

COUNCIL MEETING TRANSCRIPTS
278th Session of the
Pacific Fishery Management Council
September 18-23, 2024
 Doubletree Spokane
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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

4. Agenda

Brad Pettinger [00:00:00] All right, we do have a detailed agenda before you and looking for approval of the agenda. Dani Evenson.

Dani Evenson [00:00:10] Yes, thank you Mr. Chair. God this mics loud. I move that the Council adopt the detailed agenda for September 2024 as written in Agenda Item A.4.

Brad Pettinger [00:00:25] Very good. Do we have a second? Seconded by Marc Gorelnik. Thank you Marc. All right, no further discussion on this so I'll call for the question. All those in favor signify by saying "Aye".

Council [00:00:36] Aye.

Brad Pettinger [00:00:36] Opposed, no? Abstentions? All right, the motion passes unanimously. Wonderful. All right.

B. Open Comment Period

1. Comments on Non-Agenda Items

No transcription for this agenda item.

C. Cross Fishery Management Plan

1. Marine Planning

Pete Hassemer [00:00:00] That completes all of our reports, the public comment. Thank our public commenters for coming forward with that. That will move us into Council discussion and action. I'm sure in a few seconds our action will pop up before us, but while we wait there it is. Just consider the report and provide guidance as appropriate. And I will look for any hand to initiate discussion. Christa Svensson.

Christa Svensson [00:00:32] Yeah, thank you Mr. Vice-Chair. I have a motion drafted, but I do have one point that I'm interested in hearing from other Council members on. We typically do a QR, Quick Response process. October 3rd is bearing down upon us very quickly, particularly since this is the first day of five days of meetings that are going to be probably very busy for all of us. And I'm just wondering if we want to approach a letter, in terms of the standard Quick Response process, we would likely need to have a truncated timeline for Council members to review that, or if we want to, because we've had such a fabulous outline and series of bullet points and feedback through our advisory bodies, if we would want to just have the Council draft a response through the Executive Director and make sure that that gets submitted on the timeline. My primary concern is I think it's critical that we do provide, as a regional body a response, and I just want to make sure we don't run afoul of a timeline that we ourselves can't meet if we don't have the ability to respond individually on a shorter timeframe. So looking for input from others on that. Thank you.

Pete Hassemer [00:02:04] Thank you Christa. So before we get to that, let's be clear on that. Well we haven't agreed that we'll send the letter yet, but regarding the process. Let's first think about the letter, if it's going to be sent. And if you want to do your motion now if you're ready?

Christa Svensson [00:02:25] Well, this is....I have two versions of the motion, which is why I was asking about the QRP's. I would be happy to send the original motion, which includes the QR portion. And if through discussion on the motion we decide to amend that, I'm fully happy to engage in that route, but that's really why I had that original discussion piece was, I get we're talking about potentially should we be sending a letter, but it's really that it's a very quick timeframe and I think many of us are very interested in having the ability to look over that, but we are also very concerned about the timeline and sensitive to the needs of others.

Pete Hassemer [00:03:18] All right, thank you. And I'm all about efficiency and it sounds like it would be more efficient to clarify the process first and then decide if we're going to write a letter. I think before we get into that, there are two pieces of that, writing the letter. You indicated the Executive Director or staff. I can't remember if I heard the Marine Planning Committee offer to draft that. Regardless of who writes that it would be reviewed either through a full QR process, an abbreviated QR process, or by the leadership team, I think that was the suggestion. Thoughts on that? No one has a preference? Sharon Kiefer.

Sharon Kiefer [00:04:13] I think the fact that we had the outline actually works both ways in regards to if the Council decides on a QR process. It's going to be information that is not completely new. We have had the, and will continue to have the opportunity during this meeting, to digest that

great outline of information. On the other hand, of course, if folks decide to go the other direction, again we already have a good sense of what would be in the body of that letter based on both the Habitat Committee, the Marine Planning Committee, the GAP recommendations to integrate into that. So I'm just kind of commenting on that.

Pete Hassemer [00:04:58] Thank you. Other thoughts? Corey Ridings.

Corey Ridings [00:05:05] Thanks Mr. Vice-Chair. Thanks Miss Svensson for bringing this up. And it sounds like preparing a motion that I'll be very excited to look at. In terms of your question and discussion here, I do have an opinion to start us out on, which is that given the short timeline and the excellent outline that was provided in the briefing book, I would say to just go ahead and ask staff to move forward with that and send that and to not necessarily do a QR process.

Pete Hassemer [00:05:42] All right, we have that suggestion. Any disagreement with that? And just a reminder that staff would work to prepare the letter, but there's a set of eyes up here with the Deputy Director also who review that before it goes out. So agreed with that, that we will go with that process then. No QR it will be, but reviewed by the leadership team before it goes out, okay? With that, we have a process established for maybe a potential letter. Christa.

Christa Svensson [00:06:28] Thank you Mr. Vice-Chair. So I sent a motion to motions. Hopefully they've received it, and if they haven't I can send another one.

Pete Hassemer [00:06:54] Does that look like the right one there?

Christa Svensson [00:06:58] Yes. Thank you.

Pete Hassemer [00:07:00] Okay, go ahead.

Christa Svensson [00:07:02] I move the Council draft a response and submit it before 2 p.m. Pacific on October 3rd to the Department of Energy for their request for information regarding inter-regional and offshore wind transmission, including the guidance contained in C.1, Supplemental Attachment 4, and applicable recommendations from our advisory bodies and Council discussion.

Pete Hassemer [00:07:26] Thank you. That language on the screen appears accurate and complete. You agree?

Christa Svensson [00:07:31] Yes.

Pete Hassemer [00:07:32] Thank you. Is there a second to the motion? Seconded by Corey Ridings. Please speak to your motion.

Christa Svensson [00:07:38] Okay. Regarding offshore wind, to date the Council is primarily focused on siting issues related to leasing. Currently, the Department of Energy has made efforts to engage with the Council as it develops an action plan for West Coast offshore wind transmission through its request for information found in Agenda Item C.1, Supplemental Attachment 3.

Noteworthy is the deadline of no later than 2 p.m. Pacific or 5 p.m. Eastern time on October 23rd, which really didn't give us much time for the QR Letter process and is what guided my initial thoughts around let's have a discussion on that piece. I agree with other Council members around the table that our advisory bodies, including the MPC and Habitat Committee, have given us a really solid outline and bullet points that make this possible to move forward quickly and efficiently through our Council staff and our Executive Director. I also believe it is appropriate for us to add our knowledge and expertise to their process. The Council, as a regional body, is best positioned to respond to the Department of Energy's regional request. Advisory bodies, including the supplemental MPC and HC Reports, have provided all of us engaged in the Council process a carefully considered set of bullet points that can be included. However, the list demonstrates that there's considerable information gaps that must be addressed by the action plan before any offshore wind transmission occurs. Completing this research and processing, all necessary information will help avoid potentially, excuse me, avoid or potentially mitigate adverse impacts to our marine ecosystems, our fisheries, and the coastal communities that depend upon them.

Pete Hassemer [00:09:44] Thank you Christa. Any questions for clarification to the maker of the motion? Mike Harrington.

Mike Harrington [00:09:54] Yeah, just a quick question, and thank you Vice-Chair. I just wanted to, well first of all thanks for the motion, but I just wanted to clarify that the bullets are going to be fleshed out by the MPC and Habitat Committee?

Christa Svensson [00:10:10] Thank you for the question. And the answer to that is yes. We've had so.....or at least that would be my intention. We have had so much conversation in this process around, hey, we don't direct staff. I kind of take that to include the advisory bodies in terms of, you know, not specifically directing anyone. But my intention would be that, hey, the folks that have really drafted a lot of the work around this and a lot of the thought around those bullet points and those, that outline, excuse me, would be included in that process to make certain that we have what we need included before we submit this request or letter, if a letter is more appropriate.

Mike Harrington [00:11:03] All right. Thank you.

Pete Hassemer [00:11:05] Thank you. Further questions for clarification? Not seeing any, I'll look for any discussion on the motion? Aja Szumylo.

Aja Szumylo [00:11:21] Thank you Vice-Chair. And thank you advisory bodies and everyone who offered comments on this issue today. I plan to vote in support of this. I just wanted to add and highlight that we heard repeatedly from folks that we, that the Council provides this incredible forum for bringing together these issues and allowing fishermen to air concerns about how BOEM has handled this process overall. And I know the letter is, the bullet points that we have are just a draft right now, but I'd really, I'd hope that fleshing it out would include in that sixth item adding some discussion about the recent, the lawsuit, the recent letter from Governor Inslee, some of the things that have come to pass recently to crystallize how dire this issue is for fishermen. And so just going beyond, the request for information is specific to transmission, but I think continuing to use this as an opportunity to build a record and highlight how challenging this issue is for coastal communities is something that's important here too. So yeah, I don't know where that fits into the

letter, but I do, yeah, and we don't direct staff, but I would like to offer that this is a space to bring in other parts of the record that are really important for making this case. Thank you.

Pete Hassemer [00:12:43] Thank you. That I believe is in addition to what was in some of the bullet points in that. I want to make sure there's agreement around the table that to address that in the letter. Christa.

Christa Svensson [00:12:57] Yeah, thank you Mr. Vice-Chair. I wholeheartedly support that and that really was the intent of adding the Council discussion piece to the end of the motion. I realize that wasn't a question, but that is part of the discussion of how do we incorporate what we need to really bring the message home in terms of the desires of this Council.

Pete Hassemer [00:13:22] Thank you. Further discussion? Not seeing any hands I will call the question. All those in favor signify by saying "Aye".

Council [00:13:34] Aye.

Pete Hassemer [00:13:34] Opposed? Abstentions?

Frank Lockhart [00:13:41] Abstain.

Pete Hassemer [00:13:44] Thank you. The motion passes with one abstention, Mr. Lockhart. And so we will have that letter drafted and reviewed by the leadership team and sent by the date and time specified on there. Further discussion on this agenda item? I'm not seeing any hands shoot up. Chair Pettinger. Oh, Corey Ridings then the Chair. Corey.

Corey Ridings [00:14:22] Thanks Mr. Vice-Chair. I just wanted to thank Mr. Lockhart and NMFS for highlighting the National Academies studies for us. We've heard and read a lot today about making sure the tribes are included in the process and trust obligations are honored around offshore wind. So when it comes to this study, I would just ask or suggest that NMFS carry back a message that when they are recruiting for folks to be the experts as part of this study or this report, that that includes tribal scientists and indigenous knowledge holders as part of that.

Pete Hassemer [00:15:00] Frank.

Frank Lockhart [00:15:01] Thank you for the comment Miss Ridings, and I'll definitely bring that back to others and NMFS that will be involved in the contract there.

Pete Hassemer [00:15:12] Now Chair Pettinger.

Brad Pettinger [00:15:14] Yeah, thank you Vice-Chair Hassemer. I'm kind of wondering if maybe we might want to write a letter maybe to BOEM asking them to delay the Oregon auction. We have tribal litigation occurring right now. There's been a vineyard wind disaster with the blades breaking up and all the debris coming ashore. Oregon has a roadmap in place to move forward with offshore wind. We had a Scotland study group trip that happened this last month. It was very informative. It shows that we're very, we're a long ways away from actually having units in the

water. I think Scotland's probably way ahead of us in wind energy and they're a long ways away from that. And so I'm kind of curious what the appetite for the Council may be to write a letter to BOEM asking to delay that auction until some of these things are resolved. And so I thought I'd kind of see just what the, gauge where people are at, if you want to go forward with that I'd make a motion to do that.

Pete Hassemer [00:16:28] Look around, see if there's any follow-up discussion regarding that. The suggestion of a letter to BOEM.

Brad Pettinger [00:16:41] Okay.

Pete Hassemer [00:16:42] I'm not seeing any hands. It could be done through a motion which is very specific or through guidance.

Brad Pettinger [00:16:50] I think guidance might be probably fine here I think.

Pete Hassemer [00:16:53] And this is one that, my assumption is there is no timeline regarding it so it would go through our normal QR process?

Brad Pettinger [00:17:04] I think we have til the 15th, well the auction's the 15th of October I believe, right? So there's time for a QR I believe.

Pete Hassemer [00:17:14] Any thoughts on that? Or do we need to elaborate on that more? Christa.

Christa Svensson [00:17:23] Yeah, I guess I'm a little confused about how it would move from guidance as opposed to having a motion where if we just said yes we were doing it or no we didn't. I'm not opposed. I think we certainly have heard from Oregon stakeholders fairly extensively that they are interested in having a robust conversation and really understanding more what is going to really be the impact. So I would be supportive I think. I'm just a little surprised, which is okay, but unclear as to how we would be moving if it was just guidance rather than a full fledged motion.

Pete Hassemer [00:18:13] Executive Director Burden.

Merrick Burden [00:18:16] Yes, thank you Mr. Vice-Chairman. And I appreciate the question Miss Svensson about the difference between guidance and a motion. My perspective, just as the Executive Director, is that if there is easy consensus on something then guidance is usually fine. But just by the nature of your question, I would propose that we just make a motion if there is any question about how to move forward.

Pete Hassemer [00:18:41] Okay, thank you. And I have Mike Harrington.

Mike Harrington [00:18:47] Yeah, thank you Vice-Chair. I just want to just mention that ODFW would abstain from that guidance and a motion. That's all.

Pete Hassemer [00:19:01] All right. Let's turn back.....oh, Sharon Kiefer.

Sharon Kiefer [00:19:08] I'm a little concerned in that, you know, there isn't.....we know the date of the upcoming lease, but we really have not had a conversation around this table in terms of how many others have already asked that question? And essentially at some point are we kind of putting the Council's reputation and information kind of in a pot of flailing at the wind, so to say, with that coming up so soon? And so I for one would want to know what will, who has already asked for because I'm assuming probably there has been request to delay, but we haven't had that conversation or gotten that information. And are we just, and has it fallen on deaf ears all the others who have asked? And that too we really don't have that knowledge and so I'm a little uncomfortable about the recommendation.

Pete Hassemer [00:20:19] Chair Pettinger.

Brad Pettinger [00:20:20] I believe the Governor's Office of Oregon has asked him to hold off because of the legislation, the House bill that went through. You know, I think across the country when you see wind leases, for the most part the governors or the city mayors, whatever, have been in favor of doing that. And I think Oregon really stands out as a state entity saying hold off, we have a process, a two year process roadmap to doing this, and I think we're really an outlier. The fact that they're moving forward with that request really breaks the mold of what we've seen the last few years. And I think that based on what we've learned of what's happening right now with the litigation, what's happened this summer with the vineyard wind, I don't think it hurts, right? It really hurts. I mean when the wind energy representative tells me that it will be 15 years before we're going to put something in the water, I don't know what the rush is. And given all the other issues I think it's probably applicable, or it's a good use of the Council's time, and I don't think we're putting to do the request. Thank you.

Pete Hassemer [00:21:45] Corey Niles.

Corey Niles [00:21:48] Maybe we could get Mike to clarify, but I thought what the Oregon governor requested was that no construction happened until the roadmap process was complete. But either way out of respect for the governors roles in this process I would also be abstaining from such a motion.

Pete Hassemer [00:22:15] Corey Ridings.

Corey Ridings [00:22:16] Thank you Mr. Vice-Chair. Thanks Mr. Pettinger for bringing this up. You know we didn't have a ton exactly in our MPC Report to look at this. I'm trying to quickly review what was written here. To me what you're suggesting does sound consistent with everything that we've talked about today and if my memory can be trusted the longer arc of discussions and letters that this Council has written on this topic. That being said, if this moves forward, regardless of whether it's a motion or guidance, I guess I would ask that a draft be provided to Council members presumably through some sort of QR process, just so we would have a chance to get into the details a little bit more, understand a little bit more what exactly this is looking like. Our Council staff has been really excellent on this topic for several years now. I really trust them but would want to sort of see a little bit of the background that I think Sharon was talking to there. And just make sure our rationale and logic here was clear. I also share some concerns. I want the council's thinking and reputation to remain strong and make sure that our voice is one that people

are listening to and not sort of chasing random bits, but yeah, that would be my request if this moves forward in whichever manner it moves forward.

Pete Hassemer [00:23:53] All right. Thank you for that. And it's a good time for me to clarify then on the process since I have the gavel. We we will do this one through a motion if there's a desire to do that. Putting the process before we have any letter and if there is that it would go through a QR process so everyone would see that, so that would be our process. Executive Director Burden.

Merrick Burden [00:24:23] Yeah, thank you Mr. Vice-Chairman. Just as we, as I try to wrap my head around what this sort of letter would look like, it would benefit me to hear a little more discussion perhaps from you Mr. Chairman about what you would envision the letter containing. Would it just be a very simple, short and sweet letter? Would it have some additional rationale? Would it have a subsequent ask? If we were to say please hold off would we then follow-up by saying and do something else? Just a little bit more discussion about what you envision the letter containing would help me.

Pete Hassemer [00:24:58] Thank you. Before I turn to the Chair there, I see Mike Harrington had his hand up. But again, in terms of the process, my expectation would be a motion would include the specificity so it's clear to everyone what we were asking for. But with the Chair's permission there, I'll go to Mike Harrington first and then give the Chair time to prepare his comments. Mike.

Mike Harrington [00:25:33] Yes, and I will.....thank you Vice-Chair. And I'll be really quick here. I was just wanting to confirm that Mr. Niles clarified the Oregon governor's view correctly, that no construction until the roadmap is complete, and that's it. Thank you.

Pete Hassemer [00:25:50] Thank you. Now Chair Pettinger.

Brad Pettinger [00:25:53] Okay. Well I think the rationale was there to do it. And I guess the clarification as far as what the Oregon governor letter was for. But I think given the understanding that we've, with things we've learned here this summer with the vineyard wind disaster as far as the debris coming ashore, I guess which is not a....it's a fairly common thing, my understanding is in the wind farm industry. Given we have a tribal lawsuit happening currently, and the fact that there isn't a Oregon roadmap to move forward, and I think it's kind of, it's not really an honest discussion. Not really honest I don't think the lease out land if we haven't said it's okay to do it. And I think it's, I think that my letter would, my request would be to hold off on a lease agreement until Oregon completes that roadmap, which is what the legislative body of the State of Oregon has asked for. And due to the fact that we're literally over a decade out of having something in the water. It seems kind of ridiculous to move forward so quickly on something that's so far out as far as moving forward and building. Now if you want to do that, that's fine too but I'm just going to.....

Pete Hassemer [00:27:16] One moment please. Kerry did you want to add something there?

Kerry Griffin [00:27:27] Well I was just looking for clarification. I don't know if this is the right moment. Brad, you said hold off on a lease agreement. But earlier I think you said hold off on a lease auction. So I think that's an important detail.

Brad Pettinger [00:27:43] Thank you.

Kerry Griffin [00:27:43] Okay, auction is what you meant.

Pete Hassemer [00:27:45] All right.

Kerry Griffin [00:27:45] Thank you.

Pete Hassemer [00:27:45] So we're getting ahead of that. Sharon Kiefer.

Sharon Kiefer [00:27:51] So just for clarity, I hear Oregon saying that the Oregon governor position is no construction until the roadmap is completed. Does that include no lease, because those, you can have a lease and no construction. So I'm just trying to get clarity on that policy position.

Brad Pettinger [00:28:18] Well no one's agreed to not construct, right? I mean they've asked, but no one said the lease winner or the people putting submitting the lease, submitting lease bids have not said that they're not going to construct. So I mean, I think if you don't have an auction, you don't have to worry about a build-up or build-out. The governor's request has not been answered about the build-out.

Pete Hassemer [00:28:54] Right. Christa, did you want to add something?

Christa Svensson [00:28:59] So I just have a question. I know I'm full of questions this morning on this topic, but I sense some unease, I guess is the word I would use, in terms of moving forward. Not because people aren't interested in the process, but in terms of if we don't know what's in the letter, we haven't had necessarily a super robust conversation around the letter. And I'm just wondering in the QR process, is there an off ramp? Meaning normally, you know, when I read it I say, yep I approve. But if enough of us don't approve of the content of the letter, is that, would that essentially stop the letter from moving forward if we don't have that ability? And I realize October, I think you said 15th there, is bearing down upon us quickly, not quite as quickly as the third, but still rapidly. So just trying to help get all of us to the point where we can feel comfortable with what is in that letter should we choose to have one really is my first piece. And then the second piece in hearing Miss Kiefer's question about construction, wondering if within that letter one of the recommendations would be a term in those leases should they proceed, be that no construction occurs until the Oregon roadmap is completed. So just putting that thought out there but interested to hear more about the QR process in terms of is there an off ramp if this doesn't go the direction that Council members who are interested in having a QR Letter think it is going.

Pete Hassemer [00:30:55] Executive Director Burden.

Merrick Burden [00:30:58] Yeah, Thank you Mr. Vice-Chairman. And I appreciate the question Miss Svensson. Our QR process, the rules and the way that they're set up, what they would entail would be if the Council directs us to draft a QR letter, that the default is that we're going to do this and that it requires really just a response from one person from each state. In practice, we have pulled back on QR Letters, but our rules don't actually contemplate that. They contemplate if you're

going to give us direction to do a QR Letter we're going to do it. I think your point is a good one and we have in practice, like I said, pulled back if there's a strong objection or a lot of people objecting to the direction of the letter. And so I'd be happy to take that under advisement if that addresses your concern.

Pete Hassemer [00:31:52] Aja Szumylo.

Aja Szumylo [00:31:52] Thank you Mr. Vice-Chair. I just wanted to offer, I did a quick search on how other Councils, the Mid-Atlantic and New England Council in particular, have approached similar issues. And I found a letter, one example letter, where the Council, or both Councils together reached out to BOEM to recommend that they not publish the final sale notice until the outstanding issues identified in this long letter have been resolved. Work with fishing industry to identify document and resolve issues related to the lease area and transmission and several other things. So yeah, to Miss Kiefer's point there, there is record of similar correspondence that hasn't necessarily resulted in any response from BOEM. And then I think to the question of like the standing of the Council, or the reputation of the Council in doing that kind of thing, there is some standing relationship with other Councils with BOEM and a stance of asking them to investigate things further. And so again, just back to the critical support that this body has provided industry, I don't think that there's another single venue where that kind of outreach that Mr. Pettinger is suggesting can be passed through. So we potentially play a role that other groups aren't filling to channel this communication to BOEM. It's not saying that that will do anything, but it's worth considering.

Pete Hassemer [00:33:32] All right. Thank you. And a bit of a process check here. We've been discussing almost trying to draft the letter on the floor here. I'm going to turn back to Chair Pettinger, who offered that and see what direction he prefers to go on this?

Brad Pettinger [00:33:50] Well, I think it would be good if we could, but I think we're getting wrapped around the axle here and the specificity we're probably looking for might be a little too much in the timeframe. So maybe I'll just back off for now and we'll just, and we'll just move forward on the day.

Pete Hassemer [00:34:10] Okay. Thank you. Excellent discussion we've had around the topic. I'm going to ask Kerry how we have done on this topic? Is there more we should tackle here?

Kerry Griffin [00:34:26] Thank you Mr. Vice-Chair. You have completed your business for this agenda item if there aren't any other requests or Council discussion. It's pretty open ended, the Council action, so but if there's not more, then you've completed it. So what I've heard. The first motion was to send the letter in response to the request for information on offshore wind energy transmission based on the outline that was in the briefing book and taking into consideration AB reports and Council discussion. And Miss Szumylo also made a suggestion of adding some of the other concerns that maybe aren't directly related to the energy transmission but have been voiced by the Council in the past. That seems reasonable. I will note that the RFI itself has a page limit and a font size limit and a margin limit and a file size limit. So we already are in drafting this, and just so you know, especially a member, maybe more of a Habitat Committee have already begun fleshing this out into a full letter. So we've been working on it behind the scenes for awhile and

we'll keep doing that, but we're already pushing up against the 10-page limit. But that said, I think we can be efficient and capture all the suggestions that were included in the motion and in the discussion. One thing I wanted to check with Council leadership is that typically these letters are sent by the Council Chair. And so I'm assuming that this one would also bare the Chair's signature. Okay. Well, I think that was a good.....oh, the last thing I wanted to mention is that a couple of years ago the Council did send a letter to the Oregon governor and the Bureau of Ocean Energy Management requesting the pause. I think there may be more than one letter. So just, it was just sort of triggering those memories. You have requested a similar thing in the past. I realize that your, you didn't move forward with it this time, but it did make me remember that. So anyway, that's the direction I have. We'll finish off that RFI letter. I'll work with members of the MPC and the HC to get a staff letter to Council leadership and we'll take it from there and we'll get that sent by the deadline.

Pete Hassemer [00:37:13] Thank you Kerry. I'll look around make sure everybody's good with that. There's nothing else we need to discuss? And not seeing any hands that will close out this agenda item.

2. Equity and Environmental Justice (EEJ) – Gap Analysis Framework and Regional Implementation Plan

Brad Pettinger [00:00:00] All right. I now open the Council floor for discussion. Corey Ridings.

Corey Ridings [00:00:08] Thanks Mr. Chair. I just wanted to provide a few reflections on the regional implementation plan. I had a chance to look through it since it was posted in the briefing book and just a few thoughts. First, a thanks to Maggie and NMFS for the work. I really appreciate the approach that's been outlined, the openness, the willingness to listen and learn. The little open door that Maggie just confirmed does, in fact, exist. Also the internal commitment to the work is really nice to see. Regarding this type of work, nobody has all the answers. This is by definition a collective effort so I think that even just underscores the importance of the approach that the agency is taking and I appreciate that. I want to talk a little bit about one of the key components that I read in this and something that I've heard from NMFS and we have discussed, which is identifying underserved as well as unserved communities. And I noted there's some.....in the report it talks about kind of starting with who you know and going from there. And that is certainly one way to go about that and I think that should be done, but I also think we need to do a little bit more. Histories and ongoing practices of exclusion, marginalization, and violence are critical to understand why some people may be rendered invisible, but they are potential beneficiaries or interested parties that may want to be part of fisheries. So noting that they may be out there but may be very hard to find. Just continuing to think of that in our mind as we approach this work and try to identify those folks and think about, continue to think about ways that go beyond simply the folks that we know. Similar and sort of along those lines is making sure that in this process we do consider history. I know that can be tough. I know I've spoken about this before. I didn't see much of that in our IP, which is just to say that we do need to consider the history about how we got to where we are to move forward, to understand those harms and make sure that we're not reproducing them. And I, that entails a certain aspect of accountability, accountability for us as an institution, NMFS as an institution, and trying to understand what that accountability looks like moving forward. Also, I think it would be great to see some sort of acknowledgment and address of anti-equity, narratives of victimhood, co-optation of equity language and concepts of notions of justice, or a simple lack of understanding can all lead to additional harm being done to communities, so it's critical that we avoid these as we move forward. And by we, I mean both the Council and NMFS to try to avoid doing further harm. And again, that can be perhaps easier said than done, but there are certainly bodies of literature out there and many people working on this that can help NMFS and help the Council move forward in that direction.

Brad Pettinger [00:03:37] Okay. Anyone else? Okay, I don't see anybody else. I'll take a motion. Oh, John did you want to? Okay. When you're ready.

Sharon Kiefer [00:04:25] Should I read it? Mr. Chairman, I move the Council adopt the Equity and Environmental Justice GAP Analysis Framework Draft Work Plan as presented in Agenda Item C.2, Attachment 2.

Brad Pettinger [00:04:42] Is the language on the screen accurate?

Sharon Kiefer [00:04:42] Yes Mr. Chairman, it is.

Brad Pettinger [00:04:45] Looking for a second. Second by Christa Svensson. Thank you Christa. All right. Please speak to your motion.

Sharon Kiefer [00:04:53] Mr. Chairman I actually have had some reservations regarding this particular issue, but I found the draft work plan to be reasonable, rational, understandable, and framed within a context that supports the Council's management activity. In particular, I go back to a conversation that we had around this table where Mr. Joe Oatman, who I greatly respect, articulated a vision of Equity and Environmental Justice really as fish for underserved communities. And again, I think this compliments that expectation and so thus the reason for my motion.

Brad Pettinger [00:05:46] Thank you Sharon. All right, questions for the motion maker? Discussion on the motion? Christa Svensson.

Christa Svensson [00:05:57] Yeah, thank you Mr. Chair. And thank you for the motion. I will be supporting the motion. This topic is certainly something that I have been a pretty staunch advocate for from the beginning and I do think that it is important for us to continue to talk about. I think we have, hopefully most of us have heard different conversations the days we've been here, it hasn't even been a week but it feels like it, around what this topic is and what it can encompass. And just some of the conversations that I've had this week have been around advisory bodies. They've been around subsistence and making sure that we incorporate that. It's been around how do we include communities that are lesser served than some of our communities that have more access to National Marine Fisheries or our State Departments or other resources. Even in the conversation this afternoon we've heard about, hey, how do we bring language and not necessarily other languages besides English into the conversation, but really comprehension of our documents and how we engage with the public? And that can be something as simple as being colorblind and not seeing things on the screen quite the way others do. So I'm appreciative. I'm appreciative of the work that the group has done in terms of identifying the framework for the GAP analysis. I am encouraged to hear that we are going to continue moving forward with it, and I am thankful for the public testimony today saying, hey, get a move on it once a year probably is not enough. And hearing from our Chair, why that has been in terms of Year-at-a-Glance and that we are probably a little more open to having this topic on more than once a year. So with all that being said, thank you for the motion and I do look forward to supporting.

Brad Pettinger [00:08:15] Thank you Christa. Anyone else? Well, don't make me call for the motion, or question here, but you're gonna. All right. I'm gonna call for the question. All those in favor signify by saying "Aye".

Council [00:08:31] Aye.

Brad Pettinger [00:08:31] Opposed no? Abstentions? All right, the motion passed unanimously. Thank you very much. Very good. And I'd just like to say that the GAP analysis, the items for consideration was well done by the staff so. Okay, any further discussion before I turn to Angela? Okay, Angela how are we doing?

Angela Forristall [00:09:01] Well, you have received a report from the National Marine Fisheries Service on the regional plan, and you have adopted the GAP Analysis Framework Work Plan, which was your action under this agenda item, So your work here is complete.

Brad Pettinger [00:09:15] Very good. Okay.

3. Inflation Reduction Act Projects – Check In

Brad Pettinger [00:00:00] That takes care of public comment and takes us to Council action. A reminder this is a check-in so we do have some action before us. So with that I'll open the floor up for discussion. John Ugoretz.

John Ugoretz [00:00:22] Thanks Mr. Chair. I appreciate the updates. I think the work plans give us a little more clarity, but from my understanding there's still some flexibility there as we move forward over time. These are three years' worth of work. I don't anticipate things to look exactly the same when we finish than when we started. I am concerned about workload. I look at the timeline, the proposed Gantt chart, I see a lot of advisory bodies and Council points on those timelines where we are doing things so I think it's something that moving forward we have to keep an eye on. I'll note the Ecosystem Work Group asked, you know, how these projects relate to the Climate and Community Initiative and some of the future work that the Council had identified as possible within that? My recommendation would be that we don't pursue additional Climate and Communities Initiatives while we're doing these 3 IRA projects. There is a lot of overlap. The IRA projects will get us towards some of those other actions and I think it would be better, we would be better served to look at what we get out of these projects and see how it has furthered other work once we're done to help reduce workload and help not duplicate efforts. I think the EWG has been given a very large role here. It extends their work for another 3 years. They've got enough on their plate. I'll also note that we heard a little bit back and forth about the Highly Migratory Species Management Team. They had five points requesting some clarification and support from the AS for getting some clarity on those things. I think from what I've heard and from my understanding that the management teams take on those points is correct and it's in line with what we're expecting for Project 3. And that's sort of my advice back to them moving forward. Thanks.

Brad Pettinger [00:02:53] Okay, Thank you John. Anyone else? Christa.

Christa Svensson [00:03:02] Thank you Mr. Chair. I am going to lend support to what we just heard in terms of the points for the HMS Management Team and their understanding reading through all of those this week. I thought they were very sensible and I do think we spend a lot of time on wording and verbiage, not only on the Council floor but through all of our advisory bodies, and making certain that we're clear that that is the direction we're heading would be beneficial in that project. I do want to pick up on the HMSAS advisory recommendation to prioritize Project 3. I will continue to hit home about the need for finding paths forward for all of our fishermen around HMS. And I know I throw numbers out, usually between 50 million and 90 million in terms of opportunity just for swordfish, but with the amount of bluefin that we've also got now available to us and the need to really focus on how we're going to get those fish caught as well, I think that there is some urgency to that project in addition to what was brought out on the floor today. So others may feel differently. I certainly think we have the ability to work on all three in tandem, but I do think that we've made some good steps already on that one in terms of solidifying things by having that workshop earlier this year as kind of the starting off point, although I do agree that there are a lot of other parts and pieces from that workshop that are a bit out of the scope of Project 3.

Brad Pettinger [00:04:53] Thank you Christa. Corey Niles and then Lynn.

Corey Niles [00:05:01] Yeah, thanks Mr. Chair, and thanks John and Christa. I guess I would have a few points. I would agree mostly with John said and fully, but in terms of we can't take on any more initiatives. But I don't think that means that none of those other ideas, those pieces that are out there, might fit within one of these current initiatives. So I wouldn't want people to, because these grants are still, the ideas are still somewhat high level and has room, therefore, to bring some of those other ideas from the scenario planning into them where they fit. Christa, when I hear you say prioritize, the third one, my mind is I think we need to give staff just.....I think Merrick and staff have asked for some leeway on how to do this, and I just I don't see how you prioritize one and get all three done by the end of 2027. So I think my thought is we're going to have to lean on, give more leeway to staff than.....we typically do give leeway to staff but maybe more so in this case. I'm figuring what order and what sequence and how they're all going to get these done. So I just don't know if I can fully agree with that. Agreeing with the spirit of what you're saying, I just don't know how you prioritize one when you need to get all three of them done on the same timeline. But maybe you're seeing it more clearly in these things happen first. That and I said I know this all came out pretty fast and there was a lot of worry about not having the normal input from advisory bodies. And I just want to thank Gilly and Merrick and all involved for.....I think you're bringing it back to our normal way of doing things in getting input from the advisory bodies and so I thank you for that. And my last point was Merrick we asked, back in June I believe it was, there's some great suggestions about how we move forward on planning these projects, but Heather, I think during meeting planning, asked about how the Science Center's activities would fit into this and somewhat proposed a workshop of can we hear from the Science Centers? And while you're work planning for these and seeing how they do and do not mesh, et cetera, and you said that would be something you look into and into doing. So just want to.....I still think that's of interest because the Science Centers have some, maybe some temporary resources, but some significant resources for decision support tools. And I know you've been coordinating at the staff level but I think would still be helpful for the greater Council, everyone around the Council to hear more about what the Science Centers they're doing as well. And yeah, not meaning to disagree with anything that has been said here, but those are just the thoughts in my head. And it is somewhat daunting, but also a good opportunity to get some things accomplished. And yeah, and also lastly, it was on, under I.4 and that Jaime brought up and Brad spoke to it is, you know, we do have this dynamic of having these extra funds for long term thinking while also facing this, these challenges of short term funding challenges and data collection, and so I think that's something to keep thinking about here of how do we use these projects to set us up for the long term, but also continue to emphasize the importance of our core data, our data collection and assessment activities.

Brad Pettinger [00:08:35] Thank you Corey. Lynn and then Aja.

Lynn Mattes [00:08:38] Thank you Chair Pettinger. Don't take these remarks to mean I'm not supportive of these projects, but something that came up in our delegation meeting this morning is what are the tangibles out of these 3 IRA projects? We are going to be pulling, spending a lot of resources, yes there's some new funding and we have Miss Lyons on board now, but some of our management teams and ASs are going to be pulled from time to time to work on this other stuff. What are the tangibles going to be at the end of these three months then that we're going to have to say this is how we're making our fisheries better compared to allowing those people to be

working on the trawl catch review or inseason or others? I just felt I needed to share that conversation and that comment this morning since the person who said that isn't here to give public comment. And then too, it was in the EWG Report I believe, about webinars or workshops to kick things off, try to get everybody started on the same page. I know those would have to happen sooner than later to get started. There's some other processes we've been going through here just in the 18 months I've been a Council member where if we had maybe had taken a half a day, six hours, or whatever to get together and talk about things maybe the process would have gone better. So I want to show support for somehow getting workgroups or the interested parties, the people who are going to be doing the work, getting them together sooner than later to kick-off who is going to do what, when, where, and how, I think will help make the process go smoother. Thank you.

Brad Pettinger [00:10:13] Thank you Lynn. Aja.

Aja Szumylo [00:10:17] Thanks Chair Pettinger. A lot of, I'm going to be quick because a lot of what I was thinking was said by other people, I agree with what John and Corey are saying about the EWG. Yeah, to voice concerns that came up earlier and things that I heard that I've been hearing throughout the week and, yeah, sort of what I heard in there not being a GAP statement and then in Miss Diamond's comments that, yeah, we're not spending, we're not getting the chance to spend money on like these maintenance things. Brad, you said the same thing earlier. We can't spend money on like the actual management stuff that we have to have this slug of money to spend on other stuff. But I'm still really hopeful, particularly about the first item on the list. And I really like Miss Diamond's framing of, like, maybe efficiency comes in like, or yeah, climate efficiency and resilience comes in making the processes that we have already better and kind of re-channeling that thought back into how we can use that money to make things that we need to do go smoothly and go quickly. And so I'm just saying I'm hopeful. I want to encourage people to be hopeful and imaginative with that money to not just look out into like the wide future of possibilities, but also just like, yeah make that, use this space to make what we do run smoothly and efficiently as possible. So yeah, I want to look at this with more hope than sorrow about the things that we're not able to do. And that's all.

Brad Pettinger [00:11:48] Thank you Aja. All right. Corey Ridings.

Corey Ridings [00:11:53] Thanks Mr. Chair. Welcome Miss Lyons. It's great to see you here and I'm glad we have someone to guide us through all of this. So thanks for coming on board. Just a couple notes. Just agreeing with my namesake across the table regarding giving leeway to staff in terms of moving these three projects forward, the timeline. I appreciate everything that's been said about the flexibility required there, the workload that might come from this and just noting that efficiency is going to be important, so encourage that leeway. Wanted to endorse the ideas for cross-cutting work that Council staff put forward in their PowerPoint, especially looking at coordinating with the Science Centers and the Regions with the CEFI work, the Climate Ecosystem and Fisheries Initiative. As we have been briefed before, in addition to the money and the funding that we've received to do this work, NMFS has received a substantially larger amount of money to do similar work. So let's absolutely make sure we're taking advantage of that. So thank you for bringing that up and making that suggestion. Similarly with the linkages to the EEJ strategy, that seems to make very good sense. Was looking at the EWG Report, I think most of that was already

covered by other folks. There was a couple things in there. I think John mentioned the nexus with Climate and Communities Initiative outcomes and the EWG mentioned that. So I agree, I think that's really important. I see some of that has already been noted in the documentation put forward by Council staff, but continuing to lean in there and really take advantage as much as we can about the work that was already done thinking about climate and how that is impacting our fisheries and our communities. And then also agreeing with Miss Mattes about the kick-off workshops. Those sound like a good idea as well. And then finally, I just wanted to endorse the staff recommendations for the EAS and the EWG Roles in compositions document. So that seems to make good sense as well, and thanks again for putting that together and hopefully adding some clarity and some good ideas about how they can, those groups can help the Council move through this process.

Brad Pettinger [00:14:29] Thank you Corey. All right. Oop, Christa.

Christa Svensson [00:14:35] Thank you Mr. Chair. Just wanting to speak for one moment about prioritization because I don't want to give the impression that, hey, this is a do or die, we must have only one. I do agree with you Corey, actually both Corey's that we need to turn our staff loose and especially the Executive Director in terms of finding the balance of moving these projects forward. When I was talking about prioritization, really I was thinking more about the monster Gantt chart and that we've done a fair amount of work in the HMS realm already and it may be beneficial to get some of that Council floor time early in the process on those projects. What we have, contractors as an example in Project 2 doing work, so it's really more thinking strategically about we have X amount of floor time, we have a tremendous amount of work to do and 3 years seems like a really long time but it's going to creep up on us very quickly. So certainly not saying, hey, we should only do one or let's throw extra resources at it, but just being mindful of the work that we already started in June on that project and helping to prioritize. So I will leave it there. I will leave it in your solid hands but just wanted to reflect that no, that was not an intention of, hey, we should pick one over the other, but more a reflection of there's a lot of work and we need to think about balancing how we're going to get it all across the floor.

Brad Pettinger [00:16:16] Executive Director Burden.

Merrick Burden [00:16:19] Yeah, thank you Mr. Chairman. I appreciate this discussion quite a bit. And Miss Svensson I think this question is mostly directed to you, but I invite anyone to weigh-in. When I heard the discussion of prioritization or the term that was used, what I took that to mean was your personal interest in that topic. And if I'm interpreting that correctly in that you, as any Council members are particularly interested in a topic that would help us think through how we structure the workload around that. So do we have a visible workshop or do we say, hand something to a contractor and tell them to come back two years later? I mean those are very different bookends but maybe you get my point. So if by prioritization you mean a very visible thing in our Council process, we can work with that.

Christa Svensson [00:17:11] If I may, since you just asked me the question and I'm sure others may weigh-in, I'm actually pretty passionate about all three projects. I serve on the EEJ Committee. I think that that is an amazing opportunity in Project 2 to help bring some of that work forward. I think hearing more about Project 1, there's a lot of opportunity there and I did really like the way Miss Diamond brought forward in her testimony the possibility of leaning into the work that we're

doing to optimize and prioritize that work. The reason why I am focused on Project 3 is not necessarily so much about HMS, It is really about affording opportunity for fishermen and communities when we have heard consistently for the last, I don't even know how many years, that we're having fewer and fewer opportunities. And so that EFP process, how we get people on the water, how we give them more opportunity to go out there, to me personally is a bit more tangible than some of the others. I think that they're all critical, but that really is why I'm leaning into that project. It isn't so much about HMS as it is about giving fishermen opportunities, and I just think that that's really critical today, or this day and age, however you want to put it.

Brad Pettinger [00:18:43] Thank you Christa. All right. Keeley Kent.

Keeley Kent [00:18:47] Thank you. A little slow on the draw. I think this has come up a little bit, but I just want to note that some of the questions around the EWGs role, which are in the documents, my understanding was that was, their question was not explicitly tied to whether additional Climate and Communities Initiatives would happen, but I think that role hasn't been fully discussed and so I'm assuming we'll have opportunity for further discussions, whether that's today or in the following agenda items for IRA projects in the future.

Brad Pettinger [00:19:21] Thank you Keeley. Oop, Executive Director Burden.

Merrick Burden [00:19:27] Thank you Mr. Chairman. And Miss Kent if I understand your point correctly, what I would suggest is that if you do have a vision for the type of function or role that the EWG or EAS would play, it'd be helpful to discuss that here. When it does become time to formally restructure potentially either of those groups, that's, you know, of course a membership appointments type of agenda item and so we would take that up on day last, either this meeting or another meeting if we're not ready yet. But I do think some discussion here, if there is a desire to change some things around that, that discussion would be beneficial at this time.

Brad Pettinger [00:20:06] Okay. Keeley.

Keeley Kent [00:20:07] Thanks. Yeah, I think generally we support what's in the EWG Report, you know, their thoughts on their role going forward. And I think one of the aspects was pointing out the potential limitations of the expertise on the group right now, whether there would be opportunity for other expertise to be brought in and sort of that, that role of reviewing versus generating. And so I'm not suggesting anything new or different, just highlighting what they put in their report and I think we agree with that perspective.

Brad Pettinger [00:20:42] Okay, thanks Keeley. Anyone else? Lynn.

Lynn Mattes [00:20:46] Thank you Chair. On that topic, since the Ecosystem Work Group is an ad hoc work group, this is a process or procedure type question, can we just modify their duties or do we need to sort of disband that group and create a new like IRA work group? I know we want to keep the EWG work group for later ecosystem things, but other than maybe tweaking the membership and their charge a little bit, do we need to do anything formal under, like an agenda item on Monday to allow the EWG to do this work?

Brad Pettinger [00:21:28] Director Burden.

Merrick Burden [00:21:30] Yeah, thank you Mr. Chairman. I would propose that we make any of those changes on Monday. I would not propose us disbanding and then reconstituting a new group. I don't think that step would be necessary.

Lynn Mattes [00:21:42] Thank you.

Brad Pettinger [00:21:45] Okay. Corey Niles.

Corey Niles [00:21:50] Thanks Mr. Chair. Merrick sorry, did you..... I might have heard you say the opposite. Did you say on Monday or not on Monday?

Brad Pettinger [00:22:02] Director Burden.

Merrick Burden [00:22:02] I did not say not on Monday.....(laughter).... I would propose we do that on Monday.

Corey Niles [00:22:08] Well just for.....to remind folks I'm also on the Ecosystem Work Group so I don't want to speak for the group and I know Tommy's online and Lynn spoke to earlier, but I think the gist of the suggestion was we'd like to have those, not maybe not workshops, but kick-off meetings where there's more and there's a couple group members in the audience here that can have those meetings first where you get a little more information about tasks and roles for each project, and then people might have a better idea of what the EWG can be helpful with and not. And that's not going to happen before Monday which was my thought.

Brad Pettinger [00:22:51] Director Burden.

Merrick Burden [00:22:53] Yeah, thank you Mr. Chairman. And if that is the general consensus that we're not quite ready to specify any new actual seats, then I would request that when we do get to Monday having a clear, what's the word I'm looking for, like mission statement or charge, I guess is the word I'm looking for the committee that reflects the IRA projects, that would be helpful and that would help us then move forward with the expectation of what that committee or working group would be doing for the next couple of years.

Brad Pettinger [00:23:25] Aja.

Aja Szumylo [00:23:26] Is there a place where the existing charge is detailed?

Brad Pettinger [00:23:31] I'm sorry.

Aja Szumylo [00:23:31] The existing charge for the EWG is detailed? Is there a place?

Brad Pettinger [00:23:38] Director Burden.

Merrick Burden [00:23:39] There's not a clear charge. I believe Miss Gilly Lyons has summarized some of the history of that working group, but admittedly the record is fairly sparse.

Gilly Lyons [00:23:54] Thank you Mr. Chair, and thank you for the question. Yes, I think there is some language on the EWGs web page on the Council website under its operational guidelines that describes its charge as being very focused on the development and implementation of both the fishery ecosystem plan and associated initiatives. So that's sort of.....but I don't know if that's truly its charge in a more formal sense, but that's how it's described under its kind of operational guidelines as presented on the Council website. So there may be an opportunity to shift that emphasis a little bit to the IRA focus as there's some language in the staff recommendation that was, that was pulled out as an excerpt in the EWG Report as well that just sort of focuses on the IRA projects over the next three years as a sort of a priority focus, but also leaving room for the possibility of other ecosystem needs and work as it comes up as well. So there is some language to maybe play around with potentially. Thank you.

Brad Pettinger [00:25:02] Yeah, it's probably good to point out that K.3 and the resulting elections or appointments in November is for 3-year appointments and the EWG is an ad hoc group and a little more flexibility as far as what we do there so we know that everything's figured out in the short term. So okay. Lynn Mattes.

Lynn Mattes [00:25:24] Thank you Vice-Chair. I know this is my third time speaking on this item so I'll try to make it short. As we consider and think about moving the role of the EWG, let's not forget that the items that we talked about yesterday under the ecosystem agenda item we've assigned to them some work over the winter to come back to us in March. So I just don't want that to get lost as we're having discussions on their new role and things that they'll be taking on. We've already assigned to them some work to come back in March. Thank you.

Brad Pettinger [00:25:55] Okay. Thank you Lynn. All right. Well we've talked about this quite a bit. It's good information and good discussion. I'm looking to Gilly to see how we're doing since no one's raising their hand.

Gilly Lyons [00:26:07] Thank you Mr. Chair. I think you're doing great. You have discussed the work plans, the timelines, and the other draft materials in the working book and provided guidance on thinking about these things in totality and in relation to other work that's happening in front of the Council and thinking about some exciting next steps about kick-off workshops or webinars. And you've also talked about the role and composition of the EWG and the Ecosystem Advisory Subpanel with respect to this work, and also with respect to their other priorities at the moment. And I think we have some great sort of next steps to work with going forward we can bring back to you at a future meeting. Thank you.

Brad Pettinger [00:26:51] Well thank you Gilly. Great, great work by golly on your first time in the seat. All right, with that I think that takes care of C.4 I believe it is, no, C.3, and I think we'll probably take a break.

D. Habitat Issues

1. Current Habitat Issues

Pete Hassemer [00:00:00] Okay, that completes our reports, public comment. Takes us to Council discussion and action. Considering the Habitat Committee Report and recommendations. There are a couple of suggestions, recommendations for letters in there. I'm going to look around for a hand to initiate discussion on this topic. Marc Gorelnik.

Marc Gorelnik [00:00:28] Thank you Vice-Chair Hassemer. And I guess I'll kick things off so we don't have to suffer in silence. And I'll refer to the second Habitat Committee Report having to do with California salmon, Sacramento River specifically. This Council and our stakeholders have been concerned about the decline of the Sacramento fall Chinook and other stocks. And we've sort of sat here around this table trying to deal with the consequences of the collapse. And of course the only knob we have to turn is what is to restrict fisheries. And the collapse isn't a consequence of overfishing really. It's a consequence of the decline of natural production in the river. And the decline of the natural production is a consequence of choices made by federal and state actors. I've said here many times before that all we can really do is write sternly worded letters. And that's true, but it goes a little bit further than that actually. Congress has decided that when we express concerns about Essential Fish Habitat, that the National Marine Fisheries Service is supposed to go to bat for us as to actions taken by federal or state agencies. And this is codified in Section 305 of Magnuson. And we often refer to 305, Section (B)(3) in our letters because that's the portion of Magnuson that gives us the prerogative to weigh-in on actions taken by federal or state agencies that would affect habitat, including Essential Fish Habitat. But beyond section (B)(3) is Section (B)(4). And Section (B)(4) provides that if NMFS receives information from us that actions taken by a federal, state agency would adversely affect EFH, NMFS shall recommend to such agency measures that can be taken to conserve that habitat. We've written a number of letters, and to my knowledge the National Marine Fisheries Service has never satisfied its obligation under Section (B)(4). And beyond that, when the concern is addressed to a federal agency, Congress has provided in Magnuson that that federal agency shall provide a detailed response in writing to the Council, and of course we don't get that either. So the Habitat Committee Report summarizes concerns we have had. It refers to past correspondence that we have sent to which we've not received any response. And so I don't want to cut off discussion here, but I think it's time for us as a Council to send a new letter collecting together our past concerns, perhaps even including our past correspondence. And you know, whether that's concerns expressed to BOR, or State Water Resources Control Board, and of course, as in our past correspondence, has always been sent to NMFS. And we need to remind NMFS of its obligation so that maybe our sternly worded letter, our next sternly worded letter may go further than our past. So I would endorse the Council sending a new letter incorporating the recommendations of the Habitat Committee with regard to the Sacramento River habitat, and especially those recapping past concerns we've expressed.

Pete Hassemer [00:04:51] Thank you Marc. Further discussion? Butch Smith.

Butch Smith [00:05:00] Thank you Mr. Vice-Chair. And using those same sightings that Marc just gave, I could apply those to the Columbia River Dredging Plan, which has the same potential as adverse effect. One is taking toxic dredging material and placing them in another area of the

river, stirring them up and releasing them. The other is taking Essential Fish Habitat for smolt rearing and filling it in. And then thirdly, we all know ten years ago the, maybe more now, the Confederated Tribes of the Columbia River did a most excellent job on avian birds. One island we were losing 25 million smolts a year off of and now we have the potential of making more of those islands for the same habitat. And so I think those things really have the potential on the Columbia River of doing the same thing as Marc pointed out down in the California Sacramento basin. So I'm not as up on these things, this letter writing stuff that we do, but I certainly would, if we could piggyback and interject on one letter, I hope that would make the same points. I would certainly be for entering at least those things that are glaring. I'm sure there's other things that I've missed, but certainly taking dredge spoils and making more islands, although they describe them as lower islands, but it's just the same, there still would be dredge spoils out of the water and that worries me that there's a lot of area there that we need for smolt rearing and I'd hate to see that get covered up. And so anyway, thank you Marc for your lead in those sightings on those sections, but I think those same things that Marc, like I said, would apply to the Columbia River Dredging Plan. Thank you Mr. Vice-Chair.

Pete Hassemer [00:07:29] Thank you. Further discussion? John North.

John North [00:07:34] Thank you Mr. Vice-Chair. And kind of building I guess on what, where Butch was at, in reference to that lower Columbia River 20-year dredge disposal plan and the associated EIS, I've actually spent some time reading the Appendix E of the plan which details the proposed fill sites in the Columbia, and from what I can tell there's about 94 proposed sites extending over 80 miles downstream of Bonneville. And some of the sites are upland out of the water, but most of them are inwater fill of some sort, beach nourishment, confined aquatic sites, or inwater shallow sites, which is what Mr. Smith was referring to, not elevated islands, but fill nonetheless. The combined capacity of these sites is 64 million cubic yards, and the proposal includes placement of over 13,000 feet of new pile dikes. Other than the obvious impacts to the benthic communities and filling in popular fishing sites, it's challenging when you look at the document to evaluate the cumulative effects, but I think any plan that is going to direct more water down the channel is going to result in less flow into the large estuary, leading to sedimentation and shallower depth and more invasive plant growth. And considering that all the smolts in the Columbia River pass through the estuary, I think there's pretty good concern about the effects of this plan given its magnitude. So I just wanted to share that and kind of reinforce, you know, our speaking to the issue.

Pete Hassemer [00:09:37] Thank you John. Corey Ridings.

Corey Ridings [00:09:41] Thanks Mr. Vice-Chair. I just wanted to note my appreciation for Mr. Gorelnik's recommendation that we forward our past letters and highlight some of our concerns to NMFS. And especially highlight why we should expect responses from those as you highlighted. I also just wanted to I guess ask a clarifying question from what Mr. Smith said. Mr. Smith uses the word 'piggyback', but I understand the letter that Mr. Gorelnik is proposing would be to NMFS, whereas I think the one you were talking about would be to the U.S. Army Corps of Engineers. So I just wanted to clarify that to make sure I understood what you were talking about.

Pete Hassemer [00:10:35] Okay Butch.

Butch Smith [00:10:36] Thank you miss.....I know when I'm called Mr. Smith I'm always in trouble so.....(laughter).... So anyway, well Corey I think it may be both for the Columbia River because NMFS, you know, is watching out for an ESA listed damage that could be done to ESA listed salmon and they certainly wouldn't want to acerbate that problem. So I guess for sure to NMFS and if we could send our concerns to the Army Corps of Engineers also for the Columbia River. So I think maybe it's a, one is a piggyback onto Marc's letter, if that's okay. But if it's not we got to do it separately on the NOAA side, but also maybe if we could send a letter to Army Corps stating the same concerns we have. I think both are applicable in this case, certainly on the Columbia River. Not because of the two agencies that, you know, have to recognize ESA on the river there. So I hope I didn't confuse you more. So you can call me, so you can call me Butch. Thank you.

Pete Hassemer [00:11:48] Thank you. Corey, a follow-up. And then Marc had his hand. Sharon Kiefer also. Corey.

Corey Ridings [00:11:55] Thank you Mr. Vice-Chair. Thank you Butch. Yeah, I think we're on the same page. I just want to be crystal clear. Just knowing what the letter that the Habitat Committee around the lower Columbia dredge was specifically going to be sent to the Army Corps of Engineers. So I'm hearing you say, yes, let's do that one as well as if we were to do the letter Mr. Gorelnik proposed, just highlighting also the concerns that we are potentially going to put in this letter to the Army Corps as part of that letter as well. Is that accurate?

Butch Smith [00:12:29] Spot on.

Pete Hassemer [00:12:32] All right, thank you. And just for clarification, we're back into writing letters or drafting letters here that I appreciate your clarity. The Habitat Committee had one specific that they would draft a letter regarding the dredge. Now I'm going to turn to Marc. Clarification on that piece....

Marc Gorelnik [00:12:52] Yeah, this is a clarification. The Council writes to the agencies that are taking the action, right? Army Corps of Engineers, Bureau of Reclamation, State Water Resources Control Board. It's not a letter per se to NMFS, but NMFS is included in it so that there's no doubt that they're aware of the Council's concerns and therefore it triggers obligations under Section 305.

Pete Hassemer [00:13:19] And the letter you suggested would be gathering up others or describe what your intent is.

Marc Gorelnik [00:13:28] Well, the letter from September of 2022 was addressed to both BOR and State Water Resources Control Board because State Water Resources Control Board has the prerogative to set standards, but it's the Bureau of Reclamation that's taking the actions. And so independent of whatever the State Water Resources Control Board would order, BOR has an independent obligation, I believe, to safeguard Essential Fish Habitat. So even if the State Water Resources Control Board wasn't even around, we would still be expressing concern to BOR about water flows and temperature. Now, there's also an issue of trying to get the State Water Resources Control Board to put teeth behind what it's supposed to do. So it's really, that issue was addressed to both. And you know I don't have, I mean we can go through that list, those list of concerns. I

would sort of defer to Council staff as to how to formulate the letter, whether they should do one to a federal agency and one to a state agency, or whether they're susceptible of being combined. It makes sense for Sacramento River stuff, which is of course is different than the Columbia River concerns. I don't want to get into the mechanics of how those letters get written, but they do need to be addressed to the agencies that are taking action, the agencies whose decisions are affecting Essential Fish Habitat. And then NMFS is not actually taking those actions, It's the other agencies.

Pete Hassemer [00:15:10] All right, thank you. Sharon Kiefer.

Sharon Kiefer [00:15:14] Thank you Mr. Vice-Chair. So going back to the Lower Columbia River Dredge Material Management Plan and Environmental Impact Statement, the Habitat Committee has made a very specific proposal, even though for the Quick Response process to provide a draft letter for Council review, we have once again a very quick turnaround. But Mr. Chairman, again checking in on process, can we just provide guidance with a head nod around the Council or do we need a motion?

Pete Hassemer [00:15:50] We can go either way on that. And we have in the past that it's the Council's desire here. I will look around on the dredge material one. I think it's fairly clear. Again, it would be the Habitat Committee drafting. If everyone is comfortable with that, that would still come back to the Council for the quick review. So is that process okay? Just guidance that, yes, the Habitat Committee would take up writing that, drafting that letter and then put it through our normal process. That's what we would do there. John North.

John North [00:16:37] Mr. Vice-Chair, just checking but if I recall, we've already directed the Habitat Committee to do that in previous meetings.

Pete Hassemer [00:16:50] I see Kerry shaking his head affirmatively. Can you add something to that?

Kerry Griffin [00:16:58] Well, I'm trying to remember if the direction was to go ahead and draft the letter and send it, or if it was continue to track this issue and be prepared to draft a letter. I'm sorry, I don't remember exactly. But yeah, the Council has given strong guidance that when this comes out for comment, we intend to submit a letter.

Pete Hassemer [00:17:21] Yes, and with that then I think we're confirming that we should send the letter. Okay. You good on the the dredge material now? And then another letter regarding Sacramento River issues that would go to, I'm assuming, well, I shouldn't put words in your mouth Marc.

Marc Gorelnik [00:17:45] Yes. I, you know again I, you know, the past correspondence was driven by the two agencies I've mentioned. I imagine a future letter will also go to those agencies identifying our concerns and the actions that are taken, that are being contemplated or are being taken. That has to do with Habitat Report 2. There was, and then there's also this draft EIS to which we need to respond as well. And the habitat Committee has indicated it's prepared to prepare a draft.

Pete Hassemer [00:18:20] And have let me look back. That draft EIS was in Report 2 also. Okay. Marci, where are you raising your hand? Go ahead.

Marci Yaremko [00:18:32] Yes, thank you Mr. Vice-Chair. It was on that point about the comment period having already closed on September 9th. It was my understanding per reports from our Habitat Committee member that the crafting of that letter was already underway in hopes that we could get that letter submitted to them soon. And again, it's narrowly on this particular point about the draft EIS which is kind of a separate topic from the recommendation from Mr. Gorelnik. I just want to be clear that that work is underway and maybe if someone can update us on when we expect that draft to come to us, recognizing that maybe we want to act quickly on that given that we're outside the comment window.

Pete Hassemer [00:19:31] Executive Director Burden.

Merrick Burden [00:19:33] Yeah, thank you Mr. Vice-Chairman. Just on this point on the Central Valley EIS, I did take a page out of our colleague Mr. Virgil Moore's playbook, and I sent a letter to them saying, please be on the lookout for a letter from us a few days after the close of the comment period. So they are expecting that from us. In terms of when we would have a letter together, I'd have to defer to Mr. Griffin.

Pete Hassemer [00:20:02] Kerry.

Kerry Griffin [00:20:02] As soon as possible, recognizing that the comment period has closed, and I think in good faith we should not let it linger for weeks and weeks and weeks. So this will be a priority for the Habitat Committee and staff to get something ready for Council review as soon as possible.

Pete Hassemer [00:20:29] Thank you Kerry. And recognizing that there's a date for the quick review on the dredge material and this one is also in a hurry mode. The Habitat Committee will be drafting both of those. So their agreement then, the guidance that the Habitat Committee prepare the letter on the draft EIS and that will ASAP, whatever that means. But that will go through our quick review process also. And that's two letters. And a third letter to the Bureau of Reclamation as described by Mr. Gorelnik and outlined in Habitat Committee Report 2. Is it clear what that would be for everyone here? Marc.

Marc Gorelnik [00:21:31] You mentioned the Bureau of Reclamation, but I think there's also tasks that it also needs to be addressed the same or parallel letter to the State Water Resources Control Board.

Pete Hassemer [00:21:40] Yes, I'm sorry. The two agencies there, but pulling from prior letters we have written. And that is on, could be on a longer timeframe realizing there are a lot of letters to write here, but would still be done before our November meeting, so it would be a quick review process somewhere between now and then. Is that agreed? I'm not seeing any disagreement here. So Kerry, how many letters are you going to have people prepare?

Kerry Griffin [00:22:29] I think we're up to 4 or 5 so far for today on day one of your Council meeting. I do want to clarify one thing with regard to the Marc Gorelnik letter, we'll call it that Marc. He made the point of referring to the Magnuson Act and the implementing regs that talk about a requirement to respond in detail. In our prior letter from two years ago, and I don't know about the other ones, we didn't specifically cite that or call it out, but I think what I'm hearing is you would like that element incorporated into this letter. So listing, capturing previous comments and concerns and recommendations and saying you need to respond to us in writing in detail, correct? Okay.

Marc Gorelnik [00:23:18] Yeah, I think that with regard to the Council's authority under 305(B)(3). That's usually, I think what we site when we say we have an obligation under Magnuson to address threats to Essential Fish Habitat, or there's some language that often appears in letters. As far as reciting before, which refers to NMFSs obligation, I don't think it's appropriate to put that in that letter. I think that has been made very clear here in our meeting and maybe it would be the subject of maybe a conversation or a note from the Executive Director to NMFS when those letters get transmitted.

Pete Hassemer [00:24:09] Kerry.

Kerry Griffin [00:24:10] I don't want to get too far diverted, but I think that the implementing regulations are where a federal action or state action agency that receives recommendations from the Council is obligated to also respond. So there's a parallel, you know, NMFS comment and response requirements, but I might need to go dust off the regs, but I think that there's a requirement for, you know, non-NMFS agencies to respond to our letters.

Marc Gorelnik [00:24:45] I'd have to take another look at Magnuson, but my read is that at least as far as federal agencies are concerned, their obligation to respond is triggered by NMFSs correspondence to them following the Council letter. And I don't think that the Magnuson puts that obligation on state agencies, I don't think, but I'm not an expert.

Pete Hassemer [00:25:21] Okay, I'm gathering there will be a strongly worded letter. I believe NMFS is in the room listening to this discussion. Further comment? Corey Niles.

Corey Niles [00:25:34] Well, that's on a different.....it's back on the dredge thing, and Butch might have the same, but it does say in the Magnuson Act that they have to respond if they receive a letter from the Council in 30 days, a federal agencies, other federal agencies. But I have another point that I can hold off on on the if we're still.....

Pete Hassemer [00:25:54] Go ahead, I think we're ready.

Corey Niles [00:25:56] Well, I think John and Butch brought up a couple, and Joel in public testimony, on just the content of the letter. There was at least some perception that the Habitat Committee couldn't comment on cumulative impacts such as creating new bird habitats. But as I think Butch and others would be suggesting that's included, and it would be, you would think of that falls under the umbrella of cumulative impacts if you're going to create new habitat for species that are predators on smolts. I don't see why that would be out of bounds, but I just wanted to

make.....I think there was some question about whether that could be included, and to me I just wanted to vocalize that.

Pete Hassemer [00:26:40] Okay, thank you. And I think Kerry has that note.

Kerry Griffin [00:26:47] Yes, thank you. We did confer with our salmon staff officers, noting that there's a couple of impacts here that are not directly related to habitat, like increased predation and things like that. So our intent is to develop the draft letter, consult with people who live in the salmon world, and incorporate that into what would be, you know, a Council letter. It's not just a habitat letter, It's a Council comment letter so, which I think is where you're going with this, right? Okay, thank you.

Pete Hassemer [00:27:17] All right, thank you. So I think where I was.....I don't want to close off discussion, but I'm not seeing any hands. I think Kerry captured, or maybe you should summarize for us again just so we remember, please.

Kerry Griffin [00:27:41] I believe that you have directed three letters to be written. One is a comment letter on the Corps of Engineers Dredge Materials Management Plan for the placement of dredge material. One is in response to the Bureau of Reclamation Central Valley Project Operations Draft EIS. That comment period just closed but Mr. Burden sent a letter before the comment period closed and said, we're going to send you something. And then the third letter is, the one that Marc Gorelnik suggested that would go to the Bureau of Reclamation. And he'd left a little latitude, but and to the State Water Resources Control Board that reiterates our concerns and requests a response and probably will quote the appropriate Magnuson Act section. So three letters and they're in priority order. I'd say the Central Valley Project is the first priority. The Dredge Material Management Plan comment period ends October 7th, so we're on a timeline there. And then the other one is not on quite as, it doesn't have a deadline, but we don't want it to linger. You want it to be done before the November Council meeting is what I heard. Did that sound right, Mr. Vice-Chair?

Pete Hassemer [00:29:12] It sounds right to me, but I'm going to look around to the deciding body here and make sure everyone is comfortable with that. Let's see agreement. Executive Director Burden.

Merrick Burden [00:29:24] Not to cut off the head nods here, and I do see a hand to my left. But I would just add that I think given the discussion here, what I would intend to do is work with Kerry to make sure that the strongly worded letter language that we referred to in the Marc Gorelnik letter, that there's something similar in all three letters that we're very clear on the ask that these agencies respond. So I don't think there would be objection to that but I just want to be clear.

Pete Hassemer [00:29:51] All right. John North.

John North [00:29:57] Sorry, I just wanted to check. Were all three of the letters, because I was trying to compare the habitat Committee Reports and in one of the Central Valley ones it says the Habitat Committee will contribute to a letter. And another one it says it'll draft the letter. So are

all three of these letters coming from the committee or is, or any of them from Council staff or maybe the third one?

Pete Hassemer [00:30:27] Executive Director Burden.

Merrick Burden [00:30:30] Thank you Mr. North. Per usual practice we tend to have a good partnership, and depending on the letter, sometimes the committee will take more of a lead than staff. Other times, the staff will take more of a lead. So we just figure that out and Kerry, you know, sometimes will take the lead and other times a committee will take the lead and they'll get done. But if you do have a specific request that one entity take the lead on it, I'd be interested to hear that, but otherwise we just, we work it out and it seems to work okay.

Pete Hassemer [00:31:08] Okay.

John North [00:31:08] I'm good. Thank you.

Pete Hassemer [00:31:11] Any further discussion on this agenda item? Marci Yaremko.

Marci Yaremko [00:31:18] Yes, thank you Mr. Vice-Chair. I just want to take a minute to thank the Habitat Committee. There was a lot of work done here and they were very responsive to the requests that we made to them in April. I know they've, these reports have been quite a while in the making. I saw many communications cross my desk looking for information, looking for confirmation of activities. The format that they use, particularly in Report 2, to give us a status of things they're tracking versus the action items they're putting forward to us at the moment, I think will serve well for future reports to us on the topic of Central Valley water ops. Then looking to Report 1, quite a variety of topics and Dr. Greene, just a shout out to you for the work on the habitat indicators and the refinements and keeping the Habitat Committee active in those discussions. I know that's where they started some years ago and it's just great to see how the work's progressed. And we look forward to what we'll be seeing in the March ecosystem status review. So I just want to sing out a lot of praise to the Habitat Committee. They've been very busy and done really great work.

Pete Hassemer [00:32:47] Yes, thanks to the committee for the past work that led up to all this discussion, and some pre-thanks for the work they'll do in the next week drafting some letters. I appreciate their attention to it. So any other comments, discussion? Looking around not seeing any, I think that completes this agenda item so we will close it out.

E. Salmon Management

1. National Marine Fisheries Service Report

No transcription for this agenda item.

2. Methodology Review - Final Topic Selection

Brad Pettinger [00:00:00] That concludes public testimony and brings us to Council action, which will pop up on the screen. There you go. So I'll open the floor for discussion. Marci.

Marci Yaremko [00:00:22] Thank you Mr. Chair. I don't want to prevent any early discussion, but I would be ready with a motion when the time is right.

Brad Pettinger [00:00:32] Okay. I did see Corey Ridings maybe trying to put her hand up before I...Corey.

Corey Ridings [00:00:36] Thanks Mr. Chair. Actually, this is a little bit more of a question. Just reflecting over the break on the conversation that we had in regards to actually how the conversation opened and thinking about how these methodology reviews work. And I clearly need to refresh myself with the COPs, but it was my understanding that, you know, these topics come forward. If they are selected they are then reviewed, and then they come back to the Council where the SSC essentially reviews the review and then reports back to the Council with sort of a BSIA determination and a recommendation for use. And then the Council decides sort of how to move forward with that. I heard Miss Forristall say that moving things forward now reflects an intention to use them, and I'm curious if I might just get a little clarification on that. Do I understand the process correctly as I just described or is there something more that I'm missing?

Brad Pettinger [00:01:50] Okay, well I'll turn to Council staff to clarify that. Angela.

Angela Forristall [00:01:56] Yes, thank you. You did describe the process correctly. That is how we will move forward. I think just my intent with that comment was we wouldn't be expecting the Council to be moving anything forward that they wouldn't, in theory, intend to implement for the next cycle if given the outcomes of the review, pending the outcome of the review.

Brad Pettinger [00:02:23] Okay Corey? All right. Very good. Thank you. All right, anyone else before I turn to Marci?

Marci Yaremko [00:02:37] Yes, thank you Mr. Chair. I've sent a motion to motions.

Brad Pettinger [00:02:45] Okay.

Marci Yaremko [00:03:11] I move the Council approve review of the first two of three methodology review topics proposed by the Sacramento River Work Group in Agenda Item E.2.a, SRWG Report 1, September 2024 as follows. Number 1: The derivation of proxy SMSY, SMP ratio, and FMSY value suitable for use for Sacramento fall Chinook. Number 2: Sacramento River fall Chinook cohort reconstruction and comparison to the Sacramento Index.

Brad Pettinger [00:03:45] Okay. Is the language on the screen accurate?

Marci Yaremko [00:03:47] Yes it is.

Brad Pettinger [00:03:49] Looking for a second? Seconded by Dani Evenson. Thank you Dani. Please speak to your motion Marci.

Marci Yaremko [00:03:55] Yes, thank you Mr. Chair. Speaking to topic one. The Council appreciates the work group's effort to identify and derive new reference points that ultimately are expected to be used to revise the Harvest Control Rule. They've done an awful lot of work in a short amount of time. Between the two work groups, they've met monthly, three days a month, three workdays a month have been set aside for work of the Klamath and Sacramento Fall Work Groups, and they've made a huge amount of progress in a very short amount of time. The data that is currently informing the existing reference points, like SMSY and FMSY are extremely old. The conservation objective is over 40 years old, and likely the current reference points don't represent the current Sacramento fall Chinook stock productivity. So this was the motivation behind establishing the work group to get them up and running to revisit these reference points and bring them in line with contemporary data. However, given the large hatchery component of the Sacramento fall stock, a stock recruit analysis like we just recently received for Klamath fall Chinook specific to Sac fall isn't possible, so the work group's been exploring the use of other West Coast stocks that will be looked at as proxies to help inform the development of these new reference points. Those stocks are most likely to be representative of Sac fall and the work group has had, you know, lengthy discussions and analysis of this in considering what stocks are appropriate as proxy stocks and bringing forward that work for methods review is certainly going to advance the work group's work on developing and refining the new reference points for Sac fall and allow the work group to keep on track with its core work to update the reference points, the conservation objective, and the Harvest Control Rule, which are the top key items in the work group's Terms Of Reference. Moving to Number 2 and the cohort reconstruction. This has been something that has been on the methods review list and on the desired work plate for many, many moons. It has come up as a topic in discussions about methods review, about stock forecasting, about harvest modeling, and up until now there was not work to review. We'd done literature reviews, but actually, I mean this is groundbreaking work. This is new and exciting and this first look at the cohort reconstruction that's now been undertaken by Emily Chin, I know folks are very excited about the prospect of what this cohort reconstruction will mean for, also for informing our reference points, and also for other uses in harvest modeling, et cetera. So moving this topic forward for methodology review makes a lot of sense, and I think the outcomes will be widely informative. Regarding topic 3, which is not on the list in this motion, I know the discussion today for me has been very heavy and there are a lot of different bodies that are talking about forecasting and improvements to forecasting and buffering forecasting, and some of those are within the Council venue. Others are beyond the Council venue. There are discussions going on between agency staff, elsewhere, workshops that are focused on improving forecasting techniques and management of Sac fall and other West Coast stocks. My feeling is there is an awful lot to unpack just undertaking the first two methods review topics on the Sac Fall Work Groups list, and meanwhile we've got work going on in the CCIEA arena and the EWG to incorporate covariates into forecast models and the work developing risk tables that we will hear much more about tomorrow in ecosystem Agenda Item H.1. I think it's important to recognize that the proposed changes to the reference points that will come out of these first two items, or I should say that the development of revisions to the reference points, likely will result in far more conservative management in terms of allowable exploitation rates and based on, you know, understanding of stock productivity. That work is underway and just, you know, thinking about our current Harvest

Control Rule that we have for Sac fall and the maximum allowable exploitation rate of .78 which is the default for Chinook stocks, looking at these proxies that the workgroup has been examining over the summer, the work that they're putting forward for review suggests that a more appropriate exploitation rate is down at .58. And then that would be reduced down to SABC I believe of .52. So the impacts and the consequences of this in our management arena have yet to be understood, yet to be seen, and so I feel like letting this work on reference points continue and let's take this stepwise will allow us to, I think more clearly about what the next steps are. So the work groups task, we've tasked them with the conservation objective updates, the reference point updates, I think that's enough for one methods review cycle. And just those tasks are ambitious. The need for coordination with the other salmon groups, the STT primarily, but also the Ecosystem Work Group, plans looking ahead into the reports in the next agenda item are being made for an over-winter meeting with the key groups to continue examining approaches for integration of ecosystem considerations into the forecasting and management processes. I feel like moving ahead with the narrow focused item proposed in topic 3 kind of sets the wheels in motion for the application of that approach using groundfish style uncertainty buffers, which may or may not be the best choice. We don't know what other choices might be out there, but I think I would like to have a better understanding, more holistic understanding of how we might account for uncertainty in our salmon stock forecasts and what tools might best be integrated into our management process and certainly rely on the expertise of the STT to help us think through how we best do it. So the STTs cautions on this item resonate with me. When they kind of hold up a yellow warning sign it gives me some pause. And a lot has happened over summer and I think we need to just give an opportunity for groups to meet and discuss and we all need to marinate on some of this I think as new information becomes available. Thank you.

Brad Pettinger [00:13:02] Thank you Marci. Questions for the motion maker? Discussion on the motion? Corey Ridings.

Corey Ridings [00:13:15] Thank you Mr. Chair. I would like to propose an amendment.

Brad Pettinger [00:13:22] Okay. Please.

Corey Ridings [00:13:28] It will go after Number 2. Be a new Number 3. Uncertainty metrics and buffering approaches for SRFC forecasts.

Brad Pettinger [00:13:58] Is that it?

Corey Ridings [00:13:59] FRSC. Sorry, SRFC.

Brad Pettinger [00:14:12] Okay. All right so that is your motion? Accurate? Okay. All right so do I see a second? Seconded by Christa Svensson. Thank you Christa. Please speak to your amendment.

Corey Ridings [00:14:30] Thank you Mr. Chair. I just want to start by thanking Miss Yaremko. I appreciate that she put out the initial motion here. As she noted, there's been a lot said on the floor today and this is a lot to chew on. So it's a lot to think about, there's a lot of moving pieces, but I appreciate the discussion and dialogue. I guess from where I'm coming with this, just doubling

down that understanding uncertainty is really important. We've heard that from our SSC multiple times that reviewing a new peer reviewed method to apply to our forecasting makes sense to me, regardless of whether there's other work being done to better understand the larger impacts of the ecosystem on salmon management broadly, or whether there's other work being done to improve salmon management on the Harvest Control Rule or reference points. This is obviously incredibly important as well. I'm hearing good things about some work that Dr. Correigh Greene is doing regarding risk tables in conjunction with Ecosystem Initiative 4, but I don't know much about this yet. And any product that comes out of that will be nested in the existing salmon management process. Whether our forecast uncertainty is okay, as Dr. O'Farrell put it, or a bit better as topic 3 might help provide us. I'm thinking of this I guess similarly to how I approach trying to get better at viola, which is just because I'm practicing and I bought new strings and I downloaded some good books, it doesn't mean that taking lessons won't also help, or that taking lessons and buying new strings are somehow mutually exclusive when they're mutually beneficial. So I'm thinking about that as we're picking up potentially Number 3 as being additive as opposed to creating more tension or taking away from the other two items that we're looking at here. And I recognize, as Miss Yaremko said, that these are important and they are big. I'm thinking about this from the standpoint we heard of as a menu as well as ensuring that buffers aren't being counted multiple times, but I don't see this as impeding a menu. I see it adding to that menu, and it's just not clear to me how this produces multiple buffers, even though that's something that I am thinking about and worried about. However, when I got a chance to read the publication that Number 3 topic is based on, they did a retrospective analysis and actually found that in using some of their buffers that had been used, that harvest would have been up, which to me is a pretty enticing carrot. So given that the SSC recommends this and the workgroup recommends this and we heard that the workload was fairly minimal, I'm just not seeing a reason not to do this.

Brad Pettinger [00:17:33] Okay, thank you. Questions for the motion maker? Discussion on the motion? Susan Bishop.

Susan Bishop [00:17:44] Maybe this is just a point of clarification. I don't really understand the amendment. So is the intent to replace the third item here or is the intent to instruct a range of uncertainty metrics and buffering approaches to come back in for the methodology review?

Corey Ridings [00:18:03] Thanks Miss Bishop. I'm sorry if that is not the wording that was in the original document. I actually took that from the STT document, but that is meant to be an inclusion of the third topic to be sent out for a review.

Brad Pettinger [00:18:21] Okay. Thank you Susan. Rebecca Lent.

Rebecca Lent [00:18:27] Thanks. Can I just make a suggestion? Not directly related to either of the, sorry, not directed to the amendment but the whole thing.

Brad Pettinger [00:18:36] We're in discussion phase so please.

Rebecca Lent [00:18:39] Yeah I just thought we also talked a little bit about expectations for when these things are put through for part of the methodology review. Would it be helpful to add a statement related to the idea that these would not necessarily be forwarded for consideration in

management? I'm sorry, I'm probably doing this all wrong. I'll go back and read my Robert's Rules of Order. Thank you.

Brad Pettinger [00:19:07] So you're one clarification as far as what, if we do this what that means?

Rebecca Lent [00:19:14] I guess I'm just suggesting that that could be a further amendment, and if there's no appetite for that I'll hold back. Thanks.

Brad Pettinger [00:19:22] Okay. Okay, Vice-Chair Hassemer.

Pete Hassemer [00:19:35] Thank you Chair Pettinger. I just wanted to make a statement here. I want to speak in opposition to the amendment. This may be difficult because I think that work is very important, it's very valuable. But listening to the discussions we have had, I think there's certainly workload issues, I do think we need to consider that, but it's also a timing issue. Is this the right time to do it? Considering the amount of questions we had to the workgroup, to the SSC, and especially to the STT about implications related to this tells me we're just not ready to go down that pathway. At some point we would do that. Also the fact that, I mean we've, we're getting, keep getting ahead of ourselves referencing item H, whatever it is, when we bring up risk tables and there's a salmon topic there and the inter-relationship between these it is certainly isn't clear. Talking about using environmental variables to adding those into a forecast which can adjust forecast up and down and how all of that works and the application of risk tables which can move things, anyway I think when Marci spoke to her original motion why these two are important and the third isn't, and also looking at the STT description of why the timing isn't right, I agree with that. Anyway I would not support this amendment. Thank you.

Brad Pettinger [00:21:39] Thank you Vice-Chair Hassemer. Anyone else? John North.

John North [00:21:45] Thank you Mr. Chair. I guess just a follow-up. I generally agree with Miss Yaremko, the STT and the Salmon Advisory Subpanel that just to move items 1 and 2 forward. So I couldn't, I wouldn't want to support the amendment right now. I just think collectively doing all that stuff right now is just throwing too many balls in the air at once. And, you know, we're going to be looking at changes coming for a run reconstruction and new forecast models, and like Mr. Hassemer said, including environmental variables into that and risk tables, and so there's lots of moving parts aside from adding in uncertainty and buffering, so that's why I'd support the original motion.

Brad Pettinger [00:22:35] Thank you John. Anyone else? Discussion? Christa Svensson.

Christa Svensson [00:22:41] Thank you Mr. Chair. I, excuse me, I wanted to hear what Miss Ridings was proposing. I think it is helpful to have the full conversation. And I, at this point I'm in agreement with my own state in terms of not being in support, but I do think that it was worthwhile both in terms of seconding and in terms of the conversation around the floor to have this conversation and appreciate that this motion for this amendment was brought forward.

Brad Pettinger [00:23:21] Thank you Christa. Anyone else? I'm not seeing any. Oh, Susan Bishop.

Susan Bishop [00:23:30] Thank you Mr. Chair. I agree with Miss Ridings that the issue of uncertainty is incredibly important, but I think the question that I'm struggling with is, is this the right tool? And I'm not convinced that it is given the conversation that we had previously, or I'm not, I guess I'm not convinced that it's not, but I'm not convinced that it is to move it forward. Depending on how a couple of the other parts that are in play, and we talked about H.1 turnout, there may be policy questions about risk tolerance that the Council needs to take up as part of this issue, and that typically the Council had said that's not appropriate for methodology review. So my preference is that to underscore this is an important topic, but I would rather, I'm sensitive to what the STT said about the potential for double buffering and take this up when we have a better sense of the tools that the work group will use and to minimize that risk on that front. So not dismissing this, but a question of timing and tools.

Brad Pettinger [00:24:44] Thank you Susan. Anyone else? Okay, I'm not seeing any so I'm going to call for the question. All those in favor signify by saying "Aye".

Corey Ridings [00:24:57] Aye.

Brad Pettinger [00:24:58] Opposed no?

Council [00:24:59] No.

Brad Pettinger [00:25:00] Abstentions? Okay the motion fails. I'm not sure. Okay, all right. I think it's one, yeah. Okay the amendment fails and so we're back to the original motion. So looking for further discussion on that motion? I'm not seeing any so Executive Director Burdens ready? All right I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:25:33] Aye.

Brad Pettinger [00:25:33] Opposed no? Abstentions? The motion passes unanimously. Thank you. Okay. And so with that I'll turn.....Corey?

Corey Ridings [00:25:49] Thanks Chair Pettinger. Before we close discussion, which I think is where you're heading, I just wanted to quickly recognize something Miss Yaremko said, which was that she didn't have access to the paper that the third topic was based on. And I have to admit that when I clicked on the link my computer opened it, but I think that is because I'm a student and I have access to an automatic library that does nice things for me, like finds me papers. But I think that that's a problem when we are collectively trying to make decisions, when we're trying to involve the public in science, and I'm going to guess that there's not a simple answer to this. Publishing and sharing peer review literature is not straightforward in any way, but just noting that that is an issue and to the sense we can strive to at least recognize and improve that, I think that we should.

Brad Pettinger [00:26:50] Thank you Corey. Sharon Kiefer.

Sharon Kiefer [00:26:56] Just to let folks.....when I clicked on the link on my computer the article did come up. So, but I went to the link that was in the original report so you might.....I don't know which browser you're using. You might..... okay.

Brad Pettinger [00:27:16] Okay, very good. All right. Angela, how are we doing? Besides running late.

Angela Forristall [00:27:28] Not doing very well. You have reviewed three proposed items from the Sacramento River Fall Chinook Work Group for methodology review. The Council has advanced the first two items for a online methodology review which will take place on October 4th. And the Council did recognize that the third option does have merit, but it's not appropriate for this to be moved forward for review at this time given other ongoing work that is underway. And with that, I believe the Council has completed their work under this agenda item.

Brad Pettinger [00:28:00] Okay, very good.

3. Queets Spring/Summer Chinook Rebuilding – Range of Alternatives and Preliminary Preferred Alternative

Brad Pettinger [00:00:00] That takes care of our reports, takes care of public comment, which we have zero. Takes us to Council action so I'll open the floor up for discussion as needed. Let's see, Kyle Adicks, oh, David Sones please. Dave.

David Sones [00:00:20] Thank you Mr. Chairman. I just had a few comments that the Quinault Tribe had provided I wanted to offer before we go to vote. The Quinault Tribe worked closely with the drafting team on this rebuilding plan, providing recommendations on surrogate stocks for assessing ocean fisheries impacts in interpreting freshwater environmental conditions that affect stock productivity. The Quinault Tribe feel that the rebuilding plan is fair assessment of the data limitations related to the stock productivity and pre-terminal harvest. The assessment of freshwater conditions affecting the brood years contributing to 2019 through 2021 returns is accurate. The assessment of these marine conditions affecting the 2019 through 21 returns is cursory, but does attempt to, does attempt to relate ocean conditions to observed patterns of escapement. The Washington Coastal spring Chinook population are among the most vulnerable to rapid changing climate conditions that affect river flow and temperature. We are not supportive of the STT recommendation to initiate a review of SMSY for this stock. A review of the SMSY would merely be an effort to reduce the reference points to a level that does not trigger further PFMC review of the stock status. Efforts should be focused on improving information about the distribution of fishery impacts on the stock before beginning a review on SMSY. That concludes their comments.

Brad Pettinger [00:02:15] Thank you David. Okay, very good. All right. Now Kyle Adicks. Kyle.

Kyle Adicks [00:02:23] Thank you Mr. Chair. I appreciated Mr. Burns comments about not being an economist. I also am not an economist and I struggle a lot with dollar value metrics when used to evaluate the effects of fishery management alternatives, particularly when we're comparing commercial and sport fisheries, comparing ex-vessel values and various economic multipliers versus estimates of spending per angler trip versus personal income and so on. I think the analysis that's in Appendix C captures the range of economic loss across the two alternatives using the metrics it does. And I guess this is a question, I'm not sure who this is a question to, but does it capture, captured in a manner that's sufficient to meet the requirements as we move this plan forward towards completion and implementation? If there's something missing that's going to snag us as we move through the process to get these through the process it would be good to know. I think what's there does what I need to feel like I understand what the range of alternatives would mean economically, but just interested in if others have a perspective on whether we need more?

Brad Pettinger [00:03:34] Okay, thank you Kyle. Executive Director Burden.

Merrick Burden [00:03:39] Thank you Mr. Chairman. Just in response to Mr. Adicks question I guess about the economic analysis. We do have plans to continue working on this package and we are just at the PPA stage now. So you'll see a bit more analysis, including on the economic front in time for the FPA. So there may be more in there that persuade you to view things in a different light, I don't know what that would be offhand, but you will have another chance to consider this with a bit more information at that time. So I hope that addresses your question Mr. Adicks.

Kyle Adicks [00:04:15] Thank you Mr. Chair. Thank you Director. It does.

Brad Pettinger [00:04:20] Okay, thank you Merrick. All right, anyone else? Corey Ridings.

Corey Ridings [00:04:34] Thanks Mr. Chair. I just wanted to put this out there and thank the drafters for putting together the rebuilding plan. Listening to this discussion and reading the materials, it seems pretty clear to me that we need to start some sort of data collection program to understand the harvest impacts, especially in British Columbia and Alaska. I know that sort of thing is not exactly set up overnight and that is a challenge on all the fronts, from funding to collaboration to time to science to all those things, but it is a critical long term need for the management of this stock. I think that changing reference points is in the meantime, especially if they went down as that might be expected given what we've been provided as part of this plan, would permanently lower some options for harvest, and at the same time it would also take some of the pressure off of us, some of the pressure off of NMFS to get more data to work with Canada and Alaska and to hopefully restore habitat. Also, with all due respect to our Alaskan member, I find it a bit suspect that this is the first time as long as I've been a Council member that we have heard anything from them, and that's just a little flag that went off in my mind and I'm just sharing that. And I would like to dig in more and also request in the future, Miss Evenson thank you for that report. I don't see it in the briefing book so if that could be made publicly available that would be appreciated. Thank you.

Brad Pettinger [00:06:29] Okay Corey, thank you. All right. Corey you had your hand up right? Dani.

Dani Evenson [00:06:33] Well I was going to make a few additional comments, but first I'd like to respond to Miss Ridings in the accusation that I hadn't, I have not seen those coded wire tag recovery data before, so I was not expecting to see Alaska figuring in prominently into this discussion, that's what I was getting at. I can try and clean up my notes and submit something in the record. I wasn't planning to, and actually I really wasn't planning to give a management entity report, but I can make that happen. I do have a few additional comments to make. We do find ourselves in this box because escapements have been poor across three consecutive years. And based on FMP definitions, this means that the stock has met the criteria for designation as overfished and we have to take action. It's a small stock with a small escapement goal and an even smaller MSST. That is not to say that the stocks been performing well or that it doesn't warrant our attention, but the stock is presumed to be highly migratory and believed to have a far north migratory pattern. As such, it's managed under the terms and conditions of the Pacific Salmon Treaty. I want to make that clear to people. Chapter 3 of the Pacific Salmon Treaty. The treaty requires comprehensive and coordinated Chinook fishery management framework that is abundance-based. The treaty specifies fishery management obligations designed to maintain healthy stocks, to rebuild depressed naturally spawning stocks, to be responsive to significant changes in productivity, and really to provide a means for sharing the harvest and the conservation responsibility for Chinook salmon stocks coastwide between the U.S. and Canada, among other things. However, we don't have a coded wire tag indicator for this stock, and accordingly it is not modeled by FRAM for this process. You can't put it into FRAM and you can't put it into the Pacific Salmon Commission's Chinook model. So we do need more specific data in order to take a tailored

action versus closing all fisheries on the seaboard, what Tmin would suggest, which is not possible. So, you know, I want to make those things clear. We are also aware that there's no smolt trapping data, and all this makes it difficult to parse out freshwater marine survival and early marine survival in particular, which we know is important. So we're in this situation that is data-limited yet we have to take an action. And we've been told in the report that it is difficult to say what role, if any, ocean harvest has played in the overfished status or whether it's attributable to a perfect storm of unfavorable conditions in both fresh and marine ecosystems that this stock inhabits. But from the limited data available it appears that Council area fisheries have a minimal impact on this stock, which says to me additional Council area fishery restrictions are not a viable solution here. Taking this a step further, and I confess, I really do not understand the wisdom behind why this stock was included in the FMP in the first place since it's a small stock with limited data. It is characterized as providing minor contributions to Council area fisheries in Table 1.1 of the FMP. There are also several other stocks that fall under this category, and to me that suggests it might be appropriate to take a hard look at the FMP and update the list of stocks so we don't find ourselves here again in the near term trying to figure out how do we get out of this when we don't know? Commensurate with that, this is a fight for a different day, a battle for a different day, I would also advocate for an update of the descriptions that accompany those stocks, like with classifications such as significant contributions, minor contributions, negligible contributions, some of which aren't supported and some of which are loosely defined. So, you know, this one has been a tricky one for me and I'm flummoxed about what we can do to get us out of the box that also checks off all of the requirements we need to check off.

Brad Pettinger [00:11:56] Thank you Dani. Susan Bishop.

Susan Bishop [00:12:00] Thank you Mr. Chair. Is it, would it be appropriate to call Mr. Carey back up to clarify something I think is important to Corey's request for action?

Brad Pettinger [00:12:11] Sure, he's still in the room so I think he's up for it. Thanks Jon.

Susan Bishop [00:12:25] So Mr. Carey I think Miss Ridings had asked for some data collection program to begin to collect data so that we can better assess the harvest impacts in the ocean. What I thought I heard you say to a previous answer was that that data collection program exists so all of the fisheries in those areas are sampled, the tags are recovered that exist, but they have not been analyzed. And so that would be an important step to get at some, to help inform some of the data gaps. Do I have that correct?

Jon Carey [00:13:02] Thanks Miss Bishop for the question. Yeah, I believe you do. I think, and sorry if I wasn't clear originally, but the the point was that, yes, there's these tags that are getting released. They're getting recovered but the the post-analysis of those tags at this point isn't occurring. They're not an indicator stock that we track through the Pacific Salmon Commission like a variety of others that we do. But this stock, it's there, or the releases are there and it may just be the best proxy we have available for this stock. So all the sampling programs in the ocean are still ongoing. They're still recovering the coded wire tags, and they're still getting reported and expanded appropriately, it's just that we haven't been, you know, analyzing that stock or that program. So hope that helps.

Brad Pettinger [00:13:51] Thank you Susan. Thank you Jon. Corey.

Corey Ridings [00:13:55] Thanks Mr. Chair. Thanks Miss Bishop for clarifying that. Just to be extra clear, while we've got Mr. Carey here. So I think I misunderstood some things that Miss Evenson said. I thought we did not have the coded wire tags, which is what I thought I heard, but it sounds like we in fact do have the coded wire tags. They just haven't been analyzed yet.

Jon Carey [00:14:25] Okay, I could take a shot at that. Thanks Mr. Chair. Thanks Miss Ridings for the question. Yeah, if I'm following the conversation correctly and what I've heard from Mr. Evenson and others, I think what Dani, what Mr. Evenson was mentioning is that we don't have specific coded wire tags for Queets spring/summer, for the Queets spring/summer stock. We have other options to use as a proxy. We don't necessarily know exactly how perfect they are. They're likely not perfect, but we have this other stock that has been getting releases, the Quileute summer Chinook, and we do have tag recoveries from Alaska for those. We have tag recoveries from Canada for those. We have freshwater recoveries. So we have all the information, it's just that we need some time to dig into it, do some QAQC and try to formally work something up there.

Brad Pettinger [00:15:16] Corey.

Corey Ridings [00:15:19] Thanks Mr. Chair. Thank you very much for that. That's extremely helpful and clarifying. Just in quick follow-up, so going back to what is in the draft plan here, it says harvest impacts are unknown. If those coded wire tags for the proxy stocks were analyzed would they become more known?

Jon Carey [00:15:52] Thanks for the question. I think we have a sense. The problem again is having a proxy for the stock, so we don't know what Queets spring/ summer Chinook do. We make many assumptions up and down the coast for what coded wire tag program can represent what stock, and that's just an assumption we have to make. So trying to find the most appropriate proxy in the absence of coded wire tags for this stock is what we're trying to do. Again, what we did in this draft rebuilding plan was a crude assessment of those tags, given the short amount of time we had. We're recommending that I think it would be worth some additional investment in time and resources in looking into those.

Brad Pettinger [00:16:40] Thank you Corey. All right, anyone else? Anybody have a motion? Kyle Adicks.

Kyle Adicks [00:16:52] I do have a motion if we're through with discussion.

Brad Pettinger [00:16:56] Bless you. Okay. Please.

Kyle Adicks [00:17:00] It should come up on the screen in a second here. I move that the Council adopt the Draft Rebuilding Plan Analysis for Queets River spring/ summer Chinook as presented in Agenda Item E.3, Attachment 1, with the addition of Appendix C as presented in Agenda Item E.3, Supplemental Attachment 2. And identify Alternative 1 as the Preliminary Preferred Alternative for public review.

Brad Pettinger [00:17:27] Thank you Kyle. Is the language of the screen accurate?

Kyle Adicks [00:17:30] Yes it is.

Brad Pettinger [00:17:31] Very good. Looking for a second?

Sharon Kiefer [00:17:33] Second.

Brad Pettinger [00:17:39] Seconded by Sharon Kiefer. Okay, a little crowded here so all right, please speak to your motion Kyle.

Kyle Adicks [00:17:45] Thank you Mr. Chair. And thank you to the STT and all of the Tribal, State and Council staff for all their work on the draft plan. We had a good template from the relatively recent work on multiple coho rebuilding plans for Washington stocks, and although there was only a single stock to focus on this time, this plan offered a different challenge due to the limited data on fishery impacts on the stock and marine fisheries as we've heard throughout this discussion. That limited amount of data led to this plan looking only at a status quo alternative and a no non-treaty fishing in Council waters north of Falcon alternative. There just wasn't enough information to look at incremental reductions in exploitation rates like we did back in those coho rebuilding plans in 2019. I want to spend a minute highlighting the co-manager recommendations in the plan that were mentioned in Dr. Saviks presentation. Most of those recommendations are directed at habitat restoration and actions to improve productivity of habitat in the Queets basin. While the recommendations are more specific to Chinook, they are very similar to the actions that were recommended in the Queets coho plan several years ago as habitat, not harvest, continues to be the limiting factor for both Chinook and coho populations in the basin. Recommendations also included assessing hatchery supplementation strategies should returns remain chronically low, being precautionary in season of evidence of condition or abundance of Chinook is worse than anticipated, and trying to resolve uncertainty about distribution of the stock and fishery impacts coastwide through work with the Pacific Salmon Commission and other northern fishery managers. I recognize the comments we heard during the ADF and G Report and during Miss Evenson's comments. We will not be able to improve our understanding of distribution and the level of impact of this stock without cooperation with northern fishery managers and through the Pacific Salmon Commission process, and that was the main point I believe was being conveyed in the co-manager recommendations. The STT recommendation to investigate improving data on the stock is consistent with the co-manager recommendation to try to resolve uncertainty about distribution of stock impacts. The lack of certainty of where and when the stock is impacted is a recurring theme throughout the rebuilding plan and our discussion today, and would limit any reevaluation of management thresholds in the near future as noted by Mr. Sones in his comments. I recognize that the uncertainty created in modeling of minimum rebuilding times and management alternatives given the lack of data, but think the range of assumptions used in the analysis in the plan frames things as well as they can be framed with our current knowledge. Thank you to Executive Director Burden for clarifying that the economic analysis will be advanced a little more before we adopt the final alternative. Based on that, I've included the current Appendix C in my motion as the best information we currently have available. The rebuilding probabilities modeled across the range of alternatives and assumptions show us that an action as severe as closure of all Council north of Falcon non-treaty salmon fisheries is projected to have no effect on the rebuilding

trajectory of the population. Only under the no fishing anywhere scenario used in the team in analysis, coupled with the assumption of the higher impact of marine fisheries based on the impact of fisheries on Queets fall chinook, which have a very different run timing and susceptibility to fisheries, does the rebuilding probability reach 50% over the next 10 years. This lack of effect of Council fisheries on rebuilding, and the severity of the economic and social impact that Alternative 2 would have far into the future led me to include Alternative 1 as the Preliminary Preferred Alternative in my motion. Thank you Mr. Chair.

Brad Pettinger [00:21:13] Thank you Kyle. Questions for the motion maker? Okay. Discussions on the motion? All right. I'm not seeing any I'll call for the question. All those in favor signify by saying "Aye".

Council [00:21:29] Aye.

Brad Pettinger [00:21:29] Opposed no? Abstentions? Okay, the motion passes unanimously. Thank you. All right. Looking around. All right. Angela.

Angela Forristall [00:21:48] Thank you very much Mr. Chair. You had a very good discussion on a very difficult topic with this rebuilding plan, but you did complete your work in adopting the plan and recommending a Preliminary Preferred Alternative. So in the interest of not delaying any longer, I think your work here is done.

Brad Pettinger [00:22:05] Very good. Thank you. Thank you everyone. Tonight we have a 6 o'clock Chairman's reception. Merrick, do you have anything else?

Merrick Burden [00:22:12] No, that was going to be my only announcement. The Chair's reception will be just out here in the corner, out in the middle of all of the different rooms. We will be locking down this room at night, so don't leave anything here that you might need. Other than that, I don't have any other remarks Mr. Chairman.

Brad Pettinger [00:22:35] Corey.

