or the attachment, I think it's 2, so all of that

could be incorporated as well. So that was the intent. I think by default though, the way I have it worded cabezon would be, off Washington, would be included unless the subsequent motion supersedes that.

**Sharon Kiefer** [00:12:57] Mr. Chairman. Thank you. I think that's the answer I was looking for.

**Pete Hassemer** [00:13:03] All right. Any further discussion? Take a moment. I don't see any hands. I will call the question on this. All those in favor say "Aye".

**Council** [00:13:20] Aye.

**Pete Hassemer** [00:13:20] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. And now I will look around. I heard hints of a potential additional motion. I don't know if it's under this agenda item. Corey Niles.

**Corey Niles** [00:13:47] Yeah, thanks Mr. Vice-Chair. We were a little confused on what exactly had to be adopted, so I just, we just sent something here just five seconds ago so it probably hasn't made its way to Kris and staff quite yet.

**Pete Hassemer** [00:14:12] I'm sure it'll show up very shortly. All right, there it is. If you can read that into the record.

**Corey Niles** [00:14:40] I move that the Council adopt, excuse me, I move that the Council adopt the update to the 2019 Washington cabezon catch-only model as described in the Agenda Item F.2, Supplemental Revised Attachment 2, April 2024 and the related recommendations made in SSC report, F.2.a, Supplemental SSC Report 1.

**Pete Hassemer** [00:15:06] All right. That language appears accurate and complete. Do you agree?

**Corey Niles** [00:15:11] Yes.

**Pete Hassemer** [00:15:12] All right. Is there a second? Seconded by Phil Anderson. Please speak to your motion.

**Corey Niles** [00:15:19] Thanks Mr. Vice-Chair and thanks to Heather for pulling this together. We were, again as we said earlier, this is late in the process and somewhat unusual so we weren't sure exactly what to adopt. If this was an assessment, we would have adopted the assessment first, the model update first, and then the OFL, et cetera, et cetera, but hopefully this gets to the intent of we understand the rationale for bringing the update, you know, at this time. And the intent is to endorse those changes recommended by the SSC. And, again, yeah, this is coming late in the process and we're not thrilled by the timing by any means. But even as John Field in the SSC report explained it, I understood it even better after his explanation of this is the model from 2019 predicted the stock to be well above B 40, and so there was a fishing down to B 40, which means your OFLs were, were higher because of that surplus and will be, you know, coming down towards what the model would think is the, your MSY level. So, we understand the rationale better and so endorse science and we'll talk about management response under F.5. Again, as we said in the WFDW report, there's a lot more complex issues potentially coming with this and including how we react to these data-limited assessments in state versus federal waters.

**Pete Hassemer** [00:17:01] Thank you. Any questions to the maker of the motion for clarification? I'm not seeing any questions. Discussion on the motion? Seeing no discussion I'll call the question. All those in favor say "Aye".

**Council** [00:17:19] Aye.

**Pete Hassemer** [00:17:21] Opposed? Abstentions? The motion passes unanimously. Thank you Corey. With that I don't have a good checklist so I will turn to Marlene and see what else needs to be done here.

**Marlene Bellman** [00:17:41] Thank you Vice-Chair Hassemer. I believe all the Council action items that we had listed on the Situation Summary have been addressed. I will just look to anyone else, but I think you've accomplished all of the tasks that we had listed for this item. Thank you.

**Pete Hassemer** [00:18:00] All right. Executive Director Burden.

**Merrick Burden** [00:18:05] Yeah, thank you Mr. Vice-Chairman. And like Marlene indicated, I think we are done here, but I do just want to acknowledge the report that Mr. Niles spoke to. And I think I agree with, I think, just about everything in that report about how we can do things better and I think there's just, you know, the best spex are always a messy process and we find things here and there and we've been exchanging emails as staff here over the last couple of days and talking about this for a couple of days now. How are we going to do this better next time? And so that's what's on our mind and I think, you know, Miss McKnight spoke to taking this up perhaps under, you know, our planning for the next specifications agenda item or something similar to that and so that would be our intention. We do want to continue to make improvements and so I just want to recognize what Mr. Niles has brought to the floor here and I think I share his perspective about doing things better so...

**Pete Hassemer** [00:19:04] Phil Anderson.

**Phil Anderson** [00:19:09] I think what bothers me the most about this is that we put something out there and voted in favor of something that we know is wrong, and whether it has a practical effect on the fishery or not. I almost voted no against the previous motion that included Dover and it's just because of that principle. So, I think I understand that we're in a situation where we can't rectify it without causing undue hardship on the staff I think is where we are, and plus where we are in our process in terms of the spex process, but it's not... I hope we don't just pass this off as 'oh well' because it puts us in a really bad spot to approve something that we know is wrong.

**Pete Hassemer** [00:20:26] Thank you Phil. Any further comments or discussion before we close this agenda item out? And I'm not seeing any hands so that completes our work on this.

### 3. Inseason Management – Final Action

**Brad Pettinger** [00:00:00] And we'll move to Council discussion. So, with that I'll open the floor up for that so... Marc Gorelnik.

**Marc Gorelnik** [00:00:13] I apologize, my comment has nothing to do with whiting. So, one of the comments made by CDFW was a new requirement for descending devices which I think is something that is overdue and encouraged. I know in the past Pacific States has provided the sending devices, the SeaQualizer brand for distribution in the fisheries, so I guess my question for Mr. Oliver, just to put him on the spot, is to see if Pacific States continues to have that funding and continues to have SeaQualizer devices that can be distributed in the fishery to foster compliance with these requirements?

**Chris Oliver** [00:01:16] I don't have an answer off the cuff but I'll find out.

**Marc Gorelnik** [00:01:20] Thank you very much.

**Brad Pettinger** [00:01:23] Keeley.

**Keeley Kent** [00:01:26] Thank you. NOAA has provided funding for Pac States to be able to distribute descending devices in the past. I don't have on hand the amount of funding that has been provided year to year, but it is something that is high on our priority list when we have extra funding. We can certainly look into that and bring that back if you'd like to know what the funding that has been provided year to year or what the expectations of future funding might be.

**Marc Gorelnik** [00:01:50] Thank you.

**Brad Pettinger** [00:01:52] Okay. Thank you Keeley. All right. Anyone else? Marci.

**Marci Yaremko** [00:02:03] Excuse me. Thank you Mr. Chair. Actually, I just virtually received an update related to descending devices. CDFW, in response to some public comments expressing concern about the potential cost of buying some of these off-the-shelf descending devices has undertaken an effort to provide some outreach and education on ways to make your own. It's very affordable that way. It can be done quickly and easily and we're working on some videos to try to educate folks how best to do this. Just wanting to note that there was the San Diego Day at the Docks event occurred just yesterday and there was quite a bit of interest at that event in homemade devices. And it sounds like, as Keeley indicated, there's some efforts underway to purchase additional descending devices, acknowledging that now California will have this requirement, so that the federal and state agencies are coordinating best they can to make sure we get either information or devices out into the mainstream and certainly look forward to continuing work on this. I just want to go back to the GAP testimony and acknowledge their report. As the GAP correctly recognizes that CDFW is now responsible for establishing the nearshore trip limits under state regulation, the GAP acknowledged the public comment that was received requesting changes to nearshore rockfish trip limits. And the GAP also urges us to consider implementing these changes through the most efficient pathway. I just want to respond to that a little bit and note that we understand that folks are looking for increases in opportunity. However, CDFW is not as responsive or doesn't have the ability to be as responsive in real time to requests for change. One great thing about the Council process and our inseason management agenda items is that ability to track our progress inseason and make adjustments with one quick rulemaking that can either provide additional opportunities for folks if we're tracking low against our limits or perhaps if in the need where we're track, in a time when we're tracking high, to reduce trip limits. It's a very effective and efficient way to do business and allows us to achieve our targets and creates a great opportunity for public

engagement and responsiveness. Unfortunately, we are just not going to be able to do that stateside. We do not have the ability through our rulemaking authorities to be able to take quick actions to make changes. We understand this is concerning but unfortunately this is kind of... we're doing all we can with the resources we have to get rules into place for our state fisheries. And this is a new way of operating and it's just going to take us some time to get our feet under us, but once we do there is just not going to be a way for changing regulations several times a year to make adjustments to trip limits. That's not to say that we don't expect, looking forward, that when we have new information, particularly on quillback rockfish and that bigger issue that Dan referenced with regard to our action to close state waters to commercial take of groundfish, we will certainly be considering what actions might be appropriate if we see a substantial change to the status of the quillback stock or the future OFL, ABC, ACL. So, I just wanted to, I guess, make that clear, and it's not that we don't care or that we don't want to do our best to see our minor nearshore limits attained, but our ability to be responsive in a regulatory sense is limited. Turning to the discussion on whiting today, I just want to thank our public commenters for being so willing to answer a very detailed set of questions to the best of their ability, and just want to acknowledge the commitments that I heard to do better and that while we have obviously ESA requirements and allowable take levels per the ITS that shouldn't be the standard, we're looking to do as best we can to minimize bycatch of Chinook and coho salmon in fisheries in 2024. And I don't have anything more to say other than I appreciate the attention that the Council has placed on this issue. Thank you.

**Brad Pettinger** [00:09:05] Thank you Marci. Okay. Anybody else? All right. Bob Dooley.

**Bob Dooley** [00:09:19] Thank you Mr. Chairman. With all of the questions and answers we had in particularly in regard to whiting, I figured I should make a few comments and I do have a few comments on that. I really do appreciate the, the work that's done thus far by the sectors to come up with an agreement, understanding it's very complex and there are a lot of issues here. I appreciate Marci's comment on avoiding species that, you know, particularly salmon at all levels of abundance. And right now, particularly southern, that abundance is very, very low. So, I know as being a past participant in that sector, that's always in the mothership side of it, has been foremost avoiding bycatch. It's been an issue since day one and I think the sector has done a great job. I think both sectors have. The message that I think I would like to impart is that continue work on this. Don't stop. I understand that sectors are different and their needs are different, but the overarching effect of bycatch is huge and I think that we need to, we need to make sure that the sectors understand that just complying with an amount is one thing, but understanding the lay of the land and what the concerns are is also very important. I think that going forward it would be, since they're both with the same monitoring agent and all that, and is to consider these, complying with these closures that are rolling hotspots or it as well. I think that I would like to see something like that in a cooperative agreement personally. I do believe that there's a, you know, the fundamental reason the mothership co-op, because I know that one agreement, bycatch agreement, is the way it is, is because we wanted to make sure that every participant was not affected by the other participant to be able to complete the harvest of their fish within the bounds of the bycatch. And so those rules are very prescriptive and understand that it's probably not the same with the CPs. However, I think the financial commitment that is given to bycatch in that particular sector is huge. And I think that the general idea is, stay on your own side of the fence so to speak, in other words, you have so much bycatch, you've got a pro-rata share even down to the individual platform and all efforts to stay within your bounds are contained in those agreements. Now, it also recognizes, and the Council's recognized, that best laid plans don't always come out that way and bycatch is a very unknown thing. It changes year to year depending where the whiting is, depending where the bycatch is. And so, all of these rules are put in place to enable them to continue to harvest the whiting and to stay within the bycatch levels. The set-asides was a huge, huge privilege, and I was part of working to get that at the time before I was on the Council. It's a huge privilege because we don't know how bycatch is going to affect the fishery, and we do know that in particular years we may exceed the set-aside. It may get to



that point to where... or come up against the set-aside and have much whiting to harvest. And in those times a lot of communication is needed. A lot of justification is needed. And in the past, if there's room in the overall pool of a particular bycatch species like darkblotched last year, the co-ops were allowed to exceed that annual set-aside. But it comes with a lot of communication and it comes with the Council, the agency understanding what the conditions are on the grounds and the measures that are being taken to avoid them. So, all that being said, I think it's really incumbent upon those two sectors, third sector potentially too, to come forward with a plan and assure the Council that the trust that we have in them staying inside within the set-asides is warranted. I worry that the reluctance to not come to an agreement on that. See that basic premise that you stay on your own side of the fence, so to speak, to the extent possible and when you get to the point where you can't or it appears you're not going to be able to warrant people, including the Council, including NMFS, that you're getting to that part. So, I would hope that the negotiations between the two sectors continues and that we get to a place where the Council has comfort that this is being taken care of, because I do believe with all my heart that the best place for this management is in those co-ops. They have the ability to real time monitor the catch, monitor the effect, and put closures into place or avoidance measures to minimize bycatch. And I think that is the ultimate thing. And I'm not trying to speak to criticize any one sector or any one group. It's just with privilege comes responsibilities and this Council has given a lot of privileges there with the set-asides. They're not hard caps. I lived with hard caps. So did the whole sector and knows pretty untenable. I think this can work. I appreciate the efforts so far, but I guess my ultimate message here is don't stop. Get this done. Give us confidence that we understand you can manage it better than actually we can structurally. And that was the spirit that this went forward with to begin with. And I know it was a one season, one spring has put a crack in that confidence and I think it's important that we are reassured that all is well, all is under control. So, I hope I made sense there. So, thank you.

**Brad Pettinger** [00:17:19] Okay. Thank you, Bob, for the sage advice. Okay. All right. Anybody else? Oh, Corey Ridings.

**Corey Ridings** [00:17:28] Thanks Mr. Chair. I just wanted to echo some of the concerns that have come out today on this agenda item. You know, I continue to have ongoing concerns about the salmon bycatch. We had no salmon fishery in California last year and we're looking at a similar situation for this year. I think Mr. Smith said it well that things change every year and the context and larger ecosystem context is different every year. We're in the margins in California for salmon and these fish are precious. More information is better. This sharing agreement or communication agreement updates, I really appreciate folks who have come today and at previous meetings to describe them, update us, provide advance letters for the briefing book, but at the end of the day it's not even really my business. We rely on the sectors to work together, and those details are really the sectors' responsibility. I think Mr. Dooley just spoke to that really well, so I'm not going to repeat that. But just noting that those places are the way we've designed the system for those details to get worked out. Mr. Niles mentioned earlier some questioning of the science and what are the impacts really are. Those are interesting questions. I mean I haven't seen that science but would be open to seeing it. I'm also interested in more science and information to help better understand what salmon are being caught. Where these salmon are coming from. So, again thanks to the folks that showed up today and provided public comment.

**Brad Pettinger** [00:19:06] Thank you Corey. All right. Corey Niles.

**Corey Niles** [00:19:13] Thanks Mr. Vice-Chair. Yeah, Bob agreeing with most everything, 99 percent of what you said and really believe in the co-ops. Corey, I don't remember saying anything about the science but I probably did at one point. But I think the... the thing is... I would say when we give these co-ops clear conservation objectives, they can figure them out, like Bob is saying, better than we can do it from our top down type approaches. I'm way convinced of that. At the same... well, we've given them like a bazillion conservation objectives to say it in a silly way because if they're off southern

Oregon, you know, you all are expressing real concern about the, the salmon down there. If they're off of northern Washington it's POP, it's dogfish, it's canary. You know if you're off Central Oregon it's, you know, darkblotched. There's widow. So, they're just... we've asked them at least, not a bazillion, but there's a lot of species we've asked, and it's been sablefish and then out of the blue it was shortbelly, which I still remember looking, having them come and show us their... I don't know the term... the sonar readouts of what a school of whiting looks like. And I think that little part there might be the shortbelly, and just how hard it is for them to do. So, I think, if anything, yeah, what you said about collecting data and what the real conservation impact is on these struggling salmon stocks, totally agree with that, it's just they have one number, you know, through the buy-op, and as Glenn was saying, they don't want to get anywhere near that. They want to do a lot better than that but I don't know that we've given them as specific objectives about which stocks to avoid. And that's that same thing, I think there's some a lack of clarity not to no one's fault about what we mean by set-asides now. And just to wrap it up, I think, first of all I want to emphasize, as others have, where they did get to in this agreement in data sharing. I think that is great. I think what makes me nervous is, and I don't want to go too far on this, is one sector telling the other that their management measures are more effective than the others, because if they showed me their... and I think Phil suggestion and others to get both of those... their protocols out in the public and transparent is a fantastic idea. If you asked me to say which one was more effective, what data I'm not even going to try because these statistics, regular stats don't work on these things. Base rates only tell part of the story. It's really these rare, relatively infrequent, very large, consequential catches for a lot of the species is what matters and I have come to think that those are not really in anyone's control or unpredictable. Yeah, and I hear Kristen saying there's evidence about night fishing and all that, so I'm not saying that's the case in everything. But, yeah, just a long way of saying I've been grateful that we don't have to weigh-in and arbitrate on whose measures are better, and I'm not surprised that they weren't able to, at this point in time, come to agreement on common measures between the two. But, yeah, encourage them to do that and where they share data and the Sea State folks are fantastic. The people who run the co-ops are fantastic and they can do over time they can find things that they will agree are effective. That was a lot more than I meant to say at this point. But, yeah, I didn't mean to question any kind of science, it's just it is, I just want to say it is, I've come to realize over the 17 years of being involved this process that it's hard and it's not in their control and these rates are really small as Glenn was getting to. And, yeah, it could be by chance that they are all are performing like in very similarly or. And sorry, one more thought I want to get out is I missed seeing Donna Parker at the reception and I see her book advertising back there which looks great. But I remember her just talking about the cost of all these measures which we didn't, we haven't heard really about what is the cost of moving, and this was... Bob, you were a part of the why we should go away from the hard caps to set-asides and the unquantified cost of having to move up and down and all over the place. I don't know if we have ever quantified that, but it's real cost that we're, well, it's a necessity for a lot of these species but that should be recognized as well. And again, I do appreciate all the efforts and as I said, like, I hope those keep happening and expect good results from them.

**Brad Pettinger** [00:24:21] All right. Thanks Corey. All right, anyone else? Lynn Mattes.

**Lynn Mattes** [00:24:28] Thank you Vice-Chair, or sorry Chair Pettinger. My turn to do it to demote you. Not on the whiting issue, although that's an important issue. I wanted to circle back to descending devices and offer up ODFW's experience. We've been doing this for quite a while. If there's anything ODFW staff can do to help CDFW staff, we're willing to do it. We've got some lessons learned. Some things that have worked, some things that haven't and we'd be willing to work and share what we've learned and, hopefully, it helps you guys with the process a little easier. So, I just wanted to offer up that assistance from what we've learned.

**Brad Pettinger** [00:25:06] All right, thank you Lynn. Okay, well, we've almost made noon so it's probably time to turn to Todd and see how we've done here.

**Todd Phillips** [00:25:17] Yes, thank you Mr. Chair. The Council has, well, you did not adopt any final inseason adjustments because none were offered. I would say you had a very robust discussion on whiting and the co-ops. Under the action I'd say you've adjusted, or excuse me, you have addressed everything and it might be time to switch gears.

**Brad Pettinger** [00:25:36] All right... (laughter)... Okay. All right, well, with that we'll see you all back here at 1 o'clock.

#### 4. Sablefish Gear Switching – Final Action and Fishery Management Plan (FMP) Amendment

**Pete Hassemer** [00:00:00] That concludes all of our reports, our public testimony. We are going to continue this agenda item Wednesday morning with our discussion and action. But before we closed for the day, I want to look around and see, not get into discussion, but see if there are any reflections, comments, any Council members want to express or have thoughts that are going to help us proceed on Wednesday morning. Chair Pettinger.

**Brad Pettinger** [00:00:36] Yeah, thank you Vice-Chair Hassemer. I'm just going to say a few words because I'm going to have the gavel on this issue in the coming days here. I think that the trawl fleet has been talking about they want the higher ACL and why is that? I think it's because of the uncertainty in the future about what's going to happen with people potentially buying quota share maybe out of the trawl fishery into the fixed gear quota holders, and so they want a number that's high enough to make sure that's not going to happen. So, I think there's a 5,000 ton ACL that you might see fixed gear people buying into it, and that fish, and that quota would forever be out of the trawl fishery. And so, I think that's why they're wanting the higher ACL. And of course, we say that sounds like a lot of fish, and it is, and certainly it looks plausible that would go into the future but I would just point out that, you know, we've seen double regime shifts in fisheries. We've seen, I know, five, six year classes I think the fleet has observed on sablefish. Is that going to be a long term pattern into the future? I would just point out to everybody that up until about 2002 the Dungeness crab landings in Oregon were about 9 to 10 million pounds per year, and ever since then we've been averaging almost double that. The same is for Washington so, I mean the fear is where is sablefish going to happen long term? So, I think a higher ACL has got a little more insurance if that is going to be the case. The shrimp fishery off the West Coast, the catch per unit effort in that fishery the last 15 years the record CPUE today is more than double, in fact we've been averaging more than double what the high catch per unit effort in that fishery used to be back in the day. So, I think that's when people are kind of worried about that the higher number just to get some insurance that fish doesn't go permanently out of the fishery. Marc touched on it gently, or a little bit there about the, about his bycatch issue as far as the pot fishery. I kind of corrected him or at least got clarification on that, but certainly the pot fishing is a great way to catch sablefish, there's no doubt about that. But a trawl vessel does bring 3 pounds, 10 pounds per pound of sablefish to the dock. And like we talk about, what does a trawl vessel bring to a port? It brings large amounts of fish. A sablefish boat brings 1 pound of sablefish to the dock and not much else. And so, I think that, I can't remember, was it the GAP statement or Jeff Lackey's statement talking about the, you know, we're not just three years, right? We're at right now, the next three years don't matter too much, but basically what's happened down long term down the road and for businesses I think to make those big investments. I mean there's literally millions of dollars goes into some of these facilities on the shore and if we really want our processors we have to invest or if we want to get some new processors to process, they're going to need that and if they don't have that they're not going to show up. And so, I've, you know, I've fished out of ports, or fished out of ports that have lost that infrastructure and it's just almost impossible to get it back and so be very mindful of that as we go forward as far as what those decisions are for the long term health of the groundfish fishery. So, I'll stop right there. I'm not sure where we're all going here in this but anyway, thank you.

**Pete Hassemer** [00:04:31] Thank you. I'll look around. If there are no other thoughts, we'll cease our discussion on this until we come back on Agenda Item F.4 on Wednesday morning. (BREAK).

**Brad Pettinger** [00:04:45] Okay. All right. Welcome back. Under F.4, and with that I'll turn to Jim Seger for his final summation of where we're at here and...

**Jim Seger** [00:05:28] Thank you Mr. Chairman. We're back here for part two on your final action on sablefish gear switching. We were with you on Monday morning. We did the presentation. You received a NMFS report, a GAP report, and public comment. We can take, if there are any questions that have come up in the interim, we would be glad to respond to them, otherwise your Council action is up there on the screen and it kind of comes down to three parts. Adopting the Final Preferred Alternative. Adopting the FMP amendment language to go with that. And then providing any other guidance that may be needed, and in particular we've identified the question of whether when we get the regulations drafted to bring them back to the Council floor for deeming or to handle those through the Executive Director process. Thank you Mr. Chairman. That completes the introduction.

**Brad Pettinger** [00:06:29] Okay. Thank you Jim. All right, any questions for Jim on his summary? Okay, not seeing that I'll open the floor for discussion. Okay, well that was quick. Phil Anderson.

**Phil Anderson** [00:07:00] Well, I'm not real sure what to say to start this out given the eight years we've been at this. There's been an incredible amount of work that's gone into trying to address the issue that was brought to us eight years ago and since then. I think we've explored, there's always a new option and always a new way to skin the cat I suppose, but we have explored a lot of them along the way and I appreciate how people have approached it both in the public, in the CAB, and the SaMTAAC, and here, and all the public testimony, and the GAP has made some extraordinary efforts to look for places for agreement and consensus. And everybody has been very, I think, respectful of each other along the way despite it being a pretty divisive issue. So... but I do think it's time for the Council to make a decision one way or the other on this and move forward from there in managing our trawl fishery to make sure that, you know, from a regulatory perspective we're giving it every chance we can to be successful and to realize optimum yield and to maximize the benefits to the nation from our fishery. So those are just some initial thoughts. I do have a motion to put forward for consideration when you are ready for that.

**Brad Pettinger** [00:09:12] Okay. Thank you Phil. Anyone else? Christa Svensson.

**Christa Svensson** [00:09:22] Yeah, thank you. I guess I have some thoughts that are not related necessarily to my motion, or not my motion, I don't have a motion. I don't need to scare y'all like that. But how I'm going to vote on this, and I think we really need to think about whether or not whatever decision we have, one of the primary arguments is that we need to possibly positively impact the fishery 10 or 20 or 30 years from now and that if we don't, Council members are being labeled as anti-trawl or anti-community. And, you know, as I reflected on that I was thinking, well, golly, there are a number of trawlers who are out there that are also asking for status quo or the ability to use their assets in a way that makes sense for their own business models. And does that make them somehow anti-trawl despite being active participants of our fisheries? My answer is I don't think so. I think Council members, many of us around this table, have been committed to this process for the last eight years. We've spent millions of dollars and countless hours of our personal time trying to determine if gear switching would definitively help trawlers. We've demonstrated that we are committed to helping, and unfortunately there is no conclusive evidence that any action under this agenda item, including status quo, will benefit trawlers. Instead, we're being asked to support a decision that is a policy call that many participants believe will harm their business. Some believe will benefit their business, and some are simply hoping that we will have a brighter future. Furthermore, I disagree that trawl is the backbone of our communities. Trawl is the backbone of some of our communities north of 36, and as this topic is focused on sablefish north of 36, I'm going to focus my comments on that geography and to bottom trawling as well. Flatfish trawlers are significant contributors to communities like Astoria, Warrenton, and Westport. But trawl processing plants are not the only type of seafood plants in most of these communities. Nor is trawl the backbone of communities like Ilwaco, Garibaldi, Brookings, Port Orford and unfortunately most recently, Bellingham. I'm not saying that trawl hasn't historically been integral

for some processors as the backbone of their business models, but I am deeply concerned that we are using historic arguments when today's landscape has changed. And by today's landscape I'm using the years of 2019 through 2023. During that timeframe we had 34 ports on the West Coast that were landing sablefish caught north of 36, yet only 15 ports that were landing flatfish that were not halibut as trawl. And when I looked at ports in Oregon these numbers shifted to 9 and 4. But what those numbers don't tell you, for example, is that Newport doesn't cut flatfish, and that gear switching participants like Gary Ripka, who opposes this action, are the backbone of the community when it comes to saving year round processing jobs. It also doesn't tell you that Astoria Warrenton is the only community in our state that really does rely on flatfish processing jobs. The trawl fishery is an integral part of our communities, but it is a spectrum of trawl participants who make up that fabric, and we need to be mindful that the Council does not make a decision based upon the idea that we will be building a future of vibrant coastal communities when a decision to limit gear switching is likely to further impact small scale ports and the infrastructure within them adversely in favor of ports like Astoria. I absolutely agree with Jeff Lackey and my desire for robust coastal communities, but my viewpoint on how to achieve that differs, which doesn't make either of us right or wrong, but should encourage us both once this topic is over to work together on achieving that objective, because I also agree with him that waiting ten years to find out if this solves the problem is too long. At times I am appointed advocate of the Council looking at how we're spending our time and to reflect today's landscape on a variety of stakeholders who are engaged in our FMPs. The men and women engaged in our fisheries, whether trawl, fixed gear, charter, rec, or any other gear type requires a balancing act. And when you look across our FMPs, stakeholders everywhere are hurting, yet Council members aren't being accused of being anti-rec or anti-salmon. Council members on this topic need to weigh the needs of processors that cut groundfish fillets, processors that land and process sablefish and other fixed gear groundfish species, trawlers who want some level of gear switching, trawlers that want no gear switching, and fixed gear participants that don't necessarily agree on what approach we should be taking. This isn't a binary topic. There's not an all-trawl category. There's not an all-fixed gear category, and there's certainly not an all-processor category. Now I don't know about other Council members, but I've been so focused on sablefish as the constraining metric, that for me the lead on this topic got buried. Trawlers have lost 60 percent of their Dover market since 2018. We don't often talk about the market in the Council process as it's not something we're tasked with, but thinking critically, the landings dropping by 60 percent over five years when the biomass is increasing definitely indicates to me that something is grossly wrong. Unfortunately, limiting sablefish does not correlate. Nor has the recent purchase price at roughly 12 cents a pound on sablefish given incentive to increase overall value of the trip for our fishermen. Fewer fish landed, however, does correlate to fewer trips, fewer jobs in processing plants, and does indicate the market share of Dover has fallen in retail and food service settings. And I 100 percent agree that the DTS complex, including guys like Paul, need support, but disagree that preventing gear switching will support these trawl participants. Marketing DTS complex species to claw back shelf space would. I'm also going to say I initially planned on making some pointed comments at aquaculture and imports about the loss of market share. However, curiosity got the better of me and I looked at widow and yellowtail and how they were doing because I thought, boy, if sablefish is bad and Dover is bad, what's going on with the rest of our fisheries for these guys, they are really suffering. But what I found out from the five-year average, again 2019 to 2023, is that we've landed about 29 million pounds annually, and that's a 670 percent increase in landings, which is something we should be celebrating. But it does likely have an unintended consequence to Dover sole, and that it's a wild, mild, white flavored fish from the United States, and that ticks pretty much every selling point for Dover sole fillets. It also has a better flake texture, which makes it a more versatile product in the marketplace. I'm not advocating that we don't support rockfish EFPs or rockfish trawlers. I have supported those projects with my voting record and will continue to do so in the future. My point is that every decision we make at the Council in support of trawl fishermen has not had the intended consequences we have envisioned, particularly for shoreside bottom trawlers. They've paid millions in the buyback, struggled to gain their footing with the intricacies of the ITQ program as it is today. And that makes me struggle a bit with the litany of

costs being thrown out as a rationale for why some trawlers should pay less for sablefish quota when they lease it. You are literally asking the Council for something that is going to cost you more money and likely mean that you will never pay less than the 3 percent, or you'll always be paying that 3 percent. And the thing is that all of these decisions mean that our fisheries landscape is permanently changed. And even if we didn't have globalization we can't go back to the good old days. And I wish there was an easy solution, but eight years and all the resources associated with them indicate this is gone. Regardless of how we vote, I'm encouraged that we've been willing to spend the time learning in-depth about some of the mechanisms connected to sablefish that could be useful in informing on other Council agendas. And I am hopeful that we can find a backstop, that's why I was more than willing to vote for this moving forward at the last Council meeting, but I definitely have some reservations, which is why I wanted to get this on the record before it came time to looking at a motion or calling a vote. So, thank you.

**Brad Pettinger** [00:20:19] Thank you Christa. Anyone else? Marci Yaremko.

**Marci Yaremko** [00:20:40] Thank you Mr. Chair. The proponents of this action have worked tirelessly over several years to try to satisfy those who've come forward and explained to us how this plan to reduce gear switching will hurt them. In response, we've seen the proposal morph and change throughout the scoping process and in developing the range of alternatives and then we saw more changes emerge as we moved into the IPPA and PPA stages. But fundamentally, all that was changing in each of these steps was who would be included and who would lose or be left out of a program that would limit future gear switching for sablefish allocated to the trawl sector north of 36 degrees. And today we're still hearing the same things, only that today's issue seems to be if a legacy is defined as an heir actively working in the fishery or a distant cousin and what happens with the estate of a decedent, depending on how the asset is held? These are major issues that will need resolution should the action proceed. These are the details that prompt litigation. Once the dust has settled and participants begin to learn who was won and who was lost, since right now it's just not clear. What a downer that is for all of us, and I think as Christa rightfully noted, that results in an overall net loss in the value of the fishery. And as I've said before, you don't bring yourself up by bringing others down. I hear what Jeff and Travis and others in the non-gear switching perspective are trying to tell us. The IQ program is not bringing the flexibility and prosperity the original analyses may have suggested. The Council is right in wanting to do something to help fix this and to help them. I want to help them. These are integral stakeholders in our process and we value and rely on their advice. The markets aren't there. Circumstances have changed for the worse and the profit isn't there. The proponents recollect of times when there was plenty of physical infrastructure in our fishing ports and fillet lines were ready and waiting to process the catch to get it into the stream of commerce, and I think we'd all love to find a way to get back to those days. But times have changed and will continue to change. The current future seems to include drones, self-service kiosks, and DoorDash and Flippy the robot in the mall across the street that flips burgers and moves french fries and fish in and out of an oil vat. I really appreciated visiting a state-of-the-art catcher-processor vessel this week and seeing how fillet lines work at sea. And now I have to wonder how much large volume shoreside filleting we'll see in our future given efficiencies that we saw this week. Our fisheries are and will continue to adapt to change and we need to help them do it. I recall Paul Kujala reminding us that no one can predict what this industry will look like and he is wanting the flexibility to be able to adapt to changing environments, and what that might require isn't known right now since there's really not any evidence of what's actually causing the problem. I've heard a lot of hallway discussion about the need to do something, and on that I'm not hearing disagreement. Yes, we've invested years of Council staff time to build the program, and some people may believe we can't leave here without something to show for all of those efforts. I think we already have a lot to show, but we've got to play smarter and not harder and there's just got to be an idea out there that's better than this one. I noted the comment from Bernie Burkholder that our time would have been better spent on a buyback program or a revamp of the observer program. I'm not going to sit and spend time thinking about the

what ifs, but now is when we need to think about what our best investment is to make a change or changes for the future. I want to acknowledge the idea Chris Kubiak brought to the discussion about looking at using our AMP provisions to hold back petrale and pass those pounds to harvesters and straight into their vessel accounts and the immediate or near immediate infusion of harvesting opportunity that that would stimulate. That fishing activity would likewise stimulate fish buying and processing activity. I want to thank Chris for bringing this line of thinking into the conversation. It's constructive, it's positive, and it's refreshing. What I heard Chris really saying is to suggest to the Council that it consider a stimulus package rather than a series of new levies, taxes, and penalties on those that hold investments in the program. I struggle to understand why we're only looking at one alternative to save this fishery. We're here today with a rock placed at our table and there's a suggestion we begin pushing it uphill, but I don't know if this is the right rock. It's just the only rock we've been handed. Even the proponents of a limit on gear switching say this isn't the FPA they had hoped for, and don't seem to think the proposal will actually help them, or at least not anytime soon. So before moving forward it seems we should stop and acknowledge we've only been hearing about one possible solution to the greater problem all this time. So, in my thinking, rather than approving this action today, maybe the next more prudent next step might be to schedule a holistic brainstorming session where ideas to incentivize the trawl fishery, like Chris Kubiak's, and ideas to improve utilization of quota pounds issued in the IQ program can be presented to the Council and critically evaluated by our GAP. I want to give Jeff, Travis, and others similarly situated help they believe will work for them and will work quickly, but this proposal to limit gear switching isn't it. Thank you Mr. Chair.

**Brad Pettinger** [00:28:32] Thank you Marci. Anyone else? Lynn Mattes.

**Lynn Mattes** [00:28:45] Thank you Chair Pettinger. Just wanted to share some of the things that are going through my head as we're thinking about this. This has been a lengthy and robust process. So lengthy that I'm the third ODFW Council member covering this item. That just tells you it's been a while, and there has been a tremendous amount of work by Council staff, outgoing Doctor Seger and Miss Doerpinghaus, as well as a lot of work by, and time and effort put in by our industry members on both sides of the issue. Gear switching was an intentional part of the TIQ Program. However, how it's being utilized is a different manner than was anticipated when this program was implemented. The folks who have been in gear switching legally invested in the fishery, buying permits, leasing quota, purchasing gear, hiring crews, et cetera. I do have some concerns about taking away or limiting opportunity that was acquired legally. Has this Council or any Council previously revoked fishing access or opportunity such as this for another sector? It's a rhetorical question, not something I'm expecting an answer from anybody, but it's one that's been going through my head. Next, and I think a couple of the others have hit on this, we are in uncertain times with ocean conditions, environmental conditions, global economy, global conflicts, and do we really want to be limiting flexibility for our fishery participants? Limiting gear switching could constrain individual business plans and flexibility. All those things being said, I do understand why the trawl sector wants to maintain the sablefish quota with vessels using trawl gear. It allows them to bring other species with the sablefish and bring in larger volumes of fish, which can help support port infrastructure, processors, and the economics of local communities. So, what I've been struggling with through this process, and I think my two predecessors at ODFW have been struggling with is, how do we balance taking action or not taking action on this such that it benefits or harms, benefits as many, or harms as few as possible based on the current fishery participants? Again, a lot of rhetorical questions, but just some of the things that I've been thinking about as we've been going through this. I just felt it was appropriate to share. Thank you.

**Brad Pettinger** [00:31:18] Thank you Lynn. Anyone else? Marc Gorelnik.

**Marc Gorelnik** [00:31:31] Thanks. I'll just add a few words and I'm not sure what I'm going to do here. I want to hear what the motions are. But I think that what we're dealing with now were perhaps some



unintended consequences of past action, and I worry about unintended consequences of any action we may take here. The trawl sector is hurting and we need to find, we need to help solve that problem. What I have heard, at least for the last few years when sablefish, there hasn't been much of a constraint, we're still not landing Dover as, as Christa indicated. And I don't think sablefish, the use of gear switching has necessarily been a contributor to that problem. Maybe I'm wrong and maybe we'll hear more during Council discussion. But, you know, we're losing infrastructure up and down the coast. There are a lot of challenges out there and this may be one of them, but it's not clear right now.

**Brad Pettinger** [00:32:47] Thank you Marc. Phil.

**Phil Anderson** [00:33:02] Well, I don't want to interrupt, or I'm sure we'll have lots of chances to comment on the motion or motions as they may come forward, so when you're ready I do have one to offer.

**Brad Pettinger** [00:33:18] Okay. Looking around the room for a hand and I'm not seeing any so.

**Phil Anderson** [00:33:26] Okay. Kris, could I do Motion Number 1 please? Thank you. I move that the Council adopt the Preferred Preliminary Alternative as its Final Preferred Alternative as identified in Agenda Item F.4, including the following modifications and clarifications. Restrictions on gear switching will be implemented north of 36 degrees North latitude consistent with the PPA when the north of 36 degree ACL is below 7,000 metric tons. In years when the north of 36 ACL is equal to or greater than 7,000 metric tons, no gear switching restrictions would be placed on vessels using non-trawl gear that are otherwise legally participating in the trawl sector. Under the heading of Description of the Restrictions Placed on Vessels. Vessel engaged in gear switching when the northern sablefish ACL is less than 7,000 metric tons. Gear switching control. Trawl-only and any-gear or unrestricted quota pounds. Northern sablefish quota pounds will be issued as trawl-only quota pounds and any-gear quota pounds. A procedure for determining the amount and distribution of any-gear quota pounds is upon implementation. The National Marine Fisheries Service will identify legacy participants, their eligible quota share and the standard ratio, which will apply to quota pounds issued for all other quota share based on the qualification criteria listed in the following section. Legacy participants and eligible quota share. Legacy participants will receive any-gear quota pounds for their eligible northern sablefish quota share, paren, (eligible quota shares). Any quota share owned by a legacy participant that does not exceed what the participant owned on the control date or the implementation date of this action, whichever is less. For situations in which more than one individual owns a quota share account, a legacy participants quota share ownership is determined based on their share of the ownership as reported to National Marine Fisheries Service. For quota share owned by non-legacy participants and a legacy participant quota share that is not eligible. Constant proportion of any-gear quota pounds in the IFQ sector and implementation standard any-gear and trawl-only quota pound ratio will be determined such that the total amount of any-gear quota pounds will equal 29 percent, parens, (including that issued to the legacy participants). As legacy participants divest of their quota share, the standard any-gear trawl-only quota pound ratio will be applied to that quota share when quota pounds are issued to the new owner. The standard quota pound ratio will be adjusted such that the total amount of any-gear quota pounds remains at 29 percent. Legacy participants definition and qualification. Legacy participants are individuals or legal entities for which individual ownership interests cannot be identified through, (example is trusts and non-governmental entities), in parens, that meet the qualifying criteria provided below. The designation as a legacy participant stays with the individual or entity and is not transferable. To qualify as a legacy participant. As of and since the control date an individual must have some ownership in a trawl limited entry permit, or permits, that landed northern sablefish quota pounds with non-trawl gear totaling at least 30,000 pounds per year in at least three years between January 2011 and September 15th, 2017, parens, (the control date), and had some ownership interest in northern sablefish quota shares, any amount. Transferability and accumulation limits. As under status quo, all quota share

and quota pounds would remain fully transferable and the existing quota share control limit which, Parens, (3 percent), and annual vessel quota pound use limit, 4.5 percent, will continue to be applied for northern sablefish as a whole without distinction by gear type. Legacy participant status holder terms and conditions. Legacy status cannot be transferred to another individual or entity, for example a trust or a state or corporation. The legacy status for an individual or entity will not extend beyond the lifetime of the individual or 15 years after implementation date, whichever comes first. Any new quota share acquisition by a legacy participant over their eligible quota share level will be treated as non-eligible quota share. After implementation, as the legacy participants divest themselves of quota share, the total legacy participant holdings of eligible quota share will decline. Any new quota share acquisition by a legacy participant will be treated as non-eligible quota share. If a legacy participant divests all their northern sablefish quota share, their legacy status would expire. If an estate or trust is established for an individual who dies between a control date and implementation, then that estate or trust would be treated as a continuation of the individual for the purpose of determining the trust qualification as a legacy or non-legacy participant. If an individual passes away and their trawl limited entry permit and quota share are passed to another person prior to implementation, the person receiving those assets will retain the status of the deceased individual and quota share ownership with respect to ownership as of and since the control date. An individual who inherits northern sablefish quota share and or qualified trawl limited entry permit from an individual that passed away between the control date and implementation will be treated as if they owned that limited entry permit and quota share as of and since the control date. For purposes of keeping family-owned corporations whole, any ownership interest in quota share or a limited entry or a trial limited entry permit as of the control date that is transferred to another family member by the time of Council action will be considered to have been owned by the family member as of the control date. Mr. Chairman that concludes my motion.

**Brad Pettinger** [00:41:56] Thank you Phil. Is the language on the screen accurate?

**Phil Anderson** [00:42:00] It is.

**Brad Pettinger** [00:42:00] Okay. Looking for a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion Phil.

**Phil Anderson** [00:00:00] Thank you Mr. Chairman. Well, first I want to thank Jim and Jessi for the excellent support they have provided to the Council as we have wrestled with this issue and other staff members, both from the Council and the states and National Marine Fisheries Service. I also want to thank the GAP and all the people from industry who have advised us and committed hundreds of hours and incurred expense to themselves in assisting us. And to my colleagues around the table thanks for the professional manner in which we have been able to discuss this issue. I, like many involved in this issue, have struggled with determining what the right action to suggest on this topic given in part the fluid nature of the circumstances associated with sablefish abundance, markets, and ex-vessel value. And after hearing the public comment on Monday and hearing from Jim and Jessi relative to their analysis, I have reconsidered some of my previous thinking. I start with the acknowledgment that our catch share plan included the ability for fishers to obtain a trawl permit and use fixed gear to take trawl sablefish. At that time, I didn't see the degree to which gear switching would become a significant part of the trawl fishery, and when I reference the trawl fishery, I mean trawl fishery as a whole, including the processing sector. Had I, I might have advocated placing a cap on that activity understanding that sablefish is critical for the trawl fishery not only to access co-occurring species, but in recognition of the value of the species itself and the role it has played in the long term financial well-being of the trawl fishery... (Pause)... Sorry. As the analysis in Attachment 3 describes, the trawl fishery is facing a multitude of challenges, including weak markets, slow ex-vessel prices, increasing costs, loss of infrastructure, repayment of buyback loans, and the cost of observers. And while gear switching may have exacerbated some of the problems, I do not believe it is a sole or primary cause the difficulty the

trawl fishery is having. Nor do I believe that placing a limitation on gear switching will solve many of the problems plaguing the fishery. That said, I do believe that placing a limit on gear switching in years of low abundance of sablefish will help stabilize the trawl fishery, give the processing sector some stability in terms of a planning horizon as a result of their heavy reliance on sablefish to access co-occurring species, and that without it the impacts of gear switching could adversely affect the trawl fishery as a whole. The provisions of this motion are to place... essentially to place a backstop on the amount of trawl sablefish taken by gear switching or gear switchers in years of low sablefish abundance, and are relaxed in years of mid to high abundance. Some might view the trigger as too low, however when looking at the table on page 202 of the analysis, I think the only thing that's clear is that when ACLs are below 7,000, that gear switching can be a factor that causes harm to the trawl fishery. The motion was developed with the purpose and need statement in mind and the guiding principles developed by the SaMTAAC. The purpose and need in part states that the underattainment for some northern stocks may be due to the allowance to use fixed gear to harvest shore-based IFQ, declining trawl vessel participation, and the lack of market and infrastructure. Specifically, participants engaging in gear switching are using northern sablefish that may be otherwise used by trawl gears. This may lead to uncertainty in trawl access to sablefish, thereby affecting the development of markets and infrastructure. Although not adopted by the Council, I think the principles that were developed through the SaMTAAC process continue to provide us with a solid set of parameters for this action. I won't go through them all, but I will mention several. We want to ensure there is affordable trawl access to sablefish. We believe that unlimited catch of sablefish through gear switching is not desirable. We want to consider impacts on existing operation and investments. We want to maintain the gear switching option for trawl operations. The motion includes a trigger whereby provisions of this motion that restrict the amount of trawl sablefish that can be taken by gear switching becomes active. The trigger is controlled by the annual catch limit, whereby the restrictive provisions of the motion on gear switching are activated in years when the ACL is less than 7,000 metric tons. The selection of the trigger at 7,000 metric tons again was informed by the analysis and the figure that you see on Page 202 of Attachment 3. This figure allows us to see the percentage of the trawl sablefish taken by gear switchers associated with multiple ACL levels. The selection of the 7,000 metric ton for the trigger considers when the need for control on the maximum allowance of gear switching is needed. This motion acknowledges and responds to the trawl and processor interests that have voiced the importance of reserving with certainty a large portion of the trawl sablefish for use by vessels using trawl gear to access a suite of species that co-occur with sablefish. The motion respects those gear switching participants that have made significant investment in landings up to the control date by observing their opportunity to continue at levels consistent with the control date for a period of time of up to 15 years. The 15-year timeframe was selected and informed by, as you will see in a footnote 14 and 15 in Attachment 2, whereby which is the Revenue Reconciliation Act of 1993 whereby licenses, permits and other grant, other right granted by the government can have a depreciation schedule of up to 25 year, or up to 15 years. The motion preserves an opportunity for quota shareholders of trawl sablefish to catch or sell a portion of their quota pounds to gear switchers to meet their business plan objectives. The motion provides an opportunity for gear switch participants to harvest up to 29 percent of the trawl allocation of sablefish consistent with the average amount taken during 2011 through 2022 when the restrictions are in place. Since it creates annually issued gear specific quota pounds rather than permanently issued quota specific quota share, there would be no opportunity to further accumulate long term gear switching opportunity. At the same time, it allows annual decisions to be made by quota pound holders to retain or sell any quota pounds to either trawl or gear switching vessels. Legacy participants who don't receive a sufficient annual issuance of any-gear quota pounds to cover their typical or desired harvest levels will be able to go onto the market and acquire more. In addition to recognizing legacy participant historic fishing practices and dependance on the fishery, the motion takes into account current and new participants. While there is a fleet limit of 29 percent during the years when the restrictions are in place, current participants and new entrants will have the opportunity to accumulate gear switching opportunity to the same levels as legacy participants through annual quota pound acquisition. Over time, as legacy quota

share owners leave the fishery, all participants would be on an equal footing in competing for the available any-gear quota pounds. I'm mindful of the financial and staff time needed to implement this action. I suspect some are questioning if the benefits are worth the investment of limited resources. My response to that is to state that I believe that making such an investment to ensure that the trawl fishery will have access to a sufficient amount of trawl sablefish allocation to more fully utilize the wide range of other co-occurring species in years of low sablefish abundance is a wise investment. Regarding National Standards, there is a robust discussion of the consistency with each National Standards that are touched by this action in Attachment 3. With respect to National 4 concerning allocation and their requirement to be fair and equitable, the evaluation uses of three different scenarios found in Appendix 7 of Attachment 3. A low to mid ACL level when the restrictions are implemented, this motion is intended to improve overall benefits to the nation by increasing utilization rates over what might be expected under a no-action alternative, and that's demonstrated looking in Attachment 3, Table 31, Page 130 that are depicting the results of scenario 1. I'm almost done. Relative to the groundfish FMP, the analysis, Attachment 3 walks through an evaluation of the PPA measured against the FMP goals and associated objectives. In particular, there is an opportunity to increase the economic benefits to the trawl fishery as well as increasing utilization of co-occurring species and realizing optimum yield. Looking forward, it's helpful to my thinking that once a limitation system is created, triggers in any-gear quota pound levels can be modified with much more ease than it took to get these deliberations to this point. I'm sure you're all looking forward to that. So, the Council could start with a policy of maintaining 29 percent, but based on future years' experience to take other action based on what we learned in the coming years or change to the trigger point. Finally, there will be a need to develop a definition for the term 'family'. I suggest we look at that issue during the deeming process, which I suggest involve a thorough review by the full Council. Thanks for sticking with me or allowing me the opportunity and this amount of time to speak to my motion.

**Brad Pettinger** [00:12:33] Okay, thank you Phil. Questions for the motion maker? Lynn first and then Christa.

**Lynn Mattes** [00:12:45] Thank you Mr. Anderson. Appreciate the motion and all of those speaking to it. And I apologize if this is a daft question, but the term 'implement' is used in a couple of different places meaning what seems to mean a couple of different things. What is showing on the screen says implemented north of 36 if it's below 7,000 metric tons, but later in the motion it references 15 years after implementation. I'm assuming after implementation means when the regulation is deemed and put into the Federal Register but want to make sure it's not 15 years after the first time that this would be triggered. I would just appreciate a little clarification to make sure I'm not reading that wrong. Thank you.

**Brad Pettinger** [00:13:31] Phil.

**Phil Anderson** [00:13:31] Thanks for the question, Miss Mattes. And through the Chair, that's correct. The term implementation is upon the regulation becoming effective.

**Brad Pettinger** [00:13:44] Thank you Lynn. Christa.

**Christa Svensson** [00:13:47] Thank you Mr. Chair. I just want to make sure that I have this clear in my head because I had the question earlier this week for NMFS regarding the 29 percent. The intention, I guess on both parties, meaning your intention in making this motion but the understanding moving forward would be that if this were to pass, we would retain a 29 percent. It would not move to 20 percent or thereabouts moving forward. So just making sure I'm clear in terms of voting. Thank you.

**Brad Pettinger** [00:14:25] Phil.

**Phil Anderson** [00:14:26] Thanks for the question, Miss Svensson. And through the Chair, no there have been several different variations. So, one which was going to have the, there was an option where as the legacy people divested all of their quota pounds would go into trawl only. And so over time as that divestiture occurred, or when we get to 15 years out, it would drop, it would essentially take all that percentage that was held by the legacy participants and taken away from the 29. The structure of this motion does not allow... the structure of this motion is that those quota pounds get divided up in the same proportion so that we maintain the 71-29 during the years that the restrictions are in place.

**Brad Pettinger** [00:15:20] Okay. Thank you Christa. Thank you Phil. Anyone else? Corey.

**Corey Niles** [00:15:31] Yeah, excuse me. Thanks Mr. Chair. Thank you, Phil, for the motion and as always, the very impressive way you lay out your thoughts and rationale. I'm trying to just understand a little bit more about your rationale, which I heard you and on why you picked 7,000 metric tons. And I hear you to say, and I may be... hearing you to say that you would think... if the ACL were below 7,000 metric tons at this current moment in time, you think implementation of Alternative 2 is what you would do and is justified under National Standard 4 is one part of it. But it's a little, I think it's a little more... but you're not saying it's so clear cut that you don't feel the same at 7,001 metric tons. So just asking if you could elaborate on your thinking. I know you have to... you just have to pick a number and it's not a bright line, clear cut change from is needed versus not needed with such small changes. But, yeah, I was just again, just hoping if you did speak to it, but just hoping you could elaborate a little more on your thinking there.

**Brad Pettinger** [00:17:08] Phil.

**Phil Anderson** [00:17:08] Yeah, thanks Mr. Niles. And through the Chair. Well, I'm looking at the graphic that I referenced twice. We've been below 7,000 from 2011 through, through 2022, and then in '23 and '24 we've been above that. My reasoning was I can't... there's a lot of different factors that go into the results of those seasons and what proportion of the catch was taken by gear switchers. The later years in the time series, you know, when we had the pandemic and all of the influences it had on the ability of our folks to fish and process fish, I think, without question had an impact on the outcome. When I look to years prior to that, and I'm looking at years where, you know, it's 56, 57 hundred, 52 hundred, that was back in the timeframe where we had percentages that were exceeding 30 percent taken by gear switchers, gear switching operations. And so, I was looking to have a number that covered those years when the proportion of the catch that was taken by gear switchers exceeded the 29 percent. Again, there are some years where those numbers were down and it didn't exceed 29 percent and whether, you know, don't know what all of the factors were that contributed to that. The other piece is, having this provision in our catch share plan for gear switching has resulted in a reallocation, if you will, from trawl gear to fixed gear, and in years where we have higher abundances where it's not having an adverse impact on the trawl fishery, I think that's fine. It promotes utilization of the resource. It has benefits to the nation, benefits to communities. But when we're down at those lower levels, that's where that I think has been supported by our public comments, particularly from the processing sector, that if we don't have a degree of stability knowing that a significant portion of the trawl sablefish is going to be reserved for trawl gear, then there's a real apprehension to make investments to utilize a co-occurring species, the species that co-occur with sablefish. So, it was looking at both those things, looking at the history, looking at history versus the share of the catch that was taken by gear switchers, but also setting the number at a point where if we're above that we don't, there is no, I don't see anything here that suggests that we need to have restrictions in place on gear switching when we're above that amount. I can't, you know, whether it was 7,001 or 6,999 or, I doubt, I'm sure there wouldn't be a difference in either one of those, but I think as you go down, as you start getting down below that number, that's where, and looking at the history, that's when those percentages began to rise and potentially causing difficulty for the trawl fishery to acquire sablefish pounds to prosecute their business operations.

**Brad Pettinger** [00:22:25] Corey.

**Corey Niles** [00:22:25] Yeah, thanks. A follow-up. Thank you for that Phil, that's helpful. So, I guess one more angle at it is in the current stock assessment forecast, 10 year forecast, the stock doesn't get there to this level for 10 years. And who knows, so maybe it's 15 years that would get there. So, I'm trying to understand that aspect of your rationale versus I know you know better than anyone how much our stock assessments change and with the next assessment in 2025 coming up and if that said that the ACL was going to be 7,000 metric tons 3 years from now, does that... if this 7,000 metric ton ACL would have happened in 2028, would that change your rationale behind your motion at all? I guess is the simple way to ask it.

**Brad Pettinger** [00:23:41] Phil.

**Phil Anderson** [00:23:45] To the extent I understand the question, I don't know. It wouldn't because if it was 7,000 ton the restrictions wouldn't go into place. It's got to be less.

**Brad Pettinger** [00:24:05] Corey.

**Corey Niles** [00:24:06] Excuse me. If it was less than 7,000 metric tons?

**Phil Anderson** [00:24:11] If the question is if the stock assessment yields an... and the Council deliberations yield an ACL in 3 years that is less than 7,000 metric tons, then, yes, the restrictions would go into place in that year. And I assume for, given that the life of a stock assessment generally extends for 2 or 3 or 4 years, that it would likely be in place until such a time that a stock assessment and a subsequent Council decision setting an ACL at 7,000 tons or above that they would remain, those restrictions would remain in place and the rationale is the same as the rationale I've already provided.

**Brad Pettinger** [00:25:17] Thanks Phil. Thanks Corey. Christa, did you have...?

**Christa Svensson** [00:25:17] Well, I think we're still on questions.

**Brad Pettinger** [00:25:24] Yeah, we are.

**Christa Svensson** [00:25:24] But at some point, I'd like to make an amendment so...

**Brad Pettinger** [00:25:28] Okay. All right. Anyone else have questions for the motion maker? All right. I will open the floor for discussion.

**Christa Svensson** [00:25:42] Can I make an amendment please?

**Brad Pettinger** [00:25:44] Sure.

**Christa Svensson** [00:25:44] Thank you. I'd like to amend 7,000 metric tons to 6,000 metric tons within this motion. And I will pause there. That is the only change I currently have and see if I can get a second.

**Brad Pettinger** [00:26:10] Let's make sure the language is... that's what we usually do. Okay. That's good?

**Christa Svensson** [00:26:39] That is correct.

**Brad Pettinger** [00:26:41] Looking for a second? Corey Niles.

**Christa Svensson** [00:26:45] Thank you.

**Brad Pettinger** [00:26:46] Please speak to your motion.

**Christa Svensson** [00:26:46] Thank you. And thank you for the motion and the thought that has gone into it. Many of the concerns I've had over the week, including the, 'hey, are we moving from 29 to 20' have been addressed and I am extremely appreciative. I'm also extremely appreciative of everybody's effort to get this to a place where we can successfully find a path forward for trawlers. And I am fully willing to recognize the need for a backstop in case times are difficult. The reason that I am advocating for 6,000 metric tons instead of seven, and I realize when we get into big numbers that maybe that isn't that many, is a couple of reasons. In my understanding of a backstop, that is when times are difficult and at looking at 7,000 metric tons on that same graph, that would have occurred since inception of this program all but two years, which to me, that isn't when times are difficult. And I recognize that we probably will see a lot more fish than this moving forward, but if we don't, and we certainly have seen instances in petrale and a number of rockfish species and other species outside of groundfish where we think we're going to have a lot more fish than we do and we need to course correct, so I am more comfortable at looking at the historic numbers rather than big numbers moving forward. I'm also asking for 6,000 because we have heard from a range of trawlers here in the room over the course of the testimony this week and just in talking to them, there are a number of us that are asking for 10,000. But consistently for those that have said status quo, they have said, 'hey, the maximum that I'm able to to handle is six'. So, for me 6,000 I can probably get on board with this, but if it's seven then I'm much more likely to be a no vote. And I also picked this originally when I was thinking this through, I would have said, 'hey, let's split it, let's go with 55'. That is literally half the time you were over and half the time you are under, and I am trying to be mindful of workload and not send NMFS into a, 'oh, this year we're going to be dealing with this and next year we won't'. I realize we will be dealing with this more than we would if we were looking at 7,000 metric tons, but again it is in reflection of those that have been willing to compromise in this process and what they're ask is which is 6,000 metric ton. Thank you.

**Brad Pettinger** [00:29:52] Okay. Questions for the amendment maker? Or discussion on the floor, I guess, let's go with that. So, anyone else? Corey?

**Corey Niles** [00:30:04] Sorry, did you say discussion? Yeah, thanks Christa for the motion. I had an amendment that I still might offer whether this passes or not that gets to kind of the key issue that I'm having. First, I want to say that it's very reasonable for people to read the evidence before us differently and which is uncertain, I'll say, which creates a policy decision about which way you want to fall. And so please do not interpret anything I say as people are unreasonable for the way they read the evidence on whether this Council action will have benefits that outweigh the harms and costs that it creates. And I was a bit worried when we left the November meeting that this would not be a policy discussion but it would be a positions taken, bargaining over what the ACL level of the part of the trigger should be. I've had the privilege of being part of this process since the beginning, before we had an IFQ program and in responding to lawsuits, helping the Council help NMFS address lawsuits that came out of that and working with Mr. Anderson on the Pacific Dawn case was one of my big memories and getting accused of, the Council being accused of being purely political with allocations, which we fully, of course, disagreed with. That there was reasons why we used different window periods for processors versus the catcher vessels for whiting and non-whiting. Yeah, and just by chance someone asked us a question about our history of our whiting fish tickets, tribal fish tickets, and so I went back and read the case that, you know, that decided what the tribal share would be and I'm going to read a brief excerpt from that lawsuit. With the finding of the court said this, "a plain reading of the proposed NMFS rule and the undisputed history leading up to the allocation decision demonstrates that the rule was a product of pure political compromise, not reasoned scientific endeavor. Although the NMFS allocation may be

eminently fair, the act requires that it be founded on science and law, not pure diplomacy". And again, I don't think that's what's going here and Phil has a lot of rationale that's way more than that. This issue was not National Standard 4 but I think that same principle applies to National Standard 4 with economic and scientific reasoning to show that the benefits outweigh the costs. And like Christa here, I'm more likely to believe that this isn't needed at 6,000 than at 7,000. But as I said in November, I'm not even convinced that Alternative 2 is warranted at levels below 6,000. So, I'll leave it there. And if I do get to make another amendment proposal, I may continue on. But, yeah, to hear what is the difference between 10,000 and 5,000 to me, and again Mr. Anderson made a very clear vision of his reasoning and how he views the uncertainty and the effect of this, and 6,000 is much closer to where my risk tolerance is than seven. And again, these are numbers that people can reasonably disagree on.

**Brad Pettinger** [00:34:29] Thank you Corey. Anyone else? Okay, I'm not seeing any. Vice Chair Hassemer.

**Pete Hassemer** [00:34:42] Thanks Chair Pettinger. I'm not going to support the amendment. I hear the rationale behind it. As we've heard in a lot of the discussion, there are... this is a policy decision we have to make and as individual Council members we have to be able to assess and interpret the eight years of information and deliberation we've had. As Mr. Anderson spoke to his original motion, he had a rationale for choosing what he did and acknowledged that other people might believe it's higher or lower than that value. I could come up with an argument that it should be higher than the 7,000, but in listening to his rationale and the impact of what the trigger level does at that level, part of our principles, does it ensure affordable trawl access to the sablefish quota share or quota pounds, and this identifies it at a level where to some extent you're ensuring that. And the other piece of the justification was what that leads to is certainty to the processors, to the fishers, that at levels below that trigger point that they have access to it, that that's when the restriction is put in place. And the certainty is a key part of that because that's part of what we're looking at. And maybe I can speak more to that later, but I'm going to vote, I'm not supporting this amendment because of what I heard justifying the original level that was proposed. Thank you.

**Brad Pettinger** [00:37:02] Thank you Pete. Anyone else? If not, I'm going to... okay... I'm going to call for the question. All those in favor signify by saying "Aye".

**Council** [00:37:17] Aye.

**Brad Pettinger** [00:37:17] Opposed, no?

**Council** [00:37:20] No.

**Brad Pettinger** [00:37:24] Roll call? We'll do a roll call. Oh, I'm sorry. Maggie and Jim? I was going to get an abstention. Okay.

**Merrick Burden** [00:37:48] Okay, so Mr. Chairman I am working off voting sheet number 2. I refer to this as F.4 Amendment offered by Miss Christa Svensson. So, let's see, starting from the top. Lynn Mattes.

**Lynn Mattes** [00:38:08] Yes.

**Merrick Burden** [00:38:10] Sharon Kiefer.

**Sharon Kiefer** [00:38:12] No.



**Merrick Burden** [00:38:13] Butch Smith.

**Butch Smith** [00:38:15] No.

**Merrick Burden** [00:38:16] Corey Ridings.

**Corey Ridings** [00:38:18] No.

**Merrick Burden** [00:38:20] Marci Yaremko.

**Marci Yaremko** [00:38:21] Abstain.

**Merrick Burden** [00:38:24] Joe Oatman.

**Joe Oatman** [00:38:25] Yes.

**Merrick Burden** [00:38:30] Christa Svensson.

**Christa Svensson** [00:38:31] Yes.

**Merrick Burden** [00:38:33] Phil Anderson.

**Phil Anderson** [00:38:34] Yes.

**Brad Pettinger** [00:38:36] Pete Hassemer.

**Pete Hassemer** [00:38:38] No.

**Merrick Burden** [00:38:41] Corey Niles.

**Corey Niles** [00:38:43] Yes.

**Merrick Burden** [00:38:46] Marc Gorelnik.

**Marc Gorelnik** [00:38:47] Yes.

**Merrick Burden** [00:38:49] Robert Dooley.

**Bob Dooley** [00:38:51] No.

**Merrick Burden** [00:38:54] Maggie Sommer.

**Maggie Sommer** [00:38:55] Abstain.

**Brad Pettinger** [00:39:08] Merrick.

**Merrick Burden** [00:39:13] Okay, for now the vote is 6 to 5 and you are free to vote Mr. Chairman if you so choose.

**Brad Pettinger** [00:39:23] Chair votes no.

**Merrick Burden** [00:39:29] So that is a 6 to 6 vote so the motion does not pass.

**Brad Pettinger** [00:39:42] Okay, that takes us to the original motion. Corey Niles.

**Corey Niles** [00:39:49] Yeah, thanks Mr. Chair. I do have an amendment that Kris or staff may hopefully have close to ready.

**Brad Pettinger** [00:40:12] When you're ready Corey.

**Corey Niles** [00:40:14] And I may need your help or the Parliamentarian's help on how to do this properly. Yeah, I would move to amend the original motion to read. Excuse me, read as the following. And so, could you say this portion of the original motion? I move that this portion of the original motion be amended to read as following. Thank you Kris. Mr. Chair, I'll have to admit I don't know if I've ever done amendments and don't know if I read the whole thing or explain it?

**Brad Pettinger** [00:41:38] I would read it so it's on the record so...

**Corey Niles** [00:41:44] I move that the Council adopt the Preliminary Preferred Alternative PPA as its Final Preferred Alternative as identified in Agenda Item E.4, including the following modifications and clarifications. Restrictions on gear switching will be implemented and remain in effect north of 30 degrees North latitude consistent with the PPA. If the north of 36 ACL is below 7,000 metric tons and the rolling three year average of fixed gear usage of quota pounds is greater than 29 percent with the calculation beginning 2023 to 2025. Evaluation of the ACL component must be evaluated based on a new assessment or catch-only update.

**Brad Pettinger** [00:42:38] Okay, Corey, is the language on the screen accurate? Oh, excuse me. Maggie Sommer.

**Maggie Sommer** [00:42:46] Thank you Mr. Chair. Corey, I think it's Agenda Item F.4.

**Corey Niles** [00:42:51] Oh, excuse me. Thank you. Please, and if I am able to make corrections could I before a second, could I say with the calculation, where it says with the calculation, can I say "of the average"? Sorry and the rolling 3-year average of fixed gear usage of quota pounds is greater than 29 percent with the calculation of the average beginning 20.....yes, thank you.

**Brad Pettinger** [00:43:29] Okay. So now is it accurate? Oh, Maggie.

**Maggie Sommer** [00:00:00] Thank you Mr. Chair. One more question. Is the strikeout at the end of this intended to be replacing language from the original motion? And if so, since the last amendment did not pass, I think that 6,000 should be 7,000.

**Corey Niles** [00:00:23] Thank you. Yes, correct. That was my mistake.

**Maggie Sommer** [00:00:26] I'd like to confess that your thanks go to Jessi.

**Brad Pettinger** [00:00:30] Okay. Are we good now? We're looking for a second? Seconded by Christa Svensson. Thank you Christa. Please speak to your motion.

**Corey Niles** [00:00:43] Yeah, thank you Mr. Chair. Thank you, Christa, for the second. I'll start off by saying that this way of structuring the PPA or now the FPA really in my mind frees us up from worrying about that debate we just had about whether it's 6,000 or 7,000 metric tons. And I will try to explain

why as concisely as possible. I think I said during question and answering of the staff presentation that this, you know, this idea came up somewhat at the last minute in November in discussions with the Washington delegation, stakeholders, and proponents of no-action admitting that, yeah, if there was no action, the Council want no action, they do think there would be legitimate concern to leave it open without a control date and in the future that could bring in more investment. So, the idea was to create something that was, you know, people interpret it differently, was no-action in my mind, but with a really strong control date type effect. And this was a, why didn't we think of this five years earlier type of moment for me, because, you know, we all have maybe slightly different variations on the SaMTAAC's principles, but you know my goal here, what I've always seen clear evidence for a justification under National Standard 4 and elsewhere was that, yes, we should freeze the footprint and not encourage additional investment from new fixed gear boats coming in and causing a problem. And we could fix the footprint, freeze the footprint, and then work on other ways to really do what we're after here, which is grow markets for groundfish. And so, the way this works and does not depend just on the level of the ACL is that, you know, we have control dates, which I would call a soft measure that deters people from investing money, time in a fishery because, or fishing for history because they know that they might not, those activities are likely to not be recognized in an allocation decision. So, this and the problem with control dates is that they go stale eventually and ours is pretty old as it is now. So what this idea, why it was pretty, you know, amazing, an amazing idea coming up at the last minute was that there is that soft deterrent that, so people who from a fixed gear boat, you know, we hear about all boats coming up down here from Alaska, if they're going to buy a quota share, which I don't know what the going price is, but, you know, it's usually, it's been about a million dollars per percentage point of quota share. If they're going to make that amount of investment with the risk that they're not going to be able to use it, all of it with their preferred gear type, that to me is a pretty strong, that would be a pretty big risk to take. And to me, and the same thing about leasing quota pounds, you're not going to qualify for those legacy provisions because they're in regulation and so you can't fish for history, so to speak. So, in my mind that soft deterrent is going to work and to have this goal of keeping us below 29 percent. And then if it doesn't then there's indisputable evidence that it did not work to freeze the footprint and usage is above 29 percent, and then the hard measures of Alternative 2 kick in to make it a hard limit. And if that's not a rock solid rationale under National Standard 4 I don't know what is. And just on National Standard 4 I'll say, you know, again it tells us we have, the benefits of our action have to outweigh the costs and the hardships that we impose, and this would impose some new, I won't call them hardships, but some new changes in behavior on our existing, the people who have invested in a fixed gear. And we've heard from our Washington stakeholders that they're willing to do that. They're willing to do their best. They don't have all the tools you'd want, but they want to cooperate in a manner that they stick with the Council's intent. Remember, they don't agree that anything is needed, but they're willing to work to stick to this 29 percent and I think they can do it. And if they don't, again, then Alternative 2 kicks in and it works. I have several concerns with Alternative 2 that I don't need to go into now. Much would have preferred Alternative 1 and its components, but again I think this... I don't even like the 29 percent and how we came up with it. Again, I think, so these are some ways I think that WDFW, or myself are trying to compromise here to find a solution that people can, we can get the most consensus around. And I guess I would say I'm not a good poker player as you probably could tell, but I would even, I would go higher than 7,000 metric tons and that's because I don't think it matters as much what the ACL level is under this approach because it's the deterrent, the soft deterrent that doesn't work, hard measures. And just to explain some of the more detailed piece, well, before I do that, I guess, again the difference here is as I got to the other day, there's no flipping back and forth in this model. And that's how it was originally in my mind, which I'm again not blaming Council staff or anyone for not reading my mind. I've been told people can't do that for many years. But the...yeah, so I don't see... and then this is not Phil's intent by any means, but I don't... why would we if... and just in law school they teach you to come up with ridiculous hypothetical examples and to test your logic and so why would we flip back? If we get an assessment that's at 7,001 and then it goes down to 7,000 the next year, what does that add to the deterrent here of freezing the footprint? I don't see much... I don't

see that adding to the, I see that kind of even violating National 77 of creating more uncertainty and cost than you need to achieve your purpose. But on the smaller picture, just the 2023- 2025 is just clarity about when the three year average would start. That last sentence and underscore about how to evaluate whether the trigger is met or not I would go back to, and, yes, I'm obsessed with this Dover sole thing, but the Dover sole example we just spoke about in groundfish of where we are having a 50,000 metric ton ACL become untenable based on assumptions about catch that we know are just... are way too low. So, the intent there would be to confirm that the trigger is met by not making assumptions about what catches are but to do the best to update most recent information before the trigger goes in place. And so that's kind of a small implementation to detail that I wanted to put out there. I guess last thing, we, I know not perceived this way, but we've really wanted to help the bottom trawl sector, and as Phil said, when we say that we mean the processors as well. And I think Marc, it was you in the last agenda item about saying allocations, people are not entitled to allocations, and I fully agree and that's what National Standard 4 says. And I will say, if the evidence was clear that getting rid of gear switching altogether with much certainty would lead to net benefits to the nation and the fishing communities, it would hurt me to do it but I would vote for that and say we don't want gear switching in this fishery. But that's not what I see in the evidence. I start with the fact that we're talking about an allocation of 58 percent. That was from the mid-nineties when there was two, at least twice as many bottom trawl boats in the fishery landing Dover sole. So, I don't... how does that 58 percent have any standing anymore? I really wonder. And I know it's hard to advocate for these things, understand these things, but a lot of what I hear now from folks wanting us to act is that they want us to restore that allocation and I just don't think that is good policy or I don't think that's consistent with National Standard 4. But again, I see this is the way to create what we heard and really enjoyed, I mean appreciated the testimony about needing stability and consistency and it's not a three year thing, it's a next decade thing. And, yeah, that's what Mike O was saying 10 years ago. And what he convinced me that even that freezing the footprint was something we should do and not totally dismiss. And then what's been missing for me is the business case from the processors of how acting... I'll say to do Alternative 2 now what is the business case, the cause and effect of us acting and then that growing into an economic benefit, not just more utilization but more economic benefit, more community benefit? And, respectfully, that case I haven't seen it made. I don't understand why it's not profitable to invest, or not now and we know some businesses like Ocean Gold, we're very proud of and we're doing their, they have invested and, yes, if we restrict it more, then, yes, that makes their investment better yet I don't, again, I don't think that's our business, the Council's business to get inside the competition of processing businesses like I will... okay I'm lying. A couple more thoughts before I stop, but we have this other idea that we need a secretary as sector integrity, which I also have issues with because, I guess, okay we do have sectors but there to achieve certain reasons, and the amount of fish that we allocate to each sector is an entirely separate question. And I'm thinking of Ocean Gold and what we did with the IFQ Program, one of the questions for the Council was should there be three sectors or should there be four sectors? And the difference there was whether shoreside whiting IFQ and bottom trawl IFQ should be combined, and I think it went back and forth a couple times. The final recommendation was what we have now. So, we have what once were considered different sectors combined and I think that was a good decision. We don't have to decide how much darkblotched, how much widow, how much canary goes between the whiting and bottom trawl. Businesses do that themselves. Yeah, in thinking about Ocean Gold, which has been mostly whiting focused in terms of groundfish business, you know, throughout even the early years of the IFQ program. I can't see the Council's role, WDFW's role as telling them that they should now be using their sablefish for bottom trawl instead of whiting unless there a clear fairness or economic benefit that is not the Council's role. And if I can't tell them to use their sablefish for bottom trawl, then how can I tell a fixed gear business how to use theirs? How can I use Paul Kujala to use his sablefish one way? So that's just a philosophical difference. I think businesses make these decisions better. I think they're allocating the scarce bycatch between whiting and non-whiting better than we could do it through our normal process. And again, so I really... again, I will kind of end with what I started with. I don't think that debate about whether it's 6,000, 7,000, 8,000 matters as much when you consider this purpose over

trying to create a soft deterrent and back it up with something hard if that doesn't work.

**Brad Pettinger** [00:15:45] Okay, thank you Corey. Questions for the motion maker or discussion? Chris Oliver.

**Chris Oliver** [00:15:53] Yeah, and I apologize if I'm the only one that's not getting the nuance here, but I want to make sure I understand or that you understand that are voting on this what the intended effect is of a couple of aspects of your amendment. The deletion of the last sentence, is that because it's sort of the automatic default if the other conditions aren't met? What's the intent of deleting the last sentence?

**Corey Niles** [00:16:22] Yeah, thanks Chris. Well, not that it meets my intent, but the intent was to not... it would just be a onetime change to Alternative 2 and not flip back and forth as the ACL moved up and down above 7,000.

**Chris Oliver** [00:16:39] Okay, so that may answer my second question, which was the effect of the added words, "and remain in effect". So, it would be if those conditions are ever met the restrictions remain in effect forever.

**Corey Niles** [00:17:01] Correct, with the caveat that nothing's forever and the Council could change it, you know, through its normal three meeting or two meeting process, whatever. I imagine this one would be a three meeting process.

**Chris Oliver** [00:17:12] Okay, now I understand.

**Brad Pettinger** [00:17:15] Okay. Thank you Chris. Thank you Corey. Sharon Kiefer.

**Sharon Kiefer** [00:17:19] Thank you Mr. Chairman. I guess I am interpreting this a little differently because of the clause, "the evaluation of the ACL component must be evaluated based on a new assessment or catch-only update". So, let's say it's 2028 and there's a new assessment for sablefish and it's 20,000 metric tons. My impression here is that then the restriction of the rolling three year average for fixed gear, that that just no longer applies. Am I interpreting this correctly?

**Brad Pettinger** [00:18:11] Corey.

**Corey Niles** [00:18:13] I'm sorry. Can you repeat that last part?

**Sharon Kiefer** [00:18:16] Well, I'm just, you know, if there's a new assessment, it's 20,000 metric tons, I'm assuming then that there would not be any sort of restriction on gear switching. Not somewhat similar to Phil's original motion that for ACLs above, equal to or above 7,000 metric tons there's no restriction, but it's got to be based... so you're saying it's in effect until there's a new assessment or catch update that is higher, equal to or higher than 7,000 metric tons.

**Corey Niles** [00:19:05] Okay, thank you. I think I understand the question. Well, I would, and if I go on too long, interrupt me if I'm not answering a question. But there are two conditions under this model. The ACL has to be below 7,000 metric tons and the three year average has to be above 29 percent. So, what that sentence is meant, and apologies for the confusion, but it's probably not even needed, but it's on that, on the determination of whether the ACL is under 7,000 metric tons or not so how do you make that evaluation? And on, we just had the Dover sole example where just because of our process we're saying that the ACL drop... let's say it dropped below the trigger for example, but that's only because we assumed in '21, years '21 through '23 that 70,000 metric tons were caught from the stock, removed

from the stock when it was only like 12,000. So, if we had all the time in the world to plug that 12,000 in instead of the 70,000, the catch-only update would say that you're above 50,000 metric tons. So, it just kind of a, can you please scientists confirm that we're really below 7,000 using the best available catch information at that time. I'll stop there, see if I answered your question.

**Brad Pettinger** [00:20:46] Sharon.

**Sharon Kiefer** [00:20:46] I'll cogitate on it. Thank you.

**Brad Pettinger** [00:20:55] Okay. Jessi.

**Jessi Doerpinghaus** [00:21:00] Thank you Mr. Chair. Mr. Niles, in your motion I just wanted to get some clarity of the term fixed gear that obviously has a very specific connotation to it. It is pot and long line gear, but in the shore-based IFQ fishery you're technically able to use any legal non-trawl gear, and so is the intent to be able that this applies to non-trawl gear usage? I know that's like a really minor nuance points, but I just want it to be clear so that it matches up with the IFQ regulations. Thank you.

**Corey Niles** [00:21:34] Yeah, thanks Jessi. It would be... I'm probably going to mess that up but, yeah, I would have used gear switching if I could have made it grammatically correct.

**Brad Pettinger** [00:21:43] Okay. Any other discussion? Questions? Lynn Mattes.

**Lynn Mattes** [00:21:53] Thank you Chair. Mine I think is on the same vein as what Miss Kiefer was trying to get at. I'm reading this that once it kicks in, it's in. Even if we get a new assessment that says the sablefish stock is 200 percent of what it was when it kicked in, is that the correct interpretation?

**Corey Niles** [00:22:16] Okay I think, I wasn't getting that. If I'm understanding your hypothetical, no, because then it would confirm that it really wasn't under 7,000. The best available science said it's not under 7,000. Am I getting your question wrong?

