COUNCIL MEETING TRANSCRIPTS
284th Session of the
Pacific Fishery Management Council
November 13-19, 2025
Hilton Orange County Costa Mesa
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Contents

Meeting Transcript Summary 3

A. Call to Order 4
3. Agenda 4

B. Open Comment Period 5
1. Comments on Non-Agenda Items 5

C. Administrative Matters 6
~~1. Council Coordination Committee Meeting Report~~ CANCELLED 6
2. Fiscal Matters 7
~~3. Legislative Matters~~ CANCELLED 9
4. Approve Council Meeting Record 10
5. Membership Appointments and Council Operating Procedures 12
6. Future Council Meeting Agenda and Workload Planning 14

D. Cross Fishery Management Plan 19
1. ~~National Marine Fisheries Service (NMFS) 2025 Accomplishments and 2026 Priorities~~ - CANCELLED 19
2. Council and NMFS Workload – Capacity Alignment 20
3. Marine Planning 21
4. Council Operations and Priorities 26

E. Habitat Issues 31
1. Current Habitat Issues 31

F. Groundfish Management 33
1. National Marine Fisheries Service Report 33
2. Adopt Stock Assessments 34
3. Harvest Specifications and Management Measures for 2027-28 *(Part 1)* 49
4. Exempted Fishing Permits 54
5. Harvest Specifications and Management Measures Flexibility 73

6. Inseason Adjustments for 2025-26 including Pacific Whiting Off-the-Top Bycatch Deductions – Final Action 80
7. Trawl Catch Share Program Review 82
8. Harvest Specifications and Management Measures for 2027-28 *(Part 2)* 85
9. Marine Mammal Take Reduction Team Update 94

G. Salmon Management 95
1. National Marine Fisheries Service Report 95
2. Final 2026 Preseason Management Schedule 96
3. Methodology Review Results 99
4. Sacramento River Fall Chinook Fishery Management Plan Amendment – Workgroup Report, Initial Scoping 105
5. Klamath River Fall Chinook Workgroup Progress Report 113

H. Pacific Halibut Management 115
1. 2026 Commercial and Recreational Catch Sharing Plan and Annual Regulations – Final Action 115

I. Highly Migratory Species Management 118
1. National Marine Fisheries Service Report 118
2. International Management Activities 119
3. Exempted Fishing Permits – Preliminary or Final Action 123
4. HMS Roadmap: Exempted Fishing Permits (EFP) Goals and Metrics 129

J. Coastal Pelagic Species Management 140
1. National Marine Fisheries Service Report 140
2. Methodology Review 141
3. Pacific Sardine Stock Definitions 143

Meeting Transcript Summary

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

A. Call to Order

3. Agenda

Pete Hassemer [00:00:00] Our next order of business is to approve the agenda. I just want to highlight that there have been some modifications to the agenda. So with that, I saw Dani Evenson had a hand up. Dani.

Dani Evenson [00:00:16] Yes, good morning. Thank you Mr. Chair. I'd like to make a motion to adopt the agenda for this our 284th Pacific Fishery Management Council meeting as listed in A.3.

Pete Hassemer [00:00:34] All right, that is....you may not be able to see it or read it, but it is appearing on the screen. And there it is. That all looks accurate then. Is there a second to the motion? Seconded by Brad Pettinger. Speak to your motion as needed.

Dani Evenson [00:01:05] I think my motion is self-explanatory.

Pete Hassemer [00:01:08] Thank you. Any discussion on the motion? Then I will call the question. All those in favor say "Aye".

Council [00:01:15] Aye.

Pete Hassemer [00:01:15] Opposed? Abstentions? The motion passes unanimously. Thank you very much.

B. Open Comment Period

1. Comments on Non-Agenda Items

No transcription for this agenda item.

C. Administrative Matters

~~1. Council Coordination Committee Meeting Report~~ CANCELLED

2. Fiscal Matters

Butch Smith [00:00:00] We have no public comment. Do we still have no public comment? Okay. That brings us into consider report recommendations of the Budget Committee. I think we have a motion floating around so if there's any discussion? Yes, Dr. Lent.

Rebecca Lent [00:00:16] Thank you Chair. I don't have a motion. I just had a question. I thought Director Burden was going to give a report. Should I wait for that?

Butch Smith [00:00:27] Yes sir.

Merrick Burden [00:00:28] Thank you Mr. Vice-Chairman. I'm happy to speak to the report I gave to the Budget Committee. It is available in your materials in the briefing book. There's a a slide deck there. I hadn't planned to give it but I'm happy to speak to it if you have any questions.

Rebecca Lent [00:00:46] Thank you. I just had a specific question. The contract for the FIW work we have contractor, Miss Katie Westfall, is that contract going to last through the sort of the anticipated timeline for that group? Thank you.

Merrick Burden [00:01:05] We have extended that contract. It lasts through a good portion of the year and the budget contemplates, has that amount in there. The extent of that contract I guess in many ways depends on the progress of the FIW. So you know if the FIW works quickly I would anticipate using all of that contract in, you know 6 months, but if not, you know, that contract can be extended for the full year. So it kind of depends on the pace of the FIW's work. That contract is supported by our special project funds and those do have a due date associated with them so they don't last forever.

Butch Smith [00:01:54] Anything else? Oh oh, yeah I got. Sharon.

Sharon Kiefer [00:02:03] Thank you Mr. Chairman, not to cut off discussion but I do have a motion when it's appropriate.

Butch Smith [00:02:09] Well, I think it's appropriate and if we have any discussion from that or not we'll go ahead.

Sharon Kiefer [00:02:19] Thank you Mr. Chairman. I move the Council adopt a provisional calendar year 2026 operational budget of $6,051,551 as recommended in Agenda Item C.2.a, Supplemental Budget Committee Report 1.

Butch Smith [00:02:44] Alrighty, does the language on the screen look accurate and complete?

Sharon Kiefer [00:02:50] Yes sir.

Butch Smith [00:02:51] All right. Could I get a second to that motion? I got Jaime Diamond. Okay, speak to your motion.

Sharon Kiefer [00:03:03] Mr. Chairman, thank you. I think it is appropriate for the Council to adopt a provisional budget. If you recall, having a provisional budget in 2025 right up towards the end of the calendar year actually served the Council well when we finally found ourselves in a place to adopt an operational budget. I think this gives us guidance but provides us a little more jump and jive room than if we were to adopt an operational budget at this time. I point out that NOAA has acknowledged that their exact funding levels are not yet known and don't give us a timeline of when they might know. I just think this is a prudent step to take. I appreciate the recommendation of the Budget Committee. I also point out that they're comfortable with this budget because some of the contracting issues come later in the year for those decisions and hopefully we will have more budget knowledge at that time. And that concludes my remarks.

Butch Smith [00:04:11] Yeah, thank you. The first thing I'd add to the budget is paying for heat in the meeting rooms....(laughter)....But anyway, any Council discussion? Seeing none I'll call for the question. All those in favor?

Council [00:04:27] Aye.

Butch Smith [00:04:27] Opposed? Abstentions? The motion carries. Patricia, have we done and completed our work as directed or do you have some more for us?

Patricia Hearing [00:04:43] You have completed your work as directed. Thank you.

Butch Smith [00:04:47] All right, I'll pass the gavel back to you to give us our mid-morning break Mr. Hassemer.

~~3. Legislative Matters~~ CANCELLED

4. Approve Council Meeting Record

Pete Hassemer [00:00:00] Actually, let's try and take care of one more agenda item, our approval of the Council meeting record. I'm going to quickly turn to Executive Director Burden.

Merrick Burden [00:00:16] Sorry Mr. Chairman I'm delaying you. You're moving too fast for me. Just a minute here. So this is Agenda Item C.4, which is the Approval of the Council Meeting Record. And the draft meeting record for the September 2025 Council meeting is provided in your briefing book for your review. And this draft meeting record serves as the official meeting minutes and contains links to the documents for the meeting as well as a staff summary of key agenda items. So as indicated, you do have some reference materials. You have Attachment 1, which is that meeting record. And your action here is to approve the record or make corrections if there are any.

Pete Hassemer [00:01:03] All right, thank you. I have a hand up. Before I get to that, any questions on the overview? Fairly clear. Sharon Kiefer.

Sharon Kiefer [00:01:14] Mr. Chairman, not to cut-off discussion, but when appropriate I have a motion.

Pete Hassemer [00:01:19] We always have discussion with a motion, so go ahead with the motion.

Sharon Kiefer [00:01:25] Mr. Chairman, I move the Council approve the Council meeting record for the 283rd session, November 2025.

Pete Hassemer [00:01:34] All right, that's short, accurate, and complete. Do you agree?

Sharon Kiefer [00:01:38] Yes sir.

Pete Hassemer [00:01:39] Thank you. Is there a second to the motion? Seconded by Corey Ridings. Speak to it as necessary.

Sharon Kiefer [00:01:47] Mr. Chairman, I find that the staff does a wonderful job of recording our sessions and wait for Council approval.

Pete Hassemer [00:01:59] Thank you. Questions on the motion? Discussion on the motion? I'll call the question. All those in favor say "Aye".

Council [00:02:08] Aye.

Pete Hassemer [00:02:09] Opposed? Abstentions? The motion passes unanimously. Thank you Sharon. Executive Director Burden, anything else to do on this one?

Merrick Burden [00:02:23] Thank you Mr. Chairman. That completes your tasks under Agenda Item C.4.

Pete Hassemer [00:02:30] Excellent. Thank you. My clock says it's 10 o'clock. Let's take a break.

5. Membership Appointments and Council Operating Procedures

Pete Hassemer [00:00:00] Let's pull up the task list since there are no reports and confirm just one last minute on public comment if anybody signed up. There's no public comment. So let's go through them in the order listed unless you want to do differently. Marci Yaremko.

Marci Yaremko [00:00:28] Thank you Mr. Chair. I do have a motion.

Pete Hassemer [00:00:34] Okay. There's a motion on the screen. Go ahead.

Marci Yaremko [00:00:41] Thank you. I move the Council appoint Miss Christina Lingvay to one of the California Department of Fish and Wildlife positions on the Groundfish Management Team.

Pete Hassemer [00:00:51] Thank you. That looks accurate and complete.

Marci Yaremko [00:00:54] Yes it does.

Pete Hassemer [00:00:55] Thank you. Is there a second to the motion? Seconded by Rebecca Lent. Please speak to your motion.

Marci Yaremko [00:01:00] Thank you Mr. Chair. Christina has joined us for a few GMT meetings now and is learning the role of the position and has been assisting with a number of the GMT analyses and I know she'll do a great job.

Pete Hassemer [00:01:16] Thank you. Any questions regarding the motion? Discussion? Seeing none I'll call the question. All those in favor say "Aye".

Council [00:01:27] Aye.

Pete Hassemer [00:01:28] Opposed? Abstentions? The motion passes unanimously. Thank you Marci. Back to our task list. We have....we can probably take two and three up at the same time, advertising vacant positions on the Washington At-Large position on the EAS and the vacant processor seat on the Salmon Advisory Subpanel. Any objections to going ahead with those advertisements? Any guidance regarding that?

Jaime Diamond [00:02:22] Could we also add Number 4 to that motion? Two, three, and four.

Pete Hassemer [00:02:29] Oh sorry. Yes, add number four to it. Everybody agree we're ready to do that? Not seeing any objections, so staff will go ahead and prepare that, get those advertisements out there. Lynn Mattes.

Lynn Mattes [00:02:54] Thank you Chair. Before we get into Number 5, since we're talking about vacancies on advisory bodies, we have had a vacancy in the ODFW CPSMT seat since Mr. Krutzikowsky retired at the end of June. Thank Cheryl Flores for filling in. We do not have a plan

at this point, but we hope to come back to you all in March with a plan of how we are going to cover that seat. So stand by.

Pete Hassemer [00:03:21] All right, thank you. Any other updates on vacant positions or anything? Not seeing any. Any recommended next steps for the Klamath Workgroup? Kelly summarized what we had discussed several days ago. Anything else anyone wants to say there? Marc.....Lynn Mattes.

Lynn Mattes [00:03:52] Thanks again. I did reach out to Mr. North because this is more his lane than mine. And some notes he sent me this morning based on the discussion the other day was the Klamath River Workgroup has done good work but maybe it has run its course. There are still a couple of items on the Terms Of Reference that haven't been addressed, but the loss of membership may prevent further progress on the issues. The lack of expertise to address remaining subjects would take a lot of time and maybe additional data to make progress on. His thoughts, rather than maybe disbanding that workgroup, but maybe putting a pause on that workgroup until some capacity comes back. And then he also stated that would benefit from updates on what is going on in the Klamath. It's highly dynamic right now. There are data gaps and information needs, so could we use something like the Klamath River Tech Team to share information on what is happening in the river. Those were his thoughts he asked me to express to the group today.

Pete Hassemer [00:04:57] Thank you. Any other thoughts on that? Sound good? And maybe I'd ask, does a pause on that mean that we will wait for Council direction to assign any future tasks on that? I'm seeing a head note, so at some point the Council will take that up and decide what the workgroup needs to do. All right, thank you. And do appreciate their work and understand. I think the the safe subjective word is there are interesting things going on in the Klamath system right now, so as people can inform us as to changes and progress that would be great. So other than that, give you time to swallow Kelly the tea. How are we doing?

Kelly Ames [00:06:07] Thanks Chair. You're doing great. It's actually just hot water. I'm just trying to warm the core body temperature to something more reasonable.....(laughter).... Great discussion here under appointments. Congratulations to Miss Lingvay to being appointed to the CDF and W seat, one of the CDF and W seats on the GMT. And after this meeting, timed, you know, around the holidays so we get maximum.... We will time the announcement after the holidays so we get maximum attention to those three positions we're going to advertise for, the Washington At-Large position on the EAS, the vacant processor position on the SAS, and the new At-Large, the newly vacant At-Large position on the SSC. I just really wanted to thank the folks that have been in those roles over the last couple years. In particular, Dr. Heppell was really a lot of feedback from the SSC about her valuable contributions. And I did tell her when she really does retire we would still be here and welcome an application, so we'll get on that. And then yes, we'll sit tight on scheduling any Klamath River Workgroup meetings until we get direct, direction from the Council. Thank you.

Pete Hassemer [00:07:25] Thank you. With that I think we've completed our work here. Just make sure there's no other hands. Not seeing any, we'll close out that agenda item.

6. Future Council Meeting Agenda and Workload Planning

Pete Hassemer [00:00:00] That completes our reports and takes us to public comment. There is no public, no sign-ups for public comment so that will take us into our Council action. The items are up there before us. Review all this information and provide guidance on March-April Agendas and Priorities for Advisory Body Workload Considerations. Lynn Mattes.

Lynn Mattes [00:00:37] Thank you Chair. I think my....I've got like three things if that's okay? We, as a time savings, we no longer have an update item on the International Pacific Halibut Commission annual meeting. It's my understanding IPHC will be providing an informational report for us. In the past there has been an expectation that a couple of us Council members who attend the meeting and or our state folks provide an update. We've done it verbally the last couple of years. Is there any sort of expectation for something like that again this year, or will we just let the IPHC Report stand? I think Miss Hall and myself and maybe a CDFW staffer as well would be interested to know what the expectations are in terms of that. That may be a question for.....I'm not sure who the question is for.

Pete Hassemer [00:01:38] I will look at Executive Director Burden.

Merrick Burden [00:01:43] Thank you for that question Miss Mattes. The way that we have thought about this goes back to our Committee-Of-The Whole meeting where we were aiming for Increasingly more and more of our agency reports to be essentially informational reports, and so this is viewed in that way, and so we haven't contemplated a floor discussion of that IPHC meeting. This of course is your discretion. If you want to change that, tell us and we can squeeze it onto the agenda, but the the idea now is that that's handled through an informational report.

Lynn Mattes [00:02:20] I understand that but the question was, is there an expectation for a written report, a written informational report to supplement the IPHC one? I'm not proposing we do that, but I just want to make sure that information we used to give verbally, the expectation is or is not for that to be a written understanding. It's not going to be an agenda item, which I think we all agree with.

Pete Hassemer [00:02:43] Kelly Ames.

Kelly Ames [00:02:49] Through the Chair, I think in this situation we would just defer to the state representatives if you thought there was something that occurred at the annual meeting that you wanted to highlight for the Council's attention that was different than the IPHC Report. Certainly we would include that in the briefing book, but leave that to you all to decide if there's more information to bring forward.

Lynn Mattes [00:03:12] Thank you. I appreciate that feedback and I think it helps Miss Hall and myself and our staffs to know what's expected coming out of that meeting. The second piece, as I spoke to earlier under the TRT, I don't see an update on the TRT anywhere on the March, April, or Year-At-A-Glance. I know some schedules just came out and there's two meetings scheduled

in early December. I thought folks in this arena may be interested in even an informational report type update if there's no action items for us, but hoping that doesn't fall off of our radar.

Pete Hassemer [00:03:53] Executive Director Burden.

Merrick Burden [00:03:55] Yeah, thanks Miss Mattes. Fair to say we won't forget about the TRT. We will have this in your briefing materials or on your agenda. Right now it seems a little, for lack of a better word, kind of herky-jerky in terms of how it's coming together. We're not really sure how it's going to come together. But if there is an appropriate time for it to be on your agenda, it will be there.

Lynn Mattes [00:04:21] Thank you and with allowance for the sort of the third thing. Miss Hall sort of spoke to it a little bit ago. I was kind of waiting until we got to the planning and that. In the March agenda item on Phase 2 Stock Definitions Remaining Nearshore Species, I just want to reiterate that there is no expectation for any work being needed by Council staff and Groundfish Management Team staff. This is discussions that need to continue with between the states and NMFS. Director Colbert had a meeting lined up with Miss Quan, but it was on September 30th and she had other priorities at that point. I expect and hope we are able to have those discussions, but just wanted to reiterate the expectations that there there was no expectation for Council advisory bodies, et cetera, had have to do go work. That is stuff for the states to be working on and we'll try to provide whatever update we can in March. Thank you.

Pete Hassemer [00:05:23] Thank you. Is there discussion, guidance, comments? Rebecca Lent.

Rebecca Lent [00:05:32] Thank you Chair. And I just want to thank Miss Mattes for reminding all of us that we need to keep the TRT on the agenda. I guess we'll know a lot more, or a little bit more at least after tomorrow, what the interim products are going to look like and what the updates will be like. We're all working towards consensus, but the big....there's a couple of meetings in December and then the big meeting will be between the March and the April meeting, so definitely on the April agenda we should have something substantial, update. Thank you.

Pete Hassemer [00:06:11] Thank you. Anything else? Christa Svensson.

Christa Svensson [00:06:14] Yeah, thank you. I just....the timing's a little bit weird on this, this is more a Year-At-A-Glance. I want to note that the March meeting is currently scheduled to be in-person for HMS. I think that that would be beneficial based upon the amount of work that we are asking the FIW, but I also just looking forward think it is imperative, based upon the numerous requests we've had from the HMSAS, that we also have them in-person in June. Ideally we would, particularly with cutting a meeting this year, have them in-person for all three, similar to our colleagues on the GAP in GMT under an earlier agenda item. I mean meeting in-person is certainly easier. I think when we're asking teams to meet fewer times it becomes even more critical. But I would say definitively March and June just based upon the work we're asking people to do, not just for regular HMS work but the additional workload of the FIW and the timing around that it would be important to have both of those. And then we can hear back from them in March about the need for November.

Pete Hassemer [00:07:49] Thank you. Any other thoughts? Lynn Mattes.

Lynn Mattes [00:07:58] Thank you Chair. I don't mean to take up all the time, but I've got some little birdies chirping at me about groundfish priorities for the management team. With 11 agenda items in....10 agenda items in March and working on spex I think they prefer some guidance. And if it's okay for me to provide that I think they would appreciate that. For both March and April spex should be the priority. March will also have to include the stock assessments, the widow, the finalizing the widow stock assessment. And then after spex inseason would be the priority. Things after that would be of a lower priority. And as I mentioned, the phase 2 stock definition should be a no priority for the team, but when starting to do triage on time, spex should be the priority. Anything other than that is as time and workload allows. Hopefully that helps the little birdies that are chirping at me.

Pete Hassemer [00:09:07] All right, Executive Director Burden.

Merrick Burden [00:09:12] Yeah, thanks Miss Mattes. And I guess I've got some thoughts that are kind of along the lines of where you're going Miss Mattes. Starting with March, I'm looking in particular at this Stock Assessment Review Report. I know I think everyone is eager for that report but it doesn't result in action. Also I think it would benefit the Council to have the headspace to take that on and really think about what it means for us. It's hard to picture that headspace being available in March. And so I also am cognizant that that report may inform our Terms Of Reference and our stock assessment plan for the next cycle so I don't think we should delay it too much, but I'm looking at April instead, just just to be clear. And then as I look out through June, there was a question from the GMT about what the item called Protocol for FMP Species Review is? That's really a protocol for reviewing and identifying EC species and I don't think it has to happen in June, so we could probably alleviate some of that workload in June as well and push that back maybe a meeting or two. So those are a couple of thoughts that are coming to my mind as I think about just the packed groundfish agenda and our reduced capacity here for a few months.

Pete Hassemer [00:10:43] Other comments? Heather Hall.

Heather Hall [00:10:47] Thank you Chair Hassemer. And thank you Miss Mattes and Director Burden for those comments. I agree, Lynn, with the the guidance you offered on priorities for the GMT but also just wanted to flag, I think you're exactly right about spex being the top priority given that we didn't do....that we kind of put our inseason into March. I see that as a priority too, but also just wanted to flag that the workload and new management measure I think would fall in line after those. So I didn't hear you mention that and just wanted to speak to it. And then maybe this is just my thought, and this I think Lynn spoke to this when we first started this conversation, but the March meeting in terms of the spex is really just as needed, right? So anything that was flagged in the over the winter that the GMT or the GAP say we need the Council's attention on this, we identified XYZ that they need to look at would be all that we're asking for for the spex and I see, you know 11 is limited actions, but I just wanted to say that out loud that expectation for March on spex is very spex-light, not heavy. Thank you.

Pete Hassemer [00:12:28] Thank you. Other guidance? Discussion? I'm not seeing any right now. I'll ask Executive Burden or Kelly wants to summarize what you've heard and how that changes things.

Merrick Burden [00:12:54] Yeah, I can get us started and then I'll look to Kelly to see if I've missed anything. Let's see, one of the things I didn't provide an overview of is this table that's a little bit new to us that has the in-person versus remote setting. If you're on a paper copy it's on the back of the YAG. So looking at that, I did hear a strong emphasis on having HMS groups in-person in June, and just looking at June we are in Spokane. We're familiar with that hotel. I think we can accommodate that so we'll make that change. Let's see, then looking at our schedule, we just had I think a good dialogue about groundfish and how to alleviate some of those matters and prioritize, so we'll look into I think moving a couple of items off of March and then being clear with the GMT about their prioritization. Otherwise, Mr Chairman, I didn't hear a whole lot of feedback. I would just add the caveat that you know, per usual Kelly and I will take this and reformulate some of these things. But we have some added considerations here as we're looking at being down two staff officers and so there might be more that we'll just have to move out of course because of that lack of capacity. But maybe Kelly has some other things to add.

Pete Hassemer [00:14:12] Yeah, let me check-in with Kelly first and then Corey Ridings. Is that okay? Kelly, was the Executive Director correct and is there more to add?

Kelly Ames [00:14:25] Oh man you know we're moving into performance review season, of course he was correct. But I would also just like to note we will find some time to bring back another update on Council efficiencies. Don't have that known yet, but we'll identify that. We'll also put a agenda item together for the TRT. I heard discussion about that. We will see when that is ripe. And then it's a question really for the Council, I believe it was the SAS made a recommendation to move the salmon risk management framework. So that's something I put out there for your discussion and consideration.

Pete Hassemer [00:15:05] Thank you. Corey Ridings.

Corey Ridings [00:15:09] Thanks Chair. I have a question and then just a brief comment I think for either Kelly or the Executive Director, which is looking at the percentages of the staff time that you showed us at the beginning, and thank you for outlining this in a table, this is really helpful to understand where workload is going. Are those increases or is that overtime, I guess I'll call it, or above a hundred percent, is any of that due to the lack of federal partners or federal staffing and the furlough we just had?

Merrick Burden [00:15:51] Yeah, I appreciate the question. I don't think it is incorporated directly into those estimates. Just to give you some insight, what I do is I ask all the staff to go through a table I have and then provide estimates for how much of their time they're going to be spending on each of these projects within each of those tables. And so when we did this, yeah, we were in the middle of the furlough, but I don't.....we weren't doing any like scenario planning or anything about there being federal staff or not being federal staff. I think it was more through the usual course of business if it happens the way we're used to what would that look like?

Corey Ridings [00:16:42] Thanks. And I just looking at this, you just realize how hard Council staff works and how much they put into this. So I just wanted to publicly say thank you for that and thank all the Council staff for their work and putting in this extra time and I hope in the near future we can get to a place where just a hundred percent is expected and just express gratitude for what they do to make all this happen.

Pete Hassemer [00:17:14] Thank you. Anything else? I...not seeing any hands, Executive Director Burden have we completed our work on this agenda item?

Merrick Burden [00:17:30] Yeah, I think we are complete. Thank you very much for your input and I'm just kind of looking at Kelly to make sure she's not raising her hand. So I think we are complete here, and yeah we will take a look at these items and update our plan for the year after this meeting. So with that I think your work here is done Mr. Chairman.

Pete Hassemer [00:17:49] All right. Our work is done meeting for November.

D. Cross Fishery Management Plan

1. ~~**National Marine Fisheries Service (NMFS) 2025 Accomplishments and 2026 Priorities**~~ **- CANCELLED**

2. Council and NMFS Workload – Capacity Alignment

No transcription for this agenda item.

3. Marine Planning

Butch Smith [00:00:00] So now we're at the point where we have discussion on this subject. I'll open up the floor for discussion. Ooh, tie. I'm going to go with Dr. Lent.

Rebecca Lent [00:00:15] Thank you Mr. Vice-Chair. And again, good morning everyone. This has been an interesting series of comments. Most of them are are a little bit it's not ready, it's not right, all kinds of problems, and it's good that we're focusing on that for the future of these projects. I think it's also important to remember that we import 90 plus percent of our seafood, and more than half of that is farmed seafood, salmon and shrimp primarily, and more than half by value for sure. So we're having an impact on the world through fish farming, like with other fisheries, through what we're eating. I have to believe that it could be possible, and there have been advances in aquaculture to address some of these issues, and I hope we keep an open mind to that. I'm just having these thoughts about whether or not we could do something like bluefin tuna farming. This is something that I experienced through my work with ICAT. And that the beauty of this if you do it right and you pay attention to the environment and to predation by marine mammals, is that you scoop up these fish, these beautiful bluefin tuna and you put them in a pen and you let them calm down and you feed them, and when they're not stressed out you take one out and you butcher it right and you send it to Tokyo and you get top quality, top price. It means for the same amount of fish there's more income generated and more value generated. So that's just one example of where careful fish farming or fattening type approach, which is being done in Baja by the way, not far from San Diego. There are opportunities there and let's keep an open mind and make sure we are paying attention to all these other impacts. I want to just say that the last comment raised something that I learned, I didn't realize Ryan that Magnuson-Stevens does include fish farming aquaculture, so I'm smarter. Thank you.

Butch Smith [00:02:21] And I just....Dr. Lent, you weren't suggesting that our fishermen don't have high quality fish, you were just suggesting it was another.....okay. Jaime.

Jaime Diamond [00:02:34] Thank you Vice-Chair. And I just appreciate the opportunity to touch on this again. Southern California has had some small scale aquaculture projects. There's, there was one that I think I'm just going to highlight because it was incredibly disastrous and it was in some of the public comments, the Catalina Project, the Catalina Sea Ranch Project, which actually resulted in loss of life because it was not properly maintained. And it was a transiting vessel, a recreational vessel, and because the lines were not being properly tended to and they had had multiple violations of different kinds, it ended in the loss of life. The areas that are designated, while I don't know that those would be compatible for something like bluefin tuna necessarily, some of the other items that it would probably be most likely compatible with involve lots of lines in the water. And the zones that are identified are high traffic areas. They are currently, especially with the state of recreational and commercial fisheries in Southern California in areas that are currently a lot of the fleets are kind of pushed into because of our regulations right now, those are the fishing areas that recreational fishermen in the Santa Barbara Channel Zone fish frequently, especially during deepwater season, midwater groundfish activities, things like that. And so there's a lot of concern of conflict with existing fisheries in the area and, I'm just going to say, myself and Mr. Conroy and others since this was first brought up at a local level in the Ventura-Santa Barbara

County area, we have been weighing-in on for I believe 10 years or more now and to no avail with very little feeling like the input of industry had any value or input on this. And I note that the different agencies that are involved in the process, it does not include the Council despite the fact that this will have impacts on our fisheries if they were to be fulfilled, if these AOAs were to be fulfilled. Things like the Kelp Project that has been identified, and I believe they are one that has submitted for that larger area, they just, as Mr. Conroy mentioned, finished a pilot project, and I'm hearing some of the same rumors he is that they had left some gear behind. And I would just want to make sure that if that were to move forward it's that the people are starting on the right foot and if they are unwilling to do the work in a pilot project of cleaning up after themselves, I would be concerned moving them into a larger project. And then the kelp, the other part of the Kelp Aquaculture Project particularly is the idea that that would create a FAD, a Fish Attractant Device. Kelp is a lovely thing in our area and fish do love it and there's concern from fishermen that this would either bring fish off of other surrounding areas to there, and then it would be more difficult essentially for fishermen to have access to the fish stocks that they normally would be fishing on and so, because it would be pulling them from their area, becoming a more difficult place to fish in. Also, that kelp project, as far as I know, is not, well I won't get into that. I just, I have a lot of concern. I would like the opportunity for the Council to write a response letter or have the Habitat Committee and the MPC monitor and when the opportunity is appropriate for us to write a letter I would appreciate that opportunity. Thank you.

Butch Smith [00:06:59] Thank you. Mr. Ugoretz.

John Ugoretz [00:07:03] Thanks Mr. Vice-Chair, and thanks to both Dr. Lent and Miss Diamond. There's a lot there, and obviously from the comments we heard and from the statements on the floor there's quite a bit to discuss. I could respond and agree with and debate some of the things that were just said I think for hours, and I don't want to do that because it's not the time. I too I share the concerns. I share the potential for opportunity, but the devil is in the details and we need to see full project proposals. So definitely agree with what Miss Diamond finished with that we need to let our advisory bodies monitor this, let us know when there is something specific to comment on. If needed, prepare comments in between meetings on a rapid response. I will....the one thing I will point to that I heard regarding the existing pen-raised bluefin just south of the border, literally miles from San Diego, yes, that operation has been ongoing for many years. Yes, it is a highly successful operation. I have navigated through that area. It has constrained my ability to transit personally. And I have really grave concerns if large scale pen raising occurs in Southern California or Central California to the feed sources and how will we be getting enough food for those fish when we are already constrained in our ability to catch CPS off California.

Butch Smith [00:08:57] Thank you. Any other comments? Discussion? Corey.

Corey Ridings [00:09:05] Thanks Vice. I was just going to speak a little bit to the recommendation from the MPC and the Habitat Committee around the National Oil and Gas Leasing Program, the draft proposed program, which I understand is going to be coming out very, very soon. So just endorsing their recommendation to leverage the Council's ability to respond to that. I think it's important for many, many reasons. I'll crib John here and just say we don't need to go into them today but just say it's important. The only thing I'll add is just the importance of also methane gas hydrate seeps I think were not included in the MPC Report, but it's something that's come up and

I think is important, so I would just encourage the MPC or the Habitat Committee to think about that if it appears in any of these documents and in that consideration. So just echo big thanks to the MPC and the Habitat Committee for doing such a good job on this.

Butch Smith [00:10:04] Thank you. Any other comments? So oh, I'll try again. Brad.

Brad Pettinger [00:10:17] Thanks Chair. No, I just look at the map there and I just think about the the spatial displacement from folks in that area, and if that was going to be in front of my port I think I'd be a little concerned, at least the locals would be. I would think we probably should speak for them. I just like....that could be a pretty big footprint so I think we should always be cognizant of that. Understanding where Rebecca's coming from, I mean there's....certainly we're importing lots of product from areas that are not raised near to the standard that we would have. So but just for the locals like they.... I can definitely feel their pain given the, or potential pain given that the wind farm was going to be off of Southern Oregon off my front door. So thank you.

Butch Smith [00:11:01] Mr. Ryan.

Ryan Wulff [00:11:08] Yeah, thank you Vice-Chair, and good morning everyone. I just wanted to take a moment to thank the Council for the comments that it gave NMFS on the Draft Programmatic EIS a little while back. We tried to address those in this final EIS and as noted that's of course just a long-term planning effort as colleagues around the table have already noted. The next step really is at the project level once we actually see things come in. So from a NMFS perspective we are committed to keeping the Council informed. We will be looking for ways to not only engage the Council but stakeholders and anyone interested on this. I think Miss Quan mentioned on the first day about a little bit of the rebalancing that has happened in the region. Part of that has moved the aquaculture, our two regional coordinators, both for California and the Northwest under my division, so we have the ability to have direct outreach with them for anyone who's interested or has more questions we're always available for that. As noted by Mr. Conroy, when we get to the project level, that will typically be the Army Corps of Engineers as the action agency, but they do have to consult with NMFS under ESA, MMPA, and EFH so we will be in the consulting agency role, but we won't necessarily control of the timelines. We can do our best to have things overlap with Council meetings, but again, we'll be committed to keeping you all aware and looking for ways to engage and welcome to take any recommendations for how best to do that going forward once we start to see things come in. Thanks.

Butch Smith [00:12:49] Thank you. And you know, just to say it being from Washington that we've had some issues with salmon farms in Puget Sound. A few non-native species have escaped. A few net pens have collapsed and released more and then the pollution that they have created underneath them. So they're not without need to be well thought out before you just dive into throwing a net in the middle of the ocean. Miss Diamond, I'm sorry I cut you off.

Jaime Diamond [00:13:21] Apologies. A couple more things. I just want to note that at.....for us a number of fish and game.....California Fish and Game Commission meetings we've had members of the public coming and talking about the, I guess remnants or debris left behind by shellfish aquaculture programs, that while they were in state waters it's still germain to this because it's just a part of the puzzle, and there was a lot of debris that was created and left. And I'm hearing that as

kind of a theme throughout some of the shellfish operations that don't work out, that a lot gets left behind. And then the other thing that I think is really important, and I've said this in public comment before I was on this side of the table, this particular area is at the Santa Barbara Channel Whale Heritage Area. It's the second such designation for the United States, the ninth in the world. And this is literally a whale superhighway. This is where the Blue Whale Blue Skies Initiative started for speed reduction for shipping lanes. And the idea of a lot of rope in the water and of a lot of things for the whales to navigate through is concerning. I mentioned that years ago at the first VFC meeting in Ventura for one of these projects that Mr. Conroy referenced, is pausing their application, most likely hoping to reapply for here. And so just highlighting there is going to be a lot.....the need for and concern about a lot of whale interactions with this. Thank you.

Butch Smith [00:15:09] Thank you. Any other discussion? Oh, Dave.

David Sones [00:15:15] Thank you Mr. Vice-Chairman. I kind of wanted to expand a little bit on what you were talking about in Washington. There really are lessons to be learned with these shelf, or finfish. I used to drive by the farm there in Cypress Island and it was huge and it broke loose and we had Atlantic salmon everywhere, in our streams. They had people out there trying to catch them to get them off the water. But British Columbia is also, and I believe now Washington, doesn't allow anymore net pens for Atlantic salmon, or what they're doing with steelhead I'm not sure, but British Columbia's also experienced a lot of problems with these net pens and finfish and there's lessons to be learned from them. Also the tribes have really been opposed to them up in British Columbia and it looks like they're finally getting traction and getting focus put on the problems with those operations. Thank you.

Butch Smith [00:16:17] Thank you. All right I'm not.....oh, Lynn Mattes.

Lynn Mattes [00:16:26] Thank you Vice-Chair. Slightly different topic other than some of this aquaculture stuff, but still under the bigger marine planning if we're ready to move a little bit. And hope you all have some patience with me as I'm pinch hitting for Mr. Harrington on this agenda item at this meeting. But I believe there was some guidance requested by the MPC on how to stay informed and engaged with offshore wind items without overextending staff or budget resources. ODFW aim is to identify a practical and well coordinated approach that allows the Council to stay involved. But given Council capacity is limited we would support Pathway 3 in the MPC Report that the MPC drafting a letter to DLCD, and this is specific to what's going on in Oregon, the Oregon Department of Land Conservation Development, acknowledging that the transparent process being used to develop the Offshore Wind Roadmap off of Oregon and requesting that any process to identify potential suitable sea spaces for offshore would be equally transparent. If this letter were to happen it would synthesize lessons learned from the BOEM process, much of which was already captured in previous Council correspondences to BOEM. We....or it is our understanding that the main person from DLCD has interest or could choose to host a webinar focused on regional fisheries that include interested Council members and advisory body representatives to seek any additional regional fisheries information. We as an agency, ODFW, will remain engaged and can provide Council updates on the roadmap process as appropriate. Just noting that we are not the lead agency. We are a consulting agency on this process. And this approach would not require additional Council agenda time. So just wanted to express those thoughts on the Offshore Wind Roadmap. Thank you.

Butch Smith [00:18:37] Thank you. Any further discussion? All right, Mr. Griffin do we have enough discussion for you to formulate some thoughts or do we need to maybe support the recommendations that.....what do we need to do, sir?

Kerry Griffin [00:19:01] Thank you Mr. Vice-Chair. I think this was a really good discussion. I think we have direction for sure on the Aquaculture Opportunity Areas. And we heard some suggestion from ODF and W about a path forward regarding the Oregon Offshore Wind Roadmap which they've been developing. I didn't hear much discussion about the National Oil and Gas Leasing Program, so one of the recommendations in the MPC report was that they should, and the HC, should continue to monitor that and report back and, you know, respond as appropriate. So if I missed some discussion I apologize, but I'm going to assume that the Council is supportive of keeping a close eye on oil and gas development or the the plan for that. So I guess to summarize, we'll keep an eye on these issues. And also we've had communications with Jeff Burright from Oregon on the their Offshore Wind Roadmap and they laid out a couple of options for having some informal, you know meetings or opportunities for sort of, you know, exchange of information and ideas, and then we'll keep an eye out for their draft final report, which I think is due in early 2026. If we don't suggest a comment before then we'll keep an eye out for that. So I think that summarizes the main recommendations and the discussion by the Council.

Butch Smith [00:20:36] Okay, so any further questions of Kerry? So have we completed this agenda item to your satisfaction?

Kerry Griffin [00:20:45] Yes, that completes your business under this agenda item.

Butch Smith [00:20:48] Okay.

4. Council Operations and Priorities

Pete Hassemer [00:00:00] I'll just confirm no public comment. That will take us into our Council task, Consider the Staff Reports, Provide Guidance on the Next Steps, As Necessary. While you're preparing to raise your hand I just want to add in here acknowledgement. I think the GAP and GMT Report did, but in Report 1 that the staff put together, one of the items on there in the second page was format for advisory body reports. That was supposed to be implemented by September 25. Sort of moving the recommendations up front or an Executive Summary. And at this meeting I saw a lot of that across a number of the management team and advisory body reports, and I just want to acknowledge that and thank them for implementing that action. I think it provided some significant benefits to us at this meeting. We were struggling with time on things and to be able to have those recommendations right there, concise, and then the detail and the rationale behind it covered as necessary was helpful. So just appreciation to the team, management teams, and advisory bodies for looking at that stuff and implementing it for this meeting. So with that, what guidance do we have on next steps? Any discussion to be had here on this item? Heather Hall.

Heather Hall [00:01:47] Thank you. I do want to start by appreciating the attachments in here in the briefing book that we had to show the progress, refresh ourselves on what we are trying to do and all of that, it it was helpful to have those there. And also just appreciate the input from the management teams and advisory bodies on this. I know it's hard to acknowledge the budget situation and at the same time say, but we want to be together, and it's important that we're together to do our work effectively. I do remember from September how hard that was for the teams to do their work, so I say that in acknowledging that this is going to be hard. But I appreciate the GMT in the GAPs Report that did offer an an idea or a step in that direction. And so I think the input also speaking across FMPs and management teams relative to when they're discussing spex, being together really important. Just flagging that is as something we can....I think we should think about when, you know, scheduling them. So those are my initial comments. I did also think about the template concept that's in Attachment 1 and like the approach that the management teams and advisory bodies have been doing to put their recommendations up front, Executive Summary type approach, rather than spending a lot of time to develop a template to use. So those are my initial thoughts. Thank you.

Pete Hassemer [00:03:56] Thank you. Lynn Mattes.

Lynn Mattes [00:04:00] Thank you Chair. I echo some of what Miss Hall said. You know, we're struggling with trying to do more and more with less and less. I spoke to it this way in our delegation meeting this morning. Our agendas are now all steak. There's no salad on them anymore. There, there's..... everything we're talking about is a substantive issue, which are needed, but that comes with a lot of time necessary. A lot of time for our advisory bodies as well as those of us here around this table. We had tried, we were going to try to get down to four or four and a half day meetings. What are we? I think we are, we had two very lengthy days and almost a full fifth day at this meeting. And then I look at March and April, which due to salmon timing I appreciate that they need that extra time. My recollection from our ice rink Committee-Of-The-Whole meeting in January of last year was during the spex years March was going to be a light groundfish meeting so that the Groundfish Management Team, the GAP, and Council staff could

be focusing on spex over winter and in March we would just be getting an update on spex in March of the even year. So when I saw the draft March agenda having 11 groundfish items I had a bit of a panic attack. I think we're down to 10 now because one of them is crossed out, and we'll discuss this more under another agenda item. So that did shock me, but then I was pleased to see that September in the even year will be groundfish light. I do still worry about what we're putting in March of, I don't know if it's just this year's special because of government shutdowns, change in administration, change in priorities, budgets, et cetera, but that's a lot to put on our folks. And, you know, I also thought part of the reason of trying to be groundfish light in March when we could was that way we didn't have our groundfish folks at a hotel in March when we had all the salmon folks, which could maybe open up some additional opportunities for hotels when we're just....instead of having both the very large salmon group and the very large groundfish group, we would just have one of them in-person. Things change, things are always in flux, but just was trying to remember back to what I thought we had talked about. I think we can live with the schedule. Later on today we may be talk.....I think we'll need to talk about March in particular. And yes, we just need to keep in mind as we navigate trying to cram five days worth of items into four and a half days does lead to us going late in the evening, which sometimes people struggle. I think it also leads to us not giving some agenda items the amount of time and attention they are due. I personally, even having been through this process multiple times, I felt we rushed the harvest specifications and management measures agenda item yesterday. I know where we were with time, but I don't think we gave it enough due diligence for all Council members to fully understand the actions that were being proposed. It was a range of alternatives so it wasn't as maybe as important of an action as when we do like FPA, but I do think we shortchanged ourselves and the work we need to do under some agenda items when we're trying to cram a whole lot of stuff into a short amount of time. I don't have a solution unfortunately. I hate to complain without a solution. It's just a couple of things I've noticed here in the last couple of meetings. Thank you.

Pete Hassemer [00:08:06] Thank you. Other discussion? Guidance? Marci Yaremko.

Marci Yaremko [00:08:14] Thank you Mr. Chair. I was hoping to hear a bit from Kelly, and maybe she can comment after I'm done here. I know she mentioned that Council staff didn't get the opportunity to prepare materials pertaining to ad hoc workgroups as well as when a group should meet when their FMP isn't scheduled on the agenda, so I look forward to hearing more, even though we don't have anything to review here today. A couple of things. I did notice this past year or two maybe that with regard to salmon we certainly have emphasized the need for those groups to be in-person working together in March and April. It's pretty much a must-do. But I did notice through the remainder of the year that there was some drift, I guess I'd call it, when the groups don't have another opportunity sometime in the fall to get together. So I know that did ultimately happen both these past two years they were able to get together in November in-person, and I just want to say thank you. I think that worked very well. I think we start to see a lot of drifting if if they are only together March and April and then they go their separate ways and don't get back together again for, you know 8 months, so I just want to acknowledge that and appreciate it. I again am concerned with, at least with regard to ad hoc workgroups. They seem to be meeting very frequently and for in some cases, you know, many days, and the membership on some of these workgroups overlaps with our management and technical teams, as well as overlaps with Council members. And it seems that oftentimes the work in these workgroups is progressing at a very rapid pace, like much quicker than the management entities can keep up with it. So I would

just flag that, that you know that causes I think a feeling that the, you know maybe the management entities and the ABs are maybe less important or, you know, they're not engaged in some of the work of these, you know, smaller groups that are focused on particular tasks. But you know I kind of am, you know, little yellow flags are starting to go off in my mind when I'm, you know, seeing how quickly content is being pulled together in the workgroups, and then the, you know, ABs don't have an opportunity to engage and review the content, especially if it's not on their agendas. Just also, while I appreciate the GMT and GAPs joint statement, I'm troubled by the word "exempt". I wish they had not used that term. I realize that they are carrying a very heavy load and the need for coordination is great, and when you have 11 agenda items it's really critical that everybody be together, but I don't know that that's any different in the case of say our salmon teams, and then certainly on case-by-case issues on the other FMPs and within the Habitat Committee, I mean everybody has those situations. So I guess I would just note that we love them all and they're all important and they all need to work together. So I guess I think that's it. I appreciate the discussion, and at the same time I don't know how much more we want to get into being prescriptive and setting guidelines. I appreciated Lynn's comment on maybe we don't need to go too far with templates. We like what we see and we can just say keep it up. So thank you.

Pete Hassemer [00:12:38] Thank you Marci. Corey Ridings.

Corey Ridings [00:12:43] Thanks Chair. I think this is actually a question for Kelly. Looking at Attachment 1, which is the summary of Council recommendations, timeline, status, and next steps, and someone I think already thanked Council staff for this document in particular, and I will second that. It is really helpful just to get these very organized updates on how staff is moving forward. My question I think is about the shading and sort of the next status and next steps. So I was looking at, I think it's actions, let's see, there's numbers there, six, seven, and eight, and just noting that they're queued up for next year but then there's nothing in the status and next steps. So I was just trying to get some clarity on what that gray-out means. It's seems like it's used differently across the document. And then Kelly you already talked about this a little bit, but if there's any other thoughts that Council staff wanted to share about sort of the TBD items that would be great. Thanks.

Pete Hassemer [00:13:46] Kelly

Kelly Ames [00:13:52] Through the Chair, thanks. Thanks Miss Ridings for the question. For those gray shaded items, you know I would consider them still in the oven baking. When we knew enough about those gray shaded items we did add a comment, so some of them we've had some discussion about and so I did put some comments there. There were other things, for example, like row seven or number seven, "explore a decision-making mechanism framework to determine effective AB sizing composition". That was a big part of our discussion when we did our last membership adoption and then appointments for the 3-year term. I have a lot of thoughts in my mind about how we might do that, none of which are ripe to kind of put out into the comment box. But you know, if there's no text in that column it doesn't mean that we haven't done some thinking about it. We just didn't really have a lot of concise summaries to tell you about our thinking there, but we're still working on those things and we'll make an assessment about when we're ready to bring those back to have a discussion. You know, there are recommended timelines from the

Council, that one as an example is March 26th. We'll see what we can do over winter and let you know if we've got something at that time.

Pete Hassemer [00:15:26] Thank you. Rebecca Lent.

Rebecca Lent [00:15:30] Thank you Chair. And for Miss Ames and for the whole Council, I mean this is kind of a lofty idea, but we're figuring out through, for example, the program review, where are the places where we're not succeeding? And as we look at these priorities and what we're doing, I wonder to what extent that's going to reflect the workload where we've met for the most part our conservation objectives but we're still not succeeding for other reasons, making sure that that's part of our plan for where we're putting in our effort, our meetings, and making the best use of our advisory bodies. Thank you.

Pete Hassemer [00:16:15] Thank you. Any other discussion or guidance? Executive Director Burden.

Merrick Burden [00:16:25] Yeah, thank you Mr. Chairman, and thanks everyone for this discussion. And I guess I just want to take a minute to just commend you all and all of our advisory bodies for continuing to work on this. We....this foresight and steady pace that we're taking is going to help us avoid some really calamitous decisions at the last minute that we'll have to make if we avoid this conversation. And so I think the approach that we're taking is good. I think the input from all the advisory bodies is helpful, and the steady pace that we're implementing these efficiencies and getting ahead of our budget issues is going to help us do this systematically and orderly and avoid situations like we had to do for the September meeting. So the context of that September meeting was we are running out of money, we don't know what's going to happen, and we have two things we can do. And so we had a meeting that I don't think anybody felt good about, and I don't want to have to do that again. So having these conversations like we're having now helps us to implement this in a systematic and orderly way, and I just want to thank you all for that. So that's it Mr. Chairman.

Pete Hassemer [00:17:46] Thank you. Brad Pettinger.

Brad Pettinger [00:17:48] Yeah, thank you Chair Hassemer. I'd just like to thank our Executive Director for the the vision that he had to do the Committee-Of-The-Whole meeting almost two years ago getting ahead of this curve. I can't imagine going down this path a year plus later. You know we've had time here to work through this and we're still working through it and just anyway, just way better scenario now than it would be if we didn't do what you'd laid out for us a year and a half ago plus. So thank you.

Pete Hassemer [00:18:22] Thanks. Any other discussion or guidance? Not seeing any hands right now. Kelly, can you summarize?

Kelly Ames [00:18:32] You bet. Thanks Chair Hassemer, Council members. Under this agenda item you received some really robust comments from the advisory bodies about the proposals that were in the briefing book, gave us some good considerations to think about. Some of those considerations require discussions with National Marine Fisheries Service. Just as an example, that

CPS Report and kind of thinking about the sequencing and timing of stock assessments, certainly something we're going to take into account and think about how to move forward with that sequencing. You also had some good discussions here about trying to thread the needle and finding the best way to address these budget implications while also ensuring effective decision-making. Executive Director Burden and I will take into account the discussion and the advisory body reports, do some reflections on that, and we will let you know when we're ready to bring this back for your consideration and further guidance. When we get to the next agenda item you'll see it's not on the YAG. I'll just be frank that there's a lot of timing considerations right now with the workload and having NMFS kind of back at the helm and we just need to really think about the sequencing of all the things that we need to accomplish, and we'll let you know in March when we're ready to bring this back for further guidance. But I think we've made some good headway here and I feel good about the direction we're going. Thank you.

Pete Hassemer [00:20:04] Thank you. Anything else to add? Not seeing any, we'll close out that agenda item.

E. Habitat Issues

1. Current Habitat Issues

Butch Smith [00:00:00] So I guess with no public comment I'll ask to see what we we would like to do here Mr. Kerry.

Kerry Griffin [00:00:12] Well, I think if the Council would like to have some discussion I could maybe tee that off with just reiterating some of the recommendations that were in the HC Reports. I think they're consolidated pretty well into into the main report, Report 1, which now I lost somehow. But they key in on two.....there are four bullet points at the top of Report 1 and they key in on the California water issues, potentially communicating with federal and state agencies and requesting this briefing. The Habitat Committee also talked about the notion of maybe the HC could invite someone from the Bureau of Reclamation and the, you know, State Water Resources Control Board to come to talk to them first, which I think you also talked about. Maybe that would lead to an invitation, you know if the Council wanted to do such a thing, to come talk to us. So that was one item. And then there were a couple of upcoming comment periods that the HC and and also the MPC will keep an eye out for with regard to the oil and gas leasing and AOAs that are coming up. And then also there's that Chehalis Basin EIS. There's a state EIS that's coming soon, but then there will be a federal EIS expected in the spring of 2026. And then the last suggestion was about extending the salmon EFH review call for information comment period, which currently ends December 3rd, but with the shutdown of the government it hobbled. It seems not only the ability of federal agencies to bring information forward, but maybe other entities that needed or wanted to consult with a federal agency. So maybe before they submitted some information they wanted to call their local NMFS office but they weren't able to do that. So anyway, that sort of summarizes the recommendations from the Council. So I think it'd be good to get some direction on next steps.

Butch Smith [00:02:34] Thank you for your direction. John North.

John North [00:02:37] Thank you Mr. Vice-Chair. I guess a follow-up question for Mr. Griffin on that last recommendation. If we were going to extend the....recommend extending the deadline for the call for information and the report, which I support, what would be the pathway? Would you have any suggestions? Like was that something we'd right now through a motion or would that be something we do later in the meeting or? Just thinking out loud.

Kerry Griffin [00:03:10] Yeah, thank you Mr. North, Mr. Vice-Chair. The call for information was endorsed by the Council, but then it was the Executive Director who gave the final go-ahead to post it on our website and send out the e-blast. So in my view the, if the Council, you know, voice support for extending that then I think we could huddle with Council leadership and the National Marine Fisheries Service and figure out, you know, is this like a two-week extension or four-week extension? We can also think about the implications for the 2026 Council meeting schedule. Right now the Phase-1 Review Report is scheduled for April, so you know we want to think about implications also. So that's how I see it and Merrick's not giving me dirty looks, so I

think if the Council endorsed it then we could huddle and figure out the best approach for how to make that work and how long to extend it for.

Butch Smith [00:04:14] Christmas miracle early. Any other questions? Miss Ridings.

Corey Ridings [00:04:20] Thanks Vice. Not a question. I was just going to....Kerry, thank you for summing things up so nicely for us. And thanks again to the Habitat Committee for both of their really excellent reports and taking the time to put everything together. Just so deeply appreciative of that. And I was just going to voice my support for everything Kerry laid out and moving forward on all of those items.

Butch Smith [00:04:45] Other discussion? Miss Quan.

Jennifer Quan [00:04:53] Yeah, just on the issue of, you know requesting agencies, action agencies to come in and talk. You know I spoke earlier about staff capacity and loss of expertise and I would just say that's happening, you know, across all federal agencies. And so just something to be mindful for about. If that's some.....if we are moving towards a letter in that direction I'll just say NMFS will probably abstain.

Butch Smith [00:05:38] Not seeing any other questions. Director, you have any comment? Kerry, shoes on your foot now.

Kerry Griffin [00:05:55] Okay, thanks. I'll put my shoes back on both feet now. And I think that summar.....or that concludes your tasks for this agenda item, so we'll go have some discussions about extending the comment period and then also about how to go about requesting reps from other agencies to come and decide whether that's best to talk to the HC first and sort of, you know, maybe we can share with them this report and get a readout and then come back to the Council with, you know, sort of additional information in the future and take it from there. So I'll talk with Merrick and Kelly and NMFS and I think we can take it from here, so good discussion. I think we have good direction.

Butch Smith [00:06:44] He did have a question. Executive Director?

Merrick Burden [00:06:47] Thank you. And just because there are a couple of, I guess balls in the air for lack of a better word, so we'll keep talking as we do as staff and we chat with our federal partners. And if there is an additional consideration for you all we can bring that up under workload planning. That might affect what we think about these letters, but I think that's just a matter of course. So just wanted to make that clear.

Butch Smith [00:07:13] Okay, well I think we've done our job here. And before I hand the gavel off to Mr Hassemer I think we'll take a 10-minute break.

F. Groundfish Management

1. National Marine Fisheries Service Report

Pete Hassemer [00:00:00] We have no public comments signed up that I see, so any discussion on this item? As we anticipated it might be a brief report following the shutdown. So I'm not seeing any hands. Todd, anything else we should do?

Todd Phillips [00:00:30] Thank you.

Sharon Kiefer [00:00:32] Mr.....my hand is up.

Pete Hassemer [00:00:36] Sorry. Sharon Kiefer.

Sharon Kiefer [00:00:39] Thank you Mr. Chairman. I just did have a question. I certainly....I mean great kudos to NMFS for the work they were able to do with the survey under very, very challenging circumstances. Circling back to the Salmon Bycatch Report, recognizing I can appreciate with the government shutdown that was not completed, but just curious if there was kind of an expectation of completion and when that might be reported to us?

Pete Hassemer [00:01:14] Craig, if you're on I think that might be directed to you.

Craig Russell [00:01:20] Yes, indeed. Through the Chair, thank you Miss Kiefer. We.... the delay with the Salmon Bycatch Report is not just because of the furlough. We also lost through the previous losses of staff some of the key folks that have worked on that, so we're still working through what that report will entail and exactly when we'll get that done, but that continues to be a priority for us and we're working closely with the region on that too. So I wish I could give you a little bit more clarity as to when that will be done, but this is one of the impacts as well, not just the shutdown but also the staffing.

Sharon Kiefer [00:01:59] Thank you. That clarity helps.

Pete Hassemer [00:02:03] Thank you Sharon. Other questions? Not seeing any then, Todd?

Todd Phillips [00:02:11] Yes, thank you Mr. Chair. Yes, well I think we all expected this to be the case for this particular agenda item. I would say that you have both heard from the region and the Science Center and there was a little limited discussion there which achieves the goals and tasks of this particular agenda item, and it'd be my opinion that you are complete.

Pete Hassemer [00:02:29] All right, thank you. We'll close the books on this one and let you switch chairs.

2. Adopt Stock Assessments

Pete Hassemer [00:00:00] That will complete our public comment then and take us to our Council action. Wait for that to pop up on the screen, and there it is. Adopt the Stock Assessments as Appropriate and Catch-only Projections for Bocaccio and Black Rockfish. Any hands to start the discussion? Lynn Mattes.

Lynn Mattes [00:00:29] Thank you Chair. I'm thinking it might be easier to start with Number 2 and then go to Number 1. Not to preclude anything else, but when it comes to that point I do have a motion ready for Number 2 if you want to take the low-hanging fruit.

Pete Hassemer [00:00:49] Go ahead. The order doesn't matter. I don't see any other hands here so....

Lynn Mattes [00:00:55] Okay. The fine gentlemen at the tower of power I believe have it. And I need to be able to read what I wrote. I move the Council adopt the catch-only projections for black rockfish off of Oregon and bocaccio as shown in Attachment 1 and Attachment 2 respectively.

Pete Hassemer [00:01:20] That language on the screen appears accurate and complete, do you agree?

Lynn Mattes [00:01:23] Yes sir, it does.

Pete Hassemer [00:01:25] And is there a second? Seconded by Brad Pettinger. Please speak to your motion.

Lynn Mattes [00:01:29] Thank you Chair. I really do appreciate the work that the STAT Teams, or the NMFS folks did before they were....had a lengthy vacation, unpaid vacation, to redo these catch updates with the old sigma calculations. I think there's some additional discussion that needs to happen on the new sigma calculations, but appreciate going back. The net result was minimal, but it was trying to be very transparent and open with the process we were going forward and this does get there. Both the SSC and the GAP recommended to use these for our specifications going forward. So thank you.

Pete Hassemer [00:02:13] Thank you. Questions for clarification on the motion? Seeing no questions, discussion on the motion? And there's no discussion so I will call the question. All those in favor say "Aye".

Council [00:02:30] Aye.

Pete Hassemer [00:02:32] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. That takes care of Task 2. And we'll come back to the first task. Brad Pettinger.

Brad Pettinger [00:02:50] Well, I might as well start it off I suppose. Well, first of all I just want to thank Jeff Lackey and the gang out of Newport there, the MTC folks for really kind of bird-

dogging this thing here. I just got a piece of red meat on the table. I didn't want to get in the middle of a feeding frenzy so I didn't really get involved too much as far as their review of this, but they've done a great job, I think, of just dissecting this and showing where I think there's the deficits as far as the outlook of this stock. I think it's really important to really figure out, or get laid out as far as where this fishery is occurring, that's why I asked Kurt that last question, because there's not much happening above the Gray's Canyon. There's not much happening south of Hecata Head. I know that there's the high spots was always a big widow rock spot, the 800 rock just south of that. I think about Rogue River Reef is just a big hot spot, and on and on as you go down clear to the.....off the football down off of San Francisco. We've got a vessel that's been fishing out of Monterey the last couple years and we get a smattering of that in the bottom trawl net. We've got bitter water gear, but we don't fish down there for widow because it's...that's deemed more of a, at least for folks down there, more of a frozen fish market than fresh, but we certainly catch a few in the bottom trawl net, but then...and our boat running back and forth can certainly see it. I know that our skipper, one of our skippers has fished out of Eureka for a number of years and going over top of the Pinnacle Patch there south of the River Canyon I mean they're just, there's schools everywhere. I remember we bought midwater gear to propagate a fishery out of Eureka and then the plant never did really commit to buying it, so not much off there. So it's kind of a shame we didn't get something going on there and since that plant is not processing at all anymore in there. I think about in....I think the 2011 assessment I believe, up until 2011 I think we were about three or four hundred ton, it was the ACL I believe, as we were rebuilding the stock after the overfished declaration. And I think in the 2011 assessment when we're working through the spex cycle, we were going to go to 1,500 metric ton for an ACL, and I think it's kind of funny but back then that there's actually a minority statement in the SSC about going that high because they really didn't want to jeopardize the rebuilding of widow rockfish. We've done 21, no, about 190 million pounds in the last 9 years of this stock without any degradation in the catch per unit effort in maybe 30 or 40 percent of the coast, maybe. And I know that this, you know we're basically we're fishing this stock down, I get that. And we're going to expect, you expect the ACL to drop some, a steady drop, but I think what we've been....what's been proposed to us it seems very unlikely and certainly not realistic. I think the fact that there's no bottom trawl fishery for this stock anymore, so if it's the older fish that we're worried about as far as contributing to the recruitment, those fish are not accessible anymore with the gear that we use nowadays. There's a lot of precautionary things that we've built-in through closed areas, gear restrictions, and those I think we are reaping dividends for us. But I think that.....anyway I just, I would hope that we would hold off on moving forward with this as for setting an ACL for the next couple years. I think we put more information needs to come in here and I think maybe there's some, hopefully some middle ground or something that we could not to take to cut they're talking about moving us to because certainly the facts the fleet's seeing....and I would probably maybe put that to Kurt as he mentioned that there's a lot of spots. They go to the big spots. There's probably a little bit of widow rockfish over a lot of those rocks up and down the coast that we never even see. So....and I will final....I will say that the fleet did a lot of work looking at rockfish abundance in the yachts. I know we had some of the vessels go out with a cage, open cage with a camera on it and actually do some.....a lot of acoustic work. And I think that that work probably was curtailed because when the new, when we had the new, the 2015 assessment was kind of gave us no rationale to keep moving on that. I'll stop there.

Pete Hassemer [00:08:05] Thank you. Any other discussion? Thoughts? Lynn Mattes.

Lynn Mattes [00:08:12] Thank you Chair. I do want to echo the thanks that has been said elsewhere, especially Mr. Lackey, the time and attention he has put into this and attending the meetings. Miss Mann, Miss Nayani, really trying to provide that industry perspective. But also acknowledge that the groundfish, the SSC Groundfish Subcommittee, I think made a real effort to try to incorporate their information under that review that happened. So just express the appreciation for the continued trying to work and communicate together. Always room for improvement. This is maybe a process-type question, and I'm not sure if it would be for Miss Bellman or Executive Director Burden. If we do not adopt that assessment at this meeting at this time and instead go with the SSC's recommendation to do another what we used to call mop-up, do we need a motion for that, to do that, or would it just be guidance? Thinking procedurally how we would proceed. Thank you.

Pete Hassemer [00:09:23] It appears Executive Director Burden will answer it.

Merrick Burden [00:09:28] Yeah, thank you. I appreciate the question Miss Mattes. Let's see, I think you could do it either through a motion or through guidance. It's really a matter of process. So I would say a motion is appropriate if you think there's controversy, and so that makes it clear to us. If there is the desire of the Council to have this second supplemental review, whatever we want to call it, what we would be looking for is some direction from you about what the scope of that review would be. And so usually we would have a Terms Of Reference that we would assemble. The SSC has proposed some specific narrow questions of that supplemental review. My question to you is do you agree with that? And so we wouldn't have another chance for a Council check-in on what that scope is. We would need some direction from you about the Terms Of Reference from that supplemental review.

Pete Hassemer [00:10:30] Thank you. Other discussion then following on that? Corey Niles.

Corey Niles [00:10:45] Yeah, I think I'll try to for the sake of time, I'd really....I won't go into all the thoughts about here, but there, yeah are some real quest..... I guess my preference if....I'll just, I'll say, if this were the halibut world or the whiting world I think we would be finding a way where they have, you know, decision tables and more flexibility to make some more balanced decisions. I think what we'd want to be doing is given the seriousness of economic consequences here, have a full.....it doesn't seem like there's too much more data we'll have in two more years, but we will have a full STAR Panel and more time for back and forth as Dr. Shaffler told us. But you know, until that time, you know, there is possibly a cost....there's possibly a false alarm here that has economic costs to the, to our fishing communities, and in looking at even the current assessment we have, the cost to the stock is much less, much lower. And I think.....so what I'm thinking, a long way of getting back to Merrick's question, I think yes, asking for that SSC review but cueing in on what Dr. Field said that, that Miss Kent in particular to have been asking the SSC to think out-of-the-box as part of that. The way....the cost to the stock, even if this assessment is correct is.....I think you could still ramp down catch more smoothly and be at above B 40 percent our target in 2029 when a full assessment would go into place. And so I'm wondering how.....in international world realms that would be a reasonable thing to do, and I think it's really just our, this interpretation that the OFL we can't go above it. It is the job of the SSC to set harvest level recommendations that prevent overfishing. I think there's more flexibility in that statutory phrase than we are using. Absent that I think we should take the SSC up on their offer, and it really was

a good review but the STAT was not there, the federal SSC members weren't there, so I do think this next review that they are proposing does have potential to do more than we've seen before, but I also.....that's, do that review but please, as Dr. Field said, listen to folks about.....think of the out-of-the-box ways we might kind of balance that risk of a false alarm and cost to communities versus the risk to the stock.

Pete Hassemer [00:13:35] Aja Szumylo.

Aja Szumylo [00:13:37] Thank you Chair. And I just.....I won't restate the things that Corey said. I think he said that really well. The other thing that stood out to me was the need to start working on collecting additional data to feed into a new assessment. We're going to get the same result if we.... you know, again I hear disagreement that we need to do a new benchmark across both the scientific and industry groups, but if we do not spend this time in between also pulling in additional information then I think that we're going to end up in a really similar place. And so I don't know how to get there, but I think that that should be a part of anything that we think about moving forward is, how do we get that new data. And then, yeah, I really want to sit with and echo Corey's call for thinking outside of the box and balancing impact sufficient communities here. I was pushing on the economic questions in particular because of.....I think people should take industry's engagement here as an indication of how important this is and how dire things are, and not as them being just like nitpicky or, you know, like they are speaking from a place of a lot of concern. And so if there is, if there's not this like full confidence that a 50% cut is absolutely the right answer right now, then I think....and if the October 2025 assessment does not allow us to, if taken, if adopted as BSIA does not allow us to phase-in according to the rules of Magnuson as it is, I do need that out of....I'm asking for that out-of-the-box thinking from the SSC too. And I think that there are some options that are there in the FMP. They....you know they listed one in the SSC Report that's possible. I don't know if that guidance to think out-of-the-box needs to be.....well yeah, maybe that's what I'm opening this question up to with everybody else, is there dissent around the need to think outside of the box right now? And if so, that's the place where we need to go with a motion, and I think we try to work together to come up with one if there's dissent that there needs to be out-of-the-box thinking.

Pete Hassemer [00:16:04] Thank you. Rebecca Lent.

Rebecca Lent [00:16:06] Thank you Chair. And I'm not sure where we are in the process, but what I heard a few minutes ago was using as a directive the report from the SSC with the tables talks about request for the STAT to address prior to the SSC review. So there is a mention in the paragraph above that, "Furthermore these models do not account for the considerable changes to the fishery". I assume that means listening to what is being heard from the fishing industry, shifting effort, whatever, I'm not absolutely certain, but if we heard, and we did hear some compelling testimony about how these things happen because fishing happens in one place and surveys happen in another place, I assume that the next round, if not this next mop-up, but the next benchmark would take into account to the extent possible the input from the fishery itself. We heard some compelling testimony about that today and I hope that will be considered. Thank you.

Pete Hassemer [00:17:14] Thank you. Jaime Diamond.

Jaime Diamond [00:17:16] Thank you Chair Hassemer. I am....a question off of Executive Director's response to Miss Mattes. Do we need to come up with those things right here right now, or can we come back to this later in the meeting to identifying those things for the SSC?

Pete Hassemer [00:17:38] Executive Director Burden.

Merrick Burden [00:17:40] I do believe we could find time on the agenda to squeeze in a return back conversation and give you some time to formulate your thoughts about what that supplemental review would look like. So all that is to say, I don't think you need to force it here. I think we can find a time to come back.

Jaime Diamond [00:17:59] Thank you very much for that answer. And sorry, one more thing. I'm just...I'm putting it out there because I don't want to leave this behind. I I'm going to say it now because it wasn't said during early enough, I feel like during the unfortunate quillback issue, but a pause button would be lovely. I'm just putting it on, putting it out there recognizing that's not something that's probably going to happen right now, but I just...I have to say it. It, this....the repercussions of this going sideways as it stands are right there, and so if there is.....if we can find a creative alternative way through until we can get to something else, yeah just got to put it out there. Thanks.

Pete Hassemer [00:18:56] All right, thank you. And just a reminder on some of this, as Mr. Niles pointed out, that what the SSC has laid out, there's a fairly descriptive, maybe prescriptive table that spans two pages on how their process could occur, but that's for your decision. Lynn Mattes.

Lynn Mattes [00:19:20] Thank you Chair. I was debating whether or not to speak up on this, but as we move forward with this process, it seems like there's some general, of a general feeling I'm getting around the table is to not adopt this assessment at this time, go to the second supplemental review, et cetera. As we're thinking over the next three or four days, and this I can't let my old GMT hat go, the GMT is going to need some guidance on what to do about widow rockfish over there for their over-winter analysis. So if we collectively have some guidance to them to help them in their process, you know, maybe.....these are two separate conversations but since we're kind of thinking about widow over the next few days it seemed like a good point to bring it up and say, hey, let's think about what guidance we give the GMT and Council staff as they work on spex. That'll come up under F.3 or F.8 later in the meeting. So thank you for letting me look after the GMT again.

Pete Hassemer [00:20:30] Jen Quan.

Jennifer Quan [00:20:32] Yeah, so I just....you know I know the furlough threw a wrench into this, but I just wanted to add and let folks know, you know we really appreciate the SSC and others supporting and our recognition and need of having NMFS at the table as part of the solution here. And we support keeping the door open on this assessment right now as we continue to evaluate what the path forward should be over for the next biennium.

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

Corey Ridings [00:21:04] Thanks Chair. I was going to respond to a couple things, but first Miss Szumylo put out there kind of this out-of-the-box thinking and I think Mr. Niles did as well, and just generally I think that as a whole this Council certainly behooves itself to be thinking creatively and to be thinking out-of-the-box generally on all of our agenda items across all of our FMPs. So I agree, I think that's a good thing and it's great to hear a stock assessor and NMFS saying that they are also thinking that way. I would maybe put some.....I'm getting the feeling this might be coming back later in this meeting, but I'm just going to voice that I do think that that does need some sideboards because this needs to get done. And I think I heard Dr. Field say that, you know they could engage in out-of-the-box thinking in January, which I think is when this tentative, ah shoot I'm going to say it, mop-up, second mop-up would happen. And then I also wanted to reiterate Chair Hassemer noted again that SSC did provide.....they went to the trouble of laying out things that they wanted to see, and so I think that should be central to whatever we ask them to do, that's important. And then also just in light of the larger situation around the federal budget, I would just really encourage us to make sure that that meeting happens in January if we do decide to move forward with that later. This clearly is of high importance in timing and so let's just make sure that happens.

Pete Hassemer [00:22:47] Thank you. So, and let me suggest a path forward but it.....did you have something Corey? Go ahead.

Corey Niles [00:23:00] And I think this goes with.....but I just I want because I.....watch the words that come out of my mouth, they....sometimes it's hard. But I do want to respect that the...I mean this....I really think....yeah, I believe thinking coming back with more time on what the Council expects others views is a good idea, but recognizing that we give a high deference to the SSC on how they structure the reviews and to what they know is most feasible to do. And we....as we...I don't know if this is the right way to phrase it, but the OFL decision is their decision, so I just I think we have to recognize....I just wanted to voice that that I do recognize that. And while I think maybe Miss Ridings, speaking of sideboards, I don't think the Council should be too.....not that people have said that, but be too prescriptive in what the SSC should be looking at. But thanks Pete, sorry for indulging you there. I'm looking forward to your recap.

Pete Hassemer [00:23:54] So it's getting late in the day, we have a banquet, I sense we're not ready to make the decision on where to go. We would suspend action on this item and come back in the morning, allow the Executive Director and Deputy Director to look at the schedules and see when within the next couple days we could fit that in. And the expectation, I think, on when we take it up again is we would have some fairly concrete thoughts on what we expect from this supplemental review. There was a mention of terms and reference. I would just note in my mind it's a little difficult to think, associate Terms Of Reference with out-of-the-box thinking. How much you want to constrain that? So think about what the out-of-the-box piece is and also the model review. And as we said, the SSC has laid out a a fairly quite descriptive pathway there that you could look at and use as guidance. And there was some other recommendations in the GAP Report there and the GMT Report. So unless there's discussion that helps that, Lynn Mattes.

Lynn Mattes [00:25:25] Thank you Chair. If at all possible having this before F.3 comes on the floor would be helpful because this decision....parts of F.3 will depend on this decision I think. I know it may not be possible, but that would just be a preference in the flow of the dominoes that

have to flow. If it's not we'll just have to delay that, the widow piece on F.3 under the harvest specifications. Thank you.

Pete Hassemer [00:25:57] All right, I'm sure they'll take that into consideration. Executive Director Burden.

Merrick Burden [00:26:03] Yeah, thank you. And if that is the will of the Council to come back later in this meeting to decide on the nature or what have you of the supplemental review, Kelly and I and some of the other staff officers, we can huddle and sort of pin down the best time that we could do that and we can report back to you first thing tomorrow morning. So right now we're still trying to figure out when that would land, but we could have an answer for you in the morning.

Pete Hassemer [00:26:34] Thank you. Corey Niles.

Corey Niles [00:26:38] Thanks. Just one quick....yeah, I think that's the way but I just....I don't know if F.3 would be.....but I mean I think widow....we have a bit of a lucky here in that widow is not canary rockfish where it doesn't affect every sector that we have. So I mean it's maybe it's before F.8 I would just throw out, but I trust Merrick and staff to figure it out.

Pete Hassemer [00:27:02] Okay, is that agreeable then that we suspend action on this agenda item? We'll come back and hear when we will....tomorrow morning we will hear when we have an opportunity to take it up and that'll give you some more time to think about it. So is that good? All right, so Todd sorry we didn't wrap it up but so stay tuned, we'll be back.

Pete Hassemer [00:00:00] I'm going to turn it over. I believe Marlene Bellman is online to give us the introduction, refresh us on our Council action on this one. Marlene.

Marlene Bellman [00:00:15] Thank you. Good morning Chair Hassemer, members of the Council. We are again on Agenda Item F.2, Adopt Stock Assessments. As Merrick mentioned, the Council began working on this agenda item on Saturday where we had an overview and you had advisory body reports, and you began your first Council task which included adopting the catch-only projections for bocaccio and Oregon black rockfish. So the task today to focus on is related to the adopt stock assessments for use in fisheries management, which at this point includes the 2025 widow update assessment. And I think that is the focus for today's action. Thank you.

Pete Hassemer [00:01:06] All right, thank you. We....as you know we've been through all the reports and the public comment. We just needed some extra time to think about this one. And so I'm going to look for a hand, someone to tell us what we've come up with. Any direction? Discussion? Corey Niles.

Corey Niles [00:01:35] Yeah, thank you Mr. Chair. I do have a motion which I just sent a few seconds ago to staff back there that several of us worked on and hopefully captures the approach that several of us have....would like to discuss this morning. But yeah, I don't know if...nope. Let's see if I hit.... yeah it did go, sent, so maybe give it a few more moments. I got Aja's out of the office email response so it did go.

Pete Hassemer [00:02:39] Aja, can you try forwarding it to motions and maybe coming from two different sources. All right, it sounds like it's.....colder air, a little harder to travel through the denser mass. All right, we're going to see it any second now. There it is. Go ahead Corey.

Corey Niles [00:03:21] Thanks Mr. Chair. Okay, with the goals of conducting a full benchmark assessment for widow rockfish in 2027 and setting 2026, and I left the two out of the 2027 there. 2026-2027 harvest levels consistently with National Standards 1, 2, and 8, I move that the Council request that 1: the SSC conduct the review suggested in F.2.a, Supplemental SSC Report 1 to review and recommend the best available widow rockfish assessment for use in 2026-2027. 2: Sorry can we.....I think I copied and pasted this without some of the track changes accepted, so can we....sorry about that, maybe we can.....can we have a minute here to get the right version? Apologies about that. Can never get the bunny in straight, the numbers, but the....okay with the goals of conducting a full benchmark assessment for widow rockfish in 2027 and setting 2027-28 harvest levels consistently with National Standards 1, 2, and 8, I move that the Council request that, 1: the SSC conduct the review suggested in F.2.a, Supplemental SSC Report 1 to review and recommend the Best Scientific Information Available for widow rockfish for use in 27-28. The STAT use that Best Scientific Information Available to project a ramp-down that departs from the proxy Harvest Control Rule while keeping the stock above B 40 percent in 2029, e.g. ACLs of 8,842 metric tons in 2027 and 7,958 metric tons in 2028, representing a 10 percent decrease in the assumed catch from Table 4 of F.2, Attachment 3 each year. 3: The STAT include a bayesian projection to evaluate the probability that the stock would remain above B 40 percent in 2029 if such a method is feasible to achieve within existing workload capacity and model structure. 4: The SSC review the ramp-down forecast for the March meeting. Staff....5: Staff and NMFS explore and discuss with the SSC the discretion they have under the Magnuson-Stevens Act to recommend alternative acceptable biological catches to the Council. And could you delete the under the second, under the Magnuson Stevens Act. 4: preventing overfishing. And then can you maybe label that one 6. And delete the request that....sorry I didn't.....thank you. 6: The STAT and SSC work on a Q & A document to answer the questions the GAP outlined in Agenda Item F.2.a, Supplemental Gap Report 1, November 2025.

Pete Hassemer [00:06:44] Thank you. I followed along. All that language that scrolled before us appeared accurate and complete, is that correct? Thank you. Is there a second to your motion? Seconded by Corey Ridings. Please speak to your motion.

Corey Niles [00:07:22] Thank you Mr. Chair, and thank you for the second. I will speak to it hopefully not too long, and then I'm hoping the others will jump in because again this was a collaborative effort among many of us. First I don't know where to start. I'll start by first thanking all the folks you know from the Science Center, the STAT team, the SSC, GMT, GAP and industry for all the time and effort that has gone into this widow rockfish assessment. And you know, thanks to Miss Kent and the West Coast Region folks for helping us think of different approaches here as we've heard all, you know at this meeting and in prior meetings that this is a pretty serious situation for the industry. Widow rockfish is, and the midwater rockfish has been one of the brighter spots of the IFQ program, and we're looking at a pretty, not pretty, but a consequential drop under the default harvest rules based on the assessments we've seen so far. Additionally the, you know the government shutdown pretty much interrupted the supplemental review that we requested. And while that review was pretty remarkable, it didn't have the full participation of the STAT and the

federal SSC members. And really appreciate the SSC's suggestion to conduct another supplemental review in January. I'll also say.....I'll say that the Magnuson-Stevens Act gives the SSC a really specific role and one that this Council has long respected and I think there's two parts to that. They review the assessment and then tell us which of the models represents the Best Scientific Information Available, and that's their role and it is, you know, there's a lot you know.....there are a lot of questions being asked but it really is the scientific process and our SSC that decides which model to present to the Council for use in management. The second thing the SSC does is then use that information to recommend the harvest levels to the Council, and we have a very specific way of doing that, but as I think we may hear from the Region, maybe not at this meeting but maybe at the January review. There might be more discretion, or if we think there's more discretion for the SSC to depart from the Harvest Control Rule than we've seen in the past. So that's really what Number 2 is about. If you look at the....and this was something similar, the SSC in their discussion this meeting did recognize there could be interest in an approach like this, and it could be modeled with the, with whatever assessment they pick as the best model. But if you use the Table 4 of the assessment model that's in our briefing book and you just kind of interpolate what the effect of catch is, how far it drops the stock down each year, you know where it says we're something like B 51 percent in the current year, and then by 2027 it's something like B 43 percent. And then so you can kind of just....it looks like there is.....well we'll see what the next....what comes out of the review, but under this model it looks like there's a way to ramp down and then still be above B 40 percent in 2029 when a full a assessment from 2027 would be the normal process of when it would be in place. And just you know speaking to the discussion of yesterday I believe it was on our mid-biennium adjustments, we do have the red light, green light that could be possibly in place and could even get changes in place more quickly than 2029. And really the rationale is yes, the was an update assessment. It went beyond, as we heard from the SSC, beyond a update assessment in this supplemental review yet it didn't have the full benefit of a STAR Panel and CIE reviewer and all the gold standard of what we do normally. And again this is, you know, risk-based thinking. This is, you know, a really serious consequence potentially and so we should really overturn every stone before maybe acting in full. And again this is, you know our, the purpose of our harvest policies is to really fish, to keep stocks around B 40 percent, above B 40 percent around it. And I'll get that, to the maybe more thoughts in a minute here. Number 3, that's a bit of a hail Mary that some of us have asked for for a long time, and it's the.....if you look at like international forums, Mr. Wulff could probably tell us about more, but you know there's the whiting process, halibut process, and they use these decision tables which use Bayesian models to more directly quantify the probability of certain things happening under catch scenarios. And so if it were possible, and I'm guessing it might not be fully possible, but you know using that type of decision table they could directly quantify the probability of what a ramp-down, you know, various ramp downs would be of keeping the stock above B 40 by 2029. Again, it really just, if possible is the thought there. And then number 4, it's just obviously the SSC would have to review that ramp-down. And then five is what I what I mentioned earlier about needing to have that discussion between the NMFS policy folks and Council staff and the SSC exploring really what is their discretion under the Magnuson-Stevens Act. And just my experience has been a long time that I think you hear the SSC's scientific judgment being curtailed by interpretations of the law that may be more narrow than they really have to be to prevent overfishing and achieve the optimum yield objectives that we have. So that's....but that's going to be, yeah that's the discussion for maybe....I don't know what, how prepared Ryan is to speak to that today, but that's a crucial part of this is having that discussion with the SCC. And then 6, yeah, the GAP and others have really asked a lot of questions.

This is, you know, I don't want to go too long with the history of all of us who have like how could that be true about an assessment, but I've been doing it since since petrale was, you know, declared overfished in like 2009 and it was just a mind-boggler on how that could possibly be true. And so then, but I know that the SSC and the STAT's are really good at when you have the time to explain it in even plainer and plainer language as you give them more time to do it, and to explain why....what the limitations of our data and the science are and if they have the time then I think they could answer some of these questions even more clearly and thoroughly than they have in the past. And I'll try to end it up here in a few seconds, but I really think in the opening sentence we talked about, you know, the National Standards, you know National Standard 2 being the best available science and we're trying to....this is meant to be respectful of that as we always are. You know we ask questions of the science here but we recognize that it's the SSC's and NMFS's determination of the best available science, that's their decision. But we also have national....it's the National Standard 1, National Standard 8 relationship that I'll try to end on and it's.....I've always wondered like we follow our default, excuse me, Harvest Control Rules, you know as rules without sometimes I think thinking about the purpose of those Harvest Control Rules and what they're meant to achieve. And like the, and I don't.... I'm not going to read it, but National Standard 8, which tells us to promote sustained, you know, participation in our fisheries and minimize adverse impacts on fishing communities to the extent practicable, you know, within the context of conservation, and the advice those guidelines give, which I think is really smart and good, is that if you have two options and they achieve similar, is the word they use, similar conservation goals or objectives, then pick the one that promotes sustained fishing better and has fewer impacts on communities, and that's just....it's just almost common sense. So if there's a ramp-down strategy that keeps our stock above B 40 and reduces the.....minimizes in a better fashion the economic consequences, then why not choose that one over one that's dropping the stock in the.....dropping the ACL in almost half, if not half, and that would keep at the B 43, and then the projections go up to like back up towards B 50 over the next 10 years. So what's the difference between B 40 and B 43 percent? It's not my, well this is the SSC's advice we're looking for, but is that really a big difference in our conservation objectives? I don't see it based on what we've heard for many years from the SSC. Yeah, I really is hoping to open that dialogue policy, science dialogue on, yeah, what is preventing overfishing and jeopardizing the capacity of the stock to produce MSY on a continuing basis over the long term? And sorry for going so long here. I know a lot of people have thought deeply about this and can speak to their reasons too. And thank you.

Pete Hassemer [00:18:10] Thank you Corey. Any questions for clarification on the motion? Any discussion on the motion? Marci Yaremko.

Marci Yaremko [00:18:22] I'm sorry. Thank you Mr. Chair. I did have a question back on Item 4, sorry, 5, the exploration with the SSC and NMFS, presumably GC and branch staff, I was wondering is that part of, I mean what are we looking for with an exploration? Is this a report back? Is this just a cursory exploration? I very much support the concept, but what is the vision with this item? Is it to do a deep dive and give us perhaps a framework for the future? Or maybe you can elaborate a little bit.

Corey Niles [00:19:17] Thank you. I'll take a shot and then I see....I don't know if Ryan wants to weigh-in, but it's really it's to.....the goal here, you know, I hope it opens a long term discussion, but really it's to get the advice back from the SSC for the NMFS policy and folks, you know, to

give the SSC their vision of what they can do in terms of recommending harvest levels to us. So that's the goal. So I don't know how to explain it with...but in past.....I think I didn't mention is I think we are going to be asking for a different approach than recommended by the National Standard 1 Guidelines. And they're again they're called guidelines. In the statute they're advisory, they're not mandatory, they're not regulations. So it is....we're asking for a different way of thinking of the guide....from the guidelines. So the goal is really to see, to focus on that ramp-down and is that something within the discretion of the SSC to recommend to us? That's the narrow purpose for now.

Pete Hassemer [00:20:30] Thank you. And since this implicates NMFS here I'll ask Ryan, we'll put him on the spot if there's anything you can add, your expectations or understanding?

Ryan Wulff [00:20:44] Yeah, thank you Chair. Good morning everyone. No, I think Corey explained it well. I mean, I think we wouldn't expect to engage with the SSC between now and then of course add potentially a supplemental. We would kind of help provide the policy and legal boundaries that would kind of underpin the output of this exploration and help them, you know help them ensure they understand that what the SSC and the Council are doing are within the bounds of the FMP and the MSA. So I think that's the intent. Yeah, thanks.

Pete Hassemer [00:21:18] Thank you. Rebecca Lent.

Rebecca Lent [00:21:19] Thank you Chair, and thank you for the motion. I'm sorry it's the first time I've seen it and I just probably have some higher level questions, I won't call them dumb questions. I'm wondering how this relates to the efforts under the flex spex, reg flex spex and why we wouldn't be doing what's outlined here under Number 5 for every stock that we're assessing? I understand this is a particularly difficult choke species and the stock's going down and that's rough, but just wondering about the relationship with that rulemaking that's underway and this Number 5. Thank you.

Pete Hassemer [00:22:05] And not sure who that question is directed to or who might answer it. Corey?

Corey Niles [00:22:16] I think Aja, excuse me, Aja has some thoughts here, but if you recall I was....it's very much related to what we talked about yesterday and I was emphasizing the need to have the bigger picture discussions about risk, and so yeah, this is an application of that. Why don't we do that for every stock? Maybe we will if this opens it up. this is in....just in terms of you know risk-based thinking and this is our most serious, one of our most serious situations at this point so doing it here now is the reason why. But what we saw yesterday is this wouldn't work under that phase-in approach discussed there because that is within the way we do it now. The OFL, you can't go higher than the OFL when you phase down. And the OFL on the assessment we're looking at now, I don't have the number in my head, but it's like it's less than 6,000 metric tons, and so that would put a ceiling on what you could ramp down to. And so one question, well why is that making.....why would you take that cost if you can still meet your over your bigger objective of being above B 40 percent? It's really kind of can we spend the windfall, you know, when we're above B 40 percent you've got some windfall catches, and isn't there a smarter way to spend those than just following the rule blindly that we have now. But Aja, sorry, please jump in.

Pete Hassemer [00:23:48] Aja Szumylo.

Aja Szumylo [00:23:50] Thank you Chair. And I think you hit some of what I was going to say Corey. One thing that I want to say is like the idea here, I want to point out that, and I was going to say this in my remarks later, so actually maybe what Corey said just now about if we follow strictly what comes out of the assessment that the SSC selects as Best Scientific Information available, we're forced into setting an OFL that's much lower than the current spex. And so then we don't have the room as the Council to offer ABC's that actually do this ramp-down that we're asking for in this action. And so the departure that he's talking about from National Standard 1 is that it does not contemplate that.....it doesn't contemplate that that space to balance National Standard 8 appropriately in every circumstance. I think there are some circumstances where that does play out that we're able to do that, but here, because of the steep drop that we were up against we weren't going to be able to do that phase-in ramp-down. So I think in some cases the things that we suggested under spex flex are going to be the solve that will help with a good answer. Right now that didn't help with an answer. The thing that I was going to say that I fell short of saying is like I want people to be mindful that this entire spex cycle, the number of assessments that.....so there were seven or whatever, I can't remember the exact number, but there were some reductions proposed, or that came out of Best Scientific Information Available for a number of other stocks and we went with those, but in this case with widow there were.....I think there's a clear record of concern about underlying assumptions in the assessment. There was concern....we did identify an error in the data in both the 2015 and 2019 assessments. We heard from the SSC that the October 2025 assessment was an improvement over the previous models, especially with the correction, but I also see that we're in a situation that bears a lot of similarity to some of the stocks that we did drastic destruction, or reductions, not destructions, reductions for in the past that resulted in really significant impacts to industry, and then found out after the fact that we could have avoided those if we had thought about the....we'd thought, if we had thought about it a little bit longer, if we had a little bit more time to look at things. And so I see some alignment. I think in all the cases both, yeah, the future risk discussion, spex flex, and in this case right here, we're trying to....we're seeing that we need room to incorporate National Standard 8 and trying to do that in a better way. And I, yeah I'll add here, sorry I'm saying some justification that I was going to add for later, but I saw some cases I.....early when this was happening there were some cases that bear some like squinting similarity to this that happened in New England that I was drawing from to get to this, and so what I was hoping is like, can we put that in our language here? Can we think about how to better support fishing communities here too? So with the structure that we have right now this is the best way to ask to do that. But I think that, as Corey was saying, the ask in Number 5 is to think about ways to formalize that a little bit better in the future so that it's not, that we're not making up new rules every time or new approaches to make sure that National Standard 8 is in the equation every time.

Pete Hassemer [00:27:36] Thank you. Corey Ridings.

Corey Ridings [00:27:42] Thanks Chair. I wanted to loop back to something that other Corey said, which is around the guidelines and how they relate to the law. And I think you said we don't have to adhere to the guidelines as they aren't the law. But typically, just looking up a level, you know this Council is advisory to NMFS and generally we take guidelines that are in regulation as something that we're following. So Corey I appreciate that view, and I just want to start off by

saying I really appreciate the open thinking and creativity here, but that to me is a pretty strong statement that we're not going to adhere to the guidelines. So I was going to actually ask Mr. Wulff or Miss McMackin, if she's online, to sort of, if they're in a position to sort of elaborate that relationship. As Council do we follow the law? How do we relate to the guidelines? If you have any initial thinking on that.

Pete Hassemer [00:28:51] Thank you. And Ryan, if I can let you....give you a minute to think about that. Corey Niles, did you want to respond first?

Corey Niles [00:29:00] Yeah, well I think my quick answer would be that's your, that your question you just asked there is exactly like what we're meant to ask them to do as part of Number 5, you know, between now and January, and then maybe in January and March. But yeah, that's the discussion that we're asking to be had. It's like where is.....I have my theory that I won't go into right now, but that's what we're asking them to do as part of the, you know, to help the SSC review and the SSC's recommendation. So yeah, vying, getting, asking for that to happen here in pretty short order.

Pete Hassemer [00:29:41] Ryan Wulff.

Ryan Wulff [00:29:43] Yeah, thanks. I mean just in general, right, we're supposed to follow guidelines and the Fishery Management Plans that we set up in the MSA, but those are....there's room to explore there, right? There's some policy discretion, there's flexibility to some extent. Guidelines, you know, are generally kind of broad brush, right? And then we take those and we, as we implement and create our Fishery Management Plans and to demonstrate that's how we're translating the law and the guidelines into our fishery, right? So there is some room for exploration in there, but it is still all relevant, of course, to the decisions you're making, you know.

Pete Hassemer [00:30:20] Executive Director Burden.

Merrick Burden [00:30:29] Yeah, thank you Mr. Chairman. And Corey I really appreciate the creative thinking here. And just as I'm thinking about if this motion passes how we move forward and making sure that it would be successful. I want to first run my understanding of what you're proposing here by you, and then I've got a follow-up question, so essentially two questions. So if we backup out of the way we usually do things in terms of National Standard 1 and we ask what really is overfishing? I think the definition is something like, jeopardizing the ability of the stock to generate MSY. And so what I think this motion is doing is saying we're above BMSY so let's land the biomass at B 40, which is our proxy for MSY, and that, and if we do that we're not jeopardizing the ability of the stock to then generate MSY. And so you're nodding so I think I've got that right. If we go back up to Bullet 2, I think in the motion, you've assumed some catch levels and I'm looking at those and I'm asking myself, do we or do you know more than I do about how those catch levels will affect the stock? Like, are we certain that that's going to keep us at or above B 40? And if not, I think I know your intent what you're trying to do, but if those numbers are off what do we do? So I guess two questions there. Do you know that that's going to keep us above that magic level? And then if not, should we have some further step for the STAT to find the numbers that would keep us above B 40? I think you follow what I'm getting at.

Pete Hassemer [00:32:24] Corey.

Corey Niles [00:32:26] Yeah, no that's what I used e.g., but don't ask me what that stands for because I forget. But you know, for example, is what....that's what...so yeah, it would be for the STAT or I don't....whoever would be able to weigh-in but, and again the big caveat is like we have that was based on the assessment that's in the briefing book now, which could totally change, but what they produced to the....what they produced for the review in January, but I think I spoke to it briefly. But the way I got to that, and I did have a little exchange with the STAT that tells me I wasn't totally off base, but you just, it was a, to use the fancy term, the linear interpolation of how the catch drops the fraction on fish from Table 4, and then basically using lineary model to see what the effect of that, those two catches would be. But yeah, no, that would be totally up to the STAT and whoever the GMT would if they had time would usually be, you know bouncing ideas off them. But I think the STAT could....it's something they could, would figure out based on the model they're presenting to the SSC and is approved.

Merrick Burden [00:33:37] Yeah, thank you for that explanation. Then I think what I'm hearing you say is that we would have essentially the latitude or even the direction to the STAT to say find that number, that ramp-down, linear ramp-down that keeps us at or above B 40 at a probability that's equal to or greater than 50 percent. Is that a fair interpretation of what you're stating?

Corey Niles [00:34:03] Yeah. I think it will tell you. It's a little more complicated, but I think it could be more clear because how many different million options for a ramp-down could you have? I took the 10 percent decrease, I think it was from Kurt Cochran's testimony who said hey, maybe a 10 percent decrease was something that we could live with. But yeah, no I have faith that you and your staff and could work with the STAT to figure that out. But yeah, with the goal of yeah, the really.....again the goal is to, you know, redo....would be to reduce the, you know the economic consequences while, you know, maintaining our general....you said the first part you said about keeping it above B 40 but a long way of saying yes, I think you got it.

Pete Hassemer [00:34:52] Thank you. Other discussion? Marci Yaremko.

Marci Yaremko [00:35:00] Thank you Mr. Chair. I just want to say a lot of thank you's and just to note that this to me appears to be that pause button that we've been asking for when results from a draft assessment don't mesh with common sense. Thinking back to quillback, I wish we had had this opportunity and I'm so glad to see the willingness to explore this as a potential path forward. This is a critically important use of NMFS time, SSC time, and I do hope this exploration is successful. It is out-of-the-box thinking, but I'm very hopeful that this leads us on a pathway to building us a set of new tools that will help us in circumstances like this. So I just can't say enough thanks. Thank you.

Pete Hassemer [00:36:08] Thank you. Other discussion? Seeing none I will call the question. All those in favor say "Aye".

Council [00:36:17] Aye.

Pete Hassemer [00:36:20] Opposed? Abstentions? The motion passes unanimously. Thank you. Corey? I'm going to look around and see. My suspicion is we've completed our tasks, but I will look around the table and see if there is anything else before checking in with Marlene. Not seeing any hands here, Marlene is there more we need to do?

Marlene Bellman [00:36:54] Thank you Chair Hassemer. No, I believe the Council has completed both of the tasks that we had set out to accomplish on this agenda item. And I believe the agenda item is complete. I also just wanted to say thank you. It's really been an honor working with you.

Pete Hassemer [00:37:12] And thank you very much also for being with us there. So with that, we will close out this agenda item.

3. Harvest Specifications and Management Measures for 2027-28 *(Part 1)*

Pete Hassemer [00:00:00] That completes our reports. Confirm. I don't see any public comment. There is none so that will allow us to move into Council discussion and action and that's on the screen before us, Adopting Interim Final OFLs, P Star, and ABC, well, the list is there. So anybody willing to start this discussion? Lynn Mattes.

Lynn Mattes [00:00:39] Thank you Chair. We do have our list there and when it gets time I will have a motion ready, but I just do want to acknowledge that the I think the SSC, the GAP, and the GMT all brought up that due to the federal furloughs some information is missing that we would normally have at this time, which I think we have a path forward with some placeholders or some methodologies, but do just want to acknowledge we're missing a little bit of information and we look....we're happy to have our federal partners back working and we hopefully we will get those values in time for March to move on this process. I don't think there will be any surprises when we get those values based on those of us who've been in this process for a cycle or two, but did just want to acknowledge that we're missing a little bit of information, but we...I think we can still move forward and fill that in when we get there. Thank you.

Pete Hassemer [00:01:40] All right. Any other discussion? We've had the offer of a motion but I want to make sure we get any discussion necessary out of the way. Not seeing any, we're ready for a motion.

Lynn Mattes [00:01:57] Thank you Chair. The fine trio in the back have it. And I'm going to read off of that screen instead of my screen to make sure we're all reading the same thing. I move the Council adopt as in term Final Preferred Alternative the 27' and 28': Number 1. Default overfishing limits, P Star, Acceptable Biological Catches, and Annual Catch Limits as shown in Agenda Item F.3, Attachment 1 and Attachment 2 for all stocks except: Item 2. Set the default overfishing limit 141.63 metric tons and Acceptable Biological Catch 126.9 metric tons for Oregon kelp greenling for 27' and 28' at the 2026 levels as recommended by the SSC in Supplemental Report 1. And for the stocks in the table below, the 27' P Star, ABC, and resulting ACLs from the alternatives in the table as the range of alternatives for 2027, and use these methods to calculate 2028 values where missing. Remove Alternative 2 from rougheye/blackspotted rockfish, and then in the table with the Preliminary Preferred Alternative bolded for more detailed analysis. Then in that table, for yelloweye rockfish north of 40° 10', the PPA is Alternative 2: Ad hoc phase-in. Chilipepper rockfish, constant ACL of 214 metric tons. Rougheye/blackspotted rockfish, constant ACL of 300 metric tons. Yelloweye rockfish, constant ACL of 85 metric tons. Canary rockfish, ABC equals ACL with a P Star of .45 and no 40° 10' adjustment. Shortspine thornyhead, constant ABC equals ACL of 902 metric tons. Petrale sole, constant ABC equals ACL 2,489 metric tons. Could you please strike out "if E rule"? Or delete it, actually. Thank you. Yep. And Number 4. For widow rockfish use the 2023 catch-only projection, OFL, ABC, and ACLs, and the results of the October 2025 stock assessment model for the bookends of the range of alternatives for 27' and 28' to be analyzed, as shown in table 16 of Agenda Item F.3, GMT Report 1, November 2028, with the PPA being identified at a later meeting.

Pete Hassemer [00:05:14] All right, thank you. Lynn, as I followed along, just one thing, your last reference to the GMT Report 2025, 2028. And also I think it's obvious that the language, your motion includes elimination of Alternative 2 for rougheye/blackspotted rockfish that's indicated in the table, which was talked about here.

Lynn Mattes [00:05:44] Yes sir. It was also in the text under item Number 3.

Pete Hassemer [00:05:47] Okay. And with that, then everything on the screen appears accurate and complete. Is that correct? Oh, before we do that, Marlene?

Marlene Bellman [00:06:05] Thank you Chair Hassemer. I just wanted to note in Section 3 there's a reference in the way the motion is worded for referencing 2027 actual harvest specification values. I know this, the intent of this, but perhaps referencing Table 1-1 in Attachment 1, which actually contains the 2027 harvest specification values. Currently the table in this motion is written very generally, and I was under the impression that you were actually wanting to cite the specification values themselves, so perhaps just a citation or a reference to where those can be found.

Pete Hassemer [00:06:55] Lynn. And can you blow that up a little bit?

Lynn Mattes [00:07:00] Thank you Chair. Yes, the intent was for the actual values for 2027 that are available. Adding a reference, can we do that at this point since there hasn't been a second?

Pete Hassemer [00:07:14] It's your motion. You can do anything with it.

Lynn Mattes [00:07:18] I just like to ask for permission rather than forgiveness. Thank you Chair. Could we add after 2027, 2027 the next line down. Parentheses (as shown in...table).....whatever Marlene just said. I appreciate the assistance. We've been working on this for a while and I knew we were going to miss something.

Marlene Bellman [00:07:59] Thank you Councilmember. It's Table 1-1 in attachment 1.

Lynn Mattes [00:08:06] Thank you. In Table 1-1 in Attachment 1 under this agenda item. Thank you for the assist Marlene.

Pete Hassemer [00:08:13] All right. And I assume Marlene that captures what you are concerned about and Lynn that's good with that, it's all accurate and complete?

Lynn Mattes [00:08:35] Yes sir, it is. Thank you.

Pete Hassemer [00:08:36] All right. Is there a second to the motion? Seconded by Brad Pettinger. Please speak to your motion.

Lynn Mattes [00:08:42] Yeah, thank you Chair. This motion primarily takes the recommendations of our SSC, our GAP, and our GMT. I think there was general agreement on the default for most things. Between September and November it was noticed that we were missing information on

kelp greenling off of Oregon and the SSC recommended just moving 2026 forward. Kelp greenling is a high, off Oregon is a highly underutilized stock, therefore we don't do not see any conservation concern with that. We don't come anywhere near the ABCs so that seems acceptable. And then for the table, the items in Table 3, those were the places where we asked for some default Harvest Control Rules to be looked at. And the question that Miss Diamond asked Merrick about GMT and GAP recommendation, they were.....the one place they had disagreement in September was on rougheye/blackspotted and the GMT has removed that. The Alternative 2 that they recommended removing is in the range of alternatives because it's part way between the default and the constant ACL of 300 metric tons so it would be captured there. In a number of case.....in several cases we are being more conservit.....the alternative is being more conservative. As an example, yelloweye rockfish and some other cases for some highly attained species or important species to a number of sectors such as shortspine, petrale, et cetera, we are kind of doing the phased-in approach. We're instituting a little bit of the spex flex ahead of time to try to ease a little bit of the pain there. And then for widow rockfish trying.....because we have not adopted an assessment yet, and as I spoke to a little bit yesterday, the analysts will need something to look at over winter and this seems like a good bookend of the highest we could possibly be and the lowest we could possibly be, so that seems like a good bookend for them to start looking at things. And then after the...whatever decision we make later this week on the widow rockfish, how to proceed, hopefully then that can be incorporated in March or April as we move forward. There's a lot of numbers on a lot of these tables and trying to incorporate them into a concise motion, there's a lot of information behind here but this seems like a good way to be concise with it. Thank you.

Pete Hassemer [00:11:24] Thank you Lynn. Any questions regarding the motion? Jaime Diamond.

Jaime Diamond [00:11:29] Thank you Chair Hassemer. Thank you Miss Mattes for doing what you do and working your magic on things like this. Quick question. As noted in the GAP Report, a potential error in the P Star values, and I'm wondering what we can or can't do in the next.....when we get to FPA. If there's latitude between now and FPA to make those adjustments if we take this now?

Lynn Mattes [00:12:00] Through the Chair, thank you Miss Diamond. Where they noted an error was in year-15 of this P Star projections. We're just talking about the next two years. I believe another Council member will have some guidance about that P Star error, that error, or that sigma error, not P Star, I believe another Council member is going to have some guidance requesting that to be looked at. It just didn't seem that it needed to be part of this motion for adopting the ACLs, OFLs, et cetera, but there is a plan to address it.

Jaime Diamond [00:12:32] Thank you.

Pete Hassemer [00:12:35] Other questions regarding the motion? Marlene.

Marlene Bellman [00:12:47] Thank you Chair Hassemer. I just wanted to provide some clarification of my understanding of the harvest specifications that were included in Attachment 1. The SSC recommendations from September included their recommendation that the time-varying buffers be capped at that categ...at the final sigma of 2, and so what is referenced in the

table there, the harvest specifications there in front of you, the SSC did a full review of all of those default harvest specifications. And for the species where they found that that cap was not at 2, they had requested to adjust those and provided those adjusted values. So it is my understanding that the SSC had addressed that through their recommendations in September and that those were incorporated. That any modified values that needed to be capped at a sigma of 2 were incorporated in the set of values that went in front of you under this item. At least that's my understanding of what was included in Attachment 1.

Pete Hassemer [00:14:09] All right. Any other questions regarding the motion? I'm not seeing any questions. Discussion on the motion? Seeing no hands for discussion I will call the question. All those in favor say "Aye".

Council [00:14:35] Aye.

Pete Hassemer [00:14:36] We already started the call for the question here. Those opposed? Abstentions? The motion passes unanimously. And now someday RingCentral will be more friendly to me. Sharon Kiefer you had your hand up.

Sharon Kiefer [00:15:19] Yes Mr. Chairman, my hand is not directly related to the motion. I support the motion. I do want to raise the issue. I would be remiss to not appreciate Marlene Bellman. I do not see her appearing on the rest of the agenda and so I just did want.....I know it's been a long day, but I did want to take a moment to just really appreciate her work with the Council and wish her the best.

Pete Hassemer [00:15:49] Thank you very much for that. Caroline McKnight.

Caroline McKnight [00:15:54] Thank you Mr. Chair. In the spirit of this being Marlene's last minute, maybe I'll address this to Mr. Phillips because I fear this might fall to you. I do just want to take a moment to acknowledge the GAPs statement specific to the difference in the sigma buffers on year-15 between Cat 2 and Cat 3. And it's unclear to me if this is a copy and paste error or if it's an actual calculation error. I do want to note that it seems like it needs some attention. So just some guidance for the January work session for the SSC to take a look at this and maybe come back and tell us how it got in here or if it needs to be fixed or addressed in some manner. Thank you.

Todd Phillips [00:16:41] Yes, through the Chair. Thank you Miss McKnight. We will definitely make sure that this is addressed. It is def....it was noticed by the GAP and then by the GMT as well so it is well known. Thank you.

Pete Hassemer [00:16:58] Thank you. Anything else? Otherwise I want go back to our task list and ask Marlene what else? We've got plenty of time tonight.

Marlene Bellman [00:17:13] Thank you Chair Hassemer and members of the Council. I appreciate your patience in going long on my last agenda item. I believe you've covered all the Council tasks that we had for this item and so I believe your work on this is complete. Thank you.

Pete Hassemer [00:17:30] Thank you. You moved us along very fast on this. So nothing else here on this agenda item? Then I will close that out.

4. Exempted Fishing Permits

Butch Smith [00:00:00] Seems like to me without precluding anything, but we're on a pretty good way of a pros and cons list to give to Mr. Ryan Wulff to have him do some homework and.....but we've heard some great testimony by everybody, like I said. But anyway, we'll.....Todd will you lead us through our next task? I think we see it on the board there.

Todd Phillips [00:00:30] Yes, thank you Mr. Vice-Chair. Your tasks are before you. You have obviously heard from the public and the advisory bodies for this particular agenda item. You're poised to address the first tasks, all of the tasks really. So I can go through those tasks or you can just look at them on the screen. It'd be time to open, I think, Council discussion on this particular agenda item.

Butch Smith [00:00:55] All right, thank you sir. So I will open it up to Council discussion. And I will pick our most eldest person in the room, Brad. Go ahead.

Brad Pettinger [00:01:08] Wow, okay. Okay. Yeah, I was....well first I'd just like say that I'd like to thank the applicants on the whiting EFP for reaching out to the extent they did. When I first saw this I was going ufff because I just know what a hot button issue this is. You know I live in Brookings, Oregon, which is in the KMZ and I drive through Crescent City quite a bit and see all the boats tied up and I get it. I know a lot of those individuals and so I definitely, I get it. I get it, the angst from everybody. I will say that in the call that I had with the applicants I thought their was some pretty good points, right, as far as why. You know 70% of the stock is below 42 degrees, that's a pretty tough one because they can't take off the trawl gear and put on tuna jigs and do it on the fishery. That's....they're limited to what they can do. I think that they're obviously they're pretty good at avoiding bycatch. I did mention the fact that.... asked about the cameras. They do have cameras on those nets. And I asked them why they didn't maybe refer to that more? He said, well we still have bycatch with cameras because obviously you can't see everything, and but it is a tool that definitely helps as far as in the process so. But I think it's.....the fishery today is far different from the fishery when this fishery was....had the moratorium went in place 30 some years ago. They have a lot of tools in the toolbox here. I was thinking, I mentioned I think in the SAS meeting about it'd be interesting to know more about what is the predation of Pacific whiting on salmon smolts, because I know they eat them. They eat megalops from Dungeness crab. I'd be kind of curious why for 70% of the biomass is off of that area, what effects are the Klamath are going to be? And I think it'd be very interesting if we could find more information about what that, those effects would be, because it seems like that with the whiting fishery that we've had propagating off the Oregon coast, and I know that the certainly the pink shrimp and the Dungeness crab fisheries are far exceeded the hundred, I mean the.....well crab business, crab is a hundred-year life history of landings and we're, our harvest of Dungeness crab has doubled the last 20 years. And I know our pink shrimp fishery is.....I think the average harvest there is, per year is double what the old high CPUE used to be. So I think certainly there's some good things to getting whiting out of the water besides going to market. I thought we've had some really good commentary here. I certainly understand where everybody's coming from. I appreciate the tribes input we just received. You know we're not here to say to go or not not go with this thing, we're basically.....you know our input into it and I think we've done a good job of that. I do have a motion to put forward

and I'm ready to do that whenever we want to do that but, and I'll talk about that, but we're not going to, we're not endorsing this by any stretch of the imagination in the motion, but I think it just gives clarity as far as how to move forward so for the National National Fisheries Service. So that's all I have Mr. Vice-Chair.

Butch Smith [00:05:07] Thank you Brad. And we'll do a little more comment before, it'd probably be better. But thank you and we'll come to you when it's.....I got Jaime and then I got Lynn.

Jaime Diamond [00:05:20] Thank you Vice-Chair. Yeah, I'll just start kind of where Brad ended a little bit, but thanking the tribes for their input, and not California tribes but also the concern from more northern tribes as well, so thank you. We....I've heard a lot from, we've heard a lot, and over the week I've heard a lot and even previous from folks impacted by salmon in California and being managed or reduced in your fishery because of a constraining stock or a target. Whether it's a target or a constraining stock it's really difficult. And I can appreciate where they're coming from and their concern and that kind of feeling of being backed in a corner and you feel like there is no possibility of how something can work, and so I just want to acknowledge that and this is.....but I also see if there was an opportunity.....we talk about, well we were talking in the HMS agenda item about how difficult it is to create opportunity, and hearing the history of the multiple attempts to come here for the EFP over the years. I'm kind of weighing that notion of process and how difficult it can be in choosing the choice to go with EM over this and push this to later and push it to later. And I know in my industry we come and asked for things and we're told now's not the time, now's not the time, and I know I've had the reaction of when is.....it's never going to be.....when's the good time to break your leg? Never. And so I'm.....yeah it's, this has been a really difficult item for me to navigate through because I feel so deeply for our folks that are impacted and have the concerns of potential impacts on their fishery, but also recognizing, as Mr. Pettinger said, this is more about us giving guidance and looking at the different tasks ahead of us. There's a few different, a few different EFPs, this isn't the only one although it's taking up a lot of of the discussion because it is a big piece of it. And I'm just wondering if Task Number 2, considering benefits of an out of cycle EFP, and hearing what that.....I know that takes a little bit more and I don't think we've actually had any conversation about that yet, so I don't know if anybody has feelings about that either way, but I'd be interested to hear. And then I would also just like to speak to the CDFW EFP for cowcod and yelloweye and support for that, strong support for that. We need to get the data collected. It's....there is no take, no retention and so this is really the only way to get the information needed to allow some type of opportunity in the future for something that has been taken away. This is kind of one of those moments where Miss Bangos that spoke earlier from CCA California in public testimony, she said, you know some.....the notion of once something's gone it's very difficult to get it back, and this is kind of an example of the difficulty to get it back, but I hope that that is something we can move through. And along that difficulty, Miss Steele's EFP that has been going through the process for 10 years, and I think back to Danny Platt's EFP that just kept going and going and going, and just it's difficult to see, you know, at what point are we doing it? Like we need to either say yes or no, and I know with Mr. Platt's EFP we had a lot of conversation of at what point do we either do this or not do this, make it happen or not, and so....into regulation or no. And so I just....bringing that up as well. If there's some way to.....I know the GAP has a proposal in there to move that into, or deregulate I guess would be the appropriate way of saying it, not regulate it but deregulate the issue so it can proceed, and so people who are more informed than I would appreciate feedback or discussion on that as well. Thank you.

Butch Smith [00:10:51] Thank you. Lynn Mattes please.

Lynn Mattes [00:10:54] Thank you Vice-Chair. I was going to start on the two easier EFPs we're talking about. Supportive of the CDFW one going forward for all the reasons that Miss Diamond said, I don't think I need to repeat those. And I know we're in the process of trying to get the EFP that Miss Steele spoke to in regulation, but if it can't be in regulation, fully supportive of using the EFP once again as a stopgap until we get it into regulation again for a lot of the reasons Miss Diamond just spoke to. On the whiting EFP, you know, do we take an out-of-cycle EFP? We have done that on occasion. Previously, NMFS has indicated that an EFP takes the same amount of time and workload as a rulemaking. I think that has gotten substantially less, but there will be a workload trade-off for the count.....NMFS to process an EFP, just based on previous experience. The whiting processing EFP, I have received more emails, calls, meetings, et cetera, for that one item than I have for any item since we finished gear switching. And I appreciate the folks who have commented on both sides to help provide as much information as possible. You know, we're trying to balance providing opportunity going back to our Climate and Communities Initiative of nimbleness and flexibility and adaptability, along with some of the ties to the Executive Orders, so this EFP would help on those factors. And you know, our whiting at-sea fleet is very big business. It does help support other businesses up and down the coast, it just, because of the volume that they are able to provide. But on the other hand, we're also have concerns about an imperiled salmon stock that the states, the feds, private industry, and tribes, et cetera, have at this point probably spent a billion dollars, definitely hundreds of millions of dollars, to try to reintroduce these salmon stocks into the river, the removal of the dams. The salmon are coming back, and they're coming back a little quicker than I think a lot of people thought. As an example, the Oregon State Police has already had a case for poaching in the Oregon section of the Klamath River. I don't think anybody had that on their Klamath bingo card for this first year. So there is the sensitivity, and how do we balance the sensitivity over a weak stock that impacts a lot of livelihoods, also impacts a lot of jobs, impacts recreational fisheries, impacts tribal way of life, et cetera. Where that balance is is I think what a lot of us are struggling with and how do we move forward. You know the question that I asked the three applicants, and acknowledging that there's differences in the vessels and how each vessel operates, each one is sort of an independent vessel, but you know is there maybe a little bit of a staggered or slower approach to sort of our dip our toe in. So just some of the pros on each side and some of the concerns. Salmon is not my normal lane. I have...I've spent more time talking with Mr. North, Miss Leeman, and Miss Mallette at ODFW about salmon. They have a lot of concerns obviously because of the the Klamath, but they appreciated the efforts to minimize the possible bycatch, including the 500 limit being part of the overall limit already in place not added on top, trying to stay out of some of that key zone. And the offer to do genetic testing on all the salmon bycatch, that is some data that is currently not available elsewhere that at least ODFW folks have been, have had access too, so they do see that as a positive to getting some new data on what salmon are being encountered there. That being said, I don't have a strong thought one way or the other. I'm not sure which of my children to choose or to support as we move forward. I just wanted to lay out a few thoughts as we're discussing and thinking about this. Thank you.

Butch Smith [00:15:41] Thank you. Corey Riding.....or Niles. Jesus.

Corey Niles [00:15:50] Thanks Mr. Chair. Yeah, before I forget, yeah, definitely supportive of what Lynn also meant about CDFWs EFP and then moving the EFP that Lori has done a lot of work on for. But I'll mostly my thoughts I'll, and I'm going to play off Lynn here, I think after listening to the discussion here, I'm not passing the buck but I really think Kyle Adicks should be in the seat for this agenda item. I also have some thoughts about the Council's role in the EFP, which you know....and we've had a lot of good discussions with Aja, and Aja I have to put my foot in my mouth here I don't really mean it, and we can talk afterwards, but I think what is the Council's role in the EFP, and Aja's been pointing out for a while that you know it could be more efficient for for NMFS to, for applicants to go directly to NMFS. But then the thought that I have, well the goal of the EFP is if it works is to, as Lori's been trying to get us do for a long time, get the fishery into regulation, and that is the Council's role. And on that I know I think I'll say the at-sea folks who put this together, I think that is their goal is they want to be....they know that the success of this, getting the opportunity to fish, as Brad is saying, and where a lot of the biomass can be depends on them achieving the conservation objectives for salmon, which is, you know, again why I think Kyle should be here instead of myself. Because that to me seems to be the concerning factor here of, and I say this process works really well when we have clear conservation objectives, when we don't it works less well, I'll just say. And so what I'm hearing from the Yurok folks and others, SAS, STT, is this stock is rebuilding, and to me so that immediately brought back, you know, our experience in groundfish. We have a lot of experience with rebuilding. And the way to, you know, address the fairness issues, the conservation issues, is you do the rebuilding plan and you do your best of your abilities to share, I think the Magnuson Act says the, you know, the rebuilding restrictions and then the recovery benefits, you share those fair and equitably. And you know which, you know echoes National Standard 4 about sharing the the net benefits from optimum yield, you know, among all U.S. citizens, you know, without prejudice kind of thing. I really, really butchered the paraphrasing of that there, but that's the framework we should be, to me, that we should be using. And yeah, I shouldn't be in this seat because when Michael O'Farrell gave me the answer of like, why can't you tell us what the effect of 500 fish would be on the stock? I didn't understand his answer. Usually.....not that his explanation wasn't clear, I just, it's not my area of expertise. But to me that's the way that the Council would ideally do this is what would be the effect of this EFP on the rebuilding of the Klamath stock, and that's how to have this in the most constructive manner. Which Lynn, other thing Lynn just mentioned is, we usually do....the reason we do the EFPs this way through groundfish is for the set-aside reasons. And you know the most difficult discussions back way back when, not that long ago I guess, but were, you know, over canary rockfish when there was 44 metric tons for everybody and when there was 14 metric tons of yelloweye for everybody, and so those set-asides were part of the rebuilding plans. And just on the fairness issue, also echoing that our salmon trollers off Washington have, you know, also had to restrict what they could keep as part of rebuilding. But we also....the Council looked, you know, to provide them some minimal lingcod and yellowtail fishing in areas where groundfish fishing is prohibited because of the Rockfish Conservation Area and that, you know, that always brought up some fairness concerns. But yeah, you know, they're being restricted, but you know, they should also be considered in lingcod, yellowtail and factoring in like the yelloweye, the canary bycatch for those as part of their rebuilding plan. So that's just initial thoughts on what I've learned from all the good discussion here today and I really think that would be the ideal way to work through the concerns we've heard here. Also I just want to say, we do....the Council is built, you know, we have Councils all over the country for reasons to be regional and focused. We also have geographic balance among the Council members up here for a reason because the West Coast is a big coast.

We do believe, like for example ourselves up here from Washington and our co-managers, Mr. Sones over there, we do understand our fishing communities, our region better, and we do have appreciated when the Council has recognized and deferred to certain things that we've asked and be different than in other areas for example. One that comes to mind is we still have the RCAs in place off of Washington when Oregon and Califor.....for the trawl RCAs and the other states do not. So there's definitely room for regional differences here. So we're respecting our, you know our Californians here know their fishing communities, their fisheries well also, but also recognizing, you know the at-sea fleets here are part of our fishing communities and they are, you know part of our fishing economy. They're big businesses, but as we've heard and we'll hear this afternoon, but they're, you know, they might be big businesses but their profitability margins are not huge. And so they are really looking, they are in competitive markets, you know, that they have big revenues but they have large costs and so we do our listening to the, you know, the economic importance to our state as well here. But that's, you know, a lot of thoughts there, but yeah, really end by saying I really appreciate all the thought that, you know, the applicants put into this and the STT, SAS, and everyone else. Really appreciated the tenor and the quality of the discussion.

Butch Smith [00:22:38] Chairman Hassemer.

Pete Hassemer [00:22:40] Thanks Mr. Vice-Chair. Like others, maybe to start with the easy ones, the California EFP, I agree with what others have said. I support going forward with that. And the trawl gear the, excuse me, the pathway laid out by Miss Steele when she was up here sounded very reasonable. I agree with that and others have. The whiting one is obviously, you know, makes everyone think hard. I've thought hard about that. I've spent my, almost all of my career dealing in salmon and the bulk of it in my positions in Idaho. All of our spring/summer Chinook, summer steelhead, fall Chinook, Sockeye stocks, the natural origin, were all ESA listed, so we've dealt with impacts and understand, you know, at critical levels abundance and how important it is to look at the impacts. So from the Klamath perspective here we've heard that. I look at this very carefully and think about the impacts, and I think the whiting industry knows I always bring up salmon, but this one is hard because as I look at it I think it's really important to look at this hard and think about overall what do we want to achieve. And as a Council we have to think about all our fisheries, the health of the groundfish fisheries, the whiting industry, and rebuilding of the Klamath stock. And to me there's some evidence here that with the proper restraints that there's reason to move forward with this and consider what the applicants are doing. It's very risky always to look at one years data, but I was pouring through this years and not picking a favorite, but there's three sectors there in the whiting industry. The mothership industry had the lowest Chinook impacts per metric ton landed, and they're the only ones that, practically, that fished south of 42. And I think, as Miss Mann said, in that fishing there were no Chinook caught down there. The CP sector, I'm not going to.....got all the numbers here, what was considerably higher, but it's still low, the numeric impacts, you know weren't that high. But there, you know why is, why are the impacts in the fishery that can move around a little bit more and catch some fish down there lower? And as I said, they're looking for clean fishing. And again, this this year's numbers, I scaled up what I saw as the Chinook impacts to date. I scaled those up to the whiting industry achieving its total allocation, and they would still have been less than a third of the impacts allowed under the biological opinion. So they're fishing clean, and right now there's some clean fishing to be had. Certainly if there is an impact of one fish south of 42, it's more likely to be a Klamath fish than what we're seeing in the

current stuff. But I think that takes us to the timing, and a lot of people have said this is the wrong time to do it, and, you know as I go through this I have to build my pro and con list and think about it, and there's a column that says this is the right time to do it because of the constraints we're able to put on it. Fishing under the ESA and the, let's call them right now the self-imposed constraints by the applicants, the 500 Chinook limit and the 35 percent of the allocation, it really puts a constraint on it. The Chinook abundances are low, and I think some of the value is thinking forward, what do we want to do? The reason there are bycatch caps now for the industry is because there are ESA listed stocks and it comes under the biological opinion. And ideally there's going to be a day when we recover these stocks, they're built, and those caps go away. And, you know, then we have to think about this. There's an opportunity to gain information, and I think has been mentioned here, some of the genetic information and that and there are some hard constraints proposed in the EFP application that limit that, and I've tried to scale some of that and I think they're reasonable. So, you know, as much as I hate to impact a single Chinook, when I look across the fisheries and what we're trying to do more holistically in the Council in supporting all of these, I think there's an argument to be made that we should look at this and make sure everything is set up right and managed so, you know, we avoid the impacts we're really concerned about, but it's an opportunity to see how this can occur in that area. And I think, as several people have said, when 70 percent of the biomass is currently distributed in that area and we're trying to avoid salmon, limiting the fishing to 30 percent of the stock maybe isn't the best thing to do. So I think we should, you know, consider this carefully and think about what we can learn from it and be safe about that fishing. So thank you.

Butch Smith [00:29:18] Thank you Mr. Chair. I'm going to call on Butch Smith. I think that, you know I hearken back to when my daughter was 15 and 16 and I'd come home and they'd be at the corner, my wife would be at one corner of the house and my daughter would be at the other and they were just going at it with the motions and whatever happens to ladies at that age, and there was times I could just shut the door and and go back to the boat. And I would like to do that now.....(laughter).... but of course you can't shut the door and go back to the boat. But I will tell you this, and Ryan please don't tell Susan I said this because I just.....you know whatever litany of concerns or pros that we have for salmon, I can tell you that the best person in the world to look at that to find out if the interactions and the permitting is Susan Bishop. Those whiting guys will be put through a fine tooth comb like they're going into federal prison for life. I am assure, I assure you of that. I've dealt with Susan for a lot of years and I love her to death and she's very good at her job, and I.....and with California's input and I would imagine Brett Kormos would have a little bit to say, I don't know but, that I have confidence in our salmon people, whether it's pro or con, that they will find, you know, what the true interaction will be and all the possibilities. I have....and you know and Susan and her staff have been down there messing around California now for a few years and the concerns and stuff they have going with the different Chinook issues and coho issues and quite honestly we were happy to loan her out. I mean we.....but she does an excellent job, so that's number one, you know, and I hearken back to we're really not making any decisions here about this particular other than to be a conduit for NOAA, and I think we have a a fair amount of great testimony. We have our co-managers both, on both north and south, have some real issues with this that will be obviously weighed-in. And so I think that, and I don't want to cut off any discussion because we can sit here and talk till midnight, but I think that, you know, if we go that way of.....I say, Ryan, I don't know who's going to do this, but I say you because you're the NOAA person sitting in the seat and you're far enough away from me you can't kick me under the table

so, but I believe that, you know we, once again we have heard excellent testimony and just an emotional issue. And, but I will tell you this, being a salmon person I have every confidence that, you know, that salmon piece will be looked at through a thousand power microscope into, you know, what they can do down there and so. You know we did something like this years ago with the whiting people and with salmon and they have done what they said and they said what they would do, so I....that way I, you know, I have confidence in whatever, however this comes out that that will still be the case. So anyway end of speech. Thank you and I'll call on Aja.