Corey Ridings [00:22:35] Thanks Mr. Chair, and apologies I was a little late on the draw. I actually just had a quick question I think for Council staff and a comment. This is about the last agenda item that we were just on that Director Burden made about noting this as a PPA and that we still have an FPA to get to. And some of the issues that we talked about today regarding co-manager recommendations and STT recommendations and trying to think out what kind of data we need for the long term is I brought up. I'm assuming those can all be revisited as part of the FPA discussion that we will have down the road. I just wanted to confirm that with Miss Forristall and Council staff.

Brad Pettinger [00:23:16] Angela.

Angela Forristall [00:23:16] Yes, I can confirm we will be continuing these discussions.

Corey Ridings [00:23:19] Great. Thanks very much.

Brad Pettinger [00:23:21] All right. We'll see you in a few minutes.

F. Pacific Halibut Management

1. 2025 Catch Sharing Plan and Annual Regulations – Preliminary

Pete Hassemer [00:00:00] So we will move into our Council discussion and action. The task before you is on the screen there, Adopt 2025 Preliminary Catch Sharing Plan and Regulation Changes For Public Review. So with that, I'm going to search for any hand to initiate discussion here on this topic. Lynn Mattes.

Lynn Mattes [00:00:26] Thank you Vice-Chair. This may get a little bit of what I think Butch was just asking Mr. Johnson about, so a question for NMFS. What, do you guys have an estimate of what the latest deadline you could have for the incidental salmon permit to still meet the deadlines, et cetera, that you all need? I know February 15th is ideal for your process, but is there, would there be a potential to move it to say, March 1st or March 15th just to give our salmon folks a little more time to figure out what the season structure is going to be?

Pete Hassemer [00:01:08] Frank Lockhart.

Frank Lockhart [00:01:10] Hesitate to get an exact date because we're still having those discussions, but I think we're very open to discussing how if we can push that forward a little bit. And you know I think it's something, those discussions could happen between now and the November Council meeting, and that is something that we could potentially address in November. But there's been....basically the way this works is that we try to get the permits done up front so that we can calculate, or try to project the effort that's going to be in the fish, fishery so that we can then set the trip limits for the fishing periods. The more we move that back, the less time we have to do that and then also meet our regulatory requirements under the APA for notice and public comment and all of that. So there is, you know, between March and, you know, the June openers, there's not a ton of time to work with there, but we think there may be some flexibility there and we'd be willing to explore that between now and the November Council meeting with the states.

Pete Hassemer [00:02:28] Butch Smith.

Butch Smith [00:02:29] Thank you Mr. Vice-Chair. Yeah, Frank I am very supportive of moving that date to help our fishermen out. I think it's just not a little. I know it's big for everyone, let's just put it that way. And man I've known you for a lot of years and you've been able to work your magic, so if you can work your magic on this one for the fishing industry that would be, that would be awesome. And so I am supportive of moving that date, if possible, to help the fishing fleet out. Thank you Mr. Vice-Chair.

Pete Hassemer [00:03:06] Thank you. Any other discussion? Lynn Mattes.

Lynn Mattes [00:03:16] Thank you. I think Miss Yaremko was about ready to raise her hand as well so apologies if I'm jumping ahead of you. We heard from the GAP and the WDFW Reports about how the directed season played out. This is only the second year that NMFS has been, has taken over, and I know it's a learning process and you all, NMFS is doing the best they can. So I don't know if we.....how to address it, but if there's any way we can improve or the timelines so

that there isn't.....there's an opener next week. In the 16 years now I've been here we've not had a halibut opener in September, let alone almost into October. So if there's ways we can work with you to help the process go a little smoother, to have openings a little bit quicker, I believe that would help our industry. Additionally, if we can maybe have higher trip events to begin with, that might also help with the quota attainment and not having the fishery drag into September when weather starts to get a little iffy on the coast. August a lot of folks switch over to albacore tuna and other things. So just hopefully we can continue to work together to improve the process to make it a little more streamlined. And then since I've got the mic, on the recreational side, appreciate how the three states and NMFS were able to work together to have discussions on the recreational quota. I wasn't able to attend the meeting on August 15th, or whatever the date was, but having that open communication with each other and trying to work together I think is good. Again, there's another place where there may be some potential for increase in the efficiency of the process we would be looking for, but I do want to express the appreciation for how the four agencies worked together this summer to try to more adequately utilize our quota. Thank you.

Pete Hassemer [00:05:29] Frank.

Frank Lockhart [00:05:32] So to start off, essentially the same comment. Willing to work with everyone on, you know, potentially looking at ways to make some improvements. We've also heard, we've heard the complaints too, and I appreciate the further detail offered by the states and from their public meetings on that. I think, you know, there's one thing I just want to make sure everyone knows that, you know, we're open to exploring all these things. The permitting as, under the last question, and then also looking at the directed fishery, but we're not sure how far we can go and we're not sure how much we could do. So, I mean we're willing to explore, but we'll definitely be coming back in November with more details on what we think is doable. With regards to the directed commercial fishery, I think maybe I'll put that to the states of Washington and Oregon. Is the issue not knowing the fishing periods up front, or is it the time between, or is it everything? I mean I think, you know, we might be able to tweak knowing you might be able to get the perhaps three fishing periods up front, but you might not know the fishing limits up front for the second and the third, let's say, you know, and so if you allow Mr. Vice-Chair, if I could ask them what is the most important thing from their point of view, from their fleets point of view, to look at with regards to the commercial directed fishery?

Pete Hassemer [00:07:31] Thank you. Absolutely. We're in discussion. Heather Hall.

Heather Hall [00:07:35] Thank you. And thank you for the question. I'll do my best to expressing what I'm hearing from our stakeholders. I think knowing the first three periods up front would be valuable, but I also think in combination with that, the higher landing limits at the beginning is key. And if there were higher landing limits in the first two with the third opener known in advance, that would be an improvement from where we are, and so I think it would be a great start. And maybe just while I have the microphone too, I just really wanted to appreciate the GAPs forward thinking on this fishery and some of their ideas about how to improve it. I hope that's a conversation that we can have and really respect their suggestion that they're saying 2026 and beyond and that it'll take some time, but I hope we can find a way to have those conversations. So back to your question, I hope that helps, but thanks.

Pete Hassemer [00:08:59] Lynn Mattes.

Lynn Mattes [00:09:01] Thanks Vice-Chair. And to address Mr. Lockhart's question. A lot of the consternation I was hearing and our port biologists were hearing was the unknown timing of subsequent openings. Previously they were every other week so they could plan for, okay I can go tuna fishing this week and halibut fishing next week. It's the unknown, how many weeks between the openings and, you know, as Mr. Ibach said, it was two weeks between the first two, and then it was three weeks, and then there was one that was four weeks. So just not having the information beforehand to make some plans more than a couple of weeks out has been difficult for the fleet.

Pete Hassemer [00:09:44] Marci Yaremko.

Marci Yaremko [00:09:46] Yeah, thank you Mr. Vice-Chair. I think I'm having some difficulty understanding procedurally what we need to do. I'm hearing Mr. Lockhart say we'll explore what's possible and get back to you in November. And that to me doesn't quite align with our normal process on how we go about finalizing recommendations, but maybe it does, because all we're doing is making recommendations when we make them in November. So if I maybe can ask for a little more clarity about how specific we need to get here and now with these concepts in terms of our recommendations today, the Council action says adopt 2025 preliminary CSP and regs changes for public review, so I want to try to reconcile that action statement with what Frank said about we'll get back to you on what's possible. So, thanks.

Pete Hassemer [00:11:01] Frank Lockhart do you want to take a shot at that?

Frank Lockhart [00:11:04] Well I'll look to my left first, but I'm willing to take a shot at it knowing that it might need to be amended by Council staff. But I guess what I was thinking is that there could be something general put in the document for public review that says, you know, the Council ask NMFS, explore setting the first three fishing periods up front and, you know again, off the top of my head, explore setting higher trip limits for the first two periods, or something along those lines. I don't think you have to solve every issue here as long as you give the public something that lets them, you know, comment on it and be ready for, you know, some potential action in November. That would be my thought. I don't.....I'll stop there.

Pete Hassemer [00:12:07] Executive Director Burden.

Merrick Burden [00:12:10] Yes, thank you Mr. Vice-Chairman. Halibut is always interesting. I suppose what comes to my mind as we're thinking about process and what we're trying to do here, which is to adopt something for public review, and if it's this Council's intention that they would like NMFS to shorten this timeline, I'm not sure what to call it with trying to secure the permit, that that be noted as part of this action, that that's a request that you've made of NMFS so that the public is aware that that's what you hope to achieve. Because what we're doing now is sending a signal to the public this is what we're trying to do, and then that would, I guess, put NMFS on alert that we're hoping to hear back some concreteness on that possibility in November, at which time there would be action taken. So that's what occurs to me as a possible process and perhaps that's addressing your question Miss Yaremko.

Pete Hassemer [00:13:11] Thank you. Pause while people think about that. I know at some point we need to get to motions to adopt this for public review. But at some point I believe as necessary, we'll take a break so those can be finalized, but I want to make sure we complete discussion on this before we, all the answers or questions are answered before we get to that. Any other hands? Sharon Kiefer.

Sharon Kiefer [00:13:49] Just recognizing, you know, we'll probably need some generalized information to put the public on notice. If we could kind of ask Frank a recap. I heard application deadlines. I heard notice of openers. Potential, and I don't know whether this would be....and potential hours added to openers like another day. Is that in the mix of discussion? I'm just trying to get a sense of relative to the things we're asking NOAA, NMFS to assess or evaluate to give the public a sense of what we're trying to accomplish. I'm trying to get that list formulated in my mind.

Pete Hassemer [00:14:41] So Frank if you want to respond to that first? Heather Hall is also ready to stand by. So Frank Lockhart.

Frank Lockhart [00:14:50] Okay, I would just say I definitely I think I heard general support among the Council table for all but the last thing. I didn't really hear the hours brought. I mean it was discussed in the public, or by the GAP, but I didn't hear that at the table, so I wasn't anticipating that but I would hesitate that NMFS be the one setting this. I think it's up to the Council to decide what things they want us to explore.

Pete Hassemer [00:15:20] Thank you. Heather Hall.

Heather Hall [00:15:22] Thank you. I do have, I can draft a motion here to provide clarity I think of what we're asking of NMFS for the public review. And you mentioned a break to help make sure we have the time for that, And if now's appropriate, I don't want to conclude the discussion, but I just wanted to say that's, I'm working on that and could do that, and that might just help make sure we're very clear about what we're asking.

Pete Hassemer [00:15:56] All right. Thank you. Unless there are any immediate questions further than we need right now, I suggest we take a break. Part of the motion process includes more discussion on that. So Heather, 10, 15 minutes?

Heather Hall [00:16:15] That sounds right. Thank you.

Pete Hassemer [00:16:17] All right. Let's set the clock for 10 minutes. Be back here and if we need more time we'll be flexible. All right, back in 10, check-in in 10 minutes.....(BREAK)..... Thank everybody for getting back here and I know you appreciate the break, but also I've learned from past experience it's worth the time to make sure the motions are developed and are good before we get into all the discussion. So with that, I'm going to look around and we finished, we were in the discussion, we're in the discussion, but we need some motions at some point to adopt these things. So any other discussion? Or does someone have a motion to start this? Lynn Mattes.

Lynn Mattes [00:17:12] Thank you Vice-Chair. I don't have any more discussion, but I'd be willing to kick it off with a motion to cover parts of this agenda item when we're ready.

Pete Hassemer [00:17:21] Let's go ahead with your motion then.

Lynn Mattes [00:17:23] Okay. Thank you. This would be ODFW Motion 1. There we go. This is for Agenda Item F.1. I move the Council forward for public review the proposed changes to the Catch Sharing Plan for the Oregon recreational fishery as shown in Agenda Item F.1.a, ODFW Report 1 from September 2024.

Pete Hassemer [00:17:55] Thank you. That language looks accurate and complete. Is that correct?

Lynn Mattes [00:17:59] Yes sir, it is.

Pete Hassemer [00:18:00] Thank you. Is there a second to the motion? Seconded by Heather Hall. Please speak to your motion.

Lynn Mattes [00:18:05] Thank you Vice-Chair. I think I spoke to it when I gave our report earlier. It's just intended to try to add a little more flexibility and better utilize the Oregon sport quota based on how our fishery is operating currently. Thank you.

Pete Hassemer [00:18:20] Thank you. Questions to the maker of the motion for clarification? Seeing no questions. Discussion on the motion? No discussion. I will call the question. All those in favor say "Aye".

Council [00:18:35] Aye.

Pete Hassemer [00:18:36] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. Anything further? Marci Yaremko.

Marci Yaremko [00:18:57] Thank you Mr. Vice-Chair. Lynn reminded me that I think California does need to move the recommendation regarding the recreational fishery. Proposed amendments to the CSP for CDFW, or for California, as shown in the Supplemental CDFW report. So I apologize I didn't have a motion drafted up and sent off into space so I need to do that, unless somebody can help me really quickly on the fly and just change ODFW to CDFW.

Pete Hassemer [00:19:34] So you want to use something as a template that might help you in verbalizing a motion?

Marci Yaremko [00:20:02] Yes. I'm hoping it magically appears on the screen that.....Hey! Amazing. And if you might amend or add the word "supplemental" and change the word "Oregon" up above to "California". And there we go. Thank you. I move the Council forward for public review the proposed change to the CSP for the California recreational fishery as shown in Agenda Item F.1.a, Supplemental CDFW report 1, September 2024.

Pete Hassemer [00:20:56] Thank you. I followed along. That language on the screen looks accurate and complete, is that correct?

Marci Yaremko [00:21:01] Yes it does.

Pete Hassemer [00:21:02] Thank you. Is there a second to the motion? Seconded by Marc Gorelnik. Please speak to your motion.

Marci Yaremko [00:21:07] Yes, thank you Mr. Vice-Chair. This is the discussion contained in our report about the additional language to describe the ability to move fish inseason from the northern area to south of Arena in the event that we exceed that 500 pounds that's set-aside for that area. Thank you.

Pete Hassemer [00:21:31] Thank you. Any questions for clarification on the motion? Seeing no questions, discussion on the motion? And no discussion. I will call the question. Those in favor say "Aye".

Council [00:21:47] Aye.

Pete Hassemer [00:21:47] Opposed? Abstentions? The motion passes unanimously. Thank you Marci. Heather Hall.

Heather Hall [00:22:02] Thank you. I have a couple of motions under this agenda item. So I'll start with Motion Number 1 for WDFW. I move that the Council adopt the proposed season structure, alternatives, and changes to the Catch Sharing Plan for 2025 as described in Agenda Item F.1.a, Supplemental WDFW Report 1 for public review.

Pete Hassemer [00:22:33] Thank you. That language before us appears accurate and complete. Is that correct?

Heather Hall [00:22:38] Yes.

Pete Hassemer [00:22:39] Thank you. Is there a second to the motion? Seconded by Lynn Mattes. Please speak to your motion.

Heather Hall [00:22:45] Thank you. I think we covered the intent in our WDFW Report from earlier today. And this gives us a good range of alternatives to discuss prior to the November Council meeting for public review. Thank you.

Pete Hassemer [00:23:06] All right, thanks. Questions for clarification on the motion? No questions. Any discussion? Lynn Mattes.

Lynn Mattes [00:23:16] Thank you Vice-Chair. The Washington proposals do include the Columbia River, which we co-manage, so I feel I should speak to that just briefly that we're supportive of the concepts. I think some of the details and the nuance needs to be worked out and ODFW staff will continue to work with WDFW staff on the nuance for the Columbia River area between now and November, but we're supportive of the changes to the Columbia River even though we didn't propose any changes ourselves. Thank you.

Pete Hassemer [00:23:46] All right, thank you. Further discussion? I'm not seeing any I will call the question. All those in favor say "Aye".

Council [00:23:55] Aye.

Pete Hassemer [00:23:55] Opposed? Abstentions? The motion passes unanimously. Thank you. Heather.

Heather Hall [00:24:11] Thank you. And I do have F.1 WDFW Motion 2 when we're ready. Thank you. I move that the Council direct NMFS to explore options in addition to status quo for the directed commercial halibut fishery for public review that would include: Increasing the landing limits for the first 2 or 3 periods of the directed commercial halibut fishery. Announce the potential first three fishing periods prior to the start of the directed halibut fishery. Structure the first three fishing periods preferably with two weeks in between each opener. Move the permit deadlines later in the year per the recommendation in the SAS Report, and consider for a longer fishing period.

Pete Hassemer [00:25:06] Thank you. That language on the screen looks accurate and complete?

Heather Hall [00:25:10] Yes.

Pete Hassemer [00:25:10] Is that correct, yes. Thank you. Is there a second of the motion? Seconded by Lynn Mattes. Please speak to your motion.

Heather Hall [00:25:18] Thank you. I think we had a really good discussion today and again I heard Mr. Lockhart agree to considering all of these things, and so this is just putting it out there formally and appreciating that exploration by NMFS for these requests that we've heard. This motion doesn't cover the longer term ideas that we heard shared in the GAP Report, but I hope we can have that conversation, you know, maybe under future meeting planning of how we start those discussions because I think it's a great idea. So and this will notify the public of what we're looking at and give NMFS some time to come back in November with how they can potentially accomplish some of these things. Thank you.

Pete Hassemer [00:26:12] Thank you. Questions for clarification on the motion? Marci Yaremko then Sharon Kiefer. Sharon Kiefer.

Sharon Kiefer [00:26:22] I appreciate the way you structured it in addition to status quo, which certainly gives Frank a little bit of cover should he not come back with overly positive news. But I did have a question. So I'm assuming move permit deadlines later in the year per the recommendation is only specific to the halibut commercial permit. And so we also heard some discussion about the salmon troll permit application timeline that is not covered. I'm assuming we're just talking specifically about the halibut. And so I guess my question is, in the course of that conversation is there, even though it's not part of the motions, still an opportunity to have that conversation about the salmon troll permit application deadline?

Pete Hassemer [00:27:18] Heather Hall.

Heather Hall [00:27:19] Thank you. That's a great question. It was intended to consider all of the permit deadlines, but I think maybe the way the motion is written. Could you scroll so I can see

the top part? Is it specific to the directed commercial fishery? Yeah. Oh, thank you Aja. It is referring to the SAS Report which did address all of the permit deadlines so I think maybe we are covered there, but thank you for that detail.

Sharon Kiefer [00:27:59] Thank you.

Pete Hassemer [00:28:04] Frank Lockhart.

Frank Lockhart [00:28:08] One question about the last bullet. The only thing I heard via the testimony from the GAP was for a one day extension of the fishing period. I'm just wondering why you put just a longer fishing period rather than that specific time?

Pete Hassemer [00:28:27] Heather Hall.

Heather Hall [00:28:28] Thank you. Simply to be flexible in how NMFS looks at it. I heard the same thing and, but if it's one day or 12 hours or something like that, not being explicit in the recommendation gives you some flexibility.

Pete Hassemer [00:28:53] All right, thank you. And there was a question. I just want to make sure everybody is clear on the deadlines, that this does cover everything that was in the SAS Report. That is the intent here even though the up in the first sentence it says, "commercial directed halibut fishery". So everybody's clear on that? Okay. Any other questions for clarification? Not seeing any, discussion on the motion? Frank Lockhart.

Frank Lockhart [00:29:31] Thank you Mr. Vice-Chair. Just some general comments. I made some of these before, but I'll just kind of go through them so. We can explore all of these, but I just want to make clear that in our minds what we may come back with is some of these may be doable in 2025, some may be doable in 2026, and some actually may be better dealt with as part of a larger discussion of some more wholesale structural changes to the fishery. I'm remembering our discussions of several years ago where we thought we would have an intervening period with minor tweaks and then talk about larger scale change. So in November we may come back with, report back on all of those things that, you know, what can be done now, what can be done in maybe next year, and then maybe longer term. And then of course NMFS being NMFS, we'll talk about resources for both analyses and kind of rulemaking and when we do that. And then one thing I wanted to specifically point out, the fishing periods, in our internal discussions so far, I've heard Harrison's testimony and others talking about your public hearings that there's, people want ideally two weeks and then ideally knowing the three periods upfront, I just wanted to highlight that you may have to choose between those two things. We might be able to announce three periods, but it's still quite a challenge for us to get things done in two weeks, particularly maybe for that third period because we'll have had two periods going on with unknown catches and potentially larger catch limits and that would make it difficult for us to do all the analyses and consideration, particularly for that third period. So we may come back with that, you know, that you may have to choose between that at the end. So I think we understand what the Council is asking of us here and we will be prepared to come back in November with kind of a report out on this. And then also we're very interested to hear the public comment on this. So that's for discussion. And maybe I'll end with, we're wondering, this is on the motion itself, wondering if it might be reasonable to, you

know, have a specific timeline for the last bullet that just say "consideration", or if you wanted to kind of have something along the lines, "consideration for a one day or a for one day longer fishing period and potentially other times", or something along those lines, just to give the public a little bit more specificity on that. It might provide for a better notice to the public of what we're considering, because I don't think we're considering anything beyond that at this time. So thank you.

Pete Hassemer [00:33:09] Thank you. Sharon Kiefer.

Sharon Kiefer [00:33:14] Mr. Chairman, for an amendment.

Pete Hassemer [00:33:18] Please go ahead.

Sharon Kiefer [00:33:21] The last bullet, "Consideration for a longer fishing period of up to 24 hours", adding "up to 24 hours".

Pete Hassemer [00:33:44] All right. The intent of your motion is there on the screen, is that accurate, complete?

Sharon Kiefer [00:33:50] Consideration for a longer fishing period up to 24 hours, yeah I don't think we need to say, "in addition" or do we? In addition?

Pete Hassemer [00:34:01] No.

Sharon Kiefer [00:34:01] Adding. Adding, yes that's the word I'm looking for. So if you would put "adding" in front of "up". Yes. Thank you.

Pete Hassemer [00:34:26] All right. Is that accurate, complete?

Sharon Kiefer [00:34:27] Yes Mr. Chairman.

Pete Hassemer [00:34:31] Thank you. Is there a second to the motion? Seconded by Marci Yaremko. Speak to your motion.

Sharon Kiefer [00:34:41] I think this does capture the, what we heard from the advisory body in terms of something that would be very helpful to the fleet.

Pete Hassemer [00:34:52] All right. Thank you. Any questions for clarification on the motion? Not seeing any questions, discussion on the motion to amend? Not seeing any discussion I'll call the question. All those in favor say "Aye".

Council [00:35:11] Aye.

Pete Hassemer [00:35:11] Opposed? Abstentions? The motion to amend passes unanimously. Now we will go back to the main motion as amended. Further discussion on that? Marci Yaremko.

Marci Yaremko [00:35:33] Thank you Mr. Vice-Chair. I want to speak very strongly in support of the motion and the bullets as they are presented here on the screen and appreciate Mr. Lockhart's willingness to investigate what's possible. I want to say a few things about the second bullet and the announcement of the potential first three fishing periods prior to the start. The GAP expressed why this is so important to them. I heard a little bit of hesitation from NMFS about the trade-offs that might be involved here. And I just want to maybe convey specifically something that I picked up on in discussions in the hallway over the break, which is the potential for announcing the dates but then if it turns out that, in fact, you can't prosecute the third period, as an example, you just would provide a notification of zero trip limit. So those are kind of ways we've structured things in the past in other fisheries that have accomplished this, this goal of being able to notify of what the dates are and then have the flexibility that's needed later to ascertain if it's really possible to prosecute a third period or not. So just wanted to add that to the discussion. On the fourth bullet on the SAS Report and the permit deadlines, we appreciate the exchange there to clarify we are talking about permit deadlines both for the incidental salmon troll as well as the DC fishery. And I guess I would just add the clarification that I think it's recommendations, plural. It says "recommendation" and so there could be some confusion there, but I'm reading this to mean the recommendations collectively in the SAS Report. Anyway, I appreciate the motion and I heard pretty loud and clear that any of these things would greatly improve some of the operational challenges that the fleet faced in the 2024 season and would be most appreciated. So thank you.

Pete Hassemer [00:37:50] Thank you Marci. Further discussion? I'm not seeing any. Before I call the question, we are voting on the motion as amended. I just want to make sure we add the words so it is completely accurate. Adhere to our rules that what you see before you is correct and complete. That's good now. So with no further discussion I will call the question and the motion as amended. All those in favor say "Aye".

Council [00:38:32] Aye.

Pete Hassemer [00:38:33] Opposed? Abstentions? The motion passes unanimously. Thank you. With that I will look to Angela and, oh excuse me, Marci Yaremko.

Marci Yaremko [00:38:52] Thank you Mr. Vice-Chair. There are a couple of things that are kind of outside the scope of motions that were described in the CDFW Report, and I just want to make sure I take an opportunity there to follow-up a bit. On the section regarding inseason flexibilities, as CDFW notes in the report, we support, we can continue the discussions to increase the number of mechanisms and methods used for inseason sharing of pounds. We've made progress in 2024 with the measures to provide the flexibility between the inseason, between the recreational sectors. I think we've kind of talked in sidebar about the desire to perhaps improve that language somewhat and refine it. We're kind of just getting our feet under us with how this process works, but I think we've all identified that perhaps some improvements to the language might be made as this process evolves and as we learn how exactly to accommodate the sharing that we're looking to achieve. I also want to recall back to last year's discussion on inseason flexibilities and sharing between sectors that we've identified in some past years that there've been perhaps some underutilization in some of the other sectors. And while what we did in 2024 provided the mechanism for inseason sharing between recreational sectors, there's still, I think, some larger discussions to be had looking ahead regarding sharing between commercial sectors. The CSP has a couple of very explicit

rollover provisions that can happen, but I think, you know, we've kind of discussed that looking forward we're going to want to perhaps consider additional flexibilities so that we can accomplish that ultimate goal of fully utilizing the Area 2A FCEY. So I just want to flag that, you know, I'm hoping we will continue with our thinking because this discussion here and even the GAPs discussion, it sound like we didn't have a whole lot of time this cycle to really get into possible mechanisms and kind of one easy one that I know I caught in some sidebar conversation. We have a rollover that would allow transfer of quota from leftover DC quota into the salmon troll fishery, but it doesn't work in the reverse that would allow rollover from the salmon troll fishery into the DC fishery. So those are the type of things, you know, I think we all had intended to continue talking about after last year. And it's a stepwise process and just want to appreciate that, you know, there's more to talk about, more to come, in upcoming months, perhaps for consideration in the 26' CSP. The other thing I want to zoom in on is the last section in the CDFW Report regarding the Area 2A commercial discard mortality estimate and the content provided in the IPHC Report. I would note that the GAP expressed support for CDFWs recommendation here to ask NMFS to seek some clarity from the IPHC on exactly how that hundred thousand pound bycatch estimate was derived. They gave us a table and a figure with, you know, some boxes in it in a diagram that I'm not sure I understood. They provide some words on the page about how the rate was, or how the rates were applied and how the hundred thousand pounds was derived. But I think it's important that we get some answers and think about this a little bit here. This increase in discard mortality is close to a threefold increase from past average amounts should give us some reason for concern. We should be thinking about the implications, the signals that that might send that all of a sudden we're needing to account for dramatically larger bycatch in our commercial fisheries. And I don't think....we've made management changes that would prompt an increase in discard and so I think we want to think about what this number suggests. So I'd look to NMFS to report back and would ask that NMFS have some discussion with IPHC and the Northwest Center to see if we can drill down and get an opportunity to review the math and the actual inputs that were used to generate that hundred thousand pound number. Thank you.

Pete Hassemer [00:44:30] Thank you Marci. Frank Lockhart.

Frank Lockhart [00:44:34] I would just say I understand the request and we will talk with IPHC and the center about this and be ready to speak to it in November.

Pete Hassemer [00:44:44] All right, thank you. Further discussion on the halibut items before I look to Angela to summarize. No hands. Angela, what else do we need to do here?

Angela Forristall [00:45:01] Thank you Mr. Vice-Chair. The Council proposed and forwarded for public review the proposed Oregon, California, and Washington State regulations, or regulatory recreational changes, sorry. And requested that NMFS come back in November with some additional information in addition to status quo in response to requests brought forward by the GAP and the SAS. And that completes your requirements for this agenda item.

Pete Hassemer [00:45:30] All right, thank you. One more scan of the table. Any last comments? Not seeing any hands we'll close this, out this agenda item.

2. Commercial Fishery Regulation Changes: Vessel Monitoring Systems, Seabird Avoidance, and Catch Reporting - Range of Alternatives, Preliminary Preferred Alternative

Pete Hassemer [00:00:00] That completes our reports, public comment, takes us to Council action which will pop up on the screen. There it is. And that action is to Adopt the Range of Commercial Fishery Regulation Alternatives and a Preliminary Preferred Alternative. So with that, we've heard a lot. Anybody need to initiate discussion here? Lynn Mattes.

Lynn Mattes [00:00:32] Thank you Vice-Chair. We seem to be talking a lot about halibut this morning. Based on my interaction with Angela and then Marci's interaction with Greg Busch, I'm still extremely confused as to what, if anything, we need to do with Action Number 3. I thought I heard it's already taken care of but then it's not. Some of it's in federal rule. Some of it's in state rule. We are a federal body and we've been talking about the jurisdiction in other venues here so I don't, if it's a state rule we're trying to fix are we the appropriate body for that? So I'm, I think I'm the one who's going to be working on the draft motion and I am confused as to what I need to do for action for number 3, the action 3 on this. I could use some better clarification from somebody.

Pete Hassemer [00:01:32] Thank you. Marci Yaremko.

Marci Yaremko [00:01:35] Thank you Vice-Chair Hassemer. And I appreciate Lynn's confusion. I'm similarly confused, but I think I have a question that might help my thinking a little bit if I may of Angela in the preparation of the analytical document and the terminology that is used in describing Alternative 1 on this issue. I'm reading that under Alternative 1 all tickets would be required to report the number of pounds and number of individual halibut landed in the DC halibut comma, salmon troll comma, and primary sablefish fishery. Alternative 1 would apply to all fish receivers accepting halibut landings from the DC halibut comma, salmon troll comma, and primary sablefish fisheries. I guess my question is why is it written that way? Why can't it just say apply to all fish receivers accepting halibut landings? Thank you.

Pete Hassemer [00:02:54] Angela.

Angela Forristall [00:02:56] Thank you Miss Yaremko. And this is also getting to our staff requests for some additional specification on what we want these alternatives to look that, so I'm appreciative of you bringing this up and drilling in. We, when structuring this action, did not want to be redundant with requirements that are already in place, so that is how we worded in our document only having this requirement in place for the DC halibut fishery landing halibut, as the federal regulations cover the requirement for the halibut landed in the primary in sablefish fishery and from our understanding of the state regs are required in the incidental troll fishery. Looking at the salmon regulations, for the federal regulations it does state that catch and effort data necessary for implementing any of the applicable FMP are collected by states and the Indian tribes of Washington, Oregon and California, and that state agencies and Indian tribes continue to provide NMFS with the statistical information adequate for management, and if under those conditions no additional catch reports will be required. So if the Council does not feel like the states required, if the information being provided by the states is the information required, this alternative could be restructured potentially as under a Preliminary Preferred Alternative to target that more directly.

Marci Yaremko [00:04:34] Thank you. That helps.

Pete Hassemer [00:04:39] Thank you. Any further discussion? Questions? Sharon Kiefer.

Sharon Kiefer [00:04:51] And relative to motion I'm curious whether we're contemplating one motion with all of the elements in that motion or perhaps breaking up so perhaps we might vote one way on one element and vote a different way on another element? I'd be happy to help.

Pete Hassemer [00:05:21] Lynn Mattes.

Lynn Mattes [00:05:24] Thank you Vice-Chair. And Miss Kiefer the draft motion I just sent to the motion's email address tries to address everything in one motion, which may turn out to be a mistake, but was trying to aim for some efficiencies this morning. But we can always use a friendly amendment to strike out or do something different on pieces.

Pete Hassemer [00:05:51] Chris Oliver.

Chris Oliver [00:05:53] Thank you Mr. Chairman. Before you get to the motion, I'm hesitant to raise this question or this issue because I know just enough about it to be dangerous or cause confusion in the discussion. But on the VMS issue I've become aware, and just very recently, and talking to my colleague, Caren specifically, there's another, I know costs are an issue and there's another VMS system that apparently the commission has developed and data portal with the states and it's being used in some of the Dungeness crab fisheries and it's called Ctrax I think. And it has a much, it's ping rate is like every 10 seconds and it's a much lower cost program. It doesn't provide real time tracking, but it provides a much finer scale, detailed record of, you know, post fishing trip activity, which may be useful for some, a lot of reasons. Now I don't know if that makes it a showstopper from an enforcement perspective in this case, or if the perhaps lack of consistency with the groundfish requirements makes it a non-option, or simply the timing this far into the process of, like I said I don't want to throw a wrench in the spokes this late date in the process, but I guess I'm curious as to whether there are other folks around the table, either Council members or staff, who are familiar with this? Whether it's been a consideration before or whether it's an issue for, you know, a later date? So I raise it not knowing a whole lot about it but, and again it might be something for future discussion in a broader sense if it's application and consistency with the federal VMS programs, but I'm wondering if there's anyone else around the table that has a comment or thoughts or familiarity with it? And that's all, thanks.

Pete Hassemer [00:07:58] I saw two hands here. Which hand? Heather Hall.

Heather Hall [00:08:15] We agreed to the order of our comments here. And thank you Chris for bringing that up. And just to give a little bit more context to this idea, in our Dungeness crab fisheries in the states we've been working on Electronic Monitoring and Washington and California have successfully implemented these lower cost vessel tracking systems for our fisheries. This is the first year that Washington has had this program in place and it is really successful. I'll say the Washington system is a little bit different than California in that we also record hydraulic pressure sensor. I don't know that that would be needed in a federal fishery, but one thing that was attractive

about this system is the lower cost and it has proven to us to be a really good tool. And so the idea I think that Chris is bringing up is does it need to be federal VMS in the rules or a more general vessel positioning system that could be an alternative? And I don't know, again as I say this, if we're too far down the road for this particular issue. Some of these directed halibut boats may participate in the Dungeness crab fishery and already have these systems that are operating. So again, thank you for bringing it up Chris. And that's a little bit about what I know about it. And again, not sure if it's too late in the game for the conversation now, but it's worth at least bringing up.

Pete Hassemer [00:10:06] Aja Szumylo.

Aja Szumylo [00:10:08] This is, thank you Vice-Chair, this is bringing up a lot of history for me on groundfish when I worked for NMFS. And I just found on the vessel movement monitoring rule we went through something similar to this, or NMFS went through something similar to this consideration in the past. With that rule the Council did recommend an option to reduce the operating costs by choosing a non-type approved system. But there were a lot of challenges with just one region implementing that option. I know that we're talking about a very small number of vessels in this case, but I think it does cause a lot of, I will let NMFS comment on this further, but I think it does cause a lot of trouble to mix systems in the federal system overall. So there is, there are, there's a rulemaking out there that summarizes these concerns in a lot of detail and the challenges with operating a separate new system even with the reduced cost from the federal perspective that I can point people to if you want to think about that more. I don't work for NOAA, sorry.

Pete Hassemer [00:11:16] Thank you. Any further discussion? Frank Lockhart.

Frank Lockhart [00:11:30] I am going to go in a different direction, but maybe I'll just make a quick comment on that. Yeah, I think very good comments on this, and I think the using this in a different system I think has a lot more analyses required and maybe a few more steps required before it's kind of ready for a decision is kind of, you know, my thoughts on it. But it may be worth it, you know, to go down that road, but it may delay things, I guess is what I'm trying to get at. So moving in a different direction, I think overall there's been some good work done on this, but we do believe that in particular for the VMS and the seabird streamers, we think there needs to be more work done on building the record under the APA for the management and the conservation concerns, or why are these actions necessary? And I prior addressed the staff report about talking about benefits and costs and things like that so, do the benefits outweigh the costs? And, in particular, maybe trying to reach out and get some input from a wider variety of the fleet, and I think that will be important before we can move forward, assuming the Council does take some sort of final action we will have to make sure that we have an adequate record to support the action. Thank you.

Pete Hassemer [00:13:22] Thank you. Heather Hall.

Heather Hall [00:13:26] Thank you. I just wanted to add two things I forgot to mention on the discussion of alternative vessel monitoring is that Oregon is working on implementation of a similar program, and too, all the data is housed at Pacific States Marine Fisheries Commission. So

the three states are sending all of our data to Pacific States so we have access to them. So just wanted to add that as we think about it for potentially the future.

Pete Hassemer [00:13:56] Right, thank you. Chris Oliver.

Chris Oliver [00:13:59] Thank you Mr. Vice-Chairman. I appreciate the VMS discussion. It doesn't sound like something that we need to bog this particular issue down any further with, but I appreciate being able to have the discussion. It may be something that has applications in the future for this or other actions. Thank you.

Pete Hassemer [00:14:22] Thank you. Marci Yaremko.

Marci Yaremko [00:14:25] Yeah, thank you Mr. Vice-Chair. I'm thinking about the fish ticket issue, and after considering the response I heard from Angela, I just, I want to take the opportunity to share some thoughts on the current description of Alternative 1 and that it at this time is written in such a way to identify only the three sectors that halibut are authorized for, for commercial harvest. I'm thinking about this particular action that we've been undertaking now, I want to say going on three maybe four years, that we've discussed a need to consider these amendments for commercial fisheries. We've had it on a Year-at-a-Glance for some time. We've identified these three things as key needs for management of our fishery. But I'm also thinking about the future and we've had a number of discussions on an ongoing basis that have identified desires to restructure the Catch Sharing Plan, perhaps look at different ways for halibut to be taken incidental to other groundfish targets. You know perhaps some other restructuring of the DC fishery. We've heard concerns about not being able to hold multiple permits for the take of halibut. I'm thinking holistically about the fish ticket requirement, and I'm thinking about our commitment and our need to very closely track the take of halibut inseason as well as across multiple seasons at pretty precise levels. If any of you have ever attended the inseason salmon calls where we're talking about adjusting trip limits and we're tracking, you know, tens of pounds in some years, you know really down to this teeny, tiny brass tack and moving, you know, fish around determining if we can allow incidental retention for another week or another couple of days. So I feel like we need to think about what reporting requirements are going to serve us best into the future as we consider some of these other changes, because I don't know when we're next going to have an opportunity to consider making regulatory changes for something that's kind of as basic and fundamental to our reporting needs as fish tickets. I see an opportunity here for us to make a change to the language in Alt. 1, or offer additional, an additional alternative that would require that fish tickets record both the number of pounds and the number of fish. I hear from our fleet they already collect the number of fish. They have to report it on their logbook. They know what that number is. It is not burdensome and the GAP Statement speaks to this, to record that number in addition to the number of pounds. So I'm just struggling to understand why we wouldn't take the opportunity now to make that very simple, very nominal cost change while we have the opportunity. Thank you.

Pete Hassemer [00:18:17] Thank you Marci. Butch Smith.

Butch Smith [00:18:22] Yeah, I just wanted to put a point out there when we're spending other people's money, you know some of these boats are in many fisheries to make a whole, and it's easy for us to say it only costs this much or it only costs that much, or observer costs, only costs \$400

a day, and pretty soon, you know, all those things add up. So I just wanted to just let the Council know as these fishermen are trying to make a living in this tough time of the fishing industry, the seafood industry, that what we think or what some might think, 3, 400 bucks or a \$1,000 a year is nothing, it could be quite a bit to a small fishing operation. So anyway I just wanted to throw that on the floor for general information. So thank you.

Pete Hassemer [00:19:21] Thank you. Executive Director Burden.

Merrick Burden [00:19:22] Yeah, thank you Mr. Vice-Chair. Just sitting here listening to the discussion and thinking about, in particular I guess Mr. Lockhart's comment that more needs to be done to build the record, which took me a bit off guard. So I've been sitting here just thinking about what is it that we're missing? And I would, I guess, go back to one of the requests of staff, which is to hone the problem statement, or in other words, what is it that we're trying to fix? And I think that without some clarity there, that gets us chasing a lot of different things potentially and potentially without end, and we've had a few agenda items like that over the course of our history. So if that could be refined I think that would help us a lot in terms of what is the problem we're trying to solve, and by extension what is the record building that we need to keep building? Right now we have a lot of things that we're talking about on, you know, enforcement integrity and things of that nature. But just listening to the discussion I think we're all struggling a bit with what is it that we're trying to do here and what is the problem that we're trying to solve here? So I think we would benefit from that as we put the analytical package together. And there's no, there's nothing here that requires you to adopt a PPA at this stage. We're asking you to do that but if you're not ready you certainly don't need to. So you could provide us with more feedback and clarify the problem statement and we can keep going, hopefully with some more clarity next time. So that's what's going through my mind at the moment. And I appreciate Mr. Lockhart's comment even though it took me, took me by surprise, but it has, I think, clarified some thinking in my mind at the same time so.

Pete Hassemer [00:21:24] Corey Ridings.

Corey Ridings [00:21:26] Thank you Mr. Vice-Chair. Along those lines I'm wondering if Mr. Lockhart might be willing to tell us a little bit more about that need for a stronger record. I've been thinking through my head, you know, what is needed? What that looks like? And just wondering if you might be able to provide a little bit more how this differs from other potential Council actions and why this is something the Council might need to do versus something that would happen as part of the rulemaking process.

Pete Hassemer [00:22:06] Frank Lockhart.

Frank Lockhart [00:22:11] I think, I'm trying to think on the fly on the best way to represent this, and I think maybe start with if we did nothing what would be the issues that would be remaining that we would be concerned about? So if we didn't do the VMS, if we didn't do the streamers, if we didn't do the catch reporting, what are the issues that the Council as a whole or individual states would have? And then maybe I'll expand it to the enforcement folks. What concerns would be created there from both a management and a conservation perspective? So that's kind of the start. And I think, you know, a greater exploration of that, and there is some in the document and we've

heard some public comment here and the questions that I asked from the Enforcement Consultants revealed that as well, but I think we think that that should be expanded. I, you know, the things I've heard so far in the analysis I think it points.....the message I'm getting is that it could make improvements, but it's still unclear to me that it's absolutely needed, that there is such a management concern or such a conservation concern that these are needed. And then weighing the benefits of those improvements against the costs, as we just heard from Butch and others, you know, and they are, some of them are probably affordable to some of the fleet, but others it's probably quite substantial in their overall kind of operational costs and so weighing against that. So I think I'll have to leave it at that. I mean we just would like the record to be expanded and more discussion and thought on the underlying reasons for continuing down this road.

Pete Hassemer [00:24:43] Sharon Kiefer.

Sharon Kiefer [00:24:45] Thank you Mr. Chairman. And I think I'll maybe I'll direct this at Frank, but others might also have some information. So recognizing the public testimony that we heard, recognizing, and I don't understand what prompted the two Fish and Wildlife Service actions relative to seabird, you know, biological opinions regarding seabird avoidance, whether that originated out of a litigation threat or whether it originated out of some sort of a settlement agreement, but in your opinion the fact that we do have one targeted fishery that is not required to have seabird avoidance when all of the others are, does that shine a litigation spotlight on that particular fishery?

Pete Hassemer [00:25:51] Frank, would you like to respond?

Frank Lockhart [00:25:53] My record at predicting litigation risk is really poor, so I'll start off with that. And, but I'll say that's a really hard one to get at, but I think that could potentially be part of the discussion, right? I mean is, I mean it's unclear to me what they would sue on. The mere fact that it's different, we have a lot of regulatory programs out there with certain parts of it having different regulations. So to me that by itself doesn't create a problem, but there's a lot of smart lawyers out there that can figure out a way to make it a problem. So it could be there. So I'm sorry that's about as best as I can do.

Sharon Kiefer [00:26:42] Thank you.

Pete Hassemer [00:26:43] Chair Pettinger.

Brad Pettinger [00:26:47] I think I'm familiar with the unit, the system you're using in Washington. I think it was over almost 10 years ago that Pacific States, I talked to Dave Colpo about utilizing the system and trying it out on, I think on our boat actually. It's a packet system where it basically records fish data, and it sends it up in a packet. I believe that's the system that we're talking about. And so they're talking about using it as a low cost option from the current system for everybody, not necessarily crab vessels. But it's been a long time and I don't remember getting back to them. So I'm kind of curious if.....It seems to me that we have three components of this potential motion here and I wonder if maybe if where we're at as far as NMFS may be looking to signing off on that being an approved system in the somewhat near future, if that the component about vessel monitoring maybe delayed a year or maybe two, or whatever it is, and accommodate

those folks and keep the cost down as Butch brought up and maybe just acknowledging those, you know, that that's a burden to those small operators. But the system when it comes into play, it was approved by National Fisheries Service, that'd be a great way to check all the boxes and making sure that we have the proper management and oversight here on everybody. So I wonder if we just, if we would, I guess or my thought would be if we move forward, have a delay in the VMS or packet unit you're talking about being mandated for those vessels. So something to think about, but I think it would be a pretty easy thing to do depending if you plan on moving that thing through the system and have it approved by the National Marine Fisheries Service. So my question to Frank, if I may, is if there's any thoughts on that or have you discussed that or where are you at?

Pete Hassemer [00:29:01] Frank Lockhart.

Frank Lockhart [00:29:03] So first off I heard you talk about maybe in a year being ready. I think that is overly optimistic. I did get a couple of comments from staff and I guess something like this system was already looked at under the VMM that Aja mentioned, and it didn't pass muster. I don't know the background for why it didn't so I can't really answer that. Probably not good to get into that level of discussion here at this point in time, but if what you're asking me is that could you take off the VMS now, potentially look at this for some future action once we have a better idea of what its capabilities are, I don't think we as an agency would be opposed to that, but I would hesitate to say that it's going to be a year. I would guess two years, even three is probably more likely for kind of going through that. But again, I don't know the background and what specific steps would need to be taken.

Pete Hassemer [00:30:20] Marci Yaremko.

Marci Yaremko [00:30:22] Thank you Mr. Vice-Chair, I. I think I'm concerned that we're kind of losing sight of context. I'm thinking about the halibut fishery, our West Coast halibut fishery and fishery sectors and I think we need to keep in mind how valuable this fishery is and how much we've invested in managing it both for sustainability and to ensure that there's access by multiple user groups to this very valuable resource. It's valuable for commercial fishermen. It fetches a very high price. It's very valuable to recreational fishermen. And we have spent decades developing and evolving our Catch Sharing Plan in response to competing needs and interests for this very valuable resource. When we worked on transitioning management of the commercial fishery from IPHC over to National Marine Fisheries Service, it was with the idea that the Council would continue to work to better manage the commercial fishery, recognizing that it's one sector within our Catch Sharing Plan. But thinking about, you know, how much we spend to ensure that we are utilizing but not exceeding our Area 2A tac, that's why I think we've, you know, we're in the place now to be considering commercial regulation changes to ensure the continued and improved operation of the commercial fishery under NMFS authority. We care about every halibut under the Catch Sharing Plan. It's very detailed, very complex, and counting every pound of halibut is very important. When we started the discussions about VMS, one concern that was raised was, I'm going to call it, you know, perhaps unfair advantage to the DC fishery or less accountability maybe for those participants that also weren't co-participating in the groundfish fishery and subject to requirements such as VMS and streamers, which is how we came about recommending consideration of these actions, acknowledging the overlap between the participants in the groundfish fishery and the halibut fishery, and we wanted to ensure that folks were held to the

same standard because we do expect accountability and we also have a need to monitor our fishery activities. So I'm just concerned that we're perhaps losing sight of what our intentions are here, and I'm thinking about, you know, Merrick's comment about the problem statement. Several years have elapsed since we initially received recommendations. Angela highlighted that in her presentation. But I think it's just important to reiterate that here and why we are taking these actions up and how important they still are in terms of those fundamental needs that we had and that we still have. Thank you.

Pete Hassemer [00:34:19] Thank you Marci. Looking around the table. I'm going to offer a comment here. I just reread the situation summary. These topics have been before us for a very long time. I guess as I think about it, I'm not so sure we have to identify a problem to take action here to improve the fishery management. Apologize to Frank that to build a record on what's the problem, we have a history and there are some issues that have been identified like streamer lines and consistency with fisheries. And I guess as I think about that, expanding to the greater issues we face, there's continuing competition for dollars amongst agencies to do the work we need to do and if it's more efficient for enforcement to monitor and manage the fishery, then maybe less money goes to the enforcement pot and more into the fisheries management pot here, so there are things we can do. That's maybe a poor example, but there are reasons why we would do that. So maybe I've said too much on this. It's your decision, the Council, so I will look to see if there's any other discussion. Aja Szumylo.

Aja Szumylo [00:35:56] Thank you Vice-Chair. Yeah, the thing that strikes me, Merrick's comment really sat with me too, refining the purpose statement. And then Butch's comments and the questioning that we had about the cost of all of this for vessels and what we went through in discussing the vessel movement monitoring rule and considering that there are cheaper alternatives for VMS on the whole, but that wouldn't just affect this fishery, that it could be potentially applicable everywhere, that they could be helpful elsewhere. So what sits with me is like, do we need to do this right now for these seven vessels or could we pull back and consider this more holistically for everyone? It was a really tangly issue I remember. I don't think that it was something that was simple to walk through with national enforcement, but I do think it is worth, you know, bringing the question again that like costs are high so is there some way to think about doing this differently that could reduce costs for everyone that would be better? And to me, that speaks to not really moving forward with that item for these seven vessels right now if we can bare the enforcement hit on it at the moment. The streamer line issue seems easy. I remember that they didn't cost very much. I think we were joking earlier about like, can we make them right.... like they're not a.....that's not a heavy lift to add to management. So if the.....you know I think there's a way for us to select preferred on certain parts of this that have a clear conservation benefit, but then maybe take a step back and do some additional consideration on some of the items that we're having pause with at the moment. And so, yeah, if a motion were to come forward, I would love it if there were different parts so we could tease this out a little bit more and then have more thinking before it comes to final action later on.

Pete Hassemer [00:37:56] All right, thank you. Lynn Mattes.

Lynn Mattes [00:37:59] Well, thank you Vice-Chair. I did send a draft motion a little bit ago in, but based on the discussion that's been going on the last few minutes, I honestly think my current

motion would do more harm than good to our discussion. I think there's key pieces in there but I do think as we've been talking that instead of trying to do this at one time we may need to split it out. I can't do that on the fly while we're having discussion. We could throw my motion up there but I think we would just get super wrapped around the axle. So that's why I'm struggling here and looking like I'm getting a major headache because I'm not sure how to proceed with this given that we are 25 minutes from lunch. Do we take a break to break this out? I don't know how to proceed.

Pete Hassemer [00:38:49] Thank you Lynn. Let me tell you how we'll proceed....(laughter)... We are going to break for lunch now and come back at 12:45. So that gives us an hour and 15 minutes for lunch and we will resume this agenda item. Now, how does that sound? All right, let's be back at 12:45.

Pete Hassemer [00:00:00] All right, thank you. We will resume our business here on Agenda Item F.2. The Halibut Commercial Fishery Regulations. We ended up, when we broke, we had discussed a lot of different things, a lot of different options. I'm going to....and you've had time to think about this. I'm stalling a little bit but looking around to see if there's any hands here to start us off. Lynn Mattes.

Lynn Mattes [00:00:46] Thank you Vice-Chair. Just was doing some hand signals with the back to make sure they had the draft motion. Thanks to the break, the early lunch break and some huddling I think we now have a motion that shouldn't wrap us around the axle too far too much hopefully. So it's up there. Formatting is a little goofy but that's okay. The text is there. So I move the Council adopt the below range of alternatives for the directed commercial Pacific halibut fishery with a PPA for Action 2 only. For Action 1: Vessel Monitoring System. No Action is Status Quo. Alternative 1 would be to require VMS on vessels participating in the directed halibut fishery. Under Alternative 1 there is Component 1, applicable waters. The two options are the EEZ or the IPHC convention waters of Area 2A. Then there is Component 2, which is the VMS ping rate. Option A is four times per hour. Option B is once per hour. And Component 3 is VMS requirement when the VMS unit must be turned on and transmitted. Option A is 24 hours a day, 365 days a year, or B, when participating in the directed commercial halibut fishery and fishing during open period. If you could scroll down please. Scroll up. Thank you. For Action 2: Seabird avoidance. The No Action Alternative is Status Quo. Alternative 1: Require vessels participating in the directed commercial halibut fishery using bottom longline gear to deploy streamer lines when setting gear, that is the PPA. And with component one applicable waters, the PPA is the EEZ with convention waters by IPHC as the other alternative. Action 3: Catch Reporting on Fish Tickets. The range will include No Action of Status Quo. Alternative 1: Require that fish receiving tickets for landings of Pacific halibut from vessels participating in the directed halibut fishery and only landing Pacific halibut include both weight, pounds, and number or count. We have added a new Alternative 2: Require fish receiving tickets for landings of Pacific halibut from any vessel landing Pacific halibut to include both weight, pounds, and number count of Pacific halibut landed. And modify the problem statement to include: Closed areas are related to concerns with overfished species and essential fish habitat and the effectiveness, and effectiveness of maintaining those closed areas for groundfish species and habitat protections. Streamer lines are related to conservation of ESA listed seabirds, particularly short-tailed albatross. Groundfish longline fisheries have been subject to biological opinions, however the halibut fishery has not. This action is proactive as the vessels use similar gear, fish in similar areas, and the same times as longline

groundfish fisheries. Accurate catch accounting of both pounds and pieces of fish landed helps managers better track sector catches and inseason management of halibut, as well as better understand how the fisheries are operating and may ease future modifications of regulations as the fishery evolves.

Pete Hassemer [00:04:18] Thank you Lynn. As I followed along the language on the screen appeared accurate and complete. Is that correct?

Lynn Mattes [00:04:24] Yes sir, it does.

Pete Hassemer [00:04:26] Thank you. And I will just note that you did indicate with bold the PPA and the item, Action Item number 2, so that was clear. Is there a second to the motion? Seconded by Sharon Kiefer. Please speak to your motion as needed.

Lynn Mattes [00:04:44] Thank you Vice-Chair. We've had some lengthy discussions about all of this and some additional record building needing, being needed on some key pieces of this, therefore we did not feel it was time to go to a Preliminary Preferred Alternative at this time on Action 1 and Action 3. Those seem to need some additional fleshing out for a number of reasons, the cost for the individual vessels, what is the benefit to our fisheries management process of those? Is there, are there other options that could be used instead of VMS? Are there options for some cost reimbursement on those? On the seabird avoidance measures, as mentioned in the problem statement, this is sort of proactive, trying to be ahead of the game instead of waiting until we have a problem with this fishery interacting with ESA listed seabirds. Since most of these vessels fish in the same areas, very similar gear, same times, they are likely to run into the same birds potentially that the groundfish fishery would be. So in addition to simplifying and making regulations consistent, it's trying to provide some conservation protection for ESA listed birds, particularly seabirds, short-tailed albatross. And having it only impact the EEZ rather than the convention areas, that is so that the halibut regulations are the same as groundfish regulations. So they're.....so we don't have two different sets of regulations we're using. Additionally, the three state waters, at least in Oregon, is approximately the 30 fathom contour and most seabirds such a short-tailed albatross are farther offshore than that 30 fathom break. The vessels that do participate in the directed halibut fishery inside of the state waters, or shoreward of the EEZ tend to be smaller vessels, often fishing with hook and line gear. They tend not to be bigger vessels. They don't use a whole lot of bottom longline gear, therefore it seemed appropriate to have the same regulations as groundfish and not create new regulations and regulations for boats that don't even use the type of gear. The Action Item 3 is a place where I think that we have the most confusion and misunderstanding of what is needed at this time, therefore we're not choosing a PPA at this time on it and have added a new alternative to the range of alternatives to try to simplify the language and be consistent across fisheries and across state and federal landing requirements. And I think that will do it for my overview.

Pete Hassemer [00:07:45] Thank you. Are there any questions for clarification on the motion? Angela.

Angela Forristall [00:07:57] Just a point of clarification on the problem statement by pieces of fish. You do intend to be number of fish correct?

Lynn Mattes [00:08:08] Thank you Miss Forristall. Yes, my work with the Canadians at the IPHC for many years influenced not only me calling dogfish barky, but me calling individual fish pieces of fish. So yes, it is meant to be number of fish.

Angela Forristall [00:08:23] I appreciate that, thank you Miss Mattes.

Pete Hassemer [00:08:26] Executive Director Burdon.

Merrick Burden [00:08:29] Thank you Mr. Vice-Chairman. And also a question to the maker of the motion. Just on the Problem Statement. It does say right at the front, it says, "and modify the problem statement to include", and there's no further direction about how to do so. Is it your intention that staff, you know, we might work with NMFS to do this to shape that into the Problem Statement in a way that incorporates this? Or did you have a specific way that you wanted this included?

Lynn Mattes [00:08:56] Thank you Executive Director Burden. Had not thought about exactly how to do that, but I think what you're suggesting of having Council staff work with NMFS staff to incorporate is probably going to be smoother, the smoothest option than trying to do that here on the floor. Mr. Lockhart and his folks and Miss ForreSTALL and...(pause)...Miss Ehlke, sorry, brain fart, they know this fishery. They know what we're trying to get at here and I think I trust you all to make those corrections even though I don't task the Council staff with what they do, but that would be my suggestion.

Pete Hassemer [00:09:42] Frank Lockhart.

Frank Lockhart [00:09:46] I don't want to cut off further discussion, but NMFS has a suggested amendment to the Problem statement. So if now's the time for that we can go ahead and do that.

Pete Hassemer [00:10:02] We are in questions for clarification, but I think we can take an amendment to the motion at any time. So if you're ready go ahead.

Frank Lockhart [00:10:11] Okay, thank you. I would move to amend the Problem Statement, and unfortunately I didn't have a chance to send it but I think I can talk us through it. So delete the sentence, "Groundfish longline fisheries have been subject to biological opinions, however the halibut fishery was not". Then add, immediately after that add the following, "Although data regarding seabird interactions with the Pacific halibut fishery are limited". And then basically take the capitalization of the word "this" and make it a smaller case. And so then this action is, and then add, "Intended to reduce risk to seabirds". Delete the word "proactive". And then the next section I'll read, but it's just continuing, it's the same as the current language, "As the vessels use similar gear, fish in similar areas and, and then after the word "and" add "at". And then continue the sentence, "the same times as longline groundfish fisheries". And then add five words here, "where documented seabird interactions occur". So I think that's it.

Pete Hassemer [00:12:33] Okay. I think we've captured it, but we may ask to have that done in strikethrough and I know our people up there are working on this so. There's a number of change, deletions and additions.

Frank Lockhart [00:12:56] Yeah, we apologize. We finished it basically just as we started up so couldn't get it forward.

NOAA General Counsel [00:13:07] We can email it, sorry.

Pete Hassemer [00:13:14] Let's email it, okay?

NOAA General Counsel [00:13:16] Just so for clarification, it is on an earlier version of the motion. The strikethrough doesn't change, the language won't change, but it's on an earlier version that has, was slightly amended I think before it came to the floor, so it doesn't have like the Essential Fish Habitat language or some of the other language in there, but we're comfortable with the additional language that was added. It's just not going to be a one to one, what you're going to see in the email and what's on the floor right now. But the strikethrough, it's in red line and the strikethrough will hold.

Frank Lockhart [00:13:46] And then we can look at it and make sure that we have, yeah.

Pete Hassemer [00:13:51] So I think if you can email it if there's some changes that aren't clear.

Frank Lockhart [00:13:56] Okay. I think it has been emailed.

Pete Hassemer [00:13:59] Okay. And I know you can air mail it with the paper plane faster than electronics work so we'll just wait a little while. While we're waiting we have a proposed amendment on the floor, but Marci go ahead.

Marci Yaremko [00:15:05] Yes, thank you Mr. Vice-Chair. I just have a question. I guess this is of NMFS with regard to the language that's about to come to us on the screen. Looking at the Problem Statement and then the proposed additions to the Problem Statement that were in the original motion and then looking at the draft document, I'm wondering if the Problem Statement includes reference to the ECs statement on the fish ticket item and the exchange that I had with Greg Busch related to the disjointed state regulations and the inconsistencies between them and that being part of the problem and that part of the solution that would come either in Alt. 1 or Alt. 2 would be one consistent federal regulation that would govern. So I don't know that I see that in the Problem Statement or the proposed additions to the Problem Statement, I'm just seeking clarification as to whether or not we need a note on that point in light of what the EC statement says?

Pete Hassemer [00:16:37] So before we get into that, I think maybe we should work through this proposed amendment and figure out what the Problem Statement is that's being proposed if that's okay? So I'm going to give you a chance to study it Frank and when you're ready.

Frank Lockhart [00:17:02] Okay, give us a couple minutes and then we'll be able to talk....(Pause)...Mr. Vice-Chair?

Pete Hassemer [00:17:31] Yes.

Frank Lockhart [00:17:32] I think that the strikeout and additional language underline and strikeout language is fine, but what General Counsel was speaking to that the motion we had was not the motion that was originally made so there's some....we need to add. We're amending that motion and there's some issues with that. I think the.....is it just the first sentence? Okay. With your benevolence could we have a General Counsel speak to that? Yes.

NOAA General Counsel [00:18:21] If you could scroll up to the motion that was originally made. It was added in the first sentence, and modify the Problem Statement are in the closed areas are related to concerns with overfished species and Essential Fish Habitat was added. So that's not in the version that we sent with the strikeout. And then also when you get to the sentence that says, "accurate catch accounting", the version we said had pounds and pieces and this changed to pounds and number of fish.

Pete Hassemer [00:19:21] So I'm going to ask that the maker of the original motion can confirm with you since your amendment is modifying what was in that original motion, correct?

Frank Lockhart [00:19:37] Correct.

Pete Hassemer [00:19:39] And parts of what you submitted are not quite yet consistent with that.

Frank Lockhart [00:19:46] Also correct.

Pete Hassemer [00:19:49] Lynn, did you...can you offer some guidance?

Lynn Mattes [00:20:06] What is shown on the screen now in terms of the first sentence and changing pieces to number is what was the motion that I proposed. So the edits that are being proposed now are editing what I think is the correct paragraph based on the motion that I made a few moments ago.

Pete Hassemer [00:20:34] Okay, so then I think I am ready to have you read your amendment into the record and then we will make sure it is accurate and complete.

Frank Lockhart [00:20:46] Mr. Vice-Chair, would you, would it be easier for me to just read the entire paragraph or do you want me to read only the changes?

Pete Hassemer [00:21:00] I think read the entire paragraph as you intend it to be in the document.

Frank Lockhart [00:21:11] Thank you. I will go ahead and do that. I move to amend the Problem Statement and the amendment will result in the final, this final version of the paragraph. And modify the Problem Statement to include, "Closed areas are related to concerns with overfished species and essential fish habitat and effectiveness of maintaining those closed areas for groundfish

species and habitat protections. Streamer lines are related to conservation of ESA listed seabirds, particularly short-tailed albatross. Although data regarding seabird interactions with the Pacific halibut fishery are limited, this action is intended to reduce risk to seabirds as the vessels use similar gear, fish in similar areas, and at the same times as long line groundfish fisheries where documented seabird actions occur. Accurate catch accounting of both pounds and number of fish landed helps managers better track sector catches and inseason management of halibut, as well as better understand how the fisheries are operating and may ease future modifications of regulations as the fishery evolves".

Pete Hassemer [00:22:34] All right, thank you. As I followed along that language on the screen now is accurate and complete. Do you agree? Thank you. Is there a second to the motion?

Frank Lockhart [00:22:45] Please.

Pete Hassemer [00:22:45] Seconded by Aja Szumylo. Please speak to your motion.

Frank Lockhart [00:22:52] Okay. The changes are consistent kind of with our prior discussion and kind of narrow down what we're trying to explore. And in particular, the largest part of this is adding the fact that seabird, we don't have a large record or a lot of data on seabird interactions with the Pacific halibut fishery so we wanted to make that known. And then also, I think this, the other change in there is, but it is intended to reduce the risk to seabirds. And so these, these two changes I think are a little bit more clear on what the actual problem is. And the deletion I don't think it was necessary to include that. I don't think that's part of the discussion. I think it's more about reducing the risk to seabirds by looking at the streamers. So although it took quite a while to get there, it's relatively simple in concept and so happy to answer any questions if there are.

Pete Hassemer [00:24:21] All right, thank you. Are there any questions regarding the amendment to the motion? Executive Director Burden.

Merrick Burden [00:24:33] Thank you Mr. Vice-Chairman. Just because these are very specific textual changes to the amendment, I'll just pose my same question that I asked Miss Mattes a few minutes ago, which is would it still be the intention that I guess the Council would direct me and I would work with my staff and you all to shoehorn this into the existing Problem Statement in a way that makes the most sense.

Pete Hassemer [00:25:00] Frank.

Frank Lockhart [00:25:02] If I understand the question, maybe I'll say that I was intending to ask after this, you know, the sense of the Council to give staff the leeway to continue working on this in a way that makes sense. So yes, that's fully consistent with my thinking as well.

Pete Hassemer [00:25:25] All right, thank you. Further questions for clarification on this? Not seeing any questions, discussion on the motion to amend? Not seeing any hands then I will call the question the motion to amend the original motion. It's the language is on the screen before you. All those in favor say "Aye".

Council [00:25:56] Aye.

Pete Hassemer [00:25:56] Opposed? Abstentions? The motion to amend passes unanimously. We can now move back to the main motion as amended. And I will see if there is any questions or discussion regarding that motion? Marci Yaremko.

Marci Yaremko [00:26:25] Yes, thank you Mr. Vice-Chair. Just back to the question that I asked while we were pausing. I think I understood from the exchange that just occurred that because the leeway that has been granted to NMFS to work with the Executive Director and Council staff on integrating the edit, the recommended additions to the Problem Statement, I just was hoping for some clarification regarding task, or Item 3 in our list and incorporating the statement from the Enforcement Consultants regarding the disjointed state regulations being part of the problem and that one federal regulation that would require documenting of catch on fish tickets, the solution is contained within the range of alternatives. So I just want to be sure that this reason for, or I'm sorry, this particular problem would either be incorporated or it doesn't need to be incorporated. I know I'm not phrasing this very well. Thanks.

Pete Hassemer [00:27:49] Frank Lockhart.

Frank Lockhart [00:27:55] Well I think the short answer is I think so. But there's.....so I think also the way you phrased it, allowing NMFS to work with Council staff, I think we can address that concern. I don't know if you have in mind specific language that you want included or if you are just okay with Council staff working with NMFS staff to further explore that?

Marci Yaremko [00:28:30] Thank you Mr. Vice-Chair. Yes, very comfortable with whatever you may come up with, but it's an important point in that exchange. I just wanted to make sure that that need is captured and the possible solution is captured within the range. Thank you.

Pete Hassemer [00:28:49] So thank you. And with that exchange, I think, I don't know the outcome of the motion yet, but if there's further guidance to be provided to the Executive Director afterwards, then Marci I think we can make sure that that's captured what you want there. Further discussion on the motion as amended? Not seeing any hands I will call the question. All those in favor say "Aye".

Council [00:29:24] Aye.

Pete Hassemer [00:29:26] Opposed? Abstentions? The motion passes unanimously. Thank you. Lynn Mattes.

Lynn Mattes [00:29:40] Apologies Vice-Chair. But since we did not choose a PPA at this time, FPA is listed for this item for November. We did not choose the PPA for two of the three items on here mostly because we heard we need more documentation, we need some more information. Just inquiring what Council staff and NMFS staff capabilities to provide us more information in time for November is? Or if we need to look at postponing that item, which would then essentially postpone it an additional year, to get into the regulations? But just some clarification on workload

and timing. Is it doable to help manage our expectations on what we're going to be expected in November?

Pete Hassemer [00:30:31] Okay, thank you Lynn. So the question is the capacity, the Executive Director and the staff, to provide that additional information necessary to make a decision in November. I will ask Executive Director Burden to address that.

Merrick Burden [00:30:53] Yes, thank you Mr. Vice-Chairman. Without having consulted with my trustee deputy and trustee halibut staff officer I don't have a real clear answer at the moment. Certainly we can get some work done. I admit I don't have a good sense in my head just yet of what additional record building would be necessary to satisfy the things that Frank has raised. So I don't have a good answer at the moment, but per our usual course, what Kelly and I will do before we get to day last is we'll put our heads together and we discuss our workload and our capacity and we propose a YAG and a Quick Reference Agenda for you. And if we have the capacity to do what we think needs to be done we'll propose doing that in November. So I'm sorry I don't have a clearer answer at the moment but that's just where things are.

Lynn Mattes [00:31:44] Thank you Executive Director Burden. That's exactly what I was expecting to hear, but I just wanted to.....we all kind of were on the same page about what to expect and that we'll talk about it more on day last under workload planning maybe. Thank you.

Pete Hassemer [00:31:58] Thank you. Frank Lockhart.

Frank Lockhart [00:32:01] I would just say we agree with the Executive Director and likewise see some challenges but we'll do the same sort of thing, have some internal discussions. But I think we certainly agree that there are some challenges in order to get it done by November but we will explore it. But I will note this is being done by the same halibut staff that I have just been directed under F.1 to do a lot of other exploring. So I think kind of reducing expectations is wise. Thank you.

Pete Hassemer [00:32:44] All right, thank you. Before I turn to Angela for a summary I'm going to still look around the table see if there are any other hands for discussion. Not seeing any, I'll give Angela a chance to summarize and tell us if there's more work to be done here. Angela.

Angela Forristall [00:33:06] Thank you Mr. Chair. And thank you Council for some very helpful clarification as staff moves forward on this action. You have adopted one Preliminary Preferred Alternative, and that is requiring streamer lines for vessels participating in the DC halibut fishery. You also adopted a full range of alternatives for the two other items without a PPA identified at this time. Council staff will have some discussions about workload planning before the end of the Council meeting and we'll report back to you at that point on what we anticipate will be able to be delivered by November. You also refined your Problem Statement with some provided text that staff from the Council and NMFS will work with together to incorporate into the existing Problem Statement. And with that, Mr. Chair, Vice-Chair, I believe your work is done.

Pete Hassemer [00:33:58] All right, thank you very much. I believe that I don't see any other hands here. That completes our work on this agenda item. We'll close that out.

G. Coastal Pelagic Species Management

1. National Marine Fisheries Report

Pete Hassemer [00:00:00] So that takes us to our Council discussion and action. I hope that will pop up on the screen. It's very simple. Discussion is and comment as appropriate. And just maybe to summarize, the ask from NMFS was to get something on our November agenda to address this item and that would come up during our workload planning. So any other discussion? John Ugoretz.

John Ugoretz [00:00:37] Yeah thanks for that, and thanks to NOAA for providing the update. I think the court has given NOAA a task that they must complete. And while the Council would prefer to have more time to review documents like this and provide input, we understand the timelines involved. And so I'm supportive as long as we get something in an advance briefing book that we have time to digest that we can make a decision in November. And I'd much rather have the Council participate in that manner than not participate at all.

Pete Hassemer [00:01:22] Thank you. Corey Niles.

Corey Niles [00:01:28] Yeah, agreeing with John's last statement there. But I'm wondering if we can hear from from Josh a little bit more on the plan. I don't know if the advance briefing book would be enough. Is there plan to have a webinar? How are you going to come up with alternatives? And I'm kind of wondering why we didn't use this as the first meeting given the court decision has been out there for a little bit. But yeah, how are you going to come up with alternatives? Is the CPS Management Team going to be involved? Is it going to be a webinar well in advance. Could you just give a little more detail Josh on your thought process there?

Pete Hassemer [00:02:05] Josh, can you respond to that?

Josh Lindsay [00:02:09] Thank you Mr. Vice-Chair. Thank you Corey for the question. I think I can respond in part and then I might turn to Council staff for an assist on this as well. Yeah, the ruling on the remedy, which is really the driver for this came out in late June, so this is really the first meeting we were able to advise the Council or give the Council new information on those proceedings. I don't have answers to questions, Corey, in terms of webinars and things. We are hopeful we can have a, in working with Council staff, a good document, a good analysis for the Council to review in November. I think the changes from the previous rebuilding plan that the Council adopted, or the needed changes in what the Council previously adopted are relatively narrow, and so I think that that's the hope that much of the existing analysis and rebuilding plan remains in place. And so that we can work under this sort of tight timeline that the court has given us. But maybe I'll stop there. Thank you.

Pete Hassemer [00:03:25] All right, thank you Josh. And Corey because your question also referred to management teams and advisory bodies, I was going to ask Executive Director Burden, but maybe Jessi wants to speak first. Jessi.

Jessi Doerpinghaus [00:03:41] Thank you Mr. Vice-Chair. Just kind of following up on Mr. Nile's, your question to Josh that he kind of wasn't able to speak to, Council staff has been working on developing the analytical document in the lens of the EA, as Josh mentioned that there is only certain parts of the rebuilding plan were vacated so we're really looking at that ACL rule of the rebuilding plan, and there's some other pieces that we need to update. But we are at the timeline given when kind of everything settled out on what had to be done. We are, the earliest that we can really plan on having things done is for the November briefing book. We did discuss with the CPSMT and the AS to have potential pre-Council webinars that they could get an overview of the analytical document in advance of them being in-person which is planned for the November meeting.

Pete Hassemer [00:04:40] Okay, thank you. Did that answer your questions Corey? Okay, further questions, discussion? We're in discussion here. And again, there's no action necessary. Something we could take up during workload planning. And Corey Niles.

Corey Niles [00:05:03] So you know, seeing if anyone else had any other thoughts. But yeah, I guess I'm not quite....I understand the time crunch. I don't understand what the issues are. I think I've brought up a few times that, you know, the Council benefits from hearing from NOAA General Counsel in closed session, but much of the material we hear there doesn't need to be in closed session. It's really kind of advising us on what the lawsuits are. So it would be nice to understand and it's a lot of work but I reread part of that decision again and I'm pretty confused about what the court was saying about this. It was a ACL issue, but it was labeled as a NEPA, a problem with NEPA. So I'm just hoping that when the time comes we do, even if it's just one meeting, get that, get a pretty good understanding of what the flaw was and understand how the alternatives will be looking at address it and what we understand where our policy discretion lies and help choosing those alternatives. But yeah, I trust that staff can do that. It's just, you know, it's an unusual timeline, but I would like.....I think this Council should understand what the issue is and have some leeway to choose the alternative that we think best achieves our policy and is consistent with the court's direction.

Pete Hassemer [00:06:33] Thank you. And I think, I mean, what I'm guessing will occur during workload planning is whether or not we want to direct the Executive Director to have staff work on this beforehand. NMFS has offered to help. My expectation is that if there is work done on it, they know exactly what to respond to or it will fail in the face of the judge so. Executive Director Burden.

Merrick Burden [00:07:06] Yeah, thank you Mr. Vice-Chairman. And Mr. Niles I completely appreciate your questions, where you're coming from. And if I was in your shoes I'd be asking the exact same questions. We are, you know, under a very compressed timeframe and what I had hoped we'd be able to do is have more for you by the time we got here. We're working very closely with General Counsel to structure a couple of alternatives that would meet the court requirement. And what I foresee is that within that the Council will still have some latitude to figure out how to combine those or work within those and that's one of the reasons why my opinion very strongly when this first landed in our office was that we need the Council to be involved in this decision, and I think that speaks to Mr. Ugoretz's comments a minute ago. So I do think there will still be some latitude, maybe some creativity somewhere to bring in the Council's expertise and how we

respond to the court and how we structure the next rebuilding plan. Unfortunately we just don't, we haven't created those alternatives just yet because we are working very closely with General Counsel to make sure that whatever we do create would be responsive to the court. So sorry we don't have those for you, but I do anticipate you being able to do what I think you want to be able to do, which is use your expertise to decide the best policy forward.

Pete Hassemer [00:08:40] Thank you. Any further discussion on this? Not seeing any hands, Jessi is there anything else we need here?

Jessi Doerpinghaus [00:08:52] No Mr. Vice-Chair, I think you've completed your business for this item.

Pete Hassemer [00:08:56] All right, thank you. And I will close this agenda item out.

H. Ecosystem Matters

1. Fishery Ecosystem Plan Initiative 4: Groundfish and Salmon Risk Tables – Progress Review

Brad Pettinger [00:00:00] That takes care of public comment I believe so I'll open the floor for discussion. I think our work will be before us here shortly, the Council action so. A long day so that's to be expected so. Corey Ridings then John Ugoretz. Corey.

Corey Ridings [00:00:26] Thanks Mr. Chair. I was just going to offer to kick us off with voicing my appreciation for the CCIEA team and the work that they did to produce the initial results and that initial report that they produced. This work, a lot of it has been the outgrowth of multiple things the Council has considered under various fishery ecosystem plan items, climate items, and I think represents a good effort to look at what this Council needs and try to come back with tools that are useful. So just wanted to express that appreciation. I'll stop there. Thank you.

Brad Pettinger [00:01:10] Thanks Corey. John Ugoretz.

John Ugoretz [00:01:12] Yeah, thanks Mr. Chair. I'll echo the appreciation and, you know, honestly my surprise and being impressed that we've gone so far with ecosystem work in a relatively short amount of time. I know we've been working on this a while, but we are developing new tools and we're developing new ways to incorporate ecosystem into what we do and I think it is responsive to the Climate and Communities Initiative as the CCIEA Team mentioned today. I'll also point out that climate change and our response to it is a long term issue with long term implications requiring long term solutions. It's not a fishery crisis that we are responding to today that needs an immediate action. And based on everything I've heard and read, I think risk tables are a really good start at getting us there and I think they are ready to be explored, but I don't think that they're ready to be fully implemented into active management. And I sort of key off of the CCIEA statement that this is an iterative process. And I think the SSC recommended that, you know, there might be tweaks and iterations moving forward. And I think what I'd like to see is that we recognize the work that's been done, that we use these risk tables as a way to explore their utility in the current upcoming cycle of assessments, but not that we implement their results into the current upcoming groundfish management. I'd like to see all of it go forward. I'd like to see the results if possible, and if there's time, I'd like to see some of the time varying results for the other things that haven't been explored yet that the GAP announced, or the GAP recommended. And at the end of the current assessment cycle I think we can make an informed decision about how to implement this going forward and whether it's ripe for management use. So it's kind of where my head's at right now with it, but I really do think we've just made tremendous progress.

Brad Pettinger [00:03:57] Thank you John. Aja Szumylo.

Aja Szumylo [00:04:01] Thank you Mr. Chair. I'd also like to echo appreciation for the CCIEA Team. This day really cleared up a lot for me what I was reading and getting back onto board with what we were discussing and trying to do here. Some things really stuck with me, that this approach is a transparent way of integrating information about ecosystem considerations that may have been happening in patches and in different places before, but this is one way that formalizes it in the

process of at least the groundfish specifications. I don't have as much knowledge about the other FMPs and can't.....and I'm really grafting off of the reports that we heard today about how it would play out in other places, but for groundfish at least, with the existing approach that we have in P Star sigma, it does strike me as a path of least resistance to incorporating ecosystem information here. I also just want to highlight that there are tons of different ways to do this. We just, yeah we're, it seems like we're building a approach into an existing complicated process that we have, but it seems better to do something here than throw the entire thing out and throw the entire uncertainty and risk structure that we have for the groundfish fishery out and start over again with coming up with a new way to incorporate ecosystem uncertainty here. So I do really respect this as a way to go forward particularly with groundfish. I don't really know if it's the best for the other fisheries too. I'm really interested in this as an approach or an opportunity to adjust sigma and fine tune sigma in the intervening years between that first year of the assessment and when we're setting specifications, so, yeah and those biennial were not, biennium when we're not, however you pluralize or whatever. Anyways, whatever you....in those years when we haven't done an assessment that we get to take in information that's out there and use that to set uncertainty, it seems like a really good tool for how to do that. And this only deals with uncertainty when setting catch limits, but I just want to highlight here that there are so many other tools that we can use to get at some of the concerns that industry raised today. I'm really thinking about the GAP Report here and what was said in the EAS Report that this just scratches the surface of how we can incorporate environmental information into improving fisheries flexibility. And I see how this misses the mark for the GAP. You know I think that they were looking for this to be a tool where we can jump in and increase catch limits in certain circumstances, but I'm really hopeful that the Council can look back at other times when we've used information to increase catch limits to respond to prevailing information to address fisheries issues that come up. And I think that, from what I've read of the Inflation Reduction Act projects, particularly the first project that that's a really good place to really start exploring, like what are the tools outside of uncertainty adjustments that we could use to make some adjustments to fisheries. So I don't want this to be mistaken as a bad tool. I think it is just one of the tools of the whole suite of tools that we could possibly use and we need to expand that look into others. So I'll stop there.

Brad Pettinger [00:07:23] Thank you Aja. Lynn Mattes.

Lynn Mattes [00:07:28] Thank you Chair. My comments were going to echo sort of what Mr. Ugoretz and Miss Szumylo said that we've made progress and appreciate all the hard work that's gone into place. I would like to see groundfish move forward but maybe not in a formal way yet. Let's work on this in conjunction with our next spex cycle, see how it works, if it works, and then we can maybe reevaluate and adopt more formally. I do want to keep in mind we don't want to buffer Butch completely out of the room. I know if that conversation has happened with others, too, that making sure this isn't just another buffer on top of a buffer on top of a buffer, which I think using it for one cycle as a test case will help us help inform that trying not to be results oriented, that we pre-assume what the results are going to be and make our decision based on that. But I think it would give us a better idea of how these will work and be incorporated into the groundfish process moving forward. Thank you.

Brad Pettinger [00:08:37] Thank you Lynn. Butch Smith.

Butch Smith [00:08:41] Thank you Mr. Chair. And I am appreciative of all the work that's been done on this matter by everybody concerned that participated. And I too agree with John and I would say Aja's last name but I know I'd butcher it and so I'm not going to, and Lynn, but me, and John is now salmon John I guess sitting in the seat there, I don't want to presume myself to be in, you know, what's going on in California, but if the same process was going on in Washington I would say there's already a lot on their plate to do what they have to do in a short amount of time in adding this layer on top when the salmon world has already incorporated some environmental variables, ocean conditions and whatnot. I think that, you know, possibly at this time setting the salmon off to the side and if we want to move forward on incorporating and looking into further, not ready for prime time, but into the groundfish, then that could be done and they could focus on one thing instead of being split and focused on two things at one time. I just want to remind people in the salmon world, we have some of the best salmon scientists in the world and our co-managers included and there's a lot of fingers in the salmon pie already, and so I think that John and Marci have their hands full with what they're doing right now. And I think that as Mr. O'Farrell indicated that we're already using environmental variables in the ocean salmon management world on our ESA listed fish, survival rates and whatnot on water conditions. I don't want to pass the buck and say these guys can have it but we don't have to, but it seems like that once we got close to something up and running I would hope that we wouldn't incorporate it the first year. I hope we'd maybe run it alongside to see how it performs or how it would have performed had we used it. I wish we would have done that with the OPI fix that we intended to do, which had peers, although the jury's not completely in, but early indications said it was maybe a wrong move. So those are some of my thoughts. And thank you my colleagues this is, this will definitely take some staff time and God bless you all on that, but those are my thoughts on what we might do with with salmon. Thank you Mr. Chair.

Brad Pettinger [00:11:54] Thank you Butch. All right, Corey Riding. Oh, I'm sorry, Corey Niles. Get through everybody before we come back.

Corey Niles [00:12:07] I'll try to keep it brief. Thanks Mr. Chair. Yeah, I'm agreeing with the general viewpoints being expressed here. I was going to highlight a couple different things. First, I think we think of these things as ecosystem and climate tables but I'm also, as we heard from the SSC, two of the columns have to do with the assessment themselves and I'm thinking back to discussions like Marc that you've been raising in terms of California quillback and a lot and in talking with Butch and other folks about just wanting to understand groundfish assessments better, and just remind this is also a tool for that. If we had had this for California quillback would everyone's questions have been answered? Probably not, but it's a step in that right direction of trying to explain some of these very technical assessment issues in plainer English and in a condensed form. So I just wanted to.....that value was raised by a couple of folks and I think that's important. And yeah, I agree with what the GAP said about, I think the time varying sigma, and John and Aja got to this too is, where some bang for our buck is and I hope we can find a way. The SSC basically said they didn't have time or the analysis to look at it quite yet, but I hope we can find a way. And I'm thankful that Butch didn't call me salmon Corey because he knows I don't know what I'm talking about, but I'm seeing a definite need, you know, being involved in Ecosystem Work Group in these discussions, there's a definite need on learning what's in Butch's head and in our STTs head and some real need to learn what is going in, for example, places like the Pacific Salmon Commission and, you know, I heard, I learned just listening to the STT today

what they're already doing and can ask Butch what a matrix is when we're done here, but I do see a need for some more learning there on what's going on. And lastly, my last point would be I just all throughout discussions, I'm thinking of Merrick waiting for him to ask what the Problem Statement is, and I think that we haven't nailed the scientific uncertainty discussion. We don't have it perfect and it's going to be an ongoing thing and we need to understand if we're being buffered too much or too little. And so I think those conversations need to keep happening between the scientists and the stakeholders and us up here. And that's why I was a little surprised to hear the GAP think it would be turned into a more subjective exercise when I kind of think it would make it a more participatory and transparent way of talking about uncertainty that the GAP could also then participate in. But yeah, I just think it's a discussion that is going to be ongoing and this, like many people say, this is possibly a first step and one useful tool in helping us through those thorny issues.

Brad Pettinger [00:15:13] Thank you Corey. And now the other Corey. Corey Ridings.

Corey Ridings [00:15:19] Thanks Mr. Chair. I think I'm just going to echo a little bit. I'm hearing the other Corey, Miss Szumylo, and others talking about the value of transparency. That was something I hadn't really thought too much about before this week in thinking about these products and that's really struck me as something that is actually of value. So just especially when we're talking about the current practice of sigma, how that is a tool that we have now and we use now, and ideally this gives us the ability to make that a finer tuner, and do that in a way that is more transparent and explicit so everyone can better understand how those decisions are being made. In my mind that's not really a buffer because we are already doing it, it's just doing what we do only better. So using this newer tool that's being offered to us and hopefully moving forward with that. So thank you.

Brad Pettinger [00:16:26] Thank you Corey. Okay. John Ugoretz.

John Ugoretz [00:16:33] Thanks Mr. Chair. And yeah, my initial comments were definitely focused on groundfish. I don't think salmon is at the same place and I think the EWG and others have noted that in their reports. They're looking for some meetings and I think that's a reasonable thing to ask for as long as it's based on the availability of the salmon people to participate. And not being a salmon person, I don't even, well never mind I won't go there, but I will say that Butch brings up a point that I was going to make at the end but I think it's worth saying now that this item was agendized under ecosystem and that was appropriate at sort of the end of an ecosystem process, but moving forward as we start implementing ecosystem items into FMP topics, I think this is a great example of where this might have been better scheduled or at least noticed in the groundfish and salmon areas of our agenda separately so that our constituents had kind of full transparency that that's what we were going to discuss. I think it's very possible that, for example, someone interested in salmon would not have looked at the ecosystem agenda for this meeting to know that we were talking about a salmon topic. So I think just something to consider in future workload that as we move forward with these, the ends of initiatives that we make sure we put them in the right place. It's not really even changing what we're agendizing, it's just putting them where people know they'll be.

Brad Pettinger [00:18:24] Good point John. Okay, no one else? Heard some good comments here. I think we've.....Lynn.

Lynn Mattes [00:18:34] Thank you Chair Pettinger. Since I didn't see any other hands popping up I do have a draft motion ready. I believe Kris and Hayden have it if we're ready for that point. I think we are given the discussion and the time of day. Okay. This is ODFW H.1 Motion 1. I move the Council explore the use of the risk tables for groundfish as described in EWG Report 1 for the 2027 and 2028 cycle without adopting a formal framework at this time. Revisit the use of risk tables for groundfish after the 27-28 cycle to determine how they worked and if and how their use should be continued. Part 2: Request the CCIEA Team to work with the EWG, SSC Groundfish Subcommittee, and SSC to explore the development of the setting of either both sigma or P Star in between new stock assessments, example the time varying penalty on sigma, as described in the CCIEA Risk Table Report on FEP Initiative 4. Item 3: Request that the Sablefish Risk Table be updated for the 2025 stock assessment cycle and other species on the 2025 assessment list that workload can accommodate, be developed in parallel to the stock assessments, prioritizing a longer lived species and or a Category 2 species if not enough capacity to develop for all species. Number 4: Endorse the EWG meet over winter to explore and help start discussions with appropriate advisory bodies to identify if and how risk tables might be incorporated into salmon management. 5. Task the EWG with drafting a summary report describing the FEP Initiative 4 process results and anticipated next steps for future easy reference. And 6: Add a groundfish and salmon risk table update agenda item to the March 2025 meeting to inform the Council of progress, of progress made and recommendations on next steps, noting that this should be addressed under K.4 later at this meeting as well. Thank you.

Brad Pettinger [00:20:56] Okay Lynn. Is the language of the screen accurate?

Lynn Mattes [00:21:01] Yes sir.

Brad Pettinger [00:21:02] Okay, looking for a second. Seconded by Christa Svensson. Thank you Christa. Please speak to your motion as appropriate Lynn.

Lynn Mattes [00:00:00] Thank you Chair Pettinger. We've had a lot of discussion, and I know there was some discussion yesterday on salmon that I wasn't a part of that kind of got wrapped into this, but this motion is attempting to address starting with groundfish, seeing how they work before we formalize it, then we can come back next cycle to formalize if they work or if they don't, see how we can use them. Part 2 is addressing what, partially what the GAP was after and some of the rest of us too is exploring sigma and or P Star in between assessments for that to address uncertainty in that time period. And then Number 3, when I asked the questions earlier about how many new risk tables could be accommodated? I added Number 3 in case there wasn't capacity to do all of them, that I would prefer that a longer lived species than sablefish or petrale sole and or a Category 2 species be looked at, that way it would give us a better range to explore on how risk tables work. Both sablefish and Petrale are relatively shorter lived species compared to rockfish, and both are Category 1 species that have a lot of data. There's been a lot of back and forth today about should this be incorporated into salmon to not interfere with the item that was discussed yesterday, Number 4 is intended to just start the exploration and discussions about how, or even if risk tables should be incorporated into salmon management. This is intended to be exploratory in

nature, not prescriptive in nature. As far as drafting a summary report, currently getting to what Mr. Ugoretz said a few minutes ago about when we were noticing things, we have pieces and parts under various FMPs and maybe not easy to find under one space, so is it under ecosystem or is it under groundfish FMP? So asking the EWG to draft a summary report would hopefully put all of the processes, results, and next steps in one place that's easy for all of us to find. Sort of a one stop shopping place rather than having to go dig through each individual FMP. And finally, I do know Number 6 gets more to workload planning which we address under K.4, but I did want to put it there as mostly a reminder. I do want to make note that this motion specifically does not address CPS or HMS. It does not appear that either of those are ready for this type of process yet and could be explored at a later date if there was that desire. There just does not seem to be that desire at this time. And I think that'll do it.

Brad Pettinger [00:03:06] Thank you Lynn. Questions on the motion? Keeley Kent.

Keeley Kent [00:03:08] Thank you. Thank you for the motion. Just to clarify, so in Number 1 when you say for the 2027-2028 cycle, I'm assuming what you mean is the 2025 assessments which inform the 27-28 spex rather than saying we're holding off until the 2027 assessments and future. Is that right?

Lynn Mattes [00:03:32] Through the Chair, that is correct. It is meant to be the 27-28 harvest specifications cycle that are informed by 2025 assessments.

Brad Pettinger [00:03:46] Thanks Keeley. Vice-Chair Hassemer.

Pete Hassemer [00:03:49] Thank you Chair Pettinger. Lynn, thanks for that motion. A question on Number 4 if we can scroll down to that. As you said, it's not prescriptive endorsing the EWG meet over the winter to explore this. I'm going to refer back to the STT Report where they say both Sacramento fall Chinook, Klamath River fall Chinook Work Groups have begun exploring and their specific statement, "the STT supports meeting with pertinent groups over the winter months to explore", pretty much what you said there. So is there flexibility in here that it's not the EWG leading this, but as these groups are working together the EWG is included in that process of exploring? Because I'm not exactly sure how much the work groups in the STT, but it was the STT that supports meeting with various groups. Just what you intended there?

Lynn Mattes [00:04:56] Through the Chair, Vice-Chair, I think there can be some flexibility there as to who is involved in this discussion. Since this was part of the Ecosystem Work Group work, that's why I included it. I will admit I had that sentence written with the endorse the EWG prior to hearing the STT Report. And again, trying to leave it somewhat flexible so as to not override or interfere with decisions that were made yesterday under a salmon agenda item.

Brad Pettinger [00:05:35] Executive Director Burden.

Merrick Burden [00:05:41] Yes, thank you Mr. Chairman. Let's see scrolling back up to Number 1 if you could. I want to make sure that as we think about implementing this motion that I am interpreting Number 1 correctly. So it says explore the use of risk tables for groundfish for the 27-28 cycle, and appreciating the earlier clarification, it also says without adopting a formal

framework at this time. I would interpret that to mean that we would run the calculations but not implement them until I get to the subpart which says "determine how they worked", which implies to me that we do implement them. So could you tell me, are we doing the specifications process in 27-28 in the way that we've been doing them and doing the math in parallel and just seeing how that compares? Or are we taking this approach to develop ACLs for 27 and 28 and then taking a step back and seeing how they worked?

Lynn Mattes [00:06:45] Through the Chair, Executive Director Burden, your first take on it was my intention that we run the risk tables in parallel to the normal spex cycle as we have been doing them, see how they compare, maybe compare would be a better term than worked, and then if and how we should use them going forward. But it was intended to be in parallel, not as a piece of the spex cycle this next time.

Brad Pettinger [00:07:14] Thanks Lynn. Sharon Kiefer.

Sharon Kiefer [00:07:16] Thank you Mr. Chairman. And could you scroll so that we can see both 2 and 3? Thank you. So I note that in 2 you actually call out the setting of either both sigma or P Star but specifically in between new stock assessments. When I look back to the CC whatever their long name was, their primary recommendation was really using the risk tables for groundfish in the selection of scientific uncertainty, sigma, by the SSC when an assessment is conducted. So the language of Number 3 doesn't really seem to specifically articulate that. So is your intent that a few assessments.....I know the SSC suggested all, I don't know how reality that is, but you have kind of called out longer lived species or Category 2 species, which suggests to me a couple in the assessment process, but you do not specifically articulate using the risk assessment, the risk tables relative to informing the sigma selected by SSC. So I'm just trying to kind of understand, is that still part of this equation or are we just assuming that SSCs going to go forward and do it? I'm a little confused.

Brad Pettinger [00:08:57] Lynn.

Lynn Mattes [00:08:57] Through the Chair. Thank you Miss Kiefer. To me Number 2 and Number 3 are completely independent of one another. Number 2 is just looking at time variance sigma and the the uncertainty in between assessments, since oftentimes it's 10 years or more before it's between assessments. And then Number 3 is just talking specifically about using risk tables for 2025 assessments, things that we are planning. Since those would be current assessments we wouldn't need to worry about the time variance sigma, so to me they're independent, their related but very independent things. One is the immediate need, and the other one is the need as we get farther away from the assessment.

Sharon Kiefer [00:09:38] Mr. Chairman a follow-up? So your intent with 3 is that application of risk tables in those specific assessments to inform sigma?

Lynn Mattes [00:09:50] Through the Chair, Miss Kiefer, that is correct.

Sharon Kiefer [00:09:52] Thank you.

Brad Pettinger [00:09:53] Thank you Sharon. John Ugoretz.

John Ugoretz [00:09:58] Thanks Mr. Chair, and thanks Lynn for the motion. So I am a little confused about the difference between Number 3 and Number 1. I understand Number 1 is, as you clarified to Executive Director Burden, an in parallel examination of what might happen but not used for management. Are you suggesting in Number 3 that we update and use sablefish and other species for management in 25? Or is it just, I don't know why what we're doing in 25 that's different than 27, 28?

Lynn Mattes [00:10:45] Through the Chair, Mr. Ugoretz, Number 3 is intended to inform the assessments that we do in 2025, which will then inform the management measures we do in 27-28. So maybe it would have been better to have Number 3 as Number 1 since in the timeline it comes first. Again to me these are separate issues, one is stock assessments and getting the results of that and then, or Number 3, and then Number 1 is setting the harvest specifications and the management measures that go along with those is the way in my head it worked out.

Brad Pettinger [00:11:23] John.

John Ugoretz [00:11:23] Thank you Mr. Chair. And thanks Lynn that helps. In both cases are you suggesting that this is in parallel and not actually implemented for management process?

Lynn Mattes [00:11:37] Through the Chair, Mr. Ugoretz, that is correct, in parallel. I should have been more clear on that.

Brad Pettinger [00:11:43] Thank you John. Corey Niles.

Corey Niles [00:11:48] Yeah, thanks Lynn. Let's keep the pressure on you here but the, on Number 2, first of all thank you for motion, I'm supportive of the approach. I'm almost wanting to amend it to request that one of the stocks, one of the risk tables they produce in the manner they are suggesting be for a stock that doesn't have an assessment in 2025. So basically it would be a more specific way of helping Number 2 happen. But is your vision here that this would be enough just to give the folks leeway to figure out how they, how and when they make it happen? Because I'm kind of seeing this in parallel. You could do the in parallel look for what Sharon clarified on the sigman, but you could also do it in parallel for the time varying sigma possibly if there was enough capacity in the SSC to think about that. So I'll go back to my question is, are you just basically saying please try to do, you know, do what you can to figure out how to make this happen in between assessments, or for assessments that are old, and then kind of I think Number 5 can see it as report back to us in March about how you might do that. Is that kind of your plan here?

Lynn Mattes [00:13:11] Through the Chair, Mr. Niles, yes that is what I intended is we could come back to it, see what we can get done. Come back and discuss.

Brad Pettinger [00:13:25] Butch Smith.

Butch Smith [00:13:27] Mr. Chair thank you. Lynn my capacity I think it is starting to run out so my head's hurting here. this is my first question I've ever asked a maker of a motion so I'm sorry

about that. Great motion. So Number 6 is probably pretty self-explanatory, but could you just elaborate a little bit more on your thinking on Number 6 with the salmon?

Lynn Mattes [00:14:00] Through the Chair, Mr. Smith, the intent is just get an update on the over-winter discussions that we're proposing to happen under Number 4. If those meetings happen and there's some discussions we can get an update even if it's a one sentence update. There was not time and capacity to have the discussions. And similarly with groundfish, it's an opportunity since we do ecosystem stuff in March to give an update on how the over-winter work has progressed, if it has, if it has not. That is it's sole intent.

Butch Smith [00:14:34] Thank you.

Brad Pettinger [00:14:36] Thanks Butch. Okay, just to let everybody know we're not stopping at 5. We're going to finish today's agenda so we're going to take a short break after we're done here with this one and so John.

John Ugoretz [00:14:50] I'd like to offer an amendment. If you could please scroll up to Number 1 so I can see it. Thanks. After the word "determine" in 1a, you're going to have to scroll back up, oh there we go, thank you. After the word "determine" in 1a strike "how they" and insert "if they would have" and then, no, no, sorry I'm speaking now, "if they would have" worked, and then strike the last part of the sentence starting with "there" to the end and replace it with, "they should be used moving forward". Thank you.

Brad Pettinger [00:16:27] All right John is the language on the screen accurate?

John Ugoretz [00:16:31] It is.

Brad Pettinger [00:16:31] Okay. Second by Aja?

Aja Szumylo [00:16:37] No.

Brad Pettinger [00:16:38] Okay. So second by Corey. All right. All right, so John speak to your amendment.

John Ugoretz [00:16:49] Thanks Mr. Chair. I'm trying to make sure that it's clear that the intent is not to use these for management in this cycle. Lynn has expressed that in response to questions and I'd like to make sure that motions are clear that way so it doesn't get confused later.

Brad Pettinger [00:17:10] Okay, very good. All right. Questions of the motion maker or discussion on the motion? Aja.

Aja Szumylo [00:17:16] Thank you Mr. Chair. John I am curious what "working", like what it means if it worked is for you. And that's what I'm...what I get caught up with in this context is, again I think there's disappointment if we expect a certain results around these things. And so I don't want to imply that like the, an increase in a catch limit or a decrease in a catch limit represents a mistake in some way. Sometimes it's what, it's the result of incorporating information and so I

have trouble with the term like "did this work?". I liked to the how of it, like how did they perform? What was the performance of this? Yeah, the previous wording I think was fine. The second, your second adjustment is fine, but I just don't like the implication that there is a result that is positive or negative in this circumstance.

Brad Pettinger [00:18:18] John.

John Ugoretz [00:18:19] Thanks. Through the Chair, yes I didn't come up with "worked". I changed it. I understand how taking out "how" alters that slightly. My amendment was based more on the question from Executive Director Burden and my follow-up on whether this is being used in management and trying to capture that. You know I've already made the motion but I can think of other ways to say it.

Brad Pettinger [00:18:59] I think it's a fairly subjective term. I mean we've talked about how things worked out. I think it's, I don't think it's a sticking point. I think we understand what he's doing here so unless Aja you want to do.....?

Aja Szumylo [00:19:18] Yeah I'll....

Brad Pettinger [00:19:18] Oh sorry, Director Burden.

Merrick Burden [00:19:22] Let me see if I can help just a little bit. As I think about what it would mean to implement this amendment, the way I think about this issue is that how and when and even whether these risk tables that we're discussing are implemented, that's the Council's call, and so it is your determination to decide if they worked. And so I think if we interpret it this way and we say let's do an evaluation here or do a dry run, come back and then consider this again, that's your call as Council members to decide if that worked. So it's hard to make that an objective measurement, although I appreciate the desire, it's hard to make that objective. And so if you follow my logic, I think the language works for implementation purposes and I'll just leave it there.

Brad Pettinger [00:20:10] Okay. Corey Ridings.

Corey Ridings [00:20:20] Thanks Mr. Chair. I just wanted to speak to the concerns that Miss Szumylo brought up and just say that I share them. I'm appreciative of the amendment that John offered. I think the spirit of the initial text from Miss Mattes and the amendment I agree with, also just noting that as this moves forward "worked", I agree with Miss Szumylo that is, can be objective, but it also sort of suggests that there is something to measure that by. So just adding my own context here that I am happy to offer an amendment to an amendment. If I see faces around the table I'm also happy to see it move forward. Thanks.

Brad Pettinger [00:21:18] Okay, Corey Niles.

Corey Niles [00:21:21] Well I think what I heard Merrick say was, that's kind of what I was going to ask, it's going to be an evaluation and Corey mentioned the spirit of the original motion and the amendment is the same spirit. So I think just I guess the question would be for John, but it's kind of in getting Council staff to remind us probably at this time 2 years from now because we will

have just finished the harvest specification process in June like we just did. So at that point in time we'll have some kind of evaluation of how it went and how to use it next time and that's, if that's the intent I guess I'll stop there to the maker of the amendment there.

Brad Pettinger [00:22:01] Thank you Corey. Okay. John, please.

Corey Niles [00:22:08] Did I not? Did I mess up? Was I going too all over the place there John?

John Ugoretz [00:22:13] Yeah I think everything is. Yeah I, maybe try me again.

Corey Niles [00:22:22] So just the intent is there like Merrick saying whether we need amendment or not is, there's going to be an evaluation at some point and my question was going to be that point would probably be about now at this meeting 2 years from now, because we'll have just gone through the harvest specification cycle finished in June like we just finished this past June. So the plan would be to figure out how to do an evaluation of what just happened and probably around this time 2 years from now.

John Ugoretz [00:22:51] Yeah, that's what I think.

Brad Pettinger [00:22:54] Okay. All right. Hopefully we'll, we can move forward hopefully. Lynn Mattes.

Lynn Mattes [00:23:04] Thank you Chair. And I was not going to speak to the term "worked". I was just going to say that I appreciate Mr. Ugoretz' amendment to the motion to make it more crystal clear what the intent was. I see it as clarifying and I appreciate the clarification on that.

Brad Pettinger [00:23:24] Okay. I don't see any other hands. Thank you. So I'm going to call for the motion on the amendment. So all those in favor signify by saying "Aye".

Council [00:23:36] Aye.

Brad Pettinger [00:23:36] Opposed no? Abstentions? All right, the amendment passes unanimously. So we're now to the amended motion. Further discussion? Thank you. I'm going to call for the motion, question I should say. All those in favor signify by saying "Aye".

Council [00:23:58] Aye.

Brad Pettinger [00:23:58] Opposed no? Abstentions? Okay, the amended motion passes unanimously. Thank you John. All right. Further discussion before I go to Kit? Again thank you. Kit.

Kit Dahl [00:24:20] Thank you Mr. Chair. I don't think you necessarily need to ask me, but your work is done here I believe and you've hopefully crystallized your discussion and your guidance in a motion that lays out how you want to proceed with using risk tables in the next harvest specification cycle and onward beyond that and the potential for, well first off a, that you want to kind of do a parallel process without a complete implementation, see how it goes, do an

assessment, think about future implementation in a future cycle along with potentially other applications such as to setting sigma in between assessments. And then there's a bit of very general guidance as far as salmon goes. Really just get the folks together and have a discussion this winter and come back in March with a report back what the results of those discussions were. And then I believe I heard, although I don't think it's explicit in the motion, to hold off kind of for the foreseeable future doing anything for your other two FMPs and let's work through what's been put on the table for groundfish certainly and see if anything proceeds with salmon, and then at some future date think about those other FMPs. So that's my take.

Brad Pettinger [00:26:06] All right Kit. Thank you. And I guess we actually throughout those months see how it goes is another option. Corey Niles.

Corey Niles [00:26:13] Yeah, thanks Kit. I think that was pretty comprehensive but I might have missed one thing. And I think part of the plan was it wasn't just reporting back on the salmon aspect in March, it was also getting some feedback on the groundfish part of it in March too.

Brad Pettinger [00:26:27] Yep, thank you Corey. Okay we're going to run late tonight so a 10 minute break. Be back here at 5 o'clock. I'm going to start without you because we're going to 6 at least. So okay? Thank you.

I. Groundfish Management

1. National Marine Fisheries Service Report – Including Sablefish Management Strategy Evaluation Update

Brad Pettinger [00:00:01] That concludes our reports, takes us to public comment, which I think we have zero but. Okay, I see that which takes us to Council discussion. I don't know if there's any action on this agenda item so. I'm not seeing any. Okay. I would just like to say that.....oh, Marci.

Marci Yaremko [00:00:27] Yeah, thank you Mr. Chair. I just want to acknowledge the GAPs recommendations to us here. This isn't an action item but I'm glad they've put some thoughts in the record and I think their opportunity here that they took to remind us about the different treatment with regard to discard mortality rates across fishery and research sectors. It is an important reminder. I'm not sure how much can be done or on what timeline, but I think it is appropriate for us to just keep that in mind that they are applied in some cases and not others. So just want to thank them for that.

Brad Pettinger [00:01:25] Thank you Marci. Okay, anyone else? Marc Gorelnik.

Marc Gorelnik [00:01:31] Thank you Chair Pettinger. I want to touch a bit on something that is not included in the groundfish mortality report. Up until recently we used to include, or NMFS used to include mortalities from the California halibut trawl fishery which takes place in federal waters, and I understand it's a state managed fishery but it does take place in federal waters and it's bycatch of federally managed stocks like sablefish and big skate, and other species, the metric tons of that bycatch is greater generally than the actual targeted catch of California halibut. Green sturgeon is not a groundfish, but it is an ESA listed species and that report was really the only visibility that I've ever seen into bycatch of listed green sturgeon. The State of California doesn't publish anything in that regard, and as far as I know, is not observing these trips. I'm sure I'll be corrected on that if I'm wrong. And mortality of the green sturgeon, according to a recent paper, is about 26%. So at least for the years we have data, which I think is up to 2019, we're looking at mortality of about a hundred green sturgeon a year. And this is an issue that I've highlighted to folks in sustainable fisheries. I realize it's really a protected resources topic. I've highlighted it to others and there seems to be complete indifference. So I guess my question to the National Marine Fisheries Service is although it's a state managed fishery, given that the activity takes place in federal waters and impacts federally managed stocks, is there still no basis for observers on those trips and reports from NMFS on the bycatch levels?

Brad Pettinger [00:03:56] Keeley.

Keeley Kent [00:03:58] Thank you. Thank you Mr. Gorelnik. No, it is a state managed fishery regardless of where it is. There is not a nexus under the MSA. The Council does not manage that fishery. The state has the ability if they're concerned about the bycatch in that fishery to enact an observer program if that was what they deemed fit. We're certainly not requiring them to do that. You are correct that there are fisheries where observers are deployed for ESA or MMPA purposes. That has not been raised in this particular issue. All of the groundfish observers that we're currently deploying are under MSA authority only. So this time, like I mentioned, there's some further

discussions to be had with the state, and I understand the concerns, but we've made that determination and we're happy to discuss with the state how we could support them in setting up the program if they felt like that was important, but there's no requirement that for our bycatch reporting that we must have observers out on boats at sea. We don't do that in all of our fisheries and we're able to meet the mandates of standardized bycatch methodology reporting and so we haven't made any change in that decision-making based on that. But I appreciate the concerns that you've raised.

Marc Gorelnik [00:05:15] I understand that and I regret it.

Brad Pettinger [00:05:19] Okay, thank you Marc. Anyone else? All right I don't see you any. And I just would like to point out that I did host the National Marine Fisheries Service crew as they come up the coast and I was really glad to see them there. I talked to a lot of fishermen down the coast that really appreciate it, so I hope that continues. So thank you. Oh, Heather Hall.

Heather Hall [00:05:44] Thank you Chair, I just wanted to go back to the comments about the discard mortality rates and I do agree and appreciate what the GAP recommended. And I don't think, this might be a question for Todd and whether or not the idea of compiling some kind of an overview of how discard mortality rates are applied similar to the recommendations in the GAP Report is something that could be done or what the response from the GMT perspective, Council staff perspective is to that idea?

Todd Phillips [00:06:24] Yes, through the Chair. Thank you Miss Hall for the question. As for the GMT's perspective I'm not sure. I haven't checked with them. From staff perspective I believe it is something we could do. Obviously we need to check-in with workload and that sort of thing. If the Council were to suggest a timeline or when they would like to see something, that would definitely help in terms of identifying how to go forward. But I would obviously look to Kelly and, excuse me, Miss Ames and Mr. Burden for tasking us to do that work.

Brad Pettinger [00:07:01] Keeley.

Keeley Kent [00:07:02] Thank you. On that subject, I would just note obviously it's a GMT workload question, but in my view it would be helpful if that is a path that the Council would like more information to be more clear on a scope because there are very different things included under their research that is done by the Science Centers, research that's done by other entities, the commercial fishery is different that comes into descending device questions. Are we talking about surface mortality or descended mortality rate? That could be a can of worms and I, you know, assume it would be helpful to have more discussion before any specific tasking so that we could be clear on what exactly we're interested in. So just stepping in with my 2 cents on that issue.

Brad Pettinger [00:07:47] Todd.

Todd Phillips [00:07:49] Yes, thank you Mr. Chair. To chime in or add more to the fun, one thing that the Council could consider is that in March we do have the groundfish management measure, New Management Measures and Workload Process, this type of item could be added to that list and then officially tasked to the GMT or to staff.

Brad Pettinger [00:08:12] Thank you Todd. Heather? Are you good? Okay. No others, no other discussion so back to you Todd.

Todd Phillips [00:08:23] Yes, thank you Mr. Chair. Yes, you have heard both from the National Marine Fisheries Service Regional Office, Miss Kent, and Mr. Craig Russell from the Science Center. You have had a little bit of discussion, asked the questions, and I believe that you have completed this agenda item.

Brad Pettinger [00:08:38] Okay. Very good.

2. Methodology Review: Preliminary Fishery Impact Model Topics

Brad Pettinger [00:00:00] All right, and so to Council action which is before us and I'll open the floor for discussion. Heather Hall.

Heather Hall [00:00:10] Thank you Chair. Just offer thanks to the GMT for thinking about this. I know they've been working on it this summer and I know it's important to get this list or any methodology topics out there so that they can be used in the next biennial cycle, which is so they hit the ground running after completion of the last biennial cycle. So just want to offer that appreciation and for the SSCs input and the GAPs input on this.

Brad Pettinger [00:00:45] Okay, thank you. Oh, Lynn Mattes.

Lynn Mattes [00:00:52] Thank you Chair Pettinger. And I too appreciate the GMT trying to improve their models. I do want to note, we've got a lot, we've had a lot of recent turnover and I think we're going to have some additional turnover on our GMT over the next year or so, so it's a fairly new team. I'm wondering if there are any resources to help our GMT members? Some of this is a big task. Just the workload let alone some of the expertise, maybe if there's someplace we can get some help from them. I know the SSC generally reviews the models, but maybe some individual SSC members, or Science Center members, or even if we can call on some of our own internal staffs within the agencies to try to help the team with these model updates. I think that will be important so that they don't feel like they're out there on their own on this.

Brad Pettinger [00:01:45] Thank you Lynn. Is that a question for Keeley or just in general?

Lynn Mattes [00:01:49] I think it was more a general comment, question to the ether that I think we'll need to think about how we can best support the GMT as they work through this process. And kind of a thought and question for all of us.

Brad Pettinger [00:02:01] Okay, thank you. Keeley Kent.

Keeley Kent [00:02:04] Yep, thanks Miss Mattes. I hear that and I think we'll evaluate both across the Regional Office and the Science Center whether and what resources we could bring to bear to help. Thank you.

Brad Pettinger [00:02:16] Okay. Anyone else? Caroline McKnight.

Caroline McKnight [00:02:23] Thank you Mr. Chair. A quick sound check. Can you hear me okay?

Brad Pettinger [00:02:25] We hear you. Welcome.

Caroline McKnight [00:02:28] Thank you. Yeah, I had a similar question but I guess I'll ask it a little bit differently, and I'm not sure if this is to NMFS or if this is to Council staff, the GMT specifically says they want to collaborate with external model developers and so I guess I'm a little bit unclear if that does indeed need reference. Folks at Science Center, folks at SSCs, from state

agencies, that in its truest form means possibly like contracting a budget for that. So I'm just seeking some clarity. I think that I very much appreciate the GMTs Report and the support from the GAP and the SSC to do this. I think it's forward thinking and smart and it's being adaptive to how our fishery is changing and it needs to be done. I just want to make sure we've got the resources in place to do it on the timeline. Thank you.

Brad Pettinger [00:03:23] Keeley I guess I don't think quite understood the question, at least I couldn't so. Heather Hall has her hand up, so Heather.

Heather Hall [00:03:39] Well, thank you. Maybe I can help you because I have the same question and because it came up in the GMT Report and the SSC Report that they're asking for help on these models beyond the GMT. And so the question is, how do we get them the help? And if I'm understanding your question Caroline, being similar to what I'm asking, is how do we help them and respond to the SSCs recommendation of outside help or a contractor, and I'm not sure what that looks like either.

Brad Pettinger [00:04:18] Executive Director Burden.

Merrick Burden [00:04:21] Yeah, thank you Mr. Chairman. I think where we're at is we're in a position of we all need more information, and there's a range of conceptual possibilities. I don't know which ones of those are realistic. A contractor? I mean I'm aware of several contractors that I would be interested in talking to, but of course that's, we haven't contemplated that as part of our budget yet so we'd want to think about that. We also have a lot of great folks in our Science Centers and in the Pacific States Commission and I'd want to at least reach out and ask if there's anyone there that is interested, able, and willing to help on this. So if your question is like mine, I would suggest that me and my staff reach out to several folks and just see what is possible and that that can allow us to be clearer-eyed about how to move forward on this and help the GMT refine those models.

Brad Pettinger [00:05:17] All right. Caroline, is your hand still up?

Caroline McKnight [00:05:23] Yes, thank you. Thank you Mr. Burden, that does actually answer my question. I wanted to make sure before we put this forward there's some options and pathways to explore whether they can get some help before we get it. So thank you for that clarification.

Brad Pettinger [00:05:41] Okay, very good. All right. Anyone else? Okay. Heather Hall.

Heather Hall [00:05:52] Thank you Chair Pettinger. I have a motion.

Brad Pettinger [00:05:55] Okay. Please.

Heather Hall [00:05:59] I move that the Council adopt the methodology review topics as described in Supplemental GMT Report 1, Agenda Item I.2.b, September 2024. And the guidance provided by the SSC in Supplemental SSC Report 1, Agenda Item I.2.b, September 2024 to consider minor changes to the Non-nearshore Sablefish Model.

Brad Pettinger [00:06:26] Okay. Is the language on the screen accurate?

Heather Hall [00:06:28] Yes.

Brad Pettinger [00:06:29] I'm looking for a second. Oh, oh, Marlene. Is it the sablefish?

Marlene Bellman [00:06:36] No. Thank you Chair Pettinger. I believe there's a accuracy.....I believe these are the reports I.2.a. That'd be a potential correction.

Brad Pettinger [00:06:49] Well, let's make that now before.....

Heather Hall [00:06:50] Can we make that change for both of those?

Brad Pettinger [00:06:54] Okay.

Heather Hall [00:06:59] Thank you Marlene.

Brad Pettinger [00:07:01] All right. So now is the.....oop, Lynn. Seconded by Lynn Mattes. All right, there we go. Thank you Marlene. All right, please speak to your motion Heather.

Heather Hall [00:07:15] Thank you. I think the GMT did a nice job of laying out their rationale for why these models need to be looked at or not, and appreciate that the GAP and the SSC agreed with them and also the follow-up that the SSC offered on the minor changes to the non-nearshore model. And really appreciate the extra information that was provided in my question to Jason about that. I think that covers it. Thank you.

Brad Pettinger [00:07:55] There you go. All right. Marlene.

Marlene Bellman [00:08:03] My apology. Thank you Chair Pettinger. I wanted to also mention another potential accuracy edit. I believe that this is referring to Supplemental GMT Report 2, which is where the GMT makes their recommendations on this item. Supplemental Report 1 was sort of setting the stage for the topic. Is that? I'm just checking to the maker of the motion.

Heather Hall [00:08:28] You're right, again. Thank you Marlene.

Brad Pettinger [00:08:31] Okay, well.....

Heather Hall [00:08:33] Thank you.

Chris Oliver [00:08:33] That's fine.....(off mic)

Brad Pettinger [00:08:36] That's fine? Okay, good. All right, discussion? No discussion. I'll call for the question. All those in favor signify by saying "Aye".

Council [00:08:49] Aye.

Brad Pettinger [00:08:50] Opposed? Abstentions? All right, the motion passes unanimously. Very good. Thank you Heather. And thank you Marlene. All right. Marlene, how are we doing here?

Marlene Bellman [00:09:11] Thank you Chair Pettinger. The Council has identified their preliminary priority topics for these fishery impact model reviews that they'd like to see go forward in 2025 in anticipation for the next spex cycle, so I believe you've accomplished your task under this item. Thank you.

Brad Pettinger [00:09:29] Wonderful. Thank you everyone.

3. Final Trawl Cost Project Report

Pete Hassemer [00:00:00] So that will take us to our Council discussion and action. And there it is before you, adopting the final report. This is the final report and I think as was said in the overview for this, not so much a toolbox but maybe a library to help inform, kick-off the next Trawl Catch Share Program Review. So I will look around for any hands to initiate discussion. Everyone is deep in thought. Maggie Sommer.

Maggie Sommer [00:00:48] Always ready to fill the silence Vice-Chair, thank you. Just briefly again, I again really value this report and the effort that went into it. I think it is an excellent foundation for considering some of the costs and trade-off as we head into the trawl program review. I do think the report is very comprehensive and from my perspective complete and would certainly support the Council adopting it.

Pete Hassemer [00:01:29] All right, thank you. And I don't think we need a motion on this. I just want to make sure everybody is comfortable with the report. I'm going to look around and make sure because as I said, this is going to inform some future action. Executive Director Burden.

Merrick Burden [00:01:48] Thank you Mr. Vice-Chairman. I do think a simple head nod from the Council would be fine, but I would note that our Chairman Pettinger did make note of some things that he would like seen expanded upon in the report, and we do have a bit of money left over in this grant and we can ask Darrell and Melissa to do that. But that's where I think we are right now is making note of Mr. Pettinger's comments and then a simple head nod if there's nothing else to add I think would suffice for this Council.

Pete Hassemer [00:02:22] All right. I'm going to look around on my right side, see agreement with that, the front of the table. Aja Szumylo.

Aja Szumylo [00:02:29] Thank you Vice-Chair Hassemer. I think the only thing to add is relevant to the discussion that just went on between Sarah and Maggie and around the estimates of cost for industry for those kinds of things. I think they're, yeah they're, they come through the PRA reporting requirement for the EDC, but I just want to highlight to Council staff that helps move this forward in the future to try to get more realistic estimates for those items as we're trying to think through what to do in the future about these issues. So when we do our economic analysis to support any follow-on to try to think about more realistic numbers than those that are, that just come from the PRA package, and I think that, yeah that's more to NMFS and Council staff as we're working through things. Thank you.

Pete Hassemer [00:03:19] Okay, thank you. And I take that as again teeing that up for the trawl cost share review. So I just want to confirm on the left there's agreement with this, but Christa Svensson.

Christa Svensson [00:03:31] Yeah, I would be very, very supportive of that. Again just my own experience doing this it was our CEO, our CFO, our fleet manager, all of those were making more than the average cost there and it took us far more than 20 hours so I get it. We may not be the

average. Maybe we were below average in terms of speed, but those numbers seemed quite light which is why I had been asking about, was this only specific to groundfish?

Pete Hassemer [00:04:03] All right, thank you. So we have the suggestions, recommendation by Chair Pettinger of some additional things to include. But we're adopting this report. We'll move forward. So I'm not seeing any hands I'm going to turn to Jessi for a summary.

Jessi Doerpinghaus [00:04:24] Thank you Mr. Vice-Chair. Yes, you have completed your Council action for today. We will work with Melissa and Darrell to incorporate those couple of suggestions from Chair Pettinger and we will be back tomorrow to I think have some more discussions on the elements of this report under the catch share review.

Pete Hassemer [00:04:42] All right, thank you very much. Scan the room once more but I believe we have completed our work here so I will close this agenda item.

4. 2025 and 2027 Stock Assessment Plan and Schedule

Pete Hassemer [00:00:00] That completes all our reports, public comment, and will take us to Council action, which is consider the NMFS Report and Adopt Revisions to the 2025 and 2027 Stock Assessment Plans as appropriate. And I think the Council was, or excuse me, action was written before the CDFW Report was written in there. So consider those reports and adopt revisions as appropriate. And looking for any hands. Lynn Mattes.

Lynn Mattes [00:00:37] Yeah, thank you Vice-Chair. I think we're somewhat in this, where we're in this redbanded quagmire somewhat my fault. I added redbanded to the list of 2025 at the June Council meeting based on guidance in the GAP and GMT Reports. I was swamped with other things too. I did do my due diligence to go look into the spreadsheet, the tool, et cetera, to see what the agings were. I'd made some assumptions so I will take part of the blame on this. And I appreciate that they're bringing.....that it's being brought back. I will have a draft motion in a little bit to recommend moving redbanded. I am concerned though that we are, we already have limited Star Panel opportunities and we're reducing that. And we're talking about over the course of the discussion I've heard that 3 species being recommended move to 2027. The table of preliminary assessments that was also part of the motion in June already has 8 species listed, at least two of them likely having multiple areas. So we are already at 10 to 12 or 10 to 11 potential assessments on our 2027 list and we're going to add, well one of the spots is for a slope rockfish species TBD, which redbanded maybe could take that spot, but we're talking about adding 2 more species to a list that is already more than we can do. I don't disagree with maybe moving some of these out of the way, but I think we just need to keep that in mind that we're sort of kicking the problem down the road 2 years. I wish I had a magic wand to help with the NMFS capacity on assessments in aging. We are, ODFW we are in a slightly better space than California. We have an aging lab that consists of one person. Mark is awesome but he's one person, so he does have some limitations on how much he can produce. We do have some field staff that help him with some of the preparation, but again, it is a one person lab. So just some thoughts as we move forward. As you can tell by the questions, I'm a little uncomfortable with a half a Star Panel given Miss Bellman's time, GMT members time, probably Gerry Richter's time as the GAP Representative, and a CIE reviewer having them in Seattle for a week only working half days doesn't seem like the most efficient use of time and or money. And with that I will stop yammering.

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

Corey Niles [00:03:27] Yeah, thanks Mr. Vice-Chair. I think sharing many of the same thoughts Lynn expressed, but I'm thinking of CDFW's Report and chilipepper. I was not following closely enough to Marci's questioning with Dr. Hamel. So I wonder if Owen's still available or maybe Marci understood his answer better than than I did. But if.....is there a swap that could happen between redbanded and chilipepper is the concern. If there's only so much otolith capacity would it be possible to complete redbanded and if chilipepper was dropped I'm guessing the answer was no, but yeah I just didn't quite understand that exchange between Marci and Dr. Hamel and understanding that CDFW does have some concerns about similar otolith type and other capacity concerns with chilipepper. What is the trade-off here?

Pete Hassemer [00:04:27] Marci Yaremko.

Marci Yaremko [00:04:32] Thank you Mr. Vice-Chair. Just to clarify, we support the recommendation to remove redbanded as described by the Northwest Center, but we also propose in addition to remove chilipepper due to the same concerns. We are looking to reduce workload. We are looking to meet expectations. We're looking to maybe over-deliver and under-promise instead of the converse. It's our feeling that the estimate of capacity that we now have seen with regard to aging is optimistic. There's no margin for error, so CDFWs recommended approach would be to do what we can to clear the plate a little bit and make sure that we get the assessments that are slated for completion in 2025 that they're of high quality and there's been adequate time to complete development and review of the input data in full. Thanks.

Pete Hassemer [00:05:52] Corey. Follow-up? Keeley.

Keeley Kent [00:05:57] Thanks. On that question of the chilipepper aging and that assessment in general, they are different than redbanded and the Southwest Fishery Science Center has staff identified for the chilipepper assessment and has stated that they have adequate aging capacity to supply that assessment. Just specifically in the difference. As I understand it, there's already 50,000 ages from the last chilipepper assessment. They're easier to read and shorter lived than other species in the queue, so it'll take less time for staff to get up to speed than it would for redbanded. So they really are different issues and we've been, had some opportunity to explore that. Also note going back to what Miss Mattes said at the beginning, which is that chilipepper went through the full assessment prioritization process. So it was on the list in March. There was a deep dive between March and June and another opportunity to look at it. And so I'm confident that if there were concerns from the centers about chilipepper that would have come forward in the longer process. Redbanded kind of came around the side and Lynn talked about that right? So they really are separate issues and I think if there were any concerns about any other stocks besides redbanded with the list we would have heard about it, and so I take that on and we're in a good place with this one, one removal.

Pete Hassemer [00:07:25] Corey, a follow-up?

Corey Niles [00:07:26] Yeah, thanks Mr. Vice-Chair. Well so I guess my.....I understand Marci that your suggestion about dropping both and I think my question was if you, I understood somewhat of Owen's reasoning for why they picked redbanded and yeah, the process reasons, but the question was really if we dropped chilipepper if that made redbanded any more doable was the question. And I hear Keeley's answering, well if they're different and there's more aging for chilipepper now. But the question, could you, would redbanded be doable if chilipepper was dropped? I don't know that I heard a specific more doable. I don't know if I heard a specific response to that.

Pete Hassemer [00:08:09] Keeley Kent.

Keeley Kent [00:08:09] I'll only venture a little in just to say my understanding is that chilipepper is identified for Southwest Fishery Science Center capacity, whereas the redbanded is a Northwest Fishery Science Center capacity issue. So we have the luxury of having two centers and then separate resources, and so there is a difference there back to your question.

Pete Hassemer [00:08:34] Okay, thank you. Further discussion? Marci, I'm not sure, did I miss your hand earlier or? Okay. Lynn Mattes.

Lynn Mattes [00:08:49] Thank you Vice-Chair. I don't want to preclude any additional discussion if there is. I do have a motion ready with the fine gentlemen in the back that may spur some additional discussion, but there's one ready if it's the time for that.

Pete Hassemer [00:09:07] Well I looked around I didn't see any hands so let's have your motion.

Lynn Mattes [00:09:14] Okay, thank you Vice-Chair. I move the Council amend the list of groundfish species to be assessed in 2025 that the Council previously adopted in June 2024 by removing redbanded rockfish from the list and adding it to the preliminary list of species to be assessed in 2027 as recommended by the SSC, GMT and GAP. And adding yellowtail rockfish south of 40 10 to the preliminary list to be assessed in 2027 as recommended by the GAP.

Pete Hassemer [00:09:44] Thank you. That language on the screen appears accurate and complete. You agree?

Lynn Mattes [00:09:48] Yes sir.

Pete Hassemer [00:09:49] Thank you. Is there a second to the motion? Seconded by Aja Szumylo. Please speak to your motion.

Lynn Mattes [00:09:56] Thank you Vice-Chair. I said a lot about this already. Understand the workload capacity and moving redbanded out of our list of species for now and possibly taking it up in 2027. That seems to be what everyone agrees is how we need to move forward in relation to redbanded. And kind of against my own talking points a little bit ago, I am also recommending we add yellowtail south to the list for 2027 noting that we will have to whittle that list down as we get into, further into that process. It's currently well over. I have also not added a new assessment to fill that Star Panel spot. I still have concerns, but I'm trying to be cognizant of the workload capacity of our Science Centers, our aging labs, et cetera, and I think I'll stop there.

Pete Hassemer [00:11:01] Thank you. Are there any questions for clarification on the motion? Any discussion on the motion? I'm not seeing any discussion I will call the question. All those in favor say "Aye".

Council [00:11:15] Aye.

Pete Hassemer [00:11:16] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. Further discussion, action? Marci Yaremko.

Marci Yaremko [00:11:32] Thank you Mr. Vice-Chair. I had contemplated either adding chilipepper to the motion that just was in front of us or offering a second motion on the topic of chilipepper, but I think I'm not going to do that. I'm hearing through channels and through Owen's testimony that there is a strong desire to do the chilipepper assessment. I appreciate that and I don't

want to derail the plans that have been made with the assignments to stock assessors. I know it takes a while to identify and plan for staffing of assessments and workload associated with aging and refreshing of models, et cetera, and I think Owen did a fine job to explain that, that work was in progress. But I guess I would just note that at least on the metrics of aging, what I heard in that meeting, we spent two days doing a deep dive on the capacity of the aging labs to do all that's on their plate, I heard very loudly and clearly that they were overbooked. And the information that was shared in that meeting strongly suggested that the plate was just way too full. I'm seeing from the center this preference to remove redbanded. It was not the heaviest lift on the aging labs list. There were other species that were higher in terms of the workload demands. Chilipepper was one of the species that they have no current expertise on staff to use. They'll be starting again from scratch. The past agers that had focused on that species have retired, but not only have they retired, there were some discrepancies apparently with the body of work that was done before. There were some challenges that were kind of left unresolved before retirement. So in our view chilipepper was going to be one of the ones that seemed more difficult for the aging labs to get across the finish line in terms of the target numbers. The other thing that was discussed in the meeting is that, you know, the preliminary list of the structures available, it was kind of a preliminary list of the structures that were available and all agencies involved were tasked with going back to their respective contacts to do a deep dive and see what other structures might be available in various repositories. And so the initial calculations of the time needed and the target frequencies may have been too low depending on the, you know, availability of other structures that had kind of very recently come to light. So, and then, you know, considering, you know, we want to make sure that as much aging is done to fill the basic biological needs. We just think back to some of the assessments conducted in 2021 where there was a lack of data from California where we suffered the consequences of having no basic biological data and you needing to use proxies from other areas. We really want to take every step we can to avoid that and find the most robust data streams out there for consideration for inclusion in the stock assessments. And as we approach that cycle, or the upcoming cycle, we'll continue to do that, but CDFWs view is quality over quantity. I'm thinking back to June, and hopefully others remember around the table, we received a very stark PowerPoint presentation from the center on Science Center capacity for assessments. And in that presentation we learned that assessment capacity since 2013, in terms of stock assessors is down 30%. And they came to us and made very clear that they can't keep up with the assessment work. The expectations that we've set are too high. They know that we have a need to refresh our assessments on a cycle that keeps them current and avoids the impacts of the time decaying sigma. But I heard very, you know, loudly and clearly, you know, don't overload the plate, we can't do it. And so I kind of have, you know, I'm sort of thinking about the competing messages, the different messages that we've heard about capacity meeting to meeting. And so that's why, you know, I feel that I would rather go in expecting less and being pleasantly surprised at the end of a stock assessment cycle rather than overburdening and then realizing come, you know, next April or June that we've overloaded and, you know, we then suffer the consequences and the outcomes of being, you know, having assessments that maybe didn't have the greatest inputs or enough time for consideration of available data and review. So I'm, you know, I'm struggling here again with the mixed messages, but I won't propose to remove chilipepper, but boy I'm sure concerned with the expectations and the available resources to ensure that all of these needs are met and that we get the quality that we know we really need. Thank you.

Pete Hassemer [00:17:56] Thank you Marci. Any further? Chair Pettinger.

Brad Pettinger [00:18:01] Thank you Vice-Chair Hassemer. I just second what Marci had to say there. I think the quality over quantity, I think that's, you know these sessions that they go through, I mean, we're with them at least four years and that could be a hell of a burden if you don't get it right. I thought there was really good public comment today from Jaime Diamond as far as age being done. I noticed in each one of the CCIEA presentation had a whole list of scientists that worked on that, I think probably as well climate scientists I imagine that they've hired, and that's all great but if you don't do the very broad, the very foundational work of properly assessing stocks, I mean you're throwing your money away because you're really not, you're not inputting the proper information into those models. You know every time a stock assessment cycle comes round it's....I always get a little squeamish because I never.....it's like a box of chocolates, you never know what you're going to get, and that's.....as an industry person I tell you what it really is.....there's the last couple cycles it's been kind of scary. Chilipepper rockfish are a crucial component to rebuilding the California groundfish fisheries. It's been slowly decimated over the last 20 years. And we're fishing them down there in Monterey and you know, we've seen good recruitment. We see a lot of small fish around but if you're not inputting the information you get off the dock, the otoliths, and they didn't do it properly things go sideways. That's scary. So anyway I appreciate Marci's comments and her report and I'm hoping that, I believe Dr. Fields expressed to the GAP that he can could do it and I'm holding him to that and hopefully you'll have a successful assessment. Thank you.

Pete Hassemer [00:20:01] Thank you. Any further discussion here? Give you have a little bit of time and give Marlene a chance to organize her thoughts for a summary. Marlene, how did we do? Is there anything else?

Marlene Bellman [00:20:16] Thank you Vice-Chair Hassemer. The Council has adopted revisions to the 2025 assessment list and preliminary 2027 assessment list. You've had robust discussion about a lot of the key points that were raised and brought forward in your reference materials for this item. So I believe the Council has completed your action.

Pete Hassemer [00:20:42] All right, thank you. Not seeing any hands here for a final last word I will close this agenda item out.

5. Stock Definitions for Species Assessed in 2025 & 2027 – Preliminary Preferred Alternative

Brad Pettinger [00:00:00] Which takes us then to Council action so moving right along. And that is it before us. So with that I'll open the floor for discussion. Caroline McKnight.

Caroline McKnight [00:00:16] Good morning. Thank you Mr. Chair. I guess just one quick question that I've asked this before when we've come to this particular type of item where we're doing a stock definition or making a stock definition decision for those species that are going to be assessed, nothing that we do under this particular agenda item would preclude us from making a different decision under our upcoming agenda item for Phase 2 in the future if necessary, correct? And I think that question might be either to Council staff or possibly NMFS.

Brad Pettinger [00:00:59] Keeley Kent.

Keeley Kent [00:01:01] Thank you. Thank you for the question Miss McKnight. Yes and no, right? Throughout this process of stock definitions we're clear to note that stock definitions can change over time with new information. I think the Council should really think through if there's something on this list in 2025 or 2027 to be defined that right now you're not sure how you would approach it under Phase 2, right? This action, you're going to make a decision about a stock in need of conservation and management that will make it more challenging absent new information in a subsequent action that's happening quickly to make a different determination. So it's really a nuanced decision and it's based on the details that you're trying to do. So it doesn't bind you, but I would think through the Council's ability to make a clear decision that is in need of stock, a stock in need of conservation and management, and that's what we're doing by defining it, and then to try to undo that, the record that you'll need to build about why you would make a different decision very quickly in the near term future. So that's my answer to you.

Brad Pettinger [00:02:16] Thank you Keeley. Caroline.

Caroline McKnight [00:02:20] Yeah, thank you Keeley, that is very helpful. And I think I had the...(lost audio)...in front of my face specific to complexes and how we're structuring complex discussion under Phase 2, but that does help. Thank you very much.

Brad Pettinger [00:02:35] Okay, thank you. All right, anyone else? Lynn Mattes.

Lynn Mattes [00:02:42] Thank you Chair Pettinger. The table that's in the sitsum and that we're working from I do note that redbanded rockfish is still on that table even though we chose to remove it from the list for 2025 assessments in our action yesterday. I believe that's okay to have it on the list, it helps.....we're sort of getting a jump on it for 2027, is that correct? Same thing with English sole. English sole is not on our list to be assessed in 2025, but it is in 2027, so process-wise is it okay to have those two species as part of this action at the moment? And that may be a question for NMFS.

Brad Pettinger [00:03:24] Keeley Kent.

Keeley Kent [00:03:26] Thank you. Yes you can certainly keep things on the list. You know, I think the way that this particular agenda item is set up is for stocks that we know are going to be assessed in 2025 and I think we all know the 2027 list is what we think, but the Council will have an opportunity to change that list. We need to define all of our stocks and so if you are ready to do so for those that aren't going to be assessed until 2027, you're saving yourself work under Phase 2. The converse is true. If you weren't ready to make those 2027 decisions and preferred to save it for Phase 2, that certainly is on the table as well.

Lynn Mattes [00:04:03] Thank you. I appreciate that clarification. That helps.

Brad Pettinger [00:04:07] Thank you Lynn. That question was going to come up so glad we took care of it early so very good. All right, anyone else? Does anyone have a motion? I mean other discussion, I mean. Oh, Caroline McKnight.

Caroline McKnight [00:04:29] Thank you Mr. Chair. Yeah, I am prepared with a motion if that would help move some discussion along.

Brad Pettinger [00:04:36] Well from my point of view it would because I'm not seeing any hands so please proceed.

Caroline McKnight [00:04:45] Thank you. I move the Council adopt the Preliminary Preferred Alternative stock definitions for species bolded in Table 1 in Agenda Item I.5.a, Supplemental GMT Report 1, September 2024 and remove Alternative 2 for yelloweye rockfish from further consideration.

Brad Pettinger [00:05:05] Okay. Is the language on the screen accurate?

Caroline McKnight [00:05:10] It is.

Brad Pettinger [00:05:10] Okay, looking for a second. Seconded by Lynn Mattes. Thank you Lynn. Please speak to your motion.

Caroline McKnight [00:05:17] Thank you Mr. Chair. Thank you, and I just think that the highlights here are that, you know, MSA requires us to make these stock definitions. These particular species are being pulled out and singled out on our assessment list upcoming. I just want to note that both the GMT and the SSC and the staff all were in agreement here. The literature review and research reflects that these alternatives are the best information to reflect stock definition. I will just speak quickly to the yelloweye rockfish. I appreciate the SSCs Report really honing in that there's no evidence to support further considering splitting yelloweye rockfish stock at a smaller than coastwide definition, so there's no reason to continue that workload at this time. I'll also note that in the absence of no definitive information for English sole and redbanded that, and also being in the situation where we need to define stock, the coastwide is the best information we have right now for those two, but at some other point in time under Phase 2 if more information comes forward indicating differently we can certainly readdress that, those two species. With that I will conclude. Thanks.

Brad Pettinger [00:06:40] Okay. Thank you Caroline. Questions on the motion? Okay, discussion of the motion? I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:07:01] Aye.

Brad Pettinger [00:07:01] Opposed no? Abstentions? The motion passes unanimously. All right.

6. Inseason Adjustments for 2024 and Technical Corrections for 2025-2026 — Final Action

Pete Hassemer [00:00:00] We have no public comment so with that we will move into Council discussion and then action. Action is up there before you, Adopting the Final Inseason Adjustments and Technical Corrections. Keeley Kent.

Keeley Kent [00:00:19] Thanks. I have a question. I realize this is slightly out of order, but hopefully you'll indulge me in discussion. For WDFW on their report, just wondering why you didn't seek Council to take action on those rec changes that you made stateside to make the federal regs consistent with the state regs?

Pete Hassemer [00:00:43] Corey Niles.

Corey Niles [00:00:46] Thanks Mr. Vice-Chair. Thanks for the question Keeley. I think we had, I think we were expecting that would happen with the one, except for the one question of whether it could happen quickly enough to.....our season ends pretty soon here and whether it was necessary. But yeah, I believe that's the normal practice and we would be asking for the typical conforming regulations. We maybe omitted it from the report but I think we were intending to follow past practice. But again, end of the seasons coming up here really quickly and I did have that question of whether it would be, you know, have any effect at all, but if NMFS is willing to include it, yeah we would be looking for those conforming changes.

Pete Hassemer [00:01:40] Keeley.

Keeley Kent [00:01:42] Thanks. I appreciate that response some. And it certainly makes sense with the timing and under I.8 we can talk about how in the future we might want to make sure that when the state processes can move more quickly than the federal that we don't set ourselves up to have inconsistent regulations so it's confusing for fishermen. That's not this agenda item, but just noting that we have talked about this with the other states and that this is an issue. I think in the future under separate agenda items we'll want to have more discussion and development of.

Pete Hassemer [00:02:17] Thank you. Other discussion? Corey Niles.

Corey Niles [00:02:25] Just I should have been more specific on the season ends October 19th if that helps. And I know, and this is a minor thing and the GMT is down at least two folks, but in the report it says our season opens April 1st, but it's the 2nd. I'm going to mess this up but it's this second Saturday, thank you Heather, in March and I don't know, maybe Todd, we can follow-up if.....I hope people aren't looking to GMT statements for information on when seasons are opening but maybe we can look to get that corrected if not too much trouble. But yeah, October 19th would be the the date in which the fishery closes.

Pete Hassemer [00:03:10] All right. Anything else here? I suspect we're going to be in need of some motions at some point. Marci Yaremko.

Marci Yaremko [00:03:20] Thank you Mr. Vice-Chair. I am ready with a motion.

Pete Hassemer [00:03:22] That sounds good. There it is on the screen.

Marci Yaremko [00:03:30] Great. I move the Council adopt technical corrections to revise the overfishing limit, acceptable biological catch, and annual catch limit contribution values for green spotted rockfish in the 25-26 biennial specifications as well as the shelf complex specifications and allocations as described in Agenda Item I.6, Supplemental Revised Attachment 1. Also adopt the proposed increase to 150 pounds of halibut per 1,000 pounds of dressed sablefish, plus two halibut for the rest of 2024 as described in Agenda Item I.6.a, Supplemental GAP Report. As described in Agenda Item I.6.a, Supplemental GMT Report, adopt the following changes. 1: Correct the trip limit for the other fish complex from zero pounds per 2 months to unlimited for the limited entry fixed gear fishery south of 40 10 for the remainder of 2024. 2: Correct the open access sablefish between 40 10 and 36 trip limit to 3,250 pounds per week not to exceed 6,500 pounds per 2 months for implementation in the final rule for the 25-26 harvest spex and management measures action. 3: Correct the 25-26 harvest guidelines and ACTs for yelloweye rockfish as shown in Table 2. 4: For both 2024 and the 25-26 biennial spex final rule, reestablish limited entry fixed gear and open access trip limits for cabezon shallow and deeper nearshore rockfish between 37 07 and 36 degrees north latitude as follows: For limited entry fixed gear and open access minor nearshore rockfish south of 40 10, from 40 10 to 37 07 for the shallow nearshore zero pounds per 2 months. South of 37 07 shallow nearshore, 2,000 pounds per 2 months. 40 10 to 37 07 deeper nearshore, zero pounds per 2 months. South of 37 07, deeper nearshore, 2,000 pounds per 2 months of which no more than 75 pounds of which may be copper rockfish. For limited entry fixed gear and open access cabezon in California 40 10 to 37 07, zero pounds per 2 months and south of 37 07 unlimited.

Pete Hassemer [00:06:24] Thank you. I followed along carefully. That language on the screen appears accurate and complete, do you agree?

Marci Yaremko [00:06:31] Yes I do. Thanks.

Pete Hassemer [00:06:32] Thank you. Is there a second to your motion? Seconded by Butch Smith. Please speak to your motion as needed.

Marci Yaremko [00:06:40] Yeah, thank you Mr. Vice-Chair. We had some discussion about the values for green spotted rockfish and the correct updated OFLs, ABCs, and ACL contributions, as well as the complex spex and allocations are shown in that revised document. Appreciate folks catching these corrections and bringing them to our attention so that we can consider them here today. Regarding the halibut increase, thanks to the GMT for their work and considering the projected attainment and appreciate the coordination between the halibut fishery and the GMT on this topic. GMT Report also identified a number of needed corrections both for 2024 and for the spex and just can't say enough about the attention to detail that they've undertaken here to really closely review the work that came out of June and make sure that we are working with the most accurate numbers and limits for the remainder of 2024 as well as into the new biennium. So just appreciate Council staff and agency staff really poring over the numbers here this week. Thank you.

Pete Hassemer [00:08:21] Thank you Marci. Are there any questions for clarification on the motion? Seeing no questions, discussion on the motion? Seeing no discussion I will call the question. All those in favor say "Aye".

Council [00:08:39] Aye.

Pete Hassemer [00:08:40] Opposed? Abstentions? The motion passes unanimously. Thank you Marci. I go back to our checklist and maybe my checklist will be Mr. Todd Phillips. Is there more to do here? And I don't want to shut off any discussion but make sure we check all our tasks off. Todd, how are we doing?

Todd Phillips [00:09:07] Yes, thank you Mr. Vice-Chair. So the Council has adopted final 2024 inseason adjustments as well as the technical corrections to the 25-26 harvest specifications. Based on what I saw there in the motion and the discussion around the table, I would say that you have completed this agenda item.

Pete Hassemer [00:09:24] All right. Before I close it out I want to look around and see if there are any hands. Not seeing any I do believe we've completed it. So I'll close out this agenda item and I will pass the gavel back to our Chair.

7. Trawl Catch Share Program and Intersector Allocation Reviews — Scoping

Pete Hassemer [00:00:00] All right, welcome back. And maybe I'll just restate again, I know we just had a break. There is a lot of information here. Potentially a lot to discuss on both the Trawl Catch Share Program Review, the Intersector Allocation Review, and so let's initiate the discussion and let's see what questions there are, what discussion needs to happen. But at some point I suspect people are who are providing these, this guidance and recommendations need to put some additional thought into that so it's very clear. So I'm offering the opportunity when you see we might be ready we'll take a little bit longer break, it could be five minutes from now, it could be two hours from now, I don't know when that will be, but give me a signal when you're ready. We can take that break to make sure we put the best information possible together to facilitate the process. So with all of that, I'm going to look for any hands for any questions or discussion, whoever wants to start. Aja Szumylo.

Aja Szumylo [00:01:18] Thank you Vice-Chair Hassemer. I have a general comment that I think may apply to all the items that we're thinking about here. And so it may sound specific to the intersector allocation review but, and it's going to be about at-sea set-asides in particular, but I think it's a thought that we need to have everywhere when we're discussing this. And it's in regards to the guiding, the ninth guiding principle in the document, so taking into account management and administrative costs of implementing the IFQ program as well as limited state and federal resources. And specific to set-asides, the thought there is that what came with that was an increase in operational flexibility and a reduction in administrative burden for the agency and a reduction in burden to industry, to the whiting industry in particular as they were dealing with management. So before set-aside management when we had hard allocations, we ran up against that allocation and it was away from a Council meeting. The entire Council had to gather to make a special decision about what to do and how to proceed. And so the administrative flexibility that was gained by going to set-asides is that we didn't have, the Council didn't have to come together anymore. It was an allowance made for the whiting fishery to operate. And I think we have to throughout this consideration look at, you know, what is the cost and administrative burden and logistic burden, headache to industry of any of these measures in contrast with the conservation benefits that we're gaining, the market efficiencies that we're gaining? And I think that, yeah, and also conservation benefit obviously, like there could be something that's administratively very burdensome but also yields really high conservation benefit overall. So I think that's just a throw to addition of a very specific attention to that ninth guiding principle of the program as something that we should think about for everything. And I'll stop there.

Pete Hassemer [00:03:29] Thank you. Any other hands? Lynn Mattes.

Lynn Mattes [00:03:41] Thank you Vice-Chair. We're setting up scoping here, but as we do with intersection allocation review, that affects more than just the trawl sector. So similar to that discussion we had a couple of days ago about the ecosystem item technically being a salmon and a groundfish item, I think we'll need to be very careful to ensure that as we work through intersector allocations that the other sectors also know that this is going on and know to be involved and pay attention. I don't think all of the species are going to get the attention that maybe something like canary would, but just I think we need to be careful in how we advertise what we're going to be talking about as we move forward with this just so the rec folks don't think, oh this is just a trawl

thing I don't have to pay attention to it. So just some guidance on how we advertise what we're going to be doing and when and where. Thank you.

Pete Hassemer [00:04:40] Thank you Lynn. Other thoughts? Comments? Maggie Sommer.

Maggie Sommer [00:04:52] Thanks Vice-Chair Hassemer. I just kind of had some overarching comments and I'll get those out at the start. And really I think we all are very proud of the conservation successes of the program, but we also want the program to be, pardon me, be a success for industry and for our fishing communities so that the vessels, fishermen, first receivers, fish cutters, ancillary businesses and fishing communities, and others are thriving providing seafood for U.S. customers and supporting families, jobs, and a way of life. I really appreciate the GAPs focus on indicators of program performance relative to community health and the objectives of net economic benefits and individual economic stability. We supported the trawl cost project that we heard about earlier this meeting in anticipation that the Council would really want to focus on costs and explore those as part of the program review, and I think the report produced there will be really valuable. I particularly appreciate its discussion of trade-offs relative to the monitoring programs and the EDC program and I think that would set us up well for a decision on whether and how we might want to consider any changes as part of a follow-on action. But I think that's a really important complement to the review, the information provided in that report. And just again really appreciate the the focus there and I'm glad we have the opportunity to take a deep dive into the program performance again.

Pete Hassemer [00:06:46] Thank you Maggie. Corey Niles.

Corey Niles [00:06:51] Thanks Vice-Chair, and thanks to all those who made comments. I think we have a lot of commonality up here. I know the states got together and I think if helpful, once some discussions happen, we have some written guidance that we have in common to offer. But just some leading thoughts. I would say we're not starting from scratch here. I think everyone, except for the brand new Council members up here, probably still have some feelings about the gear switching issue that we just finished in April and I think, I don't know, I doubt that anyone of us is happy with how that ended, but I think everyone agreed that it was not, it was not the end of what we should be doing. I think we all agreed that the bottom trawl sector in particular, and in particular the processing side that makes the bottom trawl sector go needs some attention. And so I think what we're.....I guess the other thought here is we have, there's so many possible issues, so many, so much possible studies and data we could look at that we are somewhat staff and time limited here and our goal should be getting to ideas that can help these sectors, the economic performance as Maggie was saying, as expediently as we can. And so I think what we really are hoping for is a next step. Talking in the hallway I think diagnosis is a good word of what we should be looking for of what the Council can do to improve the economic performance, make investment in the processing and marketing of species like Dover sole more attractive and doing that, you know, relatively quickly for this process and as inclusively as we can. And again we're not starting from scratch. We have ideas that were leftover from the first program review that we couldn't get to and we spent all the time on gear switching. You know we have good ideas from the GMT and GAP here. We also have SSC Reports. I'm thinking of recommending that we look at the accumulation limits. So there's a lot of, point being there's a lot of ideas that were out there and we just haven't been able to take up because of capacity issues. So that's the overarching thoughts I'll

have. And I think, yeah, depending on how the rest of the discussion here goes we still might have some written guidance to offer.

Pete Hassemer [00:09:45] Thank you Corey. Caroline McKnight.

Caroline McKnight [00:09:49] Thank you Mr. Vice-Chair. And quick sound check. Can you hear me okay?

Pete Hassemer [00:09:53] Yes we can.

Caroline McKnight [00:09:55] Thank you. I just want to echo a few comments that I've heard, and thank the GAP and the GMT and Jessi for the staff report. I appreciate that we do need to look as streamlined as possible given workload, but I'm very interested in talking a little bit further about the timeline and the hearings and how we can be most efficient with really getting into those community level concerns and issues through our hearings. I feel that's where we're going to get some of the real fine nuanced and detailed issues or problems that might need some attention. I'm noting that the, that this could come either in June or September and I'm looking at the limited number of hearings and I guess I'm preliminarily feeling like if we're down to essentially one physical hearing per state, what that timing of those might be relative to June and how crunched that might make Council staff feel to report back in June versus September and just hearing some other thoughts on how other people feel about that. I think I'll stop there. Thank you.

Pete Hassemer [00:11:16] Thank you Caroline. Butch Smith.

Butch Smith [00:11:22] Yeah, I have a couple thoughts on the hearing and support all what's said and certainly support the GAP statement. But you know when we're, we've been talking about underserved communities and stuff for awhile and a few days ago and, you know, coming out to the coast sometimes seems like underserved communities as a whole, not just an individual group. And so I certainly support, you know, adding Westport, Washington into the mix. There's a lot of infrastructure investment that has happened there. It makes sense to me. If you miss the Astoria meeting you could go to Westport and if you missed the Westport meeting you could go to Astoria, that's a good thing that you keep Astoria on the board. But the other thing we want to think of when we do this is we want to put this, these meetings in the middle of when the most active fishing begins because we get accused of that. Oh we had a meeting, but Jesus we just had a big opener or the hake showed up or whatever it might be, so we want to be mindful of when these meetings kind of take place also in my view. I just thought I'd throw that out for laughs and giggles. But so I am supportive of the GAP statement. I'm supportive of what other states come up with as far as if they want to expand or not the meetings, but I think that we definitely need to add a meeting in Westport. And this also with, you know, our tribal fishermen want to come down and sit in it's close for them to come down if, I don't want to speak for my friend Dave over there, but it also is pretty centrally located so they could come down if they want to listen to what's going on because certainly processing and all that is very important to the tribal fishermen too. So anyway those are my thoughts on the meeting structure. And so thank you.

Pete Hassemer [00:13:37] Thank you Butch. Corey Nile.....or Corey Ridings, and then Caroline I see your hand is up. If you have another comment I'll come to you after Corey Ridings. Corey.

Corey Ridings [00:13:51] Thanks Mr. Vice-Chair. Just a few notes that are overarching. I'm thinking about equity and environmental justice in this process. And in reading the current outline and materials that are in the briefing book, just how these concepts really aren't part of that, that makes sense. A lot of this is new to this venue and new to our analysis and, but just wanted to note that I think these concepts and lenses can be brought to the review. Thinking about the future research and data needs portion, the rest of it as well, just thinking about how we can bring some of the thoughts and thinking that are in the NMFS strategy as well as the regional plan. And I think they'd be actually very helpful in addressing some of the things that we've heard today about the social and economic needs. Help us be more thoughtful about what are the costs and benefits? What are the cost and benefits that we're looking at and measuring and trying to understand? And very importantly, who those costs and benefits are accruing to? Thanks.

Pete Hassemer [00:15:00] Thank you. Maggie Sommer.

Maggie Sommer [00:15:06] Thanks Vice-Chair. I just wanted to appreciate Miss Riding's comment there. We've been thinking about that as well and we are certainly interested in understanding the impacts of the trawl program on underserved communities. Also recognize the challenges there since, as I noted in our discussion on the Equity and Environmental Justice Regional Implementation Plan the other day, we haven't yet gotten very far in identifying underserved communities, but we know that that, you know, work is progressing. There is more information on, for example, community social indicators being developed all the time. And I think the information I expect to see produced as part of the program review here seems to me like it would be very helpful in future efforts to address the question of impacts on underserved communities in combination with other information on social well-being, et cetera. So I just wanted to, again, appreciate that connection being made here and confidence that what we'll see in the program review will be, will be helpful in making those connections and thinking further about it. Thanks.

Pete Hassemer [00:16:34] All right, thank you. Executive Director Burden.

Merrick Burden [00:16:41] Thank you Mr. Vice-Chairman. I appreciate this discussion. Just in the interest of helping us make headway on this matter I'll ask a question, I guess, in regards to hearings. And so what I'm hearing from our Washington Council members is there's interest in adding another location, likely Westport. So I'll ask, I guess, a similar question of Oregon and California. Are you interested in adding another port? And depending on the answer to that, what I would then propose is that Jessi and I and Kelly work together to bring back to you a more robust plan in November that then you can adopt and assign hearing officers at that time. And so what we'd be looking for now is any further input you might have on numbers of hearing locations by state.

Pete Hassemer [00:17:36] Lynn Mattes.

Lynn Mattes [00:17:39] Thank you Vice-Chair. And to answer Executive Director Burden's question, I asked this specifically this morning in delegation. I had a person, we had a person from Newport in the room and we had a person from Astoria on the line, and both indicated why having

meetings in each of those two ports would be important because they're very different. They fish differently. They participate differently. The processing capabilities are different. I kind of jokingly said, well what if we do one in Pacific City, kind of halfway in between? That didn't really go over that well. And then there was also, well what about the south coast? The Coos Bay, Brookings area? It's maybe a smaller fleet compared to Newport than Astoria. There was some thought that those folks would come to Newport. Probably wouldn't come all the way to Astoria. Astoria, if there's one in Westport, they could maybe go to Westport or they could maybe come to Newport. But the general feeling was it would be ideal if we could have both Newport and Astoria in Oregon, depending on budget and timeline and workload capacity. So not adding a new port but not reducing either of the two that are currently on the list.

Pete Hassemer [00:18:59] Thank you. Caroline McKnight.

Caroline McKnight [00:19:03] Thank you. And thank you for the question. I think that our preference in California would be to stick with the originally requested two meetings, one for Eureka and one for the San Luis Obispo or Morro Bay area. That was a very deliberative discussion within our delegation and allowed for, you know, folks to not have to travel too extensively, noting that, you know, there's something on the order of 700 miles between those locations. So, I mean that would absolutely be our preference is to maintain those two areas. I will note that we recognize that the June, both the April and the June Council meetings are in California and if that could provide some kind of flexibility we'd be interested to understand what that might look like. In the absence of, you know, that hindering Council staff's ability to, you know, integrate the information into this process in June, we'd be interested in hearing more about that. Thank you.

Pete Hassemer [00:20:11] Thank you Caroline. Other discussion? Executive Director Burden.

Merrick Burden [00:20:20] Thank you Mr. Chairman, or Mr. Vice-Chairman. I think what I would take from this most recent discussion is I think we've successfully dispatched the question about hearings. And so we'll take your comments here and we'll take that back and then bring forward a plan in November at that time where we can be more clear about where exactly we're meeting and then ask you all to identify yourselves as hearing officers. So that's where I'm taking that part of this discussion.

Pete Hassemer [00:20:54] Lynn Mattes.

Lynn Mattes [00:20:55] Thank you Vice-Chair. And that leads to a question I asked when Jessi was presenting, what is required of the hearing officer? I don't know if that's something you can speak to now or if, you know, a couple of paragraphs in the briefing book, something so we know what our roles and responsibilities would be. It might be helpful in nominating or volunteering ourselves. Thank you.

Pete Hassemer [00:21:20] Executive Director Burden.

Merrick Burden [00:21:22] Yeah, thank you. I can speak to it quickly here just so you have a preview and then we can summarize at a later time also. But the need for hearings officer starts with the Magnuson Act which, you know, allows Councils to host hearings and then calls for a

Council member, and our COPs specify that that be a voting Council member, has a Council member presiding over those hearings. And so the way we do this most often is with our salmon process and we would have a presiding officer or a hearing officer. We'll often have other Council members that choose to attend also. Sometimes there's a request that we have NMFS attend, for instance. And then you have a trusty Council staff that will give you talking points that will take the, take down the names and things of that nature and help take notes during the discussion. The Council staff, and then sometimes in addition with other agency staff, will help to compile a report that then we'd ask the hearing officer to provide at a subsequent Council meeting.

Lynn Mattes [00:22:34] I appreciate that extra information. Thank you.

Pete Hassemer [00:22:39] All right, thank you. Look around and see if there's any other discussion or questions that needs to happen right now? Sharon Kiefer.

Sharon Kiefer [00:22:52] So I was looking at the GAP recommendations in their report regarding incorporating the results of the trawl cost project on monitoring into the analysis. And then they actually but, and then beyond that they went into some very specific ideas I guess to model out scenarios for cost savings. From a policy perspective I don't have a good sense of, you know, how far, and that's something open for discussion I suppose, how far is the Council willing to go, recognizing there's no decision-making at this point, it's just what is being modeled for analysis, and so something as dramatic as eliminating observer coverage.

Pete Hassemer [00:23:57] Jessi, you want to address that?

Jessi Doerpinghaus [00:24:00] If I may Mr. Vice-Chair, Miss Kiefer. So we wouldn't actually be proposing, if you read the GAP statement they are saying that they would like enough information to consider those changes in a follow-on action. So the idea here would be we would, we're proposing that we take everything we learned from the cross project and looking at those trade-offs of observer cost, what different things could look like and some of those high level impacts that Melissa and Darrell discussed of like what this means for compliance, what this might mean for cost, and I think building that out a little bit and understanding how the observer and monitoring structure that the program currently has, has resulted in the program performance. I think we've talked a lot about today how we've been seeing the benefits of conservation, but then there's been maybe not the same level to that of the economic input. So I think we'd be taking that, building up that a little bit to the degree that we can so that once we complete the review, then if the Council really wanted to dig into looking at like a reduced observer coverage rate or elimination of catch monitors or some combination of the fact that we would be set up to really start to dig into that action and start looking at proposed alternatives.

Pete Hassemer [00:25:13] Sharon.

Sharon Kiefer [00:25:14] I appreciate that and I think I heard kind of what I was looking for because in the report, the analysis was still pretty high level. And, you know, the blocks of color like, you know, high impact to low impact, so but I hear you saying that you're looking to perhaps flesh that out a little more relative to kind of on the ground type. You know they can, maybe this means, you know, a 20% would equal reduction in observer coverage would mean X or something

like that, something to get you a little further down the road than the relatively high, high level analysis, low negative impact, well what does that mean? Or at least perhaps translating some of those. Like in your mind, what would be a low negative impact, something like that?

Jessi Doerpinghaus [00:26:10] Mr. Vice-Chair, Miss Kiefer, honestly I think it's a little hard to say right now. I think putting like a definitive number and trying to qualitatively assess those impacts I think is going to be extremely difficult. I think we would be looking for the latitude to take the spirit of what, you know, y'all are saying and what's in the GAP Reports if you want to support their recommendation and giving us the latitude to kind of dig in and bring back what we can that hopefully, like we said, will support any kind of future decisions and changes you want to have specifically analyzed so that we really can look at like, what does no catch monitors exactly mean? So I think that would be my response.

Sharon Kiefer [00:26:52] Thank you. That is very helpful.

Pete Hassemer [00:26:54] Executive Director Burden.

Merrick Burden [00:26:57] Thank you Mr. Vice-Chairman. And Miss Kiefer, what you're getting at is essentially an ask that we all have of you all. And if we take the vision of what could a review look like in its simplest terms, we would take some trend data and we would say since we did the review here's how things have gone up, here's how things have gone down, that would satisfy the MSA requirement that we do this review and you'd bless it and we move on. That's the most simple version. What we're asking you all here is, are there anything, any topics in particular that you'd like us to dig deeper on? And so I think we've already had that conversation several times. We've been having it for several years. One example, folks are concerned about the economic performance of this fishery. That then changes the way that we think about the review. And Mr. Niles used the word diagnosis, and so that gets us into looking at the review as a document where we say, why is this happening? But either way, what we're trying to do is tee up you all to have enough information to say, here's an action that we think we want to start taking, and that would happen next year after we go through this process, after everyone here understands why the program is performing the way that it is. Hopefully that helps.

Pete Hassemer [00:28:25] Thank you. Corey Ridings.

Corey Ridings [00:28:28] Thanks Mr. Vice-Chair. This is actually a question for Miss Doerpinghaus. In looking at the section "other issues that could be included or noted", there's a bullet point that says Pacific Coast groundfish social survey discontinuance. Can you, and I'm sorry if I should have asked this sooner, it was low in my notes, but I'm wondering if you could provide if possible, a little bit sort of background on that. What is that in just trying to understand if that's something we should be thinking more about moving forward?

Pete Hassemer [00:29:07] Jessi.

Jessi Doerpinghaus [00:29:07] Mr. Vice-Chair, Miss Ridings, so the social survey, and I am by no means experts, but I can tell you what I know, and I'm not sure if Miss Sommers is going to be getting a lot of chats about this from Science Center colleagues, but this was put on for the first

catch share review and there was specific funding for this, and this was a very in-depth survey that supported the catch share review that was done by Suzanne Russell and a bunch of other, and some other social scientists at the the Northwest Fishery Science Center I believe. This was listed in here I think, you know, we were trying to figure out, you know, these ideas or these issues that, again, I was kind of trying to highlight aren't part of the Catch Share Program, but there are influences of like without having the social science survey like we had the last time, we might not be able to in the future kind of have that really in-depth look that we got because there was all these interviews done and like it was a very, very thorough study. So I think that, you know kind of looking back, I'm not sure if we should have listed that in this section. Like I see the more direct thing with the trawl RCA's I think a little more concrete to say, you know, removing the trawl RCA. We were allowed to do that because the Catch Share Program, I think there was a direct tie to that, but it's also impacting the Catch Share Program on the other side of things so that opened up fishing area. For this one I think it's going to be more influence because we won't have that level of data, but you know, Aaron Steiner did bring up yesterday we have a couple of voluntary social surveys that we still conduct so we still should be able to get some social science survey data, it just won't be nearly as in-depth as that last, you know, survey that happened. And I think this kind of falls under, like you were bringing up some of the EEJ conversations of like, there are a lot of things I think we would like to be able to look at but we don't have the data yet to inform it. And I'm not really sure if that answers your question but it's the best explanation I have at the moment.

Corey Ridings [00:31:18] Thank you, I appreciate that.

Pete Hassemer [00:31:21] Thank you. Any other questions or discussion here? I'm going to look very carefully. Is it time we take a break? Is that valuable to do that now and give folks time to work on pulling some of this stuff together? Corey Niles.

Corey Niles [00:00:00] Excuse me not to speak for others and happy to take a break, but I think, you know, hearing the discussion I think the....I would be ready to put that written guidance out at least, you know, to spark some more discussion. I think I will look to others for their opinions, but I think I would be ready to go and Kris and team have it ready to display to the screen, I believe.

Pete Hassemer [00:00:24] Okay, so I'm hearing you're ready to move right into that? Show us that? All right.

Corey Niles [00:00:38] And this not being a formal motion I guess I'll just speak to it Mr. Vice-Chair. Yeah, we did have a discussion again of whether we needed written guidance or we could just, you know, do it orally, but we just thought it'd be possibly helpful to write this down. And I guess I will just read it since....and then maybe add a just a bit of context after. So while recognizing the need to provide leeway to analysts, the relatively short timeline and the many potential issues involved, we request that the trawl catch share review focus on identifying ideas that would improve the economic performance in the bottom trawl sector, emphasizing ideas for increasing revenues and making investments in processing and marketing more attractive and setting up streamlined consideration of action alternatives and expedient implementation process once the review is complete. The recommendations in the GMT and GAP Reports include promising ideas for both the trawl catch share review, including consideration of an adaptive management program as do SSC, for example, on effects of accumulation limits on processor

investment and other reports and testimony on the gear switching issue in the first review of the IFQ and co-op programs. Apologies for the missing words there. And the intersector allocation review outline is a good starting point yet to be complete. It should include all species, i.e. those that the Council allocates through the biennial process and not just with formal trawl and non-trawl allocations. And then, as I'll briefly just explain just a little bit more. Thank you for that addition. What we're after here is, I think Merrick said it nicely is, let's.....we could, this is going to be considerable effort on our limited staff time and there's a lot of various ways of things to look at and we want to do more than just meet the minimum Magnuson Act criteria. We would like to use the talents of our staff and the consultants to take that next step of where we left off from the gear switching analysis and the first catch share review and identify those areas where we, where the Council could really improve the economic performance. And we highlight the bottom trawl sector because that seems to be the highest need. It doesn't mean, we don't mean to ignore the other sectors by any means, but that is the one we spent a lot of time on, and as I mentioned, I don't think anyone thinks the gear switching action would be enough, or at least everything the Council could do to encourage better economic performance in that sector. And then the second bullet just, we hope and you know, maybe this is, this is asking analysts to have a crystal ball and be even more perfect than they are, but we hope that the analysis would really be geared towards getting us to considering options and actions and implementation over a relatively quick time or timeline which emphasize relatively given the process we have. But we really do want to take that next step, what next steps we can to improve the economic performance of this sector. And the paragraph on the GMT and GAP and reports as I think that's just, yeah, there's some good ideas in there, but again, I think we have to lean on giving leeway to staff on doing that diagnosis and helping us sort through the many ideas and finding the ones that might have the most benefit. And then just a reminder that, yeah, we have a lot of ideas that are out there in the record and it's probably a lot to comb through, but it includes, you know, SSC Reports, GMT, GAP Reports from the past and public testimony as Jessi said in the beginning, the Cost Recovery Report, the EDC Reports, so there's a lot out there of good ideas that have been put out there. And lastly, the intersector allocation review, you know, consistent with....it is really a kind of review of Amendment 21, which was a decision that was focused on facilitating the trawl rationalization programs, the IFQ and co-op programs, but it also was an allocation between the trawl and non-trawl sectors. And so I think Lynn spoke to this nicely earlier about to be complete we want the non-trawl sectors to be aware that we're looking at those little allocations now. And in back in Amendment 21 the Council decided not to include all species with, give them formal allocations, but certain species that were best left to consider, not just trawl and non-trawl allocations and then allocations within the non-trawl sectors each biennium just because there was uncertainty into what would be fair and equitable for those sectors. And so, yeah, the outline is, it looks really solid. It just I think it's the only addition would be just including those species that weren't, aren't in there now. And I understand that that wouldn't be too much of a extra lift for Council staff, given the way they put this report together. And I'll stop there and ask others to chime in.

Pete Hassemer [00:06:27] Jessi it looks like you had your hand up.

Jessi Doerpinghaus [00:06:30] Can I ask a clarification if that's okay?

Pete Hassemer [00:06:34] Absolutely.

Jessi Doerpinghaus [00:06:35] Mr. Vice-Chair, Mr. Niles, if you can scroll back up Kris or Hayden. I just want to be clear, you know we're thinking about this review and like kind of this diagnosis program performance idea. So the first bullet point, you know, says like specifically identifying ideas that would improve economic performance. I just want to make sure that I'm understanding the intent that, like, you're not looking for specific alternatives to maybe come out of this, but, you know, I was thinking about the conversation that was going on with regards to the fishing year with Sarah, and so like I think something that might tee up consideration of that change would be looking about how quota pounds are used throughout the year by the different fishing fleets. So would that kind of meet the intent of what you're saying here is that we would like looking at the distribution so that when we completed this review and how things are operating then we might be able to consider again this one instance of the fishing year.

Pete Hassemer [00:07:38] Corey.

Corey Niles [00:07:41] Yeah, thanks Jessi. You always wish you could work things differently, but I would, the intent of that bullet that could be one idea, but I think what we really, I would really point to is the exchange that Merrick had with Miss Kiefer and others. We are looking for your, you and your judgment to like is would that idea be where you think the biggest bang for the buck might be? And if our goal is improving the economic performance which, you know is, you know, either lowering costs and increasing revenues or, you know, making investments more attractive. Looking for the analysts and analytical team to take that, keep that in mind of what we're looking for is to, you know, look at ideas but also use their expertise in highlighting which ideas they think are within the Council's ability to achieve and improve that economic performance. So sorry that's longer than I meant to answer your question, but I would again point to Merricks articulation to Miss Kiefer is really what I think the idea is here is let's not just review all these indicators, let's focus on how the Council can improve economic performance.

Pete Hassemer [00:08:58] Executive Director Burden.

Merrick Burden [00:09:00] Thank you Mr. Vice-Chair. Since Mr. Niles kept pointing to me I feel obligated to respond. If I were to read this bullet and take into account what you just said about our earlier exchange, in my words what I would say is that the Council is concerned about the economic performance of this fishery and we want the program review to focus on why that might be the case. Would that be a fair summarization?

Pete Hassemer [00:09:30] Corey.

Corey Niles [00:09:31] And then next step would be which of these, which ideas would the Council be able to influence most? So why is this happening if it's....so just why is it a pure market idea, a problem where the real, and this is just hypothetically speaking, where the only real.....the most likely prospect for improvement comes from business decisions and investment which the Council has limited ability to influence. So you get to the 'why'. If you identify that as the 'why' then the next step is what could the Council do about it?

Pete Hassemer [00:10:24] Aja Szumylo then Maggie Sommer.

Aja Szumylo [00:10:27] Thanks Vice-Chair Hassemer. And yeah I'm just looking for a little more clarity here too because I think at this stage, too, as we've been working with the advisory bodies on this, we have....it sounds like Jessi worked with them to stop them from coming up with ideas at this point, but really just focusing on building out the analysis. And so I just want to make sure that what comes out of this doesn't preclude industry from having input into that list of ideas that might come forward. So yeah, what I'm hearing from you and I'm asking for clarity on this is, is it a suggestion of like where a solution could come in rather than actually coming up with what the solution might be? Like in the case that you just outlined if it was not something that the Council could affect through action, that the analysis would reflect that rather than suggesting that it was something that was possible to adjust in the Council process.

Pete Hassemer [00:11:32] Corey Niles.

Corey Niles [00:11:35] Thanks Mr. Vice-Chair. And again this is, I guess, again didn't intend this to be a motion and I shouldn't be the only one answering these questions and it was to help everyone provide clarity or some ideas to staff on what that....My first reaction Aja was like, would be that the analysis should help the GAP and industry contribute to the what the solutions were in the end. So it's, yeah, we're looking for the judgment of staff to do that, but it's all as usual, all those ideas are only so good until they've had the industry input in the GAP. So it's, yeah we have a list of ideas that staff have with now, but I think the analysis should, some should rise at the top based on, based on the analysis, but then of course, more importantly, that discussion that happens with GMT, GAP, SSC, the public, everyone. And I guess that also.....I will stop, but that prompts some thoughts we had about the timeline as well and how that all happens but I won't go there now.

Pete Hassemer [00:12:42] So Maggie Sommer you did raise your hand. Did you want to speak to that?

Maggie Sommer [00:12:50] Yeah, thanks Vice-Chair. I appreciate the discussion and the clarifications here. It's been very helpful for me and I think that probably we in this room who are listening right now are clear. But I do want to make sure it's clear to the public what guidance we are providing for staff and so that everybody has an appropriate expectation of what will be produced as part of the review, right? I think we've done a fair amount of messaging that we are not developing follow-on actions right now. We are reviewing the program performance and potentially diagnosing problems. So I think maybe I just would like to ask Executive Director Burden or staff if there are, you know, your thoughts on how you would make the intent of this clear to the public? Whether that's in your summary of Council decision and actions or a potential revision to this guidance. Thanks.

Pete Hassemer [00:13:55] Thank you. And to help Corey, he said, everybody owns this so hearing everybody's input on this. Executive Director Burden.

Merrick Burden [00:14:09] Yeah, thank you Mr. Vice-Chairman. As I think about this guidance and our conversation, you know we often produce what's called the Decision Summary Document, or we always produce that. What I would picture placing in that document would be something that reads like, here's some notes I'm making to myself, it's the Council's perspective that the

economic performance of the trawl IFQ program is not meeting program goals. The Council requests that the review investigate the reasons why the program is not meeting these goals, including factors related to the trawl IFQ program design and those factors that may be outside of the Council's purview. That's how I summarize this conversation. Does that seem right to you?

Maggie Sommer [00:15:05] Thank you Executive Director Burden. It it does to me, but I think the the statement that we all own this is a good one so I would certainly be interested in others opinions. And I also, I'll say my impression of how you summarized it just now is that this is not changing the scope from what Jessi had presented and what we've been talking about, just articulating an area of focus for the review. Is that in line with your thinking?

Pete Hassemer [00:15:42] Executive Director Burden.

Merrick Burden [00:15:44] I think Jessi and I are both nodding at each other, so that would not be the exclusive focus of the review, but as we look at certain places to dive deeper on, that would be a place where we dive deeper. There are other aspects of the review that we are mandated to continue including, like the conservation benefits and things and those would continue to be included.

Pete Hassemer [00:16:06] Okay, let me go to the other side of the room for a minute. Dr. Lent.

Rebecca Lent [00:16:12] Thank you very much Mr. Vice-Chair. I guess I just want to make sure I understand. A review means you go back and you look what happened. What are the data? What are the numbers telling us about economic performance, about net economic benefits? And then that's where you identify the problems and then you can move on to what could we do about these. And I wasn't really sure if this was in the previous version. I went back and I found the one, the draft, the draft one, but it did have a chapter 5 placeholder for Council recommendations for program modifications given what you've learned. So I see that's there, but what isn't in this, and perhaps this is just supplemental to another motion, but is to say, yes we need to go forward with the review and measure these things and see how we actually did, not just put our finger in the air, and then go back and say what should we do about it? Because those what should we do about it's, we're hearing that already and that's rich and that's important. Let's make sure we're all working from the same hymnal in terms of what are the problems? Where are they really coming from? Thank you Chair. Vice-Chair.

Pete Hassemer [00:17:20] Thank you. So Lynn Mattes.

Lynn Mattes [00:17:25] Thank you Vice-Chair. Well Mr. Niles led this and provided the written guidance, I'm in agreement with the things that we've been talking about and just trying to claim my little stake and in the ownership and or blame in the ownership, but I do agree with where we're talking about and especially the clarification that Dr. Lent just expressed that review is to find out what happened and then we can move forward with trying to find corrective procedures for that. Thank you.

Pete Hassemer [00:17:55] Thank you. Corey Ridings had her hand up, but did you wanna respond to that directly Corey Niles first.

Corey Niles [00:18:03] Yeah I just, my only response to Dr. Lent and quickly is, I think we're beyond that stage because we already have.....mostly agreeing with you, but we've done so much work the last seven, ten years that we know more about what the problems are than you would if you were starting from scratch. That's just, that's part of the thinking because the gear switching was all about this issue and there was controversy about whether what we were doing was actually addressing the causes of it, but, and differences of views on that so that's, we know a lot already was just my short answer of what's going on in that sector.

Pete Hassemer [00:18:40] Thank you. Corey Ridings.

Corey Ridings [00:18:42] Thanks Mr. Vice-Chair. Thanks other Corey and WDFW for this guidance. Support it. I think this sounds right. Just wanted to add a few thoughts. Agree that the focusing on economic performance is good. There's obviously multiple stressors that are impacting our prices on our markets. I did want to note that conservation performance is still important though. It's good to know this not only for its own sake, but in terms of how these different outcomes are interrelated and so it's important to keep on that thread as well. From the report yesterday, one thing I took away from that is that the costs are proportionally higher to catcher vessels when you're looking at revenue. And thinking about that landscape, about the market, thinking about buyers and processing. What is the processing landscape? Not only the accumulation limits that this is mentioned here in the guidance, but what about things like we have a small number of processors on our coast, how does that influence the overall program performance? And also about things like the role of small scale buyers. I'm thinking about things like harbor markets, community supported fisheries, direct to chef, things like that, I didn't see that mentioned in the outline but I think it'd be interesting to see some of that new analysis and how that interrelates with how the program is operating. That's it. Thanks.

Pete Hassemer [00:20:18] Thank you. Chair Pettinger.

Brad Pettinger [00:20:30] Thank you Vice-Chair Hassemer. Could you scroll down to the very bottom part? On the intersection allocation review we do that every biennial process, so is your thoughts is to look at this and then when we do the biennial process next time to basically open that up again? So I'm kind of curious. I understand why you're doing this, that canary issue stands out here. I'll call it what it's called and it is. So I'm just kind of curious do we just need to be duplicitous in the what we're planning on laying out here?

Pete Hassemer [00:21:07] Corey Niles.

Corey Niles [00:21:11] Yeah, maybe if Lynn could respond because she spoke to it first. But Brad's it's just like we can't call this, yeah canary is a species that obviously would be covered here, but I think there's a discussion that would happen later on and ideas for how that, I think in the last from the June meeting on how that will take place. But yeah Lynn could you explain just what you did earlier?

Lynn Mattes [00:21:37] Vice-Chair. Mr. Niles. Through intersector allocation through Amendment 21, I think it's amendment 21, there are a lot of species that are very much laid out.

Trawl gets X percentage, non-trawl gets X percentage. We've done some minor tweaks of those through spex, like we've taken, we've adjusted the widow non-trawl allocation through the spex process. I think this is to take a more holistic look at all of the species in that Amendment 21 list of species. You know, does the non-non-trawl sector need, really need 5% of the petrale sole allocation. So my thought on what we were doing here it'd be to, you know, maybe do a retrospective look on how they've performed in terms of the trawl and non-trawl allocations and catches and then see if adjustments could be made. Canary seems to be rising to the top because of the issues we encountered last spex cycle, and because canary impacts each and every sector we deal with. You know going back to petrale sole, petrale sole is not a big target in the Oregon recreational fishery, canary rockfish is a big target in the Oregon recreational fishery, as well as the trawl fishery and the commercial non-commercial fixed gear fisheries. So we're just trying to make.....look at that and see do we need make adjustments to these formal allocations. Does the formal allocation still work? I think it hopefully helps us speed our spex process through that we don't have to look at each and every species in the FMP every 2 years, we can just look and look at the list of species in that list and yep, all of them are working except this one and we make that one change as opposed to every cycle having to look at all of those species. That was my intent. Hopefully that helps with the discussion.

Pete Hassemer [00:23:36] All right, thank you. Caroline I see your hand up I just want to make sure we finish up all the answers on this question here. Corey Niles.

Corey Niles [00:23:45] Yeah, sorry, I can't see Caroline but she might be speaking to the same issue, but I was going to suggest maybe if Jessi could jump in, but the.....like this wouldn't make any decisions like the review, but it would be, the idea was the time, it would be produced about June, which is when where you could decide does the mix between trawl and non trawl look like it needs action? But Jessi, yeah I didn't want to jump in front of Caroline but maybe Jessi could speak to it with on terms of process.

Pete Hassemer [00:24:14] Yes, let's go to Jessi. It's on this thread and apologize Caroline but we will get to you. Jessi.

Jessi Doerpinghaus [00:24:21] Yes, Mr. Vice-Chair. Yeah, I think that a lot of the information that's been set here is correct. I think, you know, being on the GMT when it comes to these biennial specification trawl/non-trawl allocations, the amount of information, as you well know, is overwhelming when we get to spex. So that and we don't normally have the time on the GMT, GMT members to go and look back about how all these stocks are doing, you're doing a real quick look of like attainment. So my hope would be similar to what we've already, I've already produced for Amendment 21 stocks that are in the document. So to produce those for stocks like bocaccio, yelloweye, canary, all of our 2 year trawl/non trawl stocks so that you have the basic trends that have been happening since Amendment 21 went into place and understand that so that we'll have that better holistic look. And then yeah, that it should tee us up really well for if things do pop out of this review, the intersector allocation review, then you could consider changing the values for those allocations for the next cycle.

Pete Hassemer [00:25:27] Thank you. Caroline McKnight.

Caroline McKnight [00:25:32] Thank you Mr. Vice-Chair. Just a quick sound check. Can you hear me?

Pete Hassemer [00:25:35] Yes. Yes we can.

Caroline McKnight [00:25:38] Thank you and no, you were wise to take Jessi's comments first. I was just going to support what's on the screen here in terms of guidance and echo what....(audio drop).... And I would agree with Mr. Niles that, yes, we've learned a lot over the last 7 to 10 years from this program and there's a lot of things that we expect maybe to come from the review in terms of both economic performance and conservation performance. But I am, I think the language here also reflects enough flexibility that we may learn some new things from our hearings and this guidance allows for that, which I think is the important component that we've heard a little flavor of here and there about community stability or instability and other impacts that maybe have developed, especially since the pandemic. And then I'll just echo and say that I think that Jessi said it best here, but I completely support including all of the species in intersector allocation review. I think it does tee us up very nicely for anything that needs further addressing in our biennial specifications process, and it makes sense to look at all of them and so that we're not missing anything. So I also support that as well and everyone said it better. Thank you.

Pete Hassemer [00:27:01] Thank you Caroline. As I look around here I very much appreciate Corey Niles putting this in writing for us. We've discussed it. I'm just going to alert Jessi that I'm going to look for a summary because we've had a lot of discussion on this, making clear when we leave here what the public understands it will be. But there was some other discussion, not necessarily, Miss Ridings had some ideas I think offered in the spirit of guidance that should be looked at. So maybe a summary of what we've heard and how that translates into this process and the next steps to help our discussion, unless somebody else has something right now, but it gives you a pause to stop and think about it how far we've gotten. How does that sound? Jessi, are you ready?

Jessi Doerpinghaus [00:28:04] I'm going to try my best Mr. Vice-Chair. Noting that I am going to be listening to the YouTube stream probably a few times when I get back. So in terms of the Council guidance today, so starting off with the catch share review, you provided guidance on that. We're going to be, you know, thinking the term 'diagnosis' I think is a good one, so thinking about this, diagnosing how our program is performing, you know, really focusing in on how we're doing with respects to the goals and objectives. We heard some supportive of the recommendations from the GMT and GAP Report to look at, and I think we'll be listing out any findings that we have, which I noted as section 4 of the doc proposed outline, so that we're in a really good spot to tee up the Council and its advisory bodies for any recommendations and follow-on actions to occur after the review. For the intersector allocations, we will be expanding that out to include our biennial stocks as well, and I think based on some discussion around the table and wanting to make sure that this is apparent to our non-trawl participants and not just linked in with the trawl catch share review, we'd probably be proposing to separate this out into two items when it comes back next June. For hearings, we'll take your feedback on the locations that you provided with the two for each state. So Seattle, Westport, Newport, Astoria and Eureka and San Luis Obispo or Morro Bay. We'll take a look at those and we'll bring back a more formal proposal in November in which you will also adopt hearing officers. I think the last thing that just wanting to get some confirmation

on is if y'all are comfortable with us taking final action tomorrow under our standing COP item on the proposed changes for COP 27, which again, are those administrative updates.

Pete Hassemer [00:29:59] All right, thank you Jessi. I want to set the COP 27 changes just till later. It's a separate item but.....and I don't want to shut off discussion on this because it's very important, but just wanted some clarity on what we've discussed if there's any objections to discussions that have heard here, what we've heard for guidance. So does that sound good to everyone as guidance? Look around and make sure the head nods are in the affirmative here to move forward. That looks good. The hearing officer discussion, the hearing locations and officers come back in November and hear about that. And then is there any disagreement with taking up the COP 27 changes tomorrow under our normal Council Operating Procedures agenda item. Rather than going through the two meeting process, these are administrative changes, we will just bring that up tomorrow. Sound okay? Maggie Sommer.

Maggie Sommer [00:31:10] Yeah, thanks Mr. Vice-Chair. And just to to put a finer point on the administrative changes to COP 27, these are just corrections to the COP that reflect actions already taken by the Council that have gone through a process and public comment opportunity, et cetera. It's not new substantive changes.

Pete Hassemer [00:31:32] Yes, that's correct. Thank you for that clarification there. Why we're moving it to tomorrow. So with that then I'm going to look again to Jessi and just tell us if there is more you would like to hear or have we completed our work?

Jessi Doerpinghaus [00:31:50] Thank you Mr. Vice-Chair. I think I've heard a lot. I appreciate the flexibility you're all giving us, you know, and the written guidances, staff for us to work with our contractors to make this review happen over the next year and I think you've completed your action for today.

Pete Hassemer [00:32:09] All right, thank you. If there's no other comments or discussion we'll close this agenda item out and pass the gavel back to our Chair.

8. Phase 2 Stock Definitions - Scoping

Brad Pettinger [00:00:00] Well that includes public comment takes us to our Council action, which is before you. So Keeley.

Keeley Kent [00:00:09] Thank you Mr. Chairman. I just wanted to make two remarks, one very specific and one more general. Miss Mattes was asking a question to the SSC Report, and I thought it was a thread maybe that I'll bring here because we did not present the 3 NMFS Reports that looked at one that looked at the commercial catch proportion analysis, one that looked at recreational catch, and then one that looked at surveys. And I'll try to paraphrase, Although Miss Mattes please tell me if I got this wrong, some of the questioning was whether or not catch is the appropriate way to think about where the fishery is and whether or not there is a signal we're missing from without looking directly at biomass and I come back to, you know, in my presentation we were talking about what the Council role is and it comes back to the fishery under its authority. And so we have come back to, we think catch is an appropriate way to look at where fishing activity occurs. That's not to say you couldn't look at species distribution or even something like habitat distribution, and we had a really good conversation in the SSC about that, but those then in that situation are proxies for where a fishery could occur. And so some of this, because, you know, it is very much in the first stage of what we're looking at, think it's important to bring that thread through and just note that that's our perspective that that catch is going to tell you about where the fishery is. And you can recognize how that is limited based on regulation, but that doesn't necessarily have to be a stop and we don't have to create, you know, more complex analyses that that could be enough, right? And I'm looking for those ways in which we can build a strong record without needing to go down a lot of different pathways and spend more time. So I wanted to just connect that thread, and my apologies to Miss Mattes if I at all said something beyond what she was actually asking, but I wanted to put that out there. More generally, I just wanted to recognize, you know, this is a really challenging action. There is a lot here. I have had some really thoughtful conversations everywhere that I have went with my presentation and discussions. So I want to recognize, you know, we had some really good work in the SSC. Excellent conversation in the GAP and in the GMT. I've certainly had a lot of hallway conversations about there is so much here and it feels challenging and overwhelming, but I come back to I think we have a really helpful path forward that Council staff and NMFS staff had laid out in front of us and I think we've been clear that this is a top priority for us. We will continue to invest our resources to help guide this process. Recognize I got the sense the GMT was feeling a little overwhelmed by all of this and I don't think this is something that the GMT has to lead us through. They have a role to play, but NMFS and the Council staff, I think we can lead us through this. And if everyone will sort of bear with us on their hard questions, but I really do think we can work through this without getting too spun out and we'll keep chipping away at it. And so I wanted to bring us back to maybe a sense of optimism that I know it's hard, but we'll get there and we'll work together on it.

Brad Pettinger [00:03:42] Thank you Keeley. Executive Director Burden.

Merrick Burden [00:03:48] Yeah, thank you Mr. Chairman. I guess I share a lot of what Keeley just indicated. We've talked internally as staff about this topic and I understand the first time we go through it it does seem overwhelming and complex. I can say that I've personally done this kind of work before and once you wrap your arms around it, it's actually something we think about just

about every day. It's not that different from what we do. And so we have staff set up and I think we're working very well together and we're prepared to help drive you through this action. So I'll just stop there.

Brad Pettinger [00:04:21] Okay, thank you. Marci Yaremko first.

Marci Yaremko [00:04:27] Thank you Mr. Chair. You know I got to thinking, and this question's for you Keeley. Back to Phase 1, Phase 1A, Phase 1B, and in those exercises we did not spend much if any time talking about whether stocks were in need of federal conservation and management. And I'm just wondering here in Phase 2 why that seems to be such a point of emphasis. I mean, are we over-baking this? It kind of feels like the default answer is yes, they're in need of conservation and management. Their fisheries, or these are species that are the subject of a fishery management plan. I mean I think there's work to do obviously in dealing with complexes and consideration of whether or not we really need all of these species to be actively managed under ACLs and whether EC is perhaps a better designation for some of them. But I'm just wondering if in this first step we're maybe going overboard in digging so deeply about trying to justify that stocks are in need of conservation and management. Like I say, we didn't do it last time. We didn't, we weren't looking at survey indices for the species that we defined in Phase 1, so maybe you can explain the need here. Thanks.

Brad Pettinger [00:06:06] Thanks Marci. Keeley.

Keeley Kent [00:06:08] Thanks. Yeah, all of this has been really challenging. I will say when this started we were at a crisis point. So we, NMFS pushed the Council to make a quick decision on Amendment 31 because we were in a crisis point where the determination was made that we didn't have any stocks that had been defined as in need of conservation and management and we could not move forward with the 2021 status determinations. That vaulted us quickly, more quickly than I would have liked, into needing to act on those stock definitions. The point that we're at right now is pulling together some threads that have existed for 25, at least 25 years, right? So like recently I went back to the Groundfish Strategic Plan from the year 2000, and there's lots of things in there about the nearshore stocks and whether or not the Council should actually be managing nearshore stocks because they do not occur much in federal waters. There's been many documents since then that have looked at that very question. We at amendment, at the point of Amendment 31 that lead up, right? We are in this crisis point of not being able to move forward with our management system without making that decision. So I'll take responsibility we pushed the Council forward knowing there were these bigger issues that it didn't feel like we were ready to tackle in that moment. So I, yes, right now it's sort of challenging because we made some of those decisions without having these bigger conversations. I think it would be irresponsible to not have these bigger conversations. That's not presupposing an outcome, but it's saying these questions have been around for a very long time and we've, the Council has had a couple of actions where they've looked at them, right? We never made it all the way down this line of really doing this true evaluation of these stocks in question whether or not they're really in need of conservation and management. So in some ways, you know, we're both responding to a crisis but also saying this is the time to close those, to tie all of those threads together that have been around for a long time in this fishery, and make a decision one way or the other and document it, why did we do that? So I hear what you're saying and I would just say we're not presupposing an outcome, but I think it is

really important to do that true evaluation. Like we talked about before there are species in this FMP that ended up there because genetic studies said there's a new species, not because the Council ever evaluated it and said it needed conservation and management. So, you know, all of those things, I think this is the right time, these issues are ripe to take them on and make that evaluation.

Brad Pettinger [00:09:11] Marci.

Marci Yaremko [00:09:13] Thank you Mr. Chair. Thank you Keeley. That is super helpful context, and I think, at least for me, frames how I think about these next near term steps. I have a more clear picture now I think. And back to my comment about perhaps were over-baking this. I guess I would ask, you see the GMT Report, you just mentioned earlier the concerns they have and the feeling of kind of a lack of direction or clarity on how to proceed, and I guess I would just be hopeful that, and looking at the ambitious timeline of course in Attachment 2, how much is enough, because again now that I'm thinking about this through this kind of new lens, it feels to me like the default answer, you know, is where we are. And I appreciate our need to build the record to tie those historic strings together and do some cleanup here and fill in some missing gaps, but do we need six months to do that? Do we need a year to do that? I mean I feel like, you know, how much is going to be enough. I think if there's a way you can help us understand that, it certainly I think will shape our workload path forward and provide some clarity with, you know, on how we balance the needs and accomplish the, you know, it doesn't have to be the bare minimum but, you know, what's enough to get us over the finish line? Thanks.

Brad Pettinger [00:10:55] Keeley.

Keeley Kent [00:10:57] Yep, thanks. We are thinking carefully about what is a strong record without spending more time than we need to on this. The way that I envision it is we're going to be doing a lot of binning. So I certainly sense it's easy to get quickly overwhelmed when you think about the number of species, but I think we are going to be binning things that from the get go we can bin. We've already done some of the, I'll call them like these are definitely federal stocks, right? Like we have more of those and we can bin those and we don't need to spend as much time on those. I think we're going to end up with bins of here's ones that we want to investigate whether or not there are candidates for ecosystem component species, and here's ones where we really need to understand if any of the fishery occurs in federal waters, if so, what amount and how does that play into the stock? And so you're going to end up with these smaller amounts and it's not going to be as overwhelming when you consider each bin separately in my view. You know I will say we've had the opportunity, you know, NMFS has been thinking about a lot of these things for a while now and so I do feel like I can come in a little bit more optimistic. I knew that it would take some time for some of this to filter down and start to make sense but I really see us chipping away at it. Right now the schedule of looking at it in March and June makes sense to me from the ability to bring forward additional materials then. I'm not as held to the oh we have to get to a PPA in March, but I think March is a time when we will have a lot more for the Council if the Council gives us a clear scope on how to move forward where it will have a lot more on the table to start doing that binning exercise and be really clear about where do we drill, need to drill down and where do we not. And that will help reduce sort of the sense of, oh it could be a lot of workload. So that's my feeling that, you know, we can come back in March with a lot more for you and then in June I'm not as tied to that has to be PPE and FPA, but that timing feels appropriate to get a

good chunk and a good step forward. And certainly if Council staff want to comment on the phrasing of what is March and June we could get into that, but I'll leave it there.

Brad Pettinger [00:13:20] Thank you Keeley. Heather Hall.

Heather Hall [00:13:26] Thank you Chair Pettinger. And I know several of our hands shot up all at once so just want to acknowledge that I think Miss Mattes and Miss Kiefer are in line too, so I don't mean to jump the queue. Okay. Thank you. I'll just start out here. Keeley thank you for your opening comments. It's very clear that you've been through this enough to anticipate what is rolling through our heads I think, and you did a nice job of addressing some of those thoughts just to get us started and so thank you for that. I want to just start big picture and I really appreciated Merit's public comment. I was looking at the National Standards this morning and how it relates to this issue, and I've been thinking and we've been talking in our state delegation as we prepare for this in terms of the big picture and, not that I'm resistant to change, but why do we have to do this? And we speak a lot about the Pacific Council and how we manage our stocks and our fisheries in a way that I think we're all really proud of, and with that is a strong reliance on science and, you know, trying to put, it feels like a little bit of trying to put this into a box that acknowledges state, federal jurisdiction, which is really messy. It feels like it won't fit and so the more I hear, you know, us talking about this I think there's places where we can see how we are already doing this. We really do have a good approach to getting the science from our surveys and applying them to state management. We adopt rules that conform to federal rules and our enforcement officers enforce and we've had that collaboration, so when I get concerned about how big this is I think about the places where it's working and that'll help keep it going. Before I hand it over to the next whoever has the next comment, I did want to acknowledge the GMTs Report and it feels like they're asking for help and feeling overwhelmed, and thank you again Keeley for hearing that from them. And you did say that it's not squarely on their shoulders and I just wonder how we can help them so that they can do something over winter and maybe not feel like they have to get to PPA by March, but how, what does that look like? And maybe throwing that out for everyone, but seeing if you and maybe Council staff have ideas about that. Thank you.

Brad Pettinger [00:16:31] Thank you Heather. Lynn Mattes.

Lynn Mattes [00:16:32] Thank you Chair Pettinger. Just trying to answer Keeley's question of me a few minutes ago. I think maybe a little bit of where I'm getting hung up is all of this is talking about where the fisheries are. And in my head I'm thinking about where the fish are, which may be two different things and that may be farther down the road. So I appreciate the discussion. Those are two slightly nuanced, different things that we will have to look at. And since I have the mic for a minute, similar to what Miss Hall just said, when I was trying to explain this action to my very new agency leadership was asked, Why are we doing this? What's the purpose? It seems like this is already working and it's like it's what we're already doing. And from the purely fisheries management regulation standpoint I think it is. We in the state of Oregon also adopt federal rules by regulation or by reference. We do some minor tweaks in state rules for some flexibility just to be a little more reactive, and that's what our Director sees. This bigger piece about federal jurisdiction in need of conservation and management is a little harder to explain to her. And I think this discussion we've been having is helping build that record so I can go back and explain to her more of what we're talking about. On the agenda or the schedule, I think the steps and the

benchmarks are appropriate. I've heard these, the dates on the schedule described as optimistic, ambitious, aggressive. If we do adopt that schedule I think there needs to be some understanding that we are likely not going to hit all those benchmarks depending on other workload, how long things take, how, as we start looking into things, how complex they get. And then the last thing I wanted to mention is when we go into.....I think part of this process is going to be probably looking at redoing the productivity and susceptibility analysis. I know I heard this on the GAP webinar the other day that having industry members involved in the susceptibility piece I think will be important because they're the ones who are on the water. Data nerds, biologists like myself, we know the biology, we know the data, but people like Merit and Jaime are the ones out on the water and know what's going on, so having them involved in the susceptibility part I think will be very important. So thank you.

Brad Pettinger [00:19:09] Thank you Lynn. Marc Gorelnik. Oop, Sharon Kiefer.

Sharon Kiefer [00:19:10] Thank you Mr. Chairman. Thank you Marc. I'd like to kind of, again with some discussion of the schedule, I'd like to put a little finer point on that. So specifically, underlying this particular schedule proposal, aside from wanting to get it done, and I certainly recognize that and that we need to do it, but aside from that, is there a particular law, litigation threat, related process that we need to stay in step with that was the basis for this scheduled proposal? We're talking less than 12 months.

Brad Pettinger [00:19:58] Todd.

Todd Phillips [00:19:59] Yes, thank you Mr. Chair. Thank you for the question Miss Kiefer. So when we developed the schedule initially we were looking at the impact that this particular decision would have on our harvest specifications management measures process, and so by doing it, doing this step one by June would set us up very nicely to move into the harvest specifications and management measures process. It's not.....Miss Kent would have to answer the question about litigation and that sort of thing, but it was mostly, again, just to frontload the spex and not have a decision made in the middle of that that could alter things. Thank you.

Brad Pettinger [00:20:38] Keeley.