**Lynn Mattes** [00:22:37] Sorry, I hit the button too many times.

**Brad Pettinger** [00:22:40] Lynn.

**Lynn Mattes** [00:22:40] Thank you Chair. No, you got the question wrong. I'm still struggling to understand it a little bit that once it's on, it's on, but then we get a new assessment. We get a new assessment that shows us a very different world. Would we have to do new regulations to turn it back off?

**Brad Pettinger** [00:23:06] Corey.

**Corey Niles** [00:23:06] Okay, yeah, I thought you meant to do assessment to confirm whether it was under seven or not, but yeah, like I'd say five years or two years you confirm that it was crossed and then two years later as you do another assessment and says you were twice as high then, yeah, we'd have to... it would be, you'd have to act to change it.

**Brad Pettinger** [00:23:31] Okay. Maggie, did you...?

**Maggie Sommer** [00:23:36] Thank you Mr. Chair. I think I was more confused than enlightened by your response Mr. Niles to Miss Kiefer's question. Was that... I don't think you may have intended to imply that there would now be an expectation for an assessment or a catch-only update for northern

sablefish on any schedule other than what the Council would normally determine otherwise under its stock assessment prioritization? But I'd love some clarification on that. Would this include an expectation that we do more frequent catch-only updates or assessments?

**Brad Pettinger** [00:24:31] Corey.

**Corey Niles** [00:24:33] Thanks Maggie. I'm kicking myself for including the sentence now. But the... no, except, and it's hard to think of all the scenarios we could envision, but let's say it's a well behaved type thing where we have a 10 year forecast and you see, you're in year one, and you see that in year five that you're going to drop below 7,000 based on the forecast. And I'm not being smart enough with my years to know if that's in a normal biennial cycle or not, but you would, there would, the clear signal would be there... and we would, the Council could find the best way to confirm that it really was dropping below 7,000, you know, within the normal process. So, for example, and maybe this is a non-worry, but we are going to be seeing ACLs next year or I think the ACLs of over 26,000 metric tons, so I would expect we'll be in that situation as we were with Dover sole where the actual catches could be way below that. And so then... your forecasts of what your ACLs will be will be way too high potentially. So, but again, I don't find this particular aspect central to the main structure of the motion and I would... happy to, if someone would strike it, if it changes their mind, it's just more of an implementation detail than not important to the effect of the main motion.

**Brad Pettinger** [00:26:24] Okay. Maggie.

**Maggie Sommer** [00:26:27] Thank you Mr. Chair. Then I think I'll offer that should this amendment and then the main motion pass, we would be using ACL values after they are established in the final rule for our harvest specifications each biennium. So, we would not be basing any determinations under this on projections. We would be using the actual ACL adopted in harvest specifications.

**Brad Pettinger** [00:27:05] Okay. Thank you Maggie. Yes.

**Maggie Sommer** [00:27:08] Thank you Mr. Chair. I have a separate comment. I think the end remain in effect portion of this is a notable change from the PPA that we've been talking about and focusing on since November. The fact that this could then have a gear switching limitation in effect in some future year unless the Council acted otherwise, even with a very high sablefish ACL level and potentially less competition for sablefish quota, that does not seem, that seems a little bit more challenging in my mind, you know, as I think about the National Standard 4 fair and equitable standard for allocations and I will not be supporting this amendment for that reason. Thanks.

**Brad Pettinger** [00:28:17] Okay, thank you. Jim.

**Jim Seger** [00:28:19] Thank you Mr. Chairman. Miss Sommers, on the last point you made if I heard correctly, you mentioned that we would have a gear switching limitation in effect even with a very high sablefish ACL level. Are you talking about the remain in effect part? Because initially it would have to be both conditions of low ACL and but then the remaining in effect mode. Okay, thank you.

**Maggie Sommer** [00:28:49] Thank you for the clarification. Yes, if it was triggered once then forever after until and unless the Council took action to change what would then be the gear switching provisions in regulation and FMP, the limitation would continue on in effect, is my understanding.

**Brad Pettinger** [00:29:10] Okay. Corey.

**Corey Niles** [00:29:14] Yeah, well, thanks Maggie. That clarification I didn't... wasn't getting what

you said, but you're not saying it's out of the range of alternatives because Alternative 2 is still in the range of alternatives. So, can you explain to me why flip flopping back and forth over relatively small levels of ACLs would be consistent with National Standard 7 or with National Standard 4 in achieving the purpose we're trying to get here? How is... if the purpose is to disincentivize investment and Phil's ultimate motion is based on it being justified, Alternative 2 under National Standard 4 at 7,000. And Phil didn't say this but I would take what you just said to say that it's justified at 7,000, it's justified at 6,999 but not 7,001. So, I'm not understanding what your concerns are relative to that type of thing versus the remain in effect, which it's fully analyzed in the document and people would have been proposing to be remain in effect all these years.

**Brad Pettinger** [00:30:50] Maggie, you want to respond to that.

**Maggie Sommer** [00:30:52] Yes, thank you Mr. Chair and thank you Mr. Niles. Correct, I am not... I don't mean to say that this is outside of the range of alternatives. And with simply that this provision seems like if the trigger was hit then potentially in the future this could potentially be imposing an allocation in years when there would be, when a benefit from that allocation would be less likely.

**Brad Pettinger** [00:31:34] Corey.

**Corey Niles** [00:31:36] Okay, thank you for... I... that is my problem with the main motion but I think but more, much more intensively. How do you prove that there is any benefit if this doesn't go into effect for more than 10 years without the 29 percent? How do you know there's a benefit? Like this, this is kind of, I almost asked you this question but I don't think I could have got it out my head, where you're basically, where basically you will be evaluating this, the main motion for consistency with the National Standards. You're doing the regulations now but under the current stock assessment they won't go into effect for over 10 years during which or maybe never in which the benefits and costs will be completely different. So that's exactly what I can't square with my mind and unequivocally voting for an ACL trigger without this 29 percent a part of it, because I don't see how we know, and especially if I don't believe the benefits outweigh the costs in current times at 7,000 metric tons, how can I legitimately say that it's going to be true 5 years from now? 10 years from now? So that's the logic and not mean to be just explaining more of the reasoning and not understanding the concerns from National Marine Fisheries Service.

**Brad Pettinger** [00:33:11] Okay. I probably should asked for more analysis of this portion maybe earlier, but I mean there is a, there's a amendment on the floor and I'm gonna go grab the case of Snickers bars if we don't get going pretty quick. But is there anybody else... have any discussion on the amendment? Vice-Chair Hassemer.

**Pete Hassemer** [00:33:38] Sorry. Not this, not really discussion. Miss Sommer had a succinct explanation why I believe she was could not support that. Could I ask her to restate that? As I was processing this I just I didn't catch it all.

**Brad Pettinger** [00:34:01] Maggie.

**Maggie Sommer** [00:34:01] Thank you Mr. Chair. Thank you Mr. Vice-Chair. Because this amendment could cause a gear switching limitation and allocation of gear switching opportunity to be in effect once triggered regardless of future circumstances, regardless of how high the future sablefish ACL is after that, it seems like it could be imposing that allocation in years when benefits of that are less likely because there might be less competition for sablefish quota under a high ACL. That may have been less succinct than the first time around. Sorry.



**Pete Hassemer** [00:34:54] Thank you.

**Brad Pettinger** [00:34:55] Okay, thank you Pete. Corey. If I could just... we're going to take a break after we vote on this amendment because it's been two hours so we'll probably need that. So... Corey.

**Corey Niles** [00:35:08] In my succinct response was that you could know that with more certainty what the benefits and costs were 10 years from now by looking at the actual facts closer in time, like we usually do through this Council process. And last thing, I would just remind folks the GAP did not include this in there, they included this in their consensus recommendations. I'm not having it, but I just would remind everyone that Bob Alverson later testified that it was a misunderstanding and that he would have not supported it consensus of not including it. He would have... the fixed gear part, the gear switching part would have been recommended included it if he had not been under that misunderstanding and understanding the time, Mr. Chair, I will end my comments there.

**Brad Pettinger** [00:35:57] Okay, thank you Corey. Anybody else? Christa.

**Christa Svensson** [00:36:04] Thank you Mr. Chair. Sorry, but not sorry. Just out of curiosity, and this is really a question for NMFS I think, whether or not the struck language would resolve your concerns? And I feel like we're definitely wrapped around on this amendment so just trying to get some clarity myself.

**Brad Pettinger** [00:36:46] Maggie.

**Maggie Sommer** [00:36:47] Thank you Mr. Chair. Thank you Miss Svensson. I think if the struck language were included it would conflict with the phrase "and remain in effect". But assuming that your question is what if that was also removed? I think it would help address the concerns.

**Brad Pettinger** [00:37:20] Okay. Thank you. Christa.

**Christa Svensson** [00:37:25] Thank you. I may pause because I saw a hand go up there. I was going to propose an amendment that might help us out here.

**Brad Pettinger** [00:37:38] Maggie.

**Maggie Sommer** [00:37:38] Thank you Mr. Chair. Thank you Miss Svensson. I didn't have an amendment. I was just going to add that I think with those changes I just mentioned with the struck out language included and the phrase "and remain in effect" excluded doesn't that put us back at the main motion? Sorry.

**Brad Pettinger** [00:38:03] Chris.

**Chris Oliver** [00:38:03] Not quite, I think, because you still have the addition of the phrase "and the rolling three year average". So that would be the difference.

**Maggie Sommer** [00:38:18] Understood. Thanks.

**Brad Pettinger** [00:38:21] Okay. Once sec. Okay we're going to go to Bob and we're going to take a break. Okay. I'm sorry, who had their hand up? Marc.

**Marc Gorelnik** [00:38:50] All right. On the language at the end there that's been struck. If we want to have a trigger one way and then be able to back off the trigger when the abundance changes, and I'm

not proposing an amendment here, I think you just need to swap the if and when in the second line there. That way we would have a trigger implementing the restriction under one circumstance and then when the, when circumstances change we could go back. In other words strike the "remain in effect" and swap those two words. But with that maybe we should think about how we want to proceed here over a break.

**Brad Pettinger** [00:39:45] I think a break right now would be good just because it's been two hours, I think, so let's just suspend where we're at right now. Come back 10, 15? 15 minutes. Okay. Then we'll go to lunch. (Break)

**Brad Pettinger** [00:00:00] All right, further discussion on the amendment? Okay seeing none I'll call. Oop.

**Christa Svensson** [00:00:09] I would like to make an amendment to the amendment. Otherwise, if we're going to call the vote on this then I do not have the ability to make an amendment to the amendment and I do think it is important to have this language voted on should we pass this without it to have a bit of conversation so please bear with me here with my amendment which is just to change the word "if", to "when", which is currently struck in the second line. And I believe that that, as was spoken to earlier, alleviates a lot of the conversation we had with regard to NMFS, et cetera. And this would be rather than unstriking other language and adding, so I've lost my paperwork, and remain in effect.

**Brad Pettinger** [00:01:24] Chris, you have a question?

**Chris Oliver** [00:01:33] Yeah, I'm not understanding how the change to the word "when" changes the basic intent of the amendment because it would, you still have the words "remain in effect" and you've still stricken the last line so I'm sorry if I'm...

**Christa Svensson** [00:02:00] That's okay.

**Chris Oliver** [00:02:00] I'm the only one confused. I don't understand how it changes it.

**Christa Svensson** [00:02:04] I may need a little bit of help on this one from the person that originally suggested this language. But the intent would be to have comparable language to unstriking all of the verbiage at the end of this paragraph along with the "and remain in effect" language, so the intention is to accomplish that same goal by giving us flexibility by removing "if" and adding "when". That that is the intention. And if I've misunderstood and I see a hand over there which looks like it may be the cavalry coming to help me, I would be more than happy to have some help. I was trying to simplify things in terms of this amendment rather than complicate them.

**Brad Pettinger** [00:03:00] Marc Gorelnik.

**Marc Gorelnik** [00:03:01] Yeah, I think that it's a temporal change. It's rather than it being if, and then we have a one way change, it means when is meant to indicate when we have the following conditions, and in which case the remain in effect is sort of subclausage and so if we, as I interpret that language, when we're below 7,000 metric tons and when the rolling three year average meets those requirements, then we would have the restrictions on gear switching. And when those conditions are not met, we would not have those restrictions on gear switching. That's how I interpret it.

**Chris Oliver** [00:03:46] So under that interpretation the effect would be to remove the words "and remain in effect" and reinstate the stricken language would be the effect.

**Brad Pettinger** [00:04:06] Marc.

**Marc Gorelnik** [00:04:08] I think the Parliamentarian has an excellent comment.

**Christa Svensson** [00:04:15] Okay, well, I have not got currently a second on this one by appearance of the documentation and I would be in favor of proposing a withdrawal of this one and a amendment to the amendment to the effect that we have just discussed, which would be to unstrike "in years when", so the last sentence there, in years when the north of 36 ACL is equal to or greater than 7,000 metric tons, no additional restrictions, sorry, will be placed on vessels using non-trawl gear that are otherwise illegally participating in the trawl sector. And I believe I also need to strike the "and remain in effect" within this amendment. And the if and when in this would go back to the original unshaded language.

**Brad Pettinger** [00:05:28] Okay.

**Christa Svensson** [00:05:28] And I believe that that captures the intent that I tried with my first amendment to the amendment.

**Brad Pettinger** [00:05:45] Can we get a clean.... okay, then I'll ask you to read that, read the amended motion into the record.

**Christa Svensson** [00:06:18] Mr. Chair, are you ready for me? Okay. So, the new language would read, I move that the Council adopt the Preferred Preliminary Alternative parentheses (PPA) as its Final Preferred Alternative as identified in Agenda Item F.4, including the following modifications and clarifications. Restrictions on gear switching will be implemented north of 36 degrees north consistent with the PPA if the north of 36 ACL is below 7,000 metric tons and the rolling three year average of fixed gear usage of QP is greater than 29 percent with the calculations, the calculation, excuse me, of the average beginning 2023 through 2025. The evaluation of the ACL component must be evaluated based on a new assessment or catch-only update. In years when the north of 36 ACL is equivalent to or greater than 7,000 metric tons, no additional restrictions will be placed on vessels using non-trawl gear that are otherwise legally participating in the trawl sector.

**Brad Pettinger** [00:07:39] Okay, so is the language on the screen accurate?

**Christa Svensson** [00:07:43] Yes. Thank you.

**Brad Pettinger** [00:07:45] Looking for a second? Seconded by Marc Gorelnik. Thank you Marc. Okay, please speak to your motion as appropriate.

**Christa Svensson** [00:07:53] Thank you. I think we've had a lot of conversation around this amendment to the amendment already and I will leave it as stands. Thanks.

**Brad Pettinger** [00:08:02] Questions for the motion maker to the amendment? More discussion on the motion?.....(Phone ringer)...Okay, thank you for the donuts for next time. All right. Okay. I'm going to call for the question. All those in favor signify by saying "Aye".

**Council** [00:08:22] Aye.

**Brad Pettinger** [00:08:23] Opposed, no?

**Bob Dooley** [00:08:28] No.

**Pete Hassemer** [00:08:30] No.

**Phil Anderson** [00:08:31] No.

**Brad Pettinger** [00:08:35] Okay, I think it passes but I'm not sure. Want to do a roll call? We'll do a roll call.

**Merrick Burden** [00:09:13] Okay Mr. Chairman, I'm working off voting sheet 3 titled the F.4 amendment to the amendment offered by Miss Christa Svensson. Let's see, starting from the top here. Marci Yaremko.

**Marci Yaremko** [00:09:27] Abstain.

**Merrick Burden** [00:09:29] Robert Dooley.

**Bob Dooley** [00:09:31] No.

**Merrick Burden** [00:09:33] Maggie Sommer.

**Maggie Sommer** [00:09:36] Abstain.

**Merrick Burden** [00:09:36] Butch Smith.

**Butch Smith** [00:09:40] No.

**Merrick Burden** [00:09:41] Pete Hassemer.

**Pete Hassemer** [00:09:42] No.

**Merrick Burden** [00:09:44] Marc Gorelnik.

**Marc Gorelnik** [00:09:46] Yes.

**Merrick Burden** [00:09:48] Corey Ridings.

**Corey Ridings** [00:09:50] Yes.

**Merrick Burden** [00:09:53] Corey Niles.

**Corey Niles** [00:09:55] Yes.

**Merrick Burden** [00:09:57] Christa Svensson.

**Christa Svensson** [00:09:59] Yes.

**Merrick Burden** [00:10:01] Joe Oatman.

**Joe Oatman** [00:10:02] Yes.

**Merrick Burden** [00:10:04] Lynn Mattes.

**Lynn Mattes** [00:10:06] Yes.

**Merrick Burden** [00:10:07] Phil Anderson.

**Phil Anderson** [00:10:09] No.

**Merrick Burden** [00:10:11] Sharon Kiefer.

**Sharon Kiefer** [00:10:12] Yes.

**Merrick Burden** [00:10:21] That's seven yes, four no. The amendment to the amendment passes.

**Brad Pettinger** [00:10:32] Oop, Jim.

**Jim Seger** [00:10:34] Thank you Mr. Chairman. I just wanted to confirm my interpretation of what just passed here. In the middle section here, you have under the conditions in which both you are below 7,000 metric tons and the rolling three year average is greater than 29 percent, then you were issuing the gear specific quota pounds. And then the last part talks about the 7,000 metric tons but doesn't mention what the status of the 29 percent is. However, the way I interpret that is it's sort of the inverse of it. So, when it is, the ACL is equal to or greater than 7,000 metric tons or we are less than 29 percent, then we're going to be issuing the generic quota pounds. That's how I interpret what was there. And I see Corey's nodding.

**Brad Pettinger** [00:11:38] Chris.

**Chris Oliver** [00:11:40] Apologize again if I'm missing the nuance, but the way that last sentence is worded if it's equal to or greater than 7,000 metric tons regardless of what the three year average is it would be no additional restrictions is the way it's literally worded now.

**Brad Pettinger** [00:12:05] Jessi.

**Jessi Doerpinghaus** [00:12:07] I'm going to....thank you Mr. Chair. Just trying to get this a little bit more clarity. It's the situation for, because the 'and' statement in the first paragraph is below 7,000 and you're above 29 percent. But it's the situation where you're below 7,000 and you're below 29 percent. That is not actually specifically covered in the motion, but it is the intent that we're understanding that when you're, that anything where you're not meeting that 'and' condition would be issued as no restrictions.

**Brad Pettinger** [00:12:46] Christa.

**Christa Svensson** [00:12:47] Thank you. Well, as the one that made the amendment to this that was my intent was to provide a backstop. Not to get wild here and not to belabor things.

**Brad Pettinger** [00:13:01] Okay. One second. All right, so we've got an amendment to the amendment and so which has passed. And now we're going to go to the... Chris?

**Chris Oliver** [00:13:29] You're back to the main motion.

**Brad Pettinger** [00:13:31] We're back to the back to the, Corey's amendment. So, Christa amended Corey's amendment, proposed amendment, and so now we're back to Corey's original amended motion, original amendment that's been modified as amended. Yeah, okay.

**Chris Oliver** [00:13:53] Yeah, and so effectively the three year rolling average for.....

**Brad Pettinger** [00:14:00] Okay, so with that further discussion on the amendment to the main motion? Bob Dooley.

**Bob Dooley** [00:14:12] Thank you Mr. Chairman. I won't be voting for this. I thought we talked about this quite a bit about the continuing cost of this program and adding the component for a three year rolling average that needs to be analyzed regularly seems to be added costs that we don't need that is taken care of by the original motion of just having a 7,000 ton metric. We were told then, at least my understanding was, this effect of this light switch, so to speak, that goes up or down depending on the ACL wasn't a big lift because it didn't require a lot of analysis to understand it, but it seems like when you add a three year rolling average there's quite a bit in that. That's going to cost a lot more for continuing on and for not much benefit. I, you know, the other understanding I had about having the three year rolling average and the original intent I thought was to give industry notice that this is going to happen or could happen and knowledge of the ACL. But the way we establish ACLs in the Council process, there's engrained a lot of notice. We all know that the sablefish in the next biennium is going to be much higher than it is now, the ACL will be. So that notice is there. It's ingrained in the process and how we do it. So, I'm really concerned about the continuing cost of the program going forward. I understand that we... you know... and I think the original motion really does calculate that and I don't think adding a rolling average, we don't get much benefit from that. So, I think just the base number is what counts, whatever the ACL is. So, thank you.

**Brad Pettinger** [00:16:12] Okay, thank you Bob. Further discussion? Phil Anderson.

**Phil Anderson** [00:16:21] I have a question for the Parliamentarian. Is making this an additional amendment to this still possible?

**Chris Oliver** [00:16:34] Yes. You only have the one amendment on the floor now so and one additional amendment is fair here.

**Brad Pettinger** [00:16:41] Phil.

**Phil Anderson** [00:16:41] I would like to move an amendment to the amendment. In the third line of the second paragraph strike 7,000 and replace it with six and strike from the evaluation of the ACL component, strike the rest of it. So, beginning with the evaluation of the ACL and on down through the balance of that paragraph, strike that language all the way to the end.

**Brad Pettinger** [00:18:20] Okay. Chris, did you have a question?

**Chris Oliver** [00:18:45] Yes. So, is the effect of that that it does remain in effect even if the ACL goes above 6,000 indefinitely so?

**Phil Anderson** [00:19:05] Although I'm reading this, maybe I missed something. Is it restrictions on gear switching will be implemented north of 36 degrees North latitude consistent with PPA if the north of 36 degree ACL is below 6,000 metric tons and the rolling three year average of fixed gear usage of quota pounds is greater than 29 percent with the calculation of the average beginning '23 through '25. So, it takes two conditions to implement the restrictions. Got to have an ACL that's less than 6,000 and you got to have fixed gear usage of the quota pounds greater than 29 percent over that three year rolling average.

**Brad Pettinger** [00:19:53] Chris.

**Chris Oliver** [00:19:53] So what happens when the converse occurs? If the converse occurs and at some point it goes above 6,000 and the three year average is not greater than 29, i.e. how long does it..?

**Phil Anderson** [00:20:13] When you're above 6,000, 6,000 or above, and the usage is greater than 29 percent over that, calculated on the three year average, that's when the restrictions apply. And in the absence of that there are no restrictions.

**Chris Oliver** [00:20:34] So the last sentence is implied.

**Phil Anderson** [00:20:38] Yes, it's implied given that we're still, I may never get a second but I haven't gotten one yet anyway, we could take that last sentence and change this 7 to 6 and add back the rolling average, but to me it's clear that the gear switching limitations go into effect when this happens and in the absence of that happening there are no restrictions. But if it's... and I... well, I'll leave it at that.

**Chris Oliver** [00:21:14] I think it would be good that everyone is clear that that's the intent. And so, the last sentence is essentially implied.

**Brad Pettinger** [00:21:29] Okay. So, I guess I have to have you, did you read that in?

**Phil Anderson** [00:21:37] I don't know that I did but I'm happy to do that.

**Brad Pettinger** [00:21:40] If you could, please.

**Phil Anderson** [00:21:47] The first sentence simply spells out what the changes are and as a result it would read, restrictions on gear switching will be implemented north of 36 degrees North latitude consistent with the PPA. If the north of 36 degree ACL is below 6,000 metric tons and the three year average of the fixed gear usage of quota pounds is greater than 29 percent with the calculation of the average beginning 2023 through 2025.

**Brad Pettinger** [00:22:18] Okay. Thank you. And that is accurate so all right. Second by Marc Gorelnik. Okay, questions for the motion maker? Discussion on the amendment to the motion to the amendment?

**Phil Anderson** [00:22:36] Well, let me just speak to the amendment. In our deliberations here, what I've heard come out is that the percentage of trawl sablefish that's being taken with fixed gear is an important component of triggering the restrictions. And so, the intent here is to add that provision to the original motion so that we have this dual, these dual triggers that need to be met in order to have the restrictions that are spelled out later in the motion, implement it. And in the absence of those being met, there are no restrictions, no additional restrictions on vessels using non-trawl gear that are... otherwise are legally participating in the trawl sector.

**Brad Pettinger** [00:23:42] Okay. Discussion or questions for a motion maker or any questions? Bob.

**Bob Dooley** [00:23:52] Yeah, thank you Mr. Chair. And thanks, Phil, for the motion. I actually have a question for Maggie and if you can answer it. I know it's probably a lot to answer. I'm trying to understand the cost effect of the program by adding the rolling three year average compared to not adding it. Is it a significant lift and ongoing cost or is this just another, another box to check?

**Brad Pettinger** [00:24:22] Maggie.

**Maggie Sommer** [00:24:22] Thank you Mr. Chair. Thank you Mr. Dooley. Yeah, it is certainly not just

another box to check. We would, you know, we would take the... our role in implementing this seriously and we would need to be, I guess, on an annual basis calculating the rolling three year average usage of quota pounds. If that is intended to be total usage of quota pounds then, you know, I guess without getting into a lot of discussion, I would just remind us all that our data on discards and discard mortality from the observer program is not final until late in a year of that we need to factor that into the timeline. In terms of calculating the three year average, once we have the data that's not a difficult task. It would also be a component that we would need to include in, you know, in regulations and in notices to the public and in our explanations to make sure that everybody understands how the provisions of the program work. I don't have a quantitative answer for you on whether it is a, you know, how much additional workload it would take us to implement this. Again, you know, I would say it is not zero and not insurmountable.

**Bob Dooley** [00:25:58] Thank you.

**Brad Pettinger** [00:25:58] Sharon Kiefer.

**Sharon Kiefer** [00:26:01] Thank you Mr. Chairman. And a question again for Maggie, if I may?

**Brad Pettinger** [00:26:06] Okay, Maggie.

**Sharon Kiefer** [00:26:06] So is the data relative to, you know, the percentages in gear switches, like in figure 34 where Council staff showed it annually for several years. Is the data collected such that someone could actually, if indeed it looked like we were going to be coming up with the 6,000 metric tons ACL, rather than doing that rolling three year average every single, you know, calculate recalculating every year, that actually they can just go back and do the retrospective analysis when it appeared that we were going to be hitting that ACL?

**Brad Pettinger** [00:26:57] Maggie.

**Maggie Sommer** [00:27:00] Thank you Mr. Chair. Thank you Miss Kiefer. The short answer is that we would, having not done this yet, you know, that we don't currently have those data existing and available to the public. We do have information in our publicly accessible IFQ system. I think that all I can say at this point is we would certainly want the public to be as aware as possible of what information we have and we would look into how and when we can provide that, but we would want to make it available as soon as we can.

**Sharon Kiefer** [00:27:58] Thank you. And if I may ask, would Mr. Seger have anything? I mean, how did you guys do the annual analysis? You were able to do the annual analysis of the proportion?

**Brad Pettinger** [00:28:11] Jessi.

**Jessi Doerpinghaus** [00:28:11] Mr. Chair. Miss Kiefer. Yes, so currently we, the database that where NMFS, all of the quota pounds are tracked and where things are QA and QC'd with the observer program do not have gear types attached to them, which I think we speak to in our report and also I think is in the NMFS Report is about including that in to the, would be required under this alternative because we need to track two gear type. That being said, we obviously have fish tickets and how I was able to do this was to match fish ticket records to what NMFS has, they're all aligned, and then we assigned proportionally to those fish tickets whatever minor discard was associated given that there's not a lot of discard associated with gear switching trips. So that's how I was able to do like current year, but past year data was based on the Wickop Annual Groundfish Mortality Report. So that's our official estimates of quota pounds. So that's where those values also came from.



**Sharon Kiefer** [00:29:18] Thank you for that clarity.

**Brad Pettinger** [00:29:20] Okay. Thank you Sharon. All right, anyone else? Marci.

**Marci Yaremko** [00:29:28] Thank you Mr. Chair. Just a question related to the 29 percent that shows. Can someone clarify for me please, is that what that 29 percent is of? Is that of the landed catch? Is that of the mortality for the sector? Is that the total trawl allocation out of the ACL? What is the 29 percent metric intended to reflect?

**Brad Pettinger** [00:30:03] Did you have your hand up?

**Jim Seger** [00:30:03] Yeah, thank you Mr. Chairman. In general, the 29 percent number that we've been dealing with in the process and in coming up with the 29 percent number, is 29 percent of the trawl allocation in a particular year so of the amount of quota pounds issued. And I would assume that that's what's meant here as well.

**Brad Pettinger** [00:30:27] Okay. Phil.

**Phil Anderson** [00:30:29] Just confirming that is correct.

**Brad Pettinger** [00:30:38] Okay, anyone else? Maggie.

**Maggie Sommer** [00:30:45] Thank you Mr. Chair. I think I'll just reiterate my point earlier about the potential lag time if quota pound usage is including all discard mortality coming from our observer program and our electronic monitoring program and there could be an offset, a bigger temporal offset between the timeframe over which we're calculating the three year rolling average, and because of when that date is final and the ACL that would be the other component of this trigger. I apologize. I'm trying to think through this as I speak. I'm not sure that would necessarily be a problem, but I think the Council may want to consider that. And we had some information, I know we thought about that when in Jim and Jessi's presentations we talked about, you know, that the three year rolling average would then potentially be determining whether gear switching is limited or not in year five. I think I'll just leave that there. I wanted to make sure that everyone was aware of that.

**Brad Pettinger** [00:32:18] Corey.

**Corey Niles** [00:32:21] Thanks Mr. Chair. I've lost where we are. Are we are still in questions or discussion on this?

**Brad Pettinger** [00:32:29] Well, there's the question about what the 29 percent pertains to and that was the ACL is what we're told, no?

**Jim Seger** [00:32:37] Mr. Chairman, not ACL, but the trawl allocation, the amount of quota pounds issued for the trawl sector.

**Brad Pettinger** [00:32:47] Okay. I'm going to ask for some clarification on this. When we be talking about the 29 percent in previous discussions up through this whole process, I thought it was 29 percent of trawl landings was fixed gear and the 70, 60 or 71 percent was trawl landings. So this is different than what I at least... I just want to make sure we got, we understand this and at least consistent so that's why I'm asking the question.

**Jessi Doerpinghaus** [00:33:18] Mr. Chairman, thank you for the question. Yes, so the 29 percent was

established based on the 2011 through 2016, so those were those full year prior to the control date, the amount of gear switched sablefish as a percentage of the total available trawl pounds. It was total quota pound usage. Sorry I'm getting... yeah. Did that answer your question or maybe not?

**Brad Pettinger** [00:33:55] I thought you... that's okay, that's different than I thought it was. Okay. Corey.

**Corey Niles** [00:34:04] I think we're in questions to the, the maker of the amendment or whoever... I think if this were to pass, if the main motion were passed, there are things in there like the definition of family that might need to be looked at in more detail through some deeming process or whatnot. So I would... to the maker of the amendment would you, consistent with, there would be, there are ways of timing of these and ways of the average seems pretty simple to me. The IFQ database is even now better than it will tell you what the gear is. And I don't know that sablefish discard is all that big, so it's going to be a pretty small percentage. But would you envision, Phil, that this could come back in terms... with the details under like a deeming type process on implementation?

**Brad Pettinger** [00:35:04] Phil.

**Phil Anderson** [00:35:04] Yeah, just to confirm, not, not that you've necessarily accepted it, but at the end of my speech about the motion, at the very end I talked about having the deeming process include the full Council and that there would be a need for a definition of family. There are a couple of them out there that are currently used in programs that will... but so long way of saying yes to all of this is subject to deeming of the regulations that implement our, whatever we approve to ensure that the intent is maintained.

**Brad Pettinger** [00:35:52] Okay. Thank you. All right. Further discussion on the amendment to the amended amendment of the original motion? Okay, I'm going to call for the question. All those in favor signify by saying "Aye."

**Council** [00:36:07] Aye.

**Brad Pettinger** [00:36:08] Opposed, no?

**Maggie Sommer** [00:36:10] No.

**Brad Pettinger** [00:36:11] Abstentions?

**Marci Yaremko** [00:36:12] Abstain.

**Brad Pettinger** [00:36:14] Okay. Okay one no vote and one abstention. That's what I got. Okay, so the motion, the amendment to the amendment to the original motion passes. That will take us to the amended original motion.

**Chris Oliver** [00:36:39] I believe you still need to vote on Mr. Niles amendment.

**Brad Pettinger** [00:36:46] Absolutely. Yes.

**Chris Oliver** [00:36:46] Which is essentially Mr. Anderson's original main motion with the addition of the rolling three year average language.

**Brad Pettinger** [00:36:54] Right. Okay, there you go. One second. All right, so now we're going to

Corey's amendment that's been amended a couple times. So, with that, further discussion? Okay, not seeing any I'll call for the question. Maggie.

**Maggie Sommer** [00:37:29] Thank you Mr. Chair. Could we just pause for a minute that there have been a lot of moving pieces and I would like to collect my thoughts and focus on what the actual motion in front of us is. I'm not asking for long. I just would like a couple moments to read through it again.

**Brad Pettinger** [00:37:45] Okay.....(PAUSE)....Okay it's going to a little bit here to get the right one up so. Stand by. Okay, we're going to take a ten minute break. Just come back and... (PAUSE)... Okay, so I believe we have the amendment to the original motion as amended is on the screen. Okay, so I guess we.....I'd say further discussion? Phil Anderson.

**Phil Anderson** [00:39:07] I don't want to mischaracterize this and make anybody, well, never mind. On the 29 percent piece here that we're, that's in the amendment, and just following along the line of questions that Mr. Dooley had of Miss Sommer. I just wondered if we could just have just a little bit more discussion about that in terms of, I mean we've got a fair amount of complexity in this already and the more complexity we add the more difficult it is. And they're incremental so pulling anyone out may or may not make a big difference. But, just wanted to just pause here for a moment. Maybe ask Maggie if, just to articulate a little bit more after she's had a chance to think about this, about the addition of the 29 percent as being part of the trigger mechanism and the potential additional workload or difficulty in implementing this action as a whole if that piece is in there?

**Brad Pettinger** [00:40:37] Okay. Maggie.

**Maggie Sommer** [00:00:00] Thank you Mr. Chair. Thank you Mr. Anderson. I don't have anything new to add on workload. It does seem logical that a low ACL level, a smaller amount of sablefish quota to go around is a more, maybe a more obvious indicator that there could be competition for sablefish quota pounds that could be adversely affecting trawlers needing it. The other aspect of this is not really the mechanics of implementing it, but Mr. Dooley's comments earlier about an ACL trigger that was just the ACL level would be, would provide more clear and probably earlier notice to the public about whether gear switching would be limited by issuing gear specific quota pounds in upcoming years.

**Brad Pettinger** [00:01:09] Okay. Thank you Maggie. Phil? All right. Further discussion? Okay I'll call for the question. All those in favor signify by saying "Aye".

**Council** [00:01:22] Aye.

**Brad Pettinger** [00:01:25] Opposed, no?

**Phil Anderson** [00:01:26] No.

**Bob Dooley** [00:01:27] No.

**Maggie Sommer** [00:01:27] No.

**Brad Pettinger** [00:01:29] Abstentions?

**Marci Yaremko** [00:01:30] Abstain.

**Brad Pettinger** [00:01:33] Okay, thank you Marci. All right we'll probably do a roll call here.

**Merrick Burden** [00:01:52] Okay, thank you Mr. Chairman. I'll be working from voting sheet number 4. This is in regards to Agenda Item F.4 and the amended amendment made by Mr. Niles. Okay, starting from the top. Robert Dooley.

**Bob Dooley** [00:02:16] No.

**Merrick Burden** [00:02:17] Corey Ridings.

**Corey Ridings** [00:02:19] Aye.

**Merrick Burden** [00:02:22] Christa Svensson.

**Christa Svensson** [00:02:23] Yes.

**Merrick Burden** [00:02:25] Joe Oatman.

**Joe Oatman** [00:02:26] Yes.

**Merrick Burden** [00:02:29] Corey Niles.

**Corey Niles** [00:02:32] Yes.

**Merrick Burden** [00:02:33] Sharon Kiefer.

**Sharon Kiefer** [00:02:35] No.

**Merrick Burden** [00:02:38] Maggie Sommer.

**Maggie Sommer** [00:02:40] No.

**Merrick Burden** [00:02:42] Lynn Mattes.

**Lynn Mattes** [00:02:45] Yes.

**Merrick Burden** [00:02:47] Phil Anderson.

**Phil Anderson** [00:02:50] No.

**Merrick Burden** [00:02:53] Butch Smith.

**Butch Smith** [00:02:54] No.

**Merrick Burden** [00:02:56] Pete Hassemer.

**Pete Hassemer** [00:02:58] No.

**Merrick Burden** [00:03:00] Marci Yaremko.

**Marci Yaremko** [00:03:01] Abstain.

**Merrick Burden** [00:03:03] Marc Gorelnik.

**Marc Gorelnik** [00:03:05] Yes.

**Merrick Burden** [00:03:20] The current vote is six to six. So, it's over to you Mr. Chairman.

**Brad Pettinger** [00:03:24] No.

**Merrick Burden** [00:03:24] Okay motion fails.

**Brad Pettinger** [00:03:30] Vice-Chair Hassemer.

**Pete Hassemer** [00:03:40] Please bear with me. Have patience Mr. Chair. And if I need to be corrected on the language, I would happily try to do that. But I would like to make a motion to reconsider a prior motion to amend. In the sake of brevity, if there's a second, I will explain that.

**Sharon Kiefer** [00:04:05] Second.

**Brad Pettinger** [00:04:08] Okay, thank you Sharon. Please.

**Pete Hassemer** [00:04:08] Thank you. The reconsideration of a prior motion to amend, I'm going back to the very first motion to amend offered by Miss Svensson to simply change the 7,000 trigger to 6,000 metric tons. We had a lot of deliberation on this and with what we've gone through in my mind I considered that in the context of three year rolling averages and was able to look back at some prior history. I know that the figure in the analysis that a lot of people have been looking at goes back, shows ACLs back to 2011. I was able to dig up information that shows the ACLs or its equivalent value back to 1995 and how that might operate. And in effect, on that original motion to amend I had voted no. What I've learned here through this process, and it's been so long today that there might have been another benchmark assessment completed already, but in the intent of Mr. Anderson's motion and what that amendment would do, I would be willing to vote yes on that and so that changes my vote and vote yes on that. That is why I'm asking for reconsideration of that motion to amend. Thank you.

**Brad Pettinger** [00:05:58] Okay. Thank you Pete. Questions for Pete on his motion to reconsider? Floor discussion? Corey.

**Corey Niles** [00:06:07] Procedural question. Excuse my ignorance, but is it just the majority vote on this?

**Brad Pettinger** [00:06:17] Chris.

**Chris Oliver** [00:06:22] So you first vote on whether to reconsider and then you have a subsequent vote on the six versus seven.

**Brad Pettinger** [00:06:31] Yep, okay. So all right. Okay, well, I'll call for the vote. More Corey?

**Corey Niles** [00:06:41] Yeah, I'm going to have some thoughts on the main motion.

**Brad Pettinger** [00:06:50] Very good. All right. I'll call for the question. All those in favor? This is the motion to reconsider, okay, whether to reconsider. So, all those in favor signify by saying "Aye".

**Council** [00:07:03] Aye.

**Brad Pettinger** [00:07:03] Opposed, no? Abstentions?

**Marci Yaremko** [00:07:08] Abstain.

**Brad Pettinger** [00:07:09] Okay, thank you Marci. All right, the motion passes with one abstention. Okay so I believe that takes us to the original, the original motion so....

**Chris Oliver** [00:07:29] Now you have to vote on whether to replace six, or seven with six. As it stands now it's 7,000.

**Brad Pettinger** [00:07:43] Okay. Okay, so this is the amendment to adjust it to 6,000 metric tons. Okay, so discussion? Christa Svensson.

**Christa Svensson** [00:07:54] Very briefly. I just want to, since I voted in favor and lost last time, I do want to express my thanks for that. I will also say I think we saved a fair amount of time because I was considering doing a 5999 in honor of Mr. Niles's commentary today and giving a speech on rearranging deck chairs on the Titanic so thanks to everybody for this. I hope that we will be successful this time and appreciative of the motion to reconsider.

**Brad Pettinger** [00:08:27] Okay. Thank you Christa. Anyone else? I'm not seeing any so... oh, Maggie.

**Maggie Sommer** [00:08:40] Thank you Mr. Chair. When this amendment was originally proposed I had abstained from the motion. On listening to some of the rationale for a 6,000 number since then and considering the issue, it does strike me that there would be more likely to be demonstrable benefits of an allocation at the 6,000 metric ton level. I appreciate this coming back and I will be supporting it.

**Brad Pettinger** [00:09:16] Thank you Maggie. Anybody else? Okay I'm going to call for the question. All those in favor signify by saying "Aye".

**Council** [00:09:26] Aye.

**Brad Pettinger** [00:09:27] Opposed?

**Corey Ridings** [00:09:30] No.

**Brad Pettinger** [00:09:31] Abstentions?

**Marci Yaremko** [00:09:33] Abstain.

**Brad Pettinger** [00:09:34] Okay, the motion passes with one no vote and one abstention. All right, that takes us to the original motion that has been amended which is right before us I guess, right? There you go. There's a 7,000 below there too Kris. I think that was the only changes, right? I believe that first... okay. Yeah, if you could scroll through just to make sure we see everything here. Okay. Okay, so everybody understands what we got here? Corey Ridings.

**Corey Ridings** [00:12:03] Thank you Mr. Chair. I have a substitute motion.

**Brad Pettinger** [00:12:06] Okay.

**Corey Ridings** [00:12:34] I move that the Council adopt No-action as the Final Preferred Alternative.

**Brad Pettinger** [00:12:53] Okay. Corey is the language on the screen accurate?

**Corey Ridings** [00:12:57] I don't know about the hyphen between no and action, but otherwise yes.

**Brad Pettinger** [00:13:01] Okay, do I have a second? Seconded by Marci Yaremko. Thank you Marci. Please speak your motion Corey.

**Corey Ridings** [00:13:10] Before I start, I just wanted to thank everyone who has put their time, energy, and thoughts into this. I've talked to so many people who have had a large divergence of viewpoints and experiences and I'm just grateful for the willingness of folks to engage the Council and with me personally, and especially all of the work that the Council staff has put into this. Jim, we are going to miss you. The discussions that we're having now and the confusion that we've had over the last four hours, I think, is emblematic of the inability to understand the impacts of this motion and this issue as a whole. It's not because the people up here aren't capable. It's because the concept is so complex and we've gone so deep into trying to engineer an action over the last eight years that we've lost what we're talking about. I've totally lost transparency, and it feels like we've lost sight of the problem we were trying to solve at the outset eight years ago. This for me is struggling to pass the reasonableness test. I hear that some non-gear switchers are looking for what they can get and this makes sense. Opportunities and financial gain seem to have been far less realized than we were hoped with Amendment 20 and put into place, and the problems, pressures, and challenges that have been brought before the Council by trawlers in the context of this agenda item and other agenda items are undoubtedly very real. This week has highlighted that many of the challenges are shared across the commercial fishing industry. They don't just exist for trawler or those fishing as part of the IFQ program, they exist for our entire West Coast harvester community. From what we've heard as part of this over the years, the fact that trawl isn't attaining as much fish as it would like to is driven by many factors, some that have to do with fisheries management and many that do not. Other elements of the IFQ Program, including the fundamental market-based design, which is specifically subject to market forces, Covid-19, changing U.S. consumer preferences and values, climate change, processor and retail marketing, consolidation of processing, the behavior of the quota market, the difficulties of running a small business, coastal gentrification, housing, the list goes on. We heard so much through this process about the challenges that trawl and other gear type fishermen and communities face. Ultimately, to me the problem of underattainment by trawlers and the proposed solution of limiting gear switching just don't match. There is little evidence that limiting gear switching will address underattainment. What scant evidence there is isn't enough in light of the impacts on current operations and investments of others. I don't doubt that it will benefit some trawlers and some processors based on public comment and especially GAP comments. However, it remains that fundamentally any action alternative that very likely harms a group of users in a substantial amount for the trade-off of maybe helping another group and a smaller amount isn't sound policy. To me this does not meet National Standard 4. I want to echo Mr. Niles and Mr. Hassemer's thoughts earlier on the policy nature of this decision and making sure that our decisions are not based on compromise and politics, but are based on facts. I'm struggling because I'm looking for a reason to go for an action alternative. I'm thinking about the motion Mr. Anderson made and the amendments we've just been talking about. One is because those that I trust and respect at this Council table, trawl members of the GAP see this as the right path forward and I trust them, and the public have shared their thoughts, opinions, and the realities that they are facing. But I just can't get there because of the evidence, testimony, and copious analysis are just not providing enough evidence. The details we've been discussing are interesting and have shed light on many aspects of the IFQ Program and our groundfish fisheries in general, but they do not provide a strong enough rationale to move forward to limit gear switching. I do not see evidence that the PPA or Mr. Anderson's motion will provide meaning stability for processors, and if it did that it would benefit trawl harvesters, who from what I've heard in public comment are the ones who really need support. As was noted in public comment at this meeting, other solutions and tools to address the problems that exist in the IFQ Program exist within the program, as well as the rest of the issues this Council touches, and many issues that the Council does not touch, like the marketing and or the value of our fisheries are ending up. As been had noted by some groundfish

fishermen, they aren't getting much more on the dock than they did 20 years ago, but I'm paying a lot more at the store so I have a lot of questions about where that value is going and why our harvesters aren't realizing more. As I noted almost two years ago, I think that this isn't the right use of Council and associated government resources. The Council has spent a tremendous sum and time on this issue, and that has come at the detriment of other items. There is a trade-off with any Council item. However, given that the time is now and it's money we can't get back, I don't see this as a reason to make the wrong decision for the sake of taking action. Status quo is just a reasonable conclusion as any other in terms of finishing discussion, and as the same obligation we have under every agenda item, that is to make the best decision we can with the information that has been provided. Gear switching was not, gear switching was a feature, not a bug. Part of that was conservation as a goal of the program. This has not been a main point in the debate, but it would be remiss to not include this as part of the original rationale that gear switching was part of the original program design. The GAP noted this in their report. I've noted it before, and I've heard from conservation folks who consider this an important part of how the program was originally implemented. Incentives to use more selective gear types that have lower environmental impact are an important goal across all of our fisheries. I want to be clear that this isn't anti-trawl, it's simply noting that the freedom for someone to use a different gear type to catch their quota pounds or fish, whether it's a person who typically uses trawl gear or not, is a positive mechanism that promotes conservation, fishermen flexibility, and economic options. Trawlers using trawl gear do not hold up fishing communities alone. Fishermen who can fish hold up fishing communities. Miss Svensson hit on this in her comments earlier, and I really appreciated her viewpoint on how these various trawling, non-trawling and processing communities overlap. I have concerns about limiting gear type for the sake of limiting gear type. The intent was to increase the flexibility of gear type so that trawlers could have more options to go fishing, not less. We discussed this earlier today when struggling with allocation, that flexibility is important to support fishing businesses and to catch more fish. It's also critical when dealing with change, environmental, climate, economic, and social, all of which we're dealing with right now. The Council will continue working on all the issues that impact the trawl fishery. No-action and moving on from this line of inquiry doesn't change that. In fact, I hope it frees up time and resources to understand and try to identify and solve issues that are limiting trawl attainment.

**Brad Pettinger** [00:20:58] Okay, thank you Corey. Questions for the motion maker? Discussion? Corey Niles.

**Corey Niles** [00:21:08] Yeah, thanks Mr. Chair. Thanks, Corey, for the motion. Question for NMFS. I did vote for the 6,000 metric ton alternative earlier and am now almost back into the no-action camp just like Corey led it off with just the inability to have discussions on the merits on this issue makes me wonder how solid the record is. NMFS seems to imply that they have made up their mind that the evidence before us demonstrates the need for action. Mr. Anderson said the justification for his main motion is that if the ACL were less than that amount today, he would support it going into effect. So, I was wondering if the National Marine Fisheries Service can expound on what demonstrable evidence they have that they think that action is warranted at this current moment in time if the ACL were below 6,000 metric tons?

**Brad Pettinger** [00:22:23] Maggie.

**Maggie Sommer** [00:22:25] Thank you Mr. Chair. Thank you, Mr. Niles, for the question. NMFS will make a determination once the Council gives us the final recommendation. We will look at the whole of the record on this. I certainly did not mean to imply that NMFS has made up its mind or has made a determination. We, you know, I think like everybody around this table and I've expressed it before, there is a very large volume of information that's been presented to us and I believe you said earlier in discussion on this agenda item it's easy to interpret it different ways. We are not, we have not made a



determination. We do not have a determination on it now. We do try to preview issues as we see them arise and that was my intent earlier, but that was not intended to be anything concrete or pre-decisional by any means.

**Brad Pettinger** [00:23:35] Thank you Maggie. Phil Anderson.

**Phil Anderson** [00:23:39] Thanks Mr. Chair. Thanks Miss Ridings for the motion. And I'm not going to go through and repeat stuff I've already said except for two points. Sablefish are essential to carrying out a successful, viable trawl fishery. It's undeniable. What we have done in the last eight years is a couple of things. One is we've set a control date, and I believe that that control date had some impact on the amount of gear switching that has occurred since that time. In 2023 the maximum amount of sablefish that were landed by a gear switcher as I understand it is 386,000 pounds. An individual that was fishing in the tier program that maximize the number of tier permits they could stack, which is 3, were able to land 218,000 pounds. So, I would ask you to think about, in the absence of a control date, in the absence of any action, in seeing what the type of poundage that can be landed with gear switchers utilizing trawl sablefish and that big disparity what you think will happen in future years, next year or the year after? And if I'm right, if the control date had discouraged some additional gear switching that might otherwise have occurred, and if by removing that by taking no-action, results in an increase in that activity to the point where you have ample evidence that there isn't enough sablefish left to prosecute a viable trawl fishery, what do you think the challenge of the people that sit at this table in the future is going to be to try and manage the trawl fishery successfully so it can be viable. That piece out of all the rest of it, all my sleepless nights, especially this week, thinking about what should we do? Because there are, I mean it was a great articulation of the points of why status quo might make sense. And I respect your opinion. I respect those, I agree with a lot of them, but walking away from this right now and turning this thing back, turning it loose again with the potential of having the kinds of problems or greater problems that we had during the 2013 through 19 era is something I'm, it's something that drove me to the point where I thought we needed to take a step here in providing a cap and let some things get sorted out here before we go farther and decide what else to do. Thanks.

**Brad Pettinger** [00:27:47] Thank you Phil. Further discussion? Corey.

**Corey Niles** [00:27:56] Yeah, thanks Mr. Chair. Thank you Phil. I'm not quite sure how I'm going to vote on this yet. I think I have not said yet that I think is very important is that I think that no matter what happens today, the next step for this Council, at least for this part of the fishery, should be figuring out what to do to help this sector, including by taking up some of the ideas our economists have given us like raising the control limits so that processors might be able to secure more of their own quota. On that, Mr. Anderson, who was representing our department during again development of Amendment 20, and he, you know, was not a fan of this idea but he voted for the allocation of quota directly to the whiting processors. And I admit now I think I was wrong and that was a great idea. So, there's other ways we can be doing this. And I'm going to keep it concise because I know everyone's hungry, but we just had a debate, and I'm sorry I'm going to sound cranky, but we just had a debate about the cost of calculating a three year average, and now we're talking about creating the most expensive control date in the history of all time, which is going to probably not be into effect and over, you know, if the current assessment holds, over 10 years and NMFS is going to go through this expensive rulemaking that's probably ten times more costly than calculating a three year average. So, yeah, again I'm just pretty disappointed in a lot of, in the lack of attention to Alternative 1, the lack of debate between looking at the permit and rewarding people who lease out permits, don't fish them, they get credit for the fishing. Totally understand. I think Phil is right in not leaving the door wide open. I'm going to stop myself from saying anything else and not really sure how I'm going to vote on this.

**Brad Pettinger** [00:30:13] Okay. Anyone else? Marci.

**Marci Yaremko** [00:30:18] Thank you Mr. Chair. I just want to make clear that in voting yes for the motion on the screen in no way am I intending to imply that this is where this discussion ends. I want to reiterate my earlier remarks and convey how important it is that we do something to improve the utilization of the quota pounds that are issued, particularly for the trawl fleet of this IQ program. And I do think there are a number of innovative ideas that we just have yet to explore. We've spent a lot of focus and time and energy on this particular pathway with regard to restricting gear switching. And meanwhile I think in these eight years that have elapsed, a number of other potential ideas have come to light but never really been vetted with any degree of thoroughness and I just want to reiterate my commitment to us moving down that pathway. I do think there are ways to improve the viability of this fishery and I do look forward to those discussions down the road. Thank you.

**Brad Pettinger** [00:31:49] Thank you Marci. Anyone else? Christa.

**Christa Svensson** [00:31:53] Thank you Mr. Chair. I will be supporting the motion. I think if I were from industry and I were a fixed gear person who was likely to be sunsetted out if the other original motion were to pass, I would want somebody up here voting for what I had worked to protect. And I think I have reiterated over the course of time my concerns around what we are doing moving forward. I'm not going to go rehash all of those. I did have a comment regardless of any motion that came forward and my concern around the fact that this really does nothing to retain trawl quota for trawlers. Somehow in the mix we've forgotten that fixed gear people own slightly less than 12 percent of quota share, and that means any fish taken out of the water and attributed to them is being leased to them. This motion or any motion is not going to do anything to put a backstop on the prevention of quota ownership from transferring out of the trawl sector, and it's not going to prevent any other users, and I've spoken to that on a number of occasions in the past as well on wreaking havoc for trawlers by outcompeting them for lease prices in the future should they choose to engage in this space. I will, if this motion fails, vote likely in favor of the original. I am extremely appreciative of the time and effort and willingness of people to work for finding a compromise, and I do think we need to find a path forward. But again, if I were out there and had advocated the entire time for status quo as a participant within the trawl sector as it stands today and no one spoke up for me I would be pretty brokenhearted. So, I will be supporting the motion. Thank you.

**Brad Pettinger** [00:33:53] Okay, thanks Christa. Anyone else? Bob Dooley.

**Bob Dooley** [00:33:58] Thank you Mr. Chairman. I won't be supporting this. I've worked through this since it started, since the first 5-year review and the community outreach meetings and heard the concern about this. Worked through the CAB, through the SaMTAAC, through all of it, and it's been, you know it... I've been keeping my mind on the part of how do you justify this and what is the threat and all of those types of things. And I've come to the conclusion that really the last meeting that we did address this... really addressed exactly where the concern lies. That trigger is what really swayed me to say that this is doing exactly what needs to be done. When the quota drops to below at this point 6,000, history shows us that sablefish is in short supply, not only in the trawl sector but in other sectors as well. So, the demand for that is up, and typically the market is up during those times, which means the value of it is up and the value between the sectors is up so the competition to maintain that quota in the trawl sector is threatened. We have a control date right now that's had a huge effect on people engaging in the sector and making those investments, withdrawal with fixed gear in the trawl sector. It is a trawl sector. If we didn't care about sectors, I guess we'd have just one big sector, recreation, commercial, everybody just one big pie, but that's not how it is. I think the needs of the trawl sector need to be protected and we need to make sure it stays intact, and the time that is when it drops to low levels, that's when the protection needs to be had. And it was genius, I think, to have a trigger. Never... surprised it took us eight years to come up with a trigger, but that was the genius of it, I think, in my mind. So here we are and we're at the cusp of making a decision. A little disappointed that a motion to

adopt No-Action is, what this is the fourth time, fifth time we've had this motion before us after all this time and that's no justification for not having it, but it's just surprising to me. I do respect any Council members' right to do that, but that's surprised me. I'm going to vote against this no doubt. And I think that we do need to make sure that at low levels that we protect the trawl sector. However, the alternatives are the opposite of that is true, too. And I've heard from trawlers say, 'hey, when the quote is way up, we might'... the original intent was to have gear switching because trawlers were afraid that they wouldn't be able to get their sable out of the water with trawl with the constraints of maybe not enough Dover, maybe not enough DTS in general, or other species even we're seeing that now might not be able to get that out of the water. So, they're in favor of no limits on it at the high levels but, boy, at that low level needs that protection. So, I won't be voting for this and I definitely would support Phil's motion ultimately. Thank you.

**Brad Pettinger** [00:37:42] Thank you Bob. Okay, anyone else? I'm not seeing any hands. I'm going to call for the question. All those in favor signify by saying "Aye".

**Council** [00:37:54] Aye.

**Brad Pettinger** [00:37:55] Opposed, no?

**Council** [00:37:56] No.

**Brad Pettinger** [00:37:57] Abstentions?

**Maggie Sommer** [00:38:01] Abstain.

**Brad Pettinger** [00:38:02] Two abstentions. I think we got a... I think it failed but... who voted no? Who voted yes, I should say? Okay, motion fails unless you want to do a roll call. Sharon.

**Sharon Kiefer** [00:38:47] Mr. Chairman, I require, I request a roll call vote.

**Brad Pettinger** [00:38:51] Okay. Well, we're on a roll.

**Merrick Burden** [00:39:12] Okay Mr. Chairman, I'll be working off voting sheet number 5 regarding F.4 substitute motion made by Miss Corey Ridings. So, starting from the top. Butch Smith.

**Butch Smith** [00:39:25] No.

**Merrick Burden** [00:39:26] Phil Anderson.

**Phil Anderson** [00:39:27] No.

**Merrick Burden** [00:39:29] Sharon Kiefer.

**Sharon Kiefer** [00:39:31] No.

**Merrick Burden** [00:39:33] Maggie Sommer.

**Maggie Sommer** [00:39:35] Abstain.

**Merrick Burden** [00:39:36] Marc Gorelnik.

**Marc Gorelnik** [00:39:38] Yes.

**Merrick Burden** [00:39:40] Lynn Mattes.

**Lynn Mattes** [00:39:43] No.

**Merrick Burden** [00:39:45] Corey Ridings.

**Corey Ridings** [00:39:47] Yes.

**Merrick Burden** [00:39:48] Pete Hassemer.

**Pete Hassemer** [00:39:50] No.

**Merrick Burden** [00:39:51] Joe Oatman.

**Joe Oatman** [00:39:53] No.

**Merrick Burden** [00:39:55] Marci Yaremko.

**Marci Yaremko** [00:39:57] Yes.

**Merrick Burden** [00:39:59] Corey Niles.

**Corey Niles** [00:40:01] Abstain.

**Merrick Burden** [00:40:03] Christa Svensson.

**Christa Svensson** [00:40:04] Yes.

**Merrick Burden** [00:40:07] Robert Dooley.

**Bob Dooley** [00:40:08] No.

**Merrick Burden** [00:40:18] That is four yes, seven no. So, the substitute motion fails.

**Brad Pettinger** [00:40:24] Okay. I think we're going to...okay, we're going to have a break for lunch because we've been at this forever and we'll be having dinner here pretty quick. Because my understanding is there's going to be some... I'll say speeches happening here with the, when we get to the discussion on the main motion. There'll be a lot of people commenting or discussing this so... an extended discussion and so we'll be here well past the time you might think you want to eat. So, my Director has, Executive Director Burden has recommended that... so I think that's what we're going to do. So, see you in an hour.

**Brad Pettinger** [00:00:00] Welcome back everyone. I hope the lunch helped out, by golly, in our process moving forward. With that we're to the main motion that's as amended and that's what's before us and there we go. And so, with that, I guess I will open the floor up for any discussion on that as, as needed. Lynn Mattes.

**Lynn Mattes** [00:00:32] Thank you Chair Pettinger. I think we've all had a difficult day thinking about this. A colleague text who's been listening online texted me at lunch saying, 'man, you paused a long

time on your last vote', and I did. It took a...I was struggling with whether to vote for no-action or to continue on this pathway. While this ACL trigger may not be the perfect option, I don't think there is a perfect option, but this seems to strike a balance for both participants in this fishery. It does provide some assurance for availability of the quota for trawl vessels when and if sablefish ACLs get low enough to be limiting. It also provides some assurances, at least for the next few years, for those who have legally invested in the gear switching before the control date. The one piece that has concerned me is the 15 year sunset date. That gets back to the sort of rhetorical question I asked earlier about have we ever, has the Council ever granted privileges and then taken them away? But I was reminded just as we were coming back from lunch that 15 years out is a long ways, a lot can change in those 15 years with our stock, with our markets, with everything. I still have that concern, trying to put it in terms that I could relate to a little bit more. I'm not going to do this quite as elegantly as Michele Conrad did with the water rights. But thinking about my family's farm, if we've been harvesting corn off of it for years and now the county comes in and says in 15 years we're only going to allow you to plant corn on part of it, the rest of you have to plant soybeans because that's what your neighbors are going to do. That would be a struggle for the family if we weren't allowed to farm the land as we wanted to. It's not the perfect analogy but that is a thought, how would my family react in that situation? And I know we've got a number of families who are going to be thinking of that. I'm not going to hold up the motion over this. I just wanted to speak to that piece that this will have... this sunset date could have impact on some of our fishing families, the people who have invested in this fishery. But again, a lot could change in those 15 years. It'll be a year or two before things get implemented and then another 15 years down the road. Therefore, given everything that we've heard today, the various amendments to motions and amendments to amendments, I will be supporting the main motion. Thank you.

**Brad Pettinger** [00:03:26] Okay, thank you Lynn. Anyone else? Corey.

**Corey Niles** [00:03:35] Thanks Lynn. You make me think back to Michele's comments now and I don't think she talked about reserving any water for fish, but maybe it'd be wrong there. Yeah, I guess I have a question for the National Marine Fisheries Service. I haven't been doing this as long as a lot of you, but have been through a couple of times where NMFS came back to the Council and said we didn't like your rationale. It's come back under National Standard 7 a couple of times thinking the drift gillnet situation where this even happened after a proposed rule was issued. I'm still really wondering about National Standard 4 here. And if you follow the rationale that went through the discussion in this motion, I'm not going to pick it apart right now, but basically folks gave up something that was much more protective of trawl based on this idea about costs and it's making very little sense to me how... and it's feeling like a political compromise more than science. So, my question to NMFS is what is your process from here? Maggie, you said you are going to like you typically do reserve judgment, review the record and just decide on the consistency with the National Standards and Magnuson Act provisions, et cetera, et cetera, so what is your process for coming back to us? And I'm thinking about whether this is worth the work and the cost. Agreeing with Phil, is the reason I may vote yes for this is I don't I think leaving it wide open is maybe sensible. But, yeah, so I'll stop there and see if Maggie got my question.

**Brad Pettinger** [00:05:48] Question for Maggie. When you're ready Maggie.

**Maggie Sommer** [00:05:54] Thank you Mr. Chair. Thank you, Mr. Niles, for the question. We, you know, as I said, we would take the Council's final recommendation on this. If it is for this action we would then go through the process of reviewing the action. We would take the recommendations here as well as what is probably coming later in this agenda item on FMP amendment language and we would go through our normal rulemaking process. And so, it's really at the... we would put those out, you know, put out the FMP amendment for as a proposed rule. We would consider public input we receive on the proposed rule and then we would make our final determination at that point. We have 30 days after the close of public comments on the FMP amendment to make that decision and then we

could come back to the Council if any action was disapproved or only partially approved and bring that decision back to the Council.

**Brad Pettinger** [00:07:21] Corey.

**Corey Niles** [00:07:24] Thanks for that answer, Maggie. I guess, and maybe I missed it, is there opportunity for you to come to the Council before the proposed rule stage if you feel like the record is lacking?

**Brad Pettinger** [00:07:40] Maggie.

**Maggie Sommer** [00:07:43] Thank you Mr. Chair. Thank you Mr. Niles. I think no. I think once the Council takes final action then we evaluate that action and the record based on it, and as I said, comments heard during public comment. We will then let the Council know the formal decision.

**Brad Pettinger** [00:08:13] Thank you Maggie. Anyone else?

**Brad Pettinger** [00:08:17] Corey.

**Corey Niles** [00:08:19] Yeah, I'll keep it brief. I think I'm going to vote for this just for the sole sake of not leaving it open. If it... in my mind and I'm going back to... if this is... please don't let this happen, but if the next assessment comes back in 2025 and tells us we're going to be below 6,000 in 2027 I don't think there's enough evidence to support action. So, the only reason I'm squaring the positions I've expressed in the past is that this will be in the distant future. The rationale, however, is based on the idea that it's warranted to go into place now. Alternative 2, including this 15 year phase out, has a lot of provisions that go further than needed to achieve the purpose, and under National Standard 4 those additional provisions need to be justified by additional benefits in my mind and I don't see those. I haven't seen them explained. I don't see it in the record. And this legacy idea that gear switching is going to be an okay part of the program just as long as we reallocate it so that people only have whatever it is, 29 percent now, instead of being able to keep 100 percent in the way that other alternatives would have let them do. So, I'm just not seeing the justification for those. I could go on longer. I'm not going to. I'm just expressing doubt and probably voting yes and that'll be my last comment.

**Brad Pettinger** [00:10:09] Thank you Corey. Anyone else? Maggie Sommer.

**Maggie Sommer** [00:10:15] Thank you Mr. Chair, I have some, I have a couple questions on the motion. And, I guess, just comments on it and would look to the maker of the motion to confirm or clarify its intent. One of those, pardon me, let me bring up the right screen. In several places the motion references at implementation. If you could scroll down. Keep scrolling and I'm looking for legacy participants and eligible quota share. There we go. There are several places, I'll just use this as an example, eligible quota share is that owned by a legacy participant, et cetera, on the control date or the implementation date. I think there was some clarification of Mr. Anderson's intent when the motion was originally put forward, but I just wanted to clarify that we would, at this point we are viewing that. The implementation would be... date would be the date of final rule publication. I just wanted to let people know that in case you have any comments you want to provide on that. And then if I may continue on for a couple others? In that same paragraph, or pardon me, same section, legacy participants and eligible quota share in the second paragraph it refers to participants quota share ownership is determined based on their share as reported to NMFS. We do collect ownership information but only down to the 2 percent level. We don't automatically, we don't collect information on ownership shares less than 2 percent. I don't know if that would be the case here, but I just wanted to make it clear that we would provide an opportunity for quota share owners if there are any in that situation to provide us

with that information and supporting documentation. So, they would not be excluded from this. And then at the, I think the very last bullet point in the motion, if we can scroll down to the bottom and this is the one that addresses family. We don't currently have a definition of 'family' in our regulations for this fishery. We would have to put something into regulations in order to implement this. If the Council can specify what the Council means by family and what Council would like to see on this, that would be very helpful. And at least if the Council could provide some guidance to us on whether the intent is that whether there is any intent you have associated that, should that be a very broad definition of family? There are some definitions and regulations for other fisheries in other regions in the country that are quite broad and include many different kinds of relatives. If that's the Council's intent that's fine, we'd just like to know that. We heard some, I think, some public comment the other day suggesting that maybe the folks were thinking about it is more narrow. So just wanted to pose that question for Council input. Thanks.

**Brad Pettinger** [00:14:13] Thank you Maggie. Phil.

**Phil Anderson** [00:14:19] Thanks. Thanks for that. Relative to the intent of the term 'implementation date', I think we talked about that earlier and confirmed how we concluded that conversation. I also mentioned in my rationale for the motion relative to that last bullet that we would need to develop that definition. I think that we should take into account carefully the public comment we heard, and that is as you mentioned, keeping it... the public comment I heard was keeping it more narrow as opposed to there's a couple of definitions that you referenced that are currently in place for other limited entry restrictive types of programs on the East Coast. Several of those that I read were quite broad, broader than that I had in mind. I was hoping that, you know, within the context of that that National Marine Fisheries Service will be would be able to bring that. Maybe there's one or two options to look at, but more focused on the more narrow interpretation so that during the deeming process, perhaps during the deeming process that could be a part of those discussions and deliberations. I'm not sure what, I'm not sure if there's anything else I need to respond to.

**Brad Pettinger** [00:16:19] Okay, thank you Phil. Good Maggie? Okay. Anyone else? Corey.

**Corey Niles** [00:16:29] Yeah, on that topic though we did hear public testimony from a couple people, and I remember Bob Alverson suggesting that it be family who intended to keep the business running. I thought if that would be achievable would be a good goal, but was that, is that consistent with your intent and mention of public testimony?

**Brad Pettinger** [00:17:03] Phil.

**Phil Anderson** [00:17:03] I think it's a qualified yes. There was a... I'd have to go back and look at the record. I recall some specific suggestions in terms of the circle that would be included in a definition of family. What I heard sounded reasonable to me. Overlay that with Bob Alverson's comments. I think as long as it's in keeping with that kind of perspective. I mean keeping it running could get pretty broad, broader than I'm thinking, but I mean I guess that's all I could say at this point.

**Brad Pettinger** [00:18:08] Thank you Phil. Bob Dooley.

**Bob Dooley** [00:18:13] Thank you Mr. Chairman. Just a question Phil for clarification here. You know I know people have been wondering where this is going... families... particularly been wondering how this is going to be handled. There was a reluctance to do any ownership change prior to this, to this action because it might jeopardize if they transfer to a family member prior to this after the control date, they could possibly lose it all. So... but the family provisions here, but it's also makes reference to by the time of Council action, which means if we have action today, that that's the end of it and if

somebody... I mean they would have not been able to tell what this was until today and it doesn't give them any time to make those provisions and if they'd have done it preemptively they might have lost everything. They would have lost that provision. So, I'm curious if that was your intent or is that something you thought about?

**Brad Pettinger** [00:19:23] Phil.

**Phil Anderson** [00:19:29] Well, what's in the motion was my intent. You know I obviously consulted with Doctor Seger and Miss Doerpinghaus along the way and this was a relatively late addition to the motion based on the public testimony that we heard. I would encourage that there not be major changes in corporations between now and implementation. So, you know, again what was in the motion is what I intended.

**Brad Pettinger** [00:20:32] Bob.

**Bob Dooley** [00:20:34] Yeah, I get that and I agree with that. But I'm really pointing out the point of Council action is today potentially if we do vote on this. And so, after today if someone changes it to a family, they don't fall in that bracket.

**Phil Anderson** [00:20:55] The family owned provision that's contained in this motion pertains to the activities that have taken place prior during the development and consideration in this issue up until the action is taken and if that is today then that is today.

**Brad Pettinger** [00:21:20] Thanks Bob. Thank you Phil. Okay, anyone else? Maggie Sommers.

**Maggie Sommer** [00:21:25] Thank you Mr. Chair. Two comments on this now. One is that I heard the discussion of family members who intend to keep the business running, but we have no way of determining intent of family members and we would not, I don't see any way that we could use that as a criterion in this. The second comment is, I guess, similarly I am interpreting the introductory phrase to this for purposes of keeping family owned corporations whole as just explaining, you know, part of the rationale for this item, but the actionable part of this, in my view, is any ownership interest in quota share or a trawl limited entry permit on the control date transfer to another family by April 10th, 2024 would be considered to have been owned by that family member on the control date.

**Brad Pettinger** [00:22:34] Okay, thank you Maggie. Corey.

**Corey Niles** [00:22:38] Thanks Maggie. And not choosing my words carefully and I think it was Bob it was during the GAP report that you might have said it but it's not intent, but ways of, you know, there are subjective laws and all that, but just would ask National Marine Fisheries Service and staff to think about, I think because Phil has interest in quota share trawl LEP you could add vessel account vessel in there. So yeah, I'm not trying to read people's minds, but looking for evidence that they're not just owned probably to not own just quota share is probably the way I think Bob might have said it and live in Arizona and not own a vessel or permit.

**Brad Pettinger** [00:23:17] Okay. All right, anyone else? If not, I'm going to call for the question. All those in favor signify by saying "Aye".

**Council** [00:23:40] Aye.

**Brad Pettinger** [00:23:41] Opposed, no?



**Corey Ridings** [00:23:41] No

**Marci Yaremko** [00:23:41] No.

**Brad Pettinger** [00:23:43] Abstentions.

**Maggie Sommer** [00:23:45] Abstain.

**Brad Pettinger** [00:23:47] Abstention. No. No. Two nos. Okay. All right it looks to be the motion passes unanimously, or not unanimously but a vote of two against and one abstention. Okay. All right. Phil, did you have something? Okay, please.

**Phil Anderson** [00:24:26] If you're ready.

**Brad Pettinger** [00:24:28] Yeah.

**Phil Anderson** [00:24:28] Because I think the next thing on our checklist has to do with the FMP amendment. So, motion number 2 please. Thankfully it's a lot shorter. This motion is through the Groundfish Fishery Management Plan Gear Switching and Housekeeping Amendment. I move that the Council adopt the Groundfish Fishery Management Plan, amendatory language updated with the trigger value approved by the Council and the Final Preferred Alternative consistent with the Preliminary Preferred Alternative on gear switching as presented in Agenda Item F.4, Attachment 4, April 2024 with FMP amendment language Option 2, which is accept do not include the phrase quote "or gear switching as used an average of 29 percent or less of the annual trawl allocation of northern sablefish over the three most recent full years for which the data is available".

**Brad Pettinger** [00:25:48] Thank you Phil. Is the language on the screen accurate?

**Phil Anderson** [00:25:53] Yes.

**Brad Pettinger** [00:25:54] Looking for a second? Seconded by Corey Niles. Please speak to your motion.

**Phil Anderson** [00:26:02] There were two, really two types of language in the attachment. One was some housekeeping matters and the other was specific to the motion that we adopted a few moments ago relative to gear switching. And I think they accurately represent the action that was taken by the Council. And I think the housekeeping measures are also improvements to the FMP itself.

**Brad Pettinger** [00:26:43] Thank you Phil. Questions for the motion maker or discussion on the motion? Okay, I'm not seeing any so I'll call for the question. All those in favor signify by saying "Aye".

**Council** [00:27:00] Aye.

**Brad Pettinger** [00:27:00] Opposed, no?

**Corey Ridings** [00:27:02] No.

**Brad Pettinger** [00:27:03] Abstentions.

**Maggie Sommer** [00:27:04] Abstain.

**Brad Pettinger** [00:27:05] Okay, one abstention, one no vote I believe. Okay, motion passes. All right. Jim. Are we good? Oh, Maggie.

**Maggie Sommer** [00:27:24] Thank you Mr. Chair. I'd just like to make a comment and remind everyone while we have been, some of us have been looking at quite a lot of detailed numbers in the analysis provided by Jim and Jessi. Those are certainly preliminary and subject to change. We will go through, you know, as we are implementing this, you know, we will be, I guess, making sure we redo all those numbers, have everything right. And just wanted to put everybody on notice that it's possible there could be some changes from what we've seen here. They've done our best. We'll do our best. But they were just preliminary to this time.

**Brad Pettinger** [00:28:09] Okay, very good. Executive Director Burden.

**Merrick Burden** [00:28:15] Well, I believe we are coming to the end of this agenda item. Maybe look at Jim and Jessi just to be sure?

**Brad Pettinger** [00:28:26] Jim.

**Jim Seger** [00:28:29] Thank you Mr. Chairman. Yes, I can give you a summary of what you've done. We had three things to do. One was the Final Preferred Alternative. The second was the FMP amendment language. And then the third one was providing other guidance as appropriate. On that last category, which what we had identified was a question about whether to bring this back to the Council for deeming. When Mr. Anderson spoke to his original motion, and particularly around the language of family and then around the discussion that we just had, it sounded to me like I could infer that your intent is to bring the regulations back here for deeming and I just want to confirm that. Getting a nod. Okay, so you have adopted an action alternative and FMP amendment that limits gear switching using gear specific quota pounds in years when the ACL would be less than 6,000 metric tons, and any other years then there would be no restriction on gear switching. You adopted the FMP amendment language that included the specifics about the trigger in the FMP. And as we just talked, you will be back for deeming at some meeting in the future.

**Brad Pettinger** [00:29:45] Okay, thank you. And Merrick.

**Merrick Burden** [00:29:51] Yeah, thank you Mr. Chairman. As Jim just indicated, we will be back here and he will not. So, I want to pause for a second. Jim's been on Council staff since December of 1987, and this is his last Council meeting with us. By that count, that's almost 37 years at the Council. A lot has happened since Jim has been at the Council. He's had a daughter who is now grown. He's gotten married a couple of times. He's got a doctorate. He's also helped staff... quite a few items of major importance to West Coast fisheries, limited entry in the 1990s, trawl rationalization in the 2000s. I asked some of my fellow staff what are some words that they would use to describe Jim? Great listener. Provides sound advice. He's kindhearted. He's a good mentor. He's thoughtful. He's curious. He's quiet. Then I asked do you guys have any good memories? I heard cooking salmon in the dishwasher. I don't know what that means but it sounds like a good memory. And then I heard, best memory is not leaving before gear switching was over. So, I hope you'll just join me in congratulating Jim on a stellar career... (APPLAUSE)... Thank you Jim.

**Jim Seger** [00:31:43] If I may, Mr. Chairman?

**Brad Pettinger** [00:31:44] Please.

**Jim Seger** [00:31:44] Thank you. That was quite heartwarming and I'd just like to say I think this

process, it's been an honor to serve this process that I think is chock full of people with good hearted people that are doing good work. And I just appreciate the opportunity to have done meaningful work for the Council, the communities, and the resource over all these years so thank you.

**Brad Pettinger** [00:32:13] Thank you Jim. Okay, with that that takes care of F.4 and we'll take a five minute break to figure out where we're at here.

## 5. Preliminary Preferred Management Measure Alternatives for 2025-26 Fisheries

**Pete Hassemer** [00:00:00] We're going to commence or continue our action on Agenda Item F.5. We had left that yesterday. I know it was more than 12 hours ago that we were talking about this so I'm going to ask Todd Phillips to just summarize what we did yesterday and what's before you today to help you organize your thoughts. So, Todd, please...

**Todd Phillips** [00:00:22] Yes, thank you Mr. Vice-Chair. Good morning, Council. Yes, as the Vice-Chair indicated, we are in the second part here of F.5. Today is your action item day. So yesterday we heard, of course, heard from the tribes, each one of the states. The GMT provided a large overview of their recommendations in a PowerPoint. You heard from the GAP and a very detailed report as well as the EC. And then also took quite a few public comments. Looking to your action, they're not specified other than what's specified on the screen. Things that do need to be considered today are the adopt preliminary preferred adjustments to routine management measures. Refine the range of two-year allocations for further analysis if needed. Identify a preliminary preferred. And then refine the range of new management measures for further analysis. And then finally, providing guidance on the California stock of quillback rockfish rebuilding plan. I would say that is what is before you this morning and I'm happy to answer any questions that you may have.

**Pete Hassemer** [00:01:22] All right, thanks. Just make sure first before we get started, are there any questions regarding that? I don't... Corey Ridings.

**Corey Ridings** [00:01:37] Thanks Mr. Vice Chair, and good morning, everybody. Thanks, Todd, for that brief overview. We left a large and weighty agenda item yesterday. There was a lot. I just wanted to say thanks again to the GMT for their extremely impressive PowerPoint presentation, as well as the GAP for their excellent report. Just to get my head back in the game here, in terms of the decisions we're making today, can you refresh my memory on just the process and procedures on what's appropriate today when we're thinking about moving from the ROA towards getting to a PPA?

**Todd Phillips** [00:02:16] Through the Vice-Chair. Yes, Miss Riding, so what's appropriate today is to lay out a very clear Preliminary Preferred Alternatives for each one of the, well, for the Action Item Checklist is generally what the Council utilizes, to specify your preliminary preferred. If there is additional guidance that you would like, given any of the action items or anything else related to spex, that's what we would hope to hear today. This gives us the opportunity to go back between now at this meeting and the June meeting and provide a preliminary preferred document for the Council to refer to in June for your final decision makings. Does that answer your question Miss Ridings?