Aja Szumylo [00:00:00] Thank you. And I'll try to be quick because I want everyone to remember how many hours of work we still have to do today. I tried to tell you that we should move on the other night. But I'll start with also supporting the simpler to think about EFPs. I would like to just ask for thinking about options for moving the trawl gear EFP through the system differently than we have. You know we've tried to think about agendizing it and I'm wondering if there's something different that can happen. And so I just want to put out....I was hoping that the creative thinking would come out under the EO, but I want to just put a marker down for like can we think about things like secretarials or other ways to look at like moving forward the trawl gear EFP so that Lori doesn't have to keep doing this because it's just been long so. And then I want to just address Item 2 here on the Council tasks. There are a lot of words in our process that have negative connotations. Everyone knows my feelings about the EFP process overall, but out-of-cycle in this context has a really negative connotation and it implies, you know I think, yeah in working on this EFP I've seen people use it to imply a lack of scrutiny, a disregard for the process, a lot of different things. I'm wondering if we can think of different wording for that when we work on adjusting the.....I know that we're working as a Council on adjusting the process for EFP, so I'm wondering if we can think of wording that doesn't imply a naughtiness in it so. And then I will try to be very fast with my comments on the whiting EFP. There have been, you know everyone around the table has noted an extraordinary number of conversations. I'm really....it's been....you know in the banquet the other night everyone said over and over again that this is a good process and that we come together to have really hard conversations together and I watched it happen over and over again with this one. I know, like everyone wanted to go back to the boat and shut the door and not deal with this but people came out of the woodwork to deal with it and try in really hard ways. So I just want to acknowledge like this was so uncomfortable for everybody and then everyone still had the uncomfortable conversations and I think that that is really a testament to the system. I am softening a lot. I know Corey and I have debated a lot about the purpose of involving the Council in this process and I know that the way that I view EFPs is an artifact of how I was raised in New England and I do see the benefits of involvement here and so I'm trying to bring that softness to this discussion as well. And I see this Council process as a place for like a venue and like a place for holding space for hard conversations. So I do appreciate everyone's hard work to talk about hard things. I said this in questioning George Bradshaw and Mike O'Farrell, and Dr. O'Farrell, and this kind of question is not going to go away. Like this question of overlapping like of resource, of the resources that we are charged with managing shifting into different distributions, running into species that are in delicate condition, and we need to be able to confront those questions really well. And the kind of hard conversation we just had right now, like step one of that, like it's coming. In the Council member ongoing development conversations around that brought members in from around the country to talk about issues related to climate change and shifting distributions and how that adds pressure to this system where we have to decide on resource use across user groups that have really legitimate concerns, it's present around the country everywhere and we're going to have

to do it again. And then it makes in my mind what Corey said earlier, it makes it critical to be able to like very precisely answer the question of what the impact of 500 fish is going to be on those stocks. And I don't feel like we got a great.....like I've heard some answers, but I don't feel like we....we should be able to like answer that with stunning confidence and clarity so that we can assure both the whiting fleet and the salmon industry, salmon fleet as well, folks who on both sides who have given up a lot to support recovery for these species, that we're making the best decisions about how to achieve OI for them. So I would love to as a community circle back to like how we can get that answer more clearly, and I don't know the space for that because I'm not as familiar with salmon management. I know how it would be analyzed and answered in groundfish, but I still just didn't hear the strongest answer on the salmon side of it, and I do, I do support that. I hope that Susan that we can call her and that she can help with thinking about that in a more clear way. I'm just trying to see what I do need to say here in my notes. I just want to spend one more moment....I commented on words with out-of-cycle words with voluntary matter as well. Voluntary in this case, we might need to come up with a better word for it too. I was trying to sit last night and think about okay, what are better words for voluntary to show what that means to the whiting fleet. I wrote down things like, and ignore like the grammatical match, but like willingly, at great cost, with great seriousness, like those are words that better characterize voluntary in that context. This Council system, having worked in other regions, yeah I used the words earlier, like these are the purest souls, like the people that come to this process, the people that we work with in the system are dedicated and cautious and amazing resource stewards. It is not careless people who are here from any industry. And so the points in the discussion, in these hard discussions where carelessness has been implied have been really hard for me to hear, have been really upsetting overall, and I just want to reiterate that that's not the case with the people that we work with on any, from any group. And then I think I'll stop. I, yeah I just want to thank everyone for showing up for all the really hard conversations here. I think there are other things that I need to say, but I don't think that we should spend the time on them at this moment. So thank you.

Butch Smith [00:07:03] So before I call on Ryan, I'm oh....I'm going to call on Ryan and.....who raised their hand? Okay. Okay, so Marci, Ryan, and then Brad have your motion ready, and then will probably be more discussion looking at the....oh, and then Corey. All right, and then Dr. Lent. All right, so Marci take her away.

Marci Yaremko [00:07:29] Sorry. Yeah, I won't belabor this. I just want to reference back to the supplemental ED Report and the guidance for us on considering recommendations and talking about our considerations for NMFS as it entertains the EFP application. I guess one thing that really hasn't been said yet that I want to make sure is made clear is that I do hope that NMFS will consider if an EFP is the appropriate vehicle for this ask to process south of 42. And the reason I say that is reading the Code of Federal Regulations, Section 600.745 B1, the General Provisions. A NMFS regional administrator or director may authorize for limited testing, public display, data collection, exploratory fishing, compensation fishing, conservation engineering, health and safety surveys, environmental cleanup and or hazard removal purposes, the target or incidental harvest of species managed under an FMP or fishery regulations that would otherwise be prohibited. So the general rule makes no mention of processing being an activity that is covered under an EFP. So I would just note that, you know, EFPs are to authorize harvest and just ask that NMFS directly consider that point. Also want to note the oral written testimony from Glenn Merrill on November 6th indicates that the EFP applicants represent all of the recently active at-sea processing vessels

in the whiting fishery, and if all of the at-sea whiting fleet intends to be covered by the EFP, NMFS should consider whether exempting processing south of 42 is an appropriate application of an EFP or whether it is an authoration that would need to be addressed via a regulation change rather than an EFP. So in other words, does that clause about limited testing, is that provision met by the application? Moving to CFR 600.745 B33F, this is about the grounds for denial of an EFP application. They include circumstances when the activity proposed under the EFP could create a significant enforcement problem. So without modifying the application to include catcher vessels that are signatories to ensure they're subject to the terms and conditions, the EC Report and the exchange with Lieutenant Van Epps suggests that activities authorized under the EFP would present a significant enforcement problem. And then finally, I just asked NMFS to consider where development of the CFP fits on the priority list within the regulatory pipeline? We've heard a bit about the backlog with pending rules that would implement actions that the Council has already taken. In fact, just right now I got a notice from West Coast Region about enrolling in the trawl gear EFP for 2026 just as we were up here right now. We've heard Lori's testimony about the desire to get the trawl gear EFP into regulation. I've heard Aja mention that as well how important that is. We've also had other public comment this meeting asking about effectiveness of the Cordell Bank Regulations, and also the commercial Pacific Halibut VMS and Streamer Lines Rule. So I would just note that thinking about the priorities I feel that NMFS has quite a list of rules waiting to be implemented, and thinking about where development of this EFP fits, I feel the actions we've already taken should be given priority. Thank you.

Butch Smith [00:12:15] And I'll call you two next before I ask Brad for a motion. How does that sound? Fair enough? Okay, Ryan.

Ryan Wulff [00:12:23] Thank you Mr. Vice-Chair. So quickly I did want to thank the comments from Miss Steele. Appreciate that we are aware of that. Actually, if we were not shut down we would have come to this meeting with a report on evaluating the trawl gear EFP and kind of charting a path forward. We'll have that report ready for March with some options, so just wanted to acknowledge that and then note that we are working on that. When it comes to the whiting EFP, I really appreciate hearing all of the comments around the table, including those most recent ones from Miss Yaremko. I thought I had read the CFR EFP regs over and over and over for the past, I think every Council meeting, and you highlighted some areas that I now need to dig into further. But I also appreciate comments by Miss Szumylo on how much work has put into this. How much dialogue, availability from the applicants, and so this is really helpful. And to Mr. Niles' point, right? I think we are talking about the Council's role in EFPs and I think there is, this is a perfect example how it may vary. There may be a difference, right? This is I think a really good venue to get a large range of multiple sectors, multiple fisheries engaged as well as Council input and feedback. So I have heard and read a number of things that touch on suggestions that NMFS should consider as it relates to the application process. I've also seen some things that maybe are more related to potential terms and conditions that we might put forward, you know, as we want to. I've also heard things that might connect as it relates to enforcement and monitoring. So we will definitely be taking all of this into account as we review. And then to the point that was just made about workload, yeah, I mean we've lost two months on the NMFS side that we were planning to work on this and even have more answers for you at this meeting on how this might fit within the existing environmental analyses, what type of workload trade-offs that this, might be that we just are not prepared to speak to at this meeting. I appreciate your comments Mr. Smith on Miss Bishop.

She is fantastic. But this is not just a salmon issue for my division. I mean this will involve workload in our groundfirst branch and potentially some trade-offs with folks who are doing, slated to do IFQ modeling, you know, over the winter here. So there is some significant workload issues that NMFS will have to look at. Miss Yaremko is right. This will come into overall priorities, just like everything else. You heard from Miss Quan on the first day regarding, you know, the rebalancing and the fact that we're almost down 40 percent of staff in the region. Now my division has not been hit as hard as others so we do have some folks, but we will be looking at this kind of holistically. That said, I also appreciate all the comments about the potential to utilize this and to get some really good constructive information out of this EFP so we will continue to work on this. One way or the other you will get an update from NMFS on where we are in the process here when we meet again in March. But anyway, I know we're running late so I'll stop there, but I just wanted to say we will be taking all of this into account as we review this application. Thank you.

Butch Smith [00:15:56] So program up note. After Mrs. Ridings and and Dr. Lent say what they're going to say we're going to take a 10-minute break. I looked at the old tick tock, we've been going now for a long time. So anyway, go ahead Corey Ridings.

Corey Ridings [00:16:15] Thanks Vice. Just wanted to.....I'm going to talk about the whiting EFP here. I think enough's been said about the other ones and I'm supportive of everything I've heard. Just to cut to the chase, I do not think that we should move forward this EFP for public review as part of the Council process. That being said, I want to thank the applicants for coming to the Council. I think the EFP was of incredibly high quality and I think the rationale is strong. I think the case made was incredibly strong. I'm incredibly grateful for having that EFP be so clear and being so thoughtful and with so much consultation with what appears to be every single person in this process, and that's incredible. Why I don't think it should move forward is there's several reasons. We don't fully understand the impacts of fishing and processing on the hake population in the area proposed. And I'm talking about the hake population here itself. I know the GMT recommended that the proponents expand upon the goals and objectives of the CFP to include addressing this biological impact. That matches with the fact that there's a lot of uncertainty in the hake assessment that came out this year. We have, or I've heard concerns about there being smaller and younger fish in the south and that there are concerns that the stock is shifting south generally, and that was noted by the GAP Report, and I believe the Washington Treaty Tribes as part. In addition to concerns about impacts on the hake population generally, also concerns about bycatch of other groundfish and how might this impact other commercial fisheries, and most importantly, concerns about salmon bycatch. I would like to underscore my understanding and appreciation about the 500 limit proposed is within existing limits, and also that based on current reports, annual reports that are provided to this Council, the entire sector has been below their limits. That is an incredible accomplishment and I think that accountability and reporting is applauded. That being said, and understanding that there are limits set in the biops and this would potentially be under that, I think that we are in a state in California where every single salmon matters, and that is unfortunate and collectively we are doing our best to get out of that. I think Miss Mattes noted, I think she said billions, I don't have the number, but there has been an incredible effort by the state of California, the tribes, and by the federal government to rebuild the Klamath Basin. The dams coming down is fantastic. We've heard good things but we aren't reaping the benefits yet. The fact remains that there's enough uncertainty here at the table that we don't know what the impacts on those stocks will be, especially when thinking about ESA listed stocks and the limitations that that

might pose on fisheries across the state of California. Something important to me, and I greatly appreciate the Yurok Report, that was very helpful and a good reminder of our obligations as well as concerns that we have more broadly for our treaty obligations to the Hoopa as well as our Washington State Treaty Tribes. I think this is obvious but I'll just echo what others have said, I'm very aware that this is, you know, the Council provides guidance to NMFS and that these applications go to NMFS directly. So I will just urge NMFS as they look at this in whatever form, and thank you Ryan for all that you've done and the times this has come to the Council floor to assure us that what happens here, the sort of documentation that we produce will be considered in how you look at this, and I appreciate that very much. And finally, I'm just going to echo, I heard Corey and Aja to my left here talk about this process and I agree with that. I think that thinking about how this process happens and if we can make it smoother and better and have be more dovetailed with how NMFS is doing their work, I think that's important and I hope we move forward with thinking about that, and I think we are, but I just wanted to echo that. I'm going to stop there. Thanks for the time.

Butch Smith [00:21:05] Thank you. Dr. Lent.

Rebecca Lent [00:21:08] Thank you Chair, Vice-Chair. I know I'm standing between everybody and a cup of coffee so I will just say great discussion. Thank you everybody. So much to agree with. Just building on Miss Ridings, I just want to remember that it is not the applicant's fault that salmon are in such dire straits in the Klamath. But you are joining a big happy family, unhappy family of fishing communities, tribal communities, coastal communities that are bearing the weight of the fact that there are so many challenges to rebuilding healthy salmon stocks, and a lot of those solutions are beyond our purview at the Council. There's always a risk that something could go wrong, it could be a disaster set. Incredibly well managed fisheries, incredibly well monitored, et cetera, but that, there's always a risk. In the case of the commercial salmon fisheries of California, we set that risk at zero by saying no fishing three years in a row. So again, not the fault of the applicants who have been absolutely fantastic in the responsiveness and availability, but it's a very dire situation. We're trying our best to reap the benefits of all the efforts put in so far. So this is a time where we want to be more cautious. Thank you.

Butch Smith [00:22:33] Thank you. And with that we'll take a 10-minute break. Thank you.

Butch Smith [00:00:00] So Brad, I thought I promised you that you can make your motion now and then we'll have....well there it is. Good Lord. The magic of T.V. Go ahead please. Oh, sorry.

Brad Pettinger [00:00:15] There it is.

Butch Smith [00:00:17] I knew it was there. I just didn't. Go ahead Mr. Pettinger.

Brad Pettinger [00:00:21] I thought you might be needing glasses Mr. Vice-Chair. Okay. All right, I move the Council recommend to National Marine Fisheries Service that should it consider an EFP for issuance to the applicants listed in Agenda Item F.4, Attachment 2 to process whiting south of 42 degrees north latitude, that it consider the complete record, including the points raised in Council discussion, the recommendations of advisory bodies and management entities, and

public comment received under Agenda Item F.4, and at the June and September 2025 Council meetings.

Butch Smith [00:00:57] Is that language on the screen complete and accurate? It is. All right. Could you speak to your motion? Oh wait. Sorry, second please. Do we have a second? Second. Jaime.

Sharon Kiefer [00:01:15] Second.

Butch Smith [00:01:16] Oh. I called Jaime. Sorry Sharon.

Sharon Kiefer [00:01:21] That's okay. That's okay.

Butch Smith [00:01:24] You did scare me though....(laughter)....Okay, I'm sorry, speak to your motion.

Brad Pettinger [00:01:30] Thank you Mr. Vice-Chair. Yeah, there was discussion yesterday did we even need a motion. Should probably get some clarity to it so we can move forward with it. I would say that this is the second or third version of this. I think earlier versions kind of assumed, I think, that National Marine Fisheries Service is going to move forward with an EFP and I think it's unfair to the agency. And I think basically that, you know we've been asked to give input into the EFP by the applicants and I think that this motion encompasses getting all the input that this Council has put together in an orderly fashion so they could move forward with the agency here over the next few months. So outside of that I think that's all I got.

Butch Smith [00:02:30] Thank you Brad. Questions of the motion, the maker? Okay. Council discussion? Corey Ridings.

Corey Ridings [00:02:54] Thanks Vice. Thanks Brad for providing this motion and speaking to it. I plan to vote no on this motion. As for the reasons I stated earlier, I am fully aware that NMFS will do what NMFS is going to do and it should do, but it's my opinion that the Council does not need to formally recommend it to move forward. I want to be clear that although I plan to vote no, that I do support the part of this motion that indicates NMFSs consideration, and of course the consideration of the record from this Council, as I talked about earlier. I also think that if and when NMFS considers this, that I hope it's deprioritized in the sense that NMFS just came off a seven week furlough. We have heard about 40% staff reductions at the regional office and there are a lot of things that need to get done, requests that this Council has made across the groundfish FMPs and other FMPs, important tasks to keep multiple fisheries fishing. So that is my opinion, and that is why I will be voting no. Thanks again Brad for the motion.

Butch Smith [00:04:23] Thank you. Brad.

Brad Pettinger [00:04:26] Thank you Vice-Chair. Actually this is not recommend going forward with the EFP. It recommends that if they would consider the EFP that they should consider all the information that's been put before them. So no way consider this as an endorsement of moving forward.

Butch Smith [00:04:47] Corey.

Corey Ridings [00:04:47] Thanks Vice. Thanks Brad. Yeah, the wording's a little confusing there, but thank you for clarifying that. You know, I read it that way, which is just to say that I don't necessarily see this as an endorsement, I just don't think the Council needs to say anything on this right now. So that's...did that help? Thanks.

Butch Smith [00:05:14] Any other discussion? Corey.

Corey Niles [00:05:22] Yeah, thanks Mr. Vice-Chair. I'll just try to echo some of what I said earlier. Thanks for the motion. I really do question.....I do understand NMFS has the authority to do this, but if they.....it only really hit me this morning, but I don't know that.....well, I'm going to go back to what Butch said and that the NMFS staff is going to scrutinize this. But I think the natural place, the place we would do this normally is in the rebuilding plan itself. When you're just.....the main concern about being the Klamath stock and that's the limited resource needed to allocate, then the way to do that fair and equitably is part of the rebuilding plan and to then consider how different amounts of fish affect the shortest time to rebuild taking the needs of the fishing communities and all that. So that that is where the Magnuson Act instructs us how to deal with this very problem, which I've only really became to realize now. That said, we are, and I trust NMFS will do the due diligence if they do review it as, you know Brad said, we're kind of handing this off to NMFS and the applicants here. And on that, the rebuilding plan gives you a clear conservation objective. And I want to say that I think, you know I came to this process in 2007, I was skeptical of the industry and then over time I've just, I have nothing but respect for what they've done to achieve the conservation objectives that we've given to them and they've done this at a cost that no one's been able to quantify. No one's tried to quantify even, they've just done it. And yeah, it's the whole.....I really enjoyed the voluntary discussion, but it's, you know it's basically they're doing it by private contract, which happens all over the world in the business world and it's effective. And the data they collect, you know I don't know about the whole world, but in terms of what we have on the West Coast is government, there's nothing better than the data. The only thing, the only people who have better data than than us is the industry themselves in that and what they give to C state. So if we give them a clear conservation objective they'll achieve it. I just I'm hearing some really uncertain thoughts and totally understandable concerns about wanting to be precautionary. That we have, but we have way.....this Council process again, works well when we use science and quantification to figure out what those conservation objectives should be. Just a couple, yeah, we don't have time to work through today. I totally, I fully agree with Marci and what Corey just about the other reason we bring EFPs through the Council process is because Ryan doesn't have unlimited staff and it is workload priority issue. And but I'm also like, I'm still not understanding some other Marci's points about enforcement or, yeah this....I would question maybe.....I'm sure the Council made a very deliberate choice back in the 1990s when it did this out of concern for salmon, but the concern was over the fishing for the salmon and the processing was a nice elegant way of stopping the fishing. So I, yeah I don't understand, and I don't understand the enforcement concerns at all really because again, this is.....the prohibitions on processing and you can fish there now and so all you really have to do is watch the processor and, yeah, but I should, I would enjoy hearing more from Marci after discussing this to understand that better. But I kind of agree with what Heather Mann said, you could watch where the processes are. Anyone using marine traffic or any other number of tools, you can see exactly where they are. I

think that's all I want to say. Yeah, I'm a little disappointed that we are handing this off to NMFS, but it's.....yeah, I think it would be better considered under the salmon, the salmon aspects under the salmon FMP and the rebuilding plan. And I'll leave it there.

Butch Smith [00:09:41] Dr. Lent, and then Marci.

Rebecca Lent [00:09:44] Thank you Vice-Chair. Just ask a question. As I understand this, that the goal of this motion is to make sure that NMFS reads the record of this Council meeting. So I guess my question is, is it necessary if we didn't have this motion, would NMFS consider the record of what's been discussed at this Council meeting and the advisory body reports? Thank you.

Butch Smith [00:10:17] Who are you addressing that to? The motion maker or NMFS?

Brad Pettinger [00:10:20] Well we had discussions with the Council leadership about that yesterday and I think it was, the motion was the recommended venue here to move forward. That was my....that's what we came up with. So I would defer to Executive Director Burden potentially on that or....

Butch Smith [00:10:43] Ryan, go ahead.

Ryan Wulff [00:10:46] Yeah, thank you Vice-Chair. Thank you Dr. Lent for the question. I mean yes, of course we would, right? I mean the whole EFP process in general lays out pretty clearly in the regs that there should be some engagement with the Council so we would do this. I think this motion specifically directs us to certain aspects of the record, advisory body reports, public comment. It also references previous meetings. So I mean it's not that we wouldn't take those into account, but it is a very clear recommendation from the Council. Thanks.

Butch Smith [00:11:26] Marci.

Marci Yaremko [00:11:29] Thank you Mr. Vice-Chair. Just very quickly feel the need to respond to Mr. Niles. My concern is with the biological opinion. fishing is authorized but has not been analyzed because it does not occur in any appreciable amount. Then, if I may, I just want to follow-up on the exchange we just had with Ryan and Rebecca. I'm struggling with the difference in how NMFS will undertake this activity with or without this motion. You just highlighted that the motion specifies some areas which may be construed as priority because we put them in the motion, but that makes me somewhat concerned that there might be things that aren't covered in this motion that you would need to look at closely that I don't, I can't decide that I would want those to be more or less a priority than what's on this list. And so I'm struggling, you know, with the need and I'm struggling to understand if I'm making the right decision to prioritize the things that are on this list. So maybe you can elaborate a little bit about the process that you would use with this motion in place versus the review process you'd use with no motion. Thank you.

Butch Smith [00:13:12] Ryan.

Ryan Wulff [00:13:13] Yeah, through the Vice-Chair, thanks Misss Yaremko for the question. It's not.....having this motion does not mean it is going to prevent us from looking at anything else,

right? I mean, I think this motion clearly covers all aspects of this Council process and previous Council process where this issue has been raised, right? So it accurately references all of those. And that's in general what NMFS would have done anyway or will do, right? We are going to be taking in Council feedback, public comment. Of course there will be a, if we move forward with this, it will also go out Federal Register Notice for additional public comments, so we'll be taking all of that into account along with this input from the Council as well. In addition, as I noted earlier, which we didn't have a chance to report at this meeting on because we were going to do it over the last couple of months, NMFS will be doing its own analysis of things that we, you know concerns we might have, be thinking of things, you know very similar to points that have been raised. We're going to be looking at all of those kind of same components. This is consistent with the environmental analyses, looking at monitoring and enforcement, looking at terms and conditions, potential things. So we're also going to be doing our own review, and that will involve, as I noted earlier, multiple branches in my division so, and that will happen either way. I hope that helps.

Butch Smith [00:14:33] Corey, then Aja.

Corey Niles [00:14:36] Yeah first, for Marci I think.....well again we could hopefully talk in a few.... But I'm not....I'm totally understanding your biological concerns or whatever your biological opinion concerns, but the enforcement aspect of it was what I meant to speak to if I didn't say that precisely. But also what I heard Marci, asking about workload priorities, was I would.....I'm assuming part of what you'd come back with Ryan, like you're going to do your analysis of the EFP, but you would come back with like in probably with Keeley in the seat, explain what the workload situation is. Like you guys have done a really nice job of the last however many years now to say like, this EFP stacks up. Here's your, all the workload you've asked us and here's the EFP and then talk about what, I think what Marci asked about at that time, whatever that would be March, April or June or.....

Butch Smith [00:15:21] Ryan.

Ryan Wulff [00:15:26] Yeah, through the Vice-Chair. Thank you Mr. Niles. Yeah, it's a good point. Normally you would have heard at this meeting on day one and here's our priorities, right, from NMFS. We we do that every November typically. That obviously was not....we canceled that agenda item because of the shutdown. So yes, by the time we get to March you're probably going to hear across the board, not just in groundfish and the workload management measures, you're going to hear from NMFS in all of the various agenda items kind of where our priorities are and how that's being impacted. You know there will be some follow-up to what Miss Quan said initially on day one that we probably would have had more information for you on it this meeting that will now happen in March, yeah.

Butch Smith [00:16:09] Aja, then Sharon.

Aja Szumylo [00:16:11] Thank you Vice-Chair. I'll just say quickly that I see in this motion a lot of clear guidance to the applicants too to deeply consider the information that came out of all the discussions that happened this week and endeavor to incorporate as much of that as possible into the application that's submitted to NOAA. That's also, just noting too, that a lot of the things that came up are things that NOAA would have to address if it considered approving this in the terms

and conditions. So some, there.....yeah, Ryan noted this earlier, but there's some difference between what is required in the application and then what if NOAA ended up approving it would have to happen in the terms and conditions. And then underneath all of that, all the environmental review that's required of every action that the agency authorizes would back this. So I think all of that is very clear here in this discussion.

Butch Smith [00:17:07] Sharon.

Sharon Kiefer [00:17:10] Thank you Mr. Chairman. In my opinion, I see this as a very neutral motion because it's certainly, it's should NMFS consider an EFP and recognizing that Ryan has indicated that, well of course we'll look at the record and do this and do that, but on the other hand I think it is the Council's responsibility relative to all of the individuals who have testified to the Council, not NOAA Fisheries, but to the Council to ensure that that record goes forward. Furthermore, with all due respect to Ryan, he doesn't know what tomorrow's directives to NMFS at a national level might be that might intersect with their work and what they do relative to EFPs. So I just see this as just a neutral insurance that all of the people who have taken their time, their words, their heart, to testify to us and our committees that ensuring that that is from our perspective something that should be concluded in the consideration, in NMFSs consideration of this EFP. Thank you.

Butch Smith [00:18:30] Thank you. And to add to that a little bit, I think we almost have an obligation to do this. I mean these people for months have poured out their testimony, whether it's for or against, and you know an avenue to make sure that testimony and the AP's reports get to Ryan, not leave it for chance that, oh I forgot that. I mean he has, or he, I say he, I'm sorry Ryan, whoever is going to do this has what everybody has traveled here for, whether it be we're for it or against it, and I think that's an important piece. We're not giving our blessing. We're Switzerland on this deal. I feel we're simply taking the information and providing it to Mr. Wulff to hopefully make the educated decision thumbs up, thumbs down. And he has all the resources, although limited now, but the resources to, you know, look at the science, the impacts, the Endangered Species Act, all that stuff that will probably go into this. So that's why I feel comfortable, but I'm not going to vote so that's good. I got the gavel. So I will go with Lynn and then Christa.

Lynn Mattes [00:19:49] Thank you Vice-Chair. Miss Kiefer hit on a lot of the things I was going to say that we're not endorsing the EFP, but we're trying to be very specific in what we want NMFS to include when they consider it. It is a rather neutral motion in that regard. I keep....I'm going to mention John Holloway twice today because I know it's coming up later today, but he always said if you're not at the table you're on the menu. And I see this motion as trying to help ensure that we're at the table and helping to set the menu and the ingredients that are used. Again, I'm not a hundred percent sure which way to go on the actual EFP, but to consider everything and have NMFS do the analysis I will be supportive of. Thank you.

Butch Smith [00:20:42] Christa.

Christa Svensson [00:20:43] Yeah, thank you Mr. Vice-Chair. Considering everybody else has weighed in, I think I probably should put my mark on the table as well. I will be supporting the motion. I am appreciative of the maker of the motion clarifying that this was not an endorsement.

It does feel like a bit of a punt in terms of, you know, we've spent a lot of time at the Council talking about we want to provide our input, et cetera, and we shouldn't go around the Council process, and here we are saying, okay, we're going to hand the whole package to NMFS. That being said, I think we have heard from a wide variety of stakeholders and this is the appropriate course of action. I do want to acknowledge the tremendous amount of effort that has been put forward by the applicants. It has been admirable before we ever even got to the meeting, but also the time and effort and outreach at this meeting to find a solution with a whole variety of stakeholders, I think needs to be recognized in this process. I do want to temper that with the large amount of outreach that we have heard from a variety of stakeholders that come from commercial, recreational, the tribes, charter sector, the environmental community in terms of concerns on this, and particularly our fellow Council members here in the state of California that have expressed concern and opposition to this particular motion. At the end of the day this is going on in their waters and I do think that that does need to be acknowledged. And I recognize that currently we can fish in those waters. This is about processing and I think it is an opportunity. So with that I will close by saying thank you to NMFS. I think you've got a tall order to go through all of this information, do all of the vetting that needs to happen across multiple FMPs to ensure that we have a decision that will be acceptable, maybe not successful for everybody but acceptable as a path forward.

Butch Smith [00:23:24] Mr. Sones.

David Sones [00:23:26] Thank you Mr. Vice-Chairman. I think it's getting a little clearer to me now as to whether.... I do think we do need to support the information going forward. You know our tribes have made their arguments in opposition and so those will get considered under this motion I believe, with....and we probably would have direct contact with NMFS if there was concerns, that is a lane available to us. And but having that said, I'm also concerned with is it really needed? I'm looking at the catches for the industry. They've almost achieved a lot of what they're, these exceptionally high quotas. I mean these things are really high compared to what they were 10 years ago, and a lot of times I'm not even clear on whether we are accurate in our stock assessments. They seem so high. It's the opposite of what we're seeing with other species where there are all kinds of fish out there, but geez, they're having a hard time finding them. And I don't....I think the 70 percent below 40 whatever is a red herring, really. I don't really agree with that. But just the purpose and need I have a lot of concern with because they are achieving a lot of what their quotas are, and the reason they're spending so much time out there is because there is huge quotas that they have to take, but they are getting them. I mean we've even been asked from the Makah Tribe or the tribes in the north if we could pass fish on to a sector because they are getting closer to their numbers. So it's not like they're not able to achieve their allocations, and I don't know if that even got really brought up in this whole conversation so I'd like to get it on record. But because of what we are.....what Brad is proposing here, I can support the motion to move forward. Thank you.

Butch Smith [00:25:30] Thank you. Marci.

Marci Yaremko [00:25:35] Thank you Mr. Vice-Chair. I realize the language was developed totally with the intent that it be neutral and that it not presuppose anything with regard to support or opposition, but I have to say the language does imply that NMFS will do some work in the form

of reviewing the application, whatever it may be, determining the application's complete, and I'm not clear of the necessity for us to....I mean they're going to, they've said they're going to review the record anyway, and I believe that, as well as reviewing, doing their, conducting their own review. Because of the implication that they'll be doing work here, I'd prefer they do other work on the other regs that are in the pipeline, so for that reason I will be voting no. Thank you.

Butch Smith [00:26:53] Okay. I guess we have come just to the time where I see no other hands up so I will call for the question. All those in favor?

Council [00:27:14] Aye.

Butch Smith [00:27:14] Those opposed?

Corey Ridings [00:27:18] No.

Marci Yaremko [00:27:18] No.

Butch Smith [00:27:20] Those abstained?

Ryan Wulff [00:27:21] Abstain.

Butch Smith [00:27:35] Well, I heard lots of things. I thought I heard the 'Yays' have it, but we could do a roll call if you feel more comfortable.

Merrick Burden [00:27:49] I don't know that we need to, and just to recap Mr. Vice-Chairman. I heard Miss Yaremko and Miss Ridings vote no. Did I miss anyone? Okay. Then yeah the motion passes.

Butch Smith [00:28:00] And then we had an abstention by.....

Merrick Burden [00:28:01] By Mr. Wulff.

Butch Smith [00:28:03] Mr. Wulff. So the motion passes. Regardless, thank everyone for their hard work on this issue. We are not done however. We need to bring those other things up we need to get to. Isn't that correct, Mr. Phillips?

Todd Phillips [00:28:26] Yes, thank you Mr. Vice-Chair. As soon as that, oh there it is, the task list. I would say that you have looked at Number 1, 3, 4, and 5. The outstanding one would be of course the Number 2 which is consider the benefits of an out-of-cycle EFP and endorse a process as appropriate. Thank you.

Butch Smith [00:28:48] Okay, so Marci.

Marci Yaremko [00:28:52] Yes, thank you Mr. Vice-Chair. I did prepare a motion on the other items, the other EFPs. With that I'd ask tower of power if you can pull up the CDFW motion please? Thank you. I move the Council approve for public review the California Department of

Fish and Wildlife EFP renewal application to collect cowcod and yelloweye rockfish biological samples in 27' and 28', as shown in F.4, Attachment 1. In the event that regulations identified in the Appendix of F.4.a, Supplemental GAP Report 1 are not effective by January 1, 2027, the Council recommends NMFS reissue the trawl gear EFP for 2027 and 28'.

Butch Smith [00:29:49] Does your language look accurate and complete?

Marci Yaremko [00:29:51] Yes it does.

Butch Smith [00:29:52] Okay, I will ask for a second. I got Dr. Lent for the second. Speak to your motion.

Marci Yaremko [00:30:01] I think we've covered the territory adequately. Thank you.

Butch Smith [00:30:06] God bless ya. Council discussion? Seeing none I'll call for the question. All those in favor?

Council [00:30:19] Aye.

Butch Smith [00:30:20] Those opposed? Abstentions?

Ryan Wulff [00:30:23] Abstain.

Butch Smith [00:30:25] Okay, we've got one abstention. The motion carries. I'm sorry. Okay, Aja.

Aja Szumylo [00:30:41] Thanks. In the interest of 8 hours of scheduled agenda items after this, regarding Item 2, I know that we have a bigger process coming up for evaluating the COP 19, so I'm wondering if we can defer that discussion until that place? Thank you.

Todd Phillips [00:31:02] Through the Vice-Chair, thank you Miss Szumylo for that question. I would look to pass the buck to Executive Director Burden on that one.

Merrick Burden [00:31:11] Yes, thank you for the question. I believe we have....we will take our experience here and look forward to what we can do more efficiently under COP 19 and I think we can defer to that decision until that time.

Butch Smith [00:31:35] Mr. Phillips.

Todd Phillips [00:31:36] Yes Mr. Vice-Chair. I apologize Miss Yaremko. I totally forgot that you had a motion there regarding the CDF and W EFP. So looking again at your task list and with the question and guidance from Miss Szumylo, I would say that you have addressed all five of these tasks and that this agenda item is complete.

Butch Smith [00:32:00] Thank you sir. All righty, I will gladly be passing the gavel back to Chairman Hassemer.

5. Harvest Specifications and Management Measures Flexibility

Pete Hassemer [00:00:00] Okay, as we get started here can we get our task list back up on the screen? Everybody's buckling their seat belts to stay here for a while. All right, excuse me, with that we've finished all the reports, the public comment, had the good presentation on day one here on this so I'm expecting somebody's prepped and ready to raise their hand and start discussion. Aja Szumylo.

Aja Szumylo [00:00:41] Thank you Chair. I'll just say in the interest of time, I have a motion ready. And perhaps.....I'm wondering if just putting it out there and letting the discussion happen after that would be helpful?

Pete Hassemer [00:00:55] Let's do that. Thank you.

Aja Szumylo [00:01:00] Okay. I move that the Council adopt the problem statement as drafted in Agenda Item F.5, Attachment 1, November 2015 with the adjustments listed in Agenda Item F.5.a, Supplemental GMT Report 1. The range of alternatives indicated in Agenda Item F.5.a, Supplemental GAP Report 1 with the adjustments listed in Agenda Item F.5.a, Supplemental GMT Report 1. And the PPA listed in agenda item F.5.a, Supplemental GAP Report 1.

Pete Hassemer [00:01:35] Thank you. I followed along and all appears accurate and complete. Thank you. Is there a second to the motion? Seconded by Brad Pettinger. Please speak to your motion.

Aja Szumylo [00:01:49] Thank you. So first, just want to start. I....and thank Jessi and Gretchen. I know that this was crammed onto already a very full plate and you guys came back with a report that was very thorough and clear and easy to understand for me at least. And I know that saying that as like a big groundfish nerd and it may not have been totally easy for everyone but I followed along really well and I appreciate the clarity and the speed of the report, and you made something very technical really easy for me to understand and think through. I hear the SSC's concerns and I know that they were limited in their ability to review the report because of the furlough. And then I really appreciate that there are changes that are proposed in this right now that complicate scientific advice and that could increase the risk of overfishing without the right analysis for it. And then Miss Conrad pointed to these concerns as well. But I hope that an additional SSC Groundfish Subcommittee review leading up to I guess the March meeting will help kind of push through some of those concerns and think about them a little bit more. I want to point out related to those concerns that this action is a framework, or it provides a framework. The impacts, I think, should come through in our specifications action so that we can.....the report for this agenda item did provide a lot of examples of specific stocks to help us think through what things would look like and the flexibility that would actually be provided around things. But I do think that when we actually get to implementing or like picking up these tools and using them that we'll look at what the real effect will be both on the target stock and on any stocks that those target stocks interact with in the annual specifications process. And then as I was thinking about this, so I know that I was one of the biggest proponents for this action coming forward. I know that there's a lot that needs to change with this fishery to make more flexibility available to all of us and that this action

isn't quite perfect. I know that there are some things that like definitely could be refined. I know that we're also putting band-aids on a....but yeah, I see this is a lot of band-aids, it's a big package of band-aids rather than a wholesale adjustment of the system. And I know that a lot of that thinking about a wholesale adjustment of how we do the specification setting over top of things is coming through some analysis that the Council is doing, and in the risk agenda items that are coming up in the future. So I'm hopeful that now that we have tools, band-aids, that we can alleviate some of the stress while we do this longer term thinking about how to address the risk, the risk balance overall for all the fisheries and some other action later on. I think we really do need these short term fixes for now. Even if we end up adjusting the system in a really different way later on, I just don't see how we're going to be able to go forward in the meantime. Through that really big discussion. I do expect it to be really challenging and long without putting these, you know short term fixes, this framework in place to do some minor changes in place in the meantime. So I expect this motion will be different when we get to the final action stage, but I think for now pulling in the suggestions from the GAP and the GMT and taking those into deeper consideration will provide us the information that we need to take final action later on when we get to it. And I'll stop there for more discussion. Yeah, I'll also note that I did not choose to write out everything in the interest of time, but I also know that that makes things a little bit harder for people to think about, so I apologize for that but hope that this provides enough for us to just move forward for when we don't have such time constraints. So thank you.

Pete Hassemer [00:06:13] Thank you. Any questions for clarification on the motion? Corey Ridings.

Corey Ridings [00:06:22] Thanks Chair. Thanks Aja for putting this out. My question is just in regard to what you noted about the SSC concerns. Thank you for noting those. Do you have anything particular in mind? I know what the SSC said itself was a little bit vague, kind of they just wanted to have an opportunity to take a look at it. Do you have, like, are you envisioning a meeting or just letting the SSC decide on their own what they consider? Just curious if you have any sort of a little more meat to put on the bones there as guidance so Council staff can move forward.

Aja Szumylo [00:06:58] Through the Chair, thank you Miss Ridings. So I imagine leading up to this meeting there would have been a more thorough SSC discussion, something a little bit bigger to start to get at this question, and so the first thing that comes to mind is like whatever would have happened leading up to this meeting, having that later and having like, yeah, more time for them to touch this would be enough. I don't think that it needs to be like a different separate meeting than the preparation that would go into going into any meeting traditionally. I know that the SSC.....well, we haven't decided what happens with widow yet, but I know that there are some over-winter times that are potentially coming up for the SSC to, maybe the Groundfish Subpanel or the full SSC to meet, so there may be some pairing that could happen between those things. I don't know the entire mechanics of it, but I do envision it as something that just looks like the analysis that would happen leading up to a Council meeting. So I think that should be enough time for them to think through hypothetical interactions with risk. And then we also, yeah, Corey Niles prior to the break mentioned a piece of the initial motion for this consideration, I'd love that to be picked up as well. And yeah, maybe one really good way to look at it would be to take one stock and really sort of play through what this would look like after, you know, compounding the impacts

of carryover for example for a couple years or, yeah I think that, that might be the one with the biggest set of like cascading future concerns, but if there are other ones that rise in the SSC's view as creating like a specific risk for overfishing or specific challenge to thinking about the interplay between increasing target catch for a stock that might result in additional non-target impacts I think that might be a good way for them to like look through it and think about it. That also might come through in the additional analysis that comes from us moving this forward. I'll stop there. I don't think I'm helpful anymore.

Pete Hassemer [00:09:18] Thank you. Executive Director Burden.

Merrick Burden [00:09:22] Yeah, thank you Mr. Chairman. And let's see, I heard your question Miss Ridings and I think it's a good one, and notwithstanding Miss Szumylo's prior answer I would just say, you know as staff and as your Executive Director we have to have a package that can pass muster before we go final, and we're under no illusion that we're not there yet. And so we've been talking internally about what we need to do to get the package to that muster. And we have to have conversations with some of our Science Center colleagues. We will be hiring a new staff officer of a scientific credentials. I'm really excited about some of our candidates that I envision plugging into this right away. What that looks like at the end of the day I don't quite know, but I think it would address some of the SSC's concerns. I guess I would say doing a full blown management strategy evaluation of all of these options, I'm not picturing that, I'll be very clear, but I think we can do something that really helps to bridge some of the gaps that exist now, but we just have to have some of those conversations.

Pete Hassemer [00:10:37] Corey Ridings.

Corey Ridings [00:10:39] Thanks Chair. Thanks Aja. Thanks Merrick. That's really helpful. That sounds like what I was thinking about. I also note I was just looking down here at the papers on my screen and it says that the SSC did propose a focus meeting of the subcommittee, the Groundfish Subcommittee before March. So I see that as a minimum and then also meeting what both of you just described I think is reasonable.

Pete Hassemer [00:11:03] Thank you. Other questions for clarification? Aja.

Aja Szumylo [00:11:10] Sorry, I wanted to add one thing for clarification on my own motion. I forgot to say this, but I am pro annual spex but I know that that's not the vibe right now. Like I know people do not like that idea. I see mid-year, like the mid-year biennium changes as like effectively annual spex in my mind, and I've seen annual spex work for a lot of species when the scope of the specifications action is tightly constrained to just changing the catch limits, and so I believe that that is a very big possibility. I don't want people to think that I don't support that and I would love to go there in the future, but it is not in the range of alternatives that the GAP and GMT put forward. And I trust them that if they do not see the utility right now, again, with my broader intention that this is a bridge to something bigger, then I'm fine with leaving it off the table at the moment. So I just wanted to address that one directly.

Pete Hassemer [00:12:12] All right, thank you for asking and answering your own question there on that. Any other questions for clarification? Not seeing any, discussion on the motion? Corey Niles.

Corey Niles [00:12:27] Yeah, thank you Mr. Chair. Thanks Aja for the motion. Supporting it. I have to say, yeah I definitely support moving this forward. Use the word band-aids. I'm not sure in the end. I think the green light aside, I'm not sure that the carryover will.....well remains to be seen, but I kind of see the carryover without the multi-year part being kind of a how big of a buffer do you want to make your carryover work type of thing, and I don't know if that's going to be the best use of Council time. So I'm really hoping to what Merrick spoke about before lunch about taking up this broader risk discussion and also Aja thank you for that mention. I think these things will dovetail and help one another. And just I, yeah, like kind of in my question with the SSC, I think if we had the scientific advice that we got for Albacore then Brad's big C carryover idea works automatically. And you know doing this a long time, listening to the SSC a lot, you hear scientific advice from people who do work internationally and then you get answers that have some mix of what people, what they think lawyers and the policy people tell them is allowable and a pretty narrow definition of what preventing overfishing means which I think we're going to.....you'll, I think we'll see tomorrow about from some of us arguing that we can take a different approach to widow while still preventing overfishing in a scientific sense of it. So I really think that risk decision and risk discussion that Merrick recommended, whenever that was, last meeting, is really going to be important here. And lastly I have to share one thing. I did....I put... And first I should say thanks to Council staff, Jessi in particular, for all the work went into it. That was a really good document. I fed that to the Claude AI together with the National Standard Guidelines and a bunch of other things from the Council record and I asked it what it thought about leaving out the multi-year discussion of it and came back with a couple phrases that I just will read real quickly. They don't rhyme like a lot of the AI do, but the....it says, "Without a multi-year evaluation these flexibility measures are incremental improvements within a fundamentally conservative framework rather than the structural reforms that match biological and operational reality. The April 2026 risk management framework discussion could be pivotal, but it is also potentially where real reform gets stalled by procedural conservatism". And I know there's AI hallucination problems, but I think it's on the right track here, and again I'm just overly making the point that I....we need to have those risk discussions together with this. And thank you for the motion.

Pete Hassemer [00:15:28] Thank you. Other discussion? Lynn Mattes.

Lynn Mattes [00:15:32] Thank you Chair. Appreciate Miss Szumylo working on this motion and trying to get us moving forward and trying to think....you're probably glad she did it because if I did it there would be tables and tables and tables of what all is included here. This is very complicated. There's a lot of moving pieces and parts. I do believe the presentation by Miss Waller, who I accidentally called Miss Doerpinghaus the other day, I do believe that helped. It helped guide us where we needed to go. Most of the things we've talked, that are talked about under this item have been talked about at one point or another during my tenure around this process so I was somewhat familiar with them, but even there it was still pretty complicated. So I appreciate the time and effort the GAP and the GMT and the SSC with their limited time with the feds were able to put in and try to synthesize and figure out what would work, what may not work. I still worry our range of alternatives and our PPA may be a little too complicated, but it's a good place to start.

I also...over winter always sounds, oh it's great we've got a whole lot of time. With the March Council meeting the briefing book deadline is usually mid-February. With the holidays, it's only about eight weeks of work time between now and the March Council meeting and we've got spex and we've got the widow supplemental supplemental possibly, so just trying to be a little cognizant. I know Executive Director Burden will work and figure out what's the best timing for things. Supportive of this going forward and hopefully we can figure out which of these items would maybe provide us the best bang for our buck, the most benefits to the most folks with some of the lower amount of workload. And I really appreciate all the thought that's gone into this to try to help our fishing industries, our fishing industry while still protecting our stocks. Thank you.

Pete Hassemer [00:17:40] Thanks. Jaime Diamond.

Jaime Diamond [00:17:42] Thank you Chair Hassemer. I keep going back to that statement in the the sentence in the SSC statement of them wanting a better understanding of the drivers of underattainment. And it....I see Mr. Lackey's response was definitely once it's in the fisheries hands, how that happens, but I keep going back kind of to where this is taking us and there are so many exponential compounding layers of buffer and precaution that get put in to what comes out in spex before we put any other management precaution into it even. And because what we're working with on this end of things has been truncated so much typically from where it could be because of all of the uncertainties that get put in, and again, it compounds depending on how it gets added in there. I think about the collapse of fisheries in early 2000's with all of the overfished declarations with rebuilding plans that were, that went out a hundred years, anywhere from I think it was like 60 to a 100 years worth of rebuilding for these different stocks only to less than 20 years later go, oh actually we're okay and for some of them they came back and was like actually we may not have ever actually been overfished. And I just think about the beyond abundance of precaution gets baked in before it even gets to us from management level to add precautionary layers. And so my feathers get ruffled a bit when I keep hearing more and more comments of more precaution built into these things on the management side because that goes straight into why we are able, not able to fully attain our stocks and that's what we're supposed to be doing here. The goal is to catch the fish. In any other job if you weren't fully executing it you'd be fired. I mean really like we're not doing our job well for fish, as a fisherman if you aren't able to catch your fish. And you're restrained by what we're.....we are restraining fishermen by the rules that we put in place and the management measures we put in place, but those are constrained to what we are ending up with as this small pot of fish to work with at the end of the day. And so again this is a band-aid to a bigger picture until we can get to the bigger picture I feel, but thank you.

Pete Hassemer [00:20:35] Any other discussion? Corey Ridings.

Corey Ridings [00:20:37] Thanks Chair. I'll say that I am planning to vote for this motion. Thanks to Aja and others who put this together. I will add that I still have a lot of heartburn about the problem statement. I still think that this long term stability is the wrong term to have in there. I think it's not accurate in terms of what we've been presented with thus far. I think we're....even the fact that we're calling it a band-aid would suggest that this is short term in nature so I'm struggling with that a bit, but I don't want to hold this up and I don't.....my understanding is this is not important enough to sort of to go too deep on that. Just noting that I think it's good to be thoughtful and specific about these things and I see this very much similarly as a band-aid. The other thing I

noted is just going back and rereading that statement several times in the first paragraph, it talks about steep changes in the harvest specifications that are resulting from the Council's scientific understanding. And I think.....and then it goes on to sort of have this whole roots of a tree of causality, and I think it's really important that this Council very, very clearly own that we set the harvest specifications. The science does not set the harvest specifications. We set the specifications. We use estimates from science with associated uncertainties to make our harvest specifications decisions. So I think it's really, it's again, it's a small point, and I really appreciate Miss Waller for putting this together, that is not meant to be like overly picky on that. Just noting when we think about these things and the problems, I think being specific and intentional is really important. And then further down, like getting to those sort of roots or branches, which other way I guess you're going on the tree, you know there are so many things that can lead to changes in fishing behavior, harvest strategies, market disruptions, we've heard so many things. You know, we're about to go into the trawl 5-year review, and just previewing that a little bit, I think one of the biggest things we found out from that is that there were a lot, many, many levers that the Council can't push, and they don't actually have to do with what we do here. They're coming from outside and they do have to do with the market and cultural trends. Anyway, I'm going to stop going on just to note that I think for now I'm going to go along with this, but I just wanted to bookmark those concerns and have that in mind.

Pete Hassemer [00:23:29] Thank you. Other discussion? Corey Niles.

Corey Niles [00:23:34] Hopefully thirty seconds. I just also want to say I understand what Corey's saying and the purpose of need and I would again look to that risk discussion. But I think everything in here and everything we'll be arguing for is about the long term sustainability of these stocks and I don't hear anyone saying that at all. So I don't see the same...the long term stability is about, that's what preventing overfishing is about and the trade-off between short term and long term and all that, and that's, none of that is changing this. And I also just to make sure, just to balance off my other comments, I think you'll be hearing me or WDFW argue that a P Star of .45 is not conservative enough when you have a stock where you're fully attaining it necessarily. People in this process seem to think it is and I would, I look forward to saying why I really don't think it's not. So but I think that really is about risk, but I think everyone here is on that same page about this is about balancing, you know, our National Standard 1 and National Standard 8, which I think we'll speak to specifically tomorrow with widow. But just want to.....I forgot to kind of balance out some of what I was saying earlier, but sorry for the extra time and thank you Mr. Chair.

Pete Hassemer [00:24:51] Thank you. Other discussion? Not seeing any I will call the question. All those in favor say "Aye".

Council [00:25:03] Aye.

Pete Hassemer [00:25:05] Opposed? Abstentions? The motion passes unanimously. Thank you Aja. Back to our Council Action. Jessi.

Jessi Waller [00:25:31] Thank you Mr. Chair. Yes, you have completed your action for today to adopt a problem statement, range of alternatives, and a PPA if possible. I'll note that to Mr. Niles, the multi-year idea that was being brought forward, we are still planning to continue those

conversations with the SSC, and then, you know, work towards that SSC review that was discussed by the Council members here in the coming couple of Council meetings, whenever we can get that appropriately scheduled. So you have completed your action for today.

Pete Hassemer [00:26:05] All right, thank you. Nothing else to do on this one then. Looking around, we'll close out this agenda item.

6. Inseason Adjustments for 2025-26 including Pacific Whiting Off-the-Top Bycatch Deductions – Final Action

Pete Hassemer [00:00:00] All right. Then that will complete our public comment, take us to our Council tasks. And let's get those up on the screen. And you heard some potential pathways to deal with this, NMFS 305(d) authority on the whiting set-asides and a pathway on the other item. Lynn Mattes.

Lynn Mattes [00:00:42] Thank you Chair. I think this is a procedural question for NMFS and Mr. Wulff may need to phone a friend, I'm not positive. Based on the guidance from Executive Director Burden about not trying to do too much in December and the back and forth about the GAP being okay with waiting on the trip limit adjustments to March, since we're discussing it now and we have it in reports now, does that still qualify for our new information or what has changed when we come to March? Or would it have to be a new request and the GMT redo analysis for our inseason so we don't have to do the public notice? I just....I've got years of the GMT, well what's new, what's different, what's changed? If talking about it now but not doing anything until November does that bar change for us? Thank you.

Pete Hassemer [00:01:34] Ryan Wulff.

Ryan Wulff [00:01:36] Yeah, thanks. Through the Chair, thanks Miss Mattes for the question. Yeah, I mean I do think they would need to at least see if the data's changed and probably rerun the models and confirm the results. And then if it was different, yeah, that would require a new report, but only if it was.

Pete Hassemer [00:01:56] Thank you. Any other discussion here? Caroline McKnight.

Caroline McKnight [00:02:04] Thank you Mr. Chair. And thank you Ryan for the clarification on NMFSs ability to handle the whiting set-asides outside of, you know any motion here. And also Mr. Burden, thank you for the messaging about high bar. Given that we've just heard from the GAP that there isn't an imperative need for a January 1 implementation of these trip limits, I think that leaves us with a deference till March. And since there's no other remaining items or requests within this agenda item it feels a little weird to not give a motion, but I think we might be just at a guidance to come back in March.

Pete Hassemer [00:02:49] All right, thank you. I'll look around. Guidance to come back in March on the trip limits on that inseason adjustments and also the allowing NMFS to use its authority on the set-asides. I'm not seeing....I'm seeing some thumbs up. I'm not hearing disagreement. So is there anything else we need to discuss? Todd.

Todd Phillips [00:03:28] Yes, thank you Mr. Chair. I think you summarized the agenda item very adequately and very appropriately. Just to reiterate, it is the potential for coming back in March with the canary trip limits is open, as well as noting that the agency, National Marine Fisheries Service, will use their Magnuson authority to promulgate the Pacific whiting yield set-asides for

research and pink shrimp fishery. I would say that you have addressed this agenda item and the item is complete.

Pete Hassemer [00:04:02] All right, thank you. I know that seems too easy but I'm not going to drag this on, so thank you all. We'll close this agenda item.

7. Trawl Catch Share Program Review

Pete Hassemer [00:00:00] All right, that completes our public comment then and takes us to our Council tasks. And there it is, Guidance and Recommendations for Finalizing the Trawl Catch Share Review, Any Research and Data Needs, and Conclusions About the Program's Performance. So with that little delay to let you organize your thoughts, whose hand is going up? Brad Pettinger.

Brad Pettinger [00:00:34] Yeah, thank you Chair Hassemer. A lot of good information here. You know there's a lot of...there's a lot going on in the world. A lot going on in the fisheries world and I think that, you know, I think we've got to do the best to control our world and what we can do to make sure that there's fish available to harvest and be available to processors from the fishing vessels to have a successful business. I mean you've got the best docks in the world, the best fish plant in the world, but if you're not getting fish across it.....if there's not fish there to go across the dock to the facilities it doesn't matter, so I think we've got to take care of....some certain things have to fall in line. And I think that, you think about if you want people to invest in the fishing industry you got to give an environment for success, not failure, and that means stability, and that means flexibility. And so I think whatever we do as we go forward we got to be looking at those two words to create the environment for successful fishing, successful fisheries up and down the coast. So anyway, I just....there's a lot of reasons for a lot of stuff, but I just....we need to concentrate on what we can do. And I think we're the base, we're the foundation of making it better. It's got to start here in this room. Thank you.

Pete Hassemer [00:02:10] Thank you. Other hands for discussion? Christa Svensson.

Christa Svensson [00:02:24] Yeah, thanks Mr Chair. I don't want to cut off discussion, but I do have a motion prepared if there is nothing further people want to discuss.

Pete Hassemer [00:02:35] I've looked around pretty hard and I saw no other hands. Please go ahead.

Christa Svensson [00:02:45] Thank you. And if you can give me one moment, I'm going to open this on my own computer because for my eyes that is a little too small for me.

Pete Hassemer [00:03:00] Can you blow that one up a little bit?

Christa Svensson [00:03:06] Okay, thank you. I move we adopt the review of the West Coast Groundfish Trawl Catch Share Program Report, Agenda Item F.7, Attachment 1, November 2025, with the inclusion of the data and research needs as identified in F.7.a, Supplemental GMT Report 1, and the F.7.a, Supplemental SSC Report 1, and the inclusion of the two GAP conclusions found in F.7.a, Supplemental Gap Report 1 under Section 5 of the report titled "Council Conclusions".

Pete Hassemer [00:03:51] I followed along. That language there appears accurate and complete?

Christa Svensson [00:03:56] Yes.

Pete Hassemer [00:03:56] Thank you. Is there a second to your motion? Seconded by Rebecca Lent. Please speak to your motion.

Christa Svensson [00:04:03] All right, thank you. I'm recommending the motion to adopt the review of the West Coast Groundfish Trawl Catch Share Program with the inclusion of the data research and needs as identified by our advisory bodies. And to start this out, I'd like to reflect for a moment on the countless hours that have been spent on the review. You know this has been multiple agenda items, it's been multiple public hearings, staff time, consultants time, Council members time, and most importantly, the public's time. This topic was important enough to generate a trawl industry meeting outside of the Council process that has informed and shaped the quality of reports found under this agenda item. And I'm grateful that I had the opportunity to serve as a hearings officer in Newport because it gave me a firsthand account of the issues that were going on in a community outside of the one that I typically hear from, which is Astoria. And it was interesting to find out that people had similar concerns, but the nuances were different, varying by port. And you could see that in all of the reports that we had from the different hearings. I will also say that core items found in the GAP and the GMT conclusions, acknowledging our collective work on the catch share program are that it continues to meet the environmental goals and objectives, but it does continue to fall short on socioeconomic goals, particularly in the bottom trawl sector, and that this is an area that should be prioritized in the scoping of trawl follow-on actions. So this leads me to conclusions about the program, at least from my perspective, and I'm grateful for the thoroughness and the thoughtfulness of the GAP statement outlined in a series of conclusions broken into categories. And I'm just going to take a moment to talk through the ones that are seen as primary program issues affecting the program. These are found on Page 2 of the Supplemental GAP Report, and these include monitoring costs and operating burdens so vessels, observers, electronic monitoring, cost recovery, including monitoring oversight, economic data collection, and other items of that nature, quota-based restrictions, adaptive management, and program complexity. And I did ask the question about, do you think or did the GAP prioritize these? And the response was, well Number 1 rose to the surface, essentially. Those are my words not our GAP representatives. And I would tend to agree with that assessment just in all of the people that have spoken to me in this process. I will also say that they've provided conclusions on broader Council issues that could affect the program, including things that are not necessarily something that the Council can impact, but that definitely impact our fishermen's lives. And I think that the ability to see both the details and the challenges that we can focus on here internally, but also those that are outside of our perimeter, are really important to take in mind because as we work through this we'll need a holistic approach. So I will conclude with one recommendation, and that is that we do take up the GMT when appropriate to provide the list of all of the topics that they have heard about for a list of following actions potentially. I'm a little bit concerned that that will be the equivalent of the omnibus, for those of us sitting around the table that remember the omnibus, and I am hopeful that we can look at that list through the framework that was provided by the GAP and also the GMT, where they did kind of break these out into category conclusions. So hopefully they can bring that back to us at a future date when appropriate and we can all work together on topics that bring intention and benefit to our trawlers when we take this up again.

Pete Hassemer [00:09:05] Thank you Christa. Questions for clarification regarding the motion? Not seeing any questions, discussion on the motion? Seeing no need for discussion on the motion I will call the question. All those in favor say "Aye".

Council [00:09:26] Aye.

Pete Hassemer [00:09:27] Opposed? Abstentions? The motion passes unanimously. Thanks again Christa. Back to our action list. I believe that motion captured all 3, but Jessi how did we do? And what else should we do?

Jessi Waller [00:09:54] Mr. Chair, y'all did great. You have completed your action for today, so we will finalize the catch share review document with the new research and data needs and conclusions and get that posted on our catch share program's website. And then we will be back in March under the new workload management measure item where we will start scoping out your trawl follow-on actions. So that is it for today.

Pete Hassemer [00:10:21] All right, then we will close out this agenda item.

8. Harvest Specifications and Management Measures for 2027-28 *(Part 2)*

Pete Hassemer [00:00:00] All right. I know you probably need a break but I do want to check-in here. An opportunity for some short discussion to make sure everything's clear. As I said, there are some people here working on motions that need to tidy those up, so if there's anything that needs to be asked, discussed before then, let's take a quick opportunity to do that. Executive Director Burden.

Merrick Burden [00:00:33] Yes, thank you Mr. Chairman. Just as we're considering this package of materials for analysis, I have been sitting here just thinking about, you know, all of the work that goes into this, which is substantial. And I've been thinking about how my staff will be down two staff officers. There's been a lot of turnover on the GMT, and I think we're all thinking about that. You know, we're thinking about our capacity to carry this forward. I really appreciate the thinking from WDFW on this proposal, and obviously you've been thinking about it for a while. I think we first heard about it in maybe June, got some inkling of it. So just maybe for clarity of how we might move forward, assuming that your intention is to introduce this for analysis, I'm just curious if you could speak to WDFW's willingness and ability to kind of support most of that analysis and you know eventually bring it to the GMT per normal course. But if there's a little extra emphasis or time we could ask you to put to that since you have already put so much time into it.

Heather Hall [00:01:44] Thank you Merrick, and yeah, good question. We'd be glad to take some leadership in the analysis here and help with that if the Council chooses to put it forward. We have put some thought in it, into it and and yeah, so definitely we can definitely lead the analysis and help the GAP with that. GMT.

Pete Hassemer [00:02:14] All right, thank you. Anything else here before we break? Then I'm going to look to the states. Primarily, maybe Lynn, you can give me some guidance. How much time do we need? Or others?

Lynn Mattes [00:02:30] Thank you Chair. We've been able to have some protective exchanges via email. Trying to look at my counterparts to see if they think roughly 15. One five and with Mr. Todd, Mr. Phillips, 15 minutes? We're.....I think we're pretty close so let's try 15.

Pete Hassemer [00:02:54] Okay.

Lynn Mattes [00:02:55] And we will try to hold ourselves to that.

Pete Hassemer [00:02:59] Yeah, check back in 15 minutes. And I'm going to have you all just look at your watches. I doubt they're all synchronized exactly, so 15 minutes.....(BREAK)..... All right. Thank you all coming back here. We have gotten to our Council action tasks. There's a list of four items before that. I know you're all aware what it is. So we left off in discussion. We'll come back in discussion if there's anything needed. I know there are a number of motions that are ready here. When we get to the right time we will take those up, but I'll see if there's any further discussion on this matter. Brad Pettinger.

Brad Pettinger [00:03:59] Yeah, thank you Chair Hassemer. I'm kind of curious, is Keeley, is Keeley on by chance?

Pete Hassemer [00:04:05] Yes she is. She should be.

Brad Pettinger [00:04:07] Okay.

Pete Hassemer [00:04:07] Keeley, are you there?

Keeley Kent [00:04:09] Yep.

Pete Hassemer [00:04:09] Okay.

Brad Pettinger [00:04:10] Yeah, hi Keeley. Before we go into the motions or discuss the motions, I'm just, I'm kind of behind on looking at different stuff in the briefing book and after hearing the GAP Report I'm just wondering Keeley, is it possible if, can National Marine Fisheries Service look into its own survey data and report back to us on what portion of the trawl survey biomass for petrale has been found in the overall U and A area at the, in next spring. Is that possible?

Keeley Kent [00:04:47] Thanks for the question Brad. Through the Chair, that is something that we could look into. I will say, you know, this is something we would need to discuss with the Science Centers about their capacity to pull together that information and certainly we would want to talk with the tribes about it as well. I think the survey data is one way to look at it, but I'll just sort of broaden out and say, you know, we don't have an approved methodology to determine the harvestable surplus in the U and A, so I think we could look at that information and see what we could have, but I don't know that that is as simple as just being able to pull together a scientific report and call it done. So we'd want to evaluate that, have an opportunity to talk with the tribes. But if that's the request of the Council we can look into that and come back to you in March.

Brad Pettinger [00:05:32] Yeah, it'd be great. Just for some context because I really don't have anything else in front of me. So I just think about that going forward. So okay, thank you.

Pete Hassemer [00:05:43] Thank you. Any other discussion? If there is no discussion, I'm going to go to my list of motions here and ask for those and we can have any discussion associated with that. So first I'll turn to David Sones for any of the tribal motions.

David Sones [00:06:06] Thank you Mr. Chairman. Yes, I do have a motion prepared. There it is. Thank you for blowing that up. My eyes are getting older. I move the Council adopt the preliminary 2027-2028 tribal management measures and set-asides as outlined in F.8.a, Supplemental Tribal Report 1, November 2025.

Pete Hassemer [00:06:35] Thank you. That language on the screen appears accurate and complete. Is that correct?

David Sones [00:06:39] Yes.

Pete Hassemer [00:06:40] Is there a second to the motion? Seconded by Lynn Mattes. Please speak to your motion.

David Sones [00:06:46] Thank you Mr. Chairman. This has been where we've been working on it for the last year, so they've worked this through the GAP and the GMT to see where they're at with that and we're comfortable with where we're moving forward. Thank you.

Pete Hassemer [00:07:02] Thank you. Any questions regarding the motion? No questions, discussion on the motion? No questions, then I will call a question. All those in favor say "Aye".

Council [00:07:17] Aye.

Pete Hassemer [00:07:17] Opposed? Abstentions? The motion passes unanimously. Thank you David. I look to across the table to Caroline McKnight.

Caroline McKnight [00:07:36] Thank you Mr. Chair. Yes, I believe I have a motion up that needs to be bigger so that I can also see it. Thank you. I move the Council adopt the following alternatives in the range considered for the 27'-28' groundfish management measure process. This is following the Action Item Checklist numbering from Agenda Item F.8, Attachment 1, November 2025. So starting with Action Item Number 2: Area Management for Rockfish Conservation Areas. Status quo. And then remove the regulations for the following Yelloweye Rockfish Conservation Areas off California, which include Point St. George, South Reef, Reading Rock, Point Delgada North, and Point Delgada South. Moving on to Action Item Number 5: the Annual Catch Targets for Copper Rockfish South of Point Conception. Status quo. And for shortspine thornyhead, non-trawl north of Point Conception. Status quo. Action item Number 7: For Further Allocations. The within non-trawl south of 40°10' latitude for cowcod. Status quo. And within non-trawl south of 40°10' latitude for bocaccio. Status quo. And then Action Item Number 19: This is for the California recreational fishery. Analyze routine adjustments to bag limits, bag limit structure, season structures, size limits, sub-bag limits, and depth limits as appropriate based on harvest specifications, including limited retention of cowcod. And I'll just note my name is spelled L I N E. Thank you.

Pete Hassemer [00:09:20] All right, thank you. And with that correction I followed along what was on the screen all appeared accurate and complete.

Caroline McKnight [00:09:27] It does.

Pete Hassemer [00:09:28] Thank you. Is there a second to your motion? Seconded by Heather Hall. Please speak to your motion.

Caroline McKnight [00:09:34] Thank you Mr. Chair. Yes, I'll get this kicked off. These are all measures that have support and agreement from both the GAP and the GMT, with the exception of one item, which I'll address when I get to it. So just walking through these quickly. For Action Item number 2, there are no RC boundary line modifications that have been identified to examine this cycle, so the recommendation is to remain at status quo. That's unique but we'll take it. For the yelloweye rockfish conservations off of California, these are areas that were developed during,

you know very dire times when yelloweye was very severely constraining, but as noted in the reports from both the GMT and GAP have never been used or turned on ever. And so there is, there's no need to keep them on the books, so I think it's appropriate this time to analyze removing them. Moving on to Action Item Number 5. For the copper rockfish ACT south of Point Conception remaining at status quo. This was I think well documented and supported by the GMT. While I do note that the GAP did recommend analyzing an option to remove it, and I do appreciate that there was a very specific or potential issue with multi-day or multi-species targeting trips, however I think that given the, you know very, very real and dire state of the stock assessment showing low abundance in that area, the conservation need needs to remain in place. And that's the reason here for remaining just at status quo. I did...I will note that, you know there, as mentioned by Mr. McCrea, there may be some other options to alleviate or provide some other solutions to that issue. For shortspine thornyhead, this is also a status quo that was supported by both the GAP and GMT. There was a lot of hard work that went into that ACT last cycle and it appears to be operating as it should and no further adjustments are needed. Moving on to Action Item Number 7 for further allocations. Both of these are also supported by the GAP and GMT for remaining at status quo. There's no significant shift in bocaccio performance that would warrant looking at something different. And obviously we haven't allowed retention of cowcod yet that would also indicate that something needs to be shipped here so status quo seems to be meeting all the needs. I will note that this item previously had in the Action Item Checklist blackgill rockfish, which has now been redirected to another Action Item Checklist, so don't worry it will come up in another one. And then lastly, I just speak to number 19. The language here in this motion is really intended to provide the widest range possible to evaluate a variety of options across the state that meet harvest limits and conservation needs while looking to maximize fishing opportunity. It's intended to encompass the recommendations we've heard from the GAP and GMT. And you know it will take into account, you know, fishery performance information from this year, especially in light of the big regulatory shifts that we've had. And it, while this motion does reflect limited retention of cowcod, the limited retention of yelloweye will be picked up in another action item, so don't worry that you don't see it here either. With that, I'm happy to engage in questions or discussion.

Pete Hassemer [00:13:18] Thank you. Questions regarding the motion? Not seeing any questions, discussion on the motion? Seeing no discussion then I'll call the question. All those in favor say "Aye".

Council [00:13:35] Aye.

Pete Hassemer [00:13:35] Opposed? Abstentions? The motion passes unanimously. Thank you Caroline. Move up the coast. Lynn Mattes.

Lynn Mattes [00:13:52] Thank you Chair. Yep, I believe it's my turn as we're moving south to north. Similar to Caroline, the numbers in my, in the motion are based on the Action Item Checklist or the A1C, or AIC as the GMT now seems to be calling it. So I move the Council adopt the following alternatives for inclusion in the range considered for groundfish management measures in 27'-28'. Action Item 2: Area Management. Removing from regulations the Yelloweye Rockfish Conservation Areas off Oregon that have never been implemented, which are the Tillamook, Newport, Stonewall Expansions 1 & 2, and Florence. Action Item 3: Off-The-Top Deductions.

Adopt the following preliminary off-the-top deductions for ACLs for 27'-28' as shown in Appendix 1 and 2 of Supplemental GMT Report 1, and the corrections contained in Appendix 1 of Supplemental GMT Report 4. For research, use the rolling 5-year median of research mortality to set the research set-asides for 27'-28', except for yelloweye rockfish use 2.92 metric tons for the set, research set-aside based on anticipated research projects. Incidental open access. Use the rolling 5-year average mortality to set IOA set-asides in 27'-28'. Exempted Fishing Permits. No set-asides have been requested for 27'-28'. Action Item Number 6: Biennial Trawl/Non-Trawl Sector Allocation Percentages. Adopt the status quo biennial trawl/non-trawl allocations for all stocks except slope rockfish south of 40°10' north latitude, and widow rockfish as recommended by the GAP in Supplemental Gap Report 2, and the GMT in Supplemental GMT Report 2. And this table contains those options. For slope rockfish south of 42°, or for south of 40°10'. Option 1: Status quo. 63 percent trawl, 37 percent non-trawl. Option 2: Use what is being called blackgill math methodology. And Option 3: Is 52 percent trawl, 48 percent non-trawl. For widow rockfish. Option 1: Status quo is 300 metric tons to non-trawl and the remainder to trawl. And option 2: Is 150 metric tons to non-trawl and the remainder to trawl. In regards to sablefish allocation, north of 36° research use the rolling 5-year median as recommended by the GAP and GMT. EFPs. No set. None were requested for 27'-28'. Recreational. Explore an increase from the current 30 metric tons. Sablefish south. For research use the rolling 5-year median as recommended by the GMT and GAP. For incidental open access. Use the rolling 5-year average as recommended by GMT and GAP. EFPs. None were requested for 27'-28'. Recreational. Status quo, 10 metric tons. And within non-trawl shares. Status quo shares for the limited-entry and open access fixed gears. Action Item Number 9: Yelloweye Rockfish Allocations. Maintain status quo biennial allocations for yelloweye rockfish, which is status quo trawl/non-trawl sharing, 8 percent to trawl, 92 percent to non-trawl, and status quo within non-trawl sharing percentages. And explore removing the non-trawl annual catch targets and allowing limited retention in non-trawl fisheries. And then Action Item Number 18: For the Oregon Recreational Fishery. ODFW and the GMT as needed will analyze routine measures such as bag limits, season structures, depth limits, and length limits, et cetera, that keep catch from exceeding harvest targets for the Oregon recreational fishery, including exploring allowing lingcod retention in the long leader gear, aka Holloway gear fishery.

Pete Hassemer [00:18:32] Thank you Lynn. As you went through that, what was on the screen appeared accurate and complete. Is that right?

Lynn Mattes [00:18:40] Yes sir. It did appear to be.

Pete Hassemer [00:18:42] Thank you. Is there a second to your motion? Seconded by Caroline McKnight. Please speak to your motion.

Lynn Mattes [00:18:48] Thank you Chair. This, similar to Miss McKnight's motion, this is a good summary of but what the GAP and the GMT both recommended. I think the one minor difference is in the sablefish set-aside for recreational, which I'll speak to as I go through this. Under Action Item 2 with the area management. I really appreciate the GMT going through and looking with a fine tooth comb at areas where we can reduce regulations, such as removing some of the YRCAs if they have not been utilized. The what are called Stonewall Bank Expansions 1 & 2 are specifically for the recreational fishery. They were implemented in 2004 and have not been, have not been implemented at all, so they may not, likely may not be needed. The other ones here listed

off of Oregon are slightly different. They were in their current configuration were implemented as part of the non-trawl area management action we took in March of 2023. They were adjusted with the reopening of some of those areas with the intent that they could be looked at when we get to the next groundfish EFH review. Those areas have only been in regulation for just a little over a year so it may not be time, but I don't want to remove the, I don't want to remove their removal from the range of alternatives at this time, depending on the analysis that the team comes up with. And given the status of yelloweye rockfish, maybe they warrant to being removed too, but they're just....they're a slightly different category than Stonewall Expansion 1 & 2. Off the top deductions. This is a pretty standard thing we look at every every cycle. The GMT and the GAP agreed on how to do this. For some who are maybe a little bit newer to the process, the 2.92 for your yelloweye rockfish, that goes back to when we were looking at 11', 13 metric tons of yelloweye rockfish and we were asking the main proponents of research what they would need. And I believe 1.1 of that is for the IPHC set line survey. 1 metric ton is for the WDFW expanded rockfish stations that occur with, in conjunction with that survey. There's either a half a ton or 1 ton for ODFW for some of our research work, and there is some for California too. So it is all based on expected research projects that we get. And I may have the exact values wrong. I haven't had to fill out, I haven't had to play with those numbers in a couple of years. And I appreciate the GMT finding new methodologies to try to make sure we're setting those set-asides at the appropriate level so we're not risking the ACL, but we're also not stranding a bunch of fish. So looking at the median versus the mean and the 10-year versus the 5-year, et cetera. On item number 6, the trawl/non-trawl allocations. Again, both the GAP and GMT recommended status quo for everything but slope and widow. The slope rockfish, as Miss Roberts explained, there's blackgill is a component species of that complex and it is targeted differently than the rest of that complex. Christian Heath's, or actually you know, Miss Lockhart's predecessor came up with what we used to call Patrick math, and it's now being called blackgill math. It was a way to pull out blackgill and do a separate percentage trawl/non-trawl for blackgill compared to the remainder of the stock and then it got combined back in, but it hasn't been used appropriately. So I believe they both, the GMT and GAP would like that further explored. And then just based on the nature of the fishery here recently, it's been closer to a 50/50 in terms of mortality. With widow rockfish, with the likely reduction in the ACL for the next couple of years based on the most recent assessment, looking for way....places where widow may not be needed. That 300 metric tons for the non-trawl has been set at that level for a couple of years now. Impacts have not been anywhere near that, but we had left some room, excuse me, as there were expansions of the Holloway gear fishery, the long leader gear fishery, and the rec fishery off of Oregon, as well as some expanded opportunities in the commercial nearshore fish, or the commercial fixed gear fisheries. So it may be time to re-examine that, which would free up 150 metric tons which could go back to the trawl sector. To Action Item Number 8. Sablefish is a special flower and has set-asides, et cetera, differently. The main....one of the key things is the recreational fishery is considered a set-aside both north and south of 36°. So we do our, the GMT does their best to try to estimate what those actual impacts might be and then set at that level so that it's not stranding a bunch of fish. With the higher sablefish allocations and some reduced opportunities on that more nearshore stocks, there has been some additional interest in the recreational fishery off of Oregon for sablefish. Some folks are figuring that out and figuring out how tasty to them sablefish are. So exploring a little bit of an increase from 30 metric tons. We're not into....I'm not suggesting they go wild or go anything like 300 metric tons, but maybe the neighborhood of 35, 40, 50 tons might be doable. And then 9, yelloweye rockfish allocations. Both the GAP and GMT recommended status quo on our yelloweye sharing with the increase. Even if

we go with the more precautionary ACL, that's still a pretty good increase and it should allow some room. With that increase and yelloweye likely being declared, or it is declared rebuilt under the current assessment, the precautionary ACTs that we put in I believe 3 cycles ago may not be necessary. However, if we look at allowing limited retention in the non-trawl fisheries, that ACT may be handy to act as just another signal that it's time to check-in so did want to leave that in there for now. And as we discussed earlier under, I believe it was the CDFW EFP, we need ways to get information, biological information from these stocks, and yelloweye has been non-retention since about 2004 so we have very few sources of biological structures. Allowing limited retention would hopefully allow our port biologists, our krill samplers, et cetera, to have access to those fishery-dependent sources of information. And then finally to the Oregon recreational fishery, similar to what Miss McKnight expressed, this is just our standard let's do the modeling with now that we have our ACLs, our harvest guidelines, do the modeling, see what we can come up with. And there was a specific request from the GAP to allow lingcod retention in the Oregon long leader gear or Holloway gear fishery. The enticement of being able to catch lingcod now that we have some additional yelloweye room might entice more anglers to go target that fishery and maybe take a little pressure off of the nearshore stocks. So with that, my voice is about to be done so I think I'm done.

Pete Hassemer [00:27:04] All right, let me look around to see first if there are any questions for clarification on the motion? Seeing no questions, discussion on the motion? Not seeing any questions then I'll call the question. All those in favor say "Aye".

Council [00:27:26] Aye.

Pete Hassemer [00:27:27] Opposed? Abstentions? The motion passes unanimously. Thank you Lynn. Now further north. Heather Hall.

Heather Hall [00:27:43] Thank you Chair Hassemer. Thank you tower. I move the Council adopt the following alternatives for inclusion in the range considered for groundfish management measures in 2027-28. These numbers are from Agenda Item F.8, Attachment 1, November 2025, the Draft Action Item Checklist. Action Item Number 10: Canary rockfish allocations. Retain the status quo trawl/non-trawl allocations, and analyze the WDFW proposal described in F.8.a, Supplemental WDFW Report 1, November 2025. Action Item Number 11: Within trawl set-asides, analyze the 2027-2028 at-sea set-asides as described in F.8.a, Supplemental GMT Report 2, November 2025, Table 4. And an option to analyze a 200 metric ton set-aside for widow rockfish. Action Item Number 12: Shore-based IFQ, adopt the status quo IFQ trip limits for non-IFQ species. Action Items Number Item 13 through 16: Which includes open access and limited-entry fixed gear north and south of 40°10' north latitude as recommended by the GMT in supplemental GMT report 3, November 2025. Analyze trip limits and items to reduce regulatory complexity. For example, the Lausen Knoll and non-trawl trip limit tables. And Action Item 17: Washington Recreational Fishery. WDFW and the GMT as needed will analyze routine measures such as bag limits, season structures, depth limits, length limits, et cetera, that keep catch from exceeding harvest targets for the Washington recreational fishery.

Pete Hassemer [00:29:54] Thank you Heather. I followed along. Everything on the screen as it scrolled by appeared accurate and complete.

Heather Hall [00:30:00] Yes it did.

Pete Hassemer [00:30:01] Thank you. Is there a second to the motions? Seconded by Lynn Mattes. Please speak to your motion.

Heather Hall [00:30:07] Thank you. Starting at the top, the canary rockfish allocations. Appreciated the discussion we had following the review of the WDFW Report earlier. And again, even earlier today, we spent time talking about the Council's interest in finding ways to achieve our conservation mandates more flexibly. We really are supportive of that flexible approach and the pre-planning analysis that we do during spex is really another smart place to explore those ideas. I recognize that we haven't had the ability to discuss this with Keeley and National Marine Fisheries Service as was intended when we left the September meeting, and that NMFS hasn't had a chance to review, but for now we appreciate the opportunity to include this for analysis. That's really where we are in the spex process right now. And as I spoke to Executive Director Burden's question earlier, WDFW can support that analysis and that effort over the winter. At the same time including this, we also would expect that the traditional analysis under the trawl/non-trawl allocations would also be done. Relative to Action Item Number 11 within trawl set-asides. These really specifically, they're described on Table 4, but they remove at-sea set-asides for dover sole, lingcod north of 40°10', longnose skate and petrale sole. They carry forward the 25'-26' at-sea set-asides for arrowtooth flounder, darkblotched rockfish, minor shelf rockfish north of 40°10', minor slope rockfish north of 40°10', other flatfish, Pacific halibut, and Pacific Ocean perch. They also carry forward the 2026 at-sea set-asides for canary rockfish and shortspine thornyhead north of 34° 27'. And it reduces the at-sea set-asides for sablefish north of 36° and yellowtail rockfish. And it analyzes the at-sea set-aside option of 200 metric tons that was not in the GMT table but recommended by the GAP. For Action Item Number 12, the shore-based IFQ, this adopts the status quo IFQ trip limits for non-IFQ species. And just based on the GMT, there were no requests for changes and no adjustments in their view were needed to stay within the harvest limits for 2027-2028. For open access north and south of 40°10' and limited-entry fixed gear north and south of 40°10'. This analysis would include increased trip limits for species with increasing ACLs or low attainment, species specific trip limits within the shelf and slope rockfish complexes, and consider allowing for consistent species trip limits between subareas when possible. And then Action Item number 17 is really just the approach we take to analyze management measures for our recreational fishery for the upcoming biennium.

Pete Hassemer [00:33:48] Thank you. Any questions for clarification on the motion? Not seeing any questions, discussion on the motion? No discussion, then we will call the question. All those in favor say "Aye".

Council [00:34:11] Aye.

Pete Hassemer [00:34:11] Opposed? Abstentions? The motion passes unanimously. Thank you Heather. With that, we can check-in with our other checklist. I don't want to shut off any discussion, but make sure we are progressing through everything. Todd, how are we doing?

Todd Phillips [00:34:40] Yes, well. Yes, thank you Mr. Chair. So looking at the Council task or action in front of you. Regarding Number 1, you did not need to do that so that is superfluous at

this point. Number 2, you did adopt those ACL deductions, at-sea set-asides, and annual catch targets for analysis. And also as well as number 3, the preliminary 2-year allocations for the 2 stocks, well the one stock and the stock complex as noted, the so-called 'Patrick math'. Number 4. Yes, you have given us a good range of management measures for all fisheries to analyze over the winter. I would say that you have, one, completed the action item checklist and all items are accounted for and that the Council has completed this particular agenda item.

Pete Hassemer [00:35:29] All right, thank you. I want to look around, see if there's anything else? Not seeing anything, just note we're approaching something like salmon FRAM documentation with Patrick math, blackgill math.....(laughter).... I'm not sure how many others there are, but it's very interesting. With that, I want to thank you all for your work and persistence here.

9. Marine Mammal Take Reduction Team Update

Butch Smith [00:00:00] Okay, this takes us to any Council discussion on this matter. Any seeing no.....oh, Lynn Mattes.

Lynn Mattes [00:00:14] Thank you Vice-Chair. This probably is something more appropriate under workload planning, but I thought it would be good to key it up here. Looking at the March and April Council meeting agendas and the Year-At-A-Glance, at least what I read and comprehended this morning, I do not see an update on the TRT anywhere scheduled. I know March and April get really tight with salmon and everything else, but it seems like this body may want to be kept updated on what's going on in that process as we approach the 6 month time period. I can speak to that again under workload planning, but hopefully it was just an oversight on keeping us informed and appreciate Dr. Lent being willing to represent us, as well as Mr. Lapham and others in this process. Thank you.

Butch Smith [00:01:09] Thank you. Any further discussion? All right Jessi, have we completed what we have started out to do?

Jessi Waller [00:01:21] Yes, Mr. Vice-Chair, you have completed your action today. And yes, we will be tracking the upcoming Take Reduction Team meetings and we'll be sure to schedule that as appropriate for an update Miss Mattes.

Butch Smith [00:01:33] Thank you.

G. Salmon Management

1. National Marine Fisheries Service Report

No transcription for this agenda item.

2. Final 2026 Preseason Management Schedule

Pete Hassemer [00:00:00] That completes our reports and public comments and will take us to Council action. And there it is, Confirming the Hearing Sites, State Intentions for Additional Hearings, and the Overall Proposed Schedule. So anybody want to start this discussion? Kyle Adicks.

Kyle Adicks [00:00:28] Thank you Mr. Chair. I'll confirm that Westport continues to work well for Washington for a hearing for the Council fisheries. Also confirm on the schedule there's a reference to North of Falcon Cape Forum meetings being held between the March and April Council meetings, WDFW is working on scheduling our normal set of public meetings for fisheries around Washington waters as well as working with our tribal co-managers to schedule our state-tribal meetings that happen in between those two Council meetings. So Westport continues to work well and stay tuned for the North of Falcon schedule.

Pete Hassemer [00:01:04] All right, thank you. And Washington or Oregon? Oregon. John, you want to go next? John North.

John North [00:01:14] Thank you Mr. Chair. I guess, I don't know, a comment and a question. Yeah I think, you know we've got some comments over the last couple months about having a virtual option at the Oregon public hearing, and you know I support that if possible. It's a little bit challenging, I think, you know with the technology and the timeframe. We don't have access to like our main high-tech facility due to an evening meeting so we'll be in a motel, so I guess my question would be to Angela like, I guess we'll have to work on this over the next couple months and see, you know, what the plan is, but have we ever attempted this? Like, do you have any idea how we might go about pulling it off?

Pete Hassemer [00:02:10] Executive Director Burden.

Merrick Burden [00:02:14] Thank you. I'll....I'm not Angela but I'll step in anyway. So the.....I guess starting from the top, we're very capable of hosting hybrid meetings as evidenced by this meeting. But putting together the type of hybrid functionality we have here is a very, very large lift, and traveling up and down the coast multiple times a year is a lot to ask of our IT people, and in fact I don't plan to ask that of them. So we have tried to do a step down from what we do here at these meetings. We've run a few STAR Panels, for instance, from hotels using our, we call them our puck system and that has worked. Typically it's at a venue that we're familiar with. We have confidence in their infrastructure. And sometimes those like hotels will have an onsite IT person that can help on the hardware side. So I think if we were to try this in Oregon we would be trying to work with you and your staff, Mr. North, to make sure that the hearing location on the ground in Newport is well situated to doing this, because we would.....if we're going to try a hybrid meeting in Newport we want it to go well, that's the bottom line. And from our office in Portland it's hard to really make the connection with people in Newport, so we would be leaning on you all to help us do that. If we can sort of keep that conversation going I think there's a way to figure this out.

John North [00:03:47] Thank you.

Pete Hassemer [00:03:54] Thank you. Marci Yaremko.

Marci Yaremko [00:03:57] Thank you Mr. Chair. Just wanting to voice support for the proposed hearing for California in Santa Rosa. That location has successfully drawn a number of participants ranging from the mid-50s to mid-60's over the past three years. It's a venue that's worked well. It pretty equally accommodates folks from the far north down to the far south, noting that the drive time is still five hours either direction from Morro Bay or Eureka so it's a big state, but that plans work pretty well. Just wanted to flag that I appreciate this discussion on the potential for hybrid meetings, but CDFW would not have the ability to make that in-person meeting a hybrid format at the location, the hotel that we've at least used in recent years for the Council sponsored hearing. However I just want to note that we are in the middle of planning our annual salmon information meeting that the state sponsors at the end of February each year once we have the information from Pre-1. The dates are tentatively.....it will be either the 24th or 25th of February. We always coordinate with Oregon to make sure that NMFS staff are able to participate in both hearings and that we're not scheduling over one another, so we do have a room reserved for that salmon information meeting in Sacramento this year. So that will be an in-person opportunity. This is still tentative but we do have the room reserved. And we do expect that we will have some kind of Zoom out virtual ability at that meeting, but probably not attempt to manage an actual hybrid salmon information meeting. So those are the plans for California and again support the proposal we have in front of us in the briefing book and this item. Thanks.

Pete Hassemer [00:06:28] All right, thank you. So I think we've got confirmation of the hearing sites and the state intentions there for any additional meetings and the schedule. Corey Ridings.

Corey Ridings [00:06:46] Thanks Chair. I think this is a question for Angela. Under public comment we heard Mr. McLachlin talk about Preseason-2 coming out after the hearings and that that's not traditionally what's happened in the past, and I would agree that's probably helpful information to have. I'm not an expert in the scheduling thing, and so is there a reason why that's happening now? Is there a way to possibly remedy that? Curious to get your thoughts.

Angela Forristall [00:07:16] Yeah, thank you Miss Ridings, and happy to address this. So this is typically how we kind of proceed with the schedule. The official full Preseason Report 2 does come out. Traditionally it has been that Wednesday of the hearings week where the hearings do take place Monday and Tuesday. That does give the STT kind of the maximum amount of time to review and edit and make sure it is clean and ready to go. But for those public hearings we do also always compile a public hearing packet, which does include all 3 alternatives for the state rec.... commercial, recreational, and tribal fisheries, so those Tables 1, 2, and 3 that are in Preseason Report 2. It does also include Tables 5 and 7, which have the fishery impacts, some economic impacts tables, and the eight A Tables, which we refer to are the California Tables. So the plan is to still bring that more streamlined version of Preseason Report 2 to all the salmon hearings this year.

Pete Hassemer [00:08:15] Thank you. Any other questions? And so I'm assuming that the schedule as proposed here is acceptable, no changes to that? So without.....I see some thumbs up. Angela, what do we need to do with that? Anything else?

Angela Forristall [00:08:41] No, the Council has confirmed the in-person Westport and Santa Rosa hearings for 2026. And we will be in coordination with ODF and W to plan for a hybrid Newport, Oregon hearing, and we will work on getting those publicly noticed and planned in the coming months.

Pete Hassemer [00:08:58] All right, thank you. And before I close this out I'll look and see if there are any other comments? Questions? And not seeing any that completes our work on Agenda Item G.2.

3. Methodology Review Results

Pete Hassemer [00:00:00] That will take us into our Council tasks on the screen, Approve the Use of the Methodologies Recommended from the Methodology Review and Guidance for Unresolved Methodology Issues. See who wants to start that discussion. Is there anything to discuss here? John North.

John North [00:00:39] No, just a note that I support both of the methodology items and I have a motion whenever it's appropriate.

Pete Hassemer [00:00:51] All right, let me look around, see. Kyle Adicks.

Kyle Adicks [00:00:55] Thank you Chair Hassemer. Like Mr. North, I support both of these. Not completely clear to me if the OPI forecast needs a motion. We've kind of heard that it's just a data change, not a change to the Council approved methodology. If we want to confirm that, yes, we support what we heard and want to put it forward as a motion I'd support it either way. But I think what we heard was it was a data change, not necessarily a change to the method.

Pete Hassemer [00:01:28] All right, thanks. I'm not sure on that either. I mean I believe we could do it either way. Why don't you go ahead with your motion John, and then that can generate some discussion maybe.

John North [00:01:46] Thank you Mr. Chair. So yes, our ODFW motion on this agenda item is, I move the Council adopt the following methodologies for implementation beginning in 2026 fisheries management. Item 1 is the forecast methodology for the Oregon Production Index hatchery coho, as presented in Agenda Item G.3, Attachment 1. And Item 2 is the interpolated marine survival index methodology for Oregon Coast natural coho as presented in Agenda Item G.3, Attachment 2.

Pete Hassemer [00:02:22] Thank you. What I see on the screen appears accurate and complete. Do you agree?

John North [00:02:26] I agree.

Pete Hassemer [00:02:28] Is there a second to the motion? Seconded by Vice-Chair Smith. Please speak to your motion.

John North [00:02:36] Yeah, thank you Mr. Chair. I support using the modified ARIMA ensemble approach for 2026 and beyond, primarily because it's providing the lower MAPE values as compared to the previous ARIMA model. My understanding is this new weighted approach allows the model to respond quicker to more recent environmental, well patterns and or relationships, which I think is important to keep up with changing environmental conditions. I do make the motion with the understanding that the decay rate is more consistent with the data input change, so going forward I feel the modelers then should have the flexibility to adjust the decay rate associated with the lowest MAPE as needed. I know the primary state staff that's been working on

this forecasting approach has been pulling double duty with some heavy workload with U.S. v Oregon. They do have other ideas and tweaks that have been mentioned, they just are pretty buried right at the moment, but I think they've laid the groundwork to make some....to apply it to other sub-stocks or you know, moving forward we can get even better. On the second item, yes it is unfortunate that funding issues have resulted in loss of a couple of our lifecycle monitoring sites, those produce some really good data. But I'm relieved that staff is able to identify, you know, an alternative here with the states-based model, and that even though it's more complex, it seems like it allows us to maintain the marine survival index approach, which I think is good. And if we do get funding or can get those sites up and running, we can just plug-in the actual data pretty easily with this approach. So of the alternatives evaluated I think this is the best way to go.

Pete Hassemer [00:04:43] Thank you. Any questions for clarification on the motion? Corey Ridings.

Corey Ridings [00:04:53] Thanks Chair. Thanks John. My question is actually....the motion looks looks great to me. I plan to vote for it. My question is to some of what you said while you were describing it. And you talked about the ability to sort of change the decay rate. And you noted that that was something I think you said can be changed by the team or the modelers perhaps. I'm sorry I didn't quite catch all of that. And just noting that the SSC brought this up as a concern and important thing, important component of how we're thinking about how far back in time we go when we want to be thinking about how much we're considering in thinking forward and making our harvest decisions. Can you just, and apologies for my ignorance here, can you talk a little bit more about that and how that fits in and sort of where that responsibility lies to move and change that decay rate?

John North [00:05:54] Yeah, through the Chair, thank you for the question Miss Ridings. And I may have to bring Miss Leeman back up because she's more involved with this, but that was kind of why I was asking the question of Dr. Schaffler that if this, if the decay rate is considered a data change then moving forward I felt that the team, the OPIT team and the modelers could then.....and I should have asked this question earlier, but I think fairly quickly they can analyze that and they....because it....the 25 percent decay rate may not remain the optimal over time, things will change and it may, you know, at some point they may decide that 30 percent is better, and I just wanted them to have the flexibility to make that determination in the OPIT setting. There's like 50 or 60 people around the table and I think they, with that flexibility, they can make an informed decision and and try and come up with the best forecast, you know so. But if you need more detail I might have to have Miss Leeman come up.

Pete Hassemer [00:07:09] Would you like more detail or....

Corey Ridings [00:07:11] Let's spare everybody for now and I'll have a sidebar. Does that sound good?

Pete Hassemer [00:07:16] Sure. Thanks. Any other questions for clarification? Discussion on the motion? Marci Yaremko.

Marci Yaremko [00:07:29] Thank you Mr. Chair. I just want to follow up a bit on Corey's comments here. I agree, I mean I struggle in these discussions about methods review and what's a data change? What's a methods change? Here we're talking about an exponential decay rate and incorporating it and upweighting more recent data, downweighing older data, and other discussions. In the groundfish arena we talk about time blocking, we talk about truncating data sets, we talk about catch reconstructions and going back all the way throughout time and history. And I think what I see here.....I support the motion, I should say that, but here we have a situation where we've looked at current circumstances and decided that the current circumstances are likely the most indicative for informing a forecast. I appreciate that there's a balancing that needs to happen, too short of a time series, you're chasing noise, and so some balancing must happen. But I'm just flagging that this conversation comes up in harvest modeling, in forecasting, and in determining reference points, and I don't think there's any magic answer here. I think they're important discussions and certainly not one size fits all, but I don't know that there's a right or wrong way to do it in any of these circumstances. So I'm just, you know, mindful that here we have a situation that appears to very heavily rely on the most recent data and for good reason and happy to support it, but I just would encourage us all to think about that as we take up some of these other topics about forecasting and reference point determinations, et cetera. Thank you.

Pete Hassemer [00:09:43] Thank you Marci. Other discussion? Not seeing any hands then I will call the question. All those in favor say "Aye".

Council [00:09:56] Aye.

Pete Hassemer [00:09:58] Opposed? Abstentions? The motion passes unanimously. Thank you John. That takes care of the first task I believe. Is there any other guidance? There was a little bit, I don't know if they were unresolved, but there were questions. Corey Ridings.

Corey Ridings [00:10:33] Thanks Chair. I'm just going to speak to the possible need to update the COP regarding this differentiation between something that's a data update and should go to a methodology review. We've heard that there's, you know there's maybe a bit of a squishy line there and that in some case that's going to be perhaps a judgment call, but I might suggest that that's something we can talk about. And I stand to be corrected by Angela or Merrick if that's something that we should discuss later in the meeting. But I am just putting that out there that we heard from folks that that could be important and could help sort of resolve some of this ambiguity in the future.

Pete Hassemer [00:11:17] Thanks. And I guess that would be my question too if it's a COP issue, but the problem, identification of the problem originated here, if that's clear then we can possibly bring it up then. Would you want to add anything Executive Director Burden?

Merrick Burden [00:11:40] Certainly Mr. Chairman, especially when you look at me like you want me to say something. So yeah, I think it's very reasonable to consider the COP changes as you've suggested Miss Ridings. I think this is...I don't anticipate this would be a straightforward COP change. I think the more important aspect of it is the, probably the dialogue and the cogitation that would have to go into figuring out that where that gray area is and isn't, and I think that's a conversation that is....quite a few people would need to be part of that conversation. So all that is

to say, yes, I think we could benefit from some COP changes, but I think there's a process behind that that is probably more important than the text of the COP change itself, if that makes sense.

Pete Hassemer [00:12:34] Thanks. Sharon Kiefer.

Sharon Kiefer [00:12:37] Thank you Mr. Chairman. I'm just curious, and certainly I can appreciate Corey's suggestion about thinking about future changes to the COP and recognizing, as Executive Director points out, that that may be a deeper dive and not just a surface change. I do wonder though, relative to just this opportunity to provide general guidance for unresolved, if it's...if we are able, and I don't have enough knowledge of the process, of just providing the guidance that the Science and Statistical Committee would, even though it's not an official methodology review period, might kind of provide us some feedback as to kind of the outcome of this decadal as they kind of put that together whether, you know, just some feedback in terms of that time series, whether it is just kind of something they feel is too short, too long as we move forward and as just more some general feedback relative to our, if we do pursue a more specific COP change, which might take longer, a little longer, but in that interim if the SSC would still be able to provide some general guidance in terms of how that methodology is being applied?

Pete Hassemer [00:14:17] Okay, thank you Sharon. Ryan Wulff, do you want to.....?

Ryan Wulff [00:14:23] Yeah, thank you. Actually I put my hand up. I wanted to make a....kind of ask a question to Mr. North earlier but right before the motion didn't get my hand up in time. I fully support it and glad that it passed. So this isn't about the COP changes, but it was my understanding that the folks that are involved in the OPI forecast, they meet each year to discuss the the forecast and the possible improvements. So I guess my question is will that, is that still expected to occur ahead of the 26' management season? And do you feel like this is something the OPIT Team would review as part of their preseason review?

John North [00:15:03] Thank you for the question, through the Chair. Yeah, OPIT meets every year I think in early February and goes over the previous years, you know, runs and harvest and reports on all things coho and then uses the guidance here from the Council like on this forecasting methodology, and then works through it, you know, with all those that are there. And so part of that process this year will be explaining what happened here and look at the performance of the model and talk about the MAPE. And it's a couple hour meeting and I think it's a good process. It's just sometimes it's been, you know, there's been situations where the forecast number comes out and a lot of people in the room, you know, know it's wrong and.....but there's no flexibility to discuss it, you know like because there's a regimented methodology. So a little bit of flexibility to consider, I think with all those people there in the room that are fairly knowledgeable, is a good step forward and it's not going to change, you know, a lot. This forecast will produce about the same number. Just the adjustment to the MAPE allows for some fine tuning.

Pete Hassemer [00:16:33] Thank you. Any other discussion on that? I've heard a couple thoughts there. Maybe I'll put it on Angela's shoulders to summarize and see if there's anything we've gathered regarding that or how we're doing on this agenda item?

Angela Forristall [00:16:55] Thank you Mr. Chair. Yes, so it seems like there is support for the proposed methods for use in 2026. Regarding if there's any additional guidance for unresolved methodology issues, there was this conversation about feedback on the decay rating approach, and if I understand the most recent exchanges, that's something that OPIT will consider in their most, in their coming meeting as they evaluate the forecast and use it at that meeting early next year.

Pete Hassemer [00:17:28] Corey Ridings.

Corey Ridings [00:17:30] Thanks Chair. Thanks Angela for that review. I should have had my hand up slightly sooner. I was just going to voice my preference in thinking about what we heard from Dr. Leeman and also Kyle noted this as well, I think, and we heard just the concern about the, in the STT Report the subsetting of the stocks and the need to think about that. And I heard that there was too much workload to get to that at this point but it's sort of on the docket to be done. And just thinking that if that work is done or if it's appropriate to bring up for next year's methodology review, I would, if possible just encourage a conversation between those folks involved, like Dr. Leeman, with Council staff to kind of calibrate that and see if we can bring that next year, if appropriate.

Pete Hassemer [00:18:27] Okay, thank you. So that just sounds like some background work between now and trying to think March or April, whenever we get into our next methodology review process?

Corey Ridings [00:18:41] Thanks Chair. Yeah, that opportunity to have those conversations, especially noting the SSC's sort of this isn't a BSIA determination and recognizing that that's something that folks have wanted to do and is important to do and make sure that we have that queued up if necessary for next year. Is that clear?

Pete Hassemer [00:19:01] I think so, but I'll check and make sure with Angela first or John. You know it's discussions in the background between now and March or April. Angela.

Angela Forristall [00:19:16] Yes, thank you Miss Ridings. And I don't want to, you know, I'll definitely let John chime in as well, but I do think there's a lot of conversations that will happen between now and April, and April would be the time that, you know, the Council will hear from the SSC and the STT again on discussions that take place when they review preliminary topics for methodology review. So I imagine that those conversations will be captured in those statements the Council will receive in April.

Pete Hassemer [00:19:43] And maybe I'll look to John. Is there some process that or expectation we could hear something, or something will be discussed and considered between now and April?

John North [00:20:00] Yeah, I think so. I mean I didn't have much to add to what Angela said, but yeah, I think when we come back with the forecasting, you know, they'll include a discussion of what happened at OPIT and what the data said and we'll have performance, you know, based on last year's actual run and we'll know a fair bit more so.

Pete Hassemer [00:20:22] All right, thanks. Anything else here on this? Not seeing any hands Angela are we ready to close it out?

Angela Forristall [00:20:34] Yes, thank you. I won't review the summary I provided earlier, but the Council's work on this agenda item is complete.

Pete Hassemer [00:20:42] All right. Thank you all for that then. Let's take a 10-minute break.

4. Sacramento River Fall Chinook Fishery Management Plan Amendment – Workgroup Report, Initial Scoping

Pete Hassemer [00:00:00] A long road or long swim on this one. We've heard a lot of information. So let me see who's ready to start our discussion on this agenda item. Again, our tasks are up there, Consider Initiation of this FMP Amendment Process, what that would be like, and then the SRS RFC FMP Amendment Workgroup. So any thoughts on these items? Dani Evenson.

Dani Evenson [00:00:42] Sure, thank you Mr. Chair. I'll be bold and kick us off. I'm going to speak mainly to the peer review process component of this. Trying to zoom out a level, it's an important stock. It is one of the large great Chinook bearing rivers on our seaboard up there with the Yukon, and the Kenai, the Copper, the Skeena, the Fraser, the Columbia, and the Sacramento. And they all have some things in common when I step back and look at it, right? They all have Chinook runs in decline. They all have competing uses, profound management issues, you have upriver downriver issues between your users, you have marine and freshwater habitat challenges, forecasting challenges, and in the case of the Sacramento, profound habitat challenges in the form of water. And so, you know, all of these things are tricky. This, you know, is not new ground. And we've heard a lot of impassioned testimony. This keeps coming up and it's all evidenced by the Council investment in this issue. We formed a Sacramento Fall Workgroup recognizing that we needed to do more, that the public wants solutions, more is required, and from my lens and my seat, if this was going to be an easy process somebody would have, this would have been done already sometime over the past 40 years since this has been updated. And we've revisited this issue always under-budgeting our time for it throughout its progression around this table across recent years and we have received conflicting technical advice from our scientists at each step of the process. That is concerning to me. That we are continuing this discussion today and considering a peer review process is in my opinion a step forward. It's a reflection of the commitment of this Council of bringing the best science to bear on this issue, science with transparency and rigor to inform our decisions in the best interest of the resource and the people who rely on it. And I was pleased to see the Staff Report include this topic and explore this topic. And I was also pleased to see the broad-based support from the SSC, the STT, and the SAS to, you know, to embark on this. As Executive Director Burden mentioned this morning, this is a first for the Council. It's a test piece to see if this is viable when we do get gridlocked and have conflicting advice coming to this table, and I just want to make sure we're teeing ourselves up for success should we as a Council move forward on this path, and I hope we do. I would encourage us to think carefully about the construct of the peer review process and its membership. I still remain concerned about conflict of interest, be it real, perceived, or potential, given the conflicting advice. And presumably we're not heading on this path to get a rubber stamp. So hence I encourage a process that would address that. I don't have specific thoughts, but you know examples would include two or more independent reviewers and define roles for all participants. I think that could be taken care of in a Terms Of Reference. Looking through the different....what everybody had to say on this in the Staff Report, the makeup was, well it could include one designated Chair, members of the SSC Salmon Subcommittee, I hope I'm saying that right? Okay. And additional qualified experts. And then it has the STT providing additional technical expertise during the review process and members of the SAS participating in advisory capacity and public comment. The SSC, on the other hand, recommended a peer review that absolutely included the SSC Salmon Subcommittee members and

one or more independent reviewers, preferably with substantial knowledge of the Sacramento and SRFC. The STT recommended the peer review panel to include outside expertise with knowledge of salmon assessment and management tools for other Pacific Coast stocks or specific knowledge of Chinook in the Central Valley system. And finally, we had the SAS that recommended that members should be independent but knowledgeable about the Sacramento and its current challenges, but also was willing to consider experts from British Columbia or Alaska. So let me be clear, Alaska does not have a dog in this fight. Sacramento fish do not swim into Alaska waters, dare I say thankfully, or I'd be in this morass right alongside you, no offense to anyone. But we do participate in peer reviews fairly routinely when invited. We use an independent peer review process when needed. And we request independent peer reviews of other science when we have concerns on a particular issue. There is a reciprocity in this, it's a give and take, and it is part of the scientific process that we as an agency support. With that said, I did survey the chief scientists in my department. We have several PhD scientists with relevant and appropriate expertise and competencies to bring to bear, though it is unlikely that any have much expertise specific to the Sacramento River so, but they do have stock assessment expertise on large rivers and all are well-versed in Council process and, you know, have published in peer-reviewed journals. However, I have identified a potential candidate who I think would be helpful, but before we as an agency commit resources we need a better sense of the process and the time commitment. I certainly don't want to send an individual alone, you know, in on their own with no other independent reviewers in a process where we might not.....I just have concerns with some of the comments that were made and some of the the potential for conflict. I do want to make sure we're teeing our ourselves up for success on this one and I'm hoping we confirm some of this up again through the Terms Of Reference. So I guess I will leave that there and wait for others to weigh-in.

Pete Hassemer [00:08:39] Thank you Dani. Ryan Wulff.

Ryan Wulff [00:08:42] Yeah, thank you Chair. Just to give some little comments from NMFS before we start. I appreciate the comments by Miss Evenson. I actually agree with everything she said and the way she laid it out. Let me back-up. I guess I should also echo thank you to the workgroup. They put a lot of effort into this report, really appreciate that, as well as Council staff who put a lot of time in into preparing the tentative timeline and all the work here. So I do want to acknowledge that at the beginning because in general NMFS really supports the proposed approach, the timeline outlined by Council staff. And I do think just like Miss Evenson said, I think this peer review process is really a critical first step for us to decide on here and to engage in, and I think it would be helpful to see good Terms Of Reference for that going forward. I think the STT and the SAS have some good comments in their report on the level of expertise. I think like was just noted before, I think from my agency's perspective, we've started to do some thinking. I don't think we're ready yet to talk about specific names here, but would be able to do a little bit more thinking about that over the winter as well. So those are just some general thoughts. I want to hear also around the table. When it comes to the second point there regarding the amendment workgroup, I mean I think that that will be helpful for the process overall, although maybe that's something I think we have some flexibility on which way you go on those based on whether you're looking at the project team versus the broader, bigger workgroup, and maybe that could be something we.....that follows a little bit more sequentially from the peer review process, because I think that's more important to figure out as a first step, and then we can see how that impacts an overall timeline, kind of an iterative fashion as we go forward. But there's some just initial thoughts

from NMFS perspective, but I really want to hear some views from around the table as well. Thanks.

Pete Hassemer [00:10:50] Thank you Ryan. Marci Yaremko.

Marci Yaremko [00:10:56] Yeah, thank you Mr. Chair. Hearing the discussion today and the detailed Q and A's that we've had of our team representatives and public comments, I am too convinced that this first step of a peer review body and a process for peer review for SMSY is definitely the first and best next step. I'm looking at the Staff Report and I guess kind of what I'm thinking is having some time to flesh out this TOR and let NMFS and Council staff work on this. I'm looking at the options for the peer review that are outlined in the Staff Report. We've got the concept of an interactive review with iterations and review with additional analysis, and I'm thinking that we're looking at something that embodies ideas from sort of both of those concepts. I appreciated the note from the SSC about the need for time with iterations and back and forth is the kind of thing that can't just happen overnight. There needs to be time to develop the modeling because it's not a prefab model that everybody's working with so, you know changes must be programmed and debugged and tested, and so the interactive review with iterations process to me I see a lot of value there and I think it might serve in the end something that is somewhat similar to what we get out of a groundfish STAR Panel, it just is going to take longer and over, you know, a couple of series of perhaps meetings and then go back and do some back and forth and then come back together. I think we definitely need to take that time to let NMFS breathe a little now that they're back to work and there's a lot here. You know they haven't had a lot of time to give this a lot of thought, but I do know that the Terms Of Reference are going to be very critical for this peer review process and we want to get it right, and so having them spend that time is a good investment for us. The other thing I want to speak to, Dani hit on it, is the BSIA determination made by the SSC, and It looks to me that, you know the Sacramento Workgroup will be proposing and preparing the four approaches and presenting them to the peer review group, and then ultimately the BSIA determination would be made by the SSC. It would seem to me that the workgroup brings these materials as starting points and then with the iterative approach then what may come out at the end may not be one of the four methods that was brought forward but something different, some variation based on that review process. So I think I would like to see the review start maybe.....I recognize that the Sacramento Workgroup has provided a recommended approach, but I'm expecting that this process will serve to give equal weight to the methods, and if not then there's some explanation as to why. I think we heard a little bit about that in the workgroup report that a few of the methods were, you know not as good and maybe not as robust and maybe not as worthy of giving a lot of detail and time. I kind of want the peer review process to determine that. So I think we've heard that the workgroup is prepared to at least initially present all four of the methods. So I'd rather let the process work its way through and if it involves, you know, dismissing one or more of them sequentially and modifying and ensuring that the last best one standing has gone through the most complete review, that that sounds great. But again, these are kinds of things that I think need to come together in the TOR. And I think as a result this is a good first area of focus right now. I'm looking at the staff discussion document and the FMP Amendment Workgroup concept. We've got some ideas on membership and composition that were provided to us in the report, and then the presentation does a a good job of comparing that broader development team versus perhaps a more narrowly focused project work team. I think those.....I'm not ready at this stage to weigh-in on which of those two formats might serve us best. I'd rather have us focus on

this peer review process and then kind of see what comes out of that before we move to kind of deciding more about the formation of either the FMP development team or the more narrow concept. I guess what that would mean in my mind though is that the tentative timeline that we have for review in Attachment 2 may need some adjustments so that maybe we aren't going to be ready in March to appoint members to an FMP development team. I know, again I think I'm thinking much more about the peer review process after today's discussion and the interest in moving that work now. So those are my thoughts at this time. Appreciate the discussion today.

Pete Hassemer [00:17:59] Thank you Marci. John North.

John North [00:18:02] Thank you Mr. Chair. Yeah, just a couple of thoughts on the three questions in front of us. I guess in terms of those issues, I think continuing with the FMEP, sorry FMP, amendments probably the best approach to ensure adequate peer review and public involvement. I think the work that the Sacramento Workgroup has done so far is really impressive and extremely valuable moving forward. But developing the SMSY proxy and the other reference points I think's really, you know, quite complex, not the easiest material to follow, and it's going to have a large impact on future fisheries. I think the public deserves the maximum opportunity, you know, that we can provide to understand, participate, and comment on the process. I think the timeline outlined in Attachment 2 is, you know it's good but I think it's a little ambitious since I think it's going to take some time to get the ship pointed in the right direction first, so might have to be bumped back a meeting or so. As far as the peer review process, again given the significance of this work, I think that a robust review is needed and warranted and probably the most important thing right now. I'd support something beyond the basic review level. My preference would be a peer review body with expertise and experience capability to conduct additional analysis, but at a minimum an interactive level participation. Of course finding bodies is going to be a little tricky, but I think there's some people we can tap into. As far as the FMP Amendment Workgroup, again, you know, given the importance of this stock and the decisions it might be good to stand it up, but you know the benefit of that is to provide a holistic, you know, analysis for the Council here, but maybe that's, the scale of that group we can decide on later, focusing first on the peer review. But that's my thoughts.

Pete Hassemer [00:20:32] Thank you John. See if there's any other thoughts brewing around the table here. Marci.

Marci Yaremko [00:20:45] Yeah, thank you Mr. Chair. This isn't really directly on point with our tasks, but I did just want to note that I really appreciated the exchange with Dr. Satterthwaite on the concept about base periods, I guess you'd call them, or time blocks or time periods, and that he mentioned that that would be a great topic for peer review. We also heard Mr. Gorelnik talk about drawing a line at 2004, which is kind of in my mind something like a time block that we do in groundfishland. I'm not clear why SMSY needs to cover a range of conditions, or if more modern day conditions are adequate to evaluate the capacity of the system. We saw earlier today in our methods review agenda item support for this concept of exponential-weighted decay rates. That's yet another method to kind of upweight more recent data. And so I would hope that in this peer review process these methods of how we deal with time and data that we've collected over time and what's appropriate for this look at SMSY, I would hope that that would be a focal point of the

peer review process as well. So again just want to thank Dr. Satterthwaite for acknowledging it would be appropriate for them to consider. Thanks.

Pete Hassemer [00:22:43] Any other discussion? Corey Ridings.

Corey Ridings [00:22:54] Thanks Chair. Thanks Marci and John for those notes. That's helpful to hear a process potentially for moving forward. I think I want to echo what Marci just talked about, thinking about the peer review. This agenda item's been deep and I think that's been good. It certainly has me thinking a lot about peer review and the salmon process generally and where that fits so I'm glad that that conversation has come up. I think in thinking about how we do this from a wider lens right now we're talking about SMSY, but where else in our process would peer review be appropriate? Reflecting a little bit on Dani's comments earlier, thinking about recusals and who's reviewing what work and how and ensuring people that aren't responsible for reviewing their own work, you know regardless of what body that is, I think is important in all the salmon science that we do. So just putting that out there. I'm not sure if that's directly related to what Marci and John were talking about in terms of this far more targeted process that has been discussed around the SMSY. I also wanted to voice....I mean my understanding, and I can be corrected here is, you know part of the reason we're entertaining this and ask Council staff to come back with this really thoughtful, detailed report about how we could move forward with this and talking about these things today was the need to take a more holistic look at how we're doing things. And so in hearing John and Marci talk about this it sounds like we're taking a first bite. I would just reiterate it would be my intention when we come back from that bite, whether that's March or April or down the road, that I do think it's appropriate to continue a Council conversation about that larger FMP holistic look about how things fit together, you know, including potentially other reference points to continue the scientific process there as well as the conservation objective and the Harvest Control Rule. So our advisory bodies talked a lot about that. That was featured in the report. So I just wanted to note I think it's important that we don't totally drop that, and just that it would be my intention to revisit that, even if we decide to take one bite now that we're going to be revisiting that soon, ideally in early next year, or whenever Council staff thinks it's appropriate.

Pete Hassemer [00:25:23] Rebecca Lent.

Rebecca Lent [00:25:25] Thank you Chair, and thank you everybody for the discussion. It's quite dense and quite technical. But I do remember yesterday we talked about inviting different folks from different agencies that deal with water, and maybe I think Dani you mentioned this too. Would it be possible as these groups are being formed, the peer review groups, getting some outsiders to see if that might be a venue if only one off or a couple of meetings to invite these people to come and say help us solve these problems? We need water, not just, as our Vice-Chairman keeps saying, we need water not just the correct measures to manage recruitment and catch and so forth. So just an idea. Thank you.

Pete Hassemer [00:26:14] Thanks. Other thoughts? What I'm hearing is kind of looking at our task list, some focus on Number 3, the peer review group, that moving forward with that. I heard some words about, you know, considering in that the construct, the membership. I think the construct we talked a little bit about Terms Of Reference, which would cover a lot of that. So I think being clear when that comes about and what precisely the Council, maybe not precisely at

this time, but at least conceptually what that might look like. And I'm just thinking about timelines here. Executive Director Burden.

Merrick Burden [00:27:16] Yeah, thank you Mr. Chairman. I don't intend to answer your question, I think that's a question for the Council. But I've been sitting here making notes about how we could formulate a pathway forward as I'm listening to you all talk, and there are also some questions embedded in there. So based on what I've heard so far, what we'd be doing is drafting a Terms Of Reference between now and March. Really we would focus on that in December given the other salmon workload. We would also be asking agencies and tribes to consider whether they could put staff on this peer review group. And I understand that, you know, that we're not at a place now where anyone can commit to that because of that Terms Of Reference, we don't know what we're committing to, and so we would be asking for that, some feedback on that at the same time as we come back in March with that draft Terms Of Reference. And then I also heard a desire that the FMP team, eventually we'll get to that, but let's get through the peer review body first. And so we'll kind of suspend, if you will, the FMP team. That leaves us with what is involved in the Terms Of Reference and what do you want to see in that Terms Of Reference? And so there's a discussion I hear on the floor about and through all of our advisory bodies and public comment, there's a range of different things we could do. One is what is the job of that peer review body? And what I think I'm hearing is that people are gravitating toward this iterative model where there's some back and forth and refining of what the workgroup has done thus far. Second major question is who is on that peer review body? And so there's been a very wide range of discussion about the degree of sort of independence or new people versus people on our SSC and STT now or something in between, and so that that's where my biggest question is, is what is what is your wisdom in terms of who should populate this peer review body? And I think Dani Evenson had some good comments there about Alaska's perspective. I wonder if other agencies have perspectives?

Pete Hassemer [00:29:44] Marci Yaremko.

Marci Yaremko [00:29:47] Thank you Mr. Chair. It's pretty clear to me that the Sacramento workgroup itself will have a considerable role here in this process in terms of being the proponents of the methods and needing to respond to the inquiries, and in fact, you know, be part of that iterative process. So I don't know that current members of the workgroup are appropriate to serve on the peer review side. I think that's kind of an easy statement, but I just want to make that I think clear. I really appreciate Dani's remark that, you know they don't, there is no dog in the fight here for Alaska. I also feel like the quality of the folks that we get from the CIE on our STAR Panels has been outstanding and I think that dipping into that pool is, to the extent we can, is a really important element of membership. I'm not so sure.....like I think there would need to be some clear criteria for I guess other parties, but I think these are the kinds of discussions that really we would have benefited if NMFS had been around to consult with Council staff about some kind of, you know, solicitation process or connecting with appropriate academic institutions. I don't know, but I think this is a topic that I look to you in coordination with NMFS to help us out. Those are just some initial thoughts. That's it. Thanks.

Pete Hassemer [00:32:05] Thank you. Others? John North.

John North [00:32:10] Thank you Mr. Chair. I agree with what Miss Yaremko said. I'd just like to see, you know, people with the experience and background and knowledge to be helpful in the process to serve on that team. I think there might be some room for a independent consultant to sit on it too. There's quite a.....several around that have, you know, a lot of modeling experience and population dynamics and so that's an option, maybe an option.

Pete Hassemer [00:32:50] Ryan Wulff.

Ryan Wulff [00:32:53] Yeah, agree with what's been said and agree with Merrick. I think it's important to identify the kind of expertise before you start to talk about people. And that's why I noted, you know, the STT talked about outside expertise with knowledge of salmon assessment management tools for other Pacific Coast salmon stocks, or the Central Valley system in particular. But I also think expertise in managing salmon in any large river system really that has some similar environmental or challenges, it doesn't have to be the Sacramento Basin specifically, but some sort of similarity, all of that I think would be helpful. Thanks.

Pete Hassemer [00:33:30] Corey Ridings.

Corey Ridings [00:33:33] Thanks Chair. I'm just going to add the SAS recommended someone potentially from British Columbia. Again, kind of folks that don't have a dog in the fight, so to speak, but will be knowledgeable and could bring some outsider perspective there may be beneficial, as well as the SSC recommended the Salmon Subcommittee. I don't know if their intention was the entire subcommittee or how that would work exactly, but probably at least one member being in attendance would be incredibly helpful in terms of creating that, sort of that connection between the two groups and helping understand and being able to translate back to the SSC at the end.

Pete Hassemer [00:34:14] Thank you. And I'll just add in also, I know Ms. Kiefer is in the Chair designees seat for the Idaho agency, but I did have a chance to talk to the Chief of Fisheries there before coming to this meeting and, you know, there's no commitment that somebody would be involved but in discussing the issue and some of the tasks. Before we had all this discussion there was some interest in being able to provide. And I just offer that because another very large river system with.....there's a lot of good salmon scientists there who bring some expertise and deal in these hatchery and natural systems and recovery plants and everything. So no solid commitment but definite interest in maybe being able to provide somebody to assist in this. So trying to figure out where we are here without putting Angela on the spot, so maybe I'm going to run through what the Executive Director went through going down the pathway initially of the peer review group. Possibly having draft Terms Of Reference by March to look at if it's possible to get that on the agenda, and thinking there's been some discussion about what would be in there. I just want to highlight one of the things I heard, and I would need confirmation, this is your decision, but I believe Marci talked about this group would give equal weighting to all of the models as it proceeded. I don't know if that's, you know, in the Terms Of Reference, but maybe I should turn to Angela first and see in terms of this what pathway we're headed down?

Angela Forristall [00:36:35] Yeah, thank you Chair Hassemer. That's kind of my line of thinking and maybe point of clarification I wanted to get from the Council as well. From my understanding

from the discussion is there's general support for this iterative peer review process. We have some general ideas of folks and representations that would be valuable and important to have on the peer review panel, particularly leveraging folks external to our Council process currently. There was voice for the focus of the peer review to be like....the scope to be the four workgroup items that have been kind of fully developed to this point with the peer review panel kind of coming at them from a neutral perspective. So just if that is in line with what the Council's kind of thinking we'd appreciate.

Pete Hassemer [00:37:26] Are we capturing your thinking correctly? Do we need any more definition? Dani Evenson.

Dani Evenson [00:37:37] Thanks. I'm not sure if this will be helpful or not, but we're not the first body to go down this path of peer review, and there are a lot of great examples out there. Specifically the Canadian Science Advisory Secretariat comes to mind because Canada has a process where they have to do this, a peer review for all of their actions, particularly every time they review an updated escapement goal is one of those. They have divine policies for conflict of interest, how the different bodies fit together and set-up, and it might advance us in this discussion or as you work through how you want to set this up, it's a great model to look at and might find that helpful in the interest of efficiency.

Pete Hassemer [00:38:32] Okay, thank you. Other thoughts on that? The other piece then, I'm going to say when I heard from the Executive Director on the Fishery Management Plan Amendment Workgroup, did I hear this correct, just kind of pause on that for a short time? Not determined yet how long, but initiate, get to work on the peer review process first and get that established and underway. I'm seeing some affirmative responses to that. Besides that Angela, what else do we need here?

Angela Forristall [00:39:34] Thank you Mr. Chair. We've had a very thorough discussion. I think just one other point that has been brought up that I do want to kind of mention in summary is that, you know, turning our focus to just this peer review process at this time will likely adjust the tentative timeline that's been presented. Particularly, you know, once we start reaching out to folks and getting an idea of availability, if the Council's kind of formalizing any Terms Of Reference in early spring, it'll take time to coordinate with people to make sure they're available. So June, you know, between spring and June might come quick and we might have to push the peer review which would have impacts on the full timeline, but I think we're, you know, making progress as we can and have gotten a lot of very helpful from the...input from the Council on at this meeting.

Pete Hassemer [00:40:21] All right, and I did hear from at least two people that the timeline needed some adjustment so that's likely to be happening. Anything else we should do then?

Angela Forristall [00:40:38] I will very slowly say your work on this agenda item is complete.

Pete Hassemer [00:40:42] All right, and I will cautiously look around to see if there is any closing comments or suggestions? Not seeing any, we're going to close this workgroup agenda item.

5. Klamath River Fall Chinook Workgroup Progress Report

Pete Hassemer [00:00:00] That completes our reports and public comment. You want to get into discussion right away? Where do we want to start? Our tasks are there before us, simply Reviewing the Report, Terms Of Reference, Guidance on Workgroup, Management Measures, and the Buffered Harvest Control Rule. Maybe there's nothing to discuss here, I'm not sure. Marci Yaremko.

Marci Yaremko [00:01:06] Thank you Mr. Chair. I'll just get us going here. I want to thank Dr. O'Farrell for providing us a brief overview of the workgroup's report. I appreciate, it's a nice synopsis of work done to date and looks to me like they've gotten about as far as they can get without a new infusion of resources to work to further develop the matrix, which might be a good interim tool for us to use, but since that will take more work to get it in working order and there's no capacity to do so that leaves us with the buffered Harvest Control Rule approach as an interim management approach for use in 2026 and beyond as needed. So regarding additional work to the Klamath Workgroup, I would note the STT's point about information on hatchery production and tagging programs and that that is part of the Klamath Workgroup's TOR, I think that's important information for the Council and the STT as we look ahead no matter who provides it, whether it's from the workgroup or from other sources. So I guess I'm also thinking about the reports under this agenda item and the STT's report on the buffered Harvest Control Rule and just would reference the exchange I had with Cassie on the work that I think we need from the STT rather than the Klamath Workgroup with regard to determining the application of the buffer to only the non-tribal portion of the available harvest. So I guess with that, I'm not seeing any guidance for the Klamath Workgroup, but I do see new work for the STT, but appreciate their willingness to take a crack at it in the over-winter meetings. Thank you.

Pete Hassemer [00:04:12] All right, thank you Marci. Any other discussion? Corey Ridings.

Corey Ridings [00:04:27] Thanks Chair, and thanks Marci for putting that out there. I just wanted to note, you know our STT is down some numbers with the furlough. There were only two members as I can tell that were really able to work, and I'm sure that was hard on both of them in the last seven weeks and preparing for this meeting. The Tribal Report from the Hoopa Valley is a good reminder of our obligations and how we need to be moving forward and how we need to be thinking of this, and also a really good reminder of just the efforts that are being undertaken outside of the Council by many, many people, including the public comment that we heard that had been going on for years. So I'm not suggesting this Council at this moment do anything different, just highlighting that we're down folks on our STT. This matrix-based wasn't.... The matrix-based approach wasn't able to move forward due to staffing issues at NMFS. So just being really cognizant of our limitations here with staffing as well as our obligations and hoping that as this moves forward we can be thoughtful in meeting those obligations with the staffing limitations that everybody's facing. So thanks.

Pete Hassemer [00:06:00] John North.

John North [00:06:01] Thank you Mr. Chair. I don't have too much to add. I think Miss Yaremko and Miss Ridings summed it up pretty well. The workgroup's done a lot of good work. It seems they're especially challenged right now on what else they can complete. You know I think the buffer is the only viable option. I do note in the SAS Report, you know, their request to get some more updates on what's happening in the basin, changes to monitoring, restoration, recovery, just general information and I support that. It'd be really nice to know more about what's happening on the ground. It's just I don't know if we've ever seen anything quite so dynamic, you know. So I don't know how we go about that but that'd sure be nice.

Pete Hassemer [00:07:02] All right, thank you. Sharon Kiefer.

Sharon Kiefer [00:07:05] Thank you Mr. Chairman. I appreciate the reports. It was pretty clear I think. We heard both the workgroup and the STT have some staffing challenges, and so as we kind of think of....and that, what I don't see here is any kind of emphasis on trying to remedy that. So relative to the Klamath River Workgroup, it's very clear they have kind of a big hole. I didn't hear any discussion from the workgroup in terms of if any expectation of that hole being filled, and so I'm not sure it's the role of the workgroup to fill the hole, that's probably the role of the Council if we are believing that that workgroup needs to kind of re-bolster its expertise in order for us to provide guidance to the workgroup on management measures to further develop. So I'm just, you know certainly I don't get the sense that I would feel very good about giving them guidance on management measures to further develop given their current capacity. So I'm just wondering if that's something also that the Council needs to contemplate is, and I'm sure we'll be hearing this throughout with some of our other groups, in terms of kind of a reemphasis on how do we get, attract the right people for the right work that we are expecting the workgroup to consider and work on.

Pete Hassemer [00:08:51] Thank you Sharon. Anything else here? I'm not seeing any hands. I don't know if I should try and capture some of this but I'm just looking at the task list, I believe in our reports and I heard around the table on item Number 4, the buffered Harvest Control Rule is.....I don't know if it's the only way. It's the most practical way to proceed this year. We don't have any guidance that I heard to the workgroup on management measures at this time. Capacity is down. And anything else Angela? Anything you heard?

Angela Forristall [00:10:03] Yeah, I heard from the Council a desire to hear from the STT in March just to explore the possibility of if there is a potential that the non-tribal portion could be not buffered if a buffer is applied. Some desire to still receive updates about what is happening in the Klamath River Basin in some capacity. And just keeping on the Council's radar the, you know, changes in fishery practices and providing, maybe getting information on that periodically as well.

Pete Hassemer [00:10:42] Okay. Anything else to be said on this topic with that direction? I'm not going to wait too long here. I think we've thoroughly dissected this one so unless there's anything else anyone has to say we'll close out this agenda item.

H. Pacific Halibut Management

1. 2026 Commercial and Recreational Catch Sharing Plan and Annual Regulations – Final Action

Pete Hassemer [00:00:00] That completes the reports, public comment, and takes us to Council action. A reminder, the tasks as printed up are to adopt final, but I believe we cannot adopt final. But as has been laid out in the state reports, I think it's bolded across most of those what the states are likely to move forward or are moving forward with. So let me look around and who's going to start the discussion? Jaime Diamond.

Jaime Diamond [00:00:36] Thank you Chair Hassemer. Just recognizing that you just mentioned the state reports and there isn't a CDFW Report in there, and I just want to highlight a couple of things that were important to the California fishermen through the GAP Report, the April 1st or as soon as practicable start date for recreational. And then also they highlighted again the ask of a declaration deadline delay for the commercial fishery so they can get the salmon structure seasons, get an idea of the salmon season finalized before they have to make that declaration so the application postponement if possible. And then it was status quo season structure for it looks like the directed fishery. And then yeah, just going to speak to California. But those were the California specific things that I heard that I just want to highlight for discussion. Thank you.

Pete Hassemer [00:01:38] Thank you. Any other discussion here? Ryan Wulff.

Ryan Wulff [00:01:53] Thank you Chair. Really quickly, normally we would have had a NMFS Report for this, but obviously you all know why we didn't get it into the briefing book. But for those that are interested on the catch update, Area 2A is at 85% attainment or approximately 1.29 million pounds. And while some fisheries are ongoing, we think final catch estimates are unlikely to change. So that's just a note I would have given as a management report at the beginning of this. Regarding the substance here, and we've heard some comments about the early April dates so, and I appreciate some of the comments about acknowledging a delay if needed. So just a reminder, you know, as it relates to those proposals for the early April dates, although the IPHC meeting is scheduled to occur about a week earlier this year, as has been noted, NMFS will still be facing similar time constraints to past years to implement those dates based on the timeline that we have for Secretary of State approval of IPHC regs and the subsequent rule publication of the IPHC regs, both of these things must occur before a final rule setting the rec fish season dates. So again, we don't oppose that in concept, we support that. I'm just reminding folks that we may have a delay as we try and go forward and implement this, but we will do as best we can. And as we have stated previously, we're also happy simultaneously to kind of think about working with the states on a longer term plan that addresses the beginning of April. Thanks.

Pete Hassemer [00:03:34] Thank you. Marci Yaremko.

Marci Yaremko [00:03:36] Thank you Mr. Chair. Thank you Ryan for those comments. And yeah, CDFW is very interested in continuing to work with your folks on an April 1 start date that is a permanent thing that doesn't need to change year to year or be subject to the effective date of

rule publication. I just flag that we set opening dates up in our salmon rulemaking, our annual salmon rulemaking for the year ahead even though it's in the annual rulemaking, and so I would love to see progress be made. I understand this year is is kind of out, but I don't want to lose sight of the longer term goal. There's got to be a way out of this box where we specify in an annual rule that the opening date is April 1 and even though it may not apply that particular year, it'll apply the following year. So anyway, looking forward to working with you on this. Thanks.

Pete Hassemer [00:04:46] Any other discussion here? Heather Hall.

Heather Hall [00:04:58] Thank you. I don't want to preclude any more discussion but it seemed like there was a pause, so I have a motion when when folks are ready.

Pete Hassemer [00:05:15] All right, go ahead. We're ready.

Heather Hall [00:05:26] Thank you. I move the Council take preliminary action to adopt the proposed recreational season structures outlined in H.1.a, Supplemental Revised WDFW Report 1, November 2025, and H.1.a, ODFW Report 1, November 2025, and the GAP recommendation for the California recreational season and the directed halibut fishery as described in Supplemental GAP Report 1, November 2025.

Pete Hassemer [00:05:59] Thank you. I followed along. That language before us appears accurate and complete. Is that correct?

Heather Hall [00:06:06] Yes.

Pete Hassemer [00:06:07] Thank you. Is there a second to the motion? Seconded by Vice-Chair Smith. Please speak to your motion.

Heather Hall [00:06:14] Thank you Chair Hassemer. This is a preliminary action, not final action, intended to get us to the next step where we can take final action at a special meeting as soon as possible. What this motion does is capture our intent that is described in the reports and in the discussions that we've had with our stakeholders and with advisory body input since September. This motion also reflects a lot of state management and agency coordination during the development of the range of alternatives that were adopted in September. As discussed in our Council discussion, this does include via the GAP Report, the California recommendations. And I would note that the directed halibut fishery is referenced here, but that was the recommendation for September was to be status quo, so no changes to that fishery, but this would finalize that when the time comes. This motion does not take preliminary action on the specific Catch Sharing Plan language presented in H.1 Supplemental Attachment 3. Attachment 3 was drafted during the government shutdown and has not had the benefit of discussion and refinement with NMFS staff. The language generally reflects the intention, but additional time to coordinate with NMFS would improve the language. That's it. Thanks.

Pete Hassemer [00:08:00] Thank you Heather. Any questions regarding the motion? Not seeing any questions, any discussion on the motion? Not seeing any discussion I will call the question. All those in favor say "Aye".

Council [00:08:18] Aye.

Pete Hassemer [00:08:19] Opposed? Abstentions? The motion passes unanimously. Thank you Heather. With that I will turn to Angela on our progress on this agenda item.

Angela Forristall [00:08:42] Yeah, thank you Mr. Chair. You were not able to adopt final action at this meeting, but you did take preliminary action which will be very helpful for informing the public and we will work to coordinate the special meeting for final action. And so with that your agenda item, your work under this agenda item for today at least is complete.

Pete Hassemer [00:09:02] All right, let me make sure I'm not missing any hands before we close it out. Executive Director Burden.

Merrick Burden [00:09:10] Yeah, thank you Mr. Chairman. And just to add to what Angela just mentioned, we are planning to announce the the date of that special meeting under workload planning. So we're still just pinning that down, but that will be made available at this meeting.

Pete Hassemer [00:09:27] All right, thank you. If there's nothing else then I will close out this agenda item.

I. Highly Migratory Species Management

1. National Marine Fisheries Service Report

Pete Hassemer [00:00:00] That completes our reports. I do not see public comment but I need to confirm that. And there is no public comment, which will lead us into discussion. This was just a NMFS Report, very short in the Science Center Report. Any discussion to be had here? John Ugoretz.

John Ugoretz [00:00:28] Thanks Mr. Chair, and thanks to the NMFS staff for being here. I just want to really thank you for even having a report in two days? One day? And that I sincerely hope that between now and March we don't face similar things in your ability to do your jobs.

Pete Hassemer [00:00:58] Other comments? Discussion? Not seeing any then Kerry?

Kerry Griffin [00:01:05] Thank you Mr. Chair. Yes, if there is no further discussion then that concludes your business under this agenda item.

2. International Management Activities

Pete Hassemer [00:00:00] So we will move to our Council discussion and tasks, simply providing recommendations. And just as a refresher, in September the Council agreed to send some information regarding this topic and there was no place to receive it. So as was highlighted in the advisory subpanel report, and I think Miss Svensson said, an opportunity if you want to resend that needs to be delivered by sometime near the end of the day, so there's that to consider. And then the advisory subpanel had some additional items there that they requested be sent along also. So with that, discussion? What would you like to do? Christa Svensson.

Christa Svensson [00:00:55] Yeah, I'm going to jump on this one. I am supportive of forwarding the September comments along with the recommendations from the HMSAS. I think the harvest strategy component for South Pacific albacore along with those recommendations is extremely helpful for a couple of reasons. The manage.....or the advisory panel alluded to market, what I would add to that is that that is a condition related to MSE certification for 20 some fisheries in the western and central Pacific, so it is certainly something I think that is important not just from a market standpoint, but also from a conservation standpoint in terms of keeping that moving forward. I personally like the approach of moving towards working within the conservation measure as opposed to trying to cut out an exemption. I do think that it is important to continue to push on those particular talking points that were raised by the advisory panel based upon that trade-off, simply because we're not the biggest fleet. We're not the biggest American fleet in the region, but it is really important for the boats that are diversifying their business models by going into the South Pacific rather than just fishing here off of the West Coast, so making sure that they have the opportunity is, at least from my perspective, critical. So with that I will stop, but again recommending moving both the HMSAS and the September comments to the PAC as recommendations as from our PAC membership here.

Pete Hassemer [00:03:01] Thank you. Other thoughts? John Ugoretz.

John Ugoretz [00:03:04] Thanks Mr. Chair, and thanks Miss Svensson. I agree. I think it makes sense. As always I appreciate the HMSAS's leadership on the international topics and I think we should forward those comments again.

Pete Hassemer [00:03:22] All right. Everyone.....Rebecca Lent.

Rebecca Lent [00:03:27] Thank you very much Mr. Chair, and thank you Miss Svenson for the report and for representing the United States at this meeting. I know those are long and arduous meetings. I certainly support the HMSAS approach to repeating the recommendations that we made in September. Just a quick follow-up. I noticed that there is, there was an assignment of a U.S. led working group to look at sea turtle bycatch in these fisheries and primarily on compliance, which is what you mentioned earlier, but also other measures, so I'm wondering if this is an opportunity to enhance whatever information that the U.S. Delegation can bring to WCPFC about circle hooks. Always looking to level the playing field. Thank you. And perhaps, I don't know, Miss Svensson or Ryan might have a better answer. Thank you.

Pete Hassemer [00:04:22] Anybody want to tackle that question? Take a bite at the hook.

Christa Svensson [00:04:28] I think I will maybe take a start. And I may need to lean on Mr. Wulff in addition to my response here. Circle hooks are certainly something that have come up in terms of importance. I will note that they were raised at the IATTC meeting by our head of delegation as important in terms of enforcement for what we require. I think that there is certainly appetite from our head of delegation and others within the delegation to support circle hooks and requirements around circle hooks. I am not as sure in terms of how to include that or fold that in this morning simply because I don't know that I have something to point to from previous briefing materials. Like I've asked about the September and the HMSAS, but I certainly think that it is appropriate if you have other information to provide it to persons such as myself or other members of the PAC so that we can continue to feed that in and support those concerns for people that are interested in that particular topic. And I think I will lean towards my colleague Mr. Wulff to see if he has anything he would like to elaborate on that one. But agree that it is certainly something that is of interest to many people around the table and in the Council process.

Pete Hassemer [00:06:22] Ryan Wulff.

Ryan Wulff [00:06:23] Yeah, thanks. Unfortunately, I don't have too much more to add. I'm not as familiar if there's a specific sea turtle working group, and obviously PIRO's not quite online yet, but I will look into this further. I mean, we have a ecosystem and bycatch working group at IATTC. That's where we do a lot of our sea turtle discussions that meets annually. We did put forward circle hooks as part of our tropical tuna proposal that was hotly contested and withdrawn from the resolution. I do know there was a paper put forward at the WCPFC Scientific Committee in August that did talk about data gaps for sea turtles and made some recommendations that could go to the WCPFC. But again, we didn't have a advisory committee, like you know, because of the shutdown we just don't have any additional information, but I will continue to look into it for you.

Pete Hassemer [00:07:20] Rebecca Lent.

Rebecca Lent [00:07:21] Thank you so much. It is, as I understand it, in that packet from September. There is mention of circle hooks in there. And I'll reach out maybe to Dr. Swimmer to see how things are going in her efforts heading up the EB group. Thank you.

Pete Hassemer [00:07:38] Dani Evenson.

Dani Evenson [00:07:40] Yes, thank you Mr. Chair. I don't think I've ever commented on an HMS agenda item, but in the interest of full transparency, Alaska had its first ever commercial tuna fishery this year. And I just want to go on record because I've received questions from many folks in this room about that. In early mid-September a warm plume of water showed up, and with that tuna in Southeast Alaska on the outer coast. There was a skipjack that was speared in Sitka Sound really close to shore, like in state waters. So we issued a Commissioner's Permit in coordination with the Alaska Region of NMFS. Also reached out to Mr. Wulff to make sure we were checking off all the boxes and not overstepping the mark. I just received commercial harvest information this morning that I wanted to share. And I do want to say that on the tail end of a very dismal Chinook salmon fishery, this provided a lot of excitement and the thought of opportunity, but no

sooner did we get it open on September 12th we had high winds move in. On September fifteenth, which put, tied all the boats up in dock and moved all the fish offshore, we had one commercial landing of 500 pounds. So for much ado about nothing. We also had some sport catch obviously and we don't generally have that on our sport krill forms, right? Or our sport logbook, but we're looking to add that moving forward should we be so blessed in the future. But I will say that when I got the Sitka everybody was googling how to filet a tuna.....(laughter)...and there was a lot of excitement there. So thank you.

Pete Hassemer [00:09:57] Thank you for that update. Ryan Wulff.

Ryan Wulff [00:10:01] Thanks. Not to that point. I appreciate the update and I'm happy to continue consulting with Alaska on future HMS fisheries. Rebecca, it turns out that there was a proposal submitted on sea turtles. So I do want to go back. We did find that information. I'm actually not sure who submitted during the shutdown, but the U.S. has a proposal on the table for WCPFC and I can explain a little bit about that. I guess the Commission agreed previously to review their management measures for sea turtles in 2026. So the U.S. is proposing at this meeting to establish a working group similar to, I guess what New Zealand led for seabirds in a similar review, to start looking at that and then maybe bringing some proposals forward in 2026. So the proposal this year is just to start a working group to consider expanding the 2018 measure on the sea turtles that exists and to kind of review the various requirements and look at the current state of science and a number of other things. So happy to share the document. But that is now out and so yeah, we're still getting up to speed as you can see. Yeah, and while I have the floor I wanted to say a couple other things about the AS Report regarding the bluefin tuna comments made by the advisory subpanel. Yeah, they mentioned a meeting in California, a joint working group intercessional meeting. We did just.....I did flag this in September that one of the outcomes of the last joint working group in the IATTC was to continue discussions and negotiations on bluefin tuna. The next formal joint working group is in Nagasaki, Japan in July, but there was discussion of having a potential other intercessional, it's maybe late winter-ish, early spring, somewhere in the U.S. And we have had some initial discussions but we had anticipating, we had a lot more of those during the time period that we were shut down so we're a little bit behind. That is still potentially on the table, but I don't have any updates other than I appreciate the recommendations from the AS. We will definitely take this into account. Our commissioner who's engaged on that is at ICAT right now and then of course going to WCPFC, so it may take a little bit before we can finalize any potential intercessional that may happen, but we will continue to communicate as best we can. And if that happens before the next Council meeting we'll, of course, find some way to communicate and make sure everyone's well aware of when and where that is. On North Pacific albacore, I just wanted again, like I noted in my report, I recognize the AS recommendation that they, that we do this in February, avoid overlapping with the Dungeness crab fishery. Of course, NMFS wants extensive participation. We're more than happy to move it and the last thing we want is another conflict for the crab fishery. So we're happy to avoid that. And we will work with folks to set up a time, hopefully in February, and again like I noted, we'll put out a federal register notice too so that's broadcast and we hope to get a broad input at that meeting. Thank you.

Pete Hassemer [00:13:15] Thank you. Any other discussion on this item? Corey Niles.

Corey Niles [00:13:21] Yeah, just quickly...and thanks for that Ryan. I remember asking you in September about the North Pacific albacore. And I mean, thanks to the AS for updating us on the relatively good season. It's a good reminder that we don't talk a lot about this fishery, which is a very low bycatch fishery where we're utilizing close to maximum sustainable yield and it wasn't what it was, but it is a successful fishery that we hardly talk about but it is important. And remember in September, and I really do think that this Council....I wonder why we're not using this Council process to talk about this translation of effort into, you know it's a theoretical potential need if the stock were ever to, and fingers crossed, you know, drop to low abundance, how would we respond? And I think this Council process is where those domestic issues are best concerned. And we talk a lot about the other fisheries that are not earning as much revenue as this one. So yeah, but thank you for your, for remembering that and continuing emphasis on it and I have confidence that you will take advantage of this, of the Council's expertise and I just wanted to voice it and appreciation.

Pete Hassemer [00:14:44] Thank you. Other discussion? Again, I've heard support, not everyone, but I haven't heard any dissent to forwarding those materials. We already decided in September to send and including the advisory subpanel comments. So if that's good then I'm going to look to Kerry.

Kerry Griffin [00:15:09] Thank you Mr. Chair. Yes, I think that we'll do that today. We'll send in the HMSAS Report as well as the September recommendations and make sure that those get in on the record for the WCPFC meeting. There was a good discussion today. I think that was the main outcome as far as actions under this agenda item. And....but there's a few things that are on the horizon, some upcoming meetings, the joint working group, and Mr. Wulff and Miss Svensson mentioned a couple other meetings. Some are being rescheduled, but we'll keep an eye out for those. And if there was something else during for Council guidance let me know, otherwise I think that was it.

Pete Hassemer [00:15:58] I believe you've got it. I'm looking around, seeing if there's anything else. There's nothing so we're going to close out this agenda item.

3. Exempted Fishing Permits – Preliminary or Final Action

Pete Hassemer [00:00:00] That completes the public comment, takes us to our Council tasks. They'll pop up on the screen here. Review the applications considering....consider endorsement. So John Ugoretz.

John Ugoretz [00:00:26] Thank you Mr. Chair. I guess I'll start with the last one. And as I said to Chugey, I'm just really happy that we are getting EFPs with gear that we haven't seen. You know this is kind of the thing we've been searching for is somebody coming to us with something that we haven't seen on the West Coast. For the first two, I can't see a reason why we wouldn't recommend these for approval to NMFS. I like the idea of providing flexibility, but within the allotted frameworks of environmental approvals. So like if there's a NEPA document that says, you know, so many hooks or such depths that it's within that range, and I like flexibility in EFPs because we tend to have more observer coverage, we're reviewing the data, so I'm more comfortable with providing some flexibility there. So, you know, I'm thinking my tendency right now would be to recommend approval of those first two with some guidance to NMFS about flexibility. The third one I think is really promising. I'm really excited by it. I actually did some Google digging to try and find out about this gear because it was so unique and different to me, and that's been over this weekend since, you know I started hearing more about it. I think there's information there that the management team could dig into more and provide us some clarity on what sorts of catch and what sorts of bycatch is seen in this gear elsewhere. My, again brief review, I found a report from the Mediterranean that compares it directly to longline, and I think that'd be a really interesting thing to hear more about. So for that third one I'm a little less.....I don't think we're ready to recommend it right this minute in one meeting. I don't think it really meets the criteria that we talked about when we decided a one-meeting process was possible for HMS EFPs. That talked about existing gears and, you know things we've seen before. This is pretty new. So I'd like to have it come back with a little more information from the management team that we can then make a decision on, as well as maybe some more information from National Marine Fisheries Service about how they would approve this kind of gear type. So I'll leave it there and see if anybody else has something to say, but I do have a motion when we're ready.

Pete Hassemer [00:03:17] Thank you. Let me look around and see if there are other comments. Christa Svensson.

Christa Svensson [00:03:23] Yeah, thank you. I just want to also say it's been great to have a variety of EFPs that are different because I think for many of us who have been through the EFP process, getting a whole host of EFPs that are identical can be a lot to work through if you're keeping an open mind about really reviewing and looking at the practicality of each of them. So very supportive of the flaming ring, or the angler fish, or I mean I've heard a whole host of terms for the new gear, that is exciting. But I'm also just wanting to pause for a moment and say it's exciting to have a new entrant that is interested in this process. I think it's encouraging that he has taken the approach of looking at what others have done and working through that and I would, in addition to Mr. Smith's comments earlier about getting involved in the Council process, encourage really the thought around over the course of this EFP, as long as it moves forward, what else could be accomplished? I know he had mentioned something around, hey, I might have done things a

little differently, but bringing all of that energy and enthusiasm into new concept ideas when we reopen the EFP process. We have had a number of applicants, including Dr. Sepulveda, who have come back maybe not year after year, but with more than one EFP as an opportunity to really lean in and create new opportunities for fishermen up and down our coast.

Pete Hassemer [00:05:23] Thank you. Rebecca Lent, then Jaime Diamond.

Rebecca Lent [00:05:26] Thank you Chair. I just want to echo the comments just made by my colleagues around the table. We just have tremendous opportunities with these HMS fisheries in terms of healthy stocks and markets that are just waiting to buy our local fish. We're fortunate to have these EFP applicants who are willing to develop and test this new gear. Some incredible creative ideas. I hope we can reward that creativity with sufficient flexibility as they're trying, as they're trying out these new gear types. Just to thank them and hope we can keep moving forward and catch some fish. Thank you Chair.

Pete Hassemer [00:06:03] Jaime Diamond.

Jaime Diamond [00:06:04] Thank you Chair Hassemer. It's a question I think for NMFS I'm guessing. The....for the Hemstreet application, he had submitted for with specific criteria and is asking for a little bit of a variance in that now after having communication with others, and I'm wondering what you're able to.....like I'm assuming you're able to provide more latitude, but I don't know what that process is to specifically request that. If he's going to have to back to the drawing board and reapply or what that....just how that would go?

Pete Hassemer [00:06:42] Ryan Wulff.

Ryan Wulff [00:06:45] Yeah, through the Chair, thank you Miss Diamond for the question. Yeah, that that's pretty typical, right? In an EFP process we go back and forth with the applicants. And then, you know, we will....we can work on things in specifics, you know, before we kind of, quote unquote, deem it complete and put it up for notice and then issue it. And then even after that, right, we have some flexibility in the way we implement. The bigger question, right, is if something is being proposed that is outside of the existing analyses, like Mr. Ugoretz mentioned that we have already completed, right? So we already have environmental analyses that support night-set buoy gear, for example, that this would then fold into we think is consistent with that. The proposed scope so far is consistent with the current NEPA analyses so we don't need to redo that, and that's the bigger thing that causes, you know, time to work on as opposed to just some general back and forth with the applicants before we issue it. And we do have some additional room in those consultations because we haven't had a lot of effort so far on night set. So I'm looking forward to working with the Captain there and we will, yeah, so that'll be the process. We'll be, after this Council meeting and we get your recommendation, we'll take that into account, and then we're going to work directly with the applicant to get towards the actual permit.

Jaime Diamond [00:08:03] Thank you, I appreciate that. And just one additional thought. After hearing his comments of, Mr. Hemstreet's comments of he wrote the application the way he did to be the same in hopes it wouldn't get rejected. And that kind of goes against what we want in an EFP. We want it to be out-of-the-box. And so the fact that there's that notion out there, I don't

know.....I think part of the roadmap and the work that is happening there is to help break down that barrier or that wall and to encourage folks to come in with new, with novel ideas, different approaches. But I just want to highlight a very real time right now moment where this is maybe part of, that's part of the problem. And so thank you.

Pete Hassemer [00:08:58] Thank you. Other discussion? Otherwise, John, you offered a motion?

John Ugoretz [00:09:06] Thanks, and I'll wait for that to come up on the screen. Okay. Thank you for making it bigger. I move the Council request that the National Marine Fisheries Service when approving EFPs, build in flexibility to allow for variation in fishing configurations within environmental review limits. Recommend National Marine Fisheries Service approve the Night-Set Buoy Gear EFP for Mr. Hemstreet, Attachment 1, and the requested modifications to the Extended-Link Buoy Gear EFP proposed by Pfleger Institute of Environmental Research, Attachment 2. Consider the EFP application for Ring Deep-Set Buoy Gear, Attachment 3 for final recommendation at the March 2026 meeting.

Pete Hassemer [00:09:56] Thank you. I followed along. All the language on the screen appears accurate and complete. Is that correct?

John Ugoretz [00:10:01] Yes, thank you.

Pete Hassemer [00:10:02] Thank you. Is there a second to your motion? Seconded by Christa Svensson. Please speak to your motion.

John Ugoretz [00:10:09] Thanks Mr. Chair. I think as I mentioned when discussing these EFPs, we've got two that I think are really ready to go. And within those two, as Mr. Wulff just described, that there's the ability to work within existing review limits to build in some flexibility to really test the gear and make it effective. For the third one, as I mentioned, it's new and because of that I'd like to get a little more data and information about what's happened in the rest of the world with that gear. And I do hope to approve it, but I want to make sure that we have all the information in front of us before we do.

Pete Hassemer [00:10:54] Thank you. Any questions for clarification on the motion? Corey Ridings.

Corey Ridings [00:11:01] Thanks Chair. Thanks John. Sorry tower of power. John, my question is really regarding Bullet Number 1, and thanks for providing this. Flexibility is a really wide term, so is environmental review limits. I'm wondering if you can give us a few more specifics about what you mean there?

John Ugoretz [00:11:23] Thanks, through the Chair, for the question. Miss Ridings I actually intentionally made it pretty broad. And I thought about saying, flexibility and depth. I thought about saying, within consultation for ESA, but I didn't want to leave out, you know, some of these other things. So for example, in this case there is a final EIS that's looking at, you know these hook and line type gears that is broadly examining potential EFPs, and so I could see us receiving another EFP request at our next meeting that is different than this one and isn't asking for different

depths, but is asking for some other configuration change. So again, as long as those.....as long as that flexibility within the gear type that we're seeing is within what is approved, I'm okay with testing it. And you'll note that I didn't say approving buoy gear EFPs. I didn't say approving, you know, some specific type of EFPs. I'd like for HMS fisheries for that type of flexibility to be built into most of our EFPs.

Pete Hassemer [00:12:55] Other questions for clarification on the motion? Any discussion on the motion? Ryan Wulff.

Ryan Wulff [00:13:04] Yeah, thank you. Just a minor point. I think the motion looks great, but I will abstain just because this is a recommendation to NMFS. So I just wanted to explain that justification before we get to the vote. Thanks.

Pete Hassemer [00:13:16] Thank you. Anyone else? Corey Niles.

Corey Niles [00:13:22] Yeah, thanks Mr. Chair. Thanks John for the motion. Supportive. If we had more time, and for example if we'd done marine planning last night instead of today we, I might debate on whether this is really new or it's the same gear that instead of a hook has a dreamcatcher with a light on it instead. But the....I think this....and I think that, and Jaime I think hit the nail on the head of what we'll be discussing in the next agenda item of like in your.....what does cause new environmental review? What is a big enough change? But I think that's best for the next agenda item and so thank you for the motion. Yeah, and also echoing the comments about the appreciation for people bringing forward these new ideas.

Pete Hassemer [00:14:06] Other discussion? Corey Ridings.

Corey Ridings [00:14:10] Thanks Chair. I think this is discussion, maybe a question for Mr. Wulff. Ryan, you probably just heard the question I asked John about what the flexibility meant and thinking about environmental review limits and he gave a useful answer. I'm sort of hearing kind of actually what we do already and probably what NMFS does already, which is there are a set of bounds that we have and whenever NMFS receives an EFP, you know, it's analyzed within those bounds. I'm curious if you want to add anything to that, or if there's maybe something that is in this motion or that John said that is actually different from what NMFS does right now?

Ryan Wulff [00:15:01] Yeah, through the Chair, thank you Miss Ridings for the question. I mean I think it's helpful, right? I mean I think it's an acknowledgement from the Council, right, that there is an aspect of kind of projecting forward as we're setting, as we're going through our consultations, doing our analyzing, both from, whether it's the environmental compliance side or whether it's just, you know kind of the regulatory side to consider the fact that, like we're hearing in a number of our advisory body reports here, that there may be factors that we're not foreseeing and the more flexibility that we can build without having to go back and then redo things that then substantially impact timelines or the ability of people to be on the water, I think that's helpful. So it is something that we've been already considering, but I have no problem with the Council underscoring the importance of it.

Pete Hassemer [00:15:56] John Ugoretz.

John Ugoretz [00:15:56] Yeah, thanks. And I think I agree that, you know NMFS has this flexibility and in some cases has used it. In this example for deep-set buoy gear, we've been very, very specific about depth limits. And so in this example, the approved EFP I think should be a little more reflective of the approved environmental review, which gives a little more of a range of depths that it can be fished at, and that would allow the EFP-holder the flexibility to let's say go to 200 feet as opposed to 300 when we have that hard boundary at 300.

Pete Hassemer [00:16:40] Thank you. Any other discussion? Seeing no hands I will call the question. All those in favor say "Aye".

Council [00:16:50] Aye.

Pete Hassemer [00:16:52] Opposed? Abstentions?

Ryan Wulff [00:16:56] Abstain.

Pete Hassemer [00:16:57] Thank you. The motion passes with a NMFS abstention. And looking back to our tasks, I believe that completes everything. Let me check-in with Kerry first.

Kerry Griffin [00:17:16] Thank you Mr. Chair. Yes, I think the motion was comprehensive. It addressed all three of the EFP applications and provided some recommendation to NMFS to build in additional flexibility. And so what we'll do is transmit the recommendations of the Council to NMFS and we'll ask Mr. Sepulveda to come back for the March meeting. And we can follow-up after this meeting and talk about some of the details and I'm sure that, you know, that he'll be in touch with National Maine Fisheries Service and discuss some of the details that would be, you know, helpful in the next round of review. So I think that concludes your business under this agenda item.

Pete Hassemer [00:18:06] Okay, let me look around and see if there are any questions or comments. Rebecca Lent.

Rebecca Lent [00:18:11] Thank you very much Chair, and just a quick question for NOAA Fisheries. Can you give us a quick update on the status of the second round of EFPs? This would be the modified longline gear which was awaiting a minimum number of sets from the other gears that were authorized in June of last year, of this year. Thank you.

Pete Hassemer [00:18:32] Ryan.

Ryan Wulff [00:18:34] Yes, through the Chair, thank you Dr. Lent for the question. So we're still checking things, but I think we're, we've got at least a recent update that we are approaching 40 days of fishing activity so far from the existing EFPs. And I don't have current estimates of who's going on the water right now. Still kind of checking-in, but we've had full observer coverage through that time. And yes, so we are continuing to move forward, but as I think you've heard from some of the testimony here as well as in some of the applications, there's been some challenges in the amount of fish that they're catching. But that's where we are with the current status. Thanks.

Pete Hassemer [00:19:21] Thank you. Anything else before we close this out? Not seeing any we'll close this agenda item.

4. HMS Roadmap: Exempted Fishing Permits (EFP) Goals and Metrics

Butch Smith [00:00:00] I think we've got critical mass here. So Kerry why don't you refresh our memory where we're.....I think I know where we're at but just in case you probably know exactly where we're at, so go ahead my friend.

Kerry Griffin [00:00:16] Sure, thank you Mr. Vice-Chair. Yeah, you heard the reports of the Fishery Innovation Workgroup and the HMSAS and the HMSMT and public comment and then you've had....you haven't gotten to your guidance and discussion but you've asked a lot of clarifying questions, and so where you are right now is at Council action and the Situation Summary provides some guidance on that, but the bottom line action is that you are, to Adopt Preliminary EFP Goals and Metrics and Provide Guidance as Appropriate. So this is your time for Council discussion and action.

Butch Smith [00:01:03] Thank you sir. So we'll start Council discussion. I know we didn't have that. Anybody want to start off the Council discussion? Mr. Ugoretz.

John Ugoretz [00:01:23] Thanks Mr. Chair. And thanks again to the FIW for their work on this. I will note that there are several FIW members who are sitting on the Council as well, including myself, and you know we are, we're sort of switching hats between the two roles. And importantly, Mr. Wulff and I were both unavailable for the last meeting. Mr. Wulff obviously was not working and I was working but in the field, so we didn't really have an opportunity to weigh-in on that report. And not saying anything negative about the report. I think it's a great start. I think we've gotten to a good place. I don't think there's anything that the Council needs to officially approve or adopt at this time. I think really and truly from what I've heard and the discussions I've heard after that meeting that the FIW is looking for guidance, and so as a Council member I'd like to provide some guidance that I'm hoping we can include. With regard to the overall goal, I agree with it. I think it's good. I think it is consistent and it....there's other issues that don't fit into a goal, they fit more into these metrics and benchmarks. And I do want to point specifically to the third point that was noted in the slideshow when we looked at the charge for the FIW, and that third point includes helping the Council define acceptable bycatch. And I think that is perhaps the one thing that this Council has struggled with. We've talked about it when we were talking about hard caps. We've talked about it after hard caps. We've talked about it all over the place, and the question kept coming up, what is acceptable bycatch? And I think that is clearly something that the FIW needs to bring us as, here is something that when we're looking at EFPs, not established fisheries, but when we're looking at EFPs, this is an acceptable level of bycatch to strive to achieve. The management team, I think, had some important information in their report that I would like to encourage the FIW to consider. In particular, they made some comments about new metrics looking at revenue per catch and revenue per bycatch. And I think when we're considering how effective a gear is and how profitable that gear could be, comparing what you're earning to the bycatcher catching is a really good way to combine those two ideas, so I'd like to recommend that. And then I do want to think about the question that I heard from Mr. Niles and Mr. Ainsworth regarding this idea of acceptable levels of bycatch versus some of the metrics and benchmarks. And I think there are two different things there, and that a single level is important but these metrics and benchmarks could include ratios that we are using to evaluate and that the acceptable level

needs to be a number that we can look at. So for example we might decide that a ratio of one whale per 100 sets is something that is a benchmark that we can compare different EFPs to, but if a fishery or an EFP that made 100,000 sets therefore would still meet that ratio by catching 1,000 whales. And obviously I don't think, well maybe not obviously, obviously to me, I don't think that would be acceptable. So ratios are good for comparison but they're not good for an acceptable level. With regard to the species list, and I'm sorry I took a lot of notes as people were talking so I'm just going to throw it all out there, I think that the Council had some pretty lengthy discussions about that DGN list. It was the list on the left side of the slide. We added and removed some things to that list over time with significant discussion, so I like that list. I do think that there was some good discussion in the FIW Report about the species on the right-hand side of that slide to add to the list. And I support adding those species from the additional species. What I don't support is removing species from the DGN list. Whether or not they've been caught in the past 20 years, I think they are still important to us, and if a new gear type comes up and catches those species we would want reports on them. Also, you know when we're talking about those species and we're talking about well when are we considering them and when do we include them in the ratios? I do think we should be focusing on dead and injured catch in this context and in the context of comparing EFPs. We will have the data on live releases, it exists, and if somebody is interested in something, for example, 20 humpback whales got released alive and uninjured, that might not go into our ratios but obviously we would want to know that the fishery was doing that. So I just think that if a fish is live bycatch and it's kept and sold, obviously in my mind that's catch. And if it's alive and uninjured we're less concerned. We don't necessarily need to compare EFPs on that standard, but we will have the data to look at it if we need to. So with that, you know I think there's some other ideas around the table that I've heard that I support, and I think that we could give that sort of information to the FIW as guidance and that they could continue their work and bring us something more complete at the next meeting.

Butch Smith [00:08:21] Thank you John. Other discussion? Christa, I think I saw Christa first so I'm sorry.

Christa Svensson [00:08:35] Sure. I don't want to stop the discussion. I do have some written guidance. But I also saw Miss Riding's hand go up, so I think it would be.....

Butch Smith [00:08:44] I got some people in my head here. Are you....you want, Ryan, did you want to speak?

Ryan Wulff [00:09:09] Oh, I was just joining the queue. If Corey had her hand up she can go first.

Butch Smith [00:09:13] Okay. So I'm going to go with Corey Ridings and then we're going to go with Sharon, and then Christa and then....okay. Good Lord, what'd you have for lunch?....(laughter).....All right.

Corey Ridings [00:09:36] Thanks Vice. I had the spicy sauce. Actually it's just a quick question for John. John, thanks for that. That was a helpful way to kick us off. My question, you started by talking about the goal, and I either missed something or I wasn't entirely clear, were you suggesting Option 1, which is the preferred from the FIW, or Option 2?

John Ugoretz [00:10:01] Thanks, and through the Vice-Chair, the Option 1 seemed like a reasonable way to proceed for me.

Butch Smith [00:10:15] Sharon, I think you're next. I'm just going to.....

Sharon Kiefer [00:10:19] Thank you Mr. Chairman. And this is more I think a question that just probably displays my ignorance. But circling back to economic viability, and certainly I can appreciate why there might, you know, there's consideration of creating some both quantitative and perhaps even qualitative aspects of that, but relative to just getting that information, what is the mechanism? I mean my sense, like many other industries there's, you know trade secrets, things like that that perhaps folks don't just willingly give up their financial information. I don't believe I've seen a requirement in some of the previous EFPs we've reviewed and recommended to NMFS that had a mechanism that they must provide the information. I recognize that this was couched as a survey, but at the end of the day a survey is only as good as the robustness of the response. So I'm just trying to get a little better sense of how the FIW anticipated how this would really work on the ground?

Butch Smith [00:12:00] Well I thought I had Christa next. Christa?

Christa Svensson [00:12:04] I actually thought you had Ryan Wulff next, which is why I'm flailing about here and I'm thinking about the FIW and economic viability and trying to pull an answer together for Miss Kiefer without consulting the entire FIW. So I will pause there for a minute and then work my way through a few recommendations including economic viability, which we've had quite a few conversations internally about what that means, and I think that has been a challenge for the FIW because one individual's viability does not necessarily make the fishery viable and vice versa. So I will pause there, see what Ryan has to say, and then I may be coming back with a few more points on that one.

Butch Smith [00:13:29] All right. In case my mind wanders don't let me forget about you, and then I'm going to go to Ryan and then Dr. Lent, and then we'll see where you want to do there Christa. All right, Ryan.

Ryan Wulff [00:13:40] Thank you Mr. Vice-Chair. Yeah, a few things on comments on this, right? I want to thank the HMSAS for their detailed report as well as the MT. I thought they put a lot of effort in this week and I think there was some really constructive things there. I echo John's points on a couple fronts. Obviously you all know why I wasn't able to participate, but I also wanted to notice comments related to how, you know we're kind of wearing different hats here as we're on the FIW, so I really welcome the chance to get this back before the Council and to have them give us some feedback. And would love to hear more from members that are are also not in the FIW. So appreciate all that. When it comes to some of the discussion, you know I still have some strong heartburn when it comes to the phrase, "acceptable levels of bycatch" for a number of reasons, especially when you're talking about an EFP. If I was an applicant that would sound to me like that is a regulatory level or restriction or something that would force them off the water, et cetera, if they were to exceed it, and that's getting into dangerous waters for me because there's very clear, it's very clear in the regs of when we issue it and what they might have as their terms and conditions that would be directly relevant to whether they could keep their permit or not, or what might be in

an incidental take statement that would be..... would have levels themselves that we would be analyzed that might trigger reinitiation or anything along those lines. So there is very specific regulatory terms that kind of, or at least lens that comes up for me when I hear that term. But what I think I heard from my colleague across the table, as well as I think in some of the discussion and the way the MT is phrased, et cetera, is, you know we've been talking about these as, I mean it was in the charge for the FIW, acceptable levels of bycatch as just a performance goal or metric to look at. And I like looking at these as benchmarks as things that we will be looking at or, you know can be used to evaluate performance, but I'm just very wary of saying or making it being perceived like it is a hard level that if exceeded would then immediately have regulatory repercussions when you're coming to an Exempted Fishing Permit. I don't think that's the intention of what we've been phrasing it, but I did just want to at least express those concerns for Council discussion. Thank you.

Butch Smith [00:16:06] Thank you. Dr. Lent.

Rebecca Lent [00:16:14] Okay, thank you Mr. Vice-Chair. And thank you Miss Kiefer for your question. The economic viability is something that was part of our charge, and it's actually in the COP for EFPs for groundfish as well. But what I maintain in the FIW was just ask the fishermen, are you making any money? And you're right, it's going to be different for different fishermen. They might catch the same thing but they don't make money and they're going to walk away. So that's kind of the bottom line is we just say yes or no, ask them yes or no. But if we could collect some information, for example what the HMSAS suggested, I think that's great. It shouldn't be a huge burden, it should just be are you making some money. So that that's the ideal. On the acceptable level of bycatch, I understand this is something that happened at the Council a long time ago and I don't know the history behind it, but I think rather than try to find the number, what we might want to think about is a process for reaching that. We've got these measurements, metrics, we've got some benchmarks, run the EFPs, see where we end up, see what happens as we adjust to where are we. Bring it back to the Council, say how does this look? I just don't know how we could come up with a number right now. Well we may, we might come up with just a description, but it's very difficult for me. I have stuck in my head National Standard 9, and I'm sure if the Council wants to set an acceptable level of bycatch that's more conservative than that, that the Council can suggest that. It's not going to impact the.....could impact the recommendations on an EFP, but not necessarily what the consultation would show, for example, from Magnuson-Stevens. So I hope that answers Miss Kiefer's question about economic viability. And those are my thoughts as far as acceptable level. I do think that just the discussion here on the floor is addressing Number 1 and Number 3 to some extent for the FIW. We'll go back to work and come back with more reports. The feedback is really helpful. Thank you.

Butch Smith [00:18:20] Thank you Dr. Lent. Mr. Ugoretz.

John Ugoretz [00:18:24] Thanks Mr. Vice-Chair, and Dr. Lent and Mr. Wulff. I will disagree with with Dr. Lent. I think that first and foremost answering Mr. Wulff, absolutely correct that the intent and the outcome of this is not to have a regulatory effect. And I know we've said that over and over and over, but every time it gets discussed that question comes up. So I think when we leave today we need to make it clear in what we're directing the FIW to do that anything they develop does not have the effect of regulation. It does not cancel an EFP. It doesn't change an EFP.

It is how the Council is using to help evaluate and compare EFPs, and that's all it is. And whether someone achieves a benchmark or not, or whether someone exceeds an acceptable level or not is part of the discussion, it's not the end result. With regard to whether or not the Council wanted the FIW to come up with this number, I think quite strongly that it was the fact that the Council was not able to have a robust floor discussion to develop these numbers because it was a specific discussion that needed to happen with a bunch of stakeholders present that we developed a group to look into this, and that is what the FIW was. And so I do not want, and as an FIW member, I will push in strongly against coming up with a method to come up with something. I will hopefully get the FIW to agree to come up with numbers that you can look at and decide if the Council agrees that that is an acceptable level.

Butch Smith [00:20:30] Thank you. Christa.

Christa Svensson [00:20:37] Thank you. Just a couple of thoughts and then if.....I do have, again guidance available but wanted to hear from a variety of people. You know, we have come up with numbers for acceptable levels of bycatch within the Council process in HMS for DGN, among others, and I agree with the commentary around that we have not had the time nor the ability to sit together across the Council floor to determine those numbers and that we really would need stakeholders to help us decide what informed numbers would really look like, and so I do think that it is the place of the FIW to make that happen. And I think it is helpful for us to have this conversation and say, yes, no we really are charging you with coming up with numbers. That doesn't mean that we are going to use only those numbers, but I do think expressing the intent of having them is an important conversation today. I did want to touch base just a little bit in response to Sharon's original question. I phoned a friend and was reminded that also with regard to surveys, et cetera, we did not have NMFS available at our last meeting. We would definitely be listening to them with regard to confidentiality and any other suggestions that were related to that on how best to have that survey collected, so I just didn't want that to be lost in the discussion. Either those recommendations in terms of survey would come back probably in March or whenever we bring this up next, but it would not be just a FIW decision, or FIW decision about how to proceed forward on a survey. So with that I will pause see if there's other discussion or if our Vice-Chair would like us to put something on the board to work through.

Butch Smith [00:23:11] What I'd like to do is have you keep your finger on the trigger and we'll see if there's any other discussion and then we'll come back to you and you can put your list up there and that probably will get some more discussion. So we'll be discussioned out by the time the end of the day. Corey.

Corey Ridings [00:23:27] Thanks Vice. Thanks Christa for that. And it sounds like you have something prepared so I don't want to get too in the way here. But I too had some notes as kind of spurred by the advisory subpanel talking about profit. And we've talked a little bit about that already today so I'm not going to belabor it, but just note that I do think it's important to get at that as much as you can. It's something really important when you're considering sort of individual fishermen, individual businesses, and that context. Along with that, you know there.....survey methodology is really important so it would be an assumption of mine at this point that moving forward, regardless of sort of the general topics or draft set of questions that the FIW developed, that there would be some eventual partnership with NMFS or state and would engage with a social

scientist, because there are entire bodies of literature on how you do surveys correctly and that can ensure that you're capturing what you want to capture, that you're answering the questions that you're asking. Surveys done wrong can result in lack of trust with the people you're surveying, and we certainly don't want that, as well as inaccurate conclusions. So just noting, I think taking that advice from the AS to think about how we get directly to profit and then ensuring that we move forward with the intention of having that done by a social scientist or engaging in those methodologies I think would be wise.

Butch Smith [00:24:59] Any other? John. I feel like we know each other well enough.

John Ugoretz [00:25:04] Just teeing briefly off that, reminding everybody to understand who it is we're surveying here. We would be surveying EFP participants. And so it's not, you know, a survey of the HMS fleet or a survey of California fishermen, it is people participating in EFPs. We're trying to get information out of them about how successful they were. Presumably they will be willing and able to contribute information to that process.

Butch Smith [00:25:36] Okay. Any other comments before we ask Christa to put her thoughts on the screen there? Christa, if you would like to proceed.

Christa Svensson [00:00:00] Yeah, thank you.

Butch Smith [00:00:01] Please.

Christa Svensson [00:00:01] And I think Hayden's got them. So I've put this forward as written guidance based upon the initial conversations had with a number of people around the table, and Mr. Ugoretz spoke to this earlier with regard to people not in attendance and the preference for guidance rather than a motion currently. So I will kind of read through this by section, and I will also say that these recommendations are coming from the FIW Report and both of the management team and advisory body recommendations. So the first would be that the Council recommend that the FIW move forward with finalizing the following, considering input from the management team and the SAS, HMSAS. The first being that the FIW preferred performance goals support and test fishing practices that have the potential to become or be economically viable and consistent with National Standard 9 guidelines. This is the option that they've worked through and they are really asking us to pick a lane and so I am picking the lane that they are recommending. And the economic viability benchmarks and performance metrics from slide 19, and the bycatch benchmark and performance metrics from slide 21 of the I.4.a Supplemental FIW Presentation 1. That was really the cleanest list of bycatch metrics and so that is where that one came from. As additional guidance, the FIW should consider the development of ratio-based metrics, bycatch to target catch, and bycatch to revenue, which facilitate comparison of different EFPs and contain information on both economic and bycatch performance. And consider adding gross profits as an economic viability metric consistent with the HMSAS recommendations. So that was again looking at not just what the FIW came up with, but adding in recommendations from both the management team and the AS. For fisheries data sources, recommend that the FIW use data sources from both shallow-set and deep-set longline east of 140 west longitude, as well as data from the drift gillnet and deep-set buoy gear fisheries. Include all HMS landings to the West Coast when developing final benchmarks for EFP comparison. And then I'm also asking that the FIW consider the AS

recommendations to remove purse seine and albacore as appropriate. On acceptable levels of bycatch, choose Option 3 from the HMSMT Report to develop acceptable levels of bycatch for the species listed below. Benchmarks should focus on the species list and those animals discarded dead or injured. Live discards will still be captured in observer reports and available to consider separately from the benchmarks. Benchmarks are to be used by the Council when examining EFP performance. This would not have any force of regulation nor be used to cancel EFPs. They also have no impact on approved gear types in fisheries, rather they will be used when reviewing EFP performances after each EFP Annual Report and at the conclusion of EFPs to inform Council consideration of regulatory changes and or authorization of new fisheries or new fishing configurations. And again, we've had a lot of conversation around the floor here on this particular one. The intention is not to shut down the EFPs or have this be regulation, but to get some firm numbers out there that we can talk about for acceptable levels of bycatch. In terms of the species list, direct the FIW to consider an updated species list from the following: All species in Option 1 along with the potential additions from Option 2, and the addition of all Shearwater species. And I reference this as a bycatch species list below for the accept....within the acceptable levels of bycatch. I did not individually call those out. If you need a specific list I think we've had enough discussion on the floor to cover that, but I did just want to make a note of that in terms of this list. And then for one other component, let's meet as planned on December 9th and then plan on having a meeting in-person in San Diego in January for recommendations.

Butch Smith [00:05:02] So does your guidance look right on the screen? I'm just kidding. Thank you. So comment? Mr. Ugoretz.

John Ugoretz [00:05:13] Yeah, thanks Mr. Vice-Chair, and thanks Christa for putting all this together. I know it's a lot of information and I appreciate that it's written guidance. And I think it gives the FIW a lot to go through. A couple things I would point to in here. If you could scroll to the Acceptable Levels of Bycatch section, that second paragraph, I think that's really key. It's what Mr. Wulff was getting at and I'm glad to see it in writing here that this is what we're shooting for and people can look back at this again in the future if they get confused. And then in developing the species list, yes it looks good. I think the FIW can take one last look at it. There may be one or two species that we've heard about that need to be added or removed and that's fine. We'll come back to the Council with a final list, but then using that list to develop the acceptable levels is useful. So other than that, I think there's enough latitude in here for the FIW to make some decisions, and I do think it provides the guidance needed to finish things up.

Butch Smith [00:06:33] Thank you. Dr. Lent.

Rebecca Lent [00:06:37] Thank you Vice-Chair. And just on this same page where you're at, thank you very much Miss Svenson for putting this together, can I see the heading at the top and this paragraph that starts with benchmarks, the paragraph above it? So the heading is, Acceptable Levels of Bycatch, which we understand is different from the benchmark, right? Thank you for bearing with me to make sure I understand it. So choose Option 3, develop acceptable levels of bycatch for the species listed below. All the discussion after that talks about benchmarks. So that's a separate step. We're going to develop a number for each of the species in the list, which we'll call acceptable level of bycatch. Then we're going to put in a benchmark based on what we see in

other fisheries. And as things come in we examine the performance of EFP based on the benchmarks, not the acceptable level of bycatch. Is that correct? Thank you.

Christa Svensson [00:07:28] Yeah, thank you for the question. Yes, so I addressed the economic viability benchmarks in the first essentially paragraph. I didn't call it out separately. And the reason I pulled these categories together, I actually used the headers from the HMSMT Report. So the intention here is to essentially have a list of acceptable levels of bycatch, but also have a secondary grouping of the benchmarking and performance metrics that you would then measure your EFPs using both. It's a suite of tools. It's not intended to be one single sole source. Does that help clarify? And I see I have a hopefully a friend over there raising their hand who may elaborate more.

Butch Smith [00:08:20] Mr. John, go ahead.

John Ugoretz [00:08:21] Thanks. I would suggest that the second paragraph on the screen here should say, "acceptable levels of bycatch and benchmarks", because of two things. One, we want to be absolutely clear that acceptable levels of bycatch are also not regulatory in nature and also are not used to make changes, as well as the fact that those acceptable levels of bycatch will be used to consider EFP performance in addition to the benchmarks.

Christa Svensson [00:09:00] I would be totally supportive of that. So I don't know if Hayden you would mind putting that there, but I think hopefully....it is like magic.

John Ugoretz [00:09:11] But I was saying put it at the the second paragraph is where acceptable levels of bycatch needs to be added. That's fine to change the heading, but the second paragraph was your question.

Butch Smith [00:09:33] Mr. Chairman.

Pete Hassemer [00:09:37] Thanks. Well, with great trepidation, Christa where can I find Option 3? I've been scrolling and looking.

Christa Svensson [00:09:52] Absolutely. Happy to help with that. Option 3 is found within the HMSMT Management Report.

Pete Hassemer [00:10:00] I have it open.

Christa Svensson [00:10:01] And it, I believe is on the third page of that, but I can pull it up here if you give me one moment.

Pete Hassemer [00:10:11] So Table 2 on page 7 has summary of options for EFP bycatch benchmarks and there's an Option 3.

Christa Svensson [00:10:22] Hold on. My apologies for not having this open. HMSMT and it would be at the bottom of Page 3 of Agenda Item 1, or excuse me, I.4.b, Supplemental HMSMT Report 1. The paragraph which is within the category of acceptable levels of bycatch. At the start of the banner it reads, "The HMSMT offers the following options to consider when moving

forward on the charge of defining acceptable levels of bycatch. Any combination of Options 1 through 3 could be used in conjunction with one another". And then Option 3 within that is, "determine an acceptable amount of bycatch for each species or species group of concern. This could be based on potential biological removal, observed bycatch rates in other fisheries, or other considerations, and would not preclude the use of rates and/or ratios to evaluate EFP performance". And so that was what I was referencing when I made mention of Option 3 in my guidance.

Pete Hassemer [00:12:08] Okay, thank you. Well, maybe if I may Mr. Vice-Chair, just add, you know I'm fine with this going forward like others have said, I just....my mind, and I've said this earlier, it's too early in the process to define an acceptable level which is subjective that I think depends on what we anticipate from the fishery. And when we're trying to determine if it's economically viable, if it is, and I understand, you know, they're not going to develop a fishery to shut them down. They want something to be economically viable, but to prematurely determine what's acceptable could constrain development, in my mind, of an economically viable fishery. But that, I mean that's just the comment, and I know it's a very difficult discussion on the FIW and they'll take this and continue to work on it. I agree the benchmarks, I'm comfortable with that. Mr. Ugoretz said, you know, the language there in the second paragraph that's on the screen now, exactly, you know that's really capturing it. And benchmarks for evaluating this is a good way to look at it. It's just I have a hard time getting to acceptable so early in the process. Thank you.

Butch Smith [00:13:50] Mr. John, go ahead.

John Ugoretz [00:13:52] Thanks Mr. Vice-Chair. Thanks Mr. Hassemer. As I did with Dr. Lent, I think I'll disagree a little bit. I don't think it's too early in the process. I think we've been dealing with this for a very long time. But what you finished with was more important. And to get to your question perhaps, none of these metrics or benchmarks or acceptable levels are mutually exclusive, nor again do they necessarily mean that an EFP wouldn't be approved or eventually adopted as a new fishery tool. There are ways to compare things and there are clear ways to compare things so everybody knows what the rules and playing field are. Getting back to what's on the screen because I'm still hearing confusion and I, you know part of this is because things are crafted as we go and not necessarily perfect. I'm glad that this is written guidance, but just to be clear, there are two places on the screen right now that should say, "acceptable levels of bycatch and", so if you just copy the first part of the title there, that's one place where you're adding it at the start of that second paragraph. And the second place is the second sentence of the first paragraph because we want those acceptable levels of bycatch to focus on the list of species.

Butch Smith [00:15:51] Justin.

Justin Ainsworth [00:15:55] Thanks Vice-Chair. I have a separate question for clarification if that's okay? It's about the fishery data sources section of the guidance. Just reading it myself, I just want to make sure that the FIW is clear on what it's saying which fisheries to use and not to use. Because to me if you read it, it's "shallow and deep-set longline east of 140 west longitude, as well as data from the drift gillnet and deep-set buoy fisheries gears, and include all HMS fisheries to the West Coast". Would it be simpler to, you know just say all HMS landings to the West Coast? Just post that out there. And then also is the guidance here for the FIW to do that for all HMS landings, but then also consider it all HMS landings without the purse seine and albacore fisheries?

Christa Svensson [00:16:52] Thank you. I will take the second piece first. And I will also just make mention that having worked through the FIW there's been a lot of discussion about when we're working through these metrics, which fisheries are we looking at? And really the discussion appears to have been through the management team and the advisory subpanel to be as holistic as possible. That being said, there are some concerns specific to purse seine and to our albacore fishery that are maybe not as characteristic as some of these other fisheries are that are really more specific to swordfish and bluefin, which is what many of our EFPs are targeting currently. That doesn't mean we should never take those into consideration. It's more a function of a, what we're looking at currently it could be beneficial. If we would like to use slightly different language in terms of being holistic I would be open to that. Again, this was pretty much verbatim pulled from the management team report, which is why I left it as such, with the exception of tacking on the piece regarding the AS recommendations to purse seine and albacore.

Justin Ainsworth [00:18:16] Okay. Thank you.

Butch Smith [00:18:17] So I'd just like to remind the Council this is guidance. We don't need to get into a wordsmithing right down to it because....and I don't want to quit any discussion. I mean we'll.....you know we got a lot of stuff to go but that doesn't matter, we'll stay here till twelve o'clock tonight to get her done, but I'm just saying that we don't have to.....it's not a motion, you know it's guidance for this and I think that if the spirit of it is mostly there, I think we've got significant stuff for the team to go by, but I could be wrong. I'm not trying to stifle anything, but I will call on you Corey Ridings to get me out of this hole that I just dug for myself.

Corey Ridings [00:19:00] Thanks Vice. Yeah, I was just going to add a little bit from a conversation or a response that Miss Labriola gave us on the floor regarding the wider ecosystem impacts and thinking about that when thinking about how we think about bycatch. And I'm looking at the performance metrics, looking at the benchmark suggested, it looks like there's some things being considered and some things TBD. I don't want to go as far to say, oh we should add a performance metric, because I haven't been in those discussions and I'm not sure what that would look like. But just to add as guidance, as something for the FIW to consider, noting as Miss Labriola said, you know, we might need somebody smarter to help us all, perhaps Dr. Link or anyone else, but just noting the importance of taking that into consideration, the larger ecosystem impacts of bycatch. And I appreciated that and just wanted to add that for something for the FIW's consideration.

Butch Smith [00:20:02] Well and I'm sure Mr. Griffin is just over there taking copious notes for stuff that might be, you know, that we're discussing here so to pass on. Any more discuss....Dr. Lent.

Rebecca Lent [00:20:19] I'll be quick. Thank you Mr. Vice-Chair. I'm hoping I'll say something and my colleague here will say, I agree with Dr. Lent. Here's my point. To that point, it's not Ms. Corey Niles. Sorry Corey. Doing my best. There's two Coreys to my left. But I think the idea of ecosystem wide impact is extremely important. I think where that really comes into play is if it becomes an authorized gear then it goes into an FMP amendment and all those aspects are analyzed, and by then it's a bigger scale so we truly have our concerns. But I appreciate Miss Labriola bringing it up and you bringing it up as well Miss Ridings. Thank you.

Butch Smith [00:20:57] Corey's to the left, Corey's to the right, I think that's a song.....(laughter)... Anyway, Corey to my right.

Corey Niles [00:21:04] On that note but the....thanks to all of you who for your time putting this together and for the FIW. A lot of questions, but I think.....and John I appreciate your thoughts earlier about thinking through the ratios and the amounts and all that so helpful. So yeah, I think this is economic viability. I mean did we all think deep-set buoy gear was going to be viable? I think we all did and maybe it will be more viable. But so along with this, this stuff, this is not easy. These topics are not easy. If they were they would have figured them out 10 years ago. But no, thanks for the thought and I think these are the right discussions to be having and good luck, I guess. Thank you.

Butch Smith [00:21:48] So you think we're kind of getting around the consensus mode here for this guidance that we can close this out? I don't want to cut off anybody that has great thoughts, but okay. So Mr. Griffin, do you have everything you need? Have we done our job here correctly or some thoughts please?

Kerry Griffin [00:22:19] Thank you Mr. Vice-Chair. I do have thoughts. I think that the guidance is good, it's clear, and I think the discussion and questions around the Council floor has been really helpful, so I appreciate that very much. I'm thinking ahead to our next meeting in December and then in January, and leading up to what is slated to be a final action on this matter. It's not a regulatory action, but that's how it's presented in March. And there's a lot of work to be done in a tight timeline. The Council has the guidance requests, the numerical or value-based acceptable levels of bycatch. And so there's a heavy lift to happen and I know that the Council throughout the rest of this meeting will be thinking about future workload planning and things like that and the members of the FIW and the contractor will huddle after this and reformulate our work plan and we'll be reaching out to people as needed. But unless there's other discussion or guidance, I think that this guidance that you presented with the edits that you made during discussion is really helpful and we can run with that.

Butch Smith [00:23:40] So thank you and thank you Christa and John. Oh, Dr. Lent. I'm sorry.

Rebecca Lent [00:23:44] Thank you Mr. Vice-Chair. I just couldn't leave this discussion without thanking our Co-Chairs, Christa and Josh, who are doing such a great job of leading us on the FIW. Kerry and Miss Katie, who is still here, who are doing fabulous work. So thank you very much for all you're doing. We're making progress because of you.

Butch Smith [00:24:03] Okay, so we've done our job here I take it and we'll move on.

J. Coastal Pelagic Species Management

1. National Marine Fisheries Service Report

No transcription for this agenda item.

2. Methodology Review

Butch Smith [00:00:00] All right. So discussion on this? Miss Brady?

Briana Brady [00:00:05] Thank you Vice-Chair. And thanks to the center for bringing forth a request for a methodology review and a draft Terms Of Reference. I support the review and would like to see the requests of the SSC, CPSMT, CPSAS added to the TOR, and in which our advisory bodies are all requesting that the center include any updates they have from the 2018 ATM review panel's research recommendations. And I have a motion ready for you when you're ready.

Butch Smith [00:00:32] Alrighty, is there any Council discussion before we put a motion on the floor? Motion away.

Briana Brady [00:00:44] Thank you Vice-Chair. I move the Council approve the Southwest Fisheries Science Center request for a methodology review from Agenda Item J.2.a, NMFS Report 1, November 2025. Adopt the proposed Terms Of Reference, Agenda Item J.2, Attachment 1, November 2025. And request that Council staff revise the TOR to include the recommendations of the CPSMT in Agenda Item J.2.b, Supplemental CPSMT Report, November 2025. And my name has one N. Thank you.

Butch Smith [00:01:23] Okay, does your language of your motion show up on the screen as you intended?

Briana Brady [00:01:30] Yeah, thank you.

Butch Smith [00:01:31] Okay. I'd ask for a second. Pick a Corey. Corey Ridings. And then speak to your motion, please.

Briana Brady [00:01:51] Thank you. As stated in the proposed TOR, the NMFS and Council are responsible for ensuring that new data sources related to assessments and management of CPS, including new survey designs and proposed changes to existing surveys are peer-reviewed via the methodology review process. Therefore, this action is an integral step in helping to ensure we have quality data sources for our CPS assessments. Additionally, as the ATM has been in use since 2006 and underwent two major reviews, one in 2011 and one in 2018, I think it's important to receive an update as requested by all three of our advisory bodies on any progress made on the research recommendations that came from that last review. And lastly, it sounds as though the SSC and Southwest Fisheries Science Center have tentative dates set for a February review, and that timeline seems appropriate given the plan to have a benchmark sorting assessment done in 2027. Thank you.

Butch Smith [00:02:50] Are there any questions for the motion maker on the motion? Okay. Council discussion. Discussion on the motion? All right, seeing none I guess I'll call for the question. All those in favor signify by saying "Aye".

Council [00:03:15] Aye.

Butch Smith [00:03:15] Scared me there. Those opposed? Abstentions? The motion passes. Thank you. All right, next up is J.3, Pacific Sardine Stock Definitions. Katrina, take us away.

Katrina Bernaus [00:03:54] Did we want to do an overview of the last action before we moved on?

Butch Smith [00:03:59] Yeah, my fault. Got a little excited there. It was a really concise motion. I just....

Katrina Bernaus [00:04:04] I know.

Butch Smith [00:04:05] Sorry.

Katrina Bernaus [00:04:05] Too good.

Butch Smith [00:04:06] Okay.

Katrina Bernaus [00:04:07] Thank you.

Butch Smith [00:04:07] Did we do our job correctly?

Katrina Bernaus [00:04:09] You did do....

Butch Smith [00:04:09] Obviously I didn't, but.....

Katrina Bernaus [00:04:12] You did a great job. You did your job correctly. The Council provided approval and guidance to schedule the methodology review for the integrated survey as planned, as well as adopting the Terms Of Reference with guidance to revise that Terms Of Reference as appropriate to capture the recommendations to include progress updates on the last methodology review research recommendations. So with that, you've completed your task on this action.

Butch Smith [00:04:42] Thank you for the back-up.

3. Pacific Sardine Stock Definitions

Butch Smith [00:00:00] We got Council discussion. We got....you got a to do list for us Katina?

Katrina Bernaus [00:00:06] So again, the Council tasks are to, Adopt a Purpose and Need for this Action, Establish a Scope of the FMP Amendment Including Adopting a Range of Alternatives, and Adopt a Preliminary Preferred Alternative.

Butch Smith [00:00:19] Okay. Chairman Hassemer, you had your hand up?

Pete Hassemer [00:00:25] Thank you Mr. Vice-Chair. It's a good place to start with sardines discussion. Incredible amount of information here, but I really thank the staff for the report that was put in there for us, very comprehensive and thorough I think, and helped in the discussion and the other reports we heard. So I guess, you know my mind, what is it we need to do? What are we trying to do here? And in response to a lot of, some of the things I've heard here, maybe I'll say this again in the closing, but to start with what decision the Council makes shouldn't be influenced by the workload that's going to result from that. We need to figure out what we're going to do, and any decision or non-decision here is going to require some amount of work. So let's dispense with all of that. We'll take it up when we figure out what it is we need to do. The second thing then is what are we trying to do? So in Katrina's presentation, the very first sentence or bullet in there said Pacific sardine came under federal management in 2000 during a time of general acceptance of three subpopulations. When I went through the Staff Report I came across that general acceptance, and that got me to thinking that, wow, even in 2000 I thought there was a strong scientific underpinning for these things and this was based on general acceptance so I dug into that, and again thorough report. That was based on a 1964 study of rumen that used serological techniques to identify the populations. And so they looked at blood antigens and antibodies. I haven't got my hands on the paper, so but based on what those techniques are, I'm assuming, and I can guess that they've collected samples from different areas, the Gulf of California and maybe Baja and north or something, and I would guess that, yeah, you might see some different antigens. I mean in some cases stocks or populations of fish are identified based on different parasite loads in the guts because they live in different areas, so you might see that. And then from that we built this model to support that, or that was based on it. I said, well if there's several populations then we have to separate them out. So that was done 61 years ago and it's still the basis for our management. 88' or 89' there was an electrophoretic study done. So now we get into some genetics and electrophoretics look at a little smaller units but they're still pretty big. Proteins separate them. And that study said, well there's no difference anywhere. And again, it's summarized in the staff paper. I haven't looked at that. And then more recently, these Longo et al. 2024 and 2025 papers that are looking into this, I think the 2025 paper is the appropriate one, that drilled down even further into this. And as Dr. Yao said, you know, they reference it as a whole genome type of study, makes it sound you know pretty broad. But that technique, when you look at that they used the....we have to use acronyms, I guess SNPs, and if you want it, the Single Nucleotide Polymorphisms, they're drilling down to a very fine level. Genetics in our science has advanced to the point where if there's some difference they're going to find it. The microscope, the lens they're looking through is more and more powerful. And these studies came up and said there's no difference. And that paper defined it as this panmictic population from the Gulf of California up around and to the northern coast. So we

got to this point. We have some extremely strong information on the genetic side that says there's no difference. So we keep talking about, well there's two subpopulations we should bring this one in and do that. There....in my mind, based on the science here, there's one population, that's what I'm seeing in the studies. So then I think it was the Craig et al that looked at some other factors, migration and some of the growth and other distribution, other things tried to source this and they still can't find the difference. So to shorten it, our current management of a resource, a species is based on a 61-year-old study that said there were some differences that no one has been able to repeat and support, and I think we need to take that into consideration and look at that. And should we go down that road of a single population, it's going to cause a workload and then we'll take that up and figure it out what it is. If we go down the pathway of multiple units to manage within the species, that's going to create a different workload and we would have to take that up. And if we do nothing, the status quo, we....there's still a workload that's been defined and discussed in previous meetings. So I think we need to take a serious look at this and think about the science that underpins the management unit that we're trying to manage here and how we manage that. So thank you.

Butch Smith [00:06:45] Thank you Mr. Chairman. Start off the discussion. Corey Ridings.

Corey Ridings [00:06:55] Thanks Vice. This is actually a question for Katrina. I wasn't sure if this was clarifying or not so I held it in. Katrina, this is on slide 26, and that's a conclusion slide and it's in reference to Japanese sardine, and you noted the Council may opt to bring it into the FMU, and then verbally you said, but there may be other options as well. Can you tell us a little more about what those other options might be?

Katrina Bernaus [00:07:28] Through the Vice-Chair, thank you Miss Ridings for the question. I think that your question is a good one and it is one that the Council would need to keep asking to keep scoping those options. And so I do think that multiple pathways exist whether you bring it into the fishery management unit or not at this point. And looking at the potential scope of this action, it looks like the question is do we need to bring it into the FMP to manage it? If not, then we look at other pathways of how we might want to monitor or further consider it in management of sardine or CPS more generally. So I know there's many different tools out there to manage species that look the same on the water or have limited information, for instance complexes, cryptic pairs, all sorts of things, but I think, again, that's something that the Council may wish to continue to further consider as we get into later steps of this action.

Butch Smith [00:08:46] Thank you. Briana.

Briana Brady [00:08:51] Thank you Vice-Chair. And thank you very much to Council staff, Katrina, for producing another comprehensive report for CPS, specifically for sardine this time. I just wanted to say I'm generally supportive of the changes made to the purpose and need statement and the range of alternatives that have been proposed by the CPSMT and the CPSAS as they have worked to make both more succinct. As we've heard and discussed, there's not strong rationale for separating out stocks, which was noted in the CPSMT Report where they state that Alternative 1 reflects the Best Scientific Information Available based on recent analyses showing no genetic differentiation between the purported subpopulations of Pacific sardine and recent literature reviews reveal a lack of scientific evidence to support two subpopulations. I guess at this point I'd

say that I see more value in focusing our efforts on understanding what Alternative 1 will look like and not proceeding with Alternative 2 on the ROA. Additionally, to me, removing Alternative 2 does not mean we would lose sight of demographics and phenotypic life history differences as noted by the SSC. Thanks.

Butch Smith [00:10:09] Thank you. Corey Niles.

Corey Niles [00:10:12] Thanks. Yeah, I'll try to keep it brief. So we're just kicking this off. Thanks Briana. Appreciate those comments and Pete as well. I think just, you know thinking Briana's going to tell me this is....sardine aren't a groundfish. But we have, you know, the we have lots of examples of like sablefish we've recently confirmed it's also not genetically distinct down from the Bering Sea, down to wherever its southern end of its range is, but not going to count on fish from the Bering Sea to repopulate, you know, the Pacific Northwest in any time scale. So I really appreciate Briana's mention there of not losing sight of demographics and phenotypic differences. For example, Washington black rockfish and Oregon black rockfish I would bet you....I think there's a paper that they are genetically distinct, I mean genetically the same, indistinct, and yet we treat them as different management units out of, you know, management convenience. So there's all ways of doing it. And but I'm most convinced that as people remember, the way we've been doing things hasn't made.....has been less than ideal and the management team has been pointing this out for a long, long time about including catch, accounting for catch that wasn't in the assessment, and that was.....there's no need to continue doing that. And yeah, but appreciate all the staff work and the advisory subpanels and management teams recommendations and think they've offered us a path forward. I'll just emphasize, you know, the exchange with Mark and the CPSAS as, yeah, there's a way to can not lose sight of some of the.....you know I share many of the questions that Geoff Shester raised and others have raised. There's a way to not lose sight of those while proceeding with considering that to be one population in U.S. waters. But...and lastly, I think I mean that's....just it seems pretty.....like Pete pointed out, we can't let this stop us but I think the tasks ahead are going to be endless and including the transboundary issue that's going to come back even stronger. So thank you. I'll stop there and yeah, appreciate all the work that went into setting this discussion up.

Butch Smith [00:12:31] Thank you Corey. Anything on the left side of the table? Questions I might have missed? Dr. Lent I hear you might have something for us.

Rebecca Lent [00:12:43] Thank you Mr. Vice-Chair. I do have a motion. Shall I read it?

Butch Smith [00:13:00] Carry on.

Rebecca Lent [00:13:02] Due to newly published research on the population structure of Pacific sardine, this action aims to reevaluate the fishery management unit for sardines in the CPS Fishery Management Plan. Specifically, the action will determine if the Pacific sardine stock in the FMU is defined consistent with current science. This action is necessary to ensure Pacific sardine conservation and management is consistent with the goals and objectives of the Magnuson-Stevens Act, the National Standards, and the CPS FMP. The range of alternatives, No Action. The Council would not define stocks other than those currently defined in the CPS FMP, Section 1.2, Table 1-1. Only the northern subpopulation of Pacific sardine would continue to be defined as a stock in

the FMU. Alternative 1, PPA. The Council would amend the CPS FMP section 1.2, Table 1-1 to include all Pacific sardines in U.S. waters in the FMU. The FMU would include one stock of Pacific sardine delineated coastwide.

Butch Smith [00:14:09] Is your motion complete and accurate before you?

Rebecca Lent [00:14:13] Yes, Mr. Vice-Chair.

Butch Smith [00:14:15] Alrighty. Can we get a second to the motion? Seconded by Aja. All right, will you speak to your motion, please?

Rebecca Lent [00:14:29] Thank you Mr. Vice-Chair. I will admit I've had a lot of help on this one. It's my first foray into sardines here on the floor. As the Chair pointed out, the science on which we're managing these fisheries, the sardine fishery, certainly could use a refresh. We discovered in the slides that were presented by Miss Bernaus that the guidelines do require us to periodically review our FMPs and make sure that the stocks are appropriately identified, so it seems to be high time. There's a lot of new science, quite recent, quite fresh. And as we have discussed this quite a few times, as I recall, particularly for accounting for CPS, it's a fishery that has a number of challenges for management. I believe my colleague, Miss Brady, explained why it's probably best at this point in time to not have Alternative 2. And we also heard from the advisory bodies about not considering for this amendment including Japanese sardines as part of this FMU. Thank you.

Butch Smith [00:15:41] Thank you. Are there questions on the motion? Mr. Wulff.

Ryan Wulff [00:15:49] Yes, thank you. And thank you Dr. Lent for the question. Maybe it's just cut off on the screen, but I didn't.....I see here that you're moving that the Council adopt a range of alternatives and a PPA. Is that top portion there the purpose and need? Is that what you're....okay, thank you.

Butch Smith [00:16:09] Okay, thank you for the clarification. Corey, you have a question on the motion?

Corey Ridings [00:16:18] Thanks Vice. Thanks Dr. Lent. My question is regarding the second paragraph that's on the screen right now. This action is necessary to ensure Pacific sardine conservation and management is consistent with the goals and objectives of the MSA, the National Standards, and the CPS FMP. Is the way that that's worded a little circular in the sense of Pacific sardine conservation and management is consistent with itself in reference to the CPS FMP?

Rebecca Lent [00:16:52] Thank you Miss Ridings. It's a good remark to make. Perhaps the.....this refers to the fact that the CPS FMP has goals and objectives, and part of that is to get this management aligned. There is concern about the misalignment between the stock definitions and the management measures. So yeah, it seems a little circular but it does get us back to the original FMP and the goals and objectives of that FMP. And I invite any of my co-authors to help me address that question. Thank you.

Butch Smith [00:17:28] Does that address your question? Okay. Are there other questions on the motion? All right, seeing none we'll go into Council discussion. Corey Niles.

Corey Niles [00:17:48] Thanks Mr. Vice-Chair and thanks Rebecca for the motion. I'll be supportive. Little nervous about taking Alternative 2 out at this time. Just and for one, our full SSC, we didn't really have them in place because of the shutdown, yet I can live with that nervousness, and like I spoke to before I think we can, if there are finer scale things we should be looking at I think we'll learn those through this discussion. And also just while I have the mic, one comment I wanted to make is connected to the groundfish discussions this Council's had on stock definitions. Something that we....isn't, we didn't talk about here today is the state/ federal jurisdiction issue. And I think in this current state of the stock I'll just say that nowhere near 25 percent of the catch is coming in federal waters. But the way it works is, you know in the live bait fishery which we've been paying a lot of attention to is probably 100 percent in state waters. And the way it's worked and it's worked well is because California has chosen to follow the federal FMP in state waters, and that policy decision was made at the legislature level, it's in statute, and it's a very good system of state/federal cooperation across jurisdictional lines. We didn't talk about that, but I didn't....given the connection with the groundfish I did want to make that remark. And yeah, thank you for the motion Rebecca.

Butch Smith [00:19:30] All right. Any further discussion? Miss Brady.

Briana Brady [00:19:44] Thanks Vice-Chair. I just wanted to take a minute to respond to Corey Niles, although it's a little not focused on the motion specifically, but just that we could look into state management of CPS further down the line if needed, whether it would be removing the entire CPS FMP or doing it species by species. Thanks.

Butch Smith [00:20:12] Thank you. Anything? Okay, I'm not seeing any hands. Oh maybe not. Corey Ridings.

Corey Ridings [00:20:21] Thanks Vice. I thank you first of all, Rebecca and anonymous co-authors for bringing this to us. I....this looks good. The only thing I'm really having heartburn on is Rebecca, you spoke to it quickly, but I'm pretty sure I heard you say that the Alternative 1 PPA doesn't have Option A as part of it? So I'm going to assume that's a yes. The.....I heard a lot of our advisory bodies, including the management team, recommend not adding it at this point, so I feel comfortable voting for this motion but I did want to voice that I do have some concerns about that. I think that it would be prudent to go down this path a little bit more and explore what it would mean to have Japanese sardine in the FMU in potential anticipation that if that species was to show up in higher percentages, higher amounts of our catch in different distributions, that it would give us the ability to act more quickly at that time, whether that is to have the flexibility to allow more fishing or put in conservation measures as needed. I don't think it's mission critical at this point but I just wanted to voice that concern. And as the various entities move forward, the states and feds thinking about this, I would just urge to have that in the back of your minds as we go ahead and move down this road and potentially do some new Harvest Control Rules or management measures or whatnot, wherever this ends up. I think it's important to keep in mind that that is something we may be dealing with in the not too distant future. Thanks.

Butch Smith [00:22:10] Thank you. Any other Council discussion? Seeing none, I'm going to call for the question. All those in favor signify by "Aye".

Council [00:22:23] Aye.

Butch Smith [00:22:24] Those opposed? Any abstentions? The motion carries. So I think because we probably are going to have a complete line change in a lot of seats, we might take a five minute.....oh I'm sorry, I did that again. Katrina, did we complete our work? ....(laughter)....

Katrina Bernaus [00:22:47] No worries. Just wanted to provide a recap to show how successful you have been on this. So thank you to the Council. You have adopted a purpose and need statement for this action, which will guide the scope of the action going forward, as well as establishing a scope through adopting a range of alternatives, including a No Action and an Action Alternative. You have also adopted Alternative 1, the Action Alternative, as a Preliminary Preferred Alternative. I think you've completed your work for this task. Thank you.

Butch Smith [00:23:21] Thank you Katrina. You got to do what the other staff officers do, they scowl at me so I remember to ask them at the end. Ryan.

Ryan Wulff [00:23:30] Yeah, sorry to hold up closing this out, I'll be quick. First of all, a big thanks to Council staff for all the work they put in on this. This was a lot of work that they put in prior to this, so I didn't mention that earlier and wanted to acknowledge that. But there were some questions about workload and other things and this does tie into some other actions on a Year-At-A-Glance. So I just wanted to note that, maybe it'll, this will probably come up again under workload planning where we can come back then and scope out some of the practical aspects of how this now plays out with future agenda items. So just a placeholder for....it'll come up again in that discussion. Thanks.

Butch Smith [00:24:05] All righty. Let's take a five-minute break.