Keeley Kent [00:20:40] Maybe if I could just add to that a little more. I appreciate Todd's answer. I will say we want to find the balance between giving this enough time, but recognizing that there are things happening on parallel tracks that have become more challenging because we have not addressed this. And so that keeps coming up that in other actions, stock assessment prioritization we said, well, what's going to happen over there? Stocks in need of conservation and management that influences what stocks we're going to assess. Specifications has become more challenging because we haven't discussed and dealt with these issues. We haven't figured out what we're doing with our stock complexes so we've had to layer on additional management because we had concerns about some of the mortality in those complexes so that that might not be the most efficient way but we've....that's a Band-Aid, right? So you're you're adding more Band-Aids that we've had to deal with and that will continue to accrue. I'm expecting that some of these issues will come up under our EFH review because EFH flows from what stocks you've decided are in need of conservation and management. So we have to balance the schedule and moving forward with

having enough time to work through these issues, but we're cognizant of other actions that are happening that are more complex or we're concerned about getting out in front of our skis on a decision somewhere else that might have been different had we decided one way or the other under Phase 2. So recognizing this is, this action is so fundamental to all of our groundfish management on the West Coast, it will be hard to not have these decisions be made and feel like we're moving forward in a very thoughtful way on other actions.

Brad Pettinger [00:22:25] Sharon? Okay, thank you. Marc Gorelnik.

Marc Gorelnik [00:22:29] Thank you Chair Pettinger and thanks Keeley. It's unfortunate we find ourselves with an FMP that wasn't properly vetted and it's good that we're getting to it now. It's a lot of work as we've have heard from the management team and others. And I'm wondering, it seems that there's been a lot of angst over how do we determine which stocks are predominantly harvested in federal waters? And I would submit that's not a critical question for us to answer because what the National Standards say is that it's nondiscretionary, we must include a stock in the fishery management plan if it's predominantly taken in federal waters. Even if the question is no we then move on, and this has been set forth in a number of reports, we then move forward with the 10 factors. And so I'm wondering how critical it is for us to answer that first question if the answer to the second question is much easier to answer. In other words, if there are factors amongst those ten that suggests that we need to maintain our management of those stocks, the comments to the revisions to the 2016 amendments says that the final action clarifies that fertile management is not limited to stocks that are predominantly caught in federal waters. To determine if other stocks require conservation and management, the guidelines contain a non-exhaustive list of factors that Council should consider. So I'm wondering if we can, I mean it's still going to be a lot of work one way or the other, but I'm wondering whether and to what extent we're getting hung up on the first question about predominance versus the nonexclusive list of factors. Now certainly there must be some nexus to federal waters I think, but it doesn't.....it's not set forth in the, in National Standard guidelines.

Brad Pettinger [00:25:01] Thank you Marc. Keeley.

Keeley Kent [00:25:05] Thanks, that's a good question. Sorry I was going to try to pull back up the 10 standards. It's the second one that really, I think, is where predominance flows in. And we don't have to, I agree, we don't have to spend a ton of time on predominance. There's an ability to figure out how we want to weight things and look at it, but it is a factor to consider. And the one example that I would put out there is we want to be cautious of getting in a situation where you've determined that a stock is in need of conservation and management that you have no management authority over. And we are starting to see that in some situations where you have a stock that most of the fishing is happening in state waters and that the management that you want to do, such as a closure, is not something that the Council and NMFS have authority over, right? That is not a great situation to be in. So that's an extreme and I'm not saying that that is the only thing that we need to think about, but that's an example of how if you get out of step with understanding where your fishing is occurring, this Council doesn't have any ability to actually influence the outcome of that stock or, you know, if it's rebuilding you might not have any ability to rebuild it. The state could and our states have been really great at taking management measures and conservation measures that are consistent with the Council. That doesn't always have to be the case right? And so that's

just the possibility out there that I think we should think through of why we need to be careful about it should be a stock that we have an ability to have an influence on, but it does come in to that second factor in the list how you want to order and weight things. I think you have some ability to tailor that and how you want to set up your decision making.

Brad Pettinger [00:00:00] Marc.

Marc Gorelnik [00:00:00] Thanks for that Keeley. I guess I, since predominance is, that term's precisely used in another part of the regulation I just, I personally don't see that in the second factor there and I think it would be helpful if there is some commentary somewhere that would help us because I think that the comments in the Federal Register to these revisions make it pretty express that predominance is not a factor. But you're right there is this, I mean we can't go about in managing everything, right? We, you know, there are a number of state managed species we don't want to touch, but I don't see in National Standard Guidelines or in the comments to the National Standard Guidelines any definition for what degree of nexus we need to have. You know is having some harvest in federal waters or should we be looking at abundance? Because after all, I think as was pointed out, the fishery has been prevented from accessing considerable stretches of waters in federal waters, largely the RCAs. You know, presumably they're going to go away, I mean they have largely gone away and now we have other restrictions because of other stocks. But, you know, it's not an easy answer but I'm just thinking if we can sort of skirt the question of predominance and look at these other factors, we might simplify the task before us, or not.

Brad Pettinger [00:01:43] Executive Director Burden.

Merrick Burden [00:01:47] Yeah, thank you Mr. Chairman and Mr. Gorelnik. You're touching on really something that I have in my mind as I'm listening to this conversation that there are, in my experience in doing this kind of work, there are a variety of factors and it's, we're at a place here where we're talking conceptually about what our action might be and what the analysis might be and that's hard to wrap your head around when you've got something new and you have a lot of potential factors. This is why we do analysis, right? So I think where we're at is making sure that we understand the question that's in front of us and then understanding that there are a variety of considerations or factors that will help determine your decision and the analysis will provide some clarity for you all when we get there. And so, just I guess another personal reflection, not that I want to make this about me, but it has become very clear when I've done this kind of work before what is in need of management and what isn't as you go through that type of work. So all that is to say, just I appreciate your remarks and I think you're touching on those factors is a very important part of this discussion.

Brad Pettinger [00:03:03] Okay. Todd.

Todd Phillips [00:03:03] Yes, thank you Mr. Chair. I was waiting patiently in line, but this questions is, or this statement will address Miss Hall's question about what to do about the GMT and how to help them help us. So there's a number of ways that we could go about this. Obviously, we need a scope to understand what level of work we're going to be doing moving forward. The second aspect is that there is, there are two avenues, one could be that once we have a scope at this meeting, we could come up with a list of tasks or ideas and bring that forth under workload

planning, either under this particular meeting or in November when we generally set sort of the agenda or the ideas that the team should be working on their over-winter meeting. I have a few ideas and most of those ideas at this moment based on, it's based on the lack of information that we have surrounding recreational fisheries. And most notably with recreational fisheries there are questions about location and spatial input. And some states have much finer scale and then some states don't, and one key point would be to understand in terms of the predominance question what percentages are we looking at inside/outside state waters? So that is one thing that we will need input from the GMT or at least specialized members in the GMT. So hopefully that doesn't confuse. Thank you.

Brad Pettinger [00:04:37] Okay. Marci.

Marci Yaremko [00:04:38] Well it may have confused me a little. So, thank you Mr. Chair. Todd, I appreciate your answer and thank you for, I mean we are striving for clarity here and how to guide our staff on the GMT, but I guess I would turn back to the exchange I had with Keeley with regard to how much do we need in the record, like what's enough? Because this basic question of, you know, what is the need of conservation and management and the 10 factors? You know, I just have a difficult time believing that we're going to need a whole lot to justify that decision because it was automatic in Phase 1. And I realize we need to tie up loose ends and provide documentation and a strong record of our decision-making, but I would think that we.....I mean do we really need to go and explore more on recreational catch to justify? I mean that's one piece of information out of one factor among ten. So I just am, you know, I'm trying to think about, you know, meeting, we want to meet the the needs of the record but I just am wondering if we're on a bit of a tangent here. Thank you.

Brad Pettinger [00:05:59] Aja Szumylo.

Aja Szumylo [00:06:05] Thanks Chairman Pettinger. I'm wondering how far to go here with this comment. But one thing is to say is that similar to Merrick, I've had experience doing this in the past and there's actually a lot of, there are a lot of examples around the country of different ways to do this. I was part of, in my time when I was working for NOAA, working with the Mid-Atlantic Council around river herring and shad, there when the agency was sued for, or actually it was a very strange lawsuit, the Council decided not to list river herring and shad as stocks in the fishery management plan without doing a NEPA analysis of it, and then there was a lawsuit that was ultimately dismissed because there wasn't an NEPA analysis. So there was some justification needed and an analysis to decide and actually discuss whether it was a stock in need of conservation and management. It wasn't as simple as just the Council saying yes or no in agreement on the floor and it needed an NEPA analysis, but I also don't think it needs to be overboard. And my sense here is that for some things like what you guys did in Amendment 31 it's going to be really.....or yeah, what this Council did with Amendment 31 it's going to be really fast. And then for other things, for many, probably for a handful of the stocks, there's going to be a lot more conversation, discussion, and that's where to spend your time and effort, not on the things that are like easy decisions. So what's really sticks with me is Keeley's binning concept of like, they'll be rough bins, and probably a lot more discussion around certain bins, but not so much discussion around other bins. And then the other thing that really sticks with me is what Merrick said is, and what came out in the GAP statement is that like, this is a procedural thing that is important to

moving, other things moving forward, but I'm in favor of a really fast timeline for it because it's a distraction from the real work that we want to get done. It's getting in the way of doing real things. So I heard the GMTs caution about speed, but it seems like I would prefer to go real fast with this and like, let's get it done, get out of the way. And yeah Merricks comment sat with me to where he was like, look at there are all these other examples of different ways to do it. And I so I think here coming in with a sense of optimism, like use your imagination and make the justification for your imagination. I'm not saying that it's like fluffy unicorns and rainbows here, there's like real data underneath it, but I think there's a way to do it without getting afraid of this task. So I'll stop there.

Brad Pettinger [00:08:33] Thank you Aja. Keeley.

Keeley Kent [00:08:35] Thanks. Maybe I'll try to connect Miss Yaremko and Todds response. For the rec analysis, in my view we have a couple of action items from the SSC and then captured in the GMT Report, but then also in the GMT discussions with the state rec leads that are very much actionable and could move us forward quickly and not need much more. The one caution I'll throw is I think there's been a lot of discussion about the Washington data and that might be a special case that we need to think about and look at. But what I have taken away from the meetings and recognizing that the Council didn't get those reports and discussions so it's a little, feels a little offset, but to me I left that feeling like we're in a good place. There's definitely some over-winter work but we can move forward quickly, and I think at the end of that we will then have a small amount of species that we would be focused for anything more. And I don't know that anything more is, but there's a possibility, right, that that commercial is pretty much done. There was a couple additional suggestions from the SSC but that's not much more work. Rec that we have a strong path forward and then that could be enough for most of our species. There might be a couple more that we want to talk about, right, but that's a lot smaller workload. And so I think sort of walking the line between I see definite, you know, like some help from some of the GMT folks or the GMT as a whole, but it doesn't feel like a lot more or a nebulous path to me. And again, I've had more time, more opportunity to think about these things and so that's the place that I'm at right now that I see the path forward and I want to keep working with you all to walk together down that path.

Brad Pettinger [00:10:34] Corey Ridings.

Corey Ridings [00:10:36] Thanks Mr. Chair. Thanks Miss Kent for that. I'm wondering if you can, in light of this conversation, go back and maybe give us a little bit more about what you meant by binning? I know you talked about that earlier and talked a little bit about it. I'm not sure that I fully understood at that moment what you were saying. So thinking about that, especially in contrast, I think it was the GMT statement that talked about wanting to take a holistic look at this and doing them together. So just trying to sort of reconcile or understand if they even need reconciling those two approaches.

Keeley Kent [00:11:15] Thanks. What I mean by binning is that, again, because I've had the opportunity to be looking at some of the information that are in the reports in the briefing book thus far, is that I do think there will be groups of species where the answers are really clear, that just by looking at the analyses that you have thus far that there's going to be a bin of species that

feel very clear that they are stocks in need of federal conservation and management that we don't need to spend a lot more time on. I think on the converse, there's likely to be a bin that we don't see any fishery activity in federal waters. Maybe that doesn't feel more clear to people, but that's what I mean by bins, that there's going to be divisions. And then there's going to be a gray area bin, right? There are ones that are straddling stocks or that we have conservation questions about or that we've been managing for a long time but still are a lot in state waters, those ones that you have a question mark on, that's where you're going to spend your time and energy. So that's what I mean by binning in that I think there will be some clear answers for some groupings of stocks but different answers, right? So they're going to be different bins. And then they're going to be some where it's just really clear that we need to spend a little bit more time on and so it'll be for those ones that we're really laying out what do we need to bring to the table to look at? What are the factors that we think are most pivotal for that? And so in that way you are starting at the outset from a holistic view, but you're only spending the time and energy where you really need to because you have a lot of questions about those ones. Does that help it all?

Brad Pettinger [00:13:03] Corey.

Corey Ridings [00:13:03] It does help. Thanks for that. Can I? A quick follow-up there. I appreciate that that makes a lot of sense the way you described it in terms of thinking about it by the state, federal, some sort of percentage, however we decide to go down there in terms of this concept of predominance. I'm also thinking of the 10 guideline factors and you could really go through and bin based on those as well. And so in my head all of a sudden we have 3 times 10, 30 bins that we're talking about and that's starting to feel a little overwhelming again. I'm probably missing something. Maybe you could explain to me again kind of maybe why I'm being overly concerned about that.

Brad Pettinger [00:13:57] Keeley.

Keeley Kent [00:13:57] Well you could be a lumper or splinter throughout all of this and I'm lumping. You know the, that list of 10 factors, right, leaves leeway for the Council to determine how they want to use that to what extent, right? So there.....I think there are some factors that, and I'm not naming specific ones, but I just have this sense that some factors are going to be more important than the others. You know the first 2 or 3 are really pivotal and you don't have to get into the other ones if you don't think that is relevant to your action. So I'm not envisioning that there's a bin for each species and each factor, I see groupings, right? So there, you think about your recreationally important stocks, those might be ones where the ones that you have questions on you're really looking at the 10 factors, but it's really 3 of the factors, and so those aren't your bins, but the bin is just where you need to spend more time and where there isn't already something put forward as a way, as data and information to use to inform that. So my bins are more like your analytical approach and how you're going to look at it. I don't think that you're going to split out each of the factors for each of the species because it doesn't feel like you have to. And we have so many groupings of species that are alike that you're going to end up with the same answer as you proceed through.

Corey Ridings [00:15:28] Thanks for that clarification.

Brad Pettinger [00:15:31] Thank you Keeley. Thank you Corey. Okay, anybody else? All right. Sharon Kiefer.

Sharon Kiefer [00:15:45] I'm just wondering, I know our action would be to adopt the scope and workplan. The work, I guess adoption of the work plan would include the specificity of timelines that are currently presented to us, yet I heard Miss Kent kind of waffle, not waffle, but perhaps inject a little more wiggly into that regarding the, you know, prefer or the two milestones. So I'm wondering if the Council takes up the discussion of adoption but with guidance perhaps about acknowledging there may be some slip with expectation of reporting back to the Council if indeed there is a need for that? Just because I heard that perhaps there might be a little bit of maneuvering or, you know, opportunity. I guess what I'm trying to avoid is us locking in, you know, a lot of specificity in the timeline and then if as things slip then we don't have a remedy to adjust that.

Brad Pettinger [00:17:19] Keeley.

Keeley Kent [00:17:22] Thanks for that. Yes, perhaps I waffled. I'll take that. I was, I think meeting, trying to meet everyone in the moment of the schedule feeling intense, overwhelming, although some feel it as not and just noting that I think it is approp.....I appreciate the current timing. Like I think March is the time to come back that we will have more and that we'll have more in June. You know, I think NMFS and Council staff have really worked together well on the communication of what stage are we ready for. And so I would look to Council staff, you know, it is Council staff's purview of how that is listed in terms of what the action expectation is. I think I was more trying to communicate from the NMFS standpoint. You know, I hear those concerns about are we going to be ready for that step in March and so communicating that I don't think that we're going to necessarily hold the Council's feet to the fire on getting to a PPA by March, but that we are looking for forward progress and continued momentum and that the Council should determine, you know, what step you're ready to take. But I think you have a good guide with Council staff on those steps and so I'm sure Merrick will help me out here.

Brad Pettinger [00:18:46] Executive Director Burden.

Merrick Burden [00:18:48] Yeah, thank you Mr. Chairman. And I appreciate your concern Miss Kiefer. What we would intend to do is notice this in a way that doesn't, you know, obligate the Council to taking action, just like we would do if we were to say, you know, the action under a particular item is to adopt a PPA. That doesn't mean that the Council shall stay until 1 in the morning until we get a PPA done, but just that that's what we're going to be hoping to achieve and if we're not ready then there's nothing that obligates you to that so.

Brad Pettinger [00:19:22] Okay. All right. Okay, I heard a rumor there might be a motion maybe ready to go? I don't see any hands. Look at that. Marci Yaremko.

Marci Yaremko [00:19:39] Thank you Mr. Chair. All right. I move the Council adopt the following. Number 1: The Purpose and Need Statement for Step 1 as described in Section 1.3 of the Phase 2 Scoping Document in Agenda Item I.8 Attachment 1. Number 2: As recommended by the GMT, I.8.a, Supplemental GMT Report 1, adopt the preliminary scope for Step 1 of Phase 2 as all remaining species of groundfish that have not previously been defined in other actions to

identify stocks in need of conservation and management. Number 3: Adopt the workplan shown I.8, Revised Attachment 2. Understanding the identified timelines will require adjustment to align with Council schedules and workload.

Brad Pettinger [00:20:39] Okay, thank you Marci. Is the language on the screen accurate?

Marci Yaremko [00:20:43] Yes it is.

Brad Pettinger [00:20:44] Looking for a second. Seconded by Lynn Mattes. Thank you Lynn. Okay, please speak to your motion as needed.

Marci Yaremko [00:20:52] Yes, thank you. My compliments to those that worked on the analytical document and the materials that were brought to us today for consideration. The Purpose and Need Statement that is provided in the draft analytical document is short, clear and very specific as to what our action is. The function of whatever the amendment is that this ultimately results in to the Council's groundfish FMP is to identify and define stocks of managed groundfish species in need of conservation and management at a geographic scale sufficient for assessing overfished status and determining if overfishing is occurring based on key biological, ecological, social and economic information currently available. The amendment is necessary to align the FMP with the requirements of the MSA and its National Standards to enhance the Council's ability to attain sustainability objectives, especially those outlined in National Standard 1. There were no comments made by advisory bodies. I took that to mean that everybody felt that the purpose and need was sufficient and it sure looks sufficient to me. Moving to Number 2. The recommended scope for Step 1 as all of the remaining species of groundfish that haven't previously been defined in other actions. We've had some discussion about that, and I believe in reviewing the analytical document that Council staff in conjunction with NMFS felt that this was the best path forward for Step 1 to bring them all forward, all the remaining stocks forward, or species forward for consideration. The GMT spent some time thinking about that and concurred with that advice and so just want to thank them for identifying that and agreeing that the remaining stocks should all go forward in this next Step 1 together. Number 3, on the workplan. What I really appreciate here is that the elements of the plan are very clearly outlined and defined. We heard a lot about the timelines. A lot of concern with timelines. I think the reality is, as reflected in the discussion we just had that there may be some adjustments necessary to align Council schedules and workload. But I do appreciate there may be some different schools of thought. Maybe we can go as fast as the timeline suggests at the moment, but there may be real, real reasons for scheduling purposes and such that we just can't quite stay on track. But I think the key items, the content, the specific tasks that are identified and outlined in Attachment 2 are definitely a, outline our path forward.

Brad Pettinger [00:24:16] Thank you Marci.

Marci Yaremko [00:24:16] Thank you.

Brad Pettinger [00:24:18] Okay, questions for the motion maker? Discussion on the motion? Everybody's tired. Wanting the question I'll ask it. Okay, all those in favor signify by saying "Aye".

Council [00:24:34] Aye.

Brad Pettinger [00:24:34] Opposed no? Abstentions? All right, the motion passes unanimously. Wonderful. Okay, Todd.

Todd Phillips [00:24:47] Yes, thank you Mr. Chair. I believe we have a path forward by that motion and we will get to work on it immediately. I will note that in the purpose and need we do have the 3 letters TBD for the amendment and we will adjust that as we move forward into an actual number. But other than that, we will get to work ASAP. Thank you.

Brad Pettinger [00:25:11] Wonderful, great work everybody. Going to take a break.

J. Highly Migratory Species Management

1. National Marine Fishery Services Report

No transcription for this agenda item.

2. International Management Activities

Pete Hassemer [00:00:00] That completes our reports, public comments, takes us back to the Council action here, and there it is on the screen before us. Simply provide recommendations on U.S. positions at upcoming meetings. I thought I heard a few recommendations in there so I'm going to look around to see whoever's hand goes up to initiate this. John Ugoretz.

John Ugoretz [00:00:24] Yeah, thanks Mr. Vice-Chair. And I think our Council action has shifted a little bit given that Supplemental NMFS Report and the need to provide some more specifics on bluefin. I appreciate that this is a discussion that for trip limits took us several meetings to get to where we are right now for bluefin. And I think as Mr. Conroy just pointed out, we haven't really had the time or ability to engage with all of the stakeholders involved, though we actually had some good conversations at this meeting and that's what led to our CDFW Report. Again, I think my interest is in making sure that if something goes to notice between now and November that the range is broad enough that we have some latitude to pick within it and make a recommendation to NMFS at our November meeting about what the Council sees as a preferred alternative at that time. I'm a little ambivalent about the discussion in the AS Report regarding seasonality. That is in the current regime. I think in the current regime it made sense given the very low trip limits we were talking about. I actually feel like a simpler regime that is just looking at the level you've achieved towards the total regardless of when it is in the year would make sense, and as long as the reduction to a 5 metric ton limit is leaving enough fish on the table for those smaller scale fisheries, the hook and line, the drift gillnet, and the EFP fishing, then it's going to help us both get closer to our annual limits and leave enough on the table for those fisheries to fish throughout the year. I know that over the last few years we've been at a maximum of about 150 metric tons for those fisheries, so I see that our down the middle approach of cutting it to 5 metric tons when you are 200 metric tons from the annual total makes sense. And so, you know, I'm not opposed to including a seasonality in the range of alternatives, but right now I'm more interested in those discussions between now and November regarding what the right numbers are. Thanks.

Pete Hassemer [00:03:16] Thank you. Sharon Kiefer.

Sharon Kiefer [00:03:19] Thank you Mr. Chairman. And just maybe I'd like to ask John, recognizing certainly the California Report wanting to ensure they've got a range that encompasses potential options for consideration, but I do believe we heard from the management entities that they did not see the status quo option as really a viable proposal. So wondering what the California perspective would be since you did add sort of a middle of the road, so that would leave three potential pathways on the table. I'm wondering what that opinion would be about dropping the status quo?

Pete Hassemer [00:04:04] John.

John Ugoretz [00:04:05] Thank you for the question. I certainly don't see status quo as a path that I would recommend taking. Whether or not it's included in a range, you know, it's sort of the no-action. But one thing including status quo does is status quo has that seasonal component. And so it's somewhat a question back to NMFS with regards to if, for example, you create a range of alternatives that include status quo, could you then in the final action apply seasonality to one of

the other alternatives and have that be considered within the range? Or do you need to include suboptions for all of the alternatives that has either with seasonality and without, and that's sort of a regulatory question that I'm not exactly sure what latitude NMFS has to pick within a final range.

Pete Hassemer [00:05:12] All right, thank you. Did you want some clarification from NMFS on that if possible?

John Ugoretz [00:05:20] I'm fine with it being a question out there and, you know, if we make a recommendation to NMFS right now on what we think they should do, let them figure out in developing regulatory alternatives how best to do that. I really am cognizant of NMFS workload on this and I want to make it as clean and easy as possible without being prescriptive right at the moment, so maybe it's best to let them figure it out and see what they have to include.

Pete Hassemer [00:05:53] All right, thank you. Further discussion? John Ugoretz.

John Ugoretz [00:06:17] Thanks. I do have a motion for this if it sounds like we're done with discussion.

Pete Hassemer [00:06:22] It looks like we are ready to hear that. That can trigger some more discussion so please go ahead.

John Ugoretz [00:06:28] Thank you. I move the Council request National Marine Fisheries Service use the range of options found in Table 1 of Supplemental CDFW Report 1, Agenda Item J.2.a, 2024 to develop regulatory alternatives for the 2025-2026 Pacific bluefin tuna trip limits.

Pete Hassemer [00:06:47] Thank you. As I follow along, the language on the screen is accurate and complete. Is that correct?

John Ugoretz [00:06:51] It is.

Pete Hassemer [00:06:52] Great. Is there a second to the motion? Seconded by Marc Gorelnik. Please speak to your motion.

John Ugoretz [00:06:58] I think I've described where we are at this point. I want to give NMFS the latitude to develop regulatory options that encompass what we're discussing, and I feel that this gives us the time between now and November to vet those options and alternatives. It includes the, what I think the intent of the advisory body input is within the range, and assuming we can pick within that range and make some fine adjustments then we should be good to go.

Pete Hassemer [00:07:36] Thank you. Any questions for clarification on the motion? Not seeing any questions, discussion on the motion? Corey Niles.

Corey Niles [00:07:49] Thanks John for the thought put into this. I'm going to make the annoying non-substantive comment that I'm wondering why we're not doing this into the next agenda item because this is international management activities where we make recommendations to NMFS and others about what happens in international forums. This seems more like a domestic matter

that should be under the management measures but I'm happy to vote for it now, but I think this belongs better under under the next agenda item.

Pete Hassemer [00:08:23] I saw Dr. Dahl had his question. John do you want to address it to your motion?

John Ugoretz [00:08:28] Well, I would say that NMFS requested our input under this item. So I'm trying to be responsive to NMFS and it's international in that it was an IATTC resolution that we're responding to.

Pete Hassemer [00:08:46] Clear enough Corey?

Corey Niles [00:08:50] Same comment as before, but I'm happy to vote for it.

Pete Hassemer [00:08:54] All right, thank you. Any other question or discussion on the motion? Christa Svensson.

Christa Svensson [00:09:00] Yeah, thank you Mr. Vice-Chair. Discussion, not question on the motion. And I will start by saying that I am supportive of the motion and I just want to pause and reflect on the work the U.S. has done on bluefin at both the RFMO and Council levels. You know, without the effort and sacrifice on the human side of this equation coupled with the rebounding of the fish stocks themselves, we would not have yielded in the success that we've announced earlier this year. And it really has been a wild success. With bluefin rebuilt we have the opportunity to catch additional fish, and in noted in many of our advisory reports that the U.S. fleet doesn't take their allocation others likely will. And I think this would be a shame not just for the loss of economic opportunity, but also because there are other fleets out there that don't have the same environmental and labor standards that we require of our fishermen and that are also highly desired by U.S. retailers and their customers. You know, taking action now ensures that we'll have access to fish that we've worked hard to protect and I just, I want to thank the HMSAS for their little table that provided the ranges. I took the time to add up what biannually we've caught and the range for every two year period that they provided was between 451 and 587 tons. So without making any kind of change we're dangerously close to leaving the maximum of 1285 we could be taking in any one year on the table now. I'm appreciative of this motion and it's intent to support fishing participants of a variety of gear types to maximize their opportunity for the 2025 -2026 cycle. And I just to answer your question earlier, Miss Lent, or Dr. Lent, excuse me, I also looked up on PACfin what the pricing was, and the average last year for purse seine was 60 cents. The average for smaller vessels that are participating in bluefin capture was 5.52. So in terms of economic opportunity, we're leaving millions, or potentially tens of millions on the table if we don't move forward with this promptly. And then in conclusion, I'd like to thank NMFS, CDF and W, the HMSMT, and the HMSAS for providing such thorough reports on such short notice. There were a number of comments about where did you find the CDF and W Report. So there was quick response needed and I think we will continue to need quick response on this item to make sure that our fishermen have the opportunity and I expect we'll have some conversation around that under future workload planning. But all in all, I am hopeful that our focus on bluefin now will translate to increased prospects for fishermen in the near future. So thank you for the motion and looking forward to voting to support it.

Pete Hassemer [00:12:16] Thank you Christa. Further discussion on the motion? Not seeing any hands for discussion I'll call the question. All those in favor say "Aye".

Council [00:12:27] Aye.

Pete Hassemer [00:12:27] Opposed? Abstentions? The motion passes unanimously. Thank you John. Christa Svensson.

Christa Svensson [00:12:40] Thank you. I didn't want to bring this up under that particular motion item, meaning the discussion prior to this was really around what are we going to do about bluefin? I do want to pick up the thread by the HMSAS around sending participants to the MSE. I think it might be beneficial to have some conversation between now and November with regard to what the pricing will actually cost so that we can get an idea. Do we want to send anybody? Do we want to send 2 people? Do we want to send 5 people to that workshop that's in February? So really November is the opportunity but wanted to mark, or at least put a marker down that I'm interested in having fishermen engagement, particularly in light of the opportunity.

Pete Hassemer [00:13:30] All right, thank you. John Ugoretz.

John Ugoretz [00:13:31] I'm just going to voice support for that as well. I don't know that we need to send 5, but I agree it's worth considering in November.

Pete Hassemer [00:13:41] Executive Director Burden.

Merrick Burden [00:13:44] Yeah. Thank you Mr. Vice-Chairman. And yeah we'd be happy to do the math on the budget for you and bring back some more information for your consideration at the November meeting. I don't think this is a big ask, but I think some due diligence is always good.

Pete Hassemer [00:14:02] Thank you. So we'll look forward to hearing about that in November in preparation for a February meeting. Anything else under this agenda item before I look to Dr. Dahl and ask if we've covered everything?

Kit Dahl [00:14:18] Yes, I believe you have. Before wrapping up, just really for the sake of the record, I wanted to additionally respond to Mr. Niles question about why here and not in the next agenda item. And as I mentioned in the overview, NMFS is going to do this rulemaking under the Tuna Conventions Act. J.3, the next agenda item in our FMP has this biennial process that allows the Council to make regulatory proposals, but that's pursuant to the Magnuson Act and the Council authority to propose regulations. So I think that's another reason why it fits a little bit under, well, why it fits under this agenda item and probably doesn't fit under J.3 because of those different authorities. So anyways, just to get that out there, clarify that. And then aside from that, I think you've covered what you need to cover today on International. Obviously, it was mostly focused on getting a start on the proposal for the trip limit regime for bluefin for the next couple of years. And you have provided some guidance or recommendations to NMFS about what sort of a range of possible options for consideration. And, you know, I guess we'll look forward to revisiting this in November and hopefully that doesn't squeeze NMFS too much in terms of their rulemaking

process and the desire to get regulations in place at the early next year, but I think they're accommodating in that regard. So we'll come back in November and you can see if you can get to a specific recommendation you'd like to put forward to NMFS.

Pete Hassemer [00:16:22] Thank you Dr. Dahl. One last look around to make sure we've covered everything. No other comments here. We're going to close out this agenda item then.

3. 2025-26 Harvest Specifications and Management Measures—Preliminary

Pete Hassemer [00:00:00] That completes our reports, public testimony, and will take us into Council discussion and action. And it's on the screen before us, review the preliminary reference point values, make recommendations. I think you can read the rest of it there. So I'll look around see who wants to initiate discussion on this item, if there is any discussion. John Ugoretz.

John Ugoretz [00:00:37] Thanks Mr. Vice-Chair. You know, I think these last two reports and the public comment make it clear that we might want to ask the team to dig in a little bit on some numbers, provide some feedback. I don't think I'm ready to make a call on whether it's appropriate to allow the incidental take of HMS to increase in non-HMS fisheries that aren't permitted under HMS and are not gear types that are allowed in the FMP, but I also don't want to see regulatory discards of a healthy stock. So there, you know, there's some potential there to discuss it, but we don't have all the facts in front of us.

Pete Hassemer [00:01:26] Thank you. Corey Niles.

Corey Niles [00:01:30] Yeah, and on not the facts for November, and maybe I heard this wrong. Question for John, but is this not a fishery that happens in state waters? Is this a federal waters fishery? That would be the question.

Pete Hassemer [00:01:45] John, can you respond to that?

John Ugoretz [00:01:47] Thanks. It happens in both inside and outside the state waters. We've, just looking briefly at some preliminary data, there's not a lot of landings of HMS in that fishery over the last several years There's some and so it does look like it's sort of an incidental thing that if they happen to be further out and happen to have some HMS cross their path then they would like to land them.

Pete Hassemer [00:02:23] Thank you. Corey Ridings.

Corey Ridings [00:02:28] Thanks Mr. Vice-Chair. Thanks John and Corey for kicking it off. Agree with what's been said. Noting that we heard in public comment some specific requests, questions really that could be considered part of the analysis. We also heard from Miss Rhodes that that analysis was certainly doable. So would just urge them, if that moves forward, to please include those considerations in the analysis and look forward to, I guess, reviewing this in November or whenever it is next appropriate.

Pete Hassemer [00:03:07] All right, thank you. Christa Svensson.

Christa Svensson [00:03:12] Yeah, thank you Mr. Vice-Chair. I am in agreement with the conversation so far around the table in terms of it's an interesting opportunity, but I do think it needs more research and more fleshing out. One of the pieces I think is really worth thinking about is that this is not an HMS fishery currently. This is incidental so I think it's appropriate that it may ultimately end up being more of a cross FMP thing so that people really understand what the opportunity is within the process. And I think we may want to look to halibut takes in salmon as

an example of how we keep this an incidental component of this particular fishery rather than it somehow become a target fishery when it's not currently within our FMP. So I think the opportunity is there. I think we've spent a lot of time this morning talking about how do we get better value for our bluefin should they be intercepted, and I think fishermen in general would welcome the opportunity to increase the value of their catch that they're bringing in should that opportunity be afforded to them. So supportive. I don't think we have enough today to move this forward and definitely would like to see more information brought forward in terms of what the actual implications are, but thankful for our management team and AS for bringing it forward.

Pete Hassemer [00:04:46] Dr. Lent.

Rebecca Lent [00:04:48] Thank you Mr. Vice-Chair. Just to echo, yeah it will be helpful to have some additional numbers on bycatch rates now and discard rates as well. That'll be important. I don't want to lose sight of the HMSAS other recommendation regarding underutilization of North Pacific swordfish. It's an underfished species. It's an opportunity for U.S. fleets. I've already said this earlier in the week, 80% of the swordfish we consume is imported. It'd be lovely to find a way forward, and I know that's what the HMS roadmap is all about, and hopefully through the IRA projects we'll make some progress on that. And I understand it will be on the workplan for November. Thank you Chair, Vice-Chair.

Pete Hassemer [00:05:34] All right, thank you. I'll look around. What I'm hearing here is that the management team has some capacity to look into this. We have HMS on our November agenda item, maybe during our workplan discussion or somewhere it comes up, but the expectation of a report from the management team on that item, support for that, heard quite a bit. Anything else here? Corey Niles.

Corey Niles [00:06:10] Thanks. Well, there's the matter of the mako shark and the new proxy. I think this Council benefits from hearing from the SSC and I don't know if Council staff had a sense of their SSCs agenda, but if they could fit it in I think we would benefit from hearing their advice as the HMS Management Team served up to us. If they have the time it would be beneficial to hear their review of this.

Pete Hassemer [00:06:43] All right. Thanks for bringing that up Corey. That was on my checklist also. So agreement here that looking into the SSC, or getting it on the SSC agenda to review those mako shark proxies, come back and report to the Council on that. Seeing agreement there. Kit is there anything else we need to hear regarding the Council action here?

Kit Dahl [00:07:20] Thank you Mr. Vice-Chair. I don't think so. I take your silence to indicate that you have no comments or concerns about the status determination criteria that NMFS has put forward and how they got to those from the information in the stock assessments except, you know, time permitting a desire to hear from your SSC about these new proxy values used in the short fin mako assessments so I guess at staff level we'll see if we can make that happen or not, depending on the SSCs workload in November. And then there's this regulatory proposal that you talked about and the expectation that the management team can do some analysis taking into account some of the concerns raised by you and in public testimony are the kinds of considerations that should be included in the analysis. And so we could look forward to perhaps some kind of maybe range of

alternatives type of thing and with some supporting analysis for you to consider in November. And it appears to be a fairly straightforward action so hopefully there would be enough information to allow you to take final action in November, sort of a adopt a range of alternatives and a Final Preferred Alternative in November would be the framework for doing that I guess. So that's what I heard and I think with that you've completed work under this agenda item.

Pete Hassemer [00:09:29] Okay, and I agree with you. I also assumed silence on the status determination criteria meant there were no concerns. But I am going to look around, sometimes I jump too fast on that and I'm not seeing any hands. So I think we've completed our work here and will close out this agenda item and I will pass the gavel back to our Chair. Thank you all.

K. Administrative Matters

1. Fiscal Matters

Brad Pettinger [00:00:00] Discussion on the financial report? Sharon Kiefer.

Sharon Kiefer [00:00:07] Mr. Chairman not to cut off any discussion, but when the time is appropriate I do have a motion.

Brad Pettinger [00:00:13] Wonderful. All right. Heather Hall.

Heather Hall [00:00:18] Thank you Chair Pettinger. And I just wanted to add on the report. I appreciate the discussion at the Budget Committee. I wasn't there on the reduced PacFIN money that the states are getting and just wanted to share the implication this has in some context. You know what it does, and we were talking about this in the stock assessment agenda item about age rating, and we provide that through our agency and this means that we will be able to do less of that. And so just wanted to put it in a context of what exactly that means. So thank you.

Brad Pettinger [00:01:07] Lynn Mattes.

Lynn Mattes [00:01:08] Thank you Chair. On that similar vein I've heard, I've not heard directly, but I've heard from our staff that these budget reductions may also be affecting RecFIN, which is the Recreational Fisheries Information Network. Maybe not as much as PACfin, but the budget we are getting for our recreational sampling program is also being reduced. It doesn't impact our action here but I thought it was just a good note as we move forward.

Brad Pettinger [00:01:33] Gotcha. Okay, anyone else? Probably should make sure we, before we move on we.....public comment? Confirm with tower. Okay, very good. All right. So, all right. No one else? Sharon Kiefer.

Sharon Kiefer [00:01:52] Mr. Chairman. Thank you. I move the Council adopt the recommendations of the Budget Committee presented in Agenda Item K.1.a, Supplemental Budget Committee Report 1, Report of the Budget Committee on fiscal matters.

Brad Pettinger [00:02:13] Okay. Is the language on the screen accurate?

Sharon Kiefer [00:02:15] Yes Mr. Chairman it is.

Brad Pettinger [00:02:18] Very good. A second? Seconded by Butch Smith. Thank you Butch. All right. Don't need to speak to that so any discussion? All right, we'll call for the question. All those in favor signify by saying "Aye".

Council [00:02:33] Aye.

Brad Pettinger [00:02:33] Opposed no? Abstentions? All right, the motion passes unanimously. Wonderful. Great work by the staff by the way on fiscal matters. Good work Patricia.

2. Approve Council Meeting Record

Brad Pettinger [00:00:00] On to K.2, approval of Council meeting records so I'll open the floor for discussion or a motion to approve those minutes. I should have asked the question before I got here. John Ugoretz.

John Ugoretz [00:00:20] I'll give it a go.

Brad Pettinger [00:00:22] Wonderful.

John Ugoretz [00:00:24] I move that the Council approve the meeting record for June 2024.

Brad Pettinger [00:00:40] All right. Is the language accurate? Okay, looking for a second.

John Ugoretz [00:00:48] Yes.

Brad Pettinger [00:00:51] Seconded by Christa Svensson. Thank you Christa. All right. No reason to speak to this unless you want to.

John Ugoretz [00:00:56] The record looks right.....(laughter)....

Brad Pettinger [00:01:00] There you go. We like right. All right, I'll call for question. All those in favor signify by saying "Aye".

Council [00:01:08] Aye.

Brad Pettinger [00:01:08] Opposed no? Abstentions?

Rebecca Lent [00:01:12] Abstain.

Brad Pettinger [00:01:15] You can still vote for it. All right, the motion... it passes unanimously. All right.

3. Membership Appointments and Council Operating Procedures – Including Final 2025-27 Advisory Body Composition

Brad Pettinger [00:00:00] That takes care of public comment and takes us to our task which should be before us shortly so anyway. I don't know if we want to take these one at a time and discuss each one as we go, it'd probably be better so. We certainly have some nominations here. The TR.....I'll open up the Council floor for just general discussion of this then. Sharon Kiefer.

Sharon Kiefer [00:00:34] Mr. Chairman, I'll just note that yesterday the Council did discuss COP 27 with an expectation of some action today on that discussion. So but I don't see it in the agenda.

Brad Pettinger [00:00:52] Kelly.

Kelly Ames [00:00:53] Thank you Chair Pettinger. Yes, thank you. We have updated the actions in the agenda here on the screen to capture all of the emerging things that have evolved this week, including, for example, you'll note under Number 1 it says plural representatives to the TRT, whereas when we prepared briefing materials we understood there to be a request for only one. So this updated list, thanks to Kris and Hayden for getting it up on the screen, should be complete and inclusive of all of the items in front of you today. Thank you.

Brad Pettinger [00:01:27] Okay. Thank you Kelly. All right. All right so let's do 1 through 4. Oop, Lynn Mattes.

Lynn Mattes [00:01:37] Thank you Chair Pettinger. And in Miss Ames overview she said that, mentioned new information on TRT representative and an alternative. I don't recall us discussing an alternative under closed session whatever day that was, so I don't know if that is a discussion we need to have or if that is something we can decide later as long as we decide on our primary representative, or maybe I missed a step. Thank you.

Brad Pettinger [00:02:08] Okay. Kelly.

Kelly Ames [00:02:11] Chair Pettinger, thanks Miss Mattes for the question. If it is okay, I'd like to turn to Miss Heather Hall. She has been in communication with Mr. Dan Lawson, who raised this possibility. And so instead of me relaying their communications, I'll just defer to Miss Hall to summarize. Thank you.

Brad Pettinger [00:02:30] Very good. Heather Hall.

Heather Hall [00:02:32] Thank you. In anticipation of this discussion today I did reach out to Dan Lawson, and it was also a follow-up to the Pacific States Marine Fishery Commission meeting last week where we heard some of the timeline for the TRT meeting, which I know many of us involved in the state discussions is they're hopeful that this will start in June or July of 2025 rather than October or November, which is what we saw in the Federal Register Notice. In that conversation, you know, I know the states have heard that we could put forward alternates to any recommended stakeholder advisors that are moved forward, and we hadn't really talked about it relative to a Council member alternative. And so I asked about that and we could put forward an alternate

name. They would go through the similar vetting process that everybody's going through who's going to be appointed to the TRT. Whether or not we need one or want one I think is the discussion. But that's the latest that I'd heard.

Brad Pettinger [00:03:47] Okay. All right. I know we had the discussion of that in our staff breakfast this morning that if we need to have an alternate I'd submit my name to do that potentially unless somebody else wants to, if that comes available so if anybody else so. So would that be the motion here, what we do, that talk about an alternate or would it just go with the original nomination? Kelly.

Kelly Ames [00:04:18] Thank you Chair Pettinger. Yes, I would recommend a motion that identifies the primary Council representative as well as the alternate, and then we would submit a letter to the National Marine Fisheries Service with those recommendations.

Brad Pettinger [00:04:33] Okay. Well with that, I mean if anybody else wants to put their name in that's fine too, but I just, to move things along here so. Sharon Kiefer.

Sharon Kiefer [00:04:45] Thank you Mr. Chairman. And perhaps the question to Kelly or Merrick, but recognizing I think we would hope that the need for an alternate would be on a limited basis and not the norm, would there be consideration of a staff member standing in as alternate rather than a Council member?

Brad Pettinger [00:05:13] Executive Director Burden.

Merrick Burden [00:05:15] Thank you Mr. Chairman. As we've discussed our capacity internally I do not believe staff have the capacity to sit in as a Council representative. We are prepared to help those individuals that are there supporting the Council and that would be done remotely, but we are prepared to help support that person, but I don't believe we're in a position where we ourselves as staff could fill that position.

Brad Pettinger [00:05:46] Okay. More discussion? So it looks like we're going to do Number 1 here, then we'll just jump down to do two, three, four. Rebecca Lent.

Rebecca Lent [00:05:58] Yeah, thank you Chair. Thank you for sharing that information about the conversation with Dan, Don Lawson? Was that his name? Dan. Would you be able to tell the rest of the Council what else you might have discussed? I think it's helpful to know that the dates might have moved up to June and other details that might be useful for anybody who want, who might be nominated. Thank you.

Brad Pettinger [00:06:25] Heather.

Heather Hall [00:06:26] Thank you Chair Pettinger Thank you for the question. Yeah, the conversation, and this started quite a while ago with the....and we've had the conversation at the Council that the timing of the Take Reduction Team as originally proposed by NOAA starting in late October or November 2025 overlaps with the Dungeness crab fishery. It's right smack on top of it, and given that I think even though that we're talking about groundfish here and the sablefish

fishery, there's a big component to that, and our stakeholders in particular requested something that didn't align or have that much conflict. And so we've heard they haven't set the timeline and so that's why we don't have anything official to share, or they don't, haven't heard anything official, but there has been recognition for that request. And in other meetings we've heard from NOAA that they're very open to that and they're working toward convening the meeting in the summer of 2025. The meeting schedule would be the same. I think we've heard 4 to 5 meetings during the six month period that we have to come up with the, or the TRT has to come up with a consensus recommendation. So it would be, say if it's June it would go June to November or July to December, something like that. Got my six months right. But I think that covers what we've heard. And again it's not official, but at least from my point of view as a Washington Manager, very positive response from them in considering that timeline.

Brad Pettinger [00:08:26] Okay. Anyone else? Okay I'll look to someone who might have a motion. John? You have a motion?

John Ugoretz [00:08:41] Yeah, I got it here. I move the Council recommend Dr. Rebecca Lent serve as the Council representative to the National Marine Fisheries Service Take Reduction Team.

Brad Pettinger [00:09:10] Did we want to before we do a second? Do we want to do the alternate? Are we doing it? I believe we do. That'd be me.

John Ugoretz [00:09:24] That's what I was going to say. And Mr. Brad Pettinger as the alternate representative.

Brad Pettinger [00:09:36] Perfect. All right. Is the language accurate on the screen?

John Ugoretz [00:09:40] It is now.

Brad Pettinger [00:09:42] Looking for a second. Seconded by Lynn Mattes. All right. Hey it's the last day. Okay, any discussion? All right, I'll call for the question. Oop, Lynn Mattes.

Lynn Mattes [00:09:51] Sorry not to drag this out, but do want to thank Dr. Lent and Chair Pettinger for being willing to take this role on. I know oftentimes the state representatives are left to take on these roles. Our states are going to be very involved in this process through the Dungeness crab process and we just don't have the capacity to, at least I'm speaking for Oregon, I don't know about Washington, California, but we've got a lot of resources that are going to be involved in this through other processes so not being involved from this process is helpful for us in our workload, et cetera, so appreciate you all being willing to take that on.

Brad Pettinger [00:10:33] Thank you Lynn. Rebecca.

Rebecca Lent [00:10:35] Thanks, and I appreciate that. Thank you Miss Mattes. And I would like to make sure that we discuss maybe in November the issue that was raised about the importance of communicating with the Council. As we get information, myself and my alternate, how can we share that with the Council before we go report back? What are the appropriate procedures to make sure that we are doing a good job of representing the Council? Thank you Chair.

Brad Pettinger [00:11:05] Thank you Rebecca. Okay.

Heather Hall [00:11:09] Gotcha.

Brad Pettinger [00:11:12] Heather Hall.

Heather Hall [00:11:12] Thank you. I appreciate that. I wasn't able to attend closed session so I didn't have that conversation, but I appreciate that that's what was discussed and would really like to have that in November so thank you.

Brad Pettinger [00:11:27] Okay, very good. Anyone else? All right I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:11:31] Aye.

Brad Pettinger [00:11:31] Opposed no? Abstentions. All right, the motion passes unanimously. All right, thank you John. And then we got the, we have two, three, and four, which is the nominations I believe for National Marine Fisheries Service folks will come up here. Maggie Sommers.

Maggie Sommers [00:12:02] Thank you Mr. Chair. I move the Council....oops, let me wait a moment. I'd like to offer a motion.

Brad Pettinger [00:12:14] Thank you.

Maggie Sommers [00:12:17] For some appointments to several management teams. Great. Thank you very much. I move the Council appoint the following individuals: Dr. Nicholas Wegner to one of the National Marine Fisheries Service positions on the Coastal Pelagic Species Management Team. Mr. Owyn Snodgrass to one of the Southwest Fisheries Science Center positions on the Highly Migratory Species Management Team. Mr. Karter Harmon to one of the West Coast Region positions on the Highly Migratory Species Management Team. And Dr. Brian Langseth to one of the Northwest Fisheries Science Center positions on the Groundfish Management Team.

Brad Pettinger [00:12:58] Thank you Maggie. Is the language on the screen accurate?

Maggie Sommers [00:13:00] It is.

Brad Pettinger [00:13:02] Fantastic. Looking for a second. Second by Rebecca Lent. Thank you Rebecca. Please speak to your motion as appropriate.

Maggie Sommers [00:13:08] Thank you Chair. Dr. Wegner would fill the Coastal Pelagic Species Management Team seat held by Dr. James Hilger. Dr. Wegner has been affiliated with the Southwest Center since 2012 and has authored or co-authored almost 60 publications on fish biology, physiology, morphology, and genetics for a wide range of fish species, including coastal pelagic and highly migratory species. Mr. Snodgrass would replace Dr. Matthew Craig on the HMS Management Team. Mr. Snodgrass has been affiliated with the Southwest Center since 2010

and has worked on a variety of HMS science and research projects, including tagging, aging, and reproduction often in partnership with industry collaborators to collect samples. Mr. Karter Harmon would fill the seat previously held by Ms. Celia Barroso on the HMS Management Team. Mr. Harmon has been with the HMS branch for over 6 years and has served as an alternate on the HMS Management Team since June 2024. He has extensive data analytical abilities and experience with domestic regulatory processes that will be an asset to the HMS Team. And Dr. Langseth would replace Dr. Chantel Wetzel on the Groundfish Management Team. Dr. Langseth has been a stock assessment scientist with NMFS for 10 years, 4 of which with the Northwest Center and has extensive experience leading and supporting stock assessments and is highly knowledgeable in stock spatial structure, data analysis and the stock synthesis modeling platform. We believe these individuals will be valuable additions to their respective teams and we would like to thank Drs. Hilger and Craig, Miss Barroso, and Dr. Wetzel for their many years of service to the teams and the Council. Thanks.

Brad Pettinger [00:14:57] Okay, thank you Maggie. Any questions? Discussion? All right, I'll call for the question. All those in favor signify by saying "Aye".

Council [00:15:08] Aye.

Brad Pettinger [00:15:08] Opposed no? Abstentions? All right, the motion passes unanimously. Lynn Mattes.

