

COUNCIL MEETING RECORD
252nd Session of the
Pacific Fishery Management Council
November 15-21, 2019
Hilton Orange County/Costa Mesa
3050 Bristol Street, Costa Mesa, CA 92626

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INTRODUCTION

This document contains or identifies the various elements, documents, and sources comprising the complete and official record of Council meeting discussions and actions. In addition to the Meeting Summary, which follows this introductory section (see #7 below), it includes information or references that serve as the functional detailed minutes for this Council meeting as required by §302(i)(2)(E) of the Magnuson-Stevens Act. The full record is maintained at the Council office, is available on the Council website (<http://www.pcouncil.org/>) or upon request from the Council office, and consists of the following:

1. **Meeting Notice and Proposed Agenda** – These documents are available on the Council Website prior to and following each meeting at <http://www.pcouncil.org/>.
2. **Attendance Records** – These documents are available for the Council meeting and each advisory body meeting by request from the Council office.
3. **All Documents, Reports, and Presentations for Council Consideration** – These items include (1) all documents produced or received for the meeting briefing book, validated by a label assigned by the Council Secretariat and distributed to Council Members; (2) written public comments received at the Council meeting in accordance with agenda labeling requirements; and (3) electronic material or handout materials used in presentations to Council Members during the open session. They are available from links in the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
4. **Council Decisions Summary Document** – This document is distributed shortly after each Council meeting. It provides very brief descriptions of most key Council decisions and is available at <https://www.pcouncil.org/council-meetings/previous-meetings/> and also provided by agenda item in the Meeting Summary of this document.
5. **Draft or Final Decision Documents Finalized after the Council Meeting** – Documents such as Environmental Impact Statements or Environmental Assessments are available on the Council website as they are completed.
6. **Gavel-to-Gavel Audio Recordings and Summary Transcripts** – These recordings contain the testimony, presentations, discussions, and actions occurring at the meeting and are labeled by date and time (e.g., 04-11-15am1) and have been annotated as to the time on the recording for the start of each agenda line item to help facilitate review. For additional reference, verbatim transcripts of Council Actions are available on the Council website. The recordings and transcripts may be accessed from the links contained within the Meeting Summary of this document or at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
7. **Meeting Summary** (immediately follows this section) – The Meeting Summary lists, in agenda item order, the briefing book documents, reports, presentations, and Council motions and actions, including a brief summary from the Council Decisions Summary Document for each agenda item. It constitutes the meeting record formally approved by the Council. The agenda heading for each agenda item, and most listed documents, serve as internet links to the actual briefing book documents. Internet links in brackets (e.g., [[mp3: 11-11-14pm1 @01:21:15](#)]) refer to the audio recording and elapsed time on the recording at which the agenda item was initiated. Links to the audio recordings are annotated by agenda item and may also be accessed at <https://www.pcouncil.org/council-meetings/previous-meetings/>.
8. **Voting Log** – The voting log lists, in Agenda order, the summarized Council motions and actions for each agenda item that took place during the meeting.

MEETING SUMMARY

A. Call to Order [[mp3: 11-15-19am1 0:00:13](#)]

1. Opening Remarks – Phil Anderson, Chair [[mp3: 11-15-19am1 0:03:15](#)]

Mr. Phil Anderson, Council Chair, called the 252nd meeting of the Pacific Fishery Management Council (Council) to order at 9:00 a.m. on November 15, 2019. A closed session was held before this open session to discuss litigation and personnel matters.

2. Roll Call – Chuck Tracy [[mp3: 11-15-19am1 0:04:08](#)]

National Marine Fisheries Service:	Mr. Barry Thom Mr. Frank Lockhart, designee Mr. Ryan Wulff, designee Ms. Kelly Ames, designee Ms. Aja Szumylo, designee Ms. Susan Bishop, designee
Alaska State Official:	Ms. Dani Evenson (nonvoting designee)
Washington State Official:	Mr. Kyle Adicks, designee Ms. Michele Culver, designee Mr. Corey Niles, designee
Washington Obligatory:	Mr. Rich Lincoln
Oregon State Official:	Dr. Caren Braby, designee Mr. Chris Kern, designee Ms. Maggie Sommer, designee
Oregon Obligatory:	Ms. Christa Svensson
California State Official:	Ms. Marci Yaremko, designee Ms. Briana Brady, designee Mr. Brett Kormos, designee Mr. John Ugoretz, designee
California Obligatory:	Mr. Robert Dooley
Idaho State Official:	Mr. Virgil Moore, designee
Idaho Obligatory:	Mr. Pete Hassemer
Tribal Official:	Mr. Joseph Oatman
At-Large:	Mr. Phil Anderson, Chair Mr. Louis Zimm Mr. Brad Pettinger Mr. Marc Gorelnik, Vice-Chair
Pacific States Marine Fisheries Commission:	Dr. David Hanson, Parliamentarian, nonvoting designee
U.S. Coast Guard:	LCDR Scott McGrew, nonvoting designee LCDR Lee Crusius, nonvoting designee
U.S. Fish and Wildlife Service:	Mr. Chris German, nonvoting designee Mr. John Netto, nonvoting designee

Absent from the Meeting:

U.S. State Department:	Mr. David Hogan, nonvoting designee
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3. **Executive Director's Report** – Chuck Tracy [[mp3: 11-15-19am1 0:05:08](#)]

[Agenda Item A.3, Supplemental Attachment 1](#): Draft meeting report, Council Coordination Committee (CCC) November 5-7, 2019

[Agenda Item A.3, Public Comments](#) (*If received, Electronic Only*)

4. **Agenda – Phil Anderson** [[mp3: 11-15-19am1 0:48:35](#)]

a. **Council Action: Approve Agenda**

Motion 1: Adopt [Agenda Item A.4, November 14-20, 2019 Council Meeting Agenda](#).

Marc Gorelnik/Pete Hassemer (Motion 1 carried unanimously)

B. Open Comment Period

1. **Comments on Non-Agenda Items** – Chuck Tracy [[mp3: 11-15-19am1 0:49:25](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies**

b. **Public Comment** [[mp3: 11-15-19am1 0:50:07](#)]

[Agenda Item B.1.b, Public Comments](#) (*If received, Electronic Only*)

Gerry Richter, South Bay Cable Fisheries Liaison Committee

Ev Ashworth, Brian Pendleton and Robert Smith, Ventura Shellfish Enterprise presented [Agenda Item B.1.b, Supplemental Public Presentation 1](#): Ventura Shellfish Enterprise

Melissa Mahoney, Positively Groundfish

John Law

Mark Helvey, David Haworth, and Gerard DiNardo, California Pelagic Fisheries Association

Orianna Poindexter, Ocean Associates presented [Agenda Item B.1.b, Supplemental Public Presentation 2](#): Culinary Engineering; A San Diego Seafood Collaboration

Anna Weinstein, Audubon Society

c. **Council Discussion and Comments as Appropriate**

Motion: None

Staff Summary: None

C. Enforcement Matters

1. **Tri-State Enforcement Report** – Jim Seger [[mp3: 11-15-19am2 0:00:04](#)]

[Agenda Item C.1, Attachment 1](#): Letter from Secretary of Commerce, September 19, 2019

a. **Enforcement Report** – Ryan Howell, Dan Chadwick and Jason Kraus [[mp3: 11-15-19am2 0:01:42](#)]

[Agenda Item C.1.a, Supplemental Tri-State Enforcement Presentation 1](#) (*video on PFMC YouTube channel*)

b. **Reports and Comments of Management Entities and Advisory Bodies**

c. **Public Comment** [[mp3: 11-15-19am2 0:33:45](#)]

[Agenda Item C.1.c, Public Comments](#) (*If received, Electronic Only*)

Gregg Casad, Exulans
Lindsay Bonito, Scripps Institute of Oceanography
Orlan McCarthy, Scripps Institute of Oceanography

- d. **Council Action: Consider Report of the Tri-State Enforcement Representatives** [[mp3: 11-15-19am2 0:39:43](#)]

Motion: None

Staff Summary: None

D. Coastal Pelagic Species Management

1. **[National Marine Fisheries Service Report](#)** – Kerry Griffin [[mp3: 11-15-19am2 0:45:58](#)]

- a. **Regulatory Activities** – Frank Lockhart [[mp3: 11-15-19am2 0:46:28](#)]

[Agenda Item D.1.a, Supplemental NMFS Report 1](#): Report on CPS Regulatory Activities

- b. **Fishery Science Center Activities** – Kristen Koch/Dale Sweetnam [[mp3: 11-15-19am2 0:51:16](#)]

[Agenda Item D.1.b, Supplemental SWFSC PPT1](#): NMFS Report SWFSC Activities Coastal Pelagic Species (*Dale Sweetnam*)

- c. **Reports and Comments of Management Entities and Advisory Bodies**

- d. **Public Comment** [[mp3: 11-15-19am2 1:07:01](#)]

[Agenda Item D.1.d, Public Comments](#) (*If received, Electronic Only*)

Anela Akiona, Scripps Institute of Oceanography

Geoff Shester, Oceana

Diane Pleschner-Steele, California Wetfish Producers Association

- e. **Council Discussion** [[mp3: 11-15-19am2 1:12:47](#)]

Motion: None

Staff Summary: None

2. **[Preliminary Review of New 2020 Exempted Fishing Permits](#)** – Kerry Griffin [[mp3: 11-15-19pm1 0:00:40](#)]

[Agenda Item D.2, Attachment 1](#): California Wetfish Producers Association Notice of Intent and Proposal (*Electronic Only*)

[Agenda Item D.2, Attachment 2](#): West Coast Pelagic Conservation Group Notice of Intent and Proposal (*Electronic Only*)

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-15-19pm1 0:03:36](#)]

[Agenda Item D.2.a, Supplemental CPSMT Report 1](#)

[Agenda Item D.2.a, Supplemental CPSAS Report 1](#)

b. Public Comment [[mp3: 11-15-19pm1 0:05:48](#)]

Diane Pleschner-Steele, California Wetfish Producers Association
[Agenda Item D.2.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Preliminary EFPs for Public Review [[mp3: 11-15-19pm1 0:07:10](#)]

Motion 2 [[mp3: 11-15-19pm1 0:08:01](#)]: Council adopt the preliminary exempted fishing proposals in Agenda Item D.2, Attachments 1 and 2 for public review.
Briana Brady/Christa Svensson (Motion 2 carried unanimously)

Staff Summary: The Council adopted, for public review, two proposals for exempted fishing permits, from the [California Wetfish Producers Association](#) and the [West Coast Pelagic Conservation Group](#). The Council is scheduled to give final approval at the April 2020 meeting.

3. [Methodology Review Preliminary Topic Selection](#) – Kerry Griffin [[mp3: 11-15-19pm1 0:10:33](#)]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-15-19pm1 0:11:29](#)]

[Agenda Item D.3.a, Supplemental CPSAS Report 1](#)

b. Public Comment [[mp3: 11-15-19pm1 0:20:49](#)]

Geoff Shester, Oceana
[Agenda Item D.3.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Provide Guidance on Preliminary Topics for Review in 2020 [[mp3: 11-15-19pm1 0:24:30](#)]

Motion: None

Staff Summary: None

4. [Central Subpopulation of Northern Anchovy Nearshore Estimation Methodology, Frequency of Overfishing Limit Reviews, and Accountability Measures](#) – Kerry Griffin [[mp3: 11-15-19pm2 0:00:21](#)]

[Agenda Item D.4, Supplemental Presentation 1](#): Outcomes of the 3-4 October CSNA Workshop (G. Krutzikowski & Andre Punt)

[Agenda Item D.4, Attachment 1](#): Report of the Joint Meeting of Representatives of the SSC CPS Subcommittee, the CPSMT, and the CPSAS

[Agenda Item D.4, Supplemental Attachment 2](#): A Further Updated Analysis of the Implications of Different Choices for the Frequency of Updates to OFLs and ABCs for the CSNA

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-15-19pm2 0:06:31](#)]

[Agenda Item D.4.a, Supplemental SSC Report 1](#)

[Agenda Item D.4.a, Supplemental CPSMT Report 1](#)

[Agenda Item D.4.a, Supplemental CPSAS Report 1](#)

b. Public Comment [[mp3: 11-15-19pm2](#) 1:29:12]

Klara Fejer

Diane Pleschner-Steele, California Wetfish Producers Association

Geoff Shester, Oceana presented [Agenda Item D.4.b, Supplemental Public Presentation 1](#): Geoff Shester, Oceana

Anna Weinstein, Audubon

Susan Sheakley, Sea and Sage Audubon

Gilly Lyons, PEW Charitable Trusts

[Agenda Item D.4.b, Public Comments](#) (If received, Electronic Only)

c. Council Action: Consider Methodologies for Estimating Nearshore Abundance, Consider the Frequency of Review of Overfishing Limits, and Consider Alternatives for Accountability Measures [[mp3: 11-15-19pm3](#) 0:00:02]

Motion: None

Staff Summary: The Council directed the Coastal Pelagic Species Management Team to continue developing a framework and proposed flowchart to guide decisions on the frequency of revisiting management reference points for the central subpopulation of northern anchovy. The Coastal Pelagic Species Management Team will report back to the Council at the April 2020 meeting, to recommend a schedule for further consideration of the draft [framework](#).

E. Salmon Management

1. [National Marine Fisheries Service Report](#) – Robin Ehlke [[mp3: 11-16-19am1](#) 0:00:46]

a. Regulatory Activities – Susan Bishop [[mp3: 11-16-19am1](#) 0:01:06]

b. Fishery Science Center Activities

c. Reports and Comments of Management Entities and Advisory Bodies

d. Public Comment

[Agenda Item E.1.d, Public Comments](#) (If received, Electronic Only)

e. Council Discussion

Motion: None

Staff Summary: None

2. [Final Methodology Review](#) – Robin Ehlke [[mp3: 11-16-19am1](#) 0:02:13]

[Agenda Item E.2, Attachment 1](#): Potential Implications of Moving the California Klamath Management Zone/Fort Bragg Salmon Fishery Management Line from Horse Mountain North to Latitude 40° 10'

[Agenda Item E.2, Attachment 2](#): Fishery Regulation Assessment Model (FRAM): Exploitation Rate Investigation for the Upper Columbia River Summer Chinook Stock

[Agenda Item E.2, Attachment 3](#): Willapa Bay Coho – Supporting Documentation of Abundance Forecasting Approach

[Agenda Item E.2, Attachment 4](#): Updating the Fishery Regulation Assessment Model (FRAM) User Manual

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-16-19am1 0:07:15](#)]

[Agenda Item E.2.a, Supplemental SSC Report 1](#)

[Agenda Item E.2.a, Supplemental MEW Report 1](#)

[Agenda Item E.2.a, Supplemental STT Report 1](#)

[Agenda Item E.2.a, Supplemental SAS Report 1](#)

b. **Public Comment** [[mp3: 11-16-19am1 0:30:24](#)]

Noah Oppenheim, PCFFA

John Koeppen

[Agenda Item E.2.b, Supplemental Public Presentation 1](#): Video from Dave Helliwell (*available on PPMC YouTube channel*)

[Agenda Item E.2.b, Supplemental Public Presentation 2](#): (Helliwell PowerPoint)

[Agenda Item E.2.b, Public Comments](#) (*If received, Electronic Only*)

c. **Council Action: Adopt Final Methodology Changes for 2020 and beyond** [[mp3: 11-16-19am1 0:38:58](#)]

Motion: None

Staff Summary: Four topics were discussed under this [agenda item](#). The assignment to review the methodology used to develop abundance forecasts for Willapa Bay coho was incomplete. Work on this topic will continue, and the Council will review this topic at the March 2020 Council meeting. The Council approved the updated Fishery Regulation Assessment Model user manual, which will be provided on the Council website in the near future. The Council agreed that the salmon management boundary line at Horse Mountain could be included as part of the Fishery Management Plan Amendment 20 on the annual management cycle which is scheduled to begin in April 2020. In addition, for the upper Columbia Summer Chinook topic, the Council agreed that no formal methodology review is required, and that any needed data input changes would be made in time for the 2020 preseason process.

3. **[2020 Preseason Management Schedule and Scope Annual Management Cycle Amendment](#)** – Robin Ehlke [[mp3: 11-16-19am1 0:52:49](#)]

[Agenda Item E.3, Attachment 1](#): Pacific Fishery Management Council Proposed Schedule and Process for Developing 2020 Ocean Salmon Fishery Management Measures

[Agenda Item E.3, Attachment 2](#): Draft Work Plan for Proposed Changes to the Preseason Schedule in the Pacific Salmon Fishery Management Plan

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-16-19am1 1:02:56](#)]

[Agenda Item E.3.a, Supplemental STT Report 1](#)

[Agenda Item E.3.a, Supplemental SAS Report 1](#)

b. Public Comment [[mp3: 11-16-19am1](#) 1:21:25]

John Koeppen

[Agenda Item E.3.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Final 2020 Preseason Management Schedule and Consider and Annual Management Cycle Amendment Including a Purpose and Need Statement, Workload, and Schedule [[mp3: 11-16-19am1](#) 1:25:06] and [[mp3: 11-16-19am2](#) 0:00:26]

Motion 3 [[mp3: 11-16-19am2](#) 0:18:12]: Council add the adjustment of the 40° 05' boundary line to 40° 10' to the scope of the current work plan associated with the salmon fishery management plant (FMP) amendment presented in Agenda Item E.3, Attachment 2.

Brett Kormos/Bob Dooley (Motion 3 carried unanimously)

Motion 4 [[mp3: 11-16-19am2](#) 0:28:11]: Motion to reconsider action on Motion 3.

Chris Kern/Marc Gorelnik (Motion 4 carried unanimously)

Motion 3

Amendment 1 [[mp3: 11-16-19am2](#) 0:31:23]: Add the following language: The Council move forward with the salmon FMP amendment as presented in Agenda Item E.3, Attachment 2 with the addition of the adjustment of the 40° 05' boundary line to 40° 10'.

Marc Gorelnik/Bob Dooley (Amendment 1 carried unanimously)

(Motion 3, as amended, carried unanimously.)

Staff Summary: The Council adopted the tentative [2020 salmon management schedule](#) including the tentative dates and sites for the public hearings, except that the California hearing will be held in Eureka, California.

The Council also decided to begin the process for amending the salmon fishery management plan (FMP) in order to potentially modify the schedule for the annual salmon management cycle. Included in this FMP amendment process will be additional changes, including a change in a salmon management boundary line (from Horse Mountain 40° 05' a line at 40° 10'), as well as '[housekeeping items](#)'.

4. [Southern Resident Killer Whale Endangered Species Act Consultation Update and Risk Assessment](#) – Robin Ehlke [[mp3: 11-16-19am2](#) 0:34:08]

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-16-19am2](#) 0:42:44]

[Agenda Item E.4.a, SRKW Workgroup Report 1](#)

[Agenda Item E.4.a, Supplemental SRKW Workgroup Report 2](#): Draft Risk Assessment (*Electronic Only*)

[Agenda Item E.4.a, Supplemental SRKW WG Presentation 1](#): Update on Draft Salmon Fishery Risk Assessment (*Jording*)

[Agenda Item E.4.a, Supplemental SSC Report 1](#)

[Agenda Item E.4.a, Supplemental SAS Report 1](#)

b. Public Comment [[mp3: 11-16-19am2 1:00:13](#)]

Noah Oppenheim, PCFFA

Ben Enticknap, Oceana presented [Agenda Item E.4.b, Supplemental Public Presentation 1 \(Enticknap\)](#)

Verner Wilson, Friends of the Earth US

Sarah Chang

Rachel DeWitt

Kevin Huang

Alison Rowe

[Agenda Item E.4.b, Public Comments](#) *(If received, Electronic Only)*

c. Council Action: Review Updated Risk Assessment and Provide Final Recommendations, as Appropriate [[mp3: 11-16-19am2 1:29:39](#)]

Motion: None

Staff Summary: None

F. Pacific Halibut Management

1. [2020 Catch Sharing Plan and Annual Regulations - Final Action](#) – Robin Ehlke [[mp3: 11-16-19pm1 0:00:19](#)]

[Agenda Item F.1, Attachment 1](#): 2019 Pacific Halibut Catch Sharing Plan for Area 2A

[Agenda Item F.1, Attachment 2](#): Visual Representation of the 2019 Pacific Halibut Catch Sharing Plan for Area 2A

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-16-19pm1 0:06:51](#)]

[Agenda Item F.1.a, NMFS Report 1](#): Report on the 2019 Pacific Halibut Fisheries in Area 2A

[Agenda Item F.1.a, Supplemental NMFS Report 2](#)

[Agenda Item F.1.a, ODFW Report 1](#): Proposed Changes to the Pacific Halibut Catch Sharing Plan for the 2020 fishery

[Agenda Item F.1.a, Supplemental IPHC Report 1](#): Fishery Limits (Sect. 4)

[Agenda Item F.1.a, Supplemental IPHC Report 2](#): minor amendments

[Agenda Item F.1.a, Supplemental REVISED WDFW Report 1](#)

[Agenda Item F.1.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 11-16-19pm1 0:20:19](#)]

Julie Barrios

Butch Smith

[Agenda Item F.1.b, Public Comments](#) *(If received, Electronic Only)*

c. Council Action: Adopt Final Changes for the 2020 Pacific Halibut Catch Sharing Plan and Annual Fishery Regulations [[mp3: 11-16-19pm1 0:24:11](#)]

Motion 5 [[mp3: 11-16-19pm1 0:25:08](#)]: Council adopt the changes to the 2020 halibut catch sharing plan (CSP) as described in Agenda Item F.1.a, REVISED Supplemental WDFW Report 1.

Michele Culver/Rich Lincoln (Motion 5 carried unanimously)

Motion 6 [[mp3: 11-16-19pm1 0:31:13](#)]: Council adopt the changes to the halibut CSP for 2020 proposed in F.1.a, ODFW Report 1, November 2019, and described below, except do not include the option to allow all-depth halibut fishing and longleader groundfish fishing on the same trip. The adopted changes would include:

- The Southern Oregon Subarea allocation is 3.91 percent of the Oregon sport allocation up to a maximum of 8,000 pounds. Any poundage over that will be allocated to the Columbia River Subarea
- If the Central Coast Nearshore fishery allocation is 25,000 pounds or greater, the season will open May 1; if the allocation is less than 25,000 pounds the season will open June 1
- If the allocation projected to remain in the Central Coast spring all-depth fishery after its conclusion plus the summer all-depth allocation totals 60,000 pounds or more after the spring all-depth season concludes, Thursday may be added to the Central Coast summer all-depth season open days
- In the Central Coast spring all-depth fishery, back-up days are every other Thursday, Friday, and Saturday (status quo)

Maggie Sommer/Christa Svensson (Motion 6 carried unanimously)

Staff Summary: The Council adopted final changes to the 2020 Catch Sharing Plan and annual fishing regulations consistent with the recommendations provided by [Washington Department of Fish and Wildlife](#) and [Oregon Department of Fish and Wildlife](#), excluding the recommendation for use of longleader gear.

2. **Commercial Directed Fishery Regulations for 2020** – Robin Ehlke [[mp3: 11-16-19pm1 0:38:18](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-16-19pm1 0:42:26](#)]

[Agenda Item F.2.a, ODFW Report 1](#): ODFW Report on the Directed Commercial Pacific Halibut Fishery Regulations for 2020

[Agenda Item F.2, Supplemental IPHC Report 1](#)

[Agenda Item F.2.a, Supplemental GAP Report 1](#)

[Agenda Item F.2.a, Supplemental EC Report 1](#)

b. **Public Comment** [[mp3: 11-16-19pm1 1:21:59](#)]

Jeff Miles

Jerry Reinholdt

[Agenda Item F.2.b, Public Comments](#) (*If received, Electronic Only*)

- c. **Council Action: Adopt Final Recommendations for the 2020 Season Structure of the Area 2A Non-Indian Commercial Directed Pacific Halibut Fishery for the International Pacific Halibut Commission Consideration** [[mp3: 11-16-19pm1 1:36:41](#)] and [[mp3: 11-16-19pm2 0:00:11](#)]

Motion 7 [[mp3: 11-16-19pm2 0:00:49](#)]: Council recommend to the International Pacific Halibut Commission (IPHC) a 3-day fishing period (0800 Day 1 to 1800 Day 3), beginning the fourth Monday in June, for the Area 2A non-tribal commercial directed halibut fishery in 2020. Maggie Sommer/Brad Pettinger (Motion 7 carried unanimously)

Staff Summary: The Council adopted a final recommendation for a season consisting of a 3-day fishing period to begin at 0800 on day 1 and conclude at 1800 on day 3. The season would begin on the fourth Monday in June 2020, and subsequent periods would be scheduled as necessary to achieve the allowable catch level. This recommendation will be forwarded to the IPHC for consideration.

3. **Commercial Directed Fishery Transition Planning** – Robin Ehlke [[mp3: 11-16-19pm2 0:27:56](#)]

- a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-16-19pm2 0:31:11](#)]

[Agenda Item F.3.a, IPHC Report 1](#): Letter from IPHC Executive Director Wilson to PFMC Chair Anderson

[Agenda Item F.3.a, NMFS Report 1](#): Process and Workload for Halibut Management Transition

[Agenda Item F.3.a, Supplemental GMT Report 1](#)

[Agenda Item F.3.a, Supplemental GAP Report 1](#)

[Agenda Item F.3.a, Supplemental EC Report 1](#)

- b. **Public Comment**

[Agenda Item F.3.b, Public Comments](#) (*If received, Electronic Only*)

- c. **Council Action: Scope Transition of Management of the Commercial Directed Fishery and Discuss the Associated Workload and Schedule** [[mp3: 11-16-19pm2 1:15:47](#)]

Motion: None

Staff Summary: None

G. Habitat

1. **Current Habitat Issues** – Jennifer Gilden [[mp3: 11-16-19pm3 0:00:16](#)]

[Agenda Item G.1, Attachment 1](#): Final Letter to the U.S. Forest Service and Bureau of Land Management

- a. **Report of the Habitat Committee** – Correigh Greene [[mp3: 11-16-19pm3 0:02:36](#)]

b. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-16-19pm3 0:27:28](#)]

[Agenda Item G.1.b, Supplemental SAS Report 1](#)

[Agenda Item G.1.b, Supplemental GAP Report 1](#)

[Agenda Item G.1.b, Supplemental CPSAS Report 1](#)

c. Public Comment

Casey Baldwin, Colville Tribes

[Agenda Item G.1.c, Public Comments](#) (*If received, Electronic Only*)

d. Council Action: Consider Habitat Committee Report and Recommendations [[mp3: 11-16-19pm3 0:48:26](#)]

Motion: None

Staff Summary: The Council directed staff to work with the Habitat Committee and California Department of Fish and Wildlife on a letter to National Marine Fisheries Service Assistant Administrator Chris Oliver and West Coast Regional Manager Barry Thom, as well as the Mid-Pacific Regional Director Ernest Conant of the Bureau of Reclamation, highlighting concerns about the Central Valley Project/State Water Project Biological Opinion and the impacts of the project on essential fish habitat and Council-managed and constraining species. In order to raise concerns prior to the implementation of this Biological Opinion, the Council tasked Council staff with developing the letter before the end of 2019.

The Council also directed staff to work with the Habitat Committee and Oregon Department of Fish and Wildlife on a letter to the Federal Energy Regulatory Commission regarding the Jordan Cove liquefied natural gas project Final Environmental Impact Statement. The letter, which is due December 15, will draw from previous Council letters to the Federal Energy Regulatory Commission, the US Forest Service and Bureau of Land Management, and including safety concerns referenced by the Salmon Advisory Subpanel and the Groundfish Advisory Subpanel.

H. Groundfish Management

1. [National Marine Fisheries Service Report](#) – Todd Phillips [[mp3: 11-17-19am1 0:01:21](#)]

a. Regulatory Activities – Aja Szumylo [[mp3: 11-17-19am1 0:02:57](#)]

[Agenda Item H.1.a, NMFS Report 1](#): Groundfish and Halibut *Federal Register* Notices

[Agenda Item H.1.a, Supplemental NMFS Report 2](#): Groundfish Rulemakings and Other Activities

b. Fishery Science Center Activities – Jim Hastie [[mp3: 11-17-19am1 0:10:02](#)]

[Agenda Item H.1.b, NMFS NWFSC Supplemental **REVISED** Report 1](#): Title Page: Observed and Estimated Total Bycatch of Salmon in the 2002-2018 U.S. West Coast Fisheries

[Agenda Item H.1.b, NMFS NWFSC Report 1](#): Observed and Estimated Total Bycatch of Salmon in the 2002-2018 U.S. West Coast Fisheries (*Excel File, Electronic Only*)

[Agenda Item H.1.b, Supplemental NMFS NWFSC Presentation 1](#) (*Jim Hastie*)

c. Reports and Comments of Management Entities and Advisory Bodies

d. **Public Comment** [[mp3: 11-17-19am1 0:14:47](#)]

Heather Mann, Midwater Trawlers Cooperative

[Agenda Item H.1.d, Public Comments](#) (*If received, Electronic Only*)

e. **Council Discussion** [[mp3: 11-17-19am1 0:24:08](#)]

Motion: None

Staff Summary: None

2. **Workload and New Management Measure Update** – Todd Phillips [[mp3: 11-17-19am1 0:37:37](#)]

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-17-19am1 0:41:27](#)]

[Agenda Item H.2.a, GMT Report 1](#)

b. **Public Comment** [[mp3: 11-17-19am1 0:42:18](#)]

Heather Mann, Midwater Trawlers Cooperative

[Agenda Item H.2.b, Public Comments](#) (*If received, Electronic Only*)

c. **Council Action: Review the List of Proposed Projects, Fishery Management Plan Amendments, and New Management Measures; Consider Overall Workload and Provide Guidance on Schedules** [[mp3: 11-17-19am1 0:44:41](#)]

Motion: None

Staff Summary: The Council received a brief [report](#) from the Groundfish Management Team regarding their workload and the groundfish management measures list. No new management measures were added to the existing list for Council consideration. The Council will take this agenda item up in April to review and revise the existing list and potentially prioritize groundfish workload for 2020.

3. **Electronic Monitoring Program Guidelines and Manual Review** – Brett Wiedoff [[mp3: 11-17-19am2 0:00:12](#)]

[Agenda Item H.3, Supplemental Attachment 1](#): West Coast EM Program workload and timeline table

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-17-19am2 0:06:06](#)]

[Agenda Item H.3.a, NMFS Report 1](#): Draft EM Program Service Plan Guidelines

[Agenda Item H.3.a, NMFS Report 2](#): Draft EM Program Vessel Monitoring Plan Guidelines

[Agenda Item H.3.a, NMFS Report 3](#): Draft EM Program Manual

[Agenda Item H.3.a, NMFS Report 4](#): Implementation of the Pacific Coast Groundfish Electronic Monitoring Program

[Agenda Item H.3.a, Supplemental NMFS Report 5](#): Electronic Monitoring Q & A

[Agenda Item H.3.a, Supplemental NMFS Report 6](#): Electronic Monitoring Cost Estimates

[Agenda Item H.3.a, Supplemental NMFS Presentation 1](#) (*J. Kavanaugh*)

[Agenda Item H.3.a, PSMFC Report 1](#): Logbook Auditing for EM – Bottom Trawl and Pot Fisheries

[Agenda Item H.3.a, Supplemental GEMPAC/TAC Report 1](#)

[Agenda Item H.3.a, Supplemental GEMPAC/TAC Report 2](#): Draft EM Service Plan Guidelines (**Electronic Only**)

[Agenda Item H.3.a, Supplemental GEMPAC/TAC Report 3](#): Draft Vessel Monitoring Plan Guidelines (**Electronic Only**)

[Agenda Item H.3.a, Supplemental GEMPAC/TAC Report 4](#): Draft EM Program Manual (**Electronic Only**)

[Agenda Item H.3.a, Supplemental GMT Report 1](#)

[Agenda Item H.3.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 11-17-19am2 1:32:10](#)]

Paul Kujala

Dayna Matthews, Environmental Defense Fund

Laura Gibson, Scripps Institute of Oceanography

Heather Mann, Midwater Trawlers Cooperative

Kendall Chancellor, Scripps Institute of Oceanography

Shems Jud, Environmental Defense Fund

Brent Paine, United Catcher Boats

[Agenda Item H.3.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Final Recommendations on Revised Guidelines and Draft Program Manual; and Provide Guidance on Program Implementation [[mp3: 11-17-19am3 0:00:06](#)]; [[mp3: 11-17-19pm1 0:00:10](#)] and [[mp3: 11-17-19pm2 0:02:34](#)]

Motion 8 [[mp3: 11-17-19pm1 0:41:11](#)]: Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an electronic monitoring (EM) program that effectively meets our goals and objectives relative to catch accounting and cost-effectiveness for the groundfish industry,
2. Recognizes that, while NMFS can unilaterally move forward with finalizing its guidelines and program manual absent guidance and recommendation from the Council, given the importance of this program and our collective desire for it to be successful, we would urge NMFS not to do that, and
3. Proposes a revised exempted fishing permit (EFP) for 2021, administered by Pacific States Marine Fisheries Commission (PSMFC), that includes:
 - a. An industry-funded program,
 - b. Video review to inform an appropriate level of review of steam time,
 - c. Vessel-specific video review to inform options for applying halibut discard mortality rates to non-reviewed trips, and
 - d. A coordinated effort to include NMFS staff in PSMFC video review de-briefs.

Michele Culver/Rich Lincoln (Motion 8 withdrawn with consent of the second)

Motion 9 [[mp3: 11-17-19pm2 0:02:47](#)]: Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an EM program that effectively meets our goals

and objectives relative to catch accounting and cost-effectiveness for the groundfish industry, and

2. Recognizes that, while NMFS can unilaterally move forward with finalizing its guidelines and program manual absent guidance and recommendation from the Council, given the importance of this program and our collective desire for it to be successful, we would urge NMFS to delay implementation of the EM regulations until 2022.
3. Includes the concerns expressed by the Council of needing more information to assess items, such as:
 - a. Video review to inform an appropriate level of review of steam time, and
 - b. Vessel-specific video review to inform options for applying halibut discard mortality rates to non-reviewed trips.

Michele Culver/Rich Lincoln (Motion 9 carried, Mr. Wulff abstained)

Staff Summary: The Council reviewed, but did not finalize, their recommendations on the revised EM Program Guidelines and the Draft EM Manual. Instead, the Council will send a letter to NMFS stating they would like to delay implementation of the EM regulations until 2022 and will consider an extension of the EM Exempted Fishing Permit at the March meeting. The Council requested more information regarding the appropriate level of video review for vessel steam time (nonfishing activity). In addition, an analysis is needed to understand the effect of applying vessel-specific halibut discard mortality estimates to non-reviewed trips as noted in [Supplemental GEMPAC/TAC Report 4](#). Finally, the Council remains concerned about the cost effectiveness of the program and would like the industry to continue to work with NMFS and Pacific States Marine Fisheries Commission to examine ways to develop a mechanism for industry to fund a portion of the EM Program.

4. [2020 Harvest Specifications for Cowcod and Shortbelly Rockfish Final Action](#) – John DeVore [[mp3: 11-17-19pm2 0:24:14](#)]

[Agenda Item H.4, Supplemental REVISED Attachment 1](#): Draft Regulatory Impact Review/Initial Regulatory Flexibility Analysis for a Proposed Regulatory Amendment under the Pacific Coast Groundfish Fishery Management Plan

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-17-19pm2 0:30:31](#)]

[Agenda Item H.4.a, Supplemental NMFS and Council Staff Report 1](#)

[Agenda Item H.4.a, Supplemental GMT Report 1](#)

[Agenda Item H.4.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 11-17-19pm2 0:52:20](#)]

Geoff Shester, Oceana

Brent Paine, United Catcher Boats and Sarah Nayani, Arctic Storm

Heather Mann, Midwater Trawlers Cooperative

[Agenda Item H.4.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Final Preferred Alternatives for 2020 Harvest Specifications for Cowcod and Shortbelly Rockfish [[mp3: 11-17-19pm2 1:33:54](#)]

Motion 10 [[mp3: 11-17-19pm2 1:38:45](#)]: Council adopt the preliminary preferred alternatives for the 2020 ACLs for shortbelly rockfish (3,000 mt) and cowcod (10 mt, research set-aside = 1 mt) as final.

Maggie Sommer/Bob Dooley (Motion 10 carried unanimously)

Staff Summary: The Council adopted final preferred alternatives for 2020 harvest specifications for cowcod south of 40° 10' N. lat. and shortbelly rockfish to mitigate against premature closures of affected fisheries next year. The Council action for cowcod south of 40° 10' N. lat. recommends removal of the 2020 annual catch target of 6 mt, coupled with a reduction of the research set-aside to 1 mt, to determine an annual vessel limit of 1,264 pounds for affected participants in the limited entry trawl fishery south of 40° 10' N. lat. The Council action for shortbelly rockfish recommends increasing the 2020 annual catch limit to 3,000 mt to reduce the risk of closing midwater trawl fisheries north of 40° 10' N. lat. The final rule for these actions is anticipated to be implemented prior to the start of Pacific whiting fisheries in mid-May next year.

5. [Preliminary Exempted Fishing Permit Approval for 2021-2022](#) – Jim Seger [[mp3: 11-17-19pm3 0:01:31](#)]

[Agenda Item H.5, Supplemental Staff Presentation 1](#): Agenda Item Council Decisions Overview (*Seger*)

[Agenda Item H.5, Attachment 1](#): Council Operating Procedure 19, Protocol for Consideration of Exempted Fishing Permits for Groundfish Fisheries (***Electronic Only***)

[Agenda Item H.5, Attachment 2](#): Year-Round Coastwide Midwater Rockfish EFP: Monitoring and Minimizing Salmon Bycatch When Targeting Rockfish in the Shorebased IFQ Fishery, 2021-2022 (*West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund*)

[Agenda Item H.5, Attachment 3](#): California Department of Fish and Wildlife; 2021-2022 Exempted Fishing Permit Application (*California Department of Fish and Wildlife*)

[Agenda Item H.5, Attachment 4](#): Cowcod (*Sebastes levis*) Fishing off Southern California Coast (*Coastal Conservation Association California (CCA CAL) Okuma Fishing Tackle Corp*)

[Agenda Item H.5, Attachment 5](#): Yellowtail Rockfish Jig Fishing off California (*San Francisco Community Fishing Association and Dan Platt*)

[Agenda Item H.5, Supplemental **REVISED** Attachment 6](#): Kosta Oregon Experimental Fishing Permit Proposal (*Captain David Kosta*)

[Agenda Item H.5, Attachment 7](#): Commercial Midwater Hook & Line Rockfish Fishing in the RCA off the Oregon Coast (*Scott Cook*)

[Agenda Item H.5, Attachment 8](#): Proposal for an Exempted Fishery Permit Washington Department of Fish and Wildlife Enhanced Yellowtail Recreational Fishery Biological Sampling (*WDFW*)

[Agenda Item H.5, Attachment 9](#): Interim Report Exempted Fishing Permit Testing Jig Fishing Gear Targeting Yellowtail Rockfish For 2019/2010 Groundfish Fisheries

[Agenda Item H.5, Attachment 10](#): E-Mail from Scott Cook, Dated October 9, 2019 Providing Yellowtail EFP Interim Report 2019

[Agenda Item H.5, Supplemental Attachment 11](#): Monterey Bay Regional Chilipepper Rockfish Preliminary EFP Report

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 11-17-19pm3 0:10:08](#)]

[Agenda Item H.5.a, WDFW Report 1](#): Washington Department of Fish and Wildlife Report on Exempted Fishing Permit For Yelloweye Rockfish

[Agenda Item H.5.a, Supplemental GMT Report 1](#)

[Agenda Item H.5.a, Supplemental EC Report 1](#)

[Agenda Item H.5.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 11-17-19pm3 0:33:28](#)]

Lori Steele, West Coast Seafood Processors Association presented [Agenda Item H.5.b, Supplemental Public Presentation 1](#): EFP Summary Slides (*L. Steele*)

Doug Lasko Okuma Fishing Tackle Corp and Wayne Kotow, Coastal Conservation Association California

Daniel Platt, Barbara Emley, and Dave Kirk

Heather Mann, Midwater Trawlers Cooperative

Melissa Mahoney, Environmental Defense Fund and Dave Toriumi

[Agenda Item H.5.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Preliminary Exempted Fishing Permits and Proposed Set-Asides for Public Review [[mp3: 11-17-19pm3 1:24:27](#)]

Motion 11 [[mp3: 11-17-19pm3 1:26:06](#)]: Council:

1. Move the following EFP applications forward for public review, as modified per the specific guidance specified in Supplemental GMT Report 1 and taking into account the comments of the Enforcement Consultants (EC) in Supplemental EC Report 1 (note that all references refer to reports under Agenda Item H.5):
 - *Attachment 2: Year-Round Coastwide Midwater Rockfish EFP – West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund*
 - *Attachment 3: Recreational Cowcod Sampling in California - California Department of Fish and Wildlife*
 - *Attachment 4: Recreational Cowcod Retention in California – Coastal Conservation Association of California and Okuma Fishing Tackle Corp.*
 - *Attachment 5: Midwater Jig Fishing in California - San Francisco Community Fishing Association and Dan Platt*
 - *Attachment 7: Midwater Hook and Line Rockfish Fishing in Oregon - Scott Cook*
 - *Attachment 8: Recreational Yelloweye Sampling in Washington -Washington Department of Fish and Wildlife*
 - *Supplemental Public Comment; Melissa Mahoney, EDF (PFMC e-portal; 11/15/2019): Monterey Bay Regional Chilipepper Rockfish*
2. Adopt the yield set-asides listed in Table 2 for the EFP applications just listed and the preliminary total allowance of 100 Chinook salmon for all the non-trawl EFPs, as recommended by the GMT in Supplemental GMT Report 1.

Corey Niles/Rich Lincoln

Amendment 1 [[mp3: 11-17-19pm3 1:34:36](#)]: Strike “taking into account the comments” and replace with “consistent with the guidance”.

Marci Yaremko/Louis Zimm (Amendment 1 carried unanimously)

(Motion 11, as amended, carried unanimously)

Motion 12 [[mp3: 11-17-19pm3 1:46:42](#)]: Council approve the Electronic Monitoring EFP proposed in public testimony under this agenda item for further development by the applicants and public review as part of the normal biennial cycle for groundfish EFPs.
Maggie Sommer/Brad Pettinger (Motion 12 carried, Ms. Szumylo abstained)

Staff Summary: The Council decided to move seven EFPs forward for public review and adopted the set-asides for those EFPs recommended in Table 2 of the [Groundfish Management Team \(GMT\) report](#). EFPs by the following proponents were moved forward: [West Coast Seafood Processors Association](#), [Oregon Trawl Commission](#), [Midwater Trawlers Cooperative](#), and [Environmental Defense Fund](#); [California Department of Fish and Wildlife](#); [Coastal Conservation Association California Okuma Fishing Tackle Corp](#); [San Francisco Community Fishing Association & Dan Platt](#); [Scott Cook](#); [Washington Department of Fish and Wildlife](#); and [Real Good Fish and Environmental Defense Fund](#). The Council recommended that the EFPs be modified per the specific guidance in the GMT report and taking into account the recommendations of the [Enforcement Consultants](#) report. At its March meeting, the Council will consider including the trawl sector electronic monitoring EFPs and will also check in on the development of other EFPs, as needed.

6. [Harvest Specifications for 2021-2022 Including Final Overfishing Limits and Acceptable Biological Catches](#) – John DeVore/Todd Phillips [[mp3: 11-18-19am1 0:01:52](#)]

[Agenda Item H.6, Attachment 1](#): 2021 and 2022 Groundfish Harvest Specifications under Default Harvest Control Rules

[Agenda Item H.6, Attachment 2](#): Additional Projections of Harvest Specifications for West Coast Groundfish Stocks in 2021 and Beyond

a. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 11-18-19am1 0:11:53](#)]

[Agenda Item H.6.a, Supplemental SSC Report 1](#) - [[mp3: 11-17-19pm3 1:53:30](#)]

[Agenda Item H.6.a, GMT Report 1](#): Groundfish Management Team Report on Proposed Short-term Improvements to Sablefish ACL Apportionment Methods

[Agenda Item H.6.a, GMT Report 2](#): Groundfish Management Team Report on Biennial Harvest Specifications for 2021-2022 Including Final Overfishing Limits and Acceptable Biological Catches

[Agenda Item H.6.a, Supplemental GMT Report 3](#): Adoption of a Method to Apportion the Coastwide Sablefish ABC to ACLs for North and South of 36° N. lat.

[Agenda Item H.6.a, Supplemental GMT Presentation 1](#): GMT recommendations for 2021-22 harvest specifications

[Agenda Item H.6.a, Supplemental GAP Report 1](#)

b. [Public Comment](#) [[mp3: 11-18-19am1 0:58:13](#)]

Geoff Shester, Oceana

[Agenda Item H.6.b, Public Comments](#) (*If received, Electronic Only*)

- c. **Council Action: Adopt Final 2021-2022 Overfishing Limits, Final P*/Acceptable Biological Catches, and Preliminary Preferred Annual Catch Limits for Stocks and Stock Complexes** [[mp3: 11-18-19am1 1:00:23](#)] and [[mp3: 11-18-19am2 0:00:06](#)]

Motion 13 [[mp3: 11-18-19am2 0:00:52](#)]: Council adopt the SSC-endorsed 2021-2022 groundfish overfishing limits (OFLs) and acceptable biological catch (ABCs) presented in H.6 Attachment 1 as final; except for cowcod, Oregon black rockfish, petrale sole, and sablefish, adopt the SSC-endorsed OFLs and ABCs in H.6 Attachment 2 that are associated with the alternatives below.

Adopt preliminary preferred ACLs that result from default harvest control rules (HCRs) as presented in H.6 Attachments 1 and 2, except adopt the following alternative preliminary preferred ACLs:

- a. Cowcod: $ACL = ABC (P^* 0.4)$
- b. Oregon black rockfish: $ACL = ABC = 512 \text{ mt}$ in 2021 and 2022
- c. Petrale sole: $ACL = ABC (P^* 0.4)$
- d. Sablefish: $ABC (P^* 0.45)$, new 5-year average apportionment method
- e. Shortbelly rockfish: $ACL = 3,000 \text{ mt}$ in 2021 and 2022

Maggie Sommer/Brad Pettinger

Amendment 1 [[mp3: 11-18-19am2 0:11:37](#)]: Add “for this biennium only” under the Sablefish ABC.

Marci Yaremko/Louis Zimm (Amendment 1 carried unanimously)

Amendment 2 [[mp3: 11-18-19am2 0:34:37](#)]: Strike “new 5-year average apportionment method for this biennium only” and replace with “the long term average apportionment method.”

Michele Culver/Rich Lincoln (Amendment 2 failed; Ms. Culver, Mr. Anderson, Mr. Lincoln, Mr. Zimm, and Ms. Yaremko voted yes)

(Motion 13, as amended, carried – Mr. Anderson and Ms. Culver voted no)

Staff Summary: The Council adopted final 2020 and 2021 harvest specifications for all stocks and stock complexes under [default harvest control rules](#) except for cowcod south of 40° 10' N. lat., Oregon black rockfish, petrale sole, sablefish, and shortbelly rockfish. [Alternative harvest specifications](#) are considered for these stocks. Preliminary preferred alternatives for these stocks were identified as follows:

- Cowcod south of 40° 10' 0" N. lat.: $ACL = ABC (P^* = 0.4)$
- Oregon black rockfish: $ACL = ABC = 512 \text{ mt}$ in 2021 and 2022
- Petrale sole: $ACL = ABC (P^* = 0.4)$
- Sablefish: $ABC (P^* = 0.45)$ with options for the 5-year average and long-term apportionment methods for determining area-specific ACLs as described by the [GMT](#)
- Shortbelly rockfish: $ACL = 3,000 \text{ mt}$ in 2021 and 2022

The impacts associated with these alternatives will be analyzed to inform final decisions on 2021 and 2022 harvest specifications in April 2020.

7. **[Gear Switching and Sablefish Area Management Update](#)** – Jim Seger [**[mp3: 11-18-19pm1 0:22:28](#)**]

[Agenda Item H.7, Supplemental Staff Presentation 1: SaMTAAC Agenda Item Overview \(Seger\)](#)

a. **Reports and Comments of Management Entities and Advisory Bodies** [**[mp3: 11-18-19pm1 0:30:52](#)**]

[Agenda Item H.7.a, SaMTAAC Report 1](#)

b. **Public Comment** [**[mp3: 11-18-19pm1 0:37:29](#)**]

Barry Cohen

John Corbin

Bob Alverson, Fishing Vessel Owners Association

Paul Kujala

[Agenda Item H.7.c, Public Comments](#) (*If received, Electronic Only*)

c. **Council Action: Review Progress and Provide Guidance on Alternatives, Future Analyses and Schedule, as Needed** [**[mp3: 11-18-19pm1 1:03:11](#)**]

Motion: None

Staff Summary: The Council provided general guidance relative to the purpose and need statement developed by the Sablefish Management and Trawl Allocation Attainment Committee and requested that the analysis include a focus on the four potential causes of under-attainment of the northern trawl allocations that are identified in the purpose and need statement. At its June 2020, the Council will consider whether to move this issue forward by adopting a range of alternatives for analysis.

8. **[Biennial Management Measures for 2021-2022](#)** – Todd Phillips/John DeVore [**[mp3: 11-18-19pm2 0:00:25](#)**]

[Agenda Item H.8, Attachment 1: Action Item Checklist](#)

a. **Reports and Comments of Management Entities and Advisory Bodies** [**[mp3: 11-18-19pm2 0:06:05](#)**]

[Agenda Item H.8.a, Supplemental Tribal Report 1: Makah](#)

[Agenda Item H.8.a, Supplemental Tribal Report 2: Quinault](#)

[Agenda Item H.8.a, Supplemental **REVISED** Tribal Report 3: Preliminary Tribal Management Measures for 2021-2022 Groundfish Fisheries](#)

[Agenda Item H.8.a, Supplemental CDFW Report 1](#)

[Agenda Item H.8.a, Supplemental CDFW Report 2](#)

[Agenda Item H.8.a, Supplemental WDFW Report 1](#)

[Agenda Item H.8.a, Supplemental GMT Presentation 1: Action Item #3 Off-the-Top Deductions \(Mattes\)](#)

[Agenda Item H.8.a, Supplemental GMT Presentation 2: RCAs, Allocations, and Harvest Guidelines \(Mirick\)](#)

[Agenda Item H.8.a, Supplemental GMT Report 1: Action Item # 3: Off-the-top Deductions](#)

[Agenda Item H.8.a, Supplemental GMT Report 2: Management Measures 1, 2, and 4 through 10 from the Action Item Checklist](#)

[Agenda Item H.8.a, Supplemental GMT Report 3](#): Management Measure Items 11 through 21 from the Action Item Checklist

[Agenda Item H.8.a, Supplemental GAP Report 1](#)

b. Public Comment [[mp3: 11-18-19pm2 1:49:45](#)]

Daniel Platt

Geoff Shester, Oceana

Dan Waldeck, Pacific Whiting Conservation Cooperative

[Agenda Item H.8.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Preliminary Two-Year Allocations and a Range of Alternative Management Measures for Detailed Analysis [[mp3: 11-19-19am1 0:02:42](#)]

Motion 15 [[mp3: 11-19-19am1 0:03:20](#)]: Council adopt the following Rockfish Conservation Area (RCA) Coordinate Updates, Allocations, and Harvest Guideline alternatives for analysis, working from the Action Item Checklist in Agenda Item H.8, Supplemental GMT Report 2:

Item 2 – Revisions/Updates to RCA coordinates in California, as identified in H.8.a, Supplemental GAP Report 1, Supplemental GMT Report 2, and Supplemental CDFW Report 1.

Item 3 – Off-the-top deductions for groundfish mortality in tribal fisheries, research activities, non-groundfish fisheries, incidental open access fisheries, and exempted fishing permits, as described in H.8.a, Supplemental GMT Report 1, except for cowcod. For this species, include an off-the-top deduction of 10 mt for research activities, as described in H.8.a, Supplemental CDFW Report 2. Also include the GAPs recommendation from Agenda Item H.8.a, Supplemental GAP Report 1, to consider median or average catch for darkblotched, recognizing the anomalously high bycatch in the pink shrimp fishery in 2014.

Item 4 – For Cowcod south of 40° 10' N. lat., analyze a single ACT, set below the fishery harvest guideline, from within the range of 40 - 60 mt.

Item 5 – Blackgill rockfish and the southern slope complex: The five tasks identified by the GMT to keep blackgill in the complex rather than to shift blackgill rockfish into the non-trawl sector.

Item 6 – Preliminary 2-year trawl/non-trawl allocations for bocaccio south of 40° 10'; cowcod south of 40° 10'; canary rockfish, yelloweye rockfish, big skate, longnose skate, and minor shelf rockfish north and south of 40° 10' N. lat.: Status quo allocations, except for canary rockfish, move the GMT Option 3; and add a value of 20 mt to be shared by the at-sea sectors for analysis under GMT Option 3, as recommended in Agenda Item H.8.a, Supplemental GAP Report 1, November 2019.

Item 7 – Amendment 21 Trawl/Non-Trawl Allocations:

For slope rockfish south of 40° 10', Remove this complex from the Amendment 21 allocation scheme and determine trawl/non-trawl allocations biennially.

For 2021-2022, evaluate allocations of 526.3 and 523.9 mt for trawl, and 143.7 mt and 142.2 mt for non-trawl.

For Lingcod south of 40° 10', evaluate Option 1 and Option 2 (alternatives to the Amendment 21 allocations).

Marci Yaremko/Louis Zimm (Motion 15 carried unanimously)

Motion 16 [[mp3: 11-19-19am1 0:25:14](#)]: Council adopt the preliminary tribal set-asides as shown in Agenda Item H.8.a, Revised Supplemental Tribal Report 3, November 2019.

Joe Oatman/Aja Szumylo (Motion 16 carried unanimously)

Motion 17 [[mp3: 11-19-19am1 0:27:17](#)]: Referring to Agenda Item H.8.a, Supplemental GMT Report 2, November 2019, I move the Council adopt for further analysis:

Action Item #7: Additional alternatives to remove the Amendment 21 trawl/non-trawl allocation for petrale sole and widow rockfish, and analyze non-trawl allocations of 30 metric tons of petrale sole and 300 metric tons of widow rockfish, with the remainder of the ACL for each as the trawl allocation.

For Action Item #9:

- An additional alternative that would create separate mothership (MS) and catcher-processor (CP) set-asides, with options to establish those set-aside amounts based on:
 - o Pro-rata to whiting allocations
 - o Needs-based
 - o Amendment 21 formula
- A sub-option for the GMT-proposed 5-year average catch alternative for establishing at-sea set-asides for stocks with attainment below 90 percent, that would use a multiplier of up to 1.2
- An additional alternative that would create a single canary rockfish at-sea whiting set-aside of 20 mt, as recommended in H.8.a, Supplemental GAP Report 1, November 2019
- An alternative for a single sablefish at-sea set-aside for MS and CP combined of 100 mt

Maggie Sommer/Phil Anderson (Motion 17 carried unanimously)

Motion 18 [[mp3: 11-19-19am1 0:49:48](#)]: Council include in the range of alternatives for analysis Action Item #11 in Agenda Item H.8.a, Supplemental GMT Report 3.

Aja Szumylo/Bob Dooley (Motion 18 carried unanimously)

Motion 19 [[mp3: 11-19-19am1 0:51:57](#)]: Council adopt the alternatives for analysis identified in Item 10 of the Action Item Checklist in Agenda Item H.8.a, Supplemental GMT Report 2:

Preliminary 2-year within non-trawl HGs or shares for:

- Cowcod south of 40° 10' N. lat. – Consider separate shares within the non-trawl sector – evaluate a 50-50 sharing of Commercial Non-Trawl and Recreational
- Bocaccio south of 40° 10' N. lat. – Combined percentages for the non-nearshore and nearshore fisheries for a total of 30.9 percent
- Yelloweye rockfish, southern sablefish south of 36° N. lat., minor nearshore rockfish north of 40° 10' – use No Action proportions
- Blackgill south of 40° 10' N. lat. – harvest guidelines (HG) needed for limited entry (LE)/open access (OA) trip limit modeling

Marci Yaremko/Corey Niles (Motion 19 carried unanimously)

Motion 20 [[mp3: 11-19-19am1 0:57:31](#)]: Council adopt the following 2021-2022 Trawl and Non-Trawl Catch Control Measure Alternatives for analysis, working from the Action Item Checklist in Agenda Item H.8.a, Supplemental GMT Report 3:

Item 12: Shortbelly

- Include a shortbelly rockfish alternative that would close the whiting fishery on attainment of an ACT of 2,000 or 2,500 metric tons

Item 13: Thornyhead

- Options 1 and 2, methods to allow retention of shortspine and longspine thornyhead in the non-trawl commercial fishery from 34° 27' N. lat. to 40° 10' N. lat.
- Daily trip limits of 50 lbs/bimonthly 1,000 lbs for both species in the aggregate; and extend these limits coastwide per GAP recommendation (Agenda Item H.8.a, Supplemental GAP Report 1, November 2019)

Item 14: Salmon Troll

- Analyze a trip limit change for yellowtail rockfish north of 40° 10' N. lat.
- For south of 40° 10' N. lat., analyze the proposal to retain yellowtail rockfish in the non-trawl RCA

Marci Yaremko/Louis Zimm

Amendment 1 [[mp3: 11-19-19am1](#) 1:09:50]: Strike: “Item 12: Shortbelly - Include a shortbelly rockfish alternative that would close the whiting fishery on attainment of an ACT of 2,000 or 2,500 metric tons.

Maggie Sommer/Brad Pettinger (Amendment 1 carried unanimously)
(Motion 20, as amended, carried unanimously)

Motion 21 [[mp3: 11-19-19am1](#) 1:13:43]: Council adopt the following 2021-2022 Season Structure Alternatives for analysis, working from the Action Item Checklist in Agenda Item H.8.a, Supplemental GMT Report 3:

Item 16 – IFQ based on allocations, trip limits for non-IFQ species, etc.:

- An unlimited IFQ Big Skate Limit
- IFQ Blackgill Trip Limits: Inseason monitoring with implementation of an IFQ trip limit of 100 pounds bi-monthly, if necessary

Item 17 – routine adjustments to the Non-Trawl RCA Configuration, trip limits, sizes, etc.

- Analyze requested changes detailed in GMT Report 3, for north and south of 40° 10'
- Modify the GAP recommendation on lingcod OA and LE trip limits, to analyze separate increases for the areas 42° to 40° 10' and north of 42° N. lat. (Agenda Item H.8.a, Supplemental GAP Report 1)

Marci Yaremko/Maggie Sommer (Motion 21 carried unanimously)

Motion 22 [[mp3: 11-19-19am1](#) 1:17:53]: Referring to Agenda Item H.8, Attachment 1 November 2019, I move the Council adopt for further analysis:

- For Action Items #18, #19, and #20, the recreational management measures described in H.8.a, Supplemental GMT Report 3, November 2019; H.8.a, Supplemental CDFW Report 1, September 2019; H.8.a, Supplemental CDFW Report 1, November 2019; and H.8.a, Supplemental WDFW Report 1, November 2019

Maggie Sommer/Brad Pettinger (Motion 22 carried unanimously)

Staff Summary: The Council adopted a range of management measures necessary to implement the 2021-22 harvest specifications as recommended by the Groundfish Management Team (GMT) (in Supplemental Reports [1](#), [2](#) and [3](#)), [Groundfish Advisory Subpanel](#), and the [Tribes](#). Further, the Council also adopted a suite of management measure recommendations from California (in

Supplemental CDFW Reports [1](#) and [2](#)) and [Washington](#) for analysis by the GMT. Additional measures decided for detailed analysis include 1) modifications to existing allocations for lingcod south of 40° 10' N. lat., Slope Rockfish south of 40° 10' N. lat. including blackgill rockfish, and widow rockfish; and 2) allowance of yellowtail rockfish retention in the salmon troll fishery south of 40° 10' N. lat. The Council is scheduled to review progress on the analysis of management measure alternatives at the March 2020 meeting and identify preliminary preferred alternatives at the April meeting.

9. [Endangered Species Act Mitigation Measures for Salmon - Final Action](#) – Todd Phillips [[mp3: 11-20-19am1 0:03:36](#)]

[Agenda Item H.9, Supplemental Staff Presentation 1](#): (Todd Phillips)

[Agenda Item H.9, Attachment 1 \(Revised\)](#): Initial Review Draft, Preliminary Preferred Alternatives Regulatory Impact Review for Proposed Endangered Species Act Salmon Bycatch Mitigation Measures under the Pacific Coast Groundfish Fishery Management Plan

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-20-19am1 0:25:47](#)]

[Agenda Item H.9.a, Supplemental NMFS Report 1](#): Potential regulatory changes

[Agenda Item H.9.a, Supplemental GMT Report 1](#)

[Agenda Item H.9.a, Supplemental GAP Report 1](#)

[Agenda Item H.9.a, Supplemental EC Report 1](#)

b. Public Comment [[mp3: 11-20-19am1 1:20:38](#)]

Kristin McQuaw, Shorebased Whiting Cooperative

Sarah Nayani, Arctic Store Management Group

[Agenda Item H.9.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Adopt Final Preferred Alternatives for Mitigation Measures for Salmon Interactions in the Groundfish Fisheries Pursuant to the 2017 NMFS Biological Opinion [[mp3: 11-20-19am1 1:32:06](#)] and [[mp3: 11-20-19am2 0:01:09](#)]

Motion 28 [[mp3: 11-20-19am2 0:02:07](#)]: Council adopt the following final preferred alternatives for salmon bycatch mitigation measures in groundfish fisheries:

- Block Area Closures (BAC)
 - BACs would be developed as a routine inseason mitigation tool for salmon bycatch in the midwater trawl fisheries in the whiting and non-whiting sectors. (PPA)
- Extension of Block Area Closures for Groundfish Vessels using Midwater Trawl Gear to the Western Boundary of the Exclusive Economic Zone (EEZ) and to the 700 Fathom Curve for Vessels using Bottom Trawl Gear
 - Develop regulations to allow for the extension of any block area closure seaward of 250 fathoms south of 46°16'00" N. latitude (WA/OR border) for all trawl gears to the western boundary of the EEZ (for midwater trawl) or to the 700 fathom EFH Conservation Area closure (for bottom trawl). (PPA)
- Selective Flatfish Trawl Net Requirement (SFFT)
 - SFFT nets would be available for use as a routine inseason mitigation tool to address salmon bycatch in the groundfish bottom trawl fisheries. (PPA)

- Pacific Whiting Cooperative Agreements
 - Develop regulations to allow each whiting sector co-op to develop salmon mitigation plans for approval by NMFS. (PPA; minor revision to reporting language)
 - Include a requirement for annual season summary reporting to the Council and NMFS describing the use of salmon mitigation measures and an evaluation of the effectiveness of these avoidance measures.
- Automatic Authority for NMFS to close Trawl Sectors and Preserve 500 Chinook Salmon for Fixed Gear and Select Recreational Fisheries
 - Develop an automatic action authority that would close all trawl fisheries at 19,500 Chinook, and non-whiting trawl fisheries at 8,500 Chinook
 - Develop an automatic action authority that would close all trawl fisheries at 19,500 Chinook, and non-whiting trawl fisheries at 8,500 Chinook non-whiting trawl fisheries at 9,000 Chinook and whiting trawl fisheries at 14,500 Chinook
- Development of Reserve Access Rule Provision
 - A sector may only access the Reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to it reaching its Chinook salmon bycatch guideline.
 - The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by the at-sea whiting sectors would be satisfied upon approval by NMFS of cooperative salmon mitigation plans in each of those sectors.
 - The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by shoreside whiting cooperative vessels would be satisfied upon approval by NMFS of a shoreside whiting cooperative salmon mitigation plan. Individual vessels are not eligible.
 - If there are vessels participating in the at-sea or shoreside whiting fisheries that are not members of a whiting co-op, then additional actions by the Council or NMFS will be needed to minimize Chinook salmon bycatch (e.g., BACs) prior to allowing access to the reserve by those vessels.
 - Vessels fishing under an approved Salmon Mitigation Plan (SMP) may be exempt from additional salmon mitigation measures.
 - Performance of SMPs will be evaluated via the scorecard and inseason status reporting approach described in Agenda Item H.9.a, Supplemental NMFS Report 1, November 2019, on page 2, bullet 3, sub-bullet 1.
- The Council will have the option of implementing additional mitigation measures (e.g. BAC) even if access to the Reserve was automatically granted through the adoption of the SMP if the SMP measures are not sufficient in mitigating salmon bycatch, as determined upon inseason review at regular Council meetings.

Maggie Sommer/Bob Dooley

Amendment 1 [[mp3: 11-20-19am2 0:18:53](#)]: Strike “and non-whiting trawl fisheries at 8,500 Chinook and replace with “non-whiting trawl fisheries at 9,000 Chinook and whiting trawl fisheries at 14,500 Chinook”.

Marci Yaremko/Louis Zimm (Amendment 1 withdrawn with consent of the second)
(Motion 28 carried unanimously)

Staff Summary: The Council adopted its final preferred alternatives (FPA) from the preliminary preferred alternatives (PPA) –as described in the draft [analytical document](#) – at this meeting. The suite of measures adopted by the Council address the Terms and Conditions of the 2017 National Marine Fisheries Service biological opinion *Reinitiation of Section 7 Consultation Regarding the Pacific Fisheries Management Council’s Groundfish Fishery Management Plan* for which there is a Council-specified role.

The FPA language is paraphrased below.

Block Area Closures would be developed as a routine inseason mitigation tool for midwater trawl fisheries in the whiting and non-whiting sectors.

Extension of Block Area Closures for Groundfish Vessels using Midwater Trawl Gear to the Western Boundary of the Exclusive Economic Zone and to the 700 Fathom Curve for Vessels using Bottom Trawl Gear south of 46° 16’ 00” N. latitude (WA/OR border). Selective Flatfish Trawl Net Requirement would be available for use as a routine inseason mitigation tool in bottom trawl fisheries.

Pacific Whiting Cooperative Agreements would allow each whiting sector co-op to develop salmon mitigation plans to include a requirement for annual season summary reporting to the Council and NMFS describing the use of salmon mitigation measures and an evaluation of the effectiveness of these avoidance measures.

Automatic Authority for NMFS to close Trawl Sectors and Preserve 500 Chinook Salmon for Fixed Gear and Select Recreational Fisheries at 19,500 Chinook and non-whiting trawl fisheries at 8,500 Chinook

Development of Reserve Access Rule Provision

A sector may only access the Reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to it reaching its Chinook salmon bycatch guideline.

- The requirement for the at-sea whiting sectors would be satisfied upon approval by NMFS of cooperative salmon mitigation plans in each of those sectors.
- The requirement for shoreside whiting cooperative vessels would be satisfied upon approval by NMFS of a shoreside whiting cooperative salmon mitigation plan. Individual vessels are not eligible.
- If there are whiting vessels that are not members of a whiting co-op, then additional actions by the Council or NMFS will be needed to minimize Chinook salmon bycatch (e.g., BACs) prior to allowing access to the reserve by those vessels.
- Vessels fishing under an approved Salmon Management Plan (SMP) may be exempt from additional salmon mitigation measures.
- Performance of SMPs will be evaluated via the scorecard and inseason status reporting approach.

The Council will have the option of implementing additional mitigation measures (e.g. BAC) even if access to the Reserve was automatically granted through the adoption of the SMP if the SMP measures are not sufficient in mitigating salmon bycatch, as determined upon inseason review at regular Council meetings.

10. Inseason Adjustments including Whiting Yield Set-Asides for 2020 – Final Action – Todd Phillips [[mp3: 11-20-19am2 0:35:44](#)]

Agenda Item H.10, Attachment 1: Historical Mortality of Pacific Whiting in Research and Pink Shrimp, 2011-2018

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-20-19am2 0:38:06](#)]

Agenda Item H.10.a, Supplemental NMFS Report 1: Update on the 2019 Trawl Gear exempted fishing permit

Agenda Item H.10.a, Supplemental CDFW Report 1

Agenda Item H.10.a, Supplemental GMT Report 1

Agenda Item H.10.b, Supplemental GAP Report 1

b. Public Comment

Agenda Item H.10.b, Public Comments (*If received, Electronic Only*)

c. Council Action: Adopt Final Inseason Adjustments as Necessary to Achieve but Not Exceed Annual Catch Limits and Other Management Objectives, and Adopt Pacific Whiting Yield Set-Asides for 2020 [[mp3: 11-20-19am2 1:32:16](#)]

Motion 29 [[mp3: 11-20-19am2 1:34:02](#)]: Council adopt the 11 recommendations listed on page 15 of Agenda Item H.10.a, Supplemental GMT Report 1.

Corey Niles/Maggie Sommer (Motion 29 carried unanimously)

Staff Summary: The Council considered progress of the groundfish fisheries to date and those routine inseason adjustments needed for the fishery to attain, but not exceed, annual catch limits. The Council adopted the eleven recommendations made by the [GMT](#) for early 2020 fisheries. Additionally, the Council adopted the [yield set-asides](#) to accommodate the incidental mortality of Pacific whiting in 2020 research activities and in the pink shrimp fishery.

I. Administrative Matters

1. Legislative Matters, Including the Modernizing Recreational Fisheries Management Act Report to Congress – Jennifer Gilden [[mp3: 11-18-19am2 0:55:52](#)]

Agenda Item I.1, Supplemental Staff Presentation 1: Report to Congress on Section 201 of the Modernizing Recreational Fisheries Management Act of 2018 (*J. Gilden; part of agenda item overview*)

Agenda Item I.1, Attachment 1: Staff Summary of Federal Legislation

Agenda Item I.1, Attachment 2: Report to Congress on Section 201 of the Modernizing Recreational Fisheries Act

Agenda Item I.1, Attachment 3: Letter to Senator Cantwell on S. 2346

Agenda Item I.1, Attachment 4: Letter to Representative Bishop on HR 1979 and HR 2236

Agenda Item I.1, Supplemental Attachment 5: Chairman Huffman's Magnuson-Stevens Act Reauthorization "Listening Tour" (*Provided by Dave Whaley, Council Consultant*)

Agenda Item I.1, Supplemental Attachment 6: H.R. 4723, the "Salmon Focused Investments in Sustainable Habitats Act of 2019" or "FISH Act of 2019" (*Provided by Dave Whaley, Council Consultant*)

[Agenda Item 1.1, Supplemental Attachment 7](#): Draft Pacific Council Comments to NMFS Report to Congress on Section 201 of the Modernizing Recreational Fisheries Management Act

- a. [Report of the Legislative Committee](#) – Dave Hanson [[mp3: 11-18-19am2 1:04:41](#)]
- b. [Reports and Comments of Management Entities and Advisory Bodies](#) [[mp3: 11-18-19am2 1:09:35](#)]

[Agenda Item I.1.b, Supplemental SSC Report 1](#)

[Agenda Item I.1.b, Supplemental HMSMT Report](#)

- c. **Public Comment**

None

- d. **Council Action: Consider Legislative Committee Report and Recommendations and Provide Comments on the Report to Congress** [[mp3: 11-18-19am2 1:15:13](#)]

Motion 14: [[mp3: 11-18-19am2 1:28:53](#)] Council approve the proposed CCC Working Paper consensus position on forage fish set forth in I.1.b, Supplemental LC Report 1, November 2019.

Marc Gorelnik/Bob Dooley (Motion 14 carried, Ms. Ames abstained)

Staff Summary: The Council directed staff to forward comments on the Modernization Recreational Fisheries Management Act Report to Congress to the National Marine Fisheries Service, and approved the text in the Council Coordination Committee working paper consensus statement on forage fish.

2. [Approve Council Meeting Record](#) – Phil Anderson [[mp3: 11-19-19pm2 0:31:11](#)]

[Agenda Item I.2, Attachment 1](#): Draft Council Meeting Record: 251st Session of the Pacific Fishery Management Council (September 11-18, 2019)

- a. **Council Action: Approve Previous Council Meeting Record** [[mp3: 11-19-19pm2 0:31:21](#)]

Motion 27 [[mp3: 11-19-19pm2 0:31:38](#)]: Council approve the draft September 2019 Council meeting record as shown in Agenda Item I.2, Attachment 1: Draft Council Meeting Record: 251st Session of the Pacific Fishery Management Council.

Pete Hassemer/Marc Gorelnik (Motion 27 carried unanimously)

Staff Summary: None

3. [Fiscal Matters](#) – Patricia Crouse [[mp3: 11-20-19am2 1:45:31](#)]

[Agenda Item I.3, Supplemental Attachment 1](#): Budget Committee Agenda

[Agenda Item I.3, Supplemental Attachment 2](#): Executive Director's Report to the Budget Committee

- a. [Report of the Budget Committee](#) – Pete Hassemer [[mp3: 11-20-19am2 1:46:31](#)]
- b. **Reports and Comments of Management Entities and Advisory Bodies**
- c. **Public Comment**

[Agenda Item I.3.c, Public Comments](#) (If received, Electronic Only)

d. **Council Action: Consider Budget Committee Report and Recommendations**
[mp3: 11-20-19am2 1:51:29]

Motion 31 [mp3: 11-20-19am2 1:51:48]: Council adopt the Budget Committee Recommendations as presented in Agenda Item I.3.a, Supplemental Budget Committee Report.

- Council approve the 2018 audit results.
- Council approve the 2020 No Cost Extension budget of \$2,559,386.
- Recommend a March 2020 BC Meeting, but allow Executive Director the discretion to reconsider.

Virgil Moore/Pete Hassemer (Motion 31 carried unanimously)

Staff Summary: The Council approved the 2020 No-Cost Extension budget, 2018 audit results, and recommended a March 2020 Budget Committee meeting at the discretion of the Executive Director.

4. **[Membership Appointments and Council Operating Procedures](#)** – Mike Burner
[mp3: 11-20-19am2 1:37:04]

[Agenda Item I.4, Supplemental Attachment 1](#): USFWS letter to add designees on the Council

a. **Reports and Comments of Management Entities and Advisory Bodies** **[mp3: 11-20-19am2 1:41:32]**

[Agenda Item I.4.a, Supplemental CPSMT Report 1](#)

b. **Public Comment**

[Agenda Item I.4.b, Public Comments](#) (If received, Electronic Only)

c. **Council Action: Consider Appointments to Council Committees and Advisory Bodies; Adopt Changes to Council Operating Procedures** **[mp3: 11-20-19am2 1:42:40]**

Motion 30 [mp3: 11-20-19am2 1:42:40]: Council appoint Dr. Melissa Haltuch to a vacant at-large position on the Scientific and Statistical Committee.

Ryan Wulff/Virgil Moore (Motion 30 carried unanimously)

Staff Summary: Dr. Melissa Haltuch was appointed to one of the vacant at-large positions on the Scientific and Statistical Committee. The Council will solicit nominations for a remaining at-large vacancy soon with the intent of filling that position at the March 2020 meeting.

The U.S. Fish and Wildlife Service identified two new designees to the Council, Mr. David Teuscher and Mr. Tom Sinclair, and plans to discuss their appointment to the Habitat Committee at the March 2020 meeting.

The Council will also solicit nominations for two vacancies on its Advisory Subpanels, the Washington Commercial position on the Coastal Pelagic Species Advisory Subpanel formerly held by Mr. Daniel Crome, and the Open Access North of Cape Mendocino position on the Groundfish Advisory Subpanel held by Mr. Jeffrey Miles who informed the Council of his intent to resign after the March 2020 Council meeting.

5. **[Future Council Meeting Agenda and Workload Planning](#)** – Chuck Tracy [**[mp3: 11-20-19pm1 0:00:37](#)**]

[Agenda Item I.5, Attachment 1](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary

[Agenda Item I.5, Attachment 2](#): Draft Proposed Council Meeting Agenda, March 3-9, 2020 in Rohnert Park, California

[Agenda Item I.5, Attachment 3](#): Draft Proposed Council Meeting Agenda, April 4-10, 2020 in Vancouver, Washington

[Agenda Item I.5, Supplemental Attachment 4](#): Pacific Council Workload Planning: Preliminary Year-at-a-Glance Summary (v. 11/19/19; 18:26)

[Agenda Item I.5, Supplemental Attachment 5](#): Draft Proposed Council Meeting Agenda, March 3-9, 2020 in Rohnert Park, California (v. 11/19/2019; 6:42 pm)

[Agenda Item I.5, Supplemental Attachment 6](#): Draft Proposed Council Meeting Agenda, April 4-10, 2020 in Vancouver, Washington (v. dated 11/19/2019; 6:42 pm)

[Agenda Item I.5, Supplemental Attachment 7](#): Summary of Candidate Items for Future Council Meeting Agenda and Workload Planning

a. **Reports and Comments of Management Entities and Advisory Bodies** [**[mp3: 11-20-19pm1 0:06:09](#)**]

[Agenda Item I.5.a, EWG Report 1](#)

[Agenda Item I.5.a, Supplemental SSC Report 1](#)

[Agenda Item I.5.a, Supplemental HMSAS Report 1](#)

[Agenda Item I.5.a, Supplemental GMT Report 1](#)

[Agenda Item I.5.a, Supplemental GAP Report 1](#)

b. **Public Comment** [**[mp3: 11-20-19pm1 0:26:44](#)**]

Merit McCrea

Gilly Lyons, PEW Charitable Trusts

Dan Waldeck, Pacific Whiting conservation Cooperative

Daniel Platt

[Agenda Item I.5.b, Public Comments](#) (*If received, Electronic Only*)

c. **Council Discussion and Guidance on Future Meeting Agenda and Workload Planning** [**[mp3: 11-20-19pm1 0:36:25](#)**] and [**[mp3: 11-20-19pm2 0:00:08](#)**]

Motion 32 [**[mp3: 11-20-19pm1 0:40:06](#)**]: Council approve the draft CCC letter regarding electronic monitoring (Agenda Item I.1, Supplemental Attachment 7).

Maggie Sommer/Bob Dooley (Motion 32 carried unanimously)

Motion 33 [**[mp3: 11-20-19pm1 0:43:10](#)**]: Council approve the draft letter in Agenda Item I.1, Supplemental Attachment 7 regarding comments on the Modernizing Recreational Fisheries Management Act.

Marc Gorelnik/Christa Svensson (Motion 33 carried unanimously)

Staff Summary: None

J. Highly Migratory Species Management

1. [National Marine Fisheries Service Report](#) – Kit Dahl [[mp3: 11-18-19am3](#) 0:00:42]

a. Regulatory Activities – Ryan Wulff [[mp3: 11-18-19am3](#) 0:01:23]

[Agenda Item J.1.a, NMFS Report 1](#)

b. Fishery Science Center Activities

c. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-18-19am3](#) 0:05:05]

[Agenda Item J.1.c, Supplemental HMSAS Report 1](#)

d. Public Comment [[mp3: 11-18-19am3](#) 0:07:47]

Tara Brock, Oceana

[Agenda Item J.1.d, Public Comments](#) (*If received, Electronic Only*)

e. Council Discussion [[mp3: 11-18-19am3](#) 0:13:28]

Motion: None

Staff Summary: None

2. [Recommend International Management Activities](#) – Kit Dahl [[mp3: 11-18-19am3](#) 0:19:07]

[Agenda Item J.2, Attachment 1](#): 2019 Recommendations from the Permanent Advisory Committee to the U.S. Section to the Western and Central Pacific Fisheries Commission

[Agenda Item J.2, Attachment 2](#): Sixteenth Regular Session of the Western and Central Pacific Fisheries Commission Provisional Annotated Agenda

[Agenda Item J.2, Attachment 3](#): Treaty between the Government of Canada and the Government of the United States of America on Pacific Coast Albacore Tuna Vessels and Port Privileges

[Agenda Item J.2 Supplemental Attachment 4](#): Key issues of interest at the WCPFC 16th Regular Session

a. Reports and Comments of Management Entities and Advisory Bodies [[mp3: 11-18-19am3](#) 0:24:00]

[Agenda Item J.2.a, NMFS Report 1](#)

[Agenda Item J.2.a, Supplemental DOS Report 1](#): Information regarding the U.S.-Canada North Pacific Albacore Treaty

[Agenda Item J.2.a, Supplemental HMSAS Report 1](#)

[Agenda Item J.2.a, Supplemental EC Report 1](#)

b. Public Comment [[mp3: 11-18-19pm1](#) 0:01:33]

Doug Fricke

[Agenda Item J.2.b, Public Comments](#) (*If received, Electronic Only*)

c. Council Action: Provide Recommendations on U.S. Positions at Upcoming Meetings of the Western and Central Pacific Fisheries Commission and Other Forums, As Appropriate [[mp3: 11-18-19pm1](#) 0:09:26]

Motion: None

Staff Summary: The Council endorsed the recommendations to National Marine Fisheries Service of the [Enforcement Consultants](#) and the [Highly Migratory Species Advisory Subpanel](#). Specifically, the United States government should:

- Strengthen or seek adoption of regional fishery management organization measures to require vessels comply with a garbage plan to prevent discarding of waste at sea
- Seek adoption of Regional Fishery Management Organizations measures to require vessels to carry and deploy boarding ladders that allow safe boarding during high seas inspections
- Establish a catch attribution system for Canadian North Pacific albacore catch within the U.S. Exclusive Economic Zone (EEZ) and vice versa
- Work with Canada Department of Fisheries and Oceans to harmonize paperwork requirements for EEZ and port access
- Investigate and provide information on the source of cheap albacore imported into Canada and re-exported to the U.S. under the label “Product of Canada”
- Support Permanent Advisory Committee recommendations on South Pacific albacore conservation and management by the Western and Central Pacific Fisheries Commission (WCPFC)
- Work through the WCPFC to determine if unreported North Pacific albacore catch is occurring in the Convention Area and to better understand the impact of incidental catch of North Pacific albacore, especially by Small Island Developing State) fleets, not bound by current fishing effort limits

3. [Scoping an Amendment Authorizing Shallow-Set Longline Gear Outside of the Exclusive Economic Zone](#) – Brett Wiedoff/Kit Dahl [[mp3: 11-19-19am2 0:00:57](#)]

[Agenda Item J.3, Supplemental Staff Presentation 1](#): Agenda Overview (*Wiedoff*)

[Agenda Item J.3, Attachment 1](#): Scoping Information

[Agenda Item J.3, Attachment 2](#): Draft Swordfish Fishery Management and Monitoring Plan

[Agenda Item J.3, Supplemental Attachment 3](#): Letter to Barry Thom from Senator Feinstein dated November 18, 2019

a. **Reports and Comments of Management Entities and Advisory Bodies** [[mp3: 11-19-19am2 0:13:38](#)]

[Agenda Item J.3.a, Supplemental CA Fish & Game Comm. Report 1](#): Letter to PFMC from California Fish and Game Commission

[Agenda Item J.3.a, Supplemental NMFS Report 1](#): Scoping for SSLL Outside the U.S. EEZ

[Agenda Item J.3.a, Supplemental WPFMC Report 1](#)

[Agenda Item J.3.a, Supplemental HMSMT Report 1](#)

[Agenda Item J.3.a, Supplemental HMSMT Presentation 1](#): (*Hellmers*)

[Agenda Item J.3.a, Supplemental HMSAS Report 1](#)

[Agenda Item J.3.a, Supplemental HMSAS Presentation 1](#): (*Rudie*)

b. **Public Comment** [[mp3: 11-19-19am2 1:05:05](#)], [[mp3: 11-19-19pm1 0:00:08](#)], and [[mp3: 11-19-19am2 0:00:29](#)]

John Ballotti, LA Rod & Reel Club
Austen Brown
Greg Stotesburn, Tuna Club of Avalon
Bill Shedd, American Sportfishing Association
Bart Hall, Fred Hall Shows
Alfred Barker, CCA
Claire Kosinski, UCSD/Ocean Enterprises
Bob Waller
Megan Glaherty, San Diego Audubon
Katie Gheard
Irene Gutierrez, National Resources Defense Council
Christine Miller
Bob Osborn, Billfish Foundation
Ashley Pries, Scripps Institute of Oceanography
Mark Helvey, CPFA
Bob Mulgrew, Scripps Institute of Oceanography
David McGuire, Shark Stewards, Earth Island Institute
Lillo Agello, Southern Coast Fisheries
Patricia Waterman *Did Not Testify*
Sean Waggoner
John Kinney, Pacific Marine Mammal Center
Star Howard, Audubon
Tony Tucci, Citizens for Los Angeles Wildlife
Chris Arechaedein, CCA California
Susan Sheakley, Sea & Sage Audubon
Chase Offield, Billfish Foundations
Bob Kurz, International Game Fish Association
Theresa Labriola, Wild Oceans
Tommy Gomes
Gilly Lyons, PEW Charitable Trusts
Wayne Kotow, CCA CAL
Tom Schiff
Susan Sherod
Jon Gonzalez, Pacific Seafood
David Weeshoff, San Fernando Valley Audubon presented [Agenda Item J.3.b, Supplemental Public Presentation 1: \(Weeshoff\)](#)
Keelan Barcina
Laure Muller presented [Agenda Item J.3.b, Supplemental Public Presentation 3: \(Laure Muller\)](#)
Geoff Shester & Tara Brock, Oceana presented [Agenda Item J.3.b, Supplemental Public Presentation 2: \(Oceana\)](#)
Michael Wauschek
Mary Charlotte Nelson *Did Not Testify*
Greg Nelson *Did Not Testify*
David Stevens, *Did Not Testify*
Peter Change, Pacific Marine Mammal Center *Did Not Testify*
Annalisa Tuel, Turtle Island Restoration Network

Gabriel Gozdava Piotroski

Tonya Kay

Shannon Corbeil

Lisa Monda

Todd Steiner

[Agenda Item J.3.b, Public Comments](#) (If received, Electronic Only)

- c. **Council Action: Consider Issues to be Addressed in a Potential Fishery Management Plan Amendment to Authorize Shallow-Set Longline Gear in West Coast Highly Migratory Species Outside of the Exclusive Economic Zone** [[mp3: 11-19-19pm2 0:22:51](#)] and [[mp3: 11-19-19pm2 0:00:07](#)]

Motion 23 [[mp3: 11-19-19pm2 1:26:11](#)]: Council not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline fishing outside the U.S. Exclusive Economic Zone.

John Ugoretz/Rich Lincoln

Amendment 1 [[mp3: 11-19-19pm2 1:43:49](#)]: Add “at this time” to the end of the motion.

Christa Svensson/Bob Dooley (Amendment carried, Mr. Ugoretz voted no)

Motion 23 withdrawn with consent of the second.

Motion 24 [[mp3: 11-19-19pm2 1:51:03](#)]: Council not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline (SSLL) fishing outside the U.S. Exclusive Economic Zone unless and until the following are confirmed by the National Marine Fisheries Service:

- 1) NMFS has the authority and ability to prohibit landing in California and other West Coast states without a West Coast SSLL permit.
- 2) Current incidental take allowance and annual interaction limits for protected resources in the Hawaii-based high-seas SSLL fishery will not be increased by new allowed takes from a West Coast permitted fishery.
- 3) 100 percent observer coverage in a West Coast permitted SSLL fishery will be required and this will not detract from observer coverage in other West Coast fisheries or EFPs.
- 4) A description of the process and timeline needed to coordinate a potential West Coast permit with the Pacific Islands Region and Western Pacific Regional Fishery Management Council.

John Ugoretz/Marc Gorelnik (Motion 24 was substituted with Motion 25)

Motion 25 [[mp3: 11-19-19pm2 0:01:28](#)]: Council not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline fishing outside the U.S. Exclusive Economic Zone at this time.

Caren Braby/Christa Svensson (Motion 25 carried, Mr. Ugoretz voted no)

Motion 26 [[mp3: 11-19-19pm2 0:11:31](#)]: Council direct the HMSMT to analyze Items 1, 2, and 3 from Supplemental HMSMT Report 1 as described on page 3 of that report, for future Council consideration. Additionally, the HMSMT should make suggestions on how to refine item #3.

Caren Braby/Christa Svensson (Motion 26 carried unanimously)

Staff Summary: The Council chose not to proceed with further scoping or consideration of an amendment to establish a West Coast permit to use shallow-set longline fishing gear outside the U.S. EEZ at this time. The Council directed the HMSMT to analyze the following issues in support of the [Swordfish Monitoring and Management Plan](#) and report back to the Council at the June 2020 meeting in San Diego, California:

- 1) Analyze effort, catch, and bycatch in subsets of Hawaii shallow-set longline observer data for potential action area delineations.
- 2) Document all sources of swordfish supply to the U.S. West Coast, including both foreign and domestic (West Coast and Hawaii) caught.
- 3) Estimate related conservation impacts to characterize the relationship between domestic and foreign sources of swordfish supply and the potential to mitigate conservation impacts and reduce the nation's seafood trade deficit through increased west coast production.

INFORMATIONAL REPORTS

[Supplemental Information Report 1](#): Status Report of the 2019 Ocean Salmon Fisheries off Washington, Oregon, and California *Preliminary data through September, 2019*

[Supplemental Information Report 2](#): BOEM note to stakeholders; Webinar Series to Share Information on Research Related Renewable Energy off the U.S. West Coast (*first webinar starts November 13, 2019; the remainder are scheduled in 2020*)

VOTING LOG

Motion 1: Adopt [Agenda Item A.4, November 14-20, 2019 Council Meeting Agenda](#).
Marc Gorelnik/Pete Hassemer (Motion carried unanimously)

Motion 2: Council adopt the preliminary exempted fishing proposals in Agenda Item D.2, [Attachment 1](#) and [Attachment 2](#) for public review.
Briana Brady/Christa Svensson (Motion 2 carried unanimously)

Motion 3: The Council move forward with the salmon FMP amendment as presented in [Agenda Item E.3, Attachment 2](#) with the addition of the adjustment of the 40° 05' boundary line to 40° 10'.
Brett Kormos/Bob Dooley (Motion 3, as amended, carried unanimously)

Motion 4: Motion to reconsider action on Motion 3.
Chris Kern/Marc Gorelnik (Motion 4 carried unanimously)

Motion 5: Council adopt the changes to the 2020 halibut CSP as described in [Agenda Item F.1.a, REVISED Supplemental WDFW Report 1](#).
Michele Culver/Rich Lincoln (Motion 5 carried unanimously)

Motion 6: Council adopt the changes to the halibut CSP for 2020 proposed in [F.1.a, ODFW Report 1](#), November 2019, and described below, except do not include the option to allow all-depth

halibut fishing and longleader groundfish fishing on the same trip. The adopted changes would include:

- The Southern Oregon Subarea allocation is 3.91 percent of the Oregon sport allocation up to a maximum of 8,000 pounds. Any poundage over that will be allocated to the Columbia River Subarea
- If the Central Coast Nearshore fishery allocation is 25,000 pounds or greater, the season will open May 1; if the allocation is less than 25,000 pounds the season will open June 1
- If the allocation projected to remain in the Central Coast spring all-depth fishery after its conclusion plus the summer all-depth allocation totals 60,000 pounds or more after the spring all-depth season concludes, Thursday may be added to the Central Coast summer all-depth season open days
- In the Central Coast spring all-depth fishery, back-up days are every other Thursday, Friday, and Saturday (status quo)

Maggie Sommer/Christa Svensson (Motion 6 carried unanimously)

Motion 7: Council recommend to the IPHC a 3-day fishing period (0800 Day 1 to 1800 Day 3), beginning the fourth Monday in June, for the Area 2A non-tribal commercial directed halibut fishery in 2020.

Maggie Sommer/Brad Pettinger (Motion 7 carried unanimously)

Motion 8: Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an electronic monitoring (EM) program that effectively meets our goals and objectives relative to catch accounting and cost-effectiveness for the groundfish industry,
2. Recognizes that, while NMFS can unilaterally move forward with finalizing its guidelines and program manual absent guidance and recommendation from the Council, given the importance of this program and our collective desire for it to be successful, we would urge NMFS not to do that, and
3. Proposes a revised exempted fishing permit (EFP) for 2021, administered by Pacific States Marine Fisheries Commission (PSMFC), that includes:
 - a. An industry-funded program,
 - b. Video review to inform an appropriate level of review of steam time,
 - c. Vessel-specific video review to inform options for applying halibut discard mortality rates to non-reviewed trips, and
 - d. A coordinated effort to include NMFS staff in PSMFC video review de-briefs.

Michele Culver/Rich Lincoln (Motion 8 withdrawn with consent of the second)

Motion 9: Council write a letter to NMFS that:

1. Describes our desire to continue to work collaboratively with NMFS and affected stakeholders to develop and implement an EM program that effectively meets our goals and objectives relative to catch accounting and cost-effectiveness for the groundfish industry, and
2. Recognizes that, while NMFS can unilaterally move forward with finalizing its guidelines and program manual absent guidance and recommendation from the Council, given the

importance of this program and our collective desire for it to be successful, we would urge NMFS to delay implementation of the EM regulations until 2022.

3. Includes the concerns expressed by the Council of needing more information to assess items, such as:
 - a. Video review to inform an appropriate level of review of steam time, and
 - b. Vessel-specific video review to inform options for applying halibut discard mortality rates to non-reviewed trips.

Michele Culver/Rich Lincoln (Motion 9 carried, Mr. Wulff abstained)

Motion 10: Council adopt the preliminary preferred alternatives for the 2020 ACLs for shortbelly rockfish (3,000 mt) and cowcod (10 mt, research set-aside = 1 mt) as final.

Maggie Sommer/Bob Dooley (Motion 10 carried unanimously)

Motion 11: Council:

1. Move the following EFP applications forward for public review, as modified per the specific guidance specified in Supplemental GMT Report 1 and consistent with the guidance of the Enforcement Consultants in Supplemental EC Report 1 (note that all references refer to reports under Agenda Item H.5):
 - [Attachment 2](#): Year-Round Coastwide Midwater Rockfish EFP – West Coast Seafood Processors Association; Oregon Trawl Commission; Midwater Trawlers Cooperative; Environmental Defense Fund
 - [Attachment 3](#): Recreational Cowcod Sampling in California - California Department of Fish and Wildlife
 - [Attachment 4](#): Recreational Cowcod Retention in California – Coastal Conservation Association of California and Okuma Fishing Tackle Corp.
 - [Attachment 5](#): Midwater Jig Fishing in California - San Francisco Community Fishing Association and Dan Platt
 - [Attachment 7](#): Midwater Hook and Line Rockfish Fishing in Oregon - Scott Cook
 - [Attachment 8](#): Recreational Yelloweye Sampling in Washington - Washington Department of Fish and Wildlife
 - [Supplemental Public Comment](#); *Melissa Mahoney, EDF (PFMC e-portal; 11/15/2019)*: Monterey Bay Regional Chilipepper Rockfish
2. Adopt the yield set-asides listed in Table 2 for the EFP applications just listed and the preliminary total allowance of 100 Chinook salmon for all the non-trawl EFPs, as recommended by the GMT in [Supplemental GMT Report 1](#).

Corey Niles/Rich Lincoln (Motion 11, as amended, carried unanimously)

Motion 12: Council approve the Electronic Monitoring EFP proposed in public testimony under this agenda item for further development by the applicants and public review as part of the normal biennial cycle for groundfish EFPs.

Maggie Sommer/Brad Pettinger (Motion 12 carried, Ms. Szumylo abstained)

Motion 13: Council adopt the SSC-endorsed 2021-2022 groundfish OFLs and ABCs presented in [H.6, Attachment 1](#) as final; except for cowcod, Oregon black rockfish, petrale sole, and sablefish, adopt the SSC-endorsed OFLs and ABCs in [H.6, Attachment 2](#) that are associated with the alternatives below.

Adopt preliminary preferred ACLs that result from default HCRs as presented in H.6, [Attachments 1](#) and [2](#), except adopt the following alternative preliminary preferred ACLs:

- a. Cowcod: ACL = ABC (P* 0.4)
- b. Oregon black rockfish: ACL = ABC = 512 mt in 2021 and 2022
- c. Petrale sole: ACL = ABC (P* 0.4)
- d. Sablefish: ABC (P* 0.45), new 5-year average apportionment method for this biennium only
- e. Shortbelly rockfish: ACL = 3,000 mt in 2021 and 2022

Maggie Sommer/Brad Pettinger (Motion 13, as amended, carried – Mr. Anderson and Ms. Culver voted no)

Motion 14: Council approve the proposed CCC Working Paper consensus position on forage fish set forth in [Supplemental Legislative Committee Report 1, November 2019](#).

Marc Gorelnik/Bob Dooley (Motion 14 carried, Ms. Ames abstained)

Motion 15: Council adopt the following RCA Coordinate Updates, Allocations, and Harvest Guideline alternatives for analysis, working from the Action Item Checklist in [Agenda Item H.8.a, Supplemental GMT Report 2](#):

Item 2 – Revisions/Updates to RCA coordinates in California, as identified in [H.8.a, Supplemental GAP Report 1](#), [Supplemental GMT Report 2](#), and [Supplemental CDFW Report 1](#).

Item 3 – Off-the-top deductions for groundfish mortality in tribal fisheries, research activities, non-groundfish fisheries, incidental open access fisheries, and exempted fishing permits, as described in [H.8.a, Supplemental GMT Report 1](#), except for cowcod. For this species, include an off-the-top deduction of 10 mt for research activities, as described in [H.8.a, Supplemental CDFW Report 2](#). Also include the GAP's recommendation from [Agenda Item H.8.a, Supplemental GAP Report 1](#), to consider median or average catch for darkblotched, recognizing the anomalously high bycatch in the pink shrimp fishery in 2014.

Item 4 – For Cowcod south of 40° 10' N. lat, analyze a single ACT, set below the fishery harvest guideline, from within the range of 40 - 60 mt.

Item 5 – Blackgill rockfish and the southern slope complex: the five tasks identified by the GMT to keep blackgill in the complex rather than to shift blackgill rockfish into the non-trawl sector.

Item 6 – Preliminary 2-year trawl/non-trawl allocations for bocaccio south of 40° 10'; cowcod south of 40° 10'; canary rockfish, yelloweye rockfish, big skate, longnose skate, and minor shelf rockfish north and south of 40° 10' N. lat.: Status quo allocations, except for canary rockfish, move the GMT Option 3; and add a value of 20 mt to be shared by the at-sea sectors for analysis under GMT Option 3, as recommended in [Agenda Item H.8.a, Supplemental GAP Report 1, November 2019](#).

Item 7 – Amendment 21 Trawl/Non-Trawl Allocations:

- For slope rockfish south of 40° 10', Remove this complex from the Amendment 21 allocation scheme and determine trawl/non-trawl allocations biennially.
- For 2021-2022, evaluate allocations of 526.3 and 523.9 mt for trawl, and 143.7 mt and 142.2 mt for non-trawl.

- For Lingcod south of 40° 10', evaluate Option 1 and Option 2 (alternatives to the Amendment 21 allocations)

Marci Yaremko/Louis Zimm (Motion 15 carried unanimously)

Motion 16: Council adopt the preliminary tribal set-asides as shown in [Agenda Item H.8.a, Revised Supplemental Tribal Report 3, November 2019](#).

Joe Oatman/Aja Szumylo (Motion 16 carried unanimously)

Motion 17: Referring to [Agenda Item H.8.a, Supplemental GMT Report 2, November 2019](#), I move the Council adopt for further analysis:

Action Item #7: Additional alternatives to remove the Amendment 21 trawl/non-trawl allocation for petrale sole and widow rockfish, and analyze non-trawl allocations of 30 metric tons of petrale sole and 300 metric tons of widow rockfish, with the remainder of the ACL for each as the trawl allocation.

For Action Item #9:

- An additional alternative that would create separate MS and CP set-asides, with options to establish those set-aside amounts based on:
 - o Pro-rata to whiting allocations
 - o Needs-based
 - o Amendment 21 formula
- A sub-option for the GMT-proposed 5-year average catch alternative for establishing at-sea set-asides for stocks with attainment below 90 percent, that would use a multiplier of up to 1.2
- An additional alternative that would create a single canary rockfish at-sea whiting set-aside of 20 mt, as recommended in [H.8.a, Supplemental GAP Report 1, November 2019](#)
- An alternative for a single sablefish at-sea set-aside for MS and CP combined of 100 mt

Maggie Sommer/Phil Anderson (Motion 17 carried unanimously)

Motion 18: Council include in the range of alternatives for analysis Action Item #11 in [Agenda Item H.8.a, Supplemental GMT Report 3](#).

Aja Szumylo/Bob Dooley (Motion 18 carried unanimously)

Motion 19: Council adopt the alternatives for analysis identified in [Item 10](#) of the Action Item Checklist in [Agenda Item H.8.a, Supplemental GMT Report 2](#):

Preliminary 2-year within non-trawl HGs or shares for:

- Cowcod south of 40° 10' N. lat. – Consider separate shares within the non-trawl sector – evaluate a 50-50 sharing of Commercial Non-Trawl and Recreational
- Bocaccio south of 40° 10' N. lat. – Combined percentages for the non-nearshore and nearshore fisheries for a total of 30.9 percent
- Yelloweye rockfish, southern sablefish south of 36° N. lat., minor nearshore rockfish north of 40° 10' – use No Action proportions
- Blackgill south of 40° 10' N. lat. – HG needed for LE/OA trip limit modeling

Marci Yaremko/Corey Niles (Motion 19 carried unanimously)

Motion 20: Council adopt the following 2021-2022 Trawl and Non-Trawl Catch Control Measure Alternatives for analysis, working from the Action Item Checklist in [Agenda Item H.8.a, Supplemental GMT Report 3](#):

Item 13: Thornyhead

- Options 1 and 2, methods to allow retention of shortspine and longspine thornyhead in the non-trawl commercial fishery from 34° 27' N. lat. to 40° 10' N. lat.
- Daily trip limits of 50 lbs/bimonthly 1,000 lbs for both species in the aggregate; and extend these limits coastwide per GAP recommendation ([Agenda Item H.8.a, Supplemental GAP Report 1, November 2019](#))

Item 14: Salmon Troll

- Analyze a trip limit change for yellowtail rockfish north of 40° 10' N. lat.
- For south of 40° 10' N. lat., analyze the proposal to retain yellowtail rockfish in the non-trawl RCA

Marci Yaremko/Louis Zimm (Motion 20, as amended, carried unanimously)

Motion 21: Council adopt the following 2021-2022 Season Structure Alternatives for analysis, working from the Action Item Checklist in [Agenda Item H.8.a, Supplemental GMT Report 3](#):

Item 16 – IFQ based on allocations, trip limits for non-IFQ species, etc:

- An unlimited IFQ Big Skate Limit
- IFQ Blackgill Trip Limits: Inseason monitoring with implementation of an IFQ trip limit of 100 pounds bi-monthly, if necessary

Item 17 – Routine adjustments to the Non-Trawl RCA Configuration, trip limits, sizes, etc.

- Analyze requested changes detailed in GMT Report 3, for north and south of 40° 10'
- Modify the GAP recommendation on lingcod OA and LE trip limits, to analyze separate increases for the areas 42° to 40° 10' and north of 42° N. lat. ([Agenda Item H.8.a, Supplemental GAP Report](#))

Marci Yaremko/Maggie Sommer (Motion 21 carried unanimously)

Motion 22: Referring to [Agenda Item H.8, Attachment 1](#) November 2019, I move the Council adopt for further analysis:

- For Action Items #18, #19, and #20, the recreational management measures described in [H.8.a, Supplemental GMT Report 3, November 2019](#), [H.8.a, Supplemental CDFW Report 1, September 2019](#), [H.8.a, Supplemental CDFW Report 1, November 2019](#), and [H.8.a, Supplemental WDFW Report 1, November 2019](#)

Maggie Sommer/Brad Pettinger (Motion 22 carried unanimously)

Motion 23: Council to not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline fishing outside the U.S. Exclusive Economic Zone.

John Ugoretz/Rich Lincoln

Amendment 1: Add “at this time” to the end of the motion.

Christa Svensson/Bob Dooley (Amendment carried, Mr. Ugoretz voted no)

Motion 23 withdrawn with consent of the second.

Motion 24: Council not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline fishing outside the U.S. Exclusive Economic Zone unless and until the following are confirmed by the National Marine Fisheries Service:

- 1) NMFS has the authority and ability to prohibit landing in California and other West Coast states without a West Coast SSLL permit.
- 2) Current incidental take allowance and annual interaction limits for protected resources in the Hawaii-based high-seas SSLL fishery will not be increased by new allowed takes from a West Coast permitted fishery.
- 3) 100 percent observer coverage in a West Coast permitted SSLL fishery will be required and this will not detract from observer coverage in other West Coast fisheries or EFPs.
- 4) A description of the process and timeline needed to coordinate a potential West Coast permit with the Pacific Islands Region and Western Pacific Regional Fishery Management Council.

John Ugoretz/Marc Gorelnik (Motion 24 was substituted with Motion 25)

Motion 25: Council not proceed with scoping or consideration of an FMP amendment to establish a West Coast permit for shallow-set longline fishing outside the U.S. Exclusive Economic Zone at this time.

Caren Braby/Christa Svensson (Motion 25 carried, Mr. Ugoretz voted no)

Motion 26: Council direct the HMSMT to analyze Items 1, 2, and 3 from [Supplemental HMSMT Report 1](#) as described on page 3 of that report, for future Council consideration. Additionally, the HMSMT should make suggestions on how to refine item #3.

Caren Braby/Christa Svensson (Motion 26 carried unanimously)

Motion 27: Council approve the draft September 2019 Council meeting record as shown in [Agenda Item I.2, Attachment 1: Draft Council Meeting Record: 251st Session of the Pacific Fishery Management Council](#).

Pete Hassemer/Marc Gorelnik (Motion 27 carried unanimously)

Motion 28: Council adopt the following final preferred alternatives for salmon bycatch mitigation measures in groundfish fisheries:

- Block Area Closures
 - BACs would be developed as a routine inseason mitigation tool for salmon bycatch in the midwater trawl fisheries in the whiting and non-whiting sectors. (PPA)
- Extension of Block Area Closures for Groundfish Vessels using Midwater Trawl Gear to the Western Boundary of the Exclusive Economic Zone and to the 700 Fathom Curve for Vessels using Bottom Trawl Gear
 - Develop regulations to allow for the extension of any block area closure seaward of 250 fathoms south of 46°16'00" N. latitude (WA/OR border) for all trawl gears to the western boundary of the EEZ (for midwater trawl) or to the 700 fathom EFH Conservation Area closure (for bottom trawl). (PPA)
- Selective Flatfish Trawl Net Requirement
 - SFFT nets would be available for use as a routine inseason mitigation tool to address salmon bycatch in the groundfish bottom trawl fisheries. (PPA)
- Pacific Whiting Cooperative Agreements

- Develop regulations to allow each whiting sector co-op to develop salmon mitigation plans for approval by NMFS. (PPA; minor revision to reporting language)
 - Include a requirement for annual season summary reporting to the Council and NMFS describing the use of salmon mitigation measures and an evaluation of the effectiveness of these avoidance measures.
- Automatic Authority for NMFS to close Trawl Sectors and Preserve 500 Chinook Salmon for Fixed Gear and Select Recreational Fisheries
 - Develop an automatic action authority that would close all trawl fisheries at 19,500 Chinook, and non-whiting trawl fisheries at 8,500 Chinook
 - Develop an automatic action authority that would close all trawl fisheries at 19,500 Chinook, and non-whiting trawl fisheries at 8,500 Chinook non-whiting trawl fisheries at 9,000 Chinook and whiting trawl fisheries at 14,500 Chinook
- Development of Reserve Access Rule Provision
 - A sector may only access the Reserve if the Council or NMFS has taken action to minimize Chinook salmon bycatch in that sector prior to it reaching its Chinook salmon bycatch guideline.
 - The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by the at-sea whiting sectors would be satisfied upon approval by NMFS of cooperative salmon mitigation plans in each of those sectors.
 - The requirement for Council or NMFS action to minimize Chinook salmon bycatch for access to the Reserve by shoreside whiting cooperative vessels would be satisfied upon approval by NMFS of a shoreside whiting cooperative salmon mitigation plan. Individual vessels are not eligible.
 - If there are vessels participating in the at-sea or shoreside whiting fisheries that are not members of a whiting co-op, then additional actions by the Council or NMFS will be needed to minimize Chinook salmon bycatch (e.g., BACs) prior to allowing access to the reserve by those vessels.
 - Vessels fishing under an approved SMP may be exempt from additional salmon mitigation measures.
 - Performance of SMPs will be evaluated via the scorecard and inseason status reporting approach described in [Agenda Item H.9.a, Supplemental NMFS Report 1 November 2019](#), on page 2, bullet 3, sub-bullet 1.
- The Council will have the option of implementing additional mitigation measures (e.g. BAC) even if access to the Reserve was automatically granted through the adoption of the SMP if the SMP measures are not sufficient in mitigating salmon bycatch, as determined upon inseason review at regular Council meetings.

Maggie Sommer/Bob Dooley (Motion 28 carried unanimously)

Motion 29: Council adopt the 11 recommendations listed on page 15 of [Agenda Item H.10.a, Supplemental GMT Report 1](#).

Corey Niles/Maggie Sommer (Motion 29 carried unanimously)

Motion 30: Council appoint Dr. Melissa Haltuch to a vacant At-Large position on the Scientific and Statistical Committee.

Ryan Wulff/Virgil Moore (Motion 30 carried unanimously)

Motion 31: Council adopt the Budget Committee Recommendations as presented in [Agenda Item I.3.a, Supplemental Budget Committee Report 1](#).

- Council approve the 2018 audit results.
- Council approve the 2020 No Cost Extension budget of \$2,559,386.
- Recommend a March 2020 BC Meeting but allow Executive Director the discretion to reconsider.

Virgil Moore/Pete Hassemer (Motion 31 carried unanimously)

Motion 32: Council approve the draft CCC letter regarding electronic monitoring ([Agenda Item I.1, Supplemental Attachment 7](#)).

Maggie Sommer/Bob Dooley (Motion 32 carried unanimously)

Motion 33: Council approve the draft letter in [Agenda Item I.1, Supplemental Attachment 7 regarding comments on the Modernizing Recreational Fisheries Management Act](#).

Marc Gorelnik/Christa Svensson (Motion 33 carried unanimously)

ADJOURN

The Council meeting adjourned on Wednesday, November 20, 2019 at 4:22 p.m.



Phil Anderson
Council Chair

3/23/2020

Date