**Corey Ridings** [00:02:59] It does. Thank you.

**Pete Hassemer** [00:03:01] Thank you. Great question. Other questions regarding the process today? I'm not seeing any. What I'd like to do first is check on any discussion, any comments before we get to motions, because we haven't had our discussion on any of these reports or action items. So, I just want to look around and see if there are any hands? Caroline McKnight.

**Caroline McKnight** [00:03:35] Thank you Mr. Vice-Chair and good morning, everyone. Yeah, I just want to take a moment to reflect one and on yesterday's presentation. I thank both the GMT and GAP for outstanding work products and a very clear and well organized. And I understand that that comes at great cost. And it's very demanding to maneuver through and negotiate all these recommendations. So, I wanted to say thank you to both the GAP and GMT for that time. And then I just wanted to take a moment to make some general comments specific to quillback rockfish. And I really want to thank the

GAP, industry members, local government leaders, affected community members, and California tribal communities who've all taken the time and personal resources to provide this Council the real impact of closing both the commercial and recreational fishery is what that's done for them. The majority of the decision points that we're making here today and presumably for final action in June were done over winter in our normal specification process. But parallel to that, this Council and also on the California regulatory front, we've been working continuously on inseason processes to pivot and adapt as quickly as possible to respond to the constraints that quillback has imposed on us. The amount of workload on our advisors has been extraordinary, and there's really not enough words to say thank you for your dedication and your personal sacrifices that you've all made and engaged to work together to make that happen. I just want to also note that we recognize the work is not done. The GMT is going to have to quickly refocus here immediately after the end of this meeting to meet a June advance briefing book deadline for a rebuilding plan for quillback rockfish and we know that that is going to be a strenuous lift for them as well, so thank you for that in advance. And I'm sure there's going to be some more comments or questions relative to making sure they have the support they need to do that. And that we still have a commitment on the California front to continue looking for ways we can provide relief as we move forward. So, I think I'll have some other comments related to some of the other action items, but I'll hold them for now. Thank you.

**Pete Hassemer** [00:05:49] Thank you Caroline. Other comments, discussion? Phil Anderson.

**Phil Anderson** [00:05:55] Thank you Mr. Vice-Chair and good morning, everybody. I have some thoughts to share on the canary allocation issue that I wanted to put out there. Two years ago, at this time in the April meeting, I expressed my perspective that the allocation of canary that we were doing was not setting a precedent. We were dealing with a ACL in excess of 1,300 tons. We went through a process, at least as I remember it, where we were looking to the states to give us an idea of what the needs of their recreational fisheries were. We were looking to the states to give us a idea of what their needs were in terms of the non-trawl commercial side. We provided the set-asides that come off the top and we allocated the balance of it to the trawl fishery. And now here we are coming up on this next biennial cycle and we've had a significant reduction in the ACL for canary. And any suggestion that any sector has put forward about deviating from a proportional cut is viewed as, by some, maybe most, as moving away from what is fair and equitable in terms of how to reduce our expected catches to stay within an ACL that's less than half of what we had last time around. And at least from my chair, I doubt that two years ago, if we were dealing with a ACL of 508 or whatever it is, that we would have come out with the numbers that are reflected in a kind of across the board proportional cut from where we were when we were 1,300 plus. And we had, we had at least one person in the GAP suggest that a deviation from that proportional cut should be made for the reasons put forward relative to the Washington recreational fishery and he's been deemed to be some sort of a devil for coming up with, for putting that suggestion out there. And it's been at least suggested by some that proposing a deviation from that proportional cut at this stage of our biennial cycle is too late, or that procedurally if not too late, too late in terms of the process that we've used to get to this point. And I just hope that when we do this again in another two years, whatever we come out with that we remember this and that if there are changes anticipated or want to be put out for public review that deviate from the allocations that resulted from our process two years ago, that there'll be an opportunity to give them a fair hearing and consideration. So, I just... again wanted to almost repeat what I said two years ago, which was that during the rebuilding timeframe for canary everything was really tight, tighter than it's going to be this time around. During our rebuilding plan I know we all wish we would have had even the 508 that we're talking about this time around. But we have not made, in my view, that comprehensive look at how we're allocating the canary resource on a long term basis. If we want to develop a long term allocation regime so that we're not doing this on an ad hoc basis, I'm hoping the Council will undertake that. So, I think I'll conclude with that and just look forward to the conversation here as we go through our deliberations in identifying our PPA.

**Pete Hassemer** [00:12:46] Thank you Phil. Marc Gorelnik.

**Marc Gorelnik** [00:12:50] Thank you Vice-Chair. I just wanted to follow up on Phil's comments. I know in the past we have treated certain stocks as inherently belonging to a particular sector, and therefore any unallocated metric tons were parked, so to speak, within that sector. I don't think that was a good idea then and I don't think it's a good idea for us in the future. I don't think any of these stocks inherently belong to a particular sector unless they're exclusively accessed by a particular sector, and where it's a shared resource it should be shared fairly. And if there's, if we're lucky enough to have an excess abundance, it should not be deemed to belong to any particular sector to be shared equally. And maybe if we had done that then, then we wouldn't, the Washington recreational sector wouldn't be in the position it's in now.

**Pete Hassemer** [00:13:51] Bob Dooley.

**Bob Dooley** [00:13:54] Thank you Mr. Vice-Chair and good morning. Thanks, Phil, for the comments and you too, Marc. I appreciate those. I just I think that every time we talk about allocations that becomes very contentious. And I think that, you know, it's inherent in a program where we create boxes in sectors and places for fish to allocations to live and have hard fences between them. I think that if we were to treat these in a way to achieve National Standard 1 to, you know, to achieve on an ongoing basis, a continuing basis, optimum yield and look at it from that perspective and have some flexibility, much like we do that we exhibited before and set-asides to access when those set-asides are not enough to access unused fish. It seems that is, that seems to be a better approach than to dig down for allocations and try to get those moved around because they're always contentious, always take a lot of Council time, always take a lot of agency time to achieve when if there's fish, our goal is to get it used and get it, to get it harvested for the benefit of the nation. And I think that we should keep an eye on that because I think that might be an easier lift in the long term. But understanding as allocations go down, particularly as, you know, fluctuations in abundance happen, which they do and will forever, that that becomes a harder task. But to try to spend a lot of time moving fish around from one sector or one area to another creates a lot of tension and a lot of heartache and maybe there's a better way to look at these as more flexible boundaries somehow. And I'll stop there, but I think that might be a better goal for the future. Thanks.

**Pete Hassemer** [00:16:07] Thank you Bob. Lynn Mattes.

**Lynn Mattes** [00:16:13] Thank you Vice-chair. I agree with Mr. Anderson that this, the canary allocation issue is something that we need to look at. The GMT did a really good job in their report for March trying to outline some of the trade-off's pros and cons. They did that with unclear guidance from Council, particularly myself, but I think it's something that we do need to look at holistically as we move forward. That being said, I don't know that right now is the time, just given the complexity. I don't think we should hold it up just on a process discussion, that this isn't the right time to bring something like this forward. The schedule we adopted back in June of last year has a footnote under for the April Council meeting. Additional management measures that require limited analysis can be added if necessary. However, the January start date could be compromised. A lot of analysis has already gone into this item. It would still be additional workload for the GMT to look at, but to say that it's too late in the process, things regularly come up in April. That piece of putting it totally on process too late I don't think is appropriate. However, this seems like it might be leading to a bigger picture discussion we need to have moving forward. Hopefully that made a little bit of sense.

**Pete Hassemer** [00:17:50] Thank you Lynn. Chair Pettinger.

**Brad Pettinger** [00:17:57] Yeah, I just... I, like all of you I hate the situation we're in. We shouldn't be

here. We've talked about flexibility a lot in fisheries management, and but we never seem to deliver it. I mean we've asked for, we have a rollover from one year to another and where the ACLs at right now we can't, my understanding is we can't do that. But if we had that provision to be able to do that, it would solve a lot of these issues. A lot of them, not all of them, but a lot of them. It's kind of ironic that the fact the matter that the assessment takes in the fact, or the assumption that we're going to harvest all of the fish this year and sets the ACL for this year based on that number, and seems like to me if we're basically assuming the stock assessments going to take in, we're going to catch all the fish this year and we don't, we should be able to roll it over. But that's going to take some bigger, bigger, issue or bigger, bigger things than we could do here on this Council floor but I think that we... kind of funny, nationally we talk about flexibility that we're never, ever delivering it. I think we really need to look at that to really make this a more fair and equitable system, because we put everything in boxes for a reason. But what you put in those boxes there's no way to move them. And I think I'm looking forward to the next Council meeting where we talk about what are we going to reassess. What are we going to assess and reassess? And I know that I spoke to Phil about this a little bit last night, is, you know, if we want a different answer we better have something else to offer up to get that answer. And I think we'll be looking long, well, short term here as far as what we can do, maybe talk to some stock assessment folks. What can we interject? What can we input? How can we interface to get that information to get a different answer? Because right now I think, you know, some of us might say a crisis of confidence I think in some of these assessments. And I think certainly Covid was a huge part of that. You know, I think about nothing good came out of Covid outside of being able to have a virtual world where people can, may testify here to the Council and save some money and time. But I just... I hate being in this situation. Everybody's taking a hit. You know, for most part, I mean the GAP, for the most part it said status quo. The GMT said, didn't say status quo, but they might as well have, everything but. But I hear where you're at. It sucks but I think that we need to be working long term... short term and long term to find ways to make it so we're not in this box. And I appreciate Phil's comments here earlier and I think we ought to be, we ought to be doing what we can here in the next few months, in the next couple of years to make it better for everyone here. Thank you.

**Pete Hassemer** [00:21:05] Thank you. Caroline McKnight.

**Caroline McKnight** [00:21:10] Thank you Mr. Vice-Chair. I took a moment to reread the Washington report yesterday, and reflected that if I were to have removed the word Washington and replaced it with California, I could have replaced the word 'canary' and inserted 'vermilion' and it would have almost rang entirely the same. And so, I just want to extend my sincere understanding of the position that the Washington rec fishery is feeling right now for canary. We are feeling that for vermilion, where an assessment came back healthy but not at a scale in which was able to continue supporting a full bag limit. And I could probably make that same statement and remove the word 'vermilion' and insert 'copper'. And we heard some really striking public comment yesterday about social media posts for some of our Southern California fleet saying, 'why would I want to pay for that trip if I can't get my vermilion or copper?' Like two fish isn't worth it. So, I'm coming from a place of, you know, understanding and empathy that the constraints are real and they're difficult. And I would say that right now in the immediate future for California, if it were not for quillback rockfish constraints, we'd be having the same conversation about canary as well. And so, we're feeling on multiple fronts as well. So, to that end I think that I want to honor and appreciate two meetings worth of robust negotiations from the GAP on this and acknowledge that everyone is feeling pain on some level. I think that a few of the comments that I've heard about creating flexibility that isn't a hard wired allocation or a box, I think, is a more friendly approach next cycle where we can allow fisheries to operate where they need to without feeling like there has to be an allocation battle. I think maybe there's some ways to explore that. But I very much appreciate the report coming forward and having the discussion and look forward to where it could take us maybe in the future. Thank you.

**Pete Hassemer** [00:23:46] Thank you Caroline. Butch Smith.

**Butch Smith** [00:23:52] Thank you Mr. Vice-Chair. I guess more on a fisherman to fisherman's level. You know our coastal communities are coming under attack by everywhere it can be, from recapturing water off the docks to craziness, but in my experience when fishermen fold their arms and go into the corner of the room that never works out so well. How many years are we on gear switching? And it just... I was really disappointed yesterday and I got to say that, and I would hope there is some process that we don't get bold and put our spikes in the ground and that's where we're going to be, because if that's where we're going to be we'll eventually all fall together. The oceans big, but it comes really small when each other needs, you know, needs a helping hand, and I hope we can better this process because I was not happy, you know, with what some of the stuff I heard yesterday at all. So, I just want to put that out there. But I think, you know, this process is about working together and finding solutions and, you know, we have plenty of examples of our arm folding that doesn't work and it ends up, you know, dividing much deeper than it has to when there's probably a solution, a pretty simple solution that can be the outcome. So, thank you Mr. Vice-Chair.

**Pete Hassemer** [00:25:34] Thank you Butch. Heather Hall.

**Heather Hall** [00:25:37] Thank you Vice-Chair. And good morning, everybody. I really appreciate the conversation that we're having this morning. And Council members around the tables thoughtful consideration for where we all are. I really appreciate the discussion around flexibility and our goal to achieve our ACLs. And we're all really responsible managers in this Council and what we see that is oftentimes not achieving our ACLs. And so really happy to jump in feet first to that conversation about flexibility and upcoming bienniums and how we do that. I also really want to echo Miss Mattes's appreciation for the GMT and their exploration of canary allocation alternatives for this cycle. I think we, you know, thought this would be the time to look into that and understand it's really challenging to do when there's constraints on every sector. I've thought a lot about those alternatives in that report and can see a place where just a slight variation to status quo could result in moving some canary rockfish to Washington recreational and also rockfish to the IFQ sector. Both of those two sectors, I think, are the ones that have been constrained. And I have appreciated the conversation I have had with Council members and fellow managers in Oregon and California in thinking about that option, the appetite for it at this point in time. The reason for bringing them forward, or another alternative other than status quo at this time is because it responds to our public process. We met with stakeholders following the March Council meeting and heard from them an idea for a canary alternative and yet I also am hearing it's too late, and so I'm really struggling with the process and when is the right time to bring these ideas forward and how do we do that in a way that is respectful of our public process and their input and their opportunity to respond to the analysis that we do? So those are the thoughts that have been going on in my mind all of this week leading up to this Council meeting and especially in the last 24 hours. You know, again, talking about how we're using status quo in terms of canary allocations and how that's based on these ad hoc allocations from each biennium to biennium, but it feels like the farther we go without addressing allocations, the more those status quo becomes precedent setting and set in stone and that doesn't feel right. And so, I would really like to have the conversation about allocations and dig into that. Again, I think those are my comments for right now. Really appreciate, again, the thoughtful input from the GMT, the GAP, and the public. That's it. Thank you.

**Pete Hassemer** [00:29:58] Thank you Heather. Mark Gorelnik.

**Marc Gorelnik** [00:30:01] Thank you. Briefly, we should not lose sight of the fact that canary rockfish were taken not only in the non-trawl, not only in the trawl sector but the trawl sector, and in the non-trawl sector they're being distributed over hard bottom. They're not susceptible to the current fishery independent trawl survey and so there's a lot of habitat out there with canary on it for which there is no



fishery independent data collection, and therefore all of that, none of that is being included in a stock assessment. So, this comes back, it's been raised obviously principally in the context of the quillback, but it really applies to all of these species for which we're not collecting any fishery independent or any meaningful amounts of fishery independent data collection, and therefore the stock assessments are not complete. And so, I beat this drum on quillback and I'll beat it here on canary and ask that funding be provided and staff to do a coastwide, not just California, but coastwide fishery independent data collection on hard bottom areas that are not being accessed by the trawl surveys.

**Pete Hassemer** [00:31:23] Thank you Marc. Lynn Mattes.

**Lynn Mattes** [00:31:27] Thank you Vice-Chair. As others have been talking about flexibility, it won't address the long term issue we're getting at, but it's my understanding the way the canary sharing is characterized it's not a fixed harvest guideline. It's not an ACT, it is a sharing. To me that means there's not as much teeth to it. If a level was approached, and I don't know if this is necessarily a question for NMFS or for all of us to think about, could it be handled somewhat similarly to how the three states deal with the nearshore rockfish complex north? When we think we're getting close to our share, then we could reach out to the other states and say, how are you doing? I may go over a little bit. I'm going to be under a little bit. Wondering if that would be possible for this biennium so we could get through this biennium and then address it long term. That may be a solution to get us through. I know, you know, in Oregon we're going to have restrictions as well, but that just may be a way to sort of a band aid on a bullet hole, but it might be a way to get us through this first biennium until we can have that bigger discussion.

**Pete Hassemer** [00:32:54] Keeley Kent.

**Keeley Kent** [00:32:58] Thank you. I'll briefly just note that I think there may be some flexibility in the canary rockfish existing allocation structure within the HGs that are set for the states. Those are found in the footnotes to Tables 1A and 2A, but the trawl non-trawl allocation is specified in the Tables 2A and 2B, and because of the tie with the shore based IFQ Program that is very prescriptive, so there may be some flexibility sort of in that lower level between the rec shares of the states, but not all the way up through the allocation structure as it's currently set right now.

**Lynn Mattes** [00:33:40] Thank you. I appreciate the clarification. And I was thinking specifically within like the rec or the non-trawl sector, but it's very good to have that clarification so that we all know the playing field we're on. So, thank you Miss Kent. And thank you Vice-Chair.

**Pete Hassemer** [00:33:56] Thank you. Quite a bit of discussion so far. See if there are any other overarching or specific issues to look at. At some point we'll need motions and maybe to stimulate that I'm going to look first to my right, Mr. Joe Oatman. See if we have any tribal motions?

**Joe Oatman** [00:34:30] Thank you Mr. Vice-Chair. And, yes, indeed I do have a tribal motion for the Council consideration. I move that the Council adopt the preliminary 2025 and 2026 tribal management measures and set-asides as specified in Agenda Item F.5.a, Supplemental Tribal Report 1, and Supplemental Tribal Report 2, April 2024.

**Pete Hassemer** [00:34:59] Thank you Joe. That language looks accurate and complete. Do you agree?

**Joe Oatman** [00:35:04] Yes, it is Mr. Vice-Chair.

**Pete Hassemer** [00:35:06] Thank you. Is there a second to the motion? Seconded by Phil Anderson. Please speak to your motion.

**Joe Oatman** [00:35:14] Yeah, thank you. So, the Coastal Tribes and Makah Tribe provided their supplemental reports as identified in motion, Tribal Report 1 and 2, respectively. Regarding their intent to harvest groundfish during the 2025 to 2026 management years, the intent of this motion is to adopt the preliminary tribal set-asides requested by the Coastal Tribes. This will allow the Treaty Tribes to continue with their groundfish fisheries to target the various stocks at levels identified in Supplemental Tribal Report 1. The Council is aware the tribes intend on continuing all of their existing groundfish fisheries for 2025 and 2026 and have developed set-aside requests which allow them to manage the expected mortality in their upcoming fisheries. Between the November 2023 meeting and late March, the tribes identified three species which required modification of their preliminary set-aside requests. Those species are petrale sole, yelloweye rockfish, and starry flounder. In the case of petrale sole, the tribes are requesting 290 metric tons, which is a reduction from the 350 metric tons in their previous set-aside request. Upon further review of the 2023 petrale sole stock assessment, and in light of an estimated decline in biomass due to the below average recruitment in recent years, the tribes have determined this is a value which is able to accommodate expected mortality in their groundfish fisheries while remaining responsive to stock conditions. For yelloweye rockfish the tribes are requesting an increase in their set-aside from 5 metric tons to 8 metric tons. In 2023, the tribes experienced a pronounced increase in yelloweye bycatch in their directed Pacific halibut fisheries. Following analysis over the winter, the tribes have concluded that yelloweye encounters are likely to continue to increase in frequency and volume in their directed Pacific halibut fisheries as the stock continues to rebuild. Accordingly, the tribes are increasing their set-aside request to better accommodate this anticipated mortality. For starry flounder the tribes are adding a set-aside request of 2 metric tons in 2025 and 2026. A tribal starry flounder set-aside of 2 metric tons was initially included in the 2007 harvest specifications following high catch events in the tribal bottom trawl fishery. Upon review of catch since 2005, the tribes have found that starry flounder is not a constraining species in fisheries coastwide and the set-aside remains a useful measure for accommodating mortality in the tribal groundfish fisheries. Thank you Mr. Vice-Chair.

**Pete Hassemer** [00:38:20] Thank you Joe. Are there questions to the maker of the motion for clarification? Not seeing any questions, discussion on the motion? Seeing no discussion I'll call the question. All those in favor say "Aye".

**Council** [00:38:40] Aye.

**Pete Hassemer** [00:38:41] Opposed? Abstentions? The motion passes unanimously. Thank you Joe. Anything further here? Lynn Mattes.

**Lynn Mattes** [00:00:00] Nothing further on the tribal motion, but if there's no further discussion, I have the motion ready to go to cover some of the next pieces to this agenda item.

**Pete Hassemer** [00:00:11] I believe we are ready for your motion.

**Lynn Mattes** [00:00:13] Okay. And I believe... yep, there we go. So, in my motion all numbers refer to Supplemental Revised Attachment 1, the Action Item Checklist. So, using that as my roadmap. I move the Council adopt the final alternatives as the Preliminary Preferred Alternative for groundfish management measures in 25-26. Action Item number 2. Off-the-top deductions. Adopt a preliminary set-asides for '25 and '26 as shown in Appendix 1 and Appendix 2 of Agenda Item F.5.a, Supplemental GMT Report 3. For research this uses the rolling 10-year maximum of research mortality to set the set-asides in 25-26, except for: Canary rockfish set at 10.1. Cowcod set at 10. California quillback rockfish 0.1. Yelloweye rockfish 2.9. And all these values are in metric tons. For incidental open access use the rolling 10-year maximum methodology to set incidental open access set-asides for 25-26 except for, and again these are all in metric tons: Bocaccio south at 2.2 metric tons. Canary rockfish 2.8.

Darkblotched rockfish 10.7. Longspine thornyhead north of 34 27, 1.3. Petrale sole 4.4. Sablefish south 25.0. Widow rockfish 1.0. Nearshore rockfish north of 40 10, 1.1. Slope rockfish south of 40 10, 0.9. And yelloweye rockfish 3.9. For Exempted Fishing Permits, no set-asides for 2025 and 2026. And recreational sablefish north of 36 set a recreational off the top set-aside of 30 metric tons as shown in GMT Report 3, Appendix 3. On Action Item number 5. Two-year trawl and non-trawl allocations. Adopt status quo for two-year allocations for all stocks except widow rockfish, 30 metric tons to non-trawl and the remainder to trawl. And canary rockfish will be addressed in a subsequent... in a different motion. And this is as recommended by the GMT and GAP in their reports. Action Item number 7. Amendment 21 allocation changes. Maintain the current Amendment 21 trawl and non-trawl allocations for all species except for shortspine thornyhead and reconsider allocations during intersector allocation review. Action Item number 8. Harvest guidelines, state shares for stocks in a complex. Adopt status quo harvest guideline for blackgill rockfish within the slope rockfish south of 40 10 complex. No species-specific harvest guidelines for Oregon black blue deacon rockfish complex, Oregon and Washington cabezon, and kelp greenling complexes as recommended by the GMT and the GAP. Action Item number 17. Oregon recreational fishery. Adopt the recommendations for the Oregon recreational fishery as outlined in Supplemental ODFW Report 1, April 2024. And on Action Item 19g. New management measures other. Adopt the updated scientific name for Pacific sand lance to *Ammodytes personatus* and the common name for spiny dogfish to Pacific spiny dogfish in regulation.

**Pete Hassemer** [00:04:01] All right, thank you Lynn. Before I ask you if it's accurate, can we scroll up to item number 5, two-year trawl non-trawl. You said 30. It's 300 here.

**Lynn Mattes** [00:04:17] What is shown on the screen of 300 metric tons is correct. I misspoke as I was reading.

**Pete Hassemer** [00:04:22] All right, thank you very much. The remainder can't all appear on the screen at once, but as I followed it appears accurate and complete. Do you agree?

**Lynn Mattes** [00:04:34] Yes sir, I do.

**Pete Hassemer** [00:04:35] Thank you. Is there a second to the motion? Seconded by Heather Hall. Please speak to your motion.

**Lynn Mattes** [00:04:41] Thank you Vice-Chair. We tried to break up the Action Item Checklist into some sort of manageable pieces and I got to go first. On the off the top deductions for research. I do want to address that the groundfish, the GAP had a suggestion for a lower level for shortspine thornyhead for research. We had some discussion last night among the states and with GMT and NMFS. We want to get some additional information on one research project. That number could change for the FPA, but for the PPA right now we want to leave the current value there until we get some more information on a potential research project. The other set-asides are in line with what we looked at in November. A few items are pulled out for, as an example, with yelloweye rockfish for research that accounts for some research by all three states as well as the IPHC stock assessment, the halibut stock assessment survey. For Exempted Fishing Permits, I believe back in November we approved two EFPs, but neither of them require set-asides as all impacts would be covered under those, the applicants IFQ or other sector or other manners. And then there's... we have gotten a request to having a higher set-aside for sablefish for the recreational fishery north. The previous set-aside was 6 metric tons but with the influx of sablefish anglers are running into more of them, and as we have restrictions on more of our nearshore rockfish species and canary rockfish species, this seems like a place to provide some additional opportunity with minimal, if any, impact to the other sectors at this time. On item number 5, the two-year trawl and non-trawl allocations. Both the GAP and GMT recommended status quo for all species except for widow rockfish. The current set-aside for the current widow allocation is 400 metric

tons for non-trawl. That was to allow for some growth in recreational and fixed gear fisheries. That growth hasn't happened as we thought it might several years ago so it seems that there is room to shift 100 metric tons from the non-trawl back to the trawl, provide some additional fish to the trawl fishery while still not constraining what is going on with the recreational and the commercial non-trawl fisheries. Again, this is something we can look at every couple of years, but this seems like it will accommodate the current fisheries. I mentioned canary rockfish is not included in this motion. That canary, all things dealing with canary allocations we will deal with as a subsequent motion based on some of the discussion we've been having here. On item number 7. Maintain the current Amendment 21 trawl and non-trawl allocations except for shortspine thornyhead. Similarly, shortspine thornyhead will be dealt, all the issues pertaining to shortspine thornyhead will be dealt with in one motion since they cover multiple action items. It was easier, it seemed more straightforward to do it that way than try to do piecemeal with a little piece here, a little piece there. On the harvest guidelines for species within stocks, the blackgill rockfish harvest guideline is what is currently in place and was supported by the GAP and the GMT. On species-specific harvest guidelines for the Oregon black blue deacon rockfish complex and the Oregon cabezon greenling complexes, we do not currently have species-specific harvest guidelines. The state of Oregon has been and will continue to manage those species, manage to the best of our ability to the species-specific contributions to those complexes and have a pretty good track record of doing so therefore we, it doesn't seem necessary. For the Washington cabezon and kelp greenling complex. I believe both of those stocks are Category 3 stocks, therefore we don't not have to manage them as carefully with species-specific harvest guidelines. On item number 17. The ODFW report outlines the intention for the recreational fishery off of Oregon. It's very similar to what has been in place previously. And then I got to be the fun one to update the scientific name for sand lance and the common name for dogfish. This is administrative. Doesn't involve workload but it makes it so the regulations in the FMP match. I think that will do it as far as speaking to my motion.

**Pete Hassemer** [00:09:44] Thank you Lynn. Are there questions to the maker of the motion for clarification? Not seeing any questions, discussion on the motion? Seeing no discussion I'll call the question. All those in favor say "Aye".

**Council** [00:10:04] Aye.

**Pete Hassemer** [00:10:06] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. That has taken care of a chunk of the action items. Caroline McKnight.

**Caroline McKnight** [00:10:28] Thank you Mr. Vice-Chair. I think I'll carry on with the next batch here with a motion. Thank you. I move the Council adopt the following preliminary preferred management measure alternatives following the Action Item Checklist numbering from Agenda Item F.5.a, Supplemental Revised Attachment 1, April 2024. Action Item number 1. Area management. Adopt the minor revisions to the Rockfish Conservation Area waypoints as recommended in Agenda Item F.5.a, Supplemental CDF and W Report 1, April 2024. Action Item number 4. ACTs. Adopt the following: yelloweye rockfish non-trawl ACT status quo. California quillback rockfish non-trawl ACT, remove the ACT. California copper rockfish statewide ACT. Remove statewide ACT and establish a recreational ACT south of 34 27 north lat. Action Item number 6. Rebuilding overfished species allocations for yelloweye rockfish. Status quo proportions for trawl non-trawl. California quillback rockfish. Status quo no further development. Action Item number 10. Adopt status quo for blackgill rockfish and slope rockfish south of 40 10 north lat. Cowcod south of 40 10 north lat. Bocaccio south of 40 10 north lat. Nearshore rockfish complex north of 40 10 north lat. sharing arrangement. Yelloweye rockfish and the sablefish formal sharing between limited entry fixed gear and open access. Adopt Option 2 for the sablefish south of 36 north lat. for a 10 metric ton recreational set-aside as recommended by the GAP. Excuse me, the GMT in Agenda Item F.5.a, Supplemental GMT Report 4, April 2024. Action Item number 18. For California recreational. Adopt the 2024 season structures and

subbag limits for '25 and '26. Remove size limits for cabezon, greenling and California scorpion fish in the California recreational fishery as described in Agenda Item F.5.a, Supplemental CDF and W Report 1, April 2024. And include the EC recommendations to modify filleted skin requirements as described in Agenda Item F.5.a, Supplemental EC Report 1, April 2024. Moving on, Action Item number 19e and f. This is adopt Option 2 for the federal requirement for all recreational vessels in the EEZ to have one functional descending device on board the vessel while fishing for groundfish. And adopt Option 2 for the continuous vessel transit provision from Agenda Item F.5, Revised Attachment 2 electronic only, April 2024. And lastly, Action Item number 20. Remove California quillback rockfish from the minor nearshore rockfish complex as recommended by the GMT in Agenda Item F.2.a, Supplemental GMT Report 1.

**Pete Hassemer** [00:13:43] Thank you. So, I followed along. That language before us appeared accurate and complete. Do you agree?

**Caroline McKnight** [00:13:50] It does.

**Pete Hassemer** [00:13:51] Thank you. I will look for a second to the motion. Seconded by Heather Hall. Before you speak to your motion, can I ask the people controlling the screen if you can, to the best of your abilities there, scroll through and follow along so what Caroline is speaking to is before us to refresh us. Thank you. Caroline, go ahead speak to your motion.

**Caroline McKnight** [00:14:20] Thank you Mr. Vice-Chair. Yeah, starting with Action Item number 1 on the area management. Every biennial cycle CDF and W, we put forward these same types of minor modifications to a small handful of waypoints with the intent being RC lines approximate the best alignment with the bathymetry. So, in light of many changes that we've been making in California fisheries, making these changes really help ensure that we're providing fishing access to its maximum ability while also being enforceable and ensuring that we're not creating other lines drawing over one another so. Moving on to Action Item number 4 with ACTs. I'll start with yelloweye rockfish. I'll just, I guess start by saying it's rare, I think, to make a recommendation here not in alignment with the GMT and GAP. I think that maintaining the backstops that ACTs are until the stock is fully rebuilt is purely out of an abundance of caution here. And I'll note that there are no changes or proposed changes to management measures that are designed to exceed the ACTs and that would not be the intent from removing them, and I think that was the rationale for recommending them to be removed. I think it's equally as fair to say keeping them is not problematic either. So that's the reason for yelloweye. For California quillback rockfish ACT to be removed with an expected ACL of 1.5, 1.7 metric tons, respectively, in the upcoming biennium, I agree with the GMT's assessment that there really is no utility or realistic application for an ACT needed at this point. Moving on to California copper rockfish. This is to remove the statewide ACT and establish instead a recreational ACT south of 34 27. This measure is coming really from two considerations, one being that the new stock definition for copper rockfish off California had two area assessment models that were conducted showing differential outputs. So, while the totality of those assessments for the stock itself is at a healthy level, the southern model did respond with a much lower proportional biomass in that area. So as a result, the need to address that lower proportion of the biomass for this stock by utilizing ACT in that area rather than a statewide approach kind of addresses that particular conservation need. So, this is starting kind of fresh with this new stock definition and the two area assessment models. It's being put forward specifically as a recreational measure as historically the rec sector has been the primary harvester in this area. And studying an ACT allows the management measures to be developed in a manner that doesn't allow for excessive harvest in the Southern California Bight and was supported by both the GAP and the GMT. Moving on to Action Item 6. For yelloweye rockfish, it's the status quo recommendation by both the GAP and the GMT based on no immediate constraints that were identified for either of these sectors and so nothing was identified needing modification here. For quillback rockfish, status quo

recommendation here just indicates that no further development or creation of an allocation needs to be considered. Similar to the above action item, quillback remains a prohibited species in all directed fisheries and the very low harvest limits expected for the next biennium makes this particular item kind of splitting a hair next to impossible and not a lot of utility at all. Moving on to Action Item number 10. Status quo was recommended by the GMT and GAP for the top portion of those species. In looking through the analytical document, the GMT did a very good job and robust review of whether or not modifications were needed and didn't identify any for those particular species. Similar was put forward by Miss Mattes for sablefish north. Adopting a sablefish south of a 10 metric ton recreational set-aside is really in response to this increase of incidental catch associated with the recreational fishery. That's very random and variable over the last few years, and with the very large increase in the OFL expected for the next biennium, this particular strategy seems appropriate. Moving on to Action Item number 18, for the California recreational fishery. These were obviously put forward from CDF and W and supported by both the GAP and the GMT. The measures really represent the best available fishing options in light of the extreme constraints that quillback rockfish has put on California fisheries north of Point Lopez. And it also takes into consideration that the newest stock assessment information from copper rockfish, and also includes considerations for canary and vermilion which are all highly attained, and highly attained targets and important to the recreational fishery. Removing the size limits for cabezon, greenling and California scorpion fish is a newer measure and both supported by the GMT and GAP. There's no conservation issues associated with this and it's really not necessary any longer. These were really old, old size limits that we probably should have revisited much sooner. It really does help reduce regulatory complexity, and I want to thank the EC for extending this consideration out to how it relates to the fillet requirements and make sure that we're looking comprehensively across all species to make sure that it's as streamlined as possible. Lastly, I just want to make a comment that this motion did not include the consideration of the long leader gear put forward by the GAP. I just wanted to reiterate that that was not advanced for further analysis over winter. That was part of a November decision due in part to workload considerations and in the context of all of the work that I described earlier in my opening comments. But I think that's, I encouraged the conversation to continue and more discussion in the future on how we can work through that. Moving on to Action Item 19e and f. I'll start with the descending device requirement. This was both recommended by the GAP and the GMT. But I do want to acknowledge and speak to the EC concerns relative to the potential mismatch and how the federal rules might read compared to the existing state regulations. This is just a PPA at this point. The intent here is to give this more time for public review on an input on how the rules are or not going to conflict with one another for folks who are out on the water. I think it's important to continue this discussion and down this path. As we've been talking more about federal rules only applying in the EEZ, we want to make sure that there's a benefit to having the rule everywhere so that there's no confusion regardless of where you're fishing that it's required. Specific to adopting the continuous transit provisions, again supported by the GMT, GAP and EC. Thank you to NMFS for putting this forward as an emergency regulation. It has a ticking time clock on it. This is vitally important for keeping our recreational fishing opportunity for combination trips and also multi-days going. With the restructuring of our recreational seasons to have offshore-only trips, this really allows business operations or angler trip planning to continue with very clear rules on how to engage in these differential fishing strategies. It's a good combination between meeting our conservation goals for groundfish while not, you know, disproportionately stopping, you know, strategies out there on the water to be efficient for them. Lastly, that brings me to Action Item number 20 for removing quillback from the minor nearshore rockfish complex. This is in line with the current overfished status determination for quillback off California. And it's essentially kind of necessary for us to pull it out of the complex and develop strategies separate from the complex in general. I think just to make sure I'm addressing everything in the Action Item Checklist, management measure development for quillback has been undertaken inseason in 2024 with the intent of these measures for both the recreational commercial fisheries to be moved forward into '25 and '26 to keep in line with those low harvest specifications that we put forward or we adopted under our F.2 Agenda Item. I heard the Council staff indicated that we

will be seeing a draft rebuilding plan in June so I think I'll save comments relative to FMP language or other guidance until June. I think that covers it. Thank you.

**Pete Hassemer** [00:24:05] Thank you Caroline. Are there questions to the maker of the motion for clarification? I see no questions. Discussion on the motion? Seeing no discussion I will call the question. All those in favor say "Aye".

**Council** [00:24:23] Aye.

**Pete Hassemer** [00:24:24] Opposed? Abstentions? The motion passes unanimously. Thank you Caroline. I believe there is some more work to do here. Heather Hall.

**Heather Hall** [00:24:42] Thank you. I do have a motion. That's it. Thank you. I move that the Council adopt the following preliminary preferred management measure alternatives following the numbering in the Action Item Checklist under Agenda Item F.5.a, Supplemental Revised Attachment 1, April 2024. Action item number 9. At-sea set-asides. Adopt preliminary at-sea whiting fishery set-asides as described in Table 2, Agenda Item F.5.a, Supplemental GAP Report 1, April 2024. Action item number 11. Shore based IFQ. Adopt status quo IFQ trip limits for non-IFQ species. Action Items 12 through 15. Open access and limited entry fixed gear north and south of 40 10. Adopt the GAP recommendations as described in Agenda Item F.5.a, Supplemental GAP Report 1, April 2024. Washington Recreational. Action Item number 16, Washington Recreational. Adopt the Analysis and Recommendations in Supplemental WDFW Report 1, April 2024. Action items 19. New management Measures commercial. 19a. Create Open Access permit registration adopt Option 2. 19b. Update electronic monitoring discard and retention requirements. regulations adopt Option 2. 19c. Create coastwide federal sorting requirement. Move this item to the groundfish workload list. And Action Item 19d. Shortspine thornyhead management changes. Adopt the recommendations in Supplemental GAP Report 1, April 2024, including making it a biennial allocation species.

**Pete Hassemer** [00:26:59] Thank you Heather. That language appeared accurate and complete. Do you agree?

**Heather Hall** [00:27:04] Yes, I do. Thank you.

**Pete Hassemer** [00:27:05] Thank you. I'll look for a second to the motion. Seconded by Butch Smith. Please speak to your motion.

**Heather Hall** [00:27:14] Thank you. At-sea set-asides. The recommendation here includes adopting status quo for several species and PPAs for other species that are different from status quo and reflect thoughtful discussions relative to the 2025 catch limits and recent historical attainment by both the GAP and the GMT. The GMT also did a good job analyzing the risk of exceeding these set-aside amounts using the historical at-sea mortality going back to 2002. Shore based IFQ. The recommendations here aren't changed from what was recommended by the GAP and the GMT in November. For action items 12 through 15. The PPA includes the GMT and the GAP's recommendations to adopt Option 2, which aligns trip limits to be bimonthly as described in the GMT's Appendix to their report under this agenda item. It includes Option 3 for lingcod north of 42, which is 9,000 pounds for two months. And the option for sablefish north of 36 is also described in the GAP report. Action Item number 16. Which is adopting the analysis and recommendations in our WDFW report. I think that's pretty straightforward. We really did put a lot of work into having a good suite of alternatives to look at to bring back FPA in June. For the new management measures, 19a, which is creating the open access permit registration, this is Option 2, which is to move forward with that rather than Option 1, which is status quo. Similarly, in updating the electronic monitoring discard and retention requirements, Option 2 moves that forward

and as PPA rather than status quo. Creating the coastwide federal sorting requirement. The recommendation here is just to not include this in the 25-26 spex package and instead move it to the groundfish workload list. That was, well, our WDFW report spoke to that. The GMT did a great job looking at that and providing their recommendation that it's also a heavy lift for the spex analysis, but also could use some more work by the three states and appreciated ODFW's input on that as well. So having it in the workload list doesn't at least tease it up where we can perhaps think about it under other actions that the Council's working on. For shortspine thornyhead management changes. The GAP and the GMT just did a tremendous amount of work on this and seems to have found a path forward in a very challenging situation. The GAP report did a nice job of laying out the decisions that are associated with this action, which starting with removing the management line, which is decision number one, and then following from there establishing the allocation proportions and the GAP report selects suboption B for that. Selecting the trawl non-trawl and the ACT to help inform the effort, the potential effort and catch north of 32 and then the non-trawl trip limits under their decision point number 2c, which is Option 2, and that converts the open access trip limits from monthly to bimonthly. And that covers it.

**Pete Hassemer** Thank you Heather. Is there any questions to the maker of the motion for clarification? Not seeing any questions, discussion on the motion? Seeing no discussion I'll call the question. All those in favor say "Aye".

**Council** [00:32:08] Aye.

**Pete Hassemer** [00:32:08] Opposed? Abstentions? The motion passes unanimously. Thank you Heather. Lynn Mattes.

**Lynn Mattes** [00:32:26] Thank you Vice-Chair. Based on how things have gone here this morning, we do have one final motion to, or that I think help wraps everything up. If they could pull up ODFW motion number 2. Kris is on it and said just one moment. As we penciled things, I'll just give a little preamble, as we penciled things out last night who would make these motions, there was some uncertainty on how this canary discussion would go this morning. So, we had a couple of alternatives or a couple of options and it seemed the easiest, cleanest way was to pull the canary pieces out of the Action Item Checklist depending on how we would go. So, this next motion will specifically address the canary allocations since they weren't contained within the other pieces and parts to try to help close that book. Thank you Kris. So, I move the Council adopt as the Preliminary Preferred Alternative, the status quo trawl and non-trawl canary rockfish allocations which are 72.3 percent to trawl, 27.7 to non-trawl. And the status quo two year within non-trawl sharing of canary rockfish, 36 percent to the commercial nearshore non-nearshore. 12.3 percent to Washington rec. 18.5 percent to Oregon rec. And 33.2 percent to California rec.

**Pete Hassemer** [00:33:54] Thank you Lynn. That looks accurate and complete. Is that correct?

**Lynn Mattes** [00:33:58] Yes sir, it is.

**Pete Hassemer** [00:34:00] Thank you. I'll look for a second to the motion. Seconded by Sharon Kiefer. Please speak to your motion.

**Lynn Mattes** [00:34:07] Thank you Vice Chair. I think I sort of addressed it. This was trying to fill in some holes we had specifically left in the other action agenda items and this should help complete that loop. I don't know that I need to say much more than that.

**Pete Hassemer** [00:34:23] All right, thank you very much. Questions to the maker of the motion for clarification? Phil Anderson.



**Phil Anderson** [00:34:30] Thank you Mr. Vice-Chair. Thanks for the motion, Miss Mattes. I'm wondering if this motion pertains to this the coming 25-26 biennial spex or whether this motion is for a long term setting of canary rockfish allocations consistent with what's being presented in the motion?

**Pete Hassemer** [00:35:00] Lynn.

**Lynn Mattes** [00:35:00] Through the Vice-Chair. Thank you Mr. Anderson. I knew I would miss something. The intent is for this to be for the 25-26 biennium. So, do we need an amendment to the motion or how would we address that getting 25-26 added to this?

**Pete Hassemer** [00:35:20] Well, I'm not sure if I need to look to the Parliamentarian, but our action here before us is specific to the 2025-2026 spex and you identified that as your intent so I interpret that as being good.

**Lynn Mattes** [00:35:40] Okay. Apologies for not making that clear and while I was frantically working on this.

**Pete Hassemer** [00:35:50] Sharon Kiefer.

**Sharon Kiefer** [00:35:51] Thank you Mr. Chairman. And certainly my seconding of the motion was with that understanding that it was specific to 2025-2026 spex.

**Pete Hassemer** [00:36:02] Thank you. Phil Anderson.

**Phil Anderson** [00:36:06] And I would also add that when we get to final action in June, we'll have an opportunity to make that abundantly clear if this stands through that FPA.

**Pete Hassemer** [00:36:18] Thank you. Further questions for clarification? Todd Phillips.

**Todd Phillips** [00:36:22] Yes, thank you Mr. Vice-Chair. To add more into this discussion, I would note that this is a biennial species, meaning in terms of the two-year allocation, so that would also indicate that we would, it is not a long term setup. Thank you.

**Pete Hassemer** [00:36:39] Thank you. Further questions? Not seeing any questions, discussion on the motion? Bob Dooley.

**Bob Dooley** [00:36:53] Thank you Mr. Vice-Chair. I just wanted to comment on the extraordinary job our state representatives from the various states here have done in putting this complicated motion together and speaking to it so eloquently. And it's a whole bunch of work and I know they stayed up late doing it and a lot of effort so I just want to recognize that and thank them.

**Pete Hassemer** [00:37:20] Thank you. Additional discussion? Not seeing any I will call a question. Those in favor say "Aye".

**Council** [00:37:28] Aye.

**Pete Hassemer** [00:37:29] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. There was a note that that could be the last item we need. Let me look to Todd Phillips and see how we've done with that long checklist.

**Todd Phillips** [00:37:52] Yes, thank you Mr. Vice-Chair. I corresponded here with my partner in crime

and it appears that the Council has addressed all 20 items and all the multiple items within each one of those on the Action Item Checklist. Yes, so I would say the Council has addressed this particular item in completion.

**Pete Hassemer** [00:38:12] All right, that appears to have completed our work but I'm going to look around as I do and Lynn Mattes.

**Lynn Mattes** [00:38:19] Thank you Vice-Chair. Before we leave this item, I just want to follow-up on Mr. Dooley's thanks to us. Really want to thank the state GMT reps, Todd, Marlene, and Jessi from Council staff, and Keeley from NMFS who stayed late last night and worked with us to help us walk through this. We couldn't have gotten through this as quickly and easily as we did without the assistance of all those folks, so we really appreciate you giving up your evening to help us through this process. And I know the GMT has done a lot of work over the winter. They unfortunately have a little more work to do, but hopefully it's manageable. And all the coordination and the work that the GAP has done at this meeting in March, in November to try to come through on some very complicated issues. We may not be in the room with you, but we know how hard you all are working and want to acknowledge it. So just wanted to end with some thanks for everybody with the process through this.

**Pete Hassemer** [00:39:17] Thank you. I'm going to look around and see if there are any other points, comments for discussion before we close it out? Seeing none, I will add my thanks to everybody for a tremendous amount of work to get us to this point. And with that, we will close Agenda Item F.5 and I will turn the gavel back to our Chair.

## G. Administrative Matters

### 1. Fiscal Matters

**Brad Pettinger** [00:00:00] We have zero public comment. So, with that I'll open the floor for any discussion. Since there's no questions on the Budget Report there probably isn't going to be any so... Okay. Corey Niles.

**Corey Niles** [00:00:14] Yeah, maybe a couple. Well, first of all, as always, excellent job on the Budget Committee Report, Patricia. I think I said before where they should have you do some more reports. But the... just I will as a point of just being a member of the Budget Committee and being part of the discussion, and one thing that's been... I'm no longer new to the Budget Committee but still somewhat confused on how it all works. And this five-year grant process, the thing that is a bit frustrating, it's maybe not the right word, frustrating is that it's not like an agency budget request process that those of us who work for state or federal agencies are familiar with where you, it doesn't seem to be that I should say so, there's NMFS, for example, gives that guidance to you can plan for 5 percent above your current levels like that, but it's not where you use various techniques to show what the impacts of decreased or increased funding would be. And so, I was just...well... along of prompting Merrick, if he's willing to talk about the plans that the CCC, which after a couple of rounds of back and forth of just stating my confusion, understood that that's kind of where the Executive Directors are going to get together and kind of try to do more of that. How do the Councils work within NMFS's and the federal budget process to do what we can at agencies to communicate with our Governors, Legislatures, Congress, et cetera? So, if Merrick you would be willing to just talk about those plans it would be great.

**Brad Pettinger** [00:02:03] Executive Director Burden.

**Merrick Burden** [00:02:05] I'm happy to riff about money. I don't get a chance to do it very often anymore. I do have degrees in it so.... Let's see, I guess, where I'll start is, well, basically along the lines of where you started Mr. Niles, which is we do have this grant process that we go through, but it is not a typical grant process. In this case, Congress appropriates money to the Councils and the Commissions, and there's a line in each of the budgets that Congress passes that is specific for Councils and Commissions. The grant is really the vehicle that NOAA uses to get us the money. And so, like you rightly pointed out, we don't go and apply for money in response to an RFP from NOAA. We develop a grant because that's the vehicle that is used to get the money that Congress appropriates through NOAA to the Councils, and that's necessary for a variety of reasons. One of which is we are quasi-government, not technically a government agency, so there's some hoops to jump through there. So, our grant process is, you know, it's important to go through that budgeting exercise. It's important to organize our thoughts about how we're going to structure ourselves, how we're going to spend our money, but it's not a, it doesn't have the typical constraints and procedures that you would usually take with a normal grant process. So, what really matters then is what Congress appropriates to the Councils. As Council staff, and as you all too if you are representing yourself as a Council member, we are unable to lobby Congress for money. And so, the place where we go to ask for money is to the National Marine Fisheries Service, and that occurs at every Council Coordination Committee meeting we have. There's a section and we spend a good portion of the first day always talking about money, always talking about budgets. And it's become more acute just in the two and a half years since I've been here going to those meetings. The Executive Directors recently collaborated on a letter that we have sent to Janet Coit really outlining the forecast we all have for Council budgets and how this is becoming dire, even in the face of likely IRA funding. So, we've sent that to Miss Coit. That was sent, I believe it was early last week and it's been under development for a while. So that will be discussed at the upcoming May CCC meeting. Usually, the way these things work is it takes a little while for this to percolate through Congress. So, I would be surprised, for instance, if Miss Coit receives this letter and she goes to

Congress and Congress says, 'oh my gosh I had no idea, let's give you some more money', right? Maybe that'll happen but we're envisioning this taking a little while to really ramp up and potentially result in something. So that's about as far as we can take it as Executive Directors in our working with NOAA and having conversations at the CCC to really stress the importance of fully funding the Councils and giving us funding that's adequate to meet all of the requirements that we have, which are increasing. So hopefully that responds to your point, Mr. Niles. I'm happy to explain anything else that you might be curious about.

**Brad Pettinger** [00:05:50] Corey.

**Corey Niles** [00:05:51] See I left my mic on there. No, I would at the appropriate time if not now make, not that the request would be needed, but to bring that letter and a report back to the, if we accept the Budget Committee's recommendation for a June meeting it'd be good to hear back on how that goes.

**Brad Pettinger** [00:06:09] Okay. Anyone else? Lynn Mattes.

**Lynn Mattes** [00:06:18] Thank you Chair. I don't think this is necessarily the appropriate agenda item so hopefully under workload planning we will circle back to the potential workshop and the working with TNC and Teresa Labriola? I just don't want that to fall off of our radar.

**Brad Pettinger** [00:06:43] Merrick.

**Merrick Burden** [00:06:43] Just in response to that comment. I, there are a couple of factors to consider here as we consider partnering with The Nature Conservancy. One is budget, but we're not making any budget decisions here. We do have several balls in the air that are going to come down to earth in time for June and at that point I think it'd be appropriate to continue with our usual process of adopting our operating budget and then consider any funding that we might have available to partner with The Nature Conservancy if that's necessary and to do that at that time when we have the full context of the budget. The Nature Conservancy offer is... a couple of them are related to our IRA proposals. The IRA proposals are in your briefing book as part of the workload planning agenda item. So, to the extent that that all becomes one conversation, I think that'd be appropriate place for this meeting to have that conversation.

**Brad Pettinger** [00:07:46] Okay. Corey.

**Corey Niles** [00:07:46] Excuse me. I keep leaving the mic on. You know, I think that was another comment, thanks Lynn. And I do remember Merrick recommending the ideal time would be June to talk about, consider the various expenses at the same time, and I think you mentioned some kind of review, independent review of our stock assessment processor stock and so I do think that the response we may have heard was that, yeah, they would like to come to workload planning and have us talking there because June might be too late for their needs, but so... I do, yeah, just agreeing that at least some of it, if not all, would be relevant at the end of this meeting.

**Brad Pettinger** [00:08:36] Okay. Okay I'm not seeing hands. Patricia. Oop, Pete. I'm sorry.

**Pete Hassemer** [00:08:45] Thank you Mr. Chair. I'd like to make a motion that I move we adopt the report and recommendations of the Budget Committee as described in Agenda Item G.1.a, Supplemental Budget Committee Report 1, April 2024.

**Brad Pettinger** [00:09:33] Okay Pete. Is that language accurate on the screen?

**Pete Hassemer** [00:09:36] Yes, it is.

**Brad Pettinger** [00:09:37] Looking for a second? Seconded by Marc Gorelnik. Thank you Marc. Please speak to your motion.

**Pete Hassemer** [00:09:44] Thank you. Just very quickly. I think it's good to do this by motion for this even though the recommendations are very simple, a June and September meeting. September meeting is not on our normal cycle, but it is a grant application year. The grant is due in October so there's no chance to take any action in November, therefore we're able to, the committee would be able to look at that in September. There are budget implications with having the Budget Committee meeting in September and that by approving that now that can be incorporated into the budget, the operational budget we would finalize in June. So, I think it's a good idea to schedule both of those meetings now. Thanks.

**Brad Pettinger** [00:10:37] Okay. Thank you. Questions for the motion maker? Discussions on the motion? Okay, I'll call for the question then. All those in favor signify by saying "Aye".

**Council** [00:10:50] Aye.

**Brad Pettinger** [00:10:51] Opposed, no? Abstentions? All right. The motion passes unanimously. Okay. Thank you Pete. All right. Patricia, now how are we doing?

**Patricia Hearing** [00:11:05] That completes your work on this agenda item and I'll see you in June.

**Brad Pettinger** [00:11:09] Fantastic. Thank you for the good work.

## 2. Council Operations and Priorities

**Brad Pettinger** [00:00:00] That brings us to Council discussion. Marc Gorelnik.

**Marc Gorelnik** [00:00:05] Thank you very much Chair Pettinger. I need to bring back up the Staff Report on this agenda item. I know there was some discussion at our meeting in January about meetings and hotel expenses and whatnot, and I know it was suggested that maybe we not maintain our practice of having one of the salmon meetings in California. It wasn't clear to me, I mean I know there was some discussion about that in our meeting. But in looking at the Staff Report, there's an expressed reference to this practice and the Staff Report summarizes the Committee-of-the-Whole as delegating to the Executive Director whether to maintain this or not. I appreciate the need for us to conserve expenses and perhaps find less expensive venues, but I do think that it is important to our process to maintain our alternating Pacific Northwest and California meetings in March and April. It does mention in the Staff Report that obviously online availability, the ability to comment, you know, makes locations perhaps less important, but certainly those of us who have participated in the salmon process know that most of the work and all of the hard work does not take place during public comment before the Council. It takes place in the Salmon Advisory Subpanel meetings and side meetings and that is not possible with remote participation. So maybe it's a point of clarification from the Staff Report, but I didn't sense that it was the consensus at the Committee-of-the-Whole to abandon that practice. And maybe it's just a matter of confirming that or not.

**Brad Pettinger** [00:02:29] Thank you Marc. Executive Director Burden.

**Merrick Burden** [00:02:34] Yeah, thank you Mr. Chairman. And thank you, Mr. Gorelnik, for pointing that out. You're correct, I did not take that to be a consensus view of the Committee-of-the-Whole at the time that we did that, that we'd do that. I did, I do recall there being a request for more information and a curiosity about that topic. And so, at this point I'm intending to bring some additional information showing, you know, just the relative expense of meeting in different locations and that will help with whatever decision or recommendation it is you may choose to make in June or sometime thereafter.

**Brad Pettinger** [00:03:13] Okay, thank you Marc. Anyone else? Butch Smith.

**Butch Smith** [00:03:19] Thank you Mr. Chair. Mr. Gorelnik, I remember it kind of spitballing, you know not... we had a lot of ideas out. I know we mentioned for sure though the April meeting takes the biggest hotel facility and we might, you know, it might be wiser that it's not so important to alternate. Have one in California and one in Washington, but it might not have to be as important to have one in March, one in April if we have one in each state at least one time a year, or have the salmon meetings in each state. But I know we remember talking about the, you wouldn't want to have this, I don't know what this costs, but a facility in San Francisco for this meeting. We want to be a little wiser because of the expense of the size of the hotel it needs for the all the tribes and everybody that includes. So I know we talked a little more about that length, but as far as gutting the system I think we were just spitballing more than... I was surprised to see it as a thing. But anyway, thank you.

**Brad Pettinger** [00:04:35] Okay. Lynn Mattes.

**Lynn Mattes** [00:04:38] Thank you Chair Pettinger. Mine's going go not on that topic but still related to what we're talking about so if that's all right?

**Brad Pettinger** [00:04:45] I think so.

**Lynn Mattes** [00:04:46] Okay. Under the Council Action Number 2 it mentions direct staff to develop a tool to assist on the prioritization of agenda items. I was just wondering if we have any first look, first ideas of what that tool might look like? I know the GMT tried a process like this back when Rob Jones, Ian Taylor, Corey Niles were still on the team and we came up with this really cool graph and it went nowhere. Partially our fault, but I was just curious about what you all are thinking this tool might look like? If you have any ideas at this point? Thank you.

**Brad Pettinger** [00:05:31] Kelly.

**Kelly Ames** [00:05:33] Through the Chair, thank you Miss Mattes for the easy question. We have had some early discussions. After the Committee-of-the-Whole met, you know, recall during the Committee-of-the-Whole discussions we looked at tools like the Franklin Covey matrix and, you know, had some different ideas brought forward by the committee. As staff in some of our discussions, you know, we envisioned kind of a similar approach where you're really balancing the cost benefit of the items. And when we think about benefits, you know, the conservation benefit, it's benefit to communities, those sorts of things consistent with your, you know, your overall priorities here in the Council process. We had some discussion too about maybe a series of questions that the Council might consider when they're thinking about putting agenda topics, when they're thinking about scheduling agenda topics that might help you think through where it lied on your priority scale, but those are really early discussions to date. We don't have any developed tools yet to test out, but I would anticipate some further ideas for the June Council meeting.

**Lynn Mattes** [00:06:54] Thank you.

**Brad Pettinger** [00:06:56] Thank you Kelly. Anyone else? Corey Ridings.

**Corey Ridings** [00:07:01] Thank you Mr. Chair. This I think maybe is more of a question maybe for Merrick and Kelly. But I'm thinking about the timing here noting that one of the recommendations of the committee was the committee agreed that it was, the time was right to take a hard look at the design and size of the advisory bodies, also noting that June is when we start a three meeting process around the advisory bodies as was noted in your report. So maybe it's just getting late in the meeting but my head is turning this over and wondering how that would work exactly? So, in terms of those recommendations coming into the meeting and then acting on them and having them be part of the discussion that we would normally be having in June about advisory bodies. So, I hope that made sense. Maybe you can help me out. Thank you.

**Brad Pettinger** [00:07:52] Kelly.

**Kelly Ames** [00:07:54] Through the Chair, Miss Ridings. Yes, great question. So really, we're just thinking about the synergy between these two discussions. They're on a parallel process. And so even without the Committee-of-the-Whole focus, even without the budget focus and the need to prioritize workload in light of limited resources, we would be considering these terms. And the next 2025 to 2027 term for the term-limited positions that we have which are listed in the Situation Summary, and so tomorrow when we look at the June Quick Reference, you'll see we have a 2 hour closed session. That is normal as part of the reviewing of the membership and contemplating what changes we might want to see in the upcoming term. Then we would also have this Committee-of-the-Whole discussion where some other considerations would be brought forward in terms of balancing budget. Are we considering changes to those compositions? Do we want to maintain those? Do we have other solutions with regard to budget? And then we would go into our final, well, final we would be adopting for public review the positions for our term-limited advisory positions at the end of the meeting. So, it's kind of sequenced throughout the June Council meeting.

**Corey Ridings** [00:09:24] Okay, just to make sure I got that right. So, we will be getting the staff recommendations. They will pertain to that question of advisory body makeup and design and it seems like we will be expected or it's going to be good practice to potentially use those recommendations as we at the, in the same meeting that we think about, that we usually do when we think about the design of the advisory bodies.

**Kelly Ames** [00:09:58] Yes. That's right.

**Corey Ridings** [00:09:59] Okay. Thank you.

**Brad Pettinger** [00:10:02] Okay. Phil Anderson.

**Phil Anderson** [00:10:08] I just was thinking more about this prioritization question and reflecting on our discussion that we had and the organizing our activities into the three categories, you know, which has to do with actions that are associated with our statutory requirements, advising or commenting, and whether it would be a good use of time maybe to take our September meeting, understanding that that agenda isn't fully developed yet, or maybe take the June meeting and have staff look at those three categories and say if you were going to prioritize the work that we have in on our June agenda using these categories, what might that look like? As an exercise in terms of seeing whether or not that sort of categorization of activities would be useful in doing that just as a trial run, here's what it might look like. And understanding that there isn't necessarily bright lines between those three categories. I thought they were general enough that they might be useful in, you know, essentially having an experiment, bring that back, here's what it would look, here's what it might look like if we were using those categories that were identified in our meeting.

**Brad Pettinger** [00:12:10] Director Burden.

**Merrick Burden** [00:12:11] Yeah, thank you Mr. Chairman, and appreciate the suggestion Mr. Anderson. I was envisioning something I don't think is too dissimilar from what you're picturing. What I had in my head was the Year-at-a-Glance and going through and maybe shading different items different colors based on where they were on that spectrum. And maybe a closer view of one meeting in particular would also be valuable. One of the things that has stood out to me is, I guess also the inverse of that question. When we met in January there was quite a bit of discussion about whether it was possible to shorten our meetings by a day. You might remember some of that and in some ways it depends on how deep we cut into our priorities, right? So, everything's a priority. Things fall along that spectrum. And so, what would we have to do to get down to four and a half days? What would that look like? So that's something that's in my head because it's hard to draw a very bright line like, this is what we need to do and this isn't what we need to do. It's hard for me to tell you that wind energy shouldn't be a priority, for instance, even though it's not a statutory requirement of ours. So, I'm wrestling with some similar thinking, I guess, about how to convey that information and what might it look like more specifically if we do start to get to a point where we have to start prioritizing more than we do now.

**Phil Anderson** [00:13:41] Yeah I just, I mean lunch wasn't a priority today we know that... (laughter)... but we could take, you know, either multiple meetings or a single meeting that we have a better idea of what the agenda looks like and do the prioritization piece and then say okay, instead of five and a half days it's four and a half days and what... what would fall off the table using that tool to prioritize our items, but I'm done.

**Brad Pettinger** [00:14:17] Thanks Phil. Bob Dooley.

**Bob Dooley** [00:14:23] Thank you Mr. Chairman. Looking at the bottom of Page 5 in the report, and



we talked about it at the Committee-of-the-Whole about streamlining as well as standardizing the templates for committee reports and such, and we saw some pretty good examples of that during this meeting. It continues to improve. But about standardization and, you know, I encourage that to continue happening. A couple of things that maybe might help our operations to maybe speed things along is to give, make sure we have a standard set of instructions or guidelines I guess would be a better word to our committees on how they treat reports. One particular instance we had a report from an advisory panel this time that one of the members was reading a report to the Council and was not sure, we hadn't seen it, it was that day, and whether he needs to read it all or whether he needs to summarize it and all that was really unsure, and I thought those directions probably should have come before that. But it was good to be able to help him out and tell them that, yeah, we hadn't seen it and it was only two paragraphs so probably read it verbatim would be the best way. But if it's longer than that maybe streamlining, but sometimes streamlining takes longer than, you know, or summarizing takes longer than reading it. So those type of things. And then another thing that occurred to me that we might want to weigh-in on is it happens not frequently but frequently enough to notice that we get minority reports within committee reports and maybe there ought to be a standard on what a minority represents. If it's one person and takes up half a report read to us on the floor that later is backed up by the same person in public comment, I think that's not good use of our time. But if it's, you know, if it's like we witnessed to the GAP report on gear switching, where you have half the GAP one way and half the other way, yes, that warrants both views. But I'm just thinking maybe there's some guidance here that we could provide to help that along because ultimately if we have consistency, you know, speaking to the reports and how they're given, consistency in the format, how they're done, like referenced in the report here, and as well as direction to the people giving the reports on what, you know, what constitutes reading the entire report? What constitutes summarizing? We've seen it for two days we don't necessarily have to read it verbatim, those type of things. And... as well as, you know, our policy, if there is a such thing, is on minority reports, because I know we've had some issues in the past where that's been contentious even within those committees and it seems like some guidance would be necessary there. So, I'll stop there and that's my thoughts.

**Brad Pettinger** [00:17:32] Thanks Bob. Okay, Christa Svensson.

**Christa Svensson** [00:17:36] Yeah, thank you Mr. Chair. And I just want to revisit a little bit the conversation and the thought work that's been done around shortening our meetings from five and a half days to four and a half days. I'm curious if there has been thought about whether it would be easier to look at, I know we'd talked about September and or November as the possibility for trying this, but I'm just wondering what the thought was around taking things like shaded items off where we haven't decided versus maybe looking a little further out where we aren't at four and a half days yet. I mean sometimes it's easier to say, you know, we're going to hold the line at four and a half days rather than try pulling people's babies off of agendas. So just curious when you say you've done thought work, kind of what that looks like around restructuring those.

**Brad Pettinger** [00:18:36] Merrick.

**Merrick Burden** [00:18:42] Yeah, thank you Miss Svensson. Let's see... I might have... it's late in the day and my brain feels like Swiss cheese so I might not be choosing my words carefully enough, but what I was reflecting on a few minutes ago was my impression from our January meeting that there was, there was a lot of, I think, gravity pulling folks into this idea that maybe we could get to four and a half days. And so, you know, I wrestled with that in my head, what would that look like? How would we get there? And those of you that know me know I'm a data driven person, right? So fortunately, Kit, after each meeting he can compile data showing what have we spent our time on. And by and large, our largest amount of time is spent on advisory body reports. And so that links back then to a couple of things that we proposed that we discuss as part of our staff papers in January. One of which was which

items do we need advisory bodies to comment on, right? So, take wind energy for instance, when I started this job, it seemed like every advisory body was commenting on it. So that led me to the question, is that necessary? Certainly, they're all valuable, but would we get 95 percent of the way there if we just had the MPC commenting on that? And if so, that saves a lot of time. We do that a few times for a few different agenda items and we start to save a lot of time on our agenda without having to drop anything necessarily. So that was one thought. The other one was something that Mr. Dooley was just reflecting on, which is just the structure of our report, of our advisory body reports. I remember this taking some time also in January. I remember a few folks saying around the table saying I need to know what are your recommendations? Why should I care? How does it relate to the National Standards or something like that, and that there could be additional detail in those reports, you know, for the record or for, you know, additional questions, but it might not be a 20 page report that's written into the record, it might be 2 pages with a lot of supplemental material. So, if we were to approach it that way, that would save a lot of time. So those are some things that stood out to me about how we could save some time, things I'm still noodling on, but I think I'm showing you some of my cards already that you'll see in June. Let's see, your question in particular was in regards to just what's planning for shorter days at the get go and forcing us to hold that line and haven't had that kind of a discussion yet internally, but certainly I see the wisdom in that kind of an approach. As you know we look at the YAG and a year out right now we have about two and a half days. And as we get closer to that meeting it fills up. So, if we didn't let ourselves fill it up what would that look like? It gets us back to the prioritization tool. So, I appreciate your thoughts and I'm not sure if I'm adding anything to what you're thinking already, but that's some of what's going through my head.

**Christa Svensson** [00:21:57] Well thank you, I appreciate it and I think there's a variety of ways we can get there. I definitely am supportive of trying four and a half days. I don't know that it will be successful, but you know if you don't ever try anything new you never find out you like something or absolutely abhor it. So, thanks for the thoughts there.

**Brad Pettinger** [00:22:22] Thank you Christa. Anyone else? Oop, Lynn Mattes.

**Lynn Mattes** [00:22:26] Thank you Chair. On the report writing and the report structure, I just want to take a moment to acknowledge that I think both of our GAP and our GMT listen to the guidance. They either listened to the recording or they have Council members and they tried that structure and I think it helped out. I think with the spex, particularly the F.5 statements, it really helped. They had the recommendations right there and the big bulky data tables were at the appendix. So, some of that guidance is getting in there and they're trying to incorporate it. And I just want to acknowledge that they are already making that effort. There's ways to go but they listened at least to parts of that and are trying to incorporate it. One other thing that I'm sure Renee is probably all over it, but Richard Heap, he had the last word this morning in our state delegation meeting, as a cost, possible cost saving measure has the Council looked into longer contract periods, say having a contract with a hotel for the March meeting for 3 or 4 years in a row, maybe being able to get sort of a bulk discount. I know we like to move around but, you know, we're generally in November we're in Southern California, that type of thing. That was his sage advice, parting advice this morning was long term contracts with hotels might be a way to maybe save a little bit of cost. So, thank you.

**Brad Pettinger** [00:23:53] Okay, thank you Lynn. All right. Anyone else have any thoughts? I would say.... Kelly, how are we doing here?

**Kelly Ames** [00:24:11] Through the Chair, if I may. I believe what I'm hearing through this discussion is general agreement with the Committee-of-the-Whole recommendations to request the Executive Director come back in June with more fleshed out proposals, including the development of the prioritization tool. If there are any other things you want to kind of hone in on.

**Brad Pettinger** [00:24:40] Oh, Heather.

**Heather Hall** [00:24:43] Thank you. I would just agree with what Kelly just said. And I would like to just add to consider the Ecosystem Working Group Report and Habitat Committee Report that were submitted in this too as we think towards June. So just consider their input as we prepare for June. Thanks.

**Brad Pettinger** [00:25:07] Okay. Sharon Kiefer.

**Sharon Kiefer** [00:25:12] Thank you Mr. Chair. And this is really just a curiosity question in regards to the length of time per person that's provided for those individuals that are commenting, publicly commenting to the Council. Is that standardized across the Councils or is that unique to, I mean the time limits, 5 and 10 unique to this Council?

**Brad Pettinger** [00:25:42] Director Burden.

**Merrick Burden** [00:25:44] Yeah, thank you for that question. Our public comment structure is unique to ours. I know it varies quite a bit, and I'm sure you're very aware of how much it differs just across different public agencies. I've been parts of some hearings that give you one minute and there is no grace. You're done after a minute. So, I barely introduce myself in a minute. Ours are fairly generous and we get some great public comment. But at our Committee-of-the-Whole discussion there was a fair bit of time spent discussing our 5 and 10 minute policy and how to make that more effective, and so I plan to have some recommendations around those lines in June.

**Brad Pettinger** [00:26:26] Okay, thanks Sharon. All right. Well, I'm not seeing any more hands. Kelly, I think if we jump on this we could probably be done.

**Kelly Ames** [00:26:44] Great. Through the Chair, thank you Council. We have heard your discussion here. We will be bringing back reports and recommendations for your consideration at the June Council meeting. Thank you.

**Brad Pettinger** [00:27:00] Okay, thank you Kelly. With that we'll close out G.2, which means it won't be there tomorrow morning, so we might get out of here a little earlier tomorrow.

### 3. Membership Appointments and Council Operating Procedures

**Brad Pettinger** [00:00:00] Good morning, everyone. Welcome back. Day last. We're starting off with G.3 and I'll turn to Kelly Ames for the overview. Kelly.

**Kelly Ames** [00:00:10] Morning Chair, Council members. This is Agenda Item G.3, Membership Appointments and Council Operating Procedures. Under this agenda item the Council considers administrative appointment issues regarding the Council's membership roster. For Council members, officers, and designees, as you note in your briefing book there were no changes, however since that time as notified earlier in the meeting, Curt Melcher has retired from the Oregon Department of Fish and Wildlife on April 1st and the interim director is Miss Davia Palmeri. So, our website and roster has been updated accordingly. For Council advisory body appointments for the 2022-2024 term, again there was nothing in the briefing book, but since that publication of the briefing book we were notified that the U.S. Fish and Wildlife Service has appointed a representative for the Sacramento Fall Chinook Workgroup. That's Mr. Craig Fleming. Also recall that for the SAS Oregon Troll position we had been having Mr. Mark Newell as our interim rep. This meeting was his last meeting, but he has found a replacement, Mr. John Alto, who is a member of the Oregon Salmon Commission. I wanted to alert you that Chair Pettinger in coordination with the Executive Director Burden has made Mr. Alto an interim member of the SAS, and Mr. Alto will be serving for the balance of this year and then intends to put his name in for the upcoming advisory body term when we solicit nominations this fall. So really appreciate that appointment. I understand Mr. Alto did a great job on the SAS this week. There are no changes to the Council Operating Procedures. So really in sum this is an informational update on your membership roster. I'd be happy to answer any questions.

**Brad Pettinger** [00:02:22] Okay. Any questions for Kelly on the overview? All right. Any discussion to be had. Lynn.

**Lynn Mattes** [00:02:33] Thank you Chair. Great job on pronouncing our new Director's name. I know it's a little confusing. It can be confusing. I wanted to thank Mr. Alto for being willing to step into the role on the SAS. I spoke with John North about him since that's more in John's wheelhouse. John has worked, John North has worked with John Alto for about 40 years and thinks he will be a good candidate, so appreciate him being willing to do that and the Chair and Executive Director appointing him to fill that spot to help Oregon out. Thank you.

**Brad Pettinger** [00:03:04] Thank you Lynn. All right. Butch Smith.

**Butch Smith** [00:03:10] Thank you Mr. Chair. I'd just like to let the state of Oregon know they're getting a really good... Johnny Alto is really good. His significant other was down in Ilwaco feeding the crabbers during the fire and really melted into the community and Johnny is a top notch fisherman and a top notch guy and so I think you've got a good replacement there. So anyway, thank you Mr. Chair.

**Brad Pettinger** [00:03:37] Thank you Butch. Okay, anyone else? Okay, Kelly, how are we doing?

**Kelly Ames** [00:03:46] Thank you Mr. Chair. You are completed with this agenda item.

**Brad Pettinger** [00:03:49] All right. Four minutes. We're doing pretty good here.

#### 4. Future Council Meeting Agenda and Workload Planning

**Brad Pettinger** [00:00:00] All right. With that I'll turn it over to Executive Director Burden and take it from here.

**Merrick Burden** [00:00:06] All right, thank you Mr. Chairman. We do have a few matters for consideration and discussion here. So, I think in the interest of keeping ourselves organized and efficient in this discussion, I'll encourage us to look at the Year-at-a-Glance first, then the Quick Reference Agenda. And then if there's a conversation to be had on the IRA projects, let's have that. And then we have Miss Ridings proposal. I would encourage us to take that up as a fourth matter. So hopefully that structure and work through this systematically and be efficient this morning. So, I'm happy to reorient you to the Year-at-a-Glance if that's necessary. I don't know if that's necessary. We did hear some good comment from our advisory bodies, some of which has already been incorporated into the supplemental materials I previously walked through, but I would encourage us to start there, Mr. Chairman, with the Year-at-a-Glance.

**Brad Pettinger** [00:00:58] Okay, sounds good. Phil Anderson.

**Phil Anderson** [00:01:13] Thank you Mr. Chair. I had a question on the Year-at-a-Glance, September meeting under groundfish, there's a shaded item titled Trawl Catch Share Program and Intersector Allocation Review Scoping. I'm just wondering how... we talked a little bit earlier in the meeting when we were discussing, as an example, canary rockfish and the potential for a future more comprehensive review of how we're allocating that between the sectors and I'm wondering if that would fall under this agenda item?

**Merrick Burden** [00:02:08] Thank you for the question, Mr. Anderson. That item, as it's titled, is scoping, and I'm sure Kelly has a...

**Brad Pettinger** [00:02:19] Kelly.

**Merrick Burden** [00:02:20] Go ahead. I see Kelly is waving her arms. Go ahead Kelly.

**Kelly Ames** [00:02:28] Through the Chair. Thank you, Mr. Anderson, for the question. What is noticed on the YAG is for the Amendment 21 formal allocations in the FMP. So, as part of the trawl rationalization five-year program review, we also review those intersector allocations. Matters like canary are two-year allocations done in the biennium. So, I'd recommend if the Council wants to contemplate deeper discussion on those two-year allocations, that we embed that into our process and timeline for developing the next biennial regulations.

**Brad Pettinger** [00:03:09] Okay. Thank you Kelly. Corey.

**Corey Niles** [00:03:18] I believe Lynn was first, to be fair, but I'm at a better angle.

**Brad Pettinger** [00:03:22] You are.

**Lynn Mattes** [00:03:26] Thank you Chair Pettinger. On the HMS and the HMS row, the November column, there's a shaded item on FMP amendment to remove drift gillnet gear. At our delegation this morning it was brought up that, is that just, that's just a placeholder and likely get moved farther out so we don't lose it. We're not anticipating anything being available for November. It's just a placeholder until we have something ready. Is that the correct understanding?

**Merrick Burden** [00:04:04] Thank you Miss Mattes. I guess a couple of thoughts here. One is, as we all know, this gear will be phased out and we do need to go through an amendment process, so that exact date is escaping me at the moment. 2027? So, you know, it does take some time to do an FMP amendment. I guess I would look at Mr. Wulff to see if there's any information coming from NMFS that would help us inform that item, otherwise I do think there's some flexibility in when exactly we schedule that, but we don't want it to get lost. But maybe Mr. Wulff has some comments.

**Ryan Wulff** [00:04:36] Yeah, thank you. Through the Chair. Thank you Merrick and thanks Miss Mattes for the question. Yeah, I raised this actually at the March workload planning discussion and made that same comment that this was initially put on back then, which was November, which was the end of the YAG at that point at the last November meeting as a placeholder just to remind us that we needed to do that. But it's not just 27, it's December 2027 that phase out has to happen, so we have some time and I think it's fine to have it shaded for a placeholder, but I do think the intent was to keep it on our radar as opposed to tee it up for this year. Thanks.

**Brad Pettinger** [00:05:16] Okay, Corey.

**Corey Niles** [00:05:19] My comment was back on the topic Phil was speaking to, so I don't know if you wanted to continue with that if there's any other comments on that one item?

**Brad Pettinger** [00:05:33] What do you got?

**Corey Niles** [00:05:34] Well, on Phil's question about... we had the same... it sounded like there would be, we need some more time than's available in the normal biennial process to talk about these two-year allocations, particularly for canary. And so, we were thinking of just putting on the, out on the Year-at-the-Glance on April, but I don't know if Kelly had a better idea, but if I'm maybe taking Phil's thoughts too far, but we thought putting that on the agenda for a specific discussion is worth doing for sure.

**Brad Pettinger** [00:06:07] Okay. All right. Phil.

**Phil Anderson** [00:06:17] I don't need to ask it right now I guess, except my time's running out. I thought the reason we didn't include canary along with several other species in the trawl catch share and the intersector allocation part of that was because it was under rebuilding. And I'm wondering, I guess my question is does the Council have the ability to add species that are covered under that amendment? Or is the plan, if it wasn't included in it, that from here on forward that those species that weren't included are going to be under this every two-year allocation decision that's associated with our biennial spex process?

**Brad Pettinger** [00:07:24] Merrick.

**Merrick Burden** [00:07:24] Thank you Mr. Anderson. I think I take your question as maybe more of a point, but either way I see what you're getting at. When I think of this agenda item, Intersector Allocation Scoping, I can easily envision one of the questions we ask ourselves as part of that scoping, which is what species are being allocated? This is, that would be in a FMP amendment process. I think that's one of the purposes of scoping. So, if that's a question the Council wants to raise in that step, we can easily raise it.

**Brad Pettinger** [00:08:00] Corey.

**Corey Niles** [00:08:03] Well then, I think there's two questions then of do you want to make it a more permanent allocation? Or if it's continue to be a two-year, is there a way to improve how we do that as

part of the biennial process? And so perhaps you could fit both those questions in either if they're in the scoping or somewhere else, and so that would be the request to staff to think about where we have those two conversations.

**Brad Pettinger** [00:08:35] Merrick.

**Merrick Burden** [00:08:35] Thank you Mr. Niles. I'm not sure I'm taking your point. Could you explain that a little bit more?

**Corey Niles** [00:08:40] Yeah. So, Phil, there's the question of whether to keep it as a... like a species like canary. Do you want to keep it part of the two-year process or not, or make it longer term for Amendment 21? So that's one question. Second question, based on the experience we had with canary and other species this year for two-year allocations, is there a way we could... we are, we're seeing a need for some discussion on how we fit those into the biennial steps better? Because this time around we set the alternatives in November without much analysis. The analysis was done after November. The stakeholders' discussion happened after November with our, you know, recreational stakeholders primarily, and then came back after those discussions and dialogue and learning and then the reaction we got in April was it's too late to oversimplify it. So, we would like to look at that. You know canary is not the only one. I think CDFW said they're feeling similar about a species like vermilion, so is there a way to do that better is a separate discussion on whether it should be made a permanent allocation non-trawl trawl split type thing.

**Brad Pettinger** [00:10:17] Kelly.

**Kelly Ames** [00:10:19] Thank you Chair Pettinger. And thank you Mr. Anderson and Mr. Niles. I think we understand the challenges that you're highlighting. And if I could, I would just suggest that maybe we get our best groundfish brains together. They could put forward a proposal on a process for addressing this consideration that takes into account the existing intersector allocation process, as well as this proposal for maybe a discussion in April of 2025. We could bring that forward maybe at the June or September meeting under workload planning.

**Brad Pettinger** [00:10:52] Corey.

**Corey Niles** [00:10:57] Perfect. Thanks.

**Brad Pettinger** [00:10:58] It's all good. Okay. Marci Yaremko.

**Marci Yaremko** [00:11:03] Thank you Mr. Chair. I'm not sure... I don't know that I disagree with Miss Ames' suggestion, but I would just note that we have done some allocation shifts for a number of species over the past 2 or 3 bienniums. We've dealt with lingcod. We've dealt with widow, all in the spex process and we were very, I think, fortunate and grateful that we had the flexibility in the spex process to be able to consider those shifts at that time in that process. It allowed us to better share and better utilize across available sectors in response to changes in conditions or changes in status, or not status, but available ACL. So I don't know why we'd ever put a species back into Amendment 21 with a more permanent allocation that we don't revisit as periodically, but if Kelly is suggesting some kind of report on that concept, I guess if this agenda item is the place for it then okay, but I would just note that at least discussions with NMFS they were very open to allowing the flexibilities that we've been utilizing in the spex process for species as needed and as we've identified those needs in our spex process.

**Brad Pettinger** [00:12:48] Phil.

**Phil Anderson** [00:12:50] Thanks for that Marci. And I appreciate that you have been able to be successful utilizing the two-year spex process for allocation issues associated with species such as you suggested. We have not been relative to canary, and so we're trying to figure out how we can get the discussion in front of the decision relative to spex so that we're not... because we in the last two cycles now we've attempted to try to bring that matter forward and just the way that the timing of the spex process is, we haven't been able to get that kind of comprehensive discussion so we're trying to figure out how to do that. And so, I think Kelly's suggestion is a good one from my perspective to bring it back so we can kind of see how what kind of a process might we use between the spex cycles to get that kind of conversation and analysis that's needed in order to make an informed decision.

**Brad Pettinger** [00:14:07] Okay, Marci. All right? Anybody else? Okay. Corey.

**Corey Niles** [00:14:17] Still on the one last thing on the Year-at-a-Glance for us is on the November on the CPS. Where is November? It is down here. I am not... it's in the middle. On the science needs on the top, thanks Ryan, The stock assessment, the science needs and priorities item. I know that's kind of... it's a new one. So the question, Merrick, is... and I asked the SSC about their plans, I didn't get a chance to ask the MT or the AS or the Science Centers about how they are planning on engaging, so I'm wondering if... that that one seems to me like there should be a little prep work, which I know that you all at staff are working on, but maybe just if you have thoughts on that or maybe we could flag it for June workload planning just laying out some expectations for what that one might look like because it does again seem some lead time to make that discussion successful would be good to think about.

**Merrick Burden** [00:15:30] Yeah, thank you Mr. Niles. We have had a few conversations internally about how to tee that item up. And so, I guess the way that I view the way our work unfolds is that we'll... happy to have a conversation with you in June about it again, the staff officers then tee up our advisory bodies, help them understand their role and their task. And what we're envisioning right now is, well, our CPS folks and Kelly and I have talked about a discussion paper to tee up, you know, some history and where we're at with CPS and how that will feed into the prioritization of science needs. I also had a chance to talk with Southwest Center leadership about this item and they're curious about it. So, there was a few conversations that we need to have and coalesce our brains around this item and I'm confident that we will get there. I think there's some really good thoughts, but putting this off to November, just what we have to do given workload challenges at the moment so...

**Brad Pettinger** [00:16:40] Corey Ridings.

**Corey Ridings** [00:16:42] Thanks Mr. Chair. Thanks other Corey for bringing that up, and Merrick for your response. I think my... I have a similar question that is on that agenda item. You know earlier this week talking about the sardine stock assessment and thinking about both, there are science needs and priorities, there are also management needs and we discussed some of that under that agenda item. So, I'm wondering if you can elaborate a little bit more on the science needs and priorities. Sounds pretty science-y to me, but I'm wondering if you're thinking about that in terms of there'll be opportunity to discuss management as well, or whether maybe this is the first part of a two-step process? Just trying to get a little more, a little more clarity on what's envisioned in that? And I just heard you say that we'll talk about this in June, but anything additional along the lines of whether there'll be management discussions as part of that would be helpful.

**Merrick Burden** [00:17:44] Yeah, thank you for the question. Well, I'm happy to take your input now too. I'm just thinking we'll have another chance in June to discuss this. Where this came from, I believe, was that, you know, we've had, well every year we do, you know, assessments on sardine, and we haven't had a sardine fishery for some time and that's raised some questions in the background just is this the best use of our science enterprise now, given it stretched so thin, and perhaps it is. Then we've



had questions now about Japanese sardine. Perhaps this is what you're getting at with management implications. Obviously, the presence of Japanese sardine raises questions like, are Pacific sardine getting displaced? Is there something else happening? And how do we respond to that? So those are obvious management questions that start with science. What does the science tell us? And then there's a question of whether we have one stock or two stocks of Pacific sardine, maybe even more? I don't know if there's more. People are asking that question. But the question exists about stock structure and how we manage our current sardine stock. And as you'll recall, we had a workshop a couple of years ago and the outcome of that, I guess, my takeaway was a little bit inconclusive. So, all of that raises the question, where should we be focusing our limited science enterprise so that this body can make management decisions? I think that's what's implied is that we're using science here to support the management decisions of the Council. And so, in my mind, that's how the Council will help the Science Center identify their priorities, is what are the management challenges that we believe exist? What are the science... what sort of scientific information should we be looking for to help make those decisions? And there are several, several questions. So hopefully I'm answering your question.

**Corey Ridings** [00:19:42] Yeah, thanks for that. That's definitely helpful. I guess just a very brief follow-up thought on that is just noting that, yeah, from that workshop that you mentioned Merrick, you know there, it seems like there's some... can't use the word inconclusivity about the two stock one stock question. But we are currently managing as if there's two stocks and that's an issue, I think, for both conservation and management. So just noting and I agree with you I think a deeper science look is warranted and seems to be recommended. Just noting that there are kind of those two separate issues there. So, look forward to following up on that in June and then hopefully looking forward to see what comes out of that agenda item later this year.

**Brad Pettinger** [00:20:29] Merrick.

**Merrick Burden** [00:20:31] Just one more thought. What I like to do on items like this where it seems a little bit open ended is I'll ask a staff officer to draft a white paper or a discussion paper, which is more thorough than a situation summary. And so that's what we're envisioning here. And, you know, I've been talking with Jessi quite a bit about this. And then of course Kerry has a long history of the CPS and so that discussion paper then helps you all to organize your thoughts, helps give the advisory body something to focus on and then gives rise to, you know, usually a coalescing of a series of recommendations. And so that's what I'm envisioning here in terms of a process. I wouldn't ask us to sit here and identify ahead of time what is needed before we have that paper to build off of. So that's what we're planning on for November.

**Brad Pettinger** [00:21:24] John Ugoretz. John... you there?

**John Ugoretz** [00:21:27] Yeah, thanks. And since this is the first time I've spoken I'll check my mic.

**Brad Pettinger** [00:21:31] You're good. I see your hand there so yep, good morning

**John Ugoretz** [00:21:34] All right. Thank you. Yeah, and I appreciate this discussion. If there is some sort of staff paper, I would highly recommend that they look back into the meeting history and the various discussions on this topic that have occurred. What I'm hearing now is somewhat of a shift. I think there have been lots of Council discussions and input on what's needed and I look forward to seeing what's planned, but not making any final decisions until we get better input on that and ability to discuss it. I would also point out that if this is discussed at June, CPS is barely on the agenda. So, we just need to have plenty of time in advance to get information to discuss.

**Brad Pettinger** [00:22:28] Thank you John. Lynn Mattes.

**Lynn Mattes** [00:22:33] Thank you Chair. Since we're on the CPS topic here, and I'll have other things to say when we get more into groundfish, November may seem like a long ways off, but to try to help with some planning and preparation, the CPSMT did request to be in person in November. I was wondering if we have any update on those plans or potential for that? Thank you.

**Brad Pettinger** [00:22:54] Merrick

**Merrick Burden** [00:22:58] Thank you for the question, Miss Mattes. We don't have a formal update on that. I would tie this to our June budget, operational budget adoption as part of our, what's the word I'm looking for? Provisional budget that was adopted in November. We do have a series of plans for remote versus in-person attendance so I'd want to, you know, couch any change in our remote versus in-person attendance in that discussion. I don't think it's a major ask. Our CPS groups are not large, but I would just like to make sure we're being diligent with our finances and make sure that that's part of that discussion in June.

**Brad Pettinger** [00:23:43] Thank you Lynn. All right. Ryan.

**Ryan Wulff** [00:23:52] Yeah, sorry not to that point. Just a couple other comments on the YAG if you're ready for that? The GAP requested, and I think there was some back and forth under their report regarding the halibut bycatch request. I appreciated the clarification that we got from the GAP when they presented their report, so that's something that NMFS can bring back most likely in September. And then I thought I heard, and please the Council here can correct me if I'm wrong, but I thought there was maybe some discussion during the gear switching agenda item of having the regs being brought back in the deeming process for the Council to be able to see those. If that is the Council's desire, it'd probably be relevant to shade maybe in March on the Year-at-a-Glance for now. Obviously, we just completed that action. We haven't even identified our staff on this and will be able to report out as we, at future Council meetings under our NMFS Reports how we're doing on staffing and be a little bit more accurate on timing at that point. And then lastly, I'll just note that I understand the shaded Phase-2 Stock Definitions Final Action in April, I'll obviously support that and that process, I just want to put a placeholder here. I mean I think it is, it's near the end of the YAG. I'm sure it's shaded also to remind us of that important final action, but I know we'll discuss Council operations and priorities at length at the next two meetings, but just from a NMFS perspective would like to just put a placeholder down. It's nice to see a potential April at least once every two years that maybe we might be able to not have a groundfish agenda item. I know that something will be discussed elsewhere but, so just flagging that at this point. And those are the comments that NMFS has on the Year-at-a-Glance. Thanks.

**Brad Pettinger** [00:25:58] Thank you Ryan. Okay. Marci.

**Marci Yaremko** [00:26:03] Thank you Mr. Chair. Yeah, I have a couple of comments on a few of those same topics. Regarding the NMFS update to the Council on halibut bycatch. I guess I'm having trouble understanding why this will take any time. I mean, it happened. It happened very quickly. All of a sudden the number was increased and we weren't informed. In California, that was a loss of 1,300 pounds. For us every pound matters, and that's a significant reduction in the amount of allowable opportunity we have in 2024. I'm struggling to understand why we need to wait until September to get briefed on what happened. So, I'm hoping maybe NMFS can come up and or can provide us something in a NMFS Report sooner than that. I was hoping we might hear about it this meeting but we didn't. So, I would just note that. Maybe there isn't a halibut item in June that would be appropriate to bring that to us, but I would just think that a groundfish NMFS Report item would work just as well. Regarding the GAP's comment on the inseason flexibility item for halibut that is shaded for September and November, the GAP recommends removing this item. I would ask that we keep it shaded for the moment. The agenda item is already there for commercial fishery reg changes. I'd like to continue to

show that language of inseason flexibility at least until the next agenda planning discussion. As I recall, where we left the halibut items last November, we did recommend inseason flexibilities that now will exist for potential check-ins on recreational allocations under the CSP, but I think we certainly have some intention in talking further about what flexibilities, what other flexibilities might be developed and included into future catch sharing plans. Whether the time is right now or later but, you know, this was something that was, we couldn't cover in discussions last year. We narrowed the scope to only recreational, so I think there's still some work that might be worth doing here. So at least for the moment I would support maintaining the inseason flexibilities. I want to talk to the non-agenda items that the GAP has identified. If I may, on the workshops that are proposed, the Closed-Area Workshop and the ROV Workshop, and they are showing as italicized in the SSC's table that they've provided us, meaning they are flexible or preliminary at this time and just highlight the critical importance of particularly the ROV Workshop and the review, or the inclusion of an abundance estimate for quillback rockfish that we're hoping comes out of the ROV analysis and subsequent review. So, want to acknowledge the GAP's support for these two workshops, the closed-area and the ROV, and their note that they anticipate participation of at least one GAP member in this workshop. It's unclear at this point whether these workshops are going to be virtual or in person, but I would just note that both ROV and closed-area items are likely to include discussions from more than one state, and we'd hope that GAP representation would reflect that. Thanks.

**Brad Pettinger** [00:30:54] Thank you Marci. All right. Anybody else? Oh, Merrick.

**Merrick Burden** [00:31:04] Yeah, thank you Mr. Chairman. And thank you Miss Yaremko for those comments. Thinking about these workshops. Certainly, some very good information could come of those. What I'd like to do is also roll those into our June budget discussion. We have a lot of requests for workshops and extra funding and right now we have a million dollar deficit out of a \$5 million budget, so I want to be very diligent about what we're spending our money on. So, I've made note that you've expressed interest in those workshops and I would just like to fold that into our budget discussion before we start to approve those types of efforts.

**Brad Pettinger** [00:31:51] Okay. All right. I'm not seeing other hands Merrick so move on the next?

**Merrick Burden** [00:32:02] Yeah, I would... if that's it on the Year-at-a-Glance summary I would like, I would encourage you all then to shift over to the Quick Reference Agenda for June as some added specificity. And also, of course, relevant to June is the HMS Workshop is being planned for the two days prior. So happy to take comments, questions, suggestions from you all on the Quick Reference at this point.

**Brad Pettinger** [00:32:34] Marc Gorelnik.

**Marc Gorelnik** [00:32:35] Yeah, I want to withdraw my earlier comment about discussion of membership appointments because I didn't appreciate we had a longer time on day one. So, I think as I sit here right now I think that that may be enough time and if we go a little bit over on day one, we can make it up.

**Brad Pettinger** [00:33:00] John Ugoretz.

**John Ugoretz** [00:33:06] Thanks and thanks Merrick. With regard to the HMS Workshop and two days prior, can you just elaborate on specifically which days those are so we can get things on the calendar?

**Merrick Burden** [00:33:23] Certainly. And just to orient you to the supplemental material, the Supplemental Quick Reference Agenda. What we've started to do on the far left hand corner, far left

hand column rather, is to make note of other meetings. And so, this is contained there and you'll see online meetings that are relevant contained there also. So, we have June 6 and June 7 currently planned for that workshop. And we have arranged arrangements with the hotel to host that. We have identified a facilitator so at this point those dates are set.

**John Ugoretz** [00:34:00] Thank you very much. I did not see it there.

**Brad Pettinger** [00:34:04] Okay John. Okay. Lynn Mattes.

**Lynn Mattes** [00:34:08] Thank you Chair Pettinger. I have several things on this one if that's okay? First off, thank you to Kelly and Merrick for preheating the GAP and GMT's request for the extra day in June so that they can be here for those key groundfish agenda items. I know many of, some of our GMT members and most of our GAP members don't live in communities with airports and have a fair bit of commute, so I appreciate thinking about their being able to participate as well as safely get home. And I hear a cell phone. Does the Anderson rule still work? The GMT in their report asked for several places for some specific guidance. I've been communicating with via email with my counterparts to the north and south. For the June agenda we believe that F.6, the Biennial EFPs and Management Measures should be their first priority. F.7, Inseason, priority number two. F.4, Stock Definitions Range of Alternatives number 3. F.3, Final Stock Assessment and Terms Of References, four. And then a cross FMP item if they still have capacity and time to be H.3 Council Operations and Priorities. Not expecting the GMT to need to weigh-in on the NMFS Report. The Coral Restoration FPA, or Fixed Gear Marking and Entanglement FPA. Those items don't seem like they have any nexus for GMT management analysis at this point. So, trying to help them prioritize their workload. They also asked for some specific guidance on their, the work they're going to be doing over the next month on the biennial harvest specifications, particularly in regards to quillback rebuilding plan and shortspine thornyhead management measures. Quillback rebuilding plan seems like it should be the highest priority. None of the current GMT members, nor I don't think any of the Council staff members, or many of us who are currently involved in the process, have done a rebuilding plan in a long time or ever. We've been lucky we haven't had to do a rebuilding plan in a while. So, I don't want all of the onus, all of the burden to fall solely on the GMT. I'm hoping that there are some resources to help them, whether it be Council staff, NMFS staff, Science Center folks. I don't want them to feel like they're alone in this endeavor, as it's something they have not done and it could be a very large item for them. Then after quillback, if there is still work to do on shortspine thornyhead management measures. I think they've done a lot of work and are pretty close, but that would be the next priority and what I'm seeing. Based on what we did yesterday, I don't know that there's any other new or emerging items. It's just should be just cleaning up the rest of the regular work. So hopefully that guidance helps the GMT in planning their work for the next couple of months. So, thank you for letting me speak to those.

**Brad Pettinger** [00:37:33] Thank you Lynn. Okay. Anybody else? You've done a good job. Merrick.

**Merrick Burden** [00:00:00] Thank you Mr. Chairman and Council members. If that's it for the agenda planning discussion, I would, I guess, invite any comments you may have on the IRA proposals or the IRA projects. And I'm getting a note that we might have a hand up too, so maybe we're not moving on.

**Brad Pettinger** [00:00:17] Nope. There is. Yep. John Ugoretz.

**John Ugoretz** [00:00:21] Thank you Mr. Chair, and thanks Merrick. Sorry, one more item under CPS. I just would note that in terms of logistics and planning and budget, that we have a single one hour CPS item on Monday, June 10th. I don't know that that is a necessarily time critical item and would propose that it be moved to a later meeting when CPS is there. We can get better input from advisory bodies and whatnot in person. So, I would just suggest removing that from June and moving it to a later

meeting.

**Brad Pettinger** [00:01:02] Okay. Merrick.

**Merrick Burden** [00:01:06] Okay, thank you. Thank you John. I appreciate that suggestion. Got a shrug from Kelly, which means that's probably doable so. Let's see just looking around maybe we're not done here, I see hands going back up. So back to you Mr. Chairman.

**Brad Pettinger** [00:01:22] Corey.

**Corey Niles** [00:01:22] I didn't mean to interrupt you there Merrick. But maybe a question for John on this idea of preparing for the November science priority needs meeting. Convening the team and the advisory subpanel in June was maybe one place where they can do, but are you envisioning that could be done later via webinar meeting?

**Brad Pettinger** [00:01:47] John.

**John Ugoretz** [00:01:47] Thanks and thanks Corey for the question. Yes, I think it doesn't make sense to me to expend time and energy and funds to bring CPS staff together in June when they have nothing else on the agenda. So, yes, I would propose that all of that be handled remotely later.

**Brad Pettinger** [00:02:11] Thank you John. Thank you Corey. All right. Now I'm not seeing any hands. Okay Merrick.

**Merrick Burden** [00:02:24] All right, thank you Mr. Chairman. Let's see if that's it on the agenda planning, I would encourage us to shift gears and discuss IRA project management. We did have, at your request, we have included the two, sorry, rather three IRA proposals that were submitted at the end of January. They're in your briefing book. We also did hear a public comment from Miss Theresa Labriola about TNC's offer to help assist the Council. If you're still willing to entertain that, I think that could benefit from some discussion. So, I would encourage us to shift gears and take that up at this time.

**Brad Pettinger** [00:03:03] Okay. Christa.

**Christa Svensson** [00:03:14] Thank you. Just to get the conversation started. I think we've done quite a lot of work around the CCI initiatives which led into these proposed workshops and I am supportive of the workshops. Whether they go through the Council process, they have offered to host them and I do think it would be beneficial to get them directional in whatever decision we're making. We may not have the funding right now but sometimes it's easier to say, yes, provided we get the funding, we're going to commit to sending state or tribal members. If we don't get it, obviously that's off the table, rather than to kind of keep holding them on the line. So, I would be supportive of moving forward with this and would be interested in other people's thoughts around it.

**Brad Pettinger** [00:04:14] Corey Niles.

**Corey Niles** [00:04:18] Yeah, thanks. I feel similar similar... I don't even know why I ever try to say that word...feel similarly. But, yeah, I feel like this Council has been supportive of this and even, you know, requested that Nature Conservancy take the step of applying for the grant. Merrick, I've heard you at the Budget Committee and today say we have a lot of asks for workshops and you'd ideally like to take them up in June. What I heard from Theresa, you know, was maybe a contingent 'yes' would be enough to continue their planning. But, yeah, I do respect what you say about the budget and the

uncertainty in the IRA funds but just acknowledging that and wanted to know if you had thoughts of trying to meet, well, not to cut off the viewpoints of others, but you know those of us supportive do want to hear the realities of the budget and your thoughts there.

**Brad Pettinger** [00:05:30] Merrick.

**Merrick Burden** [00:05:30] Appreciate the comments. I can talk about budget for quite a while. I'm actually going to start at a different place though. I really appreciate the offer from the Nature Conservancy to help. I personally have no qualms about partnering with an NGO or a trade association if that helps this Council advance what it's trying to do. I admit I'm sitting here I'm struggling with really what happens if we do these workshops and how it helps us? And I could use some articulation of that vision from those of you that are supportive. What's going through my head is, as is the case for any time the Council launches an initiative, staff, you know, take steps to organize our thoughts around how we're going to carry out and engage in the work that often leads to coordination with other agencies that we partner with, often in coordination with advisory bodies. These are things that we do and a workshop format is usually beneficial for ideation or problem solving or, you know, things that take some machinations of smart minds to come up with some way to solve problems. And so, I've got a couple of questions then which is, generally these types of coordination activities are things that we do anyway and that I view as a core job of Council staff. And two, I'm not sure what we're workshopping? And so maybe there's an answer in there and I'm just not seeing it yet. But my response to your question about budget, Mr. Niles, kind of depends on that. So, if there's a purpose and a clear activity that's happening, that helps me think more about what and how we are engaging, and that still is elusive to me. I could see us throwing resources at it, but I'm not sure what we would gain that's different from what we already do. So, if you have that vision, I would appreciate hearing what that is.

**Brad Pettinger** [00:07:56] Corey.

**Corey Niles** [00:07:58] Yeah, well, I'll just give my vision Merrick. And as a long term from beginning with the ecosystem plan development team, participant of the ecosystem process, the challenge, Theresa said it is, there's not enough time at Council meetings for the advisory bodies to have the bandwidth to take up these what I think you rightly call sometimes, you know, strategic big sky, blue sky, whatever it is, type thinking. So that is the one major benefit of it brings together the people that participate in this process where that is the only thing they have to think about for that particular day or day and a half. And, yeah, just it's time and time again it's always we try to get, on the Ecosystem Workgroup, we try to facilitate moving these ideas into the normal FMP processes, but it's just people on the advisory bodies have, like the GMT for example, just overloaded. Very happy to hear the SSC say that the salmon spotlight risk table thing was moved into their methodology review. That's exactly an example of how this is supposed to work. Yeah, so I think the vision... and the I'm thinking particularly of the IRA focused project, but there's similar benefits from the risk table ones. Is it just giving people time to have those discussions, apps, and other items needing taking up and then, you know, other people who don't necessarily get involved in the process also participate and then provide a report, you know, their tangible outcome as a report to the Council of what was discussed. You know, less tangible, I guess, is just you're, the people who participate in this process from the stakeholders to the government folks also learned from the interactions. And, yes, I'll close it up here. But on this IRA funding project, yeah, we know that Council staff and the region and the Science Centers are all talking, but, yeah, the strength of this Council process is bringing everyone else into those discussions, the advisory bodies, the public, management teams, technical teams, SSC members, and yeah, we have, I think... Theresa said it nicely, maybe we'll, maybe the most resources we've ever seen focused on making our fisheries sustainable over the long term through climate change. And I think you get better results when the conversations are coordinated with the Council process rather than happening just by the Science Centers themselves in particular. So, I think those just the Northwest Center again, getting ten folks to work on decision

support tools, and I know of just being part of the EWG and talking to those folks that they would love to hear more from the Council advisors on what those tools could do. And I believe that's... I'll just... I think that's my, that would be my pitch and where I see the value....(phone ringing)....

**Brad Pettinger** [00:11:21] Ah ha! Got another one. Bring plenty of milk. Okay, with that, Corey.

**Corey Ridings** [00:11:36] On that donutty note, I just want to echo what other Corey just said. That all sounded right to me. Likewise, I'm on the steering committee so have been privy to more of the inside discussions here and thinking that's come from that group. Thinking about the two that Miss Labriola proposed this morning. Talking about the first one, the IRA and CCI Coordinating Workshop. I just think coordination is really valuable and I think we're going to get a lot more bang for our buck if we're able to take advantage of the additional resources that TNC is offering to bring to the table. This is including more stakeholders, more tribes, people from states. We're hearing from the various states that everyone's under sort of a budget shortfall and that attendance may not be possible, so adding some extra time and capability and money to help bring more people to the table than would necessarily be able to happen under sort of normal already stretched thin, already very heavy Council workload, I see as being very beneficial. I think that Corey brought up a really good point about the ten people. Theresa brought a good point about these resources. If I recall correctly, I'm going to get my number a little bit wrong, but that IRA funding, besides just going to the Councils, you know, there's something like \$300 million going to NMFS and they're hiring ten people and it's great to see that, but it's also really important that the science and the thinking and the tools, the management tools that they're doing is responsive to this Council. Perhaps that's a bit selfish, but I would like to see that as used as synergistically as possible with the Council and I echo in discussions that I've had with the IEA folks and ecosystem folks and climate scientists over at the NMFS side of the house is they're thinking about how to move forward. You know they have a very strong desire to do the same thing and I think that's great to hear that they want to be responsive to Council need across FMP agenda items. So, I think having the extra space, having this be timely, being able to relieve Council funding issues around this is, on balance, worth it. I'm thinking about the beyond risk tables as well. For my understanding, specifically, this workshop isn't necessarily hooked to the IRA money or the IRA proposals that the Council has put forward. It's a follow-up to a lot of the climate work that the Council's done over the past 5, 6 years, and specifically some of the discussions that were had in the first part of the Council's discussions on Initiative 4. So, it could bring more richness to that process. It could help us with our Initiative 4 goals, and like I said is not tied to the IRA proposals or the money specifically. So, yeah, I hope that's... that probably repeated Corey and Theresa a little bit there, but that's where I think it's value add and is worth a relatively small Council investment to hopefully get a lot of bang for our buck over the next two, five, ten years.

**Brad Pettinger** [00:15:10] Okay Corey. Thank you. John Ugoretz. John.

**John Ugoretz** [00:15:21] Yeah thanks. And thanks Corey and Corey for that. I don't disagree with what you're saying. I appreciate the ability to add value through outside funds. I am still concerned and want to raise specifically the concern about this sort of matching funding that TNC is asking for in the amount of 15 people for travel. That is not insignificant. I understand that that might be budgeted for but I just, you know, we keep talking about how overstrapped we are in terms of both time and money and at a minimum an additional workshop is additional time for all of the people involved. And at most it's a significant amount of money. So, I'm fine if the Executive Director feels that there is Council budget for this, but I don't want that to come at the cost of something else.

**Brad Pettinger** [00:16:25] Thank you John. Marci.

**Marci Yaremko** [00:16:28] Yeah, thank you Mr. Chair. And it's at the cost of something else point

that John just made is exactly what I am concerned about. Here we're, I thought we heard from the Executive Director that we are unable to consider our capacity for future workshops. And by future, that means near term, until we have refined information on budget in June. One other workshop idea that's been percolating now since November is the potential for reviewing our data-moderate stock assessment methods. And I thought we had suggested that we convene a group of folks from Center of Independent Experts to help us with that question to ensure that our processes for our stock assessments were, and our COPs were serving us effectively. I can't think of something more important. So, I just have pretty grave concerns with making one kind of spin-off decision here with regard to workshops that I don't see on the SSC's list of potential workshops. And I guess I would just leave it at that. Thank you.

**Brad Pettinger** [00:17:57] Bob Dooley. No? Okay. Corey Niles.

**Corey Niles** [00:18:00] Yeah, I guess... well thanks John and Marci. I'm not disagreeing in full, but this Council made a commitment already starting in March of 2022, if not earlier, to even to support these. So, this is not new and Theresa did a nice job of documenting all the times we said, yes, we support that. Yes, this will be relevant. So, I would propose we make a contingent, yes, we are interested but we want to hear more about the IRA funding, you know, if it comes in in May, contingent on those funds and other room in the budget. I don't see how we wouldn't have... we do have a million dollar deficit, but we could be getting additional, you know, over \$3 million for this IRA funds over the next... so I don't know how we back off our support and consistently saying, yes, and then stringing people along like this, and then maybe we'll never want this opportunity again. But if we do this, we won't get this opportunity again.

**Brad Pettinger** [00:19:25] John. You there?

**John Ugoretz** [00:19:27] Yeah, thanks. I do disagree quite vehemently with what Corey just said, and I didn't bring it up when Theresa said it. Yes, the Council has contingently supported the idea of these workshops over many years. Each time we've done that we have had questions. We have had lack of clarity and we have had concerns about funding. That has not changed and so, yes, again, I don't disagree with the concept of the workshops, but if it comes at the cost of something else then I question the priorities. And, yes, while the IRA funding will bring significant amounts of money into this Council if it is received, if that money is used for new activities, it doesn't offset any of our deficit. And so, I think we continue to support the concept, but it is contingent and that we need clarity.

**Brad Pettinger** [00:20:38] Thank you John. Corey Ridings.

**Corey Ridings** [00:20:42] Thanks Mr. Chair. Thanks Mr. Ugoretz. I just wanted to respond in thinking about this kind of the concept of offsetting the deficit. You know, I think the intent, especially beyond the on the first workshop, the IRA and CCI coordinating workshop, is really in hopes that if we do a good job and do a thorough job of coordinating with the National Marine Fisheries Service up front early in the process of getting the CCI money, which are for the three proposals, that we can build and use that money and use those NMFS resources more efficiently in terms of how we're moving forward with the work this Council's already done when thinking about the long term effects of climate change. You know, the Council put a lot of work into thinking about how climate is affecting the work that we do in the fisheries that we manage, and I'm thinking about all the things that came out of the Climate and Communities Initiative, the scenario planning. You know we did a lot of hard work to come up with essentially a laundry list of things that we can help, things that we can do, and those are, a lot of them are FMP specific that will go in and to strengthen how we do our FMP specific management. So, to the extent that a preliminary workshop can bring that thinking, the thinking that the Council's already done, capitalize on that and help encourage NMFS for what they do with their ten people and their \$300



million to direct that to be able to help improve how we're doing our management through our FMPs. To me that is an efficiency. Hopefully it's a cost savings over the long run and can help with that deficit over the long run.

**Brad Pettinger** [00:22:40] Okay. We have a couple people for it and a couple people spoke against it. And I think we might need some clarity on this... is what we're going to do. So, I think we just call a vote on what we want to do and then we'll find out what the Council really wants to do on this, because we're kind of beating around the bush here it seems like to me. So, unless we hear from somebody else? Christa.

**Christa Svensson** [00:23:01] I just would like to ask a couple of questions that I hope will be helpful. Firstly, there are two separate workshops potentially proposal for topics and this is addressed at Miss Ridings since you're on the committee. Would it be helpful to prioritize one or the other? Do we have the ability to do both? Really what does that look like? And I guess do we have to match in full? Meaning do we have to send 15 people as an example as was laid out by Mr. Ugoretz or can we make some other level of commitment potentially if we're in the interest of managing our resources at a different level?

**Brad Pettinger** [00:24:01] Corey Ridings.

**Corey Ridings** [00:24:02] May I respond to that?

**Brad Pettinger** [00:24:03] Sure.

**Corey Ridings** [00:24:04] Okay, thank you. Thanks Miss Svensson. In terms of prioritizing the workshops like one or the other, I don't feel comfortable speaking on behalf of the steering committee about that. As Theresa presented, I think there was like 7 or 8 that were discussed about what we think we could be beneficial and would be beneficial to the Council. So, I'm sorry I can't really answer that question. My understanding was that the ability to do both was ideal. I think that TNC has been coming forth with the concept of having two separate workshops as they conceptualize this as we discussed in throughout 2023. You know the logistics around that, whether it needs to be two separate or how that happens or online versus in person, we've heard that in person is preferred just because it provides richer fodder for discussion and sharing, but again, I'm not sure there's any finality around that. And I think you asked about the 15 person. We'd have to bring Miss Labriola back up if you wanted more details on that. My understanding is that's their best estimate in terms of what would be most efficient and effective in a workshop format.

**Brad Pettinger** [00:25:24] Christa.

**Christa Svensson** [00:25:24] Thank you. That's helpful. I guess my one other question on this would be how long funding for TNC is through? Meaning if we did one and founded a value, would the opportunity be there to do a second one? I guess I'm a little hesitant to say let's do two in light of the budget conversation, although I am very supportive of both topics and just curious if there's a way we can get a better handle on how this is going to be of value for us. Thank you.

**Brad Pettinger** [00:25:59] Okay.

**Corey Ridings** [00:26:01] Yeah, I actually, that's a good question. I'm not sure. I see Corey Niles looking a little twitchy over there so I would maybe defer to him.

**Brad Pettinger** [00:26:11] Corey Niles.

**Corey Niles** [00:26:11] Is that any different than normal?... (laughter)... Sorry, I missed the question Christa.

**Christa Svensson** [00:26:21] Sure. The question was, could we do one, see how it goes? And is there time and resources to potentially throw the second one later in the year? If it's been successful on the first one and we would wish to.

**Corey Niles** [00:26:34] Yeah, well, I think my original idea that I said a few minutes ago, which and I think John's disagreement glossed over, was I think we say, yeah, I think the one of the workshops was going to happen in the fall anyway, the IRA one was going to be in July. So, I would advise the Nature Conservancy to plan contingently on us not being able to send anyone or to send up to 15 people, and then we will have that, they can plan that. And if the Council needs to have that budget discussion in June, which I think is reasonable, that's what I see as the consensus way forward and the budget considerations make sense to me. I just... what doesn't make sense to me is people questioning the relevance or value of the topics and the discussion. So, yeah, that was my suggestion. Let's ask them to plan for us not sending people and then and versus us sending people and we'll have the budget discussion in June.

**Brad Pettinger** [00:27:44] John Ugoretz.

**John Ugoretz** [00:27:45] Yeah, thanks. And again, to be clear, I'm not questioning the validity of the topics or the benefit of having these discussions. I am solely questioning the ability of the Council within our limited budget and our limited time to send people. And so, Corey's last statement regarding a contingent agreement that is based on what we learn in June is much more palatable.

**Brad Pettinger** [00:28:18] Director Burden.

**Merrick Burden** [00:28:22] Yeah, thank you Mr. Chairman. And just appreciate the discussion here. I have a couple of thoughts going. One is in regards to the TNCs, their first proposal on IRA project, I don't know what to call it, coordination. I'll just, I'll reemphasize we will do something like that anyway and if we proceed without Council staff, which I think was mentioned by somebody, there's no value in that. We'll have to do it again. So, the idea of that discussion, that coordination, I think we're all on the same page. That should happen. It will happen. Where I am struggling is it's hard for me to imagine going to the GMT right now and saying we're going to have you make a July meeting. We have competing workload. We have people that are at risk of burnout very frequently. The GMT isn't the only group. It's hard for me to look at some of my staff and ask them to do that. The IRA funding, if it all comes through, I'm not too concerned about attending the workshop. I don't have a number in front of me about how much it would cost us to do that. But my biggest concern is just asking people who are pushed to their limits and beyond right now to do more. And I don't question the value if that wasn't a concern, but it is a huge concern that I have and I think we all have and so I don't know where that leaves us. I mean I value the idea of this coordination, this discussion, getting the agencies together. Like I said, that's something we'll do anyway. If there's a way to bring in some help from TNC to make that happen anyway, that's great, but it's hard for me to imagine asking more of people at this point just coming out of this April meeting in particular.

**Brad Pettinger** [00:30:29] Okay. Thank you Merrick. Corey.

**Corey Niles** [00:30:32] Yeah, I'm just confused Merrick. Then if we're going to do this anyway and those people are burned out and they're going to be burned out either way. So, I think we've heard enough too for the Nature Conservancy to proceed.

**Brad Pettinger** [00:30:48] Merrick.

**Merrick Burden** [00:30:48] The coordination I'm speaking to Corey is coordination that we do as staff with other agencies. And so, when we bring on a IRA staff officer, that person will coordinate with other agencies with those staff who are also working on IRA projects. I also envision Mr. Dahl participating in that since he's been staffing a lot of this climate work. What I'm getting at is the extra bodies that have been discussed as part of these workshops that would attend to, for lack of a better word, to socialize and bring along more of our Council family into those discussions, that's the part I'm getting at that I'm having a hard time finding space for, just given the workload that we have.

**Brad Pettinger** [00:31:39] Corey, then Marc.

**Corey Niles** [00:31:41] Oh, sorry. I didn't see Marc's hand. Go ahead Marc.

**Marc Gorelnik** [00:31:44] Yeah, I'm trying to synthesize this discussion in my head, and what I'm hearing is that we may be getting news. We may be getting more helpful information in the next couple of months on how to proceed. I'm also hearing that there will be some level of coordination regardless of what we decide here. I think I also heard from Theresa that while there is, it would be helpful to get at least a contingent approval, I'm not sensing there's a time pressure to do that at this meeting. So, I'm wondering to myself and maybe I'm wrong, that while this discussion is helpful, I'm not certain that we need to make a decision right now on whether to approve contingent funding, and we may actually be in a better place in June to have that discussion.

**Brad Pettinger** [00:32:43] Thank you Marc. Corey.

**Corey Ridings** [00:32:50] Thank you Mr. Chair. Thanks Marc. I think that's a nice summation. On that note, and just thinking about the fact that this discussion has been going on for one and a half to two years, I hear different viewpoints on sort of the history about how this came to be and what decisions were made. I'm wondering if we could ask Miss Labriola to come back up to the table to maybe elaborate a little bit more on the timing, if that's okay?

**Brad Pettinger** [00:33:26] If you think that will bring clarity.

**Corey Ridings** [00:33:28] I think it will. I mean, that's my intent. Let's get some clarity here and move on.

**Brad Pettinger** [00:33:32] Well, we have time. Theresa.

**Theresa Labriola** [00:33:46] Thank you. I can either speak or if there's a specific question.

**Brad Pettinger** [00:33:55] Corey.

**Corey Ridings** [00:33:55] Yeah, I was just reflecting. I'm not sure if you heard what Mr. Gorelnik was saying, but just noting, you know, given that we're still struggling with some ongoing funding issues, and I think we're still getting our head around exactly how to potentially coordinate and exactly what the Council's desires are looking in terms of a goal to get out of this, and there seems to be some confusion on who would be engaged. And just also, in my own mind, I'm reflecting on the fact that we've been at this for a year and a half and you noted that TNC has already asked for an extension once. I heard Mr. Gorelnik say let's think about this a little bit more. We'll have more information in June and then we can kind of finish that discussion then. And so, I guess, what I'm asking is, does that work for TNC?

**Theresa Labriola** [00:34:42] Thank you Miss Ridings and Chair Pettinger. We are, I always want to be optimistic and say, yes, but at this point I'm not sure that we can extend and go, 'well, we'll wait until June to start planning any more'. So, this is a, you know, as a deadline for us is this meeting to know if there is contingent, yeah, we like this and we'd like to support this when IRA funds come in. And I think that in itself is, you know, extending an olive branch, so to speak, to try and make this work because we will in the next two months work with the steering committee and facilitators to do a lot of work to plan a meeting that can happen relatively quickly after IRA funding is made. And so, I think, this is a meeting we would need some commitment in order to get that going. And even the second workshop on risk tables, which we had talked about in November, just again there's, again if there was Council indication that that was something they're interested in, we can start working on that. But waiting until June and then I think from our perspective, trying to then plan two workshops within the course of, you know, 3 to 4 months, we're then cutting off how effective I think it can be, giving people enough notice, people to get to meetings. And we can try to take these workshops in a bit of a different direction that doesn't require Council coordination. And I hate to say that. I don't like to be the, the one who says now, but it is now.

**Brad Pettinger** [00:36:45] Okay. Any questions for Theresa? Thanks Theresa. Okay. I'm not hearing from anybody else. Corey.

**Corey Niles** [00:37:17] Last thought is I, and Merrick's, where I think we're not seeing eye to eye is it sounds like Merrick is planning on doing these IRA funds in a way that we don't do the process normally, which is not having... it's going to be staff at the region staff, his staff, Science Center staff coordinating, not advisory bodies not being involved. So, that's maybe I'm misunderstanding that. Yeah, I don't want to prolong the discussion, but we were envisioning this IRA funding project, and the Science Center IRA funding project, region IRA funding project as working the process like we have normally where advisory bodies and stakeholders get involved through the normal Council process.

**Brad Pettinger** [00:38:00] Merrick.

**Merrick Burden** [00:00:00] There's a lot of work, Mr. Niles, that Council staff do, that regional staff do, that Science Center staff do, that I know state agency staff do in support of the Council process that we don't bring it to you. And when we start any project, there's a coordination activity to coordinate our workload and our resources and to map out how that work will take place. Typically, what we do is then we bring that plan to the Council. And so, as you look at the Year-at-a-Glance there's some reference to that type of activity. Miss Ridings and I had a conversation maybe an hour or so ago just about cross FMP and there's a couple of IRA project notes there with that in mind. So, the coordination is something that we do a lot just to manage our work, to kick start our work, and that's what I'm getting at.

**Brad Pettinger** [00:01:07] Christa.

**Christa Svensson** [00:01:09] Yeah, I feel like we're getting a little wrapped around the IRA component. There are two separate workshops on the table and we've just heard we basically need to come to a decision on. Do we want to do either of them? I don't know if IRA and all of the conversation around that, I don't even know what to call that workshop, is the direction this Council wants to take if we want to look at doing the second workshop. I don't know if we want to do anything, but I just don't want to get stuck on kind of a ping pong about IRA. If the appetite is there or isn't there, I think, we should take a vote. And otherwise, if we're really more interested in that second workshop then, and there is appetite for that, maybe we just look at that one, but that may be helpful in terms of kind of coming to some resolution here.

**Brad Pettinger** [00:02:07] Right. Well, I'm not seeing much appetite for committing funds before of June on anything. So might go with what Theresa....Sharon.

**Sharon Kiefer** [00:02:26] I'm contemplating this, but certainly I heard Corey Ridings, you know, description about all of the good work the Council has already done relative to CCI and how that pathway is likely going to be FMP amendments, which is part of Council's work. But also, you kind of implied at the end that this workshop, you kind of tied that to the NOAA fisheries hirings, particularly in the Northwest Region of staff and how somehow this workshop would help to influence what NMFS does. But I don't know why we... if we've done all this great work, why would we need a third party to help us communicate to NMFS about what we see as the priorities from all the good work we've done? I'm having a... I am having a hard time understanding the value of the first workshop proposal.

**Brad Pettinger** [00:03:43] Thank you Sharon. Corey.

**Corey Ridings** [00:03:43] Thanks Miss Kiefer. I mean to be honest, I've had those questions too. And actually across many things. And to be really blunt, the answer is just in chatting with folks at NMFS and with chatting with scientists with understanding how their programs work, they find it really beneficial to have more guidance from us and get more opportunities for Council engagement so that they can be more responsive to our needs, which is something we continually ask for. I think one thing worth noting is, a lot of times under the more specific FMP agenda items that we do, it can be more clear, you know, because we have more specific reports, more specific processes, more specific science tools. And when it comes to thinking about climate and especially ecosystem, they're more nebulous. You know they're by definition more complex, and they have more management questions associated with them and even more sort of disciplinary science associated with them. So, and I mean, I think, that's representative of just, you know, it can be harder collectively to get our heads around what science is the best that can be done to serve the management needs of the Council. Does that help?

**Brad Pettinger** [00:05:09] Sharon.

**Sharon Kiefer** [00:05:09] A little bit. But I guess when I hear that what I think of is more, do we need more, to be scheduling more consistently on the agenda relative to those kinds of conversations within a Council process? I'm still just having a hard time. You bring a bunch of people together and you kind of throw things and see what sticks on the wall, and I don't know that that's better or worse, but given that we do have some other constraints, just again, I'm having a hard time understanding the priority benefit.

**Brad Pettinger** [00:05:53] Okay, Lynn and then we're going to... go ahead first.

**Lynn Mattes** [00:05:58] I've been mostly quiet. I've been quiet while listening to this. Rather than say a whole lot I'm going to say ditto to Corey and Corey what they have been saying. In regards to how we move forward, I think having this bigger discussion in June in coordination with our budget discussion is good. And at that point, rather than continue to string TNC, you know, along, I have a very colorful phrase in mind, but I'm not going to use that one. Instead, I'm going to be appropriate and say we need to fish or cut bait. Let the TNC move forward, add another process, not just keep putting the planning down the road. So, I think when we have that discussion in June, we need to make a decision so that everybody knows how we're moving forward. But I agree that we need these workshops.

**Brad Pettinger** [00:06:47] Okay. Well, Phil.

**Phil Anderson** [00:06:54] I think where I am on this after listening to everyone including Theresa, I'm

in a bit of a disagreement with several things that I've heard relative to the level of support that we have shown for these workshops up to this point in time, which I think has been significant. Whether each time we've said that it's been with caveats is fair, but the overarching support that we've voiced for these workshops is undeniable. And I have some of the same reservations, particularly about the first workshop that Sharon and others have voiced because that was left, I'm still left with a bit of uncertainty in terms of what is trying to be accomplished at the first one. But all that said is I have confidence in the work that has been, and thought that's been put into these workshops up to this point in time across the board by the people who have been active in it. I'm prepared to support a commitment that is contingent on a commitment that takes us forward to June with the contingency... with the caveat that we have a full understanding of the, if there are trade-offs relative to the expenditures, I want to know what the expenditures are and I would like to have a clearer delineation of the purpose of the first workshop in June. But again, my fundamental perspective is that I have confidence in the people that are putting these together. I have... I believe we need to respect the support that we have shown up to this point in time and brought them along. I need a little bit more information but I think they can bring that back to us in June and that we could hear back from our Executive Director in June to have a complete understanding of where we are from a financial perspective. And if at that time we conclude that the repercussions of funding it are, outweigh moving forward we can make that determination at that time.

**Brad Pettinger** [00:10:00] Okay. I think there was also... it was a fiscal issue and also a personnel issue too, I believe, that Merrick referred to. Bob.

**Bob Dooley** [00:10:07] Thank you Mr. Chairman. That's exactly where I'm going on this. I think there's, you know, the financial ability to do it is a little bit in question with the delay in IRA funding and that and understand that and got a pretty clear picture. And I agree with all of your comments Phil, that I'm in agreement with that. But my overarching thing is nobody has a better perspective of the effect on our Council staff than our Executive Director, and he's registered pretty strong comments here that this is going to be a lot of work for them and at a time when we have a lot of transition as we've all seen this week in our Council staff, which really loads up the remaining folks and the new folks to get people in gear and get back to, you know, running smoothly. I defer to that over all of it. We may have the money and may have the desire, but if we overtax our staff to the detriment of all the other work we do, I'm against that, and there's one person that has that, well, our executive staff has that perspective and I defer to that above all. So that's my perspective on this and that we can say, 'yeah, we're going to do it', but if ultimately we don't have the capacity to do it or if it's detrimental then we shouldn't do it. So that's where I'm at.

**Brad Pettinger** [00:11:46] Okay. Thank you Bob. Butch Smith.

**Butch Smith** [00:11:53] Yeah, thank you Mr. Chair. You know, Bob, I think, is spot on. A lot of times in business decisions you'd like to do it and you want to do it. One, but do you have the money to do it? That's number one. But we, being the Council, don't have the same gauge that Merrick has on his staff and how hard their work and how much work they're doing, because we don't see the day to day operations when we, you know, when we go away and come back every three months or whatever it is. So, I tend to agree with that statement, what you said Bob, and support that because, you know, we are going through a major transition in the Council and I would imagine through that transition there's, you know, going to be people taking off and help train the other staff members that are coming up so their job will be exacerbated even more. So, I just wanted to concur with Bob and I think Marc, I hate to say it I might be agreeing with Marc a little bit too, but on what he said on the money part to make sure we have the money to pay for it. I totally agree with that. And anyway, so thank you Mr. Chair.

**Brad Pettinger** [00:13:11] Thanks Butch. Ryan.

**Ryan Wulff** [00:13:18] Yeah, thank you. I've been kind of waiting to hear the discussion here and assumed at some point someone might ask the person in the NMFS seat to respond to some of the comments. So, I'll kind of summarize where I am here. I mean I appreciate the comments that have been made. I agree with Phil that there has been a number of support that we've expressed at previous meetings. But I also share a lot of the concerns regarding workload and but that said, you know, NMFS has been engaged. I am a little confused. I don't have the PowerPoint here, but you know I previously thought the guidance we were looking to give them if we supported these workshops were to be... if this should be solely Initiative 4 focused? If it should be focused on these risk tables or, you know, kind of some little more specifics around not just if we endorse the workshops, but the specific agendas and focus of it. I was a little taken aback to hear the suggestion that some or even an entire workshop would be focused on NMFS and how it is spending its IRA funds, and I'm not sure that is the most constructive way forward. And I also think there may be some misinformation about how, what is being utilized through that very small portion of the overall IRA funding. But that said, happy to continue this discussion. I do think in June there will be a little bit more pieces on the table. I can confirm that IRA decisions, not just for the Council's funds, but also for a very small portion for the region to help also support working on what the Council may utilize with its IRA funds, those decisions will be made over the coming weeks. We'll have that information in June. We also will have some initial discussions between the regions and the Science Centers regarding their portion of the Climate and Ecosystem Fisheries Initiative work, especially at least at the regional level, and some of their thoughts and potentially can bring some of that back as well in June to incorporate into the discussion here. Maybe I'll stop there. That's at least where I think NMFS is at this point.

**Brad Pettinger** [00:15:48] Thank you Ryan. Okay, Merrick.

**Merrick Burden** [00:15:54] Maybe just some more thoughts here. I'm going back to where we started, which was what's the purpose? And I think we do have to think about just, you know, roles and responsibilities in our process and I think some of that is not very clear as we have these discussions. And so, when it comes to like the management of Council resources and how we get workload done, that's one of the, that's one of the reasons why you have me. And if you want somebody else to do that you don't need me, and I don't think that's what TNC is suggesting, but it does then help think about what the workshops might be best for if we do move forward with partnering with TNC on them. And I think what they wouldn't be for is to ask everybody what do you want to do and how should we spend our money? And that just wouldn't be appropriate and I don't think anyone's suggesting that but that's one bookend. And so, if there's maybe a need to backfill in this rough process we've gone through to put these proposals together and there are some questions out there still about what are we doing? And why is it this way? And are there better ways to do it? That sounds like a great discussion because we have had to go through a pretty awkward process to get these proposals together. And so perhaps that's something we can get more specific on in the scope of a workshop, which is can we bring people together and help to understand what it is we're really proposing and how it might look in practice as we execute and then continue then to, you know, have to defer to.... I would expect you would still want to defer to me and Kelly in consultation with you all and how our resources are expended, how we get that on to our agenda and things of that nature. So, I'm offering up those thoughts here as I think I'm hearing that there's support for doing a workshop, but there's just a need for more specificity about what they are in addition to some of the human resource and financial constraints.

**Brad Pettinger** [00:18:20] Christa.

**Christa Svensson** [00:18:21] Well, I think we heard pretty clearly from Theresa that we need to make a decision today about whether we're going to move forward or not. I also think we've heard pretty clearly from a number of people around the table that they're not interested in at least the IRA CCI conversation in terms of staff workload, et cetera, so really, from my perspective, and I am appreciative

of your comments, Phil, because I think that that is a solid approach in terms of having a clearer perspective in terms of what a workshop would look like, funding, providing we get it going towards this. I'm also going to note that there were eight topics on there and we had two that were prioritized. I don't know that those were prioritized in terms of what the workshops have to be as much as it gave specific talking points about what things could be. We've certainly thrown IRA around in Council discussion for the last week, and I know if I were proposing a topic, I would be trying to make it relevant. So, I don't, I cannot speak for TNC or anybody else. I'm not part of the steering committee, but I just, I want to get off that rock because it sounds to me like that's a sticking point for a lot of people that we probably don't want to move forward with, particularly because they're asking for that one in July. But that if there is interest in having a workshop or workshops that we indicate that we are interested because I feel like we're, we're reaching out, going, 'oh we, you know, we're interested and we kind of want to do this and let's talk about it in June'. I'm sorry. She said we need to make a decision today about do we want to indicate interest? Personally, I'd like to indicate interest based on the conversation. I'm not that interested in having a workshop on the IRA in hearing from our Executive Director and from NMFS, but I could probably be talked off that ledge too if appropriate, but just trying to move us forward here.

**Brad Pettinger** [00:20:41] Corey had her hand up first over there. Corey Ridings. Corey Niles.

**Corey Niles** [00:20:47] Yeah, I guess Christa... and I really want to... I think we wrap this up, but you have the three state agencies most involved in the ecosystem world saying that, yes, the IRA, the three West Coast agencies and Idaho saying this is relevant and valuable. I think the Nature Conservancy can move on without us. And if we can send people and have money to send people to what they're organizing in June, that's a way forward. You have the Ecosystem Working Group on the steering committee. You have the Northwest Fisheries Science Center on the steering committee saying that these ideas have value. That's where the recommendation came from. So, Christa, that's the only thing that has a high value, but this is too messy. I think the steering committee can move on. I think Phil's idea was very similar to mine. I think they can... I think the contingency is not... is pretty low that we're not going to get IRA funds. So, I would, I propose us wrapping this up and having the Nature Conservancy come back in June with their, trying to think of the phrase, just cleaning this up and moving forward with their objectives.

**Brad Pettinger** [00:22:01] Okay. Corey Ridings.

**Corey Ridings** [00:22:04] Thanks Mr. Chair. Yeah, I would just concur with that. I agree with what Mr. Niles said, and I agree with Mr. Anderson said earlier. I think there's a little bit of a rub point here in terms of the funding, but if we can agree to sort of preliminarily say, 'yes, if we get the IRA funding' and then have Miss Labriola and TNC come back in June with some details and additionally have Director Burden come back in June with details and see how those things move forward. In terms of that rub spot, I'm hearing there's a chance TNC may come back and say, 'sorry too late'. But maybe it's just we're just not there yet and so, yeah, so I'm agreeing with Mr. Anderson and Mr. Niles. I think there's a spot between the middle to go through and it's an okay spot to be in.

**Brad Pettinger** [00:22:58] Okay. One second. All right. Merrick.

**Merrick Burden** [00:23:24] Let me try to synthesize because I think there are a few opinions floating around. I'm not quite sure if we're all on the same page, but I think my best guess where we're landing here is that there is support for partnering with the Nature Conservancy and there are some questions about what exactly that looks like, and there's some hope that that's enough for Theresa Labriola to keep moving forward. And I'm looking that way and she's not looking at me so I don't... There was some discussion still about whether the workshops should focus on IRA funding or not and I'm not sure where



that ended up. I do think we have to be at least that specific. Just putting my old NGO hat on and thinking about conversations that have to happen with funders, I do think there's some specificity that they will need in order to continue to report on progress. So, I think what we're saying is that if we were to partner with the Nature Conservancy on these IRA workshops, there's some general or neutral support for that, but there's questions about detail. And I've outlined in a previous comment what I think the detail is and I think part of that is roles and responsibilities and who does what, but that's what I'm gathering and I'm seeing maybe some confused faces. So, we'll see if we can keep getting there.

**Brad Pettinger** [00:25:02] Corey.

**Corey Niles** [00:25:04] Well maybe mixed, but I, again, and Mr. Ugoretz please speak up and Lynn please speak up, but all three of our agencies said there's value in the IRA projects. So, and we've said that multiple times and I think Mrs. Ridings said so as well. I heard Bob and Butch worry about budget, which we spoke to at the very beginning about, yes, let's talk about this in June. The value I have not heard anyone but the Executive Director have, maybe that's wrong, but question that the relevance and value. I understand we're not melding here. We're talking past each other I understand, but I've heard pretty unequivocal expression of value in the IRA workshop.

**Brad Pettinger** [00:26:02] Christa.

**Christa Svensson** [00:26:04] Just so that I can clarify my comments in terms of IRA. I'm not suggesting that there is not value. I'm suggesting if that workshop needs to happen, that TNC not wait for the Council. That the states could participate outside of staff may choose under our Executive Director's guidance if the workshop looks like it would be a value to attend that that is totally within his purview. If the Council says, no, you know, what we see value as well, great, but really from my perspective, I see some value. I don't have enough detail to say, yes, sign me up today. But if TNC sees the value there and we don't have the ability to get them what they need, that they should proceed without us.

**Brad Pettinger** [00:26:59] Okay Christa. Well, I'm kind of... it's hard to wrap your arms around this so, Phil Anderson.

**Phil Anderson** [00:27:14] I know we all want to stand. Where are we? Where does that leave us relative to the assessment of the workload for staff?

**Brad Pettinger** [00:27:26] Merrick.

**Merrick Burden** [00:27:31] I appreciate the question and the concern about workload. So, I tried to speak to this a couple of times. As we know our staff are changing quite rapidly. One of the hires I would like to make soon is a staffer that leads our IRA work, and I don't think that's too far away but we don't have the funding yet so it hasn't happened. There's also the workload of our advisory bodies. And this meeting has been a rough one for a lot of people and it's hard for me to imagine asking them to do more at this point. So, I think, there's that staff consideration also. Maybe as we flesh out the workshop, we can resolve those things, but those are large, outstanding questions that I have and it's hard for me to imagine, like I said, asking some of our management team and advisory panel members to do more in July, which is one of the two months we... you don't have meetings, so... or planning for meetings or wrapping up meetings so. I appreciate the question. That's a bit of an answer for you.

**Brad Pettinger** [00:28:42] Phil.

**Phil Anderson** [00:28:44] Well, that continues to be maybe my biggest concern. So, and I don't know how to deal with that today, but I just don't think we can move forward with something that there's an

expectation that staff that we have participating in our process that already have more than 100 percent on their plates that we can add to it. So, if there's a way to do this without having that happen, great. If not, then that's a problem.

**Brad Pettinger** [00:29:30] Okay. I guess so with that I don't think we're going to make any commitments today. Is that what I'm getting here? Vice-Chair Hassemer.

**Pete Hassemer** [00:29:48] Thank you Mr. Chair. I'm sure everybody's glad to see my hand go up. I haven't weighed-in. Maybe the first thing is it's not going to help, but a little bit of internal healing is a lot of the discussion we're having today. And I re-read our September of last year transcripts. That wasn't much, that much different than what we're talking about today. And it goes back, you know, I think we have to scold NMFS here first. And that's the internal healing is last October we heard that we were getting money in December that would help this. And then you would get another big chunk of money in January, and this is related to the IRA and none of that has happened. We still don't know if we're getting it and we're caught up in this discussion. So, you know, point a finger and I hope it helps internally that it's not us fighting amongst one another, but there's something external things that leave us here that we're still not sure how we can fund it. Another piece of the funding, you know, I think about that hard and as the Chair of your Budget Committee meeting, I have to think about it hard. We did way back, maybe it was 2022 or I'm not sure when, support the Nature Conservancy and going ahead and applying for the grants. This is one of those in my head now and it relates to some other comments, be careful what you ask for, because I'm not sure we understood at that time there was an expectation that if they got the grant that we were going to pay also to do that. There's joint workshops. There's providing support for the workshop and so far, but at least, and I can go back and try and sort that out, but at least today I know that now the Nature Conservancy came back and said, yes, we have the money for the workshops but you need to commit people, workload, and money in order for that to happen. And so, our discussion is trying to make that happen and it's led to, I think, one of Executive Director Burden's bookends he mentioned where The Nature Conservancy has the money, can do the workshop, it would be nice to partner with them and be able to focus specifically on the Council needs, but there's a cost to doing that. So, I guess, to wrap it up, we're talking about staff involvement. I haven't heard the Council say... the Council committed our staff officer Dr. Dahl to participate with the Nature Conservancy on the steering committee. I believe that was a decision that we made that, yes, commit that staff time there. The steering committee was formulated and there are Council members here who are part of that steering committee that are doing that not as part of any Council pay or support to my understanding, but the steering committee is still functional and, and it has that. So, in the matter of having to go to that bookend about having the workshop without Council financial support or staff support, it could still happen. And there's opportunities for input to develop that and look at some of the past documents and things and what's a value. And again, the prior, you know, thoughts for the workshops was Initiative 4. The IRA was a later development in that. So, I don't know if that helps, but there are still staff involved. If The Nature Conservancy has to go forward, we've approved some of that staff involvement to provide Council input on that. Our reports are there. So, I just want to say my, you know, I'm frustrated we're having this because we still have no idea. I think the contingency plans about coming back in June are good, but I think, you know, we need to accept that one of those contingencies is the workshop may occur without Council financial support and some large staff support. So, thank you. Apologize for being so long there.

**Brad Pettinger** [00:34:57] Okay. Thank you, Pete, for kind of summarizing kind of how things went down here. So okay. Corey.

**Corey Niles** [00:35:06] Didn't mean to interrupt you. The topic of Corey Ridings report I was going to speak to that quickly if...

**Brad Pettinger** [00:35:15] My plane don't leave till 4:30 so if you please.

**Corey Niles** [00:35:18] And I just want to thank her for that. I don't know if we have time to discuss those ideas. Maybe June stock assessment priority groundfish would be a place to respond to that. I think the question, you know, having the luxury of being around and having my duties involve talking to people, working with people who know the data, I think I would just add to it, yeah, I think Washington would want to be involved. But the question I think I would really focus us on is what data is it take to make an assessment robust? And Marc spoke to that yesterday with canary. And it's not just a California issue. We don't have, I think you'll hear a lot of assessment authors say, we don't have a good fishery independent index of abundance for a lot of the rockfish who live in rockfish habitat. And that's true for Washington and Oregon despite our efforts at, you know, even and thanks to Mr. Anderson's effort many years ago that getting a special fund to do this, it's still very hard to do. And on that, I think I would throw budget into this as well. Explain the budgets of each state and the federal government would all work together to do things like read otoliths, collect the age structures and all that, and PacFIN being a major source for the states in doing that kind of work and the sampling has been flat funded for, you know, over 15 years. So, I would just, I really appreciate her putting those thoughts together. Yes, Washington would like to be involved and these are coastwide issues and really the question is how to build up our, you know, what data is needed to do more robust stock assessments.

**Brad Pettinger** [00:37:05] All good points. Lynn Mattes.

**Lynn Mattes** [00:37:06] Thank you Chair. Following on with Mr. Niles, ODFW is willing and wants to be involved in this process too. I think it will benefit us all in the long run. The how, the nuts and bolts of it, can be worked out but we want to be involved.

**Brad Pettinger** [00:37:22] Thank you Lynn. Anybody else? Certainly, there's a need for understanding where we're at as far as the data that's there before we decide on stock assessments would be nice. So, okay, I'm not seeing anybody saying no, right? Merrick.

**Merrick Burden** [00:37:42] I'm not going to say no. Just to make sure I understand what the suggestion is here. Sounds like there's a lot of support for Miss Ridings write up. Thank you. But that we would talk about it more in June. Is that where people are landing? Okay.

**Brad Pettinger** [00:38:04] Okay. Well, with that I think that's.....Kelly, are we done?

**Kelly Ames** [00:38:12] Through the Chair, I'll also look to Executive Director Burden, but from my perspective we have the staff guidance that we need at this point.

**Brad Pettinger** [00:38:22] Make sure. We're not do anything on the TNC workshop until June, right? That's the plan. That's what I got out of that. Okay. So, all right. Well, very good. I just need one thing to happen. Phil.

**Phil Anderson** [00:38:43] I move we adjourn.

**Brad Pettinger** [00:38:44] Thank you. All in favor say "Aye".

**Council** [00:38:47] Aye.

**Brad Pettinger** [00:38:47] Unanimous. Perfect. Thank you everyone. What a crazy week. Safe travels home and look forward to seeing you in San Diego.

## **H. Cross Fishery Management Plan (FMP)**

### **1. Office of National Marine Sanctuaries (ONMS) Report**

No transcription for this agenda item.

## 2. U.S. Coast Guard (USCG) Annual Report

No transcription for this agenda item.

# **I. Coastal Pelagic Species Management**

## **1. National Marine Fisheries Service Report**

No transcription for this agenda item.

## 2. 2024-25 Exempted Fishing Permits (EFP) – Final Action

**Brad Pettinger** [00:00:00] That concludes public comment and that brings us to Council discussion and action. So, it's before us so I'll open the floor for any discussion. Briana.

**Briana Brady** [00:00:17] Thank you. I just wanted to say that I support adopting the CWPA EFPs for the upcoming season. These EFPs have proven valuable to help better assess the sardine stock offshore of California and thought we could start there.

**Brad Pettinger** [00:00:38] Okay. Anyone else? We will need a motion here on this, I believe, to officially approve it. Corey Ridings.

**Corey Ridings** [00:00:48] Thanks Mr. Chair. Just thinking here and a follow-up to my question to Mr. Fina and reading through their FMP. I just wanted to note that I do support them but am struggling a little bit with the scientific justification and sort of what we're getting from that biosampling EFP? So just as a discussion point, would encourage folks working under that EFP, Mr. Fina, others, the SK folks who are scientific partners on that work, just to see a little bit more justification if this EFP is renewed next year about why this is happening. Also, there are some equity consideration across fisheries. You know we do scientific sampling in other FEPs and fishermen are not able to sell that catch necessarily and recoup costs that way. So, while I don't think that that's something that should be addressed here, I think that's a good thing on balance, fishermen getting paid for the work that they're doing and, and using that resource. It does come to mind as something to consider as we look across our FEPs. So, thanks.

**Brad Pettinger** [00:02:01] Thank you Corey. Anyone else? Okay. Briana.

**Briana Brady** [00:02:08] Thanks. I have a motion.

**Brad Pettinger** [00:02:11] Okay.

**Briana Brady** [00:02:14] Thank you. I move the Council adopt the exempted fishing permit proposals in Agenda Item I.2, and Attachments 1 and 2 for consideration of harvest amounts under Agenda Item I.3.

**Brad Pettinger** [00:02:28] Okay. Is the language accurate on the screen?

**Briana Brady** [00:02:31] Yes. Thank you.

**Brad Pettinger** [00:02:32] Okay. Looking for a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion as needed.

**Briana Brady** [00:02:36] Thanks. The data from these EFPs provide information for the sardine stock assessment and the points that EFP verifies the tonnage estimates for the nearshore aerial survey and the biological sampling, EFP maintains a data stream of fishery dependent data. The collaboration by the industry helps with bringing fishermen supported science into our assessments and our management process. Thank you.

**Brad Pettinger** [00:03:01] Okay, questions for the motion maker? Or discussion on the motion? Okay I'm going to call for the question seeing no hands. Okay, all those in favor signify by saying "Aye".

**Council** [00:03:14] Aye.

**Brad Pettinger** [00:03:15] Opposed, no? Abstentions? All right, the motion passes unanimously. Thank you Briana. Kerry, I'll turn to you.

**Kerry Griffin** [00:03:26] Thank you Mr. Chair. Thank you for the motion Council. If there's no other discussion or motions then that concludes the business for this agenda item. And just as I mentioned before, the actual tonnage would be allocated under the next agenda item under the sardine harvest specifications so I think that concludes your business for this agenda item.

**Brad Pettinger** [00:03:46] Okay Kerry. Thank you. And we're doing pretty good here so let's take 10 minutes before we go to I.3.



### 3. Pacific Sardine Harvest Specifications and Management Measures for 2024-25 – Final Action

**Brad Pettinger** [00:00:00] That concludes public testimony and takes us to Council action so I'll open the floor for discussion. Briana Brady.

**Briana Brady** [00:00:13] Thank you. Thanks. I just wanted to show appreciation for the STAT and our advisory bodies and say that I am supportive of the MT and the AS's recommendations for annual specifications, including the amounts for the EFPs for 150 and 520 metric tons.

**Brad Pettinger** [00:00:36] Okay. Thank you Briana. All right. Anyone else? Vice-Chair Hassemer.

**Pete Hassemer** [00:00:45] Thanks Mr. Chair. I'll just, I know we have an adoption here. I think this is more guidance or discussion, so I just wanted to highlight. I'll come back when we've taken our action here.

**Brad Pettinger** [00:00:58] Okay, very good. All right. Well, at this point I'm looking for a motion per chance? Briana.

**Briana Brady** [00:01:07] Thank you. Hayden... thank you. I move the Council adopt the Pacific sardine stock assessment and the following. The biomass of 58,614 metric tons. The OFL of 8,312 metric tons. A P Star buffer of .4. An ABC Tier 2 of 6,500 metric tons. An ACL of 6,500 metric tons. An ACT of 5,500 metric tons. Number 1: The exempted fishing permit amounts for Agenda Item I.2, Attachment 1: 150 metric tons. Attachment 2: 520 metric tons. Number 2: Incidental landing limit of sardines in other CPS fisheries of 30 percent. Excuse me. In landings in the live bait fishery, if landings in the live bait fishery attain 3,000 metric tons, a per landing limit of 1 metric ton of Pacific sardine per trip will apply to the live bait fishery. Number 4: If the ACT of 5,500 metric tons is attained, a per trip limit of 1 metric ton of Pacific sardine applies to all CPS fisheries, and then an incidental per landing allowance of 2 metric tons of Pacific sardine in non-CPS fisheries until the ACL is reached.

**Brad Pettinger** [00:02:35] Okay, thank you Briana. Is the language on the screen accurate?

**Briana Brady** [00:02:39] Yes, it is. Although that last one is supposed to be number 5. I don't know what happened in the formatting. Thank you.

**Brad Pettinger** [00:02:48] Very good. Seconded by Marc Gorelnik. So... thank you Marc. Please. Good now? Hope so. All right. Okay, please speak to your motion. Yes Marc.

**Marc Gorelnik** [00:03:07] I raised my hand because while we have the ABC and ACL on the screen as 6,005. What I heard from Briana was 6,500. So, I'd like some clarification on that.

**Brad Pettinger** [00:03:21] So it wasn't a second.

**Briana Brady** [00:03:24] Thank you for clarifying that, Marc. I read it wrong. It's 6,005.

**Brad Pettinger** [00:03:28] Okay. Thanks for the clarification, Marc. So, I thought you just wanted to beat Bob to the second so. Okay, so the change has been made?

**Marc Gorelnik** [00:03:48] If you're looking for a second, I will second the motion since I see it blank on the screen.

**Brad Pettinger** [00:03:52] Okay. Very good. All right. Briana, please speak to your motion.

**Briana Brady** [00:03:56] Thanks. As noted by the SSC, this benchmark assessment for sardine should be adopted for management to set the OFL with a Category 2 sigma to inform the ABC. And as the SSC specified, there are major improvements from the last benchmark assessment that was in 2020. I'd actually be comfortable with setting the P Star at .45 since the SSC recommended the Tier 2 sigma to account for the other uncertainty, however I chose to stay with the recommendation of our ABs, our advisory bodies with a P Star of .4. Also, the directed fishery continues to remain closed to allow for rebuilding, and noting that the actual amount of take that occurs is actually quite low for the northern subpop. And given our past experience with incidental allowance, setting the incidental take allowance and other CPS fisheries at 30 percent would allow for fishermen to land other species if the opportunity is there, and would reduce the potential for having to release those loads that wouldn't meet that incidental allowance. Additionally, the management measures as outlined by the AS and the MT allows for small amounts of catch and other CPS and non-CPS fisheries until the ACL is reached. And the EFP set-asides will continue the ongoing work to help maintain nearshore and fishery data for the stock assessments. Thank you.

**Brad Pettinger** [00:05:17] Okay, thank you Briana. All right, questions for the motion maker or discussion on the motion? Corey Ridings.

**Corey Ridings** [00:05:32] Thank you Mr. Chair. Thanks, Briana, for the motion. I'm pretty sure I'm going to vote for this but I did want to share a few thoughts under discussion here. Just having ongoing concerns about how low the stock is. Thinking about the uncertainty that was mentioned by the SSC in terms of legally being above MSST, but sort of within the error bars of that assessment. And while we don't have directed fishing, we have an EFP that in my mind isn't well scientifically justified and we're looking at raising the incidental percentage here. You know all these numbers are relatively low, but there is science out there that suggests with CPS stocks that you know when they're up you fish them. When they're down you leave them alone. And I think we know and we've heard a lot about CPS science over the years that, you know we still, and Mr. Niles said something earlier about the unknown or the crazy or something like that about the environmental drivers, but just thinking about if there would be value to leaving them more alone. The last 10 years have not seen an appreciable increase. I think this is concerning. And I appreciated Mr. Enticknap's testimony regarding the importance of setting ABCs even when the management isn't seen as major or hugely consequential. And this is somewhat reflective of the conversation the Council had a few days ago when Mr. Niles and Mr. Anderson spoke to managing something that we know is incorrect or wrong. And I had to go personally meditate on that and think about that and what that meant in terms of how we manage as a Council and how I vote as a Council member, and I just appreciated the intent on that. So, thinking about a lot of the uncertainty that's existing here, what we know about EMSY, and some of the larger concerns that we're having over just the core dynamics and structure of the stock. So, again I think I'm going to vote for this. I just wanted to put those concerns out.

**Brad Pettinger** [00:07:53] Thank you Corey. Marc Gorelnik.

**Marc Gorelnik** [00:07:56] Thank you Chair Pettinger. A few comments. It seems like we don't know enough about this stock, right? There's some questions on composition and I know there's work ongoing there between the two different subpopulations, but it's really hard for us to know for certain we're doing the right thing without having a better handle on that information. I think that in managing fisheries, especially those that are overfished, we shouldn't, you know, our command should be to do no harm, but I'm looking at the removals that we've had historically at least since the 2019, 2020 season and they're not a large percentage of the stock. And so, I think it's clear to me anyway that this is, the low abundance is primarily environmentally driven. And, you know perhaps we don't understand fully.

Maybe this is all the environment will support. But again, I agree, I'm going to support the motion. I think the removals are low and sufficiently responsible, but I am hungry for more, for a better understanding of the different subpopulations and to what extent is this environmentally driven as opposed to the result of removals from the fishery.

**Brad Pettinger** [00:09:27] Okay, thank you Marc. Anyone else? Corey Niles.

**Corey Niles** [00:09:33] Yeah, thanks Mr. Chair. Yeah, and Corey's reminder of the Dover sole being wrong and I mean this, I agree that this is really, I use the word muddled, and I think that is a appropriate word for it and I'm really looking forward to having that item in November where we start to figure out what the next steps are. But in terms of being muddled, I still think it's, this is very consistent with how we've rebuilt groundfish in the past. We're allowing incidental catch to meet the needs of the fishing community, minimizing it as much as we can while trying to rebuild the stock as quickly as possible. And, yeah, it seems like this, the science tells us this is an environmentally driven stock back to 10,000 or however years ago before people were fishing it. Yeah, I kind of think we're leaving it alone if this subpopulation pattern happens. Even if catch goes back to above 2, we'll just say 2,000 metric tons for math, and only 20 percent of it is the northern population, that's only 400 metric tons if I can do math on the fly. So that's pretty much leaving it alone. Yeah, and I do understand why we've... and NMFS has been telling us to be patient on trying to figure out some of these questions of like EMSY and all that and which ones are the most important to take and wait for some of the science to develop. And I think this assessment we did see some... I'm still trying to understand the significance of the changes, but they do seem really big. And so, yeah with this, they were asking, NMFS was asking us to wait for this assessment before we had got to that what do we do next discussion. So, yeah, I do continue to support this approach of how we're rebuilding this stock and looking forward to that November discussion. And one last thought is, in my question to Will on the SSC about how do we put all these pieces together? And this is not a critique of Will or the SSC at all, but maybe it's a thought for staff that, you know, Will understandably does not want to go beyond what the SSC discussed because he doesn't want to say things that the rest of the SSC won't agree with. But... so I'm wondering if we can't ask the SSC those questions, who do we ask them of? And where were the assessment... was the assessment team the right place? We didn't have them here to ask questions. So, I think there should be someone here to help us answer those questions. And again, not being overly critical but just looking to the future and how we can have these discussions the best we can. But thank you Briana. Is typical for the very thorough motion and supportive.

**Brad Pettinger** [00:12:27] Okay, thank you Corey. One last scan of the room to make sure I'm not missing any hands. I'm not seeing any so I'll call for the question. All those in favor signify by saying "Aye".

**Council** [00:12:42] Aye.

**Brad Pettinger** [00:12:42] Opposed, no? Abstentions? Okay the motion passes unanimously. Very good. Thank you Briana. Pete.

**Pete Hassemer** [00:12:53] Thank you Mr. Chair. And no need to have the last word here I guess, considering the comments were that were made I could have fit it in there, but it seemed separate. And I agree with what Mr. Niles was just saying. I think the discussions we had today, what we heard just points to the importance of in what we'll do in November. That's a workload planning item but getting at those science priorities of what was most maybe bothersome. What I heard today was the SSC saying there's this disconnect between how the assessment is done and how catch is assigned, and we need to look at that and this emerging science on stock structure, population structure and how that bears in. Our management is informed by science, and if we're not applying that science correctly or if we need

to refresh and take a new look at how the science can inform our management and possibly change it, we should do it. So, leave it there. November seems pretty important. Thanks.

**Brad Pettinger** [00:14:08] Okay, thank you Pete. Okay, before we close out here. Anybody else? Okay. Kerry.

**Kerry Griffin** [00:14:17] Thank you Mr. Chair. Thank you Council members. You have concluded your action for this agenda item. We will transmit the harvest specifications and the accountability measures to the National Marine Fisheries Service. We'll acknowledge the endorsement or the fact that this motion accounts for the EFP requests. The applicant will need to then apply to National Marine Fisheries Service themselves. And yeah, I think that concludes it.

**Brad Pettinger** [00:14:50] Okay, very good. Good work everyone. With that we're going to take a break.