

## **DRAFT PROJECT NARRATIVE ATTACHMENT**

**Title:** Pacific Fishery Management Council Administrative Cooperative Agreement  
**Applicant:** Pacific Fishery Management Council, Portland, OR  
**Program:** Implementation of the Magnuson-Stevens Act  
**Project Period:** January 1, 2020 through December 31, 2024  
**Date of Submission:** TBD, 2019

### **SUMMARY**

As one of eight regional fishery management councils established under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) the Pacific Fishery Management Council (Pacific Council) is charged to:

- Prepare and submit, to the U.S. Secretary of Commerce (Secretary), fishery management plans (FMPs) and amendments to those plans for each fishery under its authority. The Pacific Council's jurisdiction covers the federal waters off Washington, Oregon, and California and, as of January 1, 2019, includes fishery management plans for coastal pelagic species, highly migratory species, groundfish, and salmon. The plans include fishery management specifications and measures, and identification of essential fish habitat. The Pacific Council has also adopted a Pacific halibut catch sharing plan to oversee allocation of Pacific halibut in fisheries south of the U.S./Canada border and a Fishery Ecosystem Plan (FEP) that is non-regulatory in nature.
- Assist the Secretary in complying with other federal laws and Executive Orders including the National Environmental Policy Act, EO 22866 (Regulatory Impact Review), Regulatory Flexibility Act, EO 12898 (Environmental Justice), and Executive Order 13771 and EO 13777 (Reducing Regulation and Controlling Costs).
- Prepare comments on any application for foreign fishing.
- Conduct public council meetings, advisory body meetings, and hearings at appropriate times and places to allow all interested persons an opportunity to be heard in the development of fishery management plans and amendments, and with respect to the administration and implementation of the provisions of the MSA.
- Submit to the Secretary such periodic reports as the Pacific Council deems appropriate or as requested by the Secretary.
- For each fishery, review on a continuing basis, and revise as appropriate, the assessments and specifications made with respect to optimum yield, United States processor capacity, and total allowable level of foreign fishing.

- Develop annual catch limits for each of the managed fisheries that do not exceed the fishing level recommendations of our Scientific and Statistical Committee (SSC) or other peer review process established by the Pacific Council to fulfill this obligation.
- In conjunction with the Pacific Council's SSC, develop multi-year research priorities for fisheries, fisheries interactions, habitats, and other areas of research necessary for management purposes, that shall: establish priorities for 5-year periods; be updated as necessary; and be submitted to the Secretary and the regional science centers of the National Marine Fisheries Service (NMFS) for their consideration in developing research priorities and budgets for the Pacific Council management area.
- Conduct any other activities which are required by, or provided for in, the MSA, or which are necessary and appropriate to the functions outlined above.

## **AUTHORIZATION FOR FEDERAL FUNDING**

The original Magnuson Act of 1976 and as amended through January 12, 2007 establishes eight regional fishery management councils (RFMCs) to fulfill the purposes and carry out the policies of Congress. Through 16 U.S.C. 1852(f)(7) and 1852(g)(1)(F), the MSA directs the Secretary to provide to each RFMC the administrative and technical support necessary for the effective functioning of such regional council and to pay:

- Compensation and expenses of the voting members of each RFMC who are not employed by federal, state, or local government; and actual expenses of other voting and non-voting members, and Pacific Council staff.
- Compensation to employees appointed by the RFMCs and deemed necessary by the Secretary.
- Amounts required for reimbursement of other federal agencies for details of personnel and for the services authorized to be provided by General Services Administration.
- Actual expenses of members of the committees and subpanels provided for in the MSA.
- Subject to the availability of appropriations, pay a stipend to members of the SSC and advisory panels who are not employed by the Federal Government, a State fisheries agency, or Tribal Government or Tribal Agency.
- Such other costs as the Secretary determines are necessary to the performance of the functions of the RFMCs.

The RFMCs receive funds through the National Oceanic and Atmospheric Administration (NOAA) or by NOAA on behalf of the RFMCs. Actual funding received throughout this grant period is likely to be different than the proposed amounts in this document and are not to be viewed as secured in advance or limited for being exceeded, other than the limit of the amount proposed as a 5-year total.

## **PROJECT GOAL AND OBJECTIVES**

The Pacific Council's goal is, in general, to carry out its functions as required by the MSA and related laws in accordance with the guidelines promulgated by the Secretary. More specifically, the Pacific Council develops and maintains comprehensive FMPs that apply to each Pacific Council-managed fishery: coastal pelagic species, highly migratory species, groundfish, and salmon; as well as the FEP and its initiative process, and any other FMPs or plans deemed necessary to develop to fulfill the purposes of the MSA (e.g., the Pacific Council's FEP). Each FMP has specific fishery management objectives which address resource conservation and development, including related socioeconomic issues, and are consistent with the purposes, policies, and standards of the MSA. An important objective is to conduct such activity authorized under the MSA in open meetings, noticed in advance to encourage maximum participation by all interested persons, state, tribal, and local governmental entities, with a provision for limited closed meetings to discuss personnel and litigation matters. The goal of the FEP is to enhance the Pacific Council's species-specific management programs with ecosystem science, broader ecosystem considerations, and management policies that coordinate Council objectives across its FMPs and the California Current Ecosystem.

## **STATEMENT OF WORK**

The following description of work under this cooperative agreement includes an overview of the Pacific Council make-up and general meeting schedule, and a general description of tasks planned for 2020 by fishery management plan or other major management category. Work in years 2021-2024 will generally follow the same or similar schedule of annual tasks noted for 2020 with any known or proposed changes noted in a brief summary paragraph for each year.

### *Overview*

The management area of the Pacific Council includes the Federal marine waters off of Washington, Oregon, and California; and the inland areas necessary for the production of salmon and certain other species for those three states and the State of Idaho. The Pacific Council consists of 14 voting members and 5 non-voting members established to represent the pertinent Federal and State management entities, Tribal, industry, and public interests within the entire management area and important connections outside that area. To fulfill its fishery and habitat management obligations under the MSA, the Pacific Council currently maintains a staff of 16 employees generally stationed in Portland, Oregon, or as necessary to ensure efficient management of Pacific Council obligations. In addition, as authorized under the MSA, the Pacific Council currently has established 16 standing advisory bodies and at least 6 ad hoc committees to provide for focused scientific, industry, and public input into the management process for the numerous fisheries and issues it covers.

At the present time, the Pacific Council generally has five plenary sessions per year, occurring in March, April, June, September, and November in locations spread throughout the four state area to allow for attendance opportunities by interested public and key fishing industry representatives, depending somewhat on the meeting agenda. These meetings usually span six to eight consecutive days and include Council members, staff, the SSC, and several other advisory panels and management teams as noted above. In total, from several hundred to upwards of a 1,000 persons may attend each of these meetings. In addition, the Pacific Council's various advisory bodies and

committees have several meetings each year separate from the plenary sessions to fulfill necessary Pacific Council assignments. Other annually occurring meetings include public hearings on proposed regulations, attendance at Council Coordination Committee (CCC) meetings, and coordination with other management entities outside the Pacific Council membership including the International Pacific Halibut Commission, Pacific Salmon Commission, Inter-American Tropical Tuna Commission, Western and Central Pacific Fisheries Commission, the U.S. Section of the Joint Management Committee of the U.S. – Canada Pacific Hake/Whiting Agreement, the U.S. – Canada Albacore Treaty Forum, the North Pacific Fisheries Commission, and the Pacific Offshore Cetacean Take Reduction Team.

The following section lists proposed tasks for each fishery management plan and management or administrative topic during the five-year cooperative agreement period; however, other tasks inevitably arise as a result of new mandates, unforeseen circumstances, and changed priorities, which the Council must address. The greatest proportion of the Pacific Council workload generally follows an annual or biennial cycle. To limit excessive repetition in the description of tasks for each calendar year (CY), only the description under CY 2020 details the activities for each fishery management plan or activity that reoccur on an annual or biennial basis. The description under the remaining years generally references the tasks listed under CY 2020 and notes any tasks that are unique to the current year.

### *Calendar Year 2020*

Calendar Year 2020 is the first year of the five-year grant and the general task description below serve the function of setting a reference for the remaining years. Possible tasks for CY 2020 under this grant are described below, but additional associated tasks that become necessary during 2020 may be conducted, and planned tasks may be postponed or not conducted if the actual amount of funding received is different than proposed or is received later than the onset of the Council's fiscal year. In the instance FY 2020 funding is received after the onset of the Council's fiscal year, such funding will be used for 2020 and 2021 proposed activities. Further, funding may be received in 2020 for projects that span 2020 and future years.

The Council's work plan for CY 2020 is proposed to primarily replicate the various activities required in CY 2019 but reflects changes in issues and actions, locations of meetings, planning for future FMP amendments, rent increases, equipment purchases, in addition to typical project enhancements, inflation in travel and supply costs, increased medical benefit costs, and cost-of-living and pay step increases.

Increased funding requests in 2020 are also a result of increases in state contracts to offset inflationary expenses and enhanced participation in the Pacific Council processes. The Council made the first increase to the base contract amount since 2012 when a new MPS item for deregulation was added to the Council's base funding in FY 2018. The liaison contract increase was proportional to the Council funding increase.

Funding requested for CY 2020 relative to CY 2019 also reflects the groundfish biennial process shifting from conducting stock assessments to establishing harvest specifications and management measures, and other previously scheduled projects such as periodic reviews of Essential Fish Habitat (EFH) designations or other items identified on the Council's Year-At-A-Glance agenda planning document. Additional funding may be necessary if there is increased workload

associated with Magnuson-Stevens Act reauthorization, CCC assignments, or other unanticipated obligations or responsibilities.

### ***Management of Coastal Pelagic Species***

- a. Prepare an annual stock assessment and fishery evaluation (SAFE) report for coastal pelagic species fisheries. At the present time, this task includes assessments for actively managed species (Pacific mackerel and Pacific sardine), which are prepared by State or Federal scientists, reviewed by a special stock assessment review panel with representatives of Pacific Council advisory bodies and independent scientists, further reviewed by the Coastal Pelagic Species Management Team (CPSMT) and an SSC subpanel, and finally approved by the Pacific Council. The feasibility of assessing northern anchovy and their status as a monitored species will continued to be investigated in 2020; other species may be included in future years.
- b. Annually (Pacific sardine) or biennially (Pacific mackerel) establish harvest guidelines, quotas, optimum yield levels, allowable biological catches, and annual catch limits for actively managed species for the ensuing seasons.
- c. As necessary, establish or adjust management measures for actively managed species and consider plan amendments and rebuilding plans when appropriate.
- d. Continue to review and potentially modify CPS FMP stock management categories for flexibility relative to revising stock-specific management strategies and to optimize fishery management efficiency and to promote consistency with other Council FMPs.
- e. Continue to refine the stock assessment prioritization process for CPS FMP species based on appropriate cycle and frequency of future CPS stock assessments.
- f. Support the meetings and development of management recommendations by the CPSMT, Coastal Pelagic Species Advisory Subpanel (CPSAS), Enforcement Consultants (EC), SSC, and Habitat Committee (HC).
- a. Review and revise, as necessary, the description of coastal pelagic species essential fish habitat.
- h. Participate as necessary in the Tri-National Sardine forum or other international bodies as appropriate.

### ***Management of West Coast Groundfish***

- a. Prepare and approve fishery regulation recommendations. Groundfish management follows a biennial cycle. In odd years, preceding the next biennial regulations, State and Federal scientists prepare the stock assessments for key stocks, which are reviewed by a special stock assessment review panel with representatives of Pacific Council advisory bodies and independent scientists, further reviewed by the Groundfish Management Team (GMT) team, an SSC subpanel, the full SSC, and finally approved by the Pacific Council. These stock assessments are used to establish allowable harvest levels for the next biennial

period. Also in odd years, the Pacific Council initiates planning and preliminary action on the next biennial management process. During even numbered years, the Pacific Council completes the specifications and management measures process for the next biennial management period for groundfish fisheries. This process includes extensive advisory body meetings and Council floor time to determine and adopt appropriate levels of acceptable biological catches and annual catch limits for each major species or species complex, and to establish appropriate management measures and guidelines to achieve the catch targets. The entire process requires voluminous analyses and documentation for presentation in an environmental assessment or environmental impact statement. Also during even numbered years, workshops are held to improve the science and technologies used to manage groundfish.

- b. During each season, review landings and recommend inseason modifications to management measures as appropriate to achieve, but not exceed, conservation and management objectives (e.g., annual catch limits) and to account for management uncertainty.
- c. Annually review and act on foreign, joint venture, and exempted fishing permit applications.
- d. Consider, and act on as necessary, stock rebuilding plans, new regulatory or full plan amendments, or new and routine management measures as necessary. These processes require analyses and documentation for presentation in an appropriate National Environmental Policy Act (NEPA) document such as an environmental assessment or environmental impact statement.
- e. Prepare a biennial SAFE report for groundfish species and fisheries, including a review of the previous years' fisheries.
- f. Specify domestic annual processing, domestic annual harvest, and total allowable level of foreign fishing, if any, for the ensuing fishing seasons.
- g. Support the meetings and development of management recommendations by the GMT, Groundfish Advisory Subpanel (GAP), Endangered Species Workgroup (ESWG), EC, SSC, HC, and ad hoc committees for allocation, cost recovery, and others as necessary to groundfish management.
- h. Maintain analytic capacity with regard to fishery resource impacts, community economic impacts, and habitat issues with assistance from contracted experts, as necessary.
- i. Monitor, refine, and expand where necessary, the trawl rationalization program, including additional contracted analytical support.
- j. Continue the development and implementation of a regulatory program for electronic monitoring of groundfish fisheries.

- k. Perform specialized analyses or conduct specialized public input meetings, as necessary to fulfill the Council obligations under the MSA.
- l. Participate as necessary in any international forums as appropriate.

### ***Annual Management of Pacific Salmon***

- a. Prepare an annual SAFE report for West Coast salmon fisheries, including a review of the previous fishery season with respect to meeting the Council's conservation and management objectives, and the economic impacts from the fisheries.
- b. Determine critical stock abundance for the coming season and the impact of potential management alternatives on the total available harvest, annual catch limits, and ocean escapements.
- c. Assess socioeconomic effects of potential management alternatives.
- d. Conduct public hearings on proposed management alternatives.
- e. Recommend management measures, plan amendments, or rebuilding plans as necessary. These processes require analyses and documentation for presentation in an appropriate NEPA document such as an environmental assessment or environmental impact statement.
- f. Monitor landings and recommend implementation of inseason management measures as necessary to meet preseason expectations and objectives.
- g. Support the meetings and development of management recommendations by the Salmon Technical Team (STT), Salmon Advisory Subpanel (SAS), Model Evaluation Workgroup (MEW), EC, SSC, and HC.
- h. Maintain analytic capacity with regard to fishery resource impacts, community economic impacts, and habitat issues with assistance from contracted experts where necessary.
- i. Review and revise, as necessary, the description of salmon essential fish habitat.
- j. Participate as necessary in any international forums.
- l. Coordinate with NMFS on consultations under the Endangered Species Act on southern resident killer whales, Klamath River spring Chinook salmon, and Southern Oregon/Northern California coast coho salmon.

### ***Management of Highly Migratory Species***

- a. Prepare and approve biennial regulation recommendations for HMS fisheries. Pacific Council area management of HMS is on a biennial cycle so that changes to management measures are developed and considered in even years through a process of highly migratory species advisory body meetings and Council review and approval.

- b. Prepare a SAFE report for West Coast HMS and monitor international HMS management in the Pacific.
- c. As necessary, establish or adjust management measures for actively managed species and consider plan amendments and rebuilding plans when appropriate. These processes require analyses and documentation for presentation in an appropriate NEPA document such as an environmental assessment or environmental impact statement.
- d. Support the meetings and development of management recommendations by the Highly Migratory Species Management Team (HMSMT), Highly Migratory Species Advisory Subpanel (HMSAS), EC, SSC, and HC.
- e. Participate as necessary in meetings of the Western and Central Pacific Fisheries Commission and Inter-American Tropical Tuna Commission and their association or subsidiary bodies. Participate in any other relevant Regional Fisheries Management Organizations.
- f. Coordinate co-management responsibilities with the Western Pacific Fishery Management Council on HMS under joint and contiguous authority.
- g. Develop and implement HMS FMP amendments including an amendment authorizing deep-set buoy gear and a potential amendment authorizing shallow-set longline gear.
- b. Review and revise, as necessary, the description of highly migratory species essential fish habitat.
- i. Reconsider an amendment to set hard caps for protected species in the drift gillnet fishery, including potentially developing a regulatory program for electronic monitoring of the drift gillnet fishery.

### ***Ecosystem Management Plan***

- a. Implement the Fishery Ecosystem Plan (FEP), which incorporates ecosystem principles into the Council's overall fishery management process. This includes extensive advisory body meetings and staff-time to develop the concepts and draft documents and analyses necessary to implement provisions of the FEP.
- b. Support meetings of the Ecosystem Advisory Subpanel (EAS) and ad hoc Ecosystem Workgroup to develop initiatives identified in the FEP and coordinate input from other advisory bodies and the Pacific Council.
- c. Finalize and implement FEP Initiative 3, the Climate and Communities Initiative.
- d. Review, revise and prioritize other FEP initiatives, which the Pacific Council may pursue.
- e. Complete a 5-year review of the FEP and revised the FEP as necessary.

### ***Pacific Halibut Catch Sharing Plan***

- a. Determine if the catch sharing plan or annual regulations for commercial, tribal, and recreational halibut fisheries need modifications for the following year.
- b. Specify issues and options for analysis if modifications to the catch sharing plan or annual regulations are identified.
- c. Finalize changes to the catch sharing plan and annual regulations, if required.
- d. Establish incidental landing limits for the non-Indian salmon troll fishery and for the sablefish longline fishery north of Point Chehalis.
- e. Participate as necessary in the International Pacific Halibut Commission meetings.
- f. Evaluate Pacific Council management activities and coordination with the International Pacific Halibut Commission regarding Area 2A Pacific halibut fisheries, including taking responsibility for the management of the Area 2A commercial directed fishery;

### ***Management of Essential Fish Habitat***

- a. Support the required periodic review and any necessary revision of essential fish habitat for each fishery management plan, including the committees established to assist in the review and any necessary staff and contracted personnel. A review of groundfish essential fish habitat and an amendment to the FMP was concluded in 2019 with regulations scheduled for implementation in 2020. A review of salmon essential fish habitat was concluded in 2011 and an amendment approved in 2014. A review of coastal pelagic species essential fish habitat was completed in 2010 and no amendment was necessary. Reviews of highly migratory species, salmon, and coastal pelagic species essential fish habitat are scheduled for 2020-2024.
- b. Support the meetings and development of management recommendations by the HC, HMSMT, HMSAS, EC, EAS, SSC, SAS, STT, CPSMT, CPSAS, GMT, GAP, ESW, and appropriate ad-hoc committees to protect essential fish habitat and identify the role of habitat issues in stock rebuilding plans, marine reserves, and other management actions.

### ***Marine Protected Area Management***

- a. Coordinate activities and review proposals, management plans, and environmental impact statements from West Coast National Marine Sanctuaries and the states of California, Oregon, and Washington, which impact Pacific Council managed fisheries.
- b. Coordinate with the Office of National Marine Sanctuaries.

## *Annual Administrative Functions of the Council*

- a. Develop and administer budgets and all necessary tasks to oversee management of Pacific Council staff, physical office space, and equipment needs.
- b. Arrange for, coordinate, and conduct five Pacific Council meetings and related ancillary meetings throughout the Council's area of jurisdiction. Elect Pacific Council officers each year.
- c. Arrange for and conduct public hearings as necessary. These hearings are not held in conjunction with the Pacific Council meetings.
- d. Prepare and distribute all reports required by the Pacific Council and its entities and maintain a website.
- e. Appoint members to the SSC, HC, advisory subpanels, management, technical and planning teams, standing committees, and ad hoc committees of the Pacific Council.
- f. Conduct extensive and targeted public outreach to inform and gather input for Pacific Council activities and management process through multiple means including website, email lists, other electronic and social media, news releases, special meetings and presentations, and up to four newsletters over the course of a year that provide information and notice on Pacific Council activities.
- g. Complete a comprehensive review and revision of the research and data needs document and adopt a report for submission to National Marine Fisheries Service (NMFS) and the states at least every five years.
- h. Review any needed changes in the Pacific Council's policies and procedures for revisions to the Statement of Organization, Practices, and Procedures and other operational documents.
- i. Plan and participate in CCC meetings, national fishery management conferences, workshops, and other forums as necessary.
- j. Maintain contractual arrangements, including some sole source contracts (see below), with several consultants to provide expert advice, and projection and analysis of Pacific Council actions such as economic impacts of the annual seasons for each fishery, essential fish habitat reviews, and other issues that result from Pacific Council direction or plan amendments.
- k. Support necessary foreign travel required to meet the needs of highly migratory species management in regard to meetings of the North Pacific Fisheries Commission, Inter-American Tropical Tuna Commission and the Western and Central Pacific Fisheries Commission and their committees. This travel generally involves the Pacific Council staff officer in charge of highly migratory species management, the Pacific Council Executive Director, and one Pacific Council member appointed as a representative for the Pacific Council to a particular forum. Travel during this grant period may be to any of the member

nations which include, but are not limited to, Canada, Mexico, Ecuador, Guatemala, Spain, Japan, South Korea, any of several south sea island nations, Taiwan, Peoples Republic of China, Australia, and New Zealand. All travel will comply with provisions of the Fly America Act (49 USC § 40118) and standard award terms.

- l. Participate in marine spatial planning meetings, workshops, and other forums regarding issues such as, energy development, aquaculture, and underwater cables as necessary.
- m. Monitor, respond to requests, and implement requirements of reauthorized Magnuson-Stevens Act legislation; respond to requests for information on other relevant legislation as necessary.

### ***Other Background Information for CY 2020***

#### **No-Cost Extension of 2015-2019 Grant Funds**

For CY 2020 only, the Pacific Council will also utilize funding (approximately \$TBD million) available through a no-cost, one year extension from the previous grant to complete portions of some ongoing projects that were funded during the 2015-2019 grant period but have been delayed by the late receipt of funding or have necessary scheduling and project requirements that carry into 2020. Funding from the no-cost extension will be obligated and recorded to tasks under the previous five-year grant.

Among the ongoing projects that have or will be funded wholly or in part by the no-cost extension are:

#### Coastal Pelagic Species

- Continue to review CPS FMP stock management categories and possibly modify to provide flexibility relative to revising stock-specific management strategies to maximize their utilization;
- Ongoing exempted fishing permit and methodology reviews for coastal pelagic species management;
- Continue to refine the stock assessment prioritization process for CPS FMP species based on appropriate cycle and frequency of future CPS stock assessments;
- Completion of Pacific sardine rebuilding plan;

#### Highly Migratory Species

- Continued development and implementation of HMS FMP amendments; including an amendment authorizing deep-set buoy gear and a potential amendment authorizing shallow-set longline gear;
- Reconsideration of hard caps for bycatch in the large-mesh drift gillnet fishery targeting swordfish;
- Continue participation with international effort to develop management strategy evaluations for Pacific bluefin and albacore tuna;
- Development of a management strategy evaluation for Pacific sardine, swordfish, and albacore tuna;

### Groundfish

- Completion of the biennial process to establish harvest specifications and management measures for 2021-2022 groundfish fisheries;
- Completion and implementation of groundfish fishery gear switching and sablefish area management actions;
- Continue to prioritize and develop new fishery management measures as necessary.
- Development of a management strategy evaluation for sablefish;

### Salmon

- Completion of five Pacific salmon rebuilding plans that were started in 2018 including follow on reviews of habitat matters;
- Coordination with NMFS on consultations under the Endangered Species Act on southern resident killer whales, Klamath River spring Chinook salmon, and Southern Oregon/Northern California coast coho salmon;

### Pacific Halibut

- Continue the evaluation Pacific Council management activities and coordination with the International Pacific Halibut Commission regarding Area 2A Pacific halibut fisheries, including the management of the Area 2A commercial directed fishery;
- Complete the revisions to the Area 2A Catch Sharing Plan and annual fishery regulations for 2020.

### Fishery Ecosystem Plan

- Completion of the Climate and Communities Initiative under the Fishery Ecosystem Plan;
- Completion of a 5-year review of the Fishery Ecosystem Plan;

### Fishery Enforcement/Monitoring

- Implementation of fishery electronic monitoring (EM) technology including regulatory implementation, third-party review of video records, video storage and percent reviewed issues, catch handling/discard requirements, and implementation of NFMS EM policy directives;
- Continue to review and recommend policies for vessels movement monitoring and the type-approval process for electronic monitoring devices;

### Administrative/Other

- Response to ongoing litigation: CPS – *Oceana, Inc., v. Ross*; Groundfish - *Pacific Dawn, LLC, v. Pritzker*; Salmon - *Hoopa Valley Tribe, v. Ross*;
- Implementation of a West Coast Regional Plan for determining the best scientific information available (BSIA);
- Review the national standardized bycatch reporting methods and consider West Coast regional implementation.
- Review and revise the Pacific Council research and data needs documentation process;
- Magnuson-Stevens Act Reauthorization legislation monitoring, responding to requests, and implementing new requirements, as necessary;
- 2015-2019 Grant closeout activities;
- Contribution to the unused leave fund for employee retirement/separation;
- Administrative costs associated with the above;

### **Additional Proposed Work for 2020**

For 2020 or future years (depending on timing and amount of 2020 funds received) several additional tasks are proposed. These include: implementation of an electronic technology plan for groundfish and highly migratory species fisheries, and development of Fishery Ecosystem Plan initiatives. The budget also reflects additional expenses of hiring additional contract workers to assist with the following activities:

- a. Increased Pacific Council member and staff participation in international HMS issues.
- b. Increased workload associated with developing and implementing a management and monitoring plan for the HMS swordfish fishery that would seek to expand on-board monitoring, optimize time/area management and gear specifications to reduce non-target species bycatch, consider hard caps for protected species, and transition the California state drift gillnet permits to a federal permit system under the MSA.
- c. Increased workload associated with CCC assignments, and subcommittee appointments, and staffing.
- d. Increased economic analysis associated with the tasks above.
- e. Increased administrative support for the tasks and personnel above.
- f. Implementing results of litigation settlement agreements.

### ***Calendar Year 2021***

The Pacific Council's work plan for CY 2021 will primarily replicate the various activities required in CY 2020 with several additions and changes. Rather than focusing on methodology changes for use in management models and future assessments, the peer review process will consider Stock Assessment and Review Panel meetings. Increased funding requests in 2021 are a result of increases in PSMFC and state contracts to offset inflationary expenses and enhanced participation in the Council processes, the potential for expanded Pacific Council meetings, a commitment to host the annual CCC meeting, and from typical project enhancements, inflation in travel and supply costs, increased healthcare benefit costs, and cost-of-living and pay step increases. Additional funding may be necessary if there is increased workload associated with MSA reauthorization, CCC assignments, or other unanticipated obligations or responsibilities

### ***Calendar Year 2022***

The Pacific Council's proposed work plan for CY 2022 includes the various activities required in CY 2020 and CY 2021 with a few additions. The proposed budget reflects additional expenses associated with the following specific items.

- a. Groundfish management efforts will focus on the completion of the biennial regulations for the 2023-2024 fisheries and workshops to improve management science.

Additional funding may be necessary if there is increased workload associated with Magnuson-Stevens Act reauthorization, CCC assignments, or other unanticipated obligations or responsibilities.

### ***Calendar Years 2023-2024***

The Pacific Council's work plans for CY 2023 and CY 2024 will primarily replicate the various activities required in CY 2021 and CY 2022 with the potential for some fairly significant changes in issues and actions, locations of meetings, and planning for future FMP amendments as issues and priorities change in the more distant future. Increased funding will be required for project enhancements, inflation in travel and supply costs, increased medical benefit costs, and cost-of-living and pay step increases. It is anticipated that significant additional equipment purchases may be needed to maintain, expand, and enhance efficiency with changes in electronic document and data management technology and capabilities. Additional funding may be necessary if there is increased workload associated with MSA reauthorization, CCC assignments, or other unanticipated obligations or responsibilities.

The proposed annual 2020-2024 budget requests represent a 5 percent average annual increase over the 2019 Pacific Council adopted operational budget.

## CONTRACTUAL DETAIL

### *Liaison and Planning Contracts with State Fishery Management Entities and the Pacific States Marine Fisheries Commission*

Funds are required to assist the PSMFC and the state fishery management entities of Alaska, Washington, Oregon, California, and Idaho with additional costs incurred due to their participation in, and contributions to, the Pacific Council management process. The Magnuson-Stevens Fishery Conservation and Management Act specifies that the Council shall have: (1) one principal state official from Washington, Oregon, California, and Idaho who shall be appointed by and serve at the pleasure of their respective state governors, (2) one nonvoting member who shall be appointed by, and serve at the pleasure of, the governor of Alaska, and (3) one nonvoting member who shall represent the executive director of the Pacific States Marine Fisheries Commission for the geographical area concerned (i.e., PSMFC).

Planning and liaison monies have been provided by the Pacific Council since the late 1970s to Alaska, California, Idaho, Oregon, Washington, and PSMFC. The largest portion of this funding has been provided to help fund the individuals who have been appointed to the technical and management teams. These people monitor, review, and analyze the appropriate fisheries; coordinate data collection, processing, and reporting that relates to the FMP; document activities through SAFE reports and other team reports; determine the need for, conduct, and advise the Pacific Council on amending or modifying the FMP; and participate on ad hoc work groups as appointed by the Council.

The assistance and participation by the states and PSMFC include all of the Pacific Council's activities and necessary actions required by the four fishery management plans and the ecosystem management plan. Examples of the specific types of work items are included below. Work for the highly migratory and coastal pelagic species is similar to the examples provided for salmon and groundfish.

#### *Participation in Council Activities*

- a. The director, or a designee, of the state fishery management entity participates as a Pacific Council member.
- b. Technical staff members of the state fishery entities participate as members of the SSC, plan technical and management teams, HC, and ad hoc committees; and/or assist Pacific Council members in dealing with technical issues.

#### *Groundfish*

- a. Facilitate all groundfish data collection, processing, reporting and analysis within the agency which relates to Council-managed groundfish species and management under the groundfish FMP.

- b. Monitor the various groundfish fisheries pursuant to the inseason management provisions of the FMP, including analysis of fleet activities and characteristics, and advise the GMT of important changes or new problems. In this regard, the role is to act as liaison with the state agency for the Council and the GMT.
- c. Monitor and/or analyze effectiveness of groundfish regulations and industry compliance.
- d. Determine the adequacy of sampling and biological monitoring of Council-managed species.
- e. Prepare groundfish stock assessments or coordinate agency preparation of stock assessments. Review maximum sustainable yield, acceptable biological catch, and harvest guideline values for groundfish stocks.
- f. Determine the need for amendments to the FMP and federal groundfish regulations.
- g. Draft and/or review documents for the GMT as requested by the Council or chairperson of the GMT, attend GMT meetings, verify annual landings data, and participate with other GMT members in preparation of annual SAFE document and management proposals.
- h. Attend and participate in Groundfish Advisory Subpanel meetings, including report presentation, as assigned by the Council or GMT chairperson.
- i. Attend and participate in other Council committee activities as requested by the Council or GMT chairperson.

### ***Salmon***

- a. Review and document activities of ocean fisheries off the coasts of Washington, Oregon, and California and the salmon fisheries in the inland waters of these states and Idaho.
- b. Review and document ocean escapement (including catch and spawning escapement) of salmon stocks defined for management consideration by the Council.
- c. Evaluate the Council's ocean fishery management actions with respect to existing plans and develop and evaluate proposed plan amendments.
- d. Determine production and escapement levels for fisheries and stocks within the Council's jurisdiction or affected by actions of the Council which are required for sound conservation and management of the resource and fisheries.
- e. Recommend regulatory schemes designed to achieve Council objectives and evaluate their impact on the fishery, associated communities, and the resource.
- f. Maintain surveillance over the fisheries and periodically evaluate the status of the resource or recommend actions to ensure achievement of the Council's goals.
- g. Perform technical analyses or review information and analyses for guidance as requested by the Council or salmon team chairperson.

***Budget Detail for CY 2020 –***

The following are contract details from CY 2019 and are provided as examples of the contract format used between the Council and the States/PSMFC. The actual contract amounts for the California, Oregon, Washington, and Idaho are expected to increase by a total of 3.5 percent in CY 2020, and by an additional 5 percent in CY 2021 and each subsequent year relative to the examples below. The personnel, indirect rates etc. will also change in some cases.

**CONTRACT 1:** California Department of Fish and Wildlife  
PO Box 944209, Sacramento, CA 94244-2090  
**Key Personnel:** TBD

**Budget**

A. Personnel Salary and Wages <sup>1/</sup>	\$ TBD
B. Personnel Benefits at TBD Percent <sup>2/</sup>	\$ TBD
C. Operating Expense	\$ TBD
D. Indirect Costs <sup>3/</sup>	\$ TBD
TOTAL BUDGET	<hr/> \$ TBD

**Budget Detail**

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**CONTRACT 2:** Idaho Department of Fish and Game  
PO Box 25, Boise, ID 83707-0025  
**Key Personnel:** TBD

**Budget:**

A. Personnel Salary and Wages <sup>1/</sup>	\$ TBD
B. Personnel Benefits at TBD Percent <sup>2/</sup>	\$ TBD
C. Operating Expense	\$ TBD
D. Indirect Costs <sup>3/</sup>	\$ TBD
TOTAL BUDGET	<hr/> \$ TBD

**Budget Detail**

**CONTRACT 3:** Oregon Department of Fish and Wildlife  
4034 Fairview Industrial Drive SE, Salem, OR 97302

**Key Personnel:** TBD

**Budget:**

A. Personnel Salary and Wages <sup>1/</sup>	\$ TBD
B. Personnel Benefits at TBD Percent <sup>2/</sup>	\$ TBD
C. Operating Expense	\$ TBD
D. Indirect Costs <sup>3/</sup>	\$ TBD
TOTAL BUDGET	<hr/> \$ TBD

**Budget Detail**

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**CONTRACT 4:** Pacific States Marine Fisheries Commission  
205 S.E. Spokane Street, Suite 100, Portland, OR 97202-6487

**Key Personnel:** TBD

**Summary of total Budget**

A. Personnel Salary and Wages <sup>1/</sup>	\$TBD
B. Personnel Benefits (40%) <sup>2/</sup>	TBD
C. Indirect Costs (12.36%) <sup>3/</sup>	TBD
TOTAL BUDGET	<hr/> \$TBD

**Budget Detail**

**CONTRACT 5:** Washington Department of Fish and Wildlife  
600 Capitol Way N., Olympia, WA 98501-1091

**Key Personnel:** TBD

**Budget:**

A. Personnel Salary and Wages <sup>1/</sup>	\$ TBD
B. Personnel Benefits at TBD Percent <sup>2/</sup>	\$ TBD
C. Operating Expense	\$ TBD
D. Indirect Costs <sup>3/</sup>	\$ TBD
TOTAL BUDGET	\$ TBD

**Budget Detail**

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***Other Contractual***

During the 2020-2024 award period, the Pacific Council expects to contract with several entities to provide specialized products and analyses which are key to completing Pacific Council tasks. These could include assistance with the catch shares programs, groundfish electronic monitoring program, groundfish biennial specifications process, sablefish catch share program review, salmon economic analysis, salmon population risk and rebuilding analyses, administrative projects, and other emerging issues and tasks. With regard to specialized tasks, the Council intends to use a sole source contractor as described below, as well as the possibility of other expert contractors yet to be identified for various specialized needs. The Council also contracts with hotels for its five, eight-day plenary meetings per year on a competitive basis, as well as other smaller contracts for various venues and services.

**Sole Source Contractor**  
**Edward C. Waters, Ph.D., Socio-Economic Consultant**

Dr. Waters is contracted to provide specialized socio-economic data, analysis, and documentation to assist the Pacific Council in considering impacts of Pacific Council actions and in completing draft and final NEPA documents (environmental impact statements [EIS], environmental assessments) for the implementation of management measures and plan amendments for its groundfish and salmon fishery management plans. This is a highly specialized and unique task that must be completed on a rigorous timeline that does not allow for training or extensive orientation of personnel not already intimately familiar with Council, NMFS, and National Environmental Policy Act processes and requirements. The results of the analysis will be carefully scrutinized by numerous entities and must meet the test of previous and potential litigation.

**Uniqueness to Perform Task**

By virtue of his training and experience, Dr. Waters is critical to the Council’s successful completion of these extremely complex and contentious tasks and is uniquely qualified to provide the specialized services required by the Council.

Dr. Waters holds a Bachelor of Science degree in Fisheries and Wildlife Management from Michigan State University and a doctorate degree with a major in Agricultural and Resource Economics from Oregon State University. His dissertation topic was General Equilibrium

Modeling of Regional Economies. This training is directly tailored to the tasks required by the Council to understand and analyze the impacts of their proposed regulations on fisheries and fishery dependent communities along the Pacific Coast.

Dr. Waters was employed as a fisheries economist by the Council in 2002 to mid-2005 during which time he authored the socio-economic data, analysis, and draft documents which were used by the Council in managing groundfish fisheries. His documents and analyses included those incorporated into the draft and final EIS for the 2005-2006 and following EIS's for groundfish management measures and the original environmental assessment and EIS for the rebuilding plans for overfished groundfish species. No other potential contractor has this direct experience in providing the specific data, analyses, and documents required by the Council to complete the tasks of this contract. This is an evolving process with each year building on the experience of the previous year.

Finally, in his work as staff for the Council and in other previous contractual work, Dr. Waters has demonstrated a consistent ability to complete comprehensive and complex analyses on time and in a format and manner to meet Council needs.

**Sole Source Contractor**  
**Raymond C.P. Beamesderfer, Fish Science Solutions**

Mr. Beamesderfer has been contracted in the past to provide specialized population dynamics modeling, analysis, and documentation to assist the Council in developing, considering, and completing an abundance based salmon harvest approaches.

The request for the specialized services of Mr. Beamesderfer justifies a sole source contract for several reasons.

1. Mr. Beamesderfer is known by the Council staff to have the skills and experience uniquely required for the efficient and successful completion of salmon risk assessment projects for Klamath River fall Chinook, Lower Columbia River tule fall Chinook, and Lower Columbia River natural coho, with outstanding success.
2. Based on previous projects with consultants the hourly rate of pay for the Contractor's services is well within the range of rates commonly charged for fishery consultant services.
3. On projects with short time frames to and the need to develop specific tasks based on future Council guidance, a request for proposals for the entire project and deliverables at a fixed price is sometimes not possible. Achievement of the overall project objectives require close and frequent coordination and communication between the Contractor and Council staff.
4. The Contractor is located in close proximity to the Council offices which will minimize travel costs and increase efficiency and expediency in working with the Council staff to complete projects.

### **Uniqueness to Perform Task**

Modeling salmon populations to analyze the effects of population abundance and harvest impacts on future stock status is a highly specialized task that must be completed on a rigorous timeline that does not allow for training or extensive orientation of contracted personnel who are not already intimately familiar with the Council/NMFS processes and requirements; and the pertinent fishery management issues and data. The results of the analysis will be carefully scrutinized by numerous entities and must meet the test of previous and potential litigation. Mr. Beamesderfer is uniquely qualified to assist in the development of an abundance based management approach for salmon populations for several reasons.

**Professional Qualifications:** Mr. Beamesderfer holds a master's degree in Fishery Resources from the University of Idaho and has over 30 years of experience in original research and analysis of Pacific Coast salmon management issues with special expertise in the use of statistics and computer modeling to solve difficult fishery management problems. Mr. Beamesderfer has completed numerous projects addressing significant fishery management issues and providing excellent reports and presentations.

**Knowledge of Specific Information and Analyses Required by Council:** Mr. Beamesderfer's experience and expertise include several years as an employee with the Oregon Department of Fish and Wildlife. His work there included projects utilizing extensive computer modeling of salmon populations in the Columbia River Basin to forecast runs and impacts of various management regimes. He has further developed his expertise in these procedures during his tenure with Cramer Fish Sciences, Inc. He has specific knowledge and understanding of the subject coho stocks and fisheries, as well as fishery alternatives including abundance-based approaches. He led analysis and development of Endangered Species Act recovery plans and objectives for these species in the Lower Columbia River. He has developed impact assessment methods and population viability analysis models specifically for evaluating effects and risks of alternative fishery strategies on Federal endangered species. These specific modeling and impact assessment methodology skills with Pacific Coast salmon stocks are the exact skills needed by the Council to develop abundance-based management approaches, and are not commonly available from many providers.

**Timeliness, Accessibility, Efficiency:** Mr. Beamesderfer is located in the Portland area and is immediately available in person to meet and coordinate with Council and agency staff. Most of the work on the project and meetings concerning projects occur at the Council office in Portland. Mr. Beamesderfer's physical proximity greatly reduce the cost of the contract through a reduction in travel time and costs, and efficiency gained in face-to-face work sessions.

### **Sole Source Contractor Craig Hess, Information and Audio Technology Consultant**

Mr. Craig Hess is an information and audio technician that has assisted the Pacific Council with audio amplification, recording, and internet streaming of Pacific Council meetings. He sets up, maintains, and operates the Pacific Council's sound equipment for each Pacific Council meetings. He provides most of the Pacific Council's ground transportation of meeting materials, equipment, and supplies. Mr. Hess also prepares verbatim transcripts of the Pacific Council action portion of each agenda item from every Pacific Council meeting.

### **Uniqueness to Perform Task**

Mr. Hess has unique training and experience: 1) extensive understanding with the Pacific Council process and meeting operations; 2) demonstrated audio/visual technical abilities, and; 3) the required familiarity with the people involved with the Pacific Council, familiarity with the issues, and familiarity with the unique language of Pacific Council business that allow for timely and accurate development of transcripts. Mr. Hess has been the Pacific Council's audio technician for over 20 years and, along with his parents, his family has provided audio services to the Pacific Council from its inception in the 1970's. He is uniquely qualified to accomplish the requested tasks with a minimum of staff direction and without the need for extensive background briefing and oversight. Hiring another contractor without his familiarity with the Council process at this point would result in additional expense to familiarize them with the process and equipment.

### **Sole Source Contractor Pacific States Marine Fishery Commission**

The Pacific States Marine Fishery Commission has a unique relationship and the ability to contract at a greater scale with outside agencies and personnel to provide contractual services to the Council in this grant period. PSMFC may be contracted to provide services ranging from providing necessary information and analysis to inform preliminary or final decision making. As necessary they will be tasked with assisting in performing any tasks associated with this grant period as outlined in detail for 2020-2024.

### **Uniqueness to Perform Task**

PSMFC is familiar with the data collected and are able to extract the data from the systems in an efficient manner. They are familiar with the requirements of National Marine Fisheries Service and NOAA operations to provide the necessary reporting to complete documents on time. They host the Council's web site and are able to easily and securely modify and add features necessary to accomplish Council outreach objectives.