Lynn Mattes [00:15:16] Thank you Vice-Chair. It's not on this motion, but I just did....I don't know the other three, but I did want to take a moment to thank Dr. Wetzel. She served longer on the GMT than any other stock assessor in my tenure, and her ability to explain things to me and others in a manner that is understandable, complex things, she was a bonus to the Groundfish Management Team in her work. And while Dr. Langseth I'm sure is going to be great, I know the team and myself personally will miss Chantel, and I just really wanted to acknowledge all of the work she has done behind the scenes with the GMT for much longer than most people do. Thank you.

Brad Pettinger [00:15:59] Thank you Lynn. Okay. All right, back to our list. We'll go to Number 5 and I guess we'll open the floor for discussion as needed. Corey Ridings.

Corey Ridings [00:16:15] Thanks Mr. Chair. I can kick us off here. Just thinking about the SSC and some discussion that the Council had in June around having a non-economic social scientist be part of that advertisement generally to helping the Council with its EEJ agenda items, including the forthcoming GAP analysis, also for things like the catch share review and allocation review. So just move forward and request that the Council staff highlight this desired skill set when soliciting nominations for the At-Large positions.

Brad Pettinger [00:16:50] Thank you Corey. All right. Anybody else? Kelly.

Kelly Ames [00:17:00] Thanks Miss Riding for that addition. In the past the Council has also, if my memory serves, requested stock assessment expertise. So I am also curious if that is another skill set you'd like to highlight in the nomination process?

Brad Pettinger [00:17:18] All right. I'd think so but anybody else? I'm getting to see a head nod from John, Marc, okay. Okay I would say yes. I don't see any head shakes that's, that means it's good. Okay, very good. And then anybody else? This is a motion, right? This one. Okay, so I'm assuming somebody has a motion. Some wonderful..... Yes, Heather Hall.

Heather Hall [00:17:48] I have the motion. I have a motion. Sorry, I forgot to put my microphone on.

Brad Pettinger [00:17:56] It's Monday. It's almost lunchtime. Ah, there we go. Okay.

Heather Hall [00:18:02] Thank you. I move that the Council adopt the term-limited advisory body composition as described in Agenda Item K.3, Attachment 3, except do not accept the changes to the Salmon Advisory body composition shown in ~~strikeout~~. And the proposed changes to the composition of the EAS as described in Agenda Item K.3, Supplemental EAS Report 1.

Brad Pettinger [00:18:33] Thank you Heather. Is the language on the screen accurate?

Heather Hall [00:18:34] Yes.

Brad Pettinger [00:18:36] Okay. Second? Seconded By Butch Smith. Thank you Butch. Please speak to your motion.

Heather Hall [00:18:43] Thank you. I really appreciate the conversation that our advisory bodies had on this. It came up in June and what we put out from the June meeting allowed for good public input and I really value hearing that. I think that in particular relative to the part in the motion about changes to the advisory, salmon advisory body composition really helped me understand the importance of the Washington gillnet seat on that role and so that's why I'm not recommending that proposal go forward here. And then I think the EAS has also given us some good input on how to better structure that advisory subpanel to provide flexibility. And then the other one that's included in Attachment 3 is the composition of the Groundfish Advisory Subpanel and their input there relative to the recreational seats and how we make sure we have good representation. We get so much value out of these folks who engage in this process and I think what we have lined out, what's lined out through this motion is going to be really helpful to the Council. Thank you.

Brad Pettinger [00:20:21] All right. Thank you Heather. All right. Sharon Kiefer.

Sharon Kiefer [00:20:26] Thank you Mr. Chairman. So it's a little unclear to me. Are you recommending the Council adopt the proposed changes to the composition of EAS or because it's immediately preceded by do not accept changes to the SAS? Are you recommending the Council not adopt the recommendation in Agenda Item K.3? It's a little unclear to me because it just says, "and the proposed changes", so it doesn't say 'and adopt the proposed changes', so I'm just trying to be clear about the intent.

Brad Pettinger [00:21:06] Thank you Sharon. Heather.

Heather Hall [00:21:07] Thank you Chair Pettinger And thank you for the question. I thought about rearranging them, but the reason they're ordered like this is Attachment 3 includes strikeout for the SAS but it does not include the changes that the EAS brought to us in June. And so that's why I also refer to their report. And although we heard from them in June on this composition change that they're proposing, it didn't, we didn't put it forward and so it didn't show up in Attachment 3. And that's what I intend and hopefully that's more clear.

Brad Pettinger [00:21:49] Okay, thank you Heather. Thank you Sharon. Okay, anybody else? Is there anymore questions? Then we're in discussion. Vice-Chair Hassemer.

Pete Hassemer [00:22:12] Thank you Chair Pettinger. I support the motion. I just wanted to speak to the salmon advisory body composition. I do support that. Last time I looked we have EFH for Snake River fall Chinook salmon, a Council managed species all the way up into Idaho, and I think having that seat and that representation is important. So I support the the status quo structure of the Salmon Advisory Subpanel and thanks for addressing that.

Brad Pettinger [00:22:49] Thank you Vice-Chair Hassemer. Lynn Mattes.

Lynn Mattes [00:22:52] Thank you Chair Pettinger. Similarly, John North has heard a lot of feedback that he has relayed to me on the elimination of the Washington/Oregon gillnet seat on the SAS. While we, our purview may not be those inriver fisheries, the work we do impacts those inriver fisheries, and they are important to Oregon, Washington, and our friends in Idaho. So keeping that position I think is important as we move forward. And then on to the GAP, I know we're trying to reduce membership, but having recently been able to go out on a fishing trip in Southern California, it is a very different fishery than Northern California or Oregon and I think having some dis-separate representation for that fishery may be warranted. Thank you.

Brad Pettinger [00:23:45] Thank you Lynn. Butch Smith.

Butch Smith [00:23:50] Thank you Mr. Chair. I guess being the senior member of the SAS 18 years, 15 of those being Chairman, I also support the makeup of the SAS. I feel it's very important that the representation maintain. The representation of the inriver gillnet fisheries has been well attended over the years. I don't think they've ever missed. I've had top quality people in that seat to add a lot, as the other seats, to add to the conversation and help craft and do what we do, what they do in the SAS, sorry. And so I am full supportive of the motion. Thank you.

Brad Pettinger [00:24:38] Thank you Butch. Corey Ridings.

Corey Ridings [00:24:41] Thanks Mr. Chair. Thanks Miss Hall for bringing the motion. I have to confess I'm having a lot of heartburn with the part of this that includes the GAP. The GAP is our largest group by far. They're extremely expensive when compared to the other groups. In fact, all the other three FMP advisory bodies and the Ecosystem Advisory Subpanel are 164,000 a year and the GAP is 203,000 dollars a year. So even combined, the GAP greatly exceeds the others. Along those lines, adding a seat to the GAP is, I haven't done the numbers, but I would assume roughly equivalent to adding 2 or 3 people to other ABs, and that is based on the number of meetings that they're at and the number of days that they meet historically. It's also true that work

begets work. It seems that agenda items beget more agenda items and people beget more people. Our agenda is, groundfish is the largest thing that we deal with by far. Maybe that's okay. Maybe it's not. I worry a lot that our other FMPs and the communities and people in fisheries and those FMPs do not necessarily get the airtime and consideration that they deserve. I think part of that is because we bring so many more folks that have groundfish interests to these meetings than we do under those other FMPs. I think fairness is an issue. I don't want to say this and have anyone interpret it as I understand that our groundfish FMP is special, that there's a lot of work and there's a lot of diversity of the work. And so I understand why the GAP is recommending this and just looking to provide a more balanced representation. And as someone who has lived in both Southern California and Northern California, I certainly appreciate the differences there. And in fact if I was queen I would make a Central Cal seat as well, because the state is that big and that diverse. So I agree with the purpose here. Just in light of our overall holistic approach as a Council trying to save money, trying to manage the budget, and trying to be balanced across our FMPs and work that we do, I'm just really struggling with the logic of adding a 22nd member. I think the kind of natural outgrowth of what I'm saying here is that we need to reconsider these seats holistically. And there has been Council discussion and a Council plan to do that, as in our next cycle, so in 3 years from now hopefully we're looking at a lot more analysis and documentation and discussion by groups to figure out what really we should be looking at here so that we are truly representing all of our interested parties and serving our fisheries equally well. So I just wanted to share that heavy heartburn, put that on the table and note I'm really, really struggling with the logic here. Thank you.

Brad Pettinger [00:27:57] Thank you Corey. John Ugoretz.

John Ugoretz [00:00:00] Thanks Mr. Chair. Thanks Miss Ridings for the comments. I definitely understand your fiscal concerns. I don't believe that unless the GAP is spawning that adding people will add more people. But I do think it is incredibly important to note the facts of the Groundfish Fishery Management Plan, which manages by far more species than any other plan combined, and therefore it makes sense that we spend more time on groundfish and we have more people advising us on groundfish because it is incredibly diverse. California's coastline is enormous in comparison to the other states. We have more than 1 million sportfishing licenses sold every year. As you note, and as other people have noted, fishing in Southern California is an entirely different fishery than Northern California. I don't know that we ever see a salmon down there, very rarely south of Point Conception. And, you know, certainly the groundfish fishing that supports the northern ports for recreational fishing is very different than the nearshore and highly migratory species fisheries that we have south. I think your final point that we're going to look at this holistically is important, and I think that when we look at this holistically we can decide if there are a seat or seats that could be combined or removed later to help adjust back down would work. But at this time, I'm supportive of making sure that California's recreational voice is well heard and that these diverse fisheries can be discussed when we need information.

Brad Pettinger [00:01:58] Thank you John. Heather Hall, and then Marc.

Heather Hall [00:02:00] Thank you. And thank you for your comments Miss Ridings, and thank you for your input Mr. Ugoretz. And just going back to, you know, what we were thinking in June and trying to, when we had this.....what has evolved on the Groundfish Advisory Subpanel because

Washington hasn't been able to fill one of our seats, we've had it filled by one of the At-Large seats filled by a California representative. And I think that that evolution is just is naturally addressing the complexity and the state of California needing that additional representation. So when we wanted to put forward a strong effort to get someone on the GAP from Washington, we didn't want it to come at the cost of the person that it's been serving well from California. And so this.....long story, and so this is where the conversation about, well can we come up with a net, no net gain in advisory body seats, and we started talking about the Salmon Advisory Subpanel and the inland seats in Washington, Oregon, and California and that idea and I, we, this motion doesn't get us there. It does add a seat and appreciate that because I know we are talking about budget. And what we wanted to talk about was walking the talk and really doing it. And I also don't, I want to express that I think that the complexity in our fishery management is such that having this input from our stakeholders has really become even more important, and maybe in this holistic look we can look at ways to, I know it's not what everybody wants to do, but maybe we have more remote meetings and maybe we find the savings in other ways that can offset having this additional seat to a body that's large, but I think it's large for some of the reasons you shared. So thank you.

Brad Pettinger [00:04:22] Okay. Marc Gorelnik and then Butch.

Marc Gorelnik [00:04:26] Thank you Chair Pettinger. And I want to say that I sympathize with the concerns that Corey expressed. We do have substantial fiscal challenges at the Council and it probably would be a good idea to engage in a holistic review of advisory body composition. That's sort of what we had the opportunity to do in June, which is why we revised our process to start the, start this in June rather than starting it in September as we used to do. I think what we have before us now isn't an opportunity to undertake that holistic review, it's an opportunity to either adopt these changes or not. These have gone out for public review, I'm referring here specifically to the GAP, and I think, well I've reviewed the transcript from June and I don't think there was any objection raised in June to these specific changes. There was a comment, high level discussion about costs, but there was no objection to these changes. It's gone out for public review. We've had public comment and support. We've had GAP comment and support. And I will say that, you know, we sort of ended up in this situation almost by accident because Washington had difficulty and we tried several times to get that seat filled and unfortunately we weren't able to get it filled with a Washington person. So we filled it with someone from a stretch of our coast that didn't have a representation. And it was fortuitous because we have, as we all know from many hours on the floor, had significant conservation and management challenges on the California coast for groundfish, and those challenges have been different in the south than they have been in the north. Different stocks, different perspectives, different goals. So while I support a holistic review and, you know, because we do need to broaden representation to other communities, that's a fair point, that's not what's before us right now. So again, while I understand and I agree to a large extent with the thoughts that Corey has shared, I do support the changes that have been proposed for the GAP.

Brad Pettinger [00:06:53] Thank you Marc. Butch Smith.

Butch Smith [00:06:55] Thank you Mr. Chair. And, you know, I admire Corey for speaking up because that probably wasn't easy. And I understand and I agree with a lot of what was said, but and I agree with the adding of the seat, but at some point in time, you know, we're going to have

to get the GAP another motel if they get much bigger and so and so, but they do, you know, they do God's work. They do top notch stuff when they come. But my worry is at some point in time that a committee gets so big it's not effective. And I'm not saying this number is at it with what we're proposing right now, but I think we need to look at that too. You know various opinions are great, discussion is great, transparency is great, but at some point in time you can overstuff a committee where it becomes non-effective. And I don't think they're there at this time, but I think when we're doing the holistic look at that I think we want to take that into account too. So anyway, I support what's being presented here. I support adding of the seat. I get the California north and south, different fisheries, different species. And so but I just want to make sure that Corey's words resonate and that we talk about it at some point in time and make sure that we don't overstuff a committee where they become non-effective of what the great work they do for this Council. So thank you Mr. Chair.

Brad Pettinger [00:08:44] Thank you. Aja's got her hand up so Aja Szumylo. You're unmuted Aja but we can't hear you. Yeah, we're still not hearing you. Okay, let's....we'll go to Christa Svensson and then Aja we'll just come back to you.

Christa Svensson [00:09:14] Okay, thank you Mr. Chair. I also want to acknowledge what Miss Ridings brought forward and in agreement on pretty much everything. I certainly brought up concerns around budget and finance at the budget meeting-of-the-whole on this particular topic. I am just recalling that this is not the first seat in my tenure on the Council that we've added to the GAP, so I do share concerns with Butch around you can get too large and you can have difficulty with a group being able to come to a resolution. That does not mean I necessarily think that the GAP is too large now and that does not mean that we have not added other seats on other advisory panels. I know we've added at least one seat on HMS so that's not meant to poke at anybody in particular. I do think that we need to take a very hard look at how all of our FMPs are structured in terms of committees moving forward, what that really costs, and really have a clear understanding around what those parts and pieces come to. It is unfortunate that Washington couldn't fill that seat, but if it means long term that states or regions can't fill seats and putting others in those positions is going to lead to creep on advisory panels, then maybe that's a conversation we also need to have. I am very sympathetic for California. I think that a lot of great information has been brought out by both of the people who were involved in decisions over the course of our last set of terms and I am supportive of adding that seat at this time, but I do think that, you know, as we think about how we're going to fill seats come November, if there are gaps that this conversation today will be weighing heavily in my mind in terms of that decision point. And I think the last piece I'd like to speak to just briefly on this is that it is important to have a wide variety of viewpoints. We certainly see that on the GAP. We see that in HMS. We see that in salmon. But we can, I think earlier this week we talked about are you a lumper are you a splitter? And I think we could split all of our different advisory panels into smaller and smaller segments and when we do this look or review 3 years from now that we need to really consider, can we lump more people together or do we need to split people out, and how do we do that in an equitable fashion so that we don't have really small segments in some and really a lot of territory covered in others. So thank you. I will be supporting this, but also wanted to acknowledge and recognize some of the comments on the floor that are concerns of mine as well.

Brad Pettinger [00:12:31] Thanks Christa. Aja, are you there? You're not coming through for some reason. You're definitely unmuted but you're not coming through. I'm not sure what the problem is. Okay. You got the, is that the hold up for second finger. Okay. I would, okay. Maggie Sommer.

Maggie Sommer [00:13:10] Thanks Chair. I want to commend the Council on a very thoughtful discussion on this and just give you a heads up that NMFS will abstain from a vote on this. I think you've made many good points around the table. It seems to me that this advisory body composition decision is really Council driven rather than an agency concern. Thanks.

Brad Pettinger [00:13:39] Okay. All right. Well we're still waiting here but. Corey did you want to? Please, Corey. Corey Ridings.

Corey Ridings [00:13:51] Thanks Mr. Chair. Yeah, I'll just echo I really appreciate the conversation here and things that folks have said and I think we're all kind of generally headed in the same direction here. I just wanted to, after thinking on this, I will not be voting for this motion but I did really want to express my appreciation for the conversation, the intent, the recognition of my concerns. I will add when it comes to thinking of these advisory bodies, it is a tough decision. We have had, as Marc noted, additional discussion in this process and we're looking forward to an even more holistic, deeper dive next time around. Something that I've sort of come around to in terms of how I think about it isn't even necessarily if there's a specific human that can fill a seat, but if it's a needed body of knowledge, and in some cases we may even leave a seat open in hopes that that body of knowledge steps forward. And then of course we review it every 3 years for a reason to check-in and see if needs have changed, if fisheries have changed, if interests have changed. Yeah, mostly just wanted to say thanks for the discussion and thanks to Heather again for making the motion.

Brad Pettinger [00:15:14] Okay. I think we're ready for the question I think so let's do that. Okay, I'll call for the question. All those in favor signify by saying "Aye".

Council [00:15:27] Aye.

Brad Pettinger [00:15:27] Opposed?

Corey Ridings [00:15:28] No.

Brad Pettinger [00:15:31] Abstentions?

Maggie Sommer [00:15:32] Abstain.

Brad Pettinger [00:15:33] All right, the motion passes with one abstention and one no vote. So all right. Thank you. I would point out that the GAP is going to be virtual next April as a cost saving measure so. All right so we're going to try to keep going because we do have some people who have a plane flight so we're going to try to finish this agenda item so we have, that would take us to Number 6. Lynn Mattes.

Lynn Mattes [00:16:04] Chair Pettinger I think we just did Number 6 under the last motion.

John Ugoretz [00:16:09] No.

Lynn Mattes [00:16:09] We did not?

John Ugoretz [00:16:11] We did part of it.

Lynn Mattes [00:16:12] Okay, then never mind. I have a motion when we're ready for Number 7.

Brad Pettinger [00:16:16] Okay. Hoping someone has one for Number 6 too but let's open up the floor for discussion. John Ugoretz.

John Ugoretz [00:16:22] Thanks Mr. Chair. Yes, we adopted the final composition of the EAS, but we didn't talk about the role of the EWG and there is a supplemental report in our briefing book regarding a charge for the EWG. I'm supportive of that charge. I think that EWG has done great work on the Climate and Communities Initiative and the Fisheries Ecosystem Plan and that looking at the discussion we had regarding the IRA projects and the timeline and workload involved in that, I think shifting their role to being our primary advisors in that process is useful. You know, I think had we not had these IRA projects and designating the EWG with that role, then their work would be done. I think having a charge that defines their role in the IRA projects is good because it gives a finite length to this informal advisory body that we don't want to turn into a permanent advisory body. So I'm supportive of the drafted role for the EWG.

Brad Pettinger [00:17:44] Thank you John. Anyone else? Heather Hall.

Heather Hall [00:17:50] Thank you. And just to share some thoughts on this. I think having a charge is something we need to do and Miss Ames spoke to that in the overview so I understand that. I also understand the focus for the EWG and the EAS right now is really on the IRA projects, and with that they'll have some planning meetings to figure out how that goes. And I just also think that if we held off us changing the charge right now we could get more specificity. And I don't mean to say they would do more, but perhaps it would just give us some time to refine the charge once they've had a couple of those meetings and I, you know, just share that because I know they're just getting started and what we want them to be is successful and I think the Council's looking to that being the goal is that the projects are successful and we can have a better sense of what that means after we get more of the planning under our belts. Just sharing a little bit of a different perspective for folks to think about.

Brad Pettinger [00:19:11] Thank you Heather. Anyone else? John Ugoretz.

John Ugoretz [00:19:16] Yeah, thanks. And I've heard some of that from the EWG. I'll point to their report that doesn't say they disagree with this charge. It says that they might need some new people and I think we discussed the fact that as an ad hoc group that we can add people as needed if it is needed. I think the charge as written gives quite a bit of flexibility in what they do because it says they're going to provide technical and policy advice in support of the 3 IRA projects and then it also says that they may provide technical and policy advice on other things. So regardless

of what their discussions are, I don't actually want the EWG to tell us what their role should be. They are our group and it's the Council's discretion as to what they do. And so regardless of what conversations they might have, I think providing them a clear role is worthwhile and this is the time to do it and so, you know, I think we should take that action.

Brad Pettinger [00:20:27] All right. Thank you John. I hope someone's got a motion. John.

John Ugoretz [00:20:35] I'll provide a motion. It hasn't been sent in so it's brief if staff don't mind typing while I speak. Thank you. I move the Council adopt the charge for the Ad hoc Ecosystem Work Group as described in Agenda Item K.3, Supplemental Attachment 6.

Brad Pettinger [00:21:06] Okay, is the language on the screen accurate?

John Ugoretz [00:21:10] It is.

Brad Pettinger [00:21:11] Looking for a second. Seconded by Corey Ridings. Thank you Corey. Please speak to your motion as needed.

John Ugoretz [00:21:19] Thanks. I think what I've said is sufficient.

Brad Pettinger [00:21:22] Okay. Questions for the motion maker? Discussion on the motion? All right I'll call for the question. All those in favor signify by saying "Aye".

Council [00:21:29] Aye.

Brad Pettinger [00:21:32] Okay, opposed? Abstentions? All right the motion passes unanimously. Wonderful. And yeah, we have one more item I believe. All right, COP revisions so I'll open the floor for discussion. Sharon Kiefer.

Sharon Kiefer [00:22:00] I think maybe Lynn and I might have done the same thing.

Brad Pettinger [00:22:06] Lynn.

Lynn Mattes [00:22:07] I have sent a motion into address 7A and B that the secretariat has so I suspect we needed to coordinate better.

Sharon Kiefer [00:22:16] I have a motions relative to COP 1 and COP 27.....(off mic)...

Lynn Mattes [00:22:22] Mine has all three.

Sharon Kiefer [00:22:24] Oh, yours is all three.

Brad Pettinger [00:22:25] Okay. Three beats two so. All right so if we don't see any discussion, we'll certainly call for the.....oop, Lynn Mattes.

Lynn Mattes [00:22:37] No discussion. I'll just, I'll throw my motion out when it's time.

Brad Pettinger [00:22:44] Okay. I think it's time.

Lynn Mattes [00:22:49] I believe it's time. It's a Monday but it's also a Friday.

Brad Pettinger [00:22:55] It's day last, that's what it is.

Lynn Mattes [00:22:58] So I move the Council adopt the changes to COP 1 as shown in Agenda Item K.3, Attachment 4, September 2024. COP 9 as shown in Agenda Item K.1, Supplemental Attachment 3, September 2024. And COP 27, there should be an "and" in the front of COP 27. Thank you. And COP 27 as shown in Agenda Item I.7, Attachment 4, September 2024 as final.

Brad Pettinger [00:23:29] Okay. Is the language on the screen accurate? Lynn? Okay. Seconded by Sharon Kiefer. Thank you Sharon. All right, I guess speak to it as much as you need. Yeah.

Lynn Mattes [00:23:43] Over the course of the week we have talked under various agenda items about these COPs. A couple of them are administrative updates so I believe can be done in one meeting. The other one had gone out for public review and therefore seems ripe to be finalized at this meeting. And I think that's enough talking about that one.

Brad Pettinger [00:24:04] Okay. Any discussion? Vice-Chair Hassemer.

Pete Hassemer [00:24:09] Thank you. I'm certainly going to support the motion. I just wanted to make a comment regarding COP 1. All our discussion I think that generated the change was around monetary issues, savings and a lot of that. I hope this doesn't send a signal to the public that we're trying to reduce the amount of public comment time. I just want to note the public has really been cognizant of our work, how we need to move through this paying attention this week. Somebody can review the transcripts after and correct me, but I think every entity that we gave 10 minutes to used less than 5 minutes to provide their comment. So I don't anticipate we're going to get less comment from the public because they've paid attention to this and they've tried to accommodate us. And I congratulate them on that. You might ask, well, then why do you have to make the change? And I think this also levels the playing field there on the public comments. So just a note that we appreciate, we need the public comment. I don't feel that this is going to impact this. And I've kept records of how long people have taken, gone quite a ways back and this isn't going to have an impact. So thank you.

Brad Pettinger [00:25:40] Thank you Vice-Chair Hassemer. All right, further discussion? John Ugoretz.

John Ugoretz [00:25:44] Thanks. Just sort of on that same note about public comment. I think this is a step in the right direction. Honestly, I don't think we're going far enough in limiting time. I think even at 5 minutes we are above what most public bodies accept for public comment timeframes. I really appreciate that at this meeting the groups didn't use their full 10 minutes, although I did see at least one fill that 10 minutes and one go over 5, but I think it's a good place to be moving towards.

Brad Pettinger [00:26:22] And we still retain the ability to shorten those given the amount of people who are wanting to testify. So okay, anyone else? All right, I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:26:35] Aye.

Brad Pettinger [00:26:35] Opposed no? Abstentions? All right, the motion passes unanimously. Wonderful. Kelly, I'm looking to you.

Kelly Ames [00:26:48] Thank you Chair Pettinger, Council members. You had a great, robust discussion under this agenda item. Now that we have concluded business, Council staff will write the letter to the National Marine Fisheries Service with your recommendations for Dr. Rebecca Lent for the TRT as the primary Council representative to the TRT and Mr. Brad Pettinger as the Alternate. You made your appointments to the CPSMT, HMSMT, and Groundfish Management Team. Congratulations to those appointees and we'll get them on boarded and ready to serve the Council in those new roles. You adopted your final composition for all of your advisory body positions for the 2025-2027 term. I won't read those all out to you here, but we will also add when we solicit those nominees the request for specialized experience for the SSC for a non-economic social scientist and stock assessors. You also included a charge for the Ecosystem Work Group that reflects their focus on the IRA projects over the next couple of years. And just finished adapting the revisions to Council Operating Procedure 1, 9, and 27. So we will get those procedures updated and you'll see those in your November briefing book. So with that, thank you. You have completed this agenda item.

Brad Pettinger [00:28:22] All right, well done everyone.

4. Future Council Meeting Agenda & Workload Planning

Brad Pettinger [00:00:01] That concludes public comment. Takes us back to Director Burden I believe.

Merrick Burden [00:00:09] Yeah, thank you Mr. Chairman. Let's see, I will try to summarize some of the things that I heard just to help kick off some discussion here. I did hear a couple of times the request of the EAS and EWG in-person during March. I think we're prepared to support that. I also made note of there, that those meetings being for two days. Let's see, I heard a couple of other matters. There was one thing I made note of was the workshop that the SSC had been discussing about spatial management. The focus of that has shifted just due to, I think the readiness of that topic so I think we'd just be looking for confirmation from you that you still want a workshop to proceed, even if its focus has shifted a little bit. So those are a couple of things. And I would just highlight a couple of other questions I posed to you. One is in regards to shifting the risk table discussion over to April. I made note earlier that we may have a longer whiting agenda item in March than we are used to, and this is all very preliminary, but we're running out of time in March and if we're going to be adding some longer items on some of our core work of specifications we'll need to find some space. So Miss Sommer I don't know if you're prepared to speak to the whiting issue at all.

Maggie Sommer [00:01:32] Thank you Executive Director Burden. We are uncertain at this time of when the spring 2025 Whiting Joint Management Committee will meet. The dates for that meeting haven't yet been finalized. We're not sure whether it's going to be before or after the Council's March meeting. We will know more by the November meeting and can update the Council then.

Merrick Burden [00:02:03] Okay thank you for that. I would still request that we take a look at possibly shifting those risk tables over to April. And let's see, there was another topic, oh yeah, earlier Mr. Ugoretz had asked about having our salmon folks meet in-person. I think we've been having a dialogue with our salmon staff officers about that. I'm not sure about hotel space at the moment, but I do get the logic of having them there in-person and so happy to look into that some more. I'm not able to, I think commit the space at this time, but we're happy to look into that and see what we can do. So those are a few things that come to mind right away and just happy to take your guidance at this time.

Brad Pettinger [00:02:49] Okay. Vice-Chair Hassemer.

Pete Hassemer [00:02:53] Thank you Chair Pettinger. Another thing I heard that seemed pretty big to me and was intriguing that both the CPS and HMS Advisory Subpanels talked about changing that CPS science, what was it called? Science Needs and Priorities in April to a different title, CPS Management Needs agenda item. It sounds very interesting considering what we've been going through, and so just wondering thoughts on changing the focus of that, what's currently on agenda so we can come back in November, talk about it, and maybe have an idea to what staff would be able to provide in April that would help to initiate that discussion to get us going down that road. So I'd be interested in changing the focus of that April meeting or agenda item.

Brad Pettinger [00:04:00] John Ugoretz.

John Ugoretz [00:04:02] Thanks Mr. Chair. On that topic, I think before we just jump to changing the name, it would be better to have some more focused discussions while the CPS folks are here. We could do that in November during this timeframe after getting some reports, so I'd rather not just change the name. It's scheduled for April in shade right now so we've got time.

Brad Pettinger [00:04:35] Thank you John. Heather Hall. Nope. Okay. Lynn Mattes.

Lynn Mattes [00:04:44] On the CPS issue there was some consternation this morning in our, the Oregon delegation meeting, both from ODFW staff as well as the public about the removal of the science and data needs priorities. There is a bigger picture science and data needs priorities agenda item that this could get rolled up into, but there's concern that this is in a way kicking the CPS piece down, continuing to kick it down the road, the can down the road, and it might not get the focus in the timeline, the timeliness that is needed. And maybe if we had been addressing this sooner maybe some of the lawsuit stuff wouldn't have happened or wouldn't have been as severe. I don't know that there's anything we can do about it, but based on what I heard this morning I just wanted to express that, that there's concern about rolling it up into the bigger picture, science and data needs that will get lost in the shuffle.

Brad Pettinger [00:05:38] Thank you Lynn. Heather Hall.

Heather Hall [00:05:41] Thank you. Similarly, we talked a bit about the disappointment that we, the science and data needs, our science needs and priorities agenda item for CPS in November is getting moved and the idea of it being something that feels like it's getting kicked down the road a lot. There's been a lot of interest in talking about it, and I do understand the reason that we're hearing about the change in the name is that it's, I think there's a desire to not just look at the science, but the management with it too. And so I think maybe what Mr. Ugoretz suggested about having that conversation when CPS is meeting in November when they're, the management team and the advisory subpanel are both there we could suggest that's part of their discussion during that meeting and get a little bit more input on that.

Brad Pettinger [00:06:47] Director Burden.

Merrick Burden [00:06:49] Yeah, thank you. I also appreciate Mr. Ugoretz's suggestion. I think there's something there that might strike a nice balance. You know the litigation was unfortunate in that that always takes priority when we have to respond to it, and that has, you know, sucked up our time and NMFS's time and so there's not much thinking that we can provide at this time on that matter to help inform you. And so what I'm picturing now is in November, following John's lead here and saying in November ask the CPS groups to provide maybe a more fleshed out report about the scope of that item from their vantage point as part of our work planning discussion in November. As I hear this discussion that to me seems like it may be a good way to keep this moving and just help us fine tune what it is we're looking for from that agenda item when we are able to take it up later in 2025. Does that seem right to you all?

Brad Pettinger [00:07:51] John.

John Ugoretz [00:07:53] Thanks. Miss Sharon thanks. Executive Director Burden I think that's a good plan. Just while we're on CPS, I think we're fine with removing the J.3 EFPs that's shaded on the proposed agenda.

Brad Pettinger [00:08:14] Okay. Thank you. All right. Lynn Mattes.

Lynn Mattes [00:08:19] Not on CPS. Are we trying to do this strategically? Just look at the Year-At-a-Glance or look at November or are we just hopscotching around?

Brad Pettinger [00:08:33] Director Burden.

Merrick Burden [00:08:33] I think you can do either.

Lynn Mattes [00:08:34] Okay.

Merrick Burden [00:08:34] I think it's most helpful to look at the big picture first and then the Year-At-a-Glance and then winnow down the details on November.

Lynn Mattes [00:08:41] Okay. Thank you. Earlier this week, I don't even remember what day it was, we talked about having the EWG come back to us with updates on the risk tables for groundfish and salmon, and they are on March but a few minutes ago there was discussion about maybe we need to move those to April. We've already violated....you know that's already violating our commitment to not having groundfish in April. While technically the risk tables are an ecosystem item, they would involve the Groundfish Management Team and the Groundfish Advisory Subpanel. If it's just that one item, they could maybe be, maybe meet via webinar or ahead of time and participate remotely, but I thought we were, our goal was to give them an entire meeting off. And okay, it's just one item we add today and then in November we just had one more item and soon enough they are meeting for the entire week. I'm not disagreeing with moving those to give us more time in March, but I'm just trying to be cognizant of the commitment we all kind of collectively made at the Committee-of-the-Whole to not have groundfish in April of non-spex years. I don't have a solution so apologize for kind of complaining without a solution, but I just wanted to mention that that I'm worried about creep for April for groundfish.

Brad Pettinger [00:10:01] Director Burden.

Merrick Burden [00:10:01] Yeah, thank you Miss Mattes for providing some focus to that topic. I think we all have a goal, I believe, of trying to reduce our groundfish workload. It's substantial. We had, I guess we had not interpreted our earlier discussions as them taking an entire meeting off, but not coming to the meeting. And by not coming to the meeting that would mean that they would necessarily have a lighter workload. And so there were a few things on here like sanctuary matters that they may want to comment on. Habitat issue....there's not a whole lot for them, but we did anticipate having a pre-meeting webinar just to organize their thoughts and give them the option to write a statement for the briefing book. And so in that vein is how we thought about, you know, if we did shift the groundfish risk tables to April we would have a webinar and ask them to review that and provide a statement to you in advance of the briefing book. So if that's not your desire then I would say, okay, could we still move the salmon risk tables to April?

Brad Pettinger [00:11:13] Lynn.

Lynn Mattes [00:11:15] I think what you've laid out is probably a workable solution. I just don't.....well, their meeting anyway let's add one more thing. They're meeting anyway let's just add this one more thing. Just trying to be cognizant, even if they're not meeting in person, March and April are pretty close together and it's a tough workload. Yes, the salmon folks do that, but then they don't necessarily meet all the time. You know I've had, I had some trouble trying to recruit to replace Katie Pearson because of the travel commitments. So I'm just trying to be cognizant of our team and the workload. If we stick to just this one or maybe one other item and maybe a half day webinar for them, I think that's doable. I'm seeing some others nod their head who have staff on the team, but I'm just trying to be cognizant of what we kind of committed to those folks with earlier in the year. So thank you.

Brad Pettinger [00:12:06] Christa Svensson.

Christa Svensson [00:12:08] Thank you Mr. Chair. I'm just going to weigh-in and support Lynn. And I will say my understanding was we were going to try and keep groundfish off completely for April to give people a breather. That doesn't mean we have to do that but just wanting to put it out there, what my understanding was of what we were trying to accomplish in terms of efficiencies and in terms of trying not to burn out the GMT and the GAP and people that are really doing a lot of heavy work.

Brad Pettinger [00:12:39] Okay. Heather Hall.

Heather Hall [00:12:45] Excuse me. Add to that I was nodding my head slowly because I really appreciate the need to be very careful about how we do that. We could have them not at the meeting but still having to meet all briefing book deadlines and all of that. And so the mission creep or whatever thinking about how we intend to put the sidebars around on the GMT in April of non-spex shares I think is good for us to think about and maybe it works for April 2025 to have them look at the risk tables so it doesn't stall that process. So I understand the trade-offs, but also think maybe as we think about the next time this comes up about being more clear about what we mean by the GMT not meeting.

Brad Pettinger [00:13:45] Maggie Sommer.

Maggie Sommer [00:13:47] Thanks Chair. And thank you to the others who chimed in here. It was our vision also that April would be a groundfish free meeting, not just from travel, but also from the workload for it. I do understand the points that have been made and that on occasion there will be items that aren't groundfish agenda items, but that the groundfish advisory groups might have some interest in. However, the slippery slope is real. I think that I would support at least shading them for now. Maybe we can revisit the discussion in November of where to put them if that does not interfere too much with Council staff planning. And I would also wonder if there's the potential to move them to June. I guess lastly, I had not thought about the idea of splitting the salmon from the groundfish risk tables. My initial reaction is I'm not sure that seems efficient. It might be valuable to consider them holistically, but that's where we are now.

Brad Pettinger [00:15:00] Thank you Maggie. Corey Ridings.

Corey Ridings [00:15:03] Thanks Mr. Chair. Just an idea. Perhaps a potential solution here would be, as Director Burden was talking about, potentially moving them to April. My first thought was, okay, well we have our ecosystem folks who are a part of this ongoing discussion as are the salmon and groundfish folks there in March. Would it be possible, and just given how close our March and April meetings are, perhaps it could be covered for those advisory bodies in March and then the Council has it on the floor in April as a way to make sure those groups do have the ability to discuss in-person convenience. GMT is left free or free-ish in April, I'm not sure where we're landing on that, but then those reports could be offered up and discussed by the Council in April. Just throwin' it out.

Brad Pettinger [00:15:59] Okay. Thank you Corey. Butch Smith.

Butch Smith [00:16:06] So I don't want to be accused of buckling around the schedule here but is March on the table? Can we talk about that? Okay. You know, you got John salmon you sitting in the seat so I don't want to misstep but, and maybe Marci could jump out of her seat. But March might be a kind of extra heavier deal with California salmon too with all the panels, you know, meeting and reports and more than usual, so I just might add that as a placeholder. I don't want to overstep my into the California salmon world, but I just sense that being from my old salmon days that there might be a little more time needed for salmon in lieu of hopefully we have the opportunity to have salmon fishing in California. But I think that you know there's a couple of bodies, a couple panels out there, and I imagine there's reports and all kinds of stuff like that going on. So I just want to put that as a placeholder and maybe a point of discussion. Sorry if I stepped in your salmon world but thank you.

Brad Pettinger [00:17:21] Thanks Butch. John Ugoretz.

John Ugoretz [00:17:23] Yeah, thanks. Thanks salmon Butch for....we would support shading it and furthering the discussion or moving things to June. We do, however, Maggie want them split. So this was a follow-on from our discussion at this meeting where salmon and groundfish fell into ecosystem because they were sort of part of that. And it, we felt was sort of making it harder for those constituents to know that it was being talked about in such a great detail. They are very different. The risk tables are much further along for groundfish. For salmon we're looking for just an update on the results of a potential meeting that's coming up that may or may not even happen, so having the two separate things works. As to when they occur, they could occur separate from each other in meetings too.

Brad Pettinger [00:18:37] Director Burden.

Merrick Burden [00:18:39] Thank you Mr. Chairman. Just listening to this discussion I guess what I would propose to do is shade the two items, the two risk table items. And when Kelly and I were discussing this I think we had in our minds that you wanted to make progress early in the year and so we're trying to accommodate that here. But I'll leave you with a question to think about between now and November, which is would June suffice for you? I think that would be most effective on the workload side because March and April are quite, quite, quite tight all the time.

And so if we're able to take it up in June I think that would be a much better workload balance, understanding that does then slow that agenda item down again. So I'll just leave you with that thought. And I would propose that we shade it for now and think about it some more between now and November.

Brad Pettinger [00:19:36] Okay. All right. John.

John Ugoretz [00:19:40] Just a new subject. So making sure nobody wanted to follow on that. Yeah, okay great. Executive Director Burden mentioned the ROV Workshop and I definitely want to support that ROV Workshop that the SSC has identified as number four in their table. It's going to be very important to have that review completed ahead of the 2025 quillback full benchmark. This is an important data set that needs discussion early.

Brad Pettinger [00:20:16] Thank you John. Corey Ridings.

Corey Ridings [00:20:22] Thanks Mr. Chair. I wanted to make a request to have an EEJ check-in agenda item in April. It's an opportunity to get input from the advisory bodies on the NMFS regional plan, including the EEJC, which will meet on this in November. The ABs got briefings at this meeting but didn't get a chance to actually discuss and submit reports, so holding that option out. Also potentially at that time, get an update on how the GAP analysis is moving forward and get some updates from the results of the ongoing EEJ work that I believe Dr. Seger is engaged in regarding the website update, review of the COPs, and some definitions work, which was originally envisioned I believe last September. In my head this isn't necessarily long, just a chance to check-in and allow the advisory bodies to weigh-in here. June just feels like a real long way off to touch bases on EEJ again.

Brad Pettinger [00:21:26] Director Burden.

Merrick Burden [00:21:30] Yeah, thanks Mr. Chairman. Thanks for that comment Corey. And I would just say we're happy to reflect on that request some more. As everyone knows our newest salmon staff officer has been taking the lead on EEJ and she will be fully subscribed over the spring and I would not be able to task her with that and so we're left with the question of who could do that, if anyone? So we're happy to reflect on that and see what we can accommodate, but it's hard for me to commit to that at this point.

Brad Pettinger [00:22:10] All right. Heather Hall.

Heather Hall [00:22:13] Well, thank you for that. I would just bring it back to that same conversation we were having about, I know your interest is getting advisory body comments. If it's in April it may not...the GMT, or the groundfish folks may not be able to provide comment if they're not meeting in April. So just teeing that up is another something similar to what we were talking about before is the potential that they wouldn't comment, and I know that would be a prioritization of that work that might negate what you're interested in getting.

Brad Pettinger [00:22:52] Thank you Heather. Maggie Sommer.

Maggie Sommer [00:22:59] Thanks Chair. A different subject?

Brad Pettinger [00:23:03] Sure.

Maggie Sommer [00:23:04] I am going to come back to the November agenda. Sorry for jumping around. And I have two things on that. First, I want to appreciate the Council adding J.2 Amendment 18 Pacific Sardine Rebuilding Litigation Response to the November agenda. However, just to clarify, the intent of that agenda item is to develop a final recommendation on a new rebuilding plan. I just wanted to make that clarification. And then if I may, a separate topic on November. I just wanted to ask for a brief description, and I apologize if you gave this already Director Burden in your introduction and I missed it, of what the D.3 Cross FMP Research and Data Needs item is in November?

Brad Pettinger [00:23:58] Director Burden.

Merrick Burden [00:24:01] Yeah, thank you Mr. Chairman. Thank you Miss Sommer for that question. This goes back to something I touched on in my ED Report at the start of this meeting, which feels like it was last year. So in your briefing book there's an informational report that I hope you've had a chance to look at that outlines some thinking that we've been doing and reflecting with the Science Center directors about how to make our research and data needs process more useful and more effective. And so what we've proposed is that the Council really set the stage and say these are the categories of needs that we have from our research partners. And then the advisory bodies and the SSC take a stab at saying, here are the things that we envision that could help you with those challenges. Right now if you think about our research and data needs, we have by far the longest list of research and data needs of any Council, and we have so many of them we've created a database. And we've had, the Science Center directors have over the years recommended that we help, we try to streamline those. We've had the public come to us and say, what kind of research could we help you with? And we say, well here's the research and data needs and they don't know where to begin with it. So I don't mean to sound critical. There's a lot of good work in there but I do think having this here on this agenda item asking the Council to set the tone and set the stage for what your needs are and then have the advisory bodies respond to that is perhaps a way of making this a more effective effort on our part. Does that help?

Maggie Sommer [00:25:44] Thank you. Yes, thanks.

Brad Pettinger [00:25:46] Okay, thank you Maggie. Lynn Mattes.

Lynn Mattes [00:25:47] Thank you Chair. I have one hopefully very small thing and then one more substantive thing if that's all right? And on November the Budget Committee is scheduled to start at 1. Is there any chance to move that back to 2? I'm not on the Budget Committee so we don't need to schedule around me, but just looking at flights just moving it back to 2 I think would allow some additional opportunity for folks interested to arrive in time to catch the majority of it.

Brad Pettinger [00:26:19] Okay. Director Burden.

Merrick Burden [00:26:19] There may be. This of course gets compressed by the Chairs Briefing that we do at 4 and November is a fairly large budget meeting, but let me think about that and noodle on it with Patricia and see if we can schedule something that we're confident would just take us 2 hours or less then I think we're happy to move that back a bit. I've heard that request a couple of times now so yep.

Lynn Mattes [00:26:47] Okay, thank you. And then if I may Chair. This one maybe a little more substantive. The GAP request both earlier this week and in their report about taking a bigger look at changes to the directed commercial halibut fishery. I know we took a really brief look and I'm remembering, given the ODFW presentation in Sacramento back in like 2015 where we looked at some options on how to do something other than the directed commercial halibut fishery. And this is probably a question for Executive Director Burden or Deputy Director Ames to take that on next summer it would probably take a fair bit of staff workload, and you've already mentioned Angela's workload, kind of wondering what workload capacity would Council staff and maybe even NMFS staff have to work on something like exploring making the directed halibut fishery something different, either a longer time period or incidental with the sablefish fishery, or just that bigger more holistic look that the GAP requested. I'm just trying to find out if that's even possible with staffing over the next year or so.

Brad Pettinger [00:28:03] Director Burden.

Merrick Burden [00:28:03] Well I can start and then I'll refer to Kelly. But I would say just broadly speaking, I mean, our staff relishes this kind of work, you know, practical work that we think can make a difference and really help people. All of our staff officers relish that kind of thing. We are quite busy and so as we look out across the year, I think, you know, as we get to middle of the year things start to free up a little bit and Kelly, as the supervisor of our staff officers can probably tell you some more detail about that prospect.

Brad Pettinger [00:28:34] Kelly.

Kelly Ames [00:28:35] Thanks Miss Mattes, and thanks Director Burden. I guess the only other thing I would add to Merrick's comments, we are still in the process of hiring Dr. Dahl's replacement. So really until we have our full complement of staff officers in place, it's difficult to look toward next year and staff capacity. But I'd be pleased to think about this further and maybe report back in November once we see how portfolios are shaping up and we can have a more detailed discussion with staff about capacity.

Lynn Mattes [00:29:10] I appreciate the responses from both of you. Thank you. And thank you Chair.

Brad Pettinger [00:29:14] All right. Thank you Lynn. Corey Ridings.

Corey Ridings [00:29:19] Thanks Mr. Chair. Talking about November, I'm looking at the Wednesday, November 13th and noticing the EEJC is scheduled. It will overlap with the, I believe the Budget Committee, the SSC, the GAP and the GMT and the Enforcement Consultants. The EEJC has discussed in the past the real desire to try to be as open and available as possible so that

as many folks from the Council family and even outside of the Council family can participate in these discussions. So throwing it out here, if there is the ability to have it the day before, I know that that was being discussed perhaps in the spirit of trying to find another path forward. If that's not possible, is some sort of maybe a week before webinar or something like that where there could be a virtual option to encourage more public participation in that. And I wouldn't want to put the burden on NMFS with that having not talked to them at all, but just having the opportunity to make sure that it's more inclusive.

Brad Pettinger [00:30:33] Kelly.

Kelly Ames [00:30:35] Thanks Chair Pettinger. Yes, we had discussed a potential EEJC meeting on November 12th, however that would require travel on the Veterans Day holiday the day before. So I think we did our best to find the spot that could maybe work, but certainly shifting to a remote meeting is a possibility. And we could work with the staff officers to ensure that the EEJC remote meeting didn't overlap with other advisory body remote meetings if you want to make sure there's an opportunity for participation.

Brad Pettinger [00:31:13] Corey.

Corey Ridings [00:31:14] Yeah, I'd....I would say let's think about this a little bit more. I was just trying to think on the fly in the service of being creative. And I think I would still want the EEJC to meet in-person for that opportunity for those types of discussions. Just also thinking about maybe, like I say, maybe a pre-webinar that would allow some question and answer or a chance to have a pre-discussion, or if NMFS felt like they had something they wanted to share. I think NMFS already did some presentations at this meeting, but just providing that window to make sure that the public had an opportunity to participate in that way.

Brad Pettinger [00:31:56] Thank you Corey. Are we? Not yet. Heather Hall.

Heather Hall [00:32:03] Thank you Chair. I think, I hope we're getting close. I just wanted to bring up the issue that the GMT brought up in their discussion about canary rockfish in their report on this item and potentially convening the GAC Committee and just going back to the June Council meeting when we were talking about this and refreshing everyone's memory to that we have tasked the GMT to work on this over winter and I know Council staff is already drafting agendas and workload for that November Council meeting. And so that just getting them thinking about not necessarily canary allocation options, but more of a schedule and process options that we can talk about at March when we're talking about workload planning and what does that look like and that pathway I guess, and the way I'm understanding it then sets us up to work toward having some kind of an analysis that can funnel into the spex process without it being in the spex process. And so just recollecting that discussion from June, and I don't think right now we need to request that we reconvene the GAC but just noting that we have that coming up over the winter and we should hear from the GMT about what that looks like in March. So just expressing that.

Brad Pettinger [00:33:45] All right.

Heather Hall [00:33:46] Thank you.

Brad Pettinger [00:33:46] Thank you Heather. Well somebody make a decision. John Ugoretz.

Brad Pettinger [00:33:56] Thanks. Perhaps a question for Executive Director Burden. We had discussions under highly migratory species this meeting regarding the range of alternatives for bluefin trip limits, and I'm just wondering does that fit under international management or perhaps by spex? Just making sure that's kind of recognized in there in some way.

Brad Pettinger [00:34:27] Director Burden.

Merrick Burden [00:34:27] Yes we are. My initial inclination was to place it under spex but, you know, to your point earlier in the day, sometimes NMFS wants it as part of international management so we'll work with our colleagues in the other office and just figure out where best to place it, but it would be one of those two.

Brad Pettinger [00:34:46] Corey.

Corey Ridings [00:34:49] I want to just highlight something that the HMSAS noted about appreciating the opportunity to have a joint online meeting with the.....(microphone accidentally turned off)....in advance of November so that may already be in the hopper, but just wanted to put that out in the floor and support it.

Brad Pettinger [00:35:07] Okay. Are we almost there? Oh my goodness. Double checking. All right I think we're there. Director Burden.

Merrick Burden [00:35:23] I appreciate the feedback. So Kelly and I will usually put our heads together while our memory is fresh and revise these and just appreciate all your input and appreciate the conversation and appreciate all your good work this week.

Brad Pettinger [00:35:38] Okay. With that we'll close off K.4 and there's really only one thing left to do. Marc Gorelnik.

Marc Gorelnik [00:35:53] I move that we adjourn the September Council meeting.

Brad Pettinger [00:35:57] I'm looking for a second? Corey Ridings second but...

Marc Gorelnik [00:36:04] I need to speak to my motion.....(laughter)...

Brad Pettinger [00:36:07] All righty. Well, all those in favor signify by saying "Aye".

Council [00:36:09] Aye.

Brad Pettinger [00:36:10] Opposed no? Abstentions. All right the motion passes unanimously. Wonderful, and great work everybody. And not quite four and a half days but we're slowly getting there, chippin' away. So safe travels. Great seeing everybody and we'll see you in November.