

COUNCIL MEETING TRANSCRIPTS
274th Session of the
Pacific Fishery Management Council
November 1-8, 2023
Hyatt Regency Orange County
11999 Harbor Blvd., Garden Grove, CA 92840
In-Person Meeting

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Contents

Meeting Transcript Summary.....	3
A. Call to Order.....	4
3. Agenda	4
B. Open Comment Period.....	5
1. Comments on Non-Agenda Items	5
C. Administrative Matters.....	6
1. Council Coordination Committee Report.....	6
2. National Marine Fisheries Service 2023 Accomplishments and 2024 Priorities	7
3. Marine Planning Update.....	16
4. Fiscal Matters	19
5. Legislative Matters	29
6. Approval of Council Meeting Record	30
7. Membership Appointment and Council Operating Procedures.....	31
8. Future Council Meeting Agenda and Workload Planning.....	34
D. Salmon Management	48
1. National Marine Fisheries Service Report Including Stock Status Determinations	48
2. Fishery Management Plan (FMP) Amendment 24: Southern Resident Killer Whale Chinook Threshold Clarifications – Final	50
3. Final Methodology Review	52
4. Final 2024 Preseason Management Schedule and 2024 Management Framework for California Chinook Fisheries.....	57
5. Klamath River Fall Chinook Workgroup Progress Report.....	68
E. Groundfish Management	69
1. National Marine Fisheries Service Report.....	69
2. Adopt Quillback Rebuilding Analysis, Catch-Only Projections, and Revised Projections.....	76
3. Final Inseason Adjustments for 2023 and 2024, including 2024 Whiting Set-Asides (Part 1)	96
4. Sablefish Gear Switching – Preliminary Preferred Alternative.....	99
5. Harvest Specifications and Management Measures for 2025-2026 (Part 1)	121

6.	Preliminary Exempted Fishing Permits for 2025-2026	126
7.	Harvest Specifications and Management Measures for 2025-2026 (Part 2)	128
8.	Phase 2 Stock Definitions - Planning	144
9.	Final Inseason Adjustments for 2023-2024 (Part 2).....	146
F.	Highly Migratory Species Management	149
1.	National Marine Fisheries Service Report.....	149
2.	Highly Migratory Species Essential Fish Habitat (EFH) Amendment – Final.....	151
3.	Highly Migratory Species Roadmap Workshop.....	153
G.	Pacific Halibut Management	159
1.	2024 Catch Sharing Plan and Regulations - Final	159

Meeting Transcript Summary

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

A. Call to Order

3. Agenda

Brad Pettinger [00:00:00] That'll go to the agenda and if it has any changes or approve the agenda for us. Phil Anderson.

Phil Anderson [00:00:10] Thank you Mr. Chairman. I move the Council approved the agenda as shown on Agenda Item A.3, November 2023.

Brad Pettinger [00:00:22] Okay. Second? Seconded by Marc Gorelnik. Thank you Marc. Okay. Okay all those in favor signify by saying "Aye".

Council [00:00:33] Aye.

Brad Pettinger [00:00:34] Opposed? Abstentions? Okay motion passes unanimously.

B. Open Comment Period

1. Comments on Non-Agenda Items

Brad Pettinger [00:00:00] That concludes public comment. All right. Which takes us to C.1. Well actually any discussion on that last topic? Heather Hall.

Heather Hall [00:00:17] Thank you Chair Pettinger. I just wanted to acknowledge the public comment letter in the briefing book under open public comment from Oceanbeat Consulting and Michele Conrad, the work she did in Washington to develop the community's road map. And I know some of us at Fish and Wildlife were able to attend some of those meetings. Appreciate the work that went into building this road map and looking out for our coastal communities. So, I just wanted to offer that appreciation. Thank you.

Brad Pettinger [00:00:54] Thank you Heather. Phil Anderson.

Phil Anderson [00:00:56] Well, I could just briefly echo that appreciation for that work. I was a part of the group that developed the road map that Michele organized and coordinated and it was a really good process that gave a lot of community leaders the opportunity to sit at the same table and look out ahead of us and identify concerns relative to the continuation of our fisheries and hoping that we can take it from where it is now and move it forward into some action steps, so thanks.

Brad Pettinger [00:01:36] Thank you Phil. Anyone else? Okay.

C. Administrative Matters

1. Council Coordination Committee Report

No transcription for this agenda item.

2. National Marine Fisheries Service 2023 Accomplishments and 2024 Priorities

Brad Pettinger [00:00:00] Well, thank you for a very comprehensive and complete presentation. And so, with that I'll open floor for questions on the NMFS report. Phil Anderson.

Phil Anderson [00:00:13] Thank you Mr. Chairman. Great to see all three of you and thank you for your comprehensive presentation. I have two questions. The first had to do, Miss Quan, with your slide, I believe it was slide 9, you don't need to go to it, that had to do with the Mitchell Act, the tribal Mitchell Act hatcheries and the monies that were being allocated to update, fix, repair some of those facilities. And I was wondering if that... because it's money that's directed at hatcheries that are associated with the tribes, should I read into that that none of those monies would be spent on facilities that are below Bonneville Dam or through the U.S. v Oregon process? They may be considering allocating some of those funds to facilities that are in need below Bonneville.

Jennifer Quan [00:01:28] Yeah, so what I can tell you is that when CRITFC responded to us around this, the CRITFC Tribe's priorities were, you know, as far as our criteria goes, were focused on above Bonneville Dam, but there's nothing in there that would curtail that. So, we've really left it up to the parties, the tribes, to bring in their criteria and the parties to decide.

Phil Anderson [00:02:08] Thanks. And then I had a question for Miss Hill. I believe it's slide 20 under the Stock Assessment and Management Strategy Evaluation category, the second bullet there, the Testing Climate Readiness of Harvest Strategy for Pacific hake, I'm wondering is that the MSE process that the U.S. Canada Hake Forum has been undertaking in the last four or five years or is that something else?

Nicolle Hill [00:02:54] Thank you Mr. Anderson for your question, and it's great to see you. That's a great question that I want to get back to you. I actually do not know the answer but I will follow-up.

Phil Anderson [00:03:06] Great.

Nicolle Hill [00:03:06] During this Council meeting.

Phil Anderson [00:03:07] Thank you.

Brad Pettinger [00:03:10] Thank you Phil. Pete.

Pete Hassemer [00:03:11] Thank you Mr. Chair. And I want to extend my thanks to the three of you for being here today. It's a lot of information, a lot of accomplishments, and a lot of good work partnership between the Council and NMFS on that. I do have a question or two or three, and it focuses on the IRA funding because that's future opportunity. And I don't know, Sandra, if you can pull up slide 5. I would start with that just as an example there. There's a lot of money in some of those buckets you talked about and the 110 million in data acquisition. And I understand that, I mean, that's not West Coast Region money, that's the broad NMFS bucket. Some of that goes to the large ships, which is good. The West Coast receives some benefits. But as the three of you talk, there were hints that some of....there's some money or some amounts already identified dedicated for projects. The Integrated Hake CPS Survey you talked about using some IRA funds to bolster that. So, my question relates more to opportunities because I'm just, I just have my Council lens on right now that I'm looking through. Where are the opportunities for the Council to coordinate with NMFS on how some of the other money is spent to complement some of the ongoing work and address some of the needs? We've talked in here about, and in some of your slides, talked about strengthening some of the data collection in that

nearshore surveys, contract vessels, improving some of these assessments that we have. So, kind of a couple of questions. How much money do you think the West Coast Region can get out of all those different monies? Are you competitive? How much of it have you already identified and you know where it's going to because you've talked about it in various places? And then is there a place to talk with the Council and think about what are the priority areas to direct some of that money to? So, apologize for nesting all of that together, but it just runs through my mind. Thanks.

Kristen Koch [00:05:48] I'll take a stab at that. Thank you for the question, Mr. Vice-Chair. I'll try to answer. Understand that I think this opportunity, of course, is something we've really never had before at NOAA Fisheries. There's been a huge focus. We're essentially executing the, the same size budget that we normally get in an annual year, we're getting that on top of what we normally get. And granted, it's spread over three years or so, but it is a chunk of money and so the efforts to try to plan this funding and then execute it are enormous. And the numbers of people that have to be involved in, I think, both generating the good ideas for the funding in buckets like data acquisition in particular because there's so many different focus areas you could put that funding. So, I think in the two bucket, the sub-buckets that I described for that piece, I'll just stick with that for a minute, the data gap mitigation and efficiency side and then that advanced tech side of things. The data gap mitigation side, I think there are some specific projects that have been identified. I can't get too far out ahead of NMFS in terms of getting really specific about that yet, but I think the West Coast will factor in prominently both in that bucket and in the advanced tech side. So, what we've done, I can tell you a little bit more on the advanced tech side, we've come up with those categories that I kind of walked through, passive acoustics, active acoustics, USX, OMEX, we have put together teams of people across NOAA Fisheries, subject matter experts in those areas to help us identify projects and areas of focus for those different discrete technologies as well as social science. And so that's where we have really used the power of our subject matter expertise in the field to drive a lot of those things. And a lot of those people are involved in the regional priorities of the particular regions around the country. So, they have been really engaged and you'll start to see some things roll out, but I think it's going to take over the next six months, I think, some real communication between our teams within fisheries and some of the Council staff and other Council members where there's interest to engage in some of those, where those investments are going to be made. I will say on some of these, you know, a lot of the IRA funding has been put out the door in terms of funding opportunity announcements, and so there are funding opportunity announcements that are going to come out. Some of this funding though for data acquisition and in particular, it's going to be spent through the Science Centers, and so that's really, you know, I think stick close with us in terms of communicating and collaborating on how to best put that money to work and the investments to work in the region. I do think the West Coast is going to fare well in that and I think we'll need to continue to talk over the next six months. We'll probably be back here in the spring talking in more detail about that.

Brad Pettinger [00:09:43] Thank you. Thank you Vice-Chair Hassemer. Anyone else? Dani Evenson.

Dani Evenson [00:09:49] Yes, thanks Mr. Chair, and thank you for the presentation. It was really informative. I have a question on slide 4. I noticed, and perhaps that's the global amount that of oversight and not the West Coast Region, but I noticed that Arctic research was in there for 2.9 million. Is that going to the West Coast Region?

Kristen Koch [00:10:20] No, that is going primarily to the Alaska Region Science Center for Arctic research. It's not coming to the West Coast.

Dani Evenson [00:10:32] Thank you.

Brad Pettinger [00:10:34] Thank you Dani. Marci Yaremko.

Marci Yaremko [00:10:34] Thank you Mr. Chair. Thank you for the presentation. And I also wanted to thank you specifically for the detail that you've included in your report and providing it in the briefing book. I'm thinking back to last year and having this reference in the materials certainly was helpful to us and to CDFW as we worked with you collaboratively in other discussions. Having this document to refer back to where you've identified your upcoming priorities is very helpful. A couple of questions for you. Kind of following on Pete's question on slide 5 regarding the modernization of data systems, just wondering if there's been any thinking in NMFS about potential funding for support to the states for our continuous and ongoing supply of state data feeds both to Pacific States and to NMFS? We've worked really hard in the state of California, and I believe the other states have as well, to modernize a number of our data streams that are critically important to federal fisheries management and federal analytical efforts. Probably not a week goes by in CDFW when we don't get a notification that a data feed has broken and we need to continuously maintain an update to make sure that these feeds are working effectively to in order to be able to share data across agencies. So that would just be a question. Have you given any thought to how some funding might be made available to the states?

Kristen Koch [00:12:34] Thank you for the question Miss Yaremko. I can speak a little bit to that, although I'm not as familiar with the data modernization side of this slide, I can tell you that the focus there has been on fishery dependent data streams. So that would imply that there would be some at least collaboration if not funding available for state partners on those data feeds as you said. So, I don't have more detail on that today, but I imagine we will in the spring or earlier. So, we'll just have to stay in close contact as those plans kind of unroll a bit more on what exactly will the opportunities specific to the states be with that piece.

Brad Pettinger [00:13:27] Marci.

Marci Yaremko [00:13:29] Thank you Mr. Chair. A few more. Looking at slide 20, mentioning the possibility of conducting workshops to consider options for hook-and-line expansion as well as other options. Maybe you can elaborate on what your thinking is with regard to hosting a workshop? What do we expect to get in terms of an outcome from such a workshop? Is this a public meeting? I'm just looking for how a workshop is going to move this initiative ahead expeditiously.

Nicolle Hill [00:14:13] My glasses. Thank you Miss Yaremko. Did I get it right? I apologize. I don't have my glasses on....(laughter)....

Marci Yaremko [00:14:26] Marci.

Nicolle Hill [00:14:26] Yes, thank you for your question. And I know we've been in early discussions around what that workshop will look like. And I think even over the last several conversations I think that workshop opportunity has expanded in what could be the outcomes of what opportunities we have collectively working with the state, working with industry, working with NOAA Fisheries, including our Southwest and Northwest, and the current surveys that we do have, the hook-and-line and the CC FRP, what opportunities do we have to explore more data in data-poor areas? And I don't think I want to presume the exact outcomes without first and foremost having further discussions with you and the state and industry to help shape what that would look like. But we are committed to doing this in the new year and to create the space. Our hook-and-line leads have been in contact with both industry and the Pacific States. And so, I think this is really an opportunity to bring people together and explore all options in the future about how to increase data where we don't have data.

Kristen Koch [00:16:03] If I could just add a little bit to that. I think this was a recommendation that came out of the SSC, and I think, as Nicole said, we would look to expand it beyond not just the hook-and-line survey, but looking at data sources like our ROV data and other types of, you know, even data

streams that we don't currently have or aren't currently collecting but maybe could look into incorporating into that. So, I think it's a, we're looking at a broad joint workshop in the new year that would be, of course, in conjunction with the Council.

Brad Pettinger [00:16:41] Marci.

Marci Yaremko [00:16:42] Thank you. And thank you Mr. Chair. Just one more for you on slide 6 regarding the decision support teams and operational production of climate informed advice at each Fishery Science Center. That's a pretty heavy hitting term, Decision Support Team. I'm curious what that really means and in practice how those teams will integrate into our existing stock assessment teams?

Kristen Koch [00:17:25] Thank you for the question. I'll start and see if Nicolle wants to add anything. I think it's a great question regarding these teams. And I think this was a, you know, we call them decision support teams, and I think in each of the two Science Centers they'll look slightly different because we've got different organizational constructs within our Science Centers. I can speak to the Southwest and then Nicolle can talk about how it will look in the Northwest. Our lead for that team, as I said was, is Mike J. Cox. He sits in our new Ecosystem Science Division. Our other divisions in the Southwest Center are, we have two fisheries divisions that conduct fishery stock assessments, and then we have a Marine Mammal and Turtle Division that conducts marine mammal and turtle stock assessments and other types of research. And so that team, while the lead will sit in our new ESD, that division is used to having to work with across lines and across other divisions in the Science Center so they will continue to do that. There will be members of those teams in the other divisions in our Science Center, so they're necessarily going to have to work across divisions. But really also with the Council staff, with the Council committees and what's coming out of the EWG and what are the priorities of the Council in terms of either products that you would like to see or the types of advice that really the Council needs going forward? And I think it nests very well with the discussions we've just initially started having on the 20 million for the Councils. And so, I see this as a discussion work in progress as we go forward in the next year really. And I think the early, early months and years of this will be very important to kind of lay the groundwork for how we want these to look and what we want to come out of it.

Nicolle Hill [00:19:27] Well, I always like going after Kristen because she covers most of it, so I don't have much more to add other than in much way we're structuring our team and our teams really will be one large team, so they'll ideally be about eight individuals. Jameal Samhoury leads our IEA efforts in working with the Southwest, and he's right now where we are currently forming the team. We don't have everyone identified but it will be cross our Survey Division and our Protected Resources Division and our Fish Ecology Division. And so, it'll be a cross team along with the Southwest, and as Kristen mentioned, it'll be in collaboration and coordination working with the Council.

Jennifer Quan [00:20:24] So, Marci, I think that was a really good observation on this slide. And I'm just, you know, I think the initiative hasn't been super active, like Kristen said, because there wasn't funding there before. However, I'm excited to see the funding. I'm excited to see the downscaling of the data to a regional place where we can start thinking about ecosystem management and what it means to the fisheries. I think I'm going to be watching this one closely too because I think it is going to provide us some different ways to think about management in the long term.

Brad Pettinger [00:21:08] Thank you Marci. Anybody else? Marc Gorelnik.

Marc Gorelnik [00:21:12] Thank you Chair Pettinger. And I want to thank all three of you for a great presentation, just to add my thanks to that. I also want to say I appreciate the opening comments

recognizing the difficulties we have in California and a willingness to work to see how we can address those. And that's really all we can ask for is just to try to work through these problems and maybe find a better, find a way out of it. With regard to the workshop that we just discussed, leaving aside any details of the workshop or who's going to be there, will there be funding for work that comes out of that workshop? I mean on the water work, will there be funding for that or are we going to have a proposal or result and then not have funding to follow-up on it?

Nicolle Hill [00:22:14] Yeah, sorry... my glasses.

Marc Gorelnik [00:22:30] Marc.

Nicolle Hill [00:22:30] Marc. Thank you. But I apologize I'm going to go get an eye exam right after this Council session.....(laughter)...

Marc Gorelnik [00:22:37] Well, the Eastern European names are over here and the rest are easy.

Nicolle Hill [00:22:41] So that's a really great question and I don't know the answer to that. I think the question is what are the options of the current resources that we all collectively have and what might need to be thought through in a different way. So, I guess the short answer is there isn't specific funding that has been identified to combat the additional data needs, but we do need to explore collectively what those options could be and what those costs would be to explore those additions. I might look to Kristen because I think she's going to have a much more refined answer than I will.

Kristen Koch [00:23:41] I don't know about that, but thanks for the question. I think it will depend on the outcomes of the workshop of course, what gets discussed, what types of data streams are evaluated and assessed at that. I do think there's a variety of different ways that could go. And I, you know, within particularly the two centers we do have funding for, as most folks around the table know, cooperative research efforts, and I think I can say that we're talking internally in our center about the use of those funds, how we use them every year. Could we think about the existing data streams differently, for example, the state ROV data streams? How or I don't know much about those data, how they've been collected, I do know that we have used ROV data in very sparingly, but in, for example, the cowcod assessment in previous years. We actually own an ROV in the Southwest and that data stream came from data that we've collected in the past and so, you know, could we look at both, you know, what's already being collected and what isn't but needs to be and through the workshop proceedings have some look at what funding might be available to address that. But I think it will in large part depend on what gets talked about at the workshop.

Marc Gorelnik [00:25:18] So I think what I conclude from that is that the 145 million dollars for data acquisition and management tasks under the IRA, they're just on page 5, that none of that money is being identified for, or data collection for stocks for which we have no fishery independent data?

Kristen Koch [00:25:43] It's a great question and I think the part of the problem here, Mr. Gorelnik, is the longevity of the time series that we're talking about collecting here. This is not a 1 to 2 year endeavor. We need something that is comprehensive. I think we have been talking with the state about the need for comprehensive sampling, not just for quillback, but for all nearshore rockfish and how do we, you know, and I think the federal government has some role there in terms of hosting that discussion. But there's a variety of responsibilities across that landscape and, I think, it needs to be ideally a long term solution to that. And the IRA funding certainly is a huge opportunity. I don't think it's a long term funding opportunity for something like this. So, I think we need to, it's not to say that there wouldn't be any IRA funding now for it. I think we could, that could be considered somewhat, but I think the real solution here is the coming together of all of us and looking at what's possible with

our... within our long term funding for this.

Brad Pettinger [00:27:17] Thank you Marc. Anyone else? Joe Oatman.

Joe Oatman [00:27:20] Thank you, and really appreciate the information that the three of you had shared with us. So, when I think about this information, you know, like this slide up on the screen here about fisheries initiatives, about how do you deal with coastal communities and economies, how do you build in resilience and viability of fisheries that occur? And so, the question I have, if we can go to slide 15, so looking at the Columbia Basin for example, so I'm a member of the Nez Perce Tribe, work for my fisheries department. Familiar with, you know, what's been going on in the basin to try and restore Columbia salmon and steelhead. And so, when I think about, you know, the third bullet, so advance goals for harvestable and healthy salmon steelhead in the basin, there's really kind of two sides of that coin. So, one side, of course, is the fish themselves. You know making sure we do all that we can to get them to some healthy level. And there are some quantitative goals that have been established, you know, in recent years for those stocks. The other side of that coin is harvestable. So, what the communities are able to go out there and harvest and use those fish. And so, the way that's being characterized is through what they call SKEE values. So, these qualitative SKEE values which means, you know, social, cultural, economic and ecological value. So, these are the values that the people side of things are to derive. And so, when I think about this and what's being funded under these different sources of funding, the BIL, the IRA, you know, we're trying to, you know in some sense, you know, are trying to fix existing problems. So, fix broken hatcheries, fix broken salmon habitat. And another thing I think we also need to be really mindful of is trying to see what opportunity we have to fix tribal homes. Meaning the families, you know, that don't have fish to make a living. Don't have fish to meet their social, cultural, or economic values that they have. And so, when you think about fisheries initiatives and what we can do to not just help the resource, but also the people who depend upon the resource, and so if there are any opportunities, you know in 2024 beyond to maybe deal with some of those, I would certainly be interested in having that type of a discussion. Thank you.

Brad Pettinger [00:30:57] Thank you Joe. Heather Hall.

Heather Hall [00:31:03] Thank you Chair Pettinger. Thank you everyone for your presentation. A lot of really helpful information. I have a comment or just maybe sharing a bit of a discussion I observed yesterday on the IRA funding, and it's a really exciting opportunity to boost the Council's work on ecosystem issues. And I know we talked a little bit about the challenges of meeting the timelines for that. And the conversation was around how, how we're working to develop specific project ideas by the end of January, recognizing it's a time between now and then where our Council isn't meeting and our ecosystem discussions usually occur in March, and so a little bit of the disconnect with the timeline there and our ability to get really good input from our advisory bodies and the public to meet that timeline. So, kind of a comment. If there's a question there it's regarding flexibility around that timeline but appreciate that you might not have an answer now but thank you.

Jennifer Quan [00:32:26] Thank you. And I just want to respond verbally, Joe, that I hear your request and I'm happy to explore that conversation further with you. And as to this, so yeah, there's just, it's really fun to see the federal government move fast sometimes and sometimes we're moving slow and then all of a sudden it's really fast on this. We're getting tremendous pressure to move this money out. So, what I will say I will go, I will take that back to Kelly and talk with her about what flexibilities we have there. At the same time, I think because this is kind of an interesting and new process, I'm wondering a little bit, and I'll talk to Kelly about it too, if there's a, you know, if there's just kind of some iterative engagements we can have to make sure we're right-sizing it. So, you know, maybe, I don't know how big or in-depth you all are thinking and I don't know, you know, we may just need to maybe negotiate on the level of information that we need as well just to move that forward. But I'll take

that back and let's just keep working together on that.

Brad Pettinger [00:33:44] Lynn Mattes.

Lynn Mattes [00:33:44] Thank you. By the way, I took your picture and I hope you don't mind if I post it to a social media site called "Women of Fisheries" to show three powerful women who all work in fisheries. I think it would be inspiring to a bunch of young students who are on our site. But the question I have is looking at the IRA slides on the West Coast Region priorities, it's very salmon-centric, very climate and community, or ecosystem, which are very important, but the only place I see groundfish listed is whiting and EM. And I think what's going to go on here the rest of this week shows how vitally important the groundfish fishery is in general to communities more than just the whiting fishery. I don't know that you would have an answer, but it just it's kind of glaring in the absence of priorities on the groundfish fishery and that maybe my bias from working in groundfish. Maybe not a question, but just something I noticed with the priorities and the IRA stuff. Thank you.

Kristen Koch [00:35:02] Well, in response to the question, were you talking about the slide on the screen? No, just in general. Okay. Point taken.

Lynn Mattes [00:35:22] And I realize it's probably not an easy question or something that's not a direct answer available, but it was just something I wanted to point out. Thank you.

Nicolle Hill [00:35:33] Yeah, I hear what you're saying on that too, and I think that maybe new and naive from my perspective, is clearly we need to be having those conversations and clearly, I think Kristen spoke to it earlier, you know, we all have a role in that and I think that's, you know, we're talking about a forum to have that conversation. But my perspective is we all have a role in that conversation and making it a priority. So, I'm going to invite all of us to make it a priority where it needs to be. Thanks.

Brad Pettinger [00:36:17] Okay. Anyone else? Corey Ridings.

Corey Ridings [00:36:21] Thank you Mr. Chair. Thank you all for being here and for the in-depth presentation. My question I think is for Miss Koch. From slide 5 there is a mention of social science and some spending that was going to go towards that, and just if you're able to provide a little bit more details about where that's going to go and sort of what are the hopes for that?

Kristen Koch [00:36:50] Thank you for the question, Miss Ridings. Yes, certainly, I don't have a lot of detail on it but we do have one of our team, our cross NOAA fisheries teams has been stood up on that topic and it's been let out of our Office of Science and Technology but with members from across the regions. And so, they have, I think, in part come up with some ideas around accessing some certain types of socioeconomic data that we have not had access to in previously and to do essentially some data buys that would support fishery socioeconomic research in the regions, and so I don't have a lot of specifics on those data sets. But I think this is an area, again, where you're going to see some additional detail roll out over the next six months or so and I would just... this is a personal area of interest to me and so I'm going to be looking at specific to our region with the Northwest Center how are we connecting the folks who are on those teams to the Council process, and in particular again to the thoughts that people have towards the proposals that you might want to put forward from this Council on the 20 million. I think that we should do some additional discussion, hopefully, and I know it's short term because we don't have a lot of time here on the RFP, or RFA, but I think there should be some at least cognizance at the Council level more in-depth on what the plans are for that social science piece in this particular bucket because, I think, it will be relevant.

Brad Pettinger [00:38:43] Thank you Corey. Phil Anderson.

Phil Anderson [00:38:52] I know there are certain pressures here. I got some good news though, and since I asked the question about the funding for Mitchell Act hatcheries and where it would go that the Policy Advisory Committee is recommending that some money be spent at Washougal at Bonneville and in the overall Mitchell Act buy-op. So, it's sounding good. Thanks.

Brad Pettinger [00:39:19] Thank you Phil. Butch Smith.

Butch Smith [00:39:21] Just a little more pressure, you'll make it. Thank you and thank you for your presentation. Really well done. And my specific statements are on the Mitchell Act hatcheries. And what an amazing thing to have, you know, after being flat funded since 1996 and all the time we spent back in Washington D.C. to try to improve that, you know, this money is going to go to where it's really needed and appreciate the tribes because a healthy tribal, non-tribal hatchery system is good for all of us and I'm glad to hear that Phil say some of the money is going down. But keeping in mind a healthy hatchery system above Bonneville, also a healthy hatchery system below Bonneville helps the whole system. It helps both above and below, and so I just want to make that note and let's don't lose sight in the future that when we go further that we also look at some point in time bringing up to date those same hatcheries that have been flat funded since 1996 also. So great work with the tribes and getting and everybody that's going to, everybody's going to come out really good on that but we don't want to lose sight of we have some bubblegum and masking tape and holding below Bonneville hatcheries together also. So, thank you very much.

Jennifer Quan [00:41:12] And thank you for that comment. I would just say it is exciting. I think, you know, I think it's our opportunity too. You know, we have attention of Congress and we have attention of the White House the Mitchell Act, the importance of that and all hatcheries that we have, particularly in Western Washington on the coast also and all through the Columbia, the importance of those. And I'm really excited to be able to show the success of this funding on the ground so the more people can say good things and happy things about that I think, you know, maybe it's something we can see continue into the future.

Brad Pettinger [00:42:00] Thank you Butch. Anyone else? Okay, well, thank you very much and I really appreciate the presentation. That was very, very good and I'm sure some folks probably want to talk to you at our break, which should be shortly. And so, with that, I see I think we have zero public comment. Zero. Okay, so Kelly I'll look to you. How we doing on C.2?

Kelly Ames [00:42:32] Thank you Chair Pettinger. As you noted, no management team or public comment so that brings us to Council action, which is simply to consider and discuss, provide feedback as necessary.

Brad Pettinger [00:42:46] Okay, well I think we've done that so unless somebody else really wants to comment? Chair Gorel....or Marc Gorelnik.

Marc Gorelnik [00:42:54] That's okay. I do think this probably should be an opportunity for discussion because the preceding portion of the agenda was just to ask questions. I do think that some funding needs to be made available for beyond the workshop. I think that there is a cost for standing up a survey, an expanded hook-and-line survey, that's a one-time cost. And then there will be obviously annual costs associated with conducting that survey. So, I appreciate that the funding is not an ongoing source for, you know, conducting data collection in the, you know, in the years ahead, but I do think that standing up the survey is, it would be hopefully we can persuade NMFS that that's an appropriate use for some of that IRA funding.

Brad Pettinger [00:43:57] Thank you Marc. Marci.

Marci Yaremko [00:43:57] Thank you Mr. Vice Chair. Just to pony along with Marc on the hook-and-line survey workshop idea. I, too, share the concern that maybe the workshop is not the most expeditious pathway forward, and I guess I would just note that with the Harm Survey, when it was first developed it was never envisioned as being as big a deal as it is now. And no one, I think, envisioned how much value that it would actually contribute to a number of our stock assessments. So, we've been emphasizing the need to simply expand that survey to encompass other hard bottom substrates in other parts of the state where the trawl survey is simply not accessible. So, I agree with Marc. I'd like to see movement forward on the actual work and maybe we don't necessarily need to spend time discussing options. The other thing I would flag, bullet on page 25 under stock assessments and MSEs, I just want to thank the Southwest Center for expressing the priority of improving data sources and modeling approaches for groundfish for the FY 25 assessments. And California quillback, in particular, I want to shout out for that and expect that those improvements in modeling approaches will move us to our full quillback assessment that we've put tentatively on our stock assessment prioritization list based on our last Council action on that topic. So, just want to flag that and acknowledge my appreciation and say that CDFW is very interested in partnering on this particular item and thank you for identifying it.

Brad Pettinger [00:46:16] Thank you Marci. Anyone else? Okay very good. Kelly. We're good?

Kelly Ames [00:46:28] Thank you Chair Pettinger. Yes, thank you.

Brad Pettinger [00:46:31] Okay. Well, we're going to take a very well deserved 15 minute break.

3. Marine Planning Update

Brad Pettinger [00:00:00] Okay, that will conclude public comment and take us to Council action, which is before you. So, I'll open the floor for discussion. Mike Harrington. Mike.

Mike Harrington [00:00:18] Yeah, thank you Chair. I just had a few comments to make. First, I think, you know, the agencies all have had a voice and opportunity to provide input on a lot of these issues that the Council's recently been considering through our memberships and an intergovernment taskforce and consistency review. And now through this group we have a committee that can respond through quick response letters that gives industry a quick voice. And although we abstained from a position on the MPC's comment letter on Oregon's draft WEAs, I just wanted to start off by thanking everyone on the MPC and Habitat Committee that worked on this letter to bring forth really a really detailed and comprehensive letter. I think you did a great job and we realize the amount of work that went into that. Understanding that the amount of work that goes into all of that, you know, we understand that the PFMC's role is primarily focused on Magnuson-Stevenson related tasks, and with that the Council has a full plate and the Council has had ongoing discussions about how to continue to provide the voice to industry for topics on offshore wind, which could have profound impacts on PFMC fisheries and industries, as well as habitats and ecosystems, and the scientific endeavors to understand these resources. And as we just saw in the Year-at-a-Glance and the MPC Supplemental Report 2, there's a lot more potential work coming up. And ODFW just wanted to support the Council in thinking strategically for how to prioritize the MPC's time to address these issues efficiently and effectively. And then last, ODFW's long talked about the need for the Council to outline the information needed to address cumulative impacts under multiple scenarios of offshore wind buildouts. And, you know, as I was reading through the report I was really happy, and I think just as ODFW, we're happy to see a list of questions in the report too for future Council review that to be used by other agencies and to address the information gaps that could inform the Council recommendations. I think anything we can do to help kind of streamline our acts and create some consistency will be good in this process. Thanks.

Brad Pettinger [00:02:42] Thank you Mike. Anyone else? Bob Dooley.

Bob Dooley [00:02:50] Thank you Mr. Chairman. My comment is just on the draft letter, and it's a really well written piece of a piece of work there. Got to commend everyone that added to that and has done good work. From my perspective, if that letter probably, you know, will go to someone and I don't know that they'll read all 42 or 44 pages of it, and it seems to me that if we could, there's recommendations all the way through that letter that are bolded, if we could have some type of in the first page, I know there's an Executive Summary, but to list the subpoints of those bolds and that somehow to get our points across and get the interest in the letter in the first couple of pages, they might then go to the back and look at the rest. That's just a comment and I know I'm not the sharpest knife in the drawer, but that was my impression when I read it and I wanted to offer those comments. Thank you.

Brad Pettinger [00:03:58] Well, thank you Bob. Christa Svensson.

Christa Svensson [00:04:02] Yeah, thank you Mr. Chair. I, just to let people know when we're ready I do have a motion for this, but before I get to that I do have a question for NMFS that is related in the sense that this letter that we're talking about was precipitated by my request at the last meeting in the form of a motion, and as part of that there was a third bullet point which was an update from NMFS regarding quantifying the potential impacts and uncertainty in scientific surveys that could result from offshore wind developments in draft WEAs off of Oregon and offshore wind leases in California. So just hoping we might get a little bit of an update on that topic simply because it will possibly influence

my guidance and comments in terms of the motion that I put forward.

Brad Pettinger [00:05:01] Thanks Christa. Ryan Wulff.

Ryan Wulff [00:05:03] Yeah, thank you Mr. Chair, and thanks, Christa, for the question. Unfortunately, I don't have a detailed update but the centers are aware of this request. They have been looking into it, of course trying to figure out how best to respond with other competing workload, but it is an important issue and as things turn to surveys, but I don't have an update further than that at this point, unfortunately.

Christa Svensson [00:05:28] Thank you.

Brad Pettinger [00:05:29] Thank you Ryan. Anyone else? Okay, Christa.

Christa Svensson [00:05:37] Okay, well then perhaps the motion will stimulate a little more discussion. I did send it to the, the new email address, hopefully you've got it. And here we go. I move the Council adopt the C.3, Supplemental Attachment 3, November 2023 draft letter as written and send it to BOEM and the governor of Oregon as quickly as practicable.

Brad Pettinger [00:06:01] Okay. Christa, is the language accurate on the screen?

Christa Svensson [00:06:04] It is.

Brad Pettinger [00:06:06] Okay, looking for a second? Seconded by Corey Ridings. Thank you Corey. Please speak to your motion as appropriate.

Christa Svensson [00:06:13] Thank you. I think the MPC and the HC drafted a letter as the Council directed through the QR process from our last meeting. We were fortunate that BOEM listened to Oregon stakeholders and extended the response date until October 31st of this year, and we've taken the opportunity to gather further stakeholder comments to our process. I intentionally left it as it was drafted, and I do appreciate the comments of HEY and Executive Summary and pulling out a few more points could be beneficial, but as I commented in our delegation meeting, the 31st has come and gone and I am concerned that if this isn't posthaste that we will potentially miss our opportunity. And so, I think it is appropriate to move the letter forward since we've all had a chance on a number of occasions through the QR process, although we didn't use it to look at the letter, I do think it is appropriate to move it forward. I did pick up the piece about sending to the governor of Oregon from the comments this morning from one of our advisory panels and I do think that it is appropriate. I am grateful for the interest from the governor's office on this topic, and while I recognize it would almost certainly go to their desks, I think that it is also important for them to be recognized for the work that they are doing and have that captured in this motion. And I'm looking forward to hopefully moving this forward this morning and have a little bit of guidance following this in terms of items that are unrelated to the letter but that were picked up in some of our planning reports.

Brad Pettinger [00:08:16] Thank you Christa. Questions for the motion maker? Discussion on the motion? Okay, we spoke to a quite well I'd say. Okay, I'm not seeing any hands so we're going to call for the question. So, all those in favor signify by saying "Aye".

Council [00:08:35] Aye.

Brad Pettinger [00:08:35] Opposed, no? Abstentions? Abstention for Oregon. Okay, duly noted. And okay, motion passes with one abstention. So, thank you very much. Thank you Christa. Kerry I'll turn

to you, see how we're doing. Christa.

Christa Svensson [00:09:00] Thank you Mr. Chair. I do have a couple more pieces of additional guidance. So, before we close the item out I just want to get this out there. So firstly, thank you NMFS for the update you provided us, but I would like to put another pin in that, that it is important that when this comes up again, we have an update and the update may be, 'hey we're still working on an update', but I just don't want it to fall off the discussion. Based upon the Year-at-a-Glance slide and the conversation around that, I think that Council members and our teams need to be vigilant about the likelihood of a number of QR letters that may come between now and the March meeting. That certainly was a lot of things on the calendar and while the QR process is meant to be quick, sometimes it can take longer than anticipated based upon feedback. So just wanting to remind everybody that, 'hey, there's a lot of work out there'. And then I also want to provide support for the MPC's proposal to draft a list of questions as outlined in the Supplemental MPC Report 2 for future Council review and for it to be used potentially by other agencies to address information gaps that could inform Council recommendations. So, we've had a lot of discussion around addressing cumulative impacts and I think that this would be the first step in kind of solidifying that process within our own working process.

Brad Pettinger [00:10:37] Thank you Christa. Okay. Ryan, did you...?

Ryan Wulff [00:10:45] Yeah, thank you Chair. Just before you wrap-up as well, nothing in response to Christa. I think that those are all good. I just wanted to also note under this agenda item that I appreciated the Tribal report and hearing again from Mr. Joner and just acknowledge that NMFS does take that seriously. We have been in discussions on follow-up from that and will continue to do so here over the coming period. Also, there was in the Marine Planning Committee, there was a request for at least a five-hour lead on the PacFEM project to present, to give a similar presentation to the SSC. Of course, NMFS is available to do so. I recognize the SSC has a big workload already so perhaps I can offer to work with Council staff or come back to this in workload planning to see if there, if that's interested or if there's an appropriate time in the future to do that.

Brad Pettinger [00:11:44] Thank you Ryan. Okay, any other guidance? Okay. Kerry.

Kerry Griffin [00:11:53] Thank you Mr. Chair. Your task today was to consider the report and provide guidance. You passed a motion to send the letter. So, I work with the director and our admin staff to send that off to BOEM and to Oregon Governor Kotek as expeditiously as possible. And I appreciate the other guidance that was offered by the other Council members. So, I think that concludes your business for this agenda item.

Brad Pettinger [00:12:18] Okay, thank you Kerry. All right, well, we've done well here on this agenda item. We're a little ahead but, so we'll take a 15 minute break.

4. Fiscal Matters

Brad Pettinger [00:00:00] That takes care of public comment and takes us to Council action which is before you on the screen. So, I'll open the floor for discussion? Pete Hassemer. Vice-Chair Hassemer.

Pete Hassemer [00:00:29] Thank you Mr. Chairman. Well, if there is no discussion, I just might highlight one item that was in the Budget Committee report. This IRA funding has been a little bit, I don't know what the word is, loose or confusing. There are two deadlines, one before us immediately, December 31 for the first phase of funds that would come to the Council, and then January, I think, 31 for a second phase. And the committee had asked the Executive Director to reach out and see if that date could be extended beyond January 31 and I think the Executive Director might have some information on that so I'll just ask him to weigh-in on that.

Merrick Burden [00:01:28] Yeah, thank you Mr. Vice-Chairman. I did have a chance to reach out to my counterparts also to connect with very briefly some NMFS folks and there was a meeting of the EDs and NMFS Headquarters unfortunately right in the middle of our Council meeting. I was not able to attend but some of our, some of my counterparts carried the questions for me. So, there are a couple of questions the committee asked of me. One was or any other Councils requesting an extension? The answer to that is no. And I believe that they are going to be submitting their proposals well in advance of the deadline. And in a question to the agency in terms of extending the timeline, there was a fair bit of concern expressed by the agency is my understanding about doing that, and I don't have all the details of what the source of that concern is... but suffice to say they were not very amenable toward extending that deadline. And so, I think at this point where we're at is the January 31st deadline is our deadline for the Phase 2 project or the Phase 2 proposal rather, and as you saw and heard in the committee report, there was a desire to place the IRA funding proposal topic on to the Committee-of-the-Whole agenda if we conducted a timeline extension, so that is what I think the Plan B recommendation was from the committee.

Pete Hassemer [00:03:03] Thank you.

Brad Pettinger [00:03:07] Okay. Ryan.

Ryan Wulff [00:03:12] Yeah, thanks. What Merrick said is correct. Just to expand on that, I have had some additional conversations with Headquarters and it's my understanding that the deadline will not be extended. If for any reason the Council has a project idea they're not able to pull together by the end of January, we will... we are expecting to run another request for proposals process in the fall of '24.

Brad Pettinger [00:03:39] Thank you Ryan. Further hands? Phil Anderson.

Phil Anderson [00:03:47] I'm pretty uninformed on the IRA funding process. I've listened to a few conversations, have picked up a little bit on it, but I'm curious about the halibut Catch Sharing Plan slash allocations item being added to our list of possible activities that we would want to put IRA funding toward, and it seems to me that is a core activity of the Council to fulfill its obligations in terms of having and managing a Catch Share Plan. And I didn't think those types of activities were necessarily ones that were, I won't, eligible maybe too strong, but those kinds of activities weren't the kinds of activities that we would be looking for funding assistance on. So, I was just a little curious about that one.

Brad Pettinger [00:05:11] Okay.

Pete Hassemer [00:05:15] Yeah, I, thank you Mr. Chair, and thank you for that question. I guess in the seat of the Budget Committee Chair it was presented in the context of, and I wish I had taken the time to pull up the sideboards for the IRA funding proposals, but looking at allocation changes that might result from climate induced impacts or something like that, the effect of climate on fish stock distributions, I'm not capturing the word, words exactly but if there are shifts in distribution that might affect the allocations, in that context the Halibut Catch Sharing Plan came into our discussion. And if anyone else can correct me on that I appreciate it, but I believe that's what it was.

Brad Pettinger [00:06:22] Thank you Pete and Phil. Anyone else? Vice-Chair Hassemer... oop, Corey Ridings.

Corey Ridings [00:06:36] Thank you Mr. Chair. I think this may actually just be a clarifying question for the Budget Committee report. The BC report notes the list under the IRA, a list of potential IRA products and it says three FEP initiatives and then goes on a couple more, but also cites the attachment that Council staff were good enough to pull together ahead of the meeting, and in that document it notes the ad hoc Ecosystem Workgroup has kept the Council apprised of a task list, and these tasks could be used in the development of funding proposals. And I just wanted to check and see if that task list was encompassed in that Number 1 in the Budget Committee report about FEP initiatives. I assume that's likely, but just want to highlight, so I think is the intention all the good work that the Council's already done planning and thinking about climate change that we did under scenario planning and previous initiatives and make sure that that work was on the table for this pot of funding.

Brad Pettinger [00:07:45] Vice-Chair Hassemer.

Pete Hassemer [00:07:47] Thank you Mr. Chair. Thanks for that question. I'm just trying to pull the Budget Committee report up here. So, yes, there was the task list and I may have to phone a friend to my left here, but as the task list was put together it was informed by those items in the other task list on where we can utilize that information that we have from our various ecosystem related projects, climate and community initiatives to then do further work. And I'll look to my left and see if I captured that correctly on the staff work incorporating that?

Brad Pettinger [00:08:35] Executive Director Burden.

Merrick Burden [00:08:36] Yeah, thank you Mr. Vice-Chairman. Let's see, I guess there are a couple of things to consider. One is the process moving forward through our proposals, proposal process. So, the first proposal we've been asked to, you know, it's a small amount of money, but what it does is it essentially establishes the framework for a second and perhaps even a third proposal, and so the guidance we've received is to be fairly broad in the terms of possible things that we would work on. And the second phase is to say here is specifically what we would intend to do with that funding, and this will be an effort that I'll lead with my staff and work very closely with Ryan and some of his staff at NMFS and Headquarters in trying to boil this down into what they're willing to fund and what makes sense for our operations and our current agenda. So, I don't think that means that any of the items on the list that you referenced Miss Ridings are out of play, but certainly when we get to the end of this proposal process we'll have winnowed down what we're actually proposing.

Brad Pettinger [00:09:54] Thank you Corey. Further discussion? Corey Niles.

Corey Niles [00:09:55] Thanks Mr. Chair. First of all, thank you Merrick, excuse me, I know all the things that fall on your shoulders at these meetings so I appreciate you taking the time to follow-up with NMFS and the Executive Directors of the other Councils. It is a bit disappointing that this can't link up better with our ecosystem process. Understand what NMFS's position is. I know everyone's doing their

best to figure it out and make the best use of this money as possible, but we have been essentially doing what this money is asking us to do, trying to do that through our regular ecosystem process. That task list that Corey just mentioned, yeah, thanks to Merrick and Kit in particular for getting more of those ideas on the lists than we saw last meeting in September. But my impression, those items were kind of just ideas expressed as part of a free ranging scenario planning process. I'm part of the Ecosystem Workgroup and the group has been trying to get those ideas vetted by the experts in the management teams and elsewhere for quite some time now. So, the concern, and I think the Committee-of-the-Whole idea is our best option, but that's just the concern that implementing these and finding ideas that rise to the top is difficult and everyone wants to use these extra resources in the smartest way we can. I'll, will have a subsequent thought but I'll end this train of thought with, we talked a little bit at the Budget Committee about, I think there was no CPS item on the list at the time, but it's a good example of what I'm talking about of, like Marci and others could probably go through the CPS list much more efficiently than I, but we've for a number of years just have a list, a growing list of things that people would like to work on that we haven't had resources for. And respectfully, the Budget Committee is not the right place to pick which one of those ideas is the best one to work on. So hopefully, and I know everyone's figuring out the best way to do this, but hopefully there's a way that that feeds into the priority setting process we'd like to get going for CPS and maybe it could be a flexible proposal where if the implementation deadline isn't till 2026 or 2027, maybe part of the proposal is to have that priority, that priority discussion and see for each FMP where the biggest bang for the buck is. And these projects are typically challenging in that they need, a lot of them need the expertise from the Science Centers or elsewhere and then the practical management expertise that come from the management teams and the advisory bodies. And so again it's a good opportunity. I think it's going to be challenging but I think we have excellent staff who can help set that Committee-of-the-Whole up discussion to be the best, best it can and figure out how we can make these proposals in a way that does bring in the public and the advisory bodies into where the best use of the money is. The second set of thought is on that we have this ongoing FEP initiative which very much would meet the proposal criteria I would have to think. And the next step in that process is partnering with the Nature Conservancy on two workshops to be happening sometime in January and February. And Patricia does such a nice job of capturing the discussion in those notes and excellent job again Patricia, but that reminded me that you know there was a little maybe a disconnect that between the Council and what the Nature Conservancy had available to support, and the difference is that Nature Conservancy can support advisory bodies and stakeholders but not state or tribal employees. And no one can support NMFS employees except NMFS. So, on that second one, it seems that a little bit, I don't have the adjective but, odd to be having all this money coming in but no money to be spending on the initiative we're working on now. And Merrick you... admit like you had not heard about this before. I'm just looking for a... I do think that one should rise to the top of the list and wondering if there's an opportunity for you to talk to Gway. I think we're talking about, you know, maybe two, two members or three per management team and there's two workshops, and I think she's talking 10 to 20 people and you can put dollars amount on that but I do, I'm wondering what... and I don't know that Gway was on notice to be here today for this discussion. I will stop there because I think you know what I'm talking about and I hope there's an opportunity to use some of this money we're likely to get or backfill to help participation in those workshops.

Brad Pettinger [00:15:36] Okay Corey, thank you. Executive Director Burden.

Merrick Burden [00:15:42] Yeah, thank you Mr. Chairman. And thanks Mr. Niles for those comments. I guess a couple of thoughts in response. One is I'm more than happy to incorporate some funding for the TNC workshops that we'd like to partner with them on as part of the IRA proposal process. My understanding of the TNC timeline is that they want to do that before we would receive the funding. I've also worn several different hats in my career and if there's a compelling reason for a funder to allow a grantee to extend their timeline they often will. So, I think as you suggest, perhaps a conversation with Gway about whether they can do this a little bit later also knowing that our timeline around the

risk table approach has also changed. I'm happy to do that, and in fact I might just do it anyway and then we can consider that proposal at the appropriate time if that's... that sounds good to you.

Brad Pettinger [00:16:48] Okay. Thank you Executive Director Burden. Anyone else? Okay. Vice-Chair Hassemer.

Pete Hassemer [00:17:03] Thank you Chair Pettinger. Well, because of the number of recommendations for adoption in the Budget Committee report, whenever you're ready I can make a motion regarding that report.

Brad Pettinger [00:17:17] Okay. Oop....Corey Ridings.

Corey Ridings [00:17:22] Thanks Mr. Vice-Chair. I just didn't get my hand up there quick enough. I just wanted to respond to the conversation that the other query and Director Burden just had about the TNC workshops and the IRA money. Just even the IRA money aside, thanks for that clarification, Director Burden, on sort of the timeline associated with the funding, that makes sense given the timeline that we've heard about the January 31. I'm fortunate enough to be on the steering committee for that workshop and I know that there has already been a lot of energy that has gone into that timing and planning, largely at the direction of this Council and the ecosystem advisory bodies. So, I just as a steering committee member and having that experience, just pointing out, I think it would be beneficial to be able to help keep that on track. Also noting that the, you know, the ecosystem items and how they move forward, March is our next touch point, and they do come here traditionally just twice a year. So what I understand, and I have not worn a hat where I have been responsible for federal funding or government state funding, but if the Council would be willing, if it makes sense to think about, I'm not sure the exact dollar amount, but a small amount to put aside so that some Council staff and representatives could attend that meeting. Just try to make it as productive as possible and make sure that we're getting multiple viewpoints and making sure that we're also having all the states represented.

Brad Pettinger [00:19:07] Thank you Corey. Okay, back to you Vice-Chair Hassemer.

Pete Hassemer [00:19:14] All right, thank you. Well, I'll make a motion here and you want to type it in? There, it has arrived. I move the Council adopt the report and recommendations of the Budget Committee as shown in Agenda Item C.4.a, Supplemental Budget Committee Report 1, November 2023.

Brad Pettinger [00:19:57] Thank you Vice-Chair Hassemer. Is the language on the screen accurate?

Pete Hassemer [00:20:00] Yes, it is.

Brad Pettinger [00:20:01] Okay, I'm looking for a second? Seconded by Sharon Kiefer. Thank you Sharon. Please speak to your motion.

Pete Hassemer [00:20:08] Thank you. Probably not much necessary. I just appreciate the work of the Budget Committee to put together a plan that lets us respond, be a little bit flexible in the light of uncertainty with the IRA funding and identifies those opportunities for the committee to work with the Executive Director and his staff in planning the Committee-of-the-Whole and being able to pick up maybe some of the IRA funding things and get this important work done, so thank you.

Brad Pettinger [00:20:45] Okay, thanks for that. Questions for the motion maker or for discussion on the motion? Phil Anderson.

Phil Anderson [00:20:55] Relative to the list of potential IRA funding components, there's this discussion in this report about, and the maker of the motion referred to this I think, about the potential of us having some additional discussions about that list. I'm finding it hard, a bit difficult that we don't have a list where we've got everything in one place here for us to look at. And I think it's... and we've had a couple of, I think, additional ideas come forward as a result of public comment and the Council discussion here. So I'm just trying to under... trying to figure out whether or not we are going to have an opportunity to have a list in front of us that we can then discuss as a Council. Appreciating the work of the Budget Committee but, and their recommendations, but I'm uncomfortable with just by approving this motion, approving that list of potential projects without the opportunity to have a dialogue amongst the full Council and consider what we heard in the public comment.

Brad Pettinger [00:22:28] Okay. Executive Director Burden.

Merrick Burden [00:22:32] Yes, thank you Mr. Chairman. And thank you, Mr. Anderson, for that question. I guess I'll preface my response by saying the process around IRA funding has been frustrating and here we are. I think everyone's doing the best they can. So, I don't want to play hot potato and toss a question back to you, but I would be, I'm curious to know more of what you might have in mind? And so, we could try to bring together a list as part of workload planning later this meeting. I think that would be easy to do, but that would be, that might reopen that discussion of this agenda item at that time that I don't think would be appropriate. Or we can try to circulate something to you all electronically after this meeting or we can take it up as a Committee-of-the-Whole as we were talking about here a few minutes ago. So those are three possibilities that come to mind. I'm just curious if you had something more specific in mind?

Phil Anderson [00:23:49] Maybe I'm the only one who's missed finding... you know, I've looked at Attachment 1 and looked at the Budget Committee's report. We haven't had a conversation as a Council, to the best of my knowledge, about potential projects we would want to advocate having funded from these from this funding source. So, I'm just trying to see if there's any way we can get to a point where at least we have a discussion amongst the Council as a whole on the list and just provide some input. I'm not excited about bringing it back under workload planning. I'm less than excited about that actually. But an email to us with the list of what we have on the table currently and maybe get a little feedback on it, whether or not there's... I don't want to pile on additional agenda items on the Committee-as-a-Whole meeting if it's already full. And I appreciate the process and the lack of opportunity to maybe have a more deliberate discussion about this, but I'm just looking for a way to look at a list and provide some feedback as well as having my colleagues around the table be able to do the same thing so we can value from each other's perspectives.

Brad Pettinger [00:25:46] Executive Director Burden.

Merrick Burden [00:25:48] Yes, thank you Mr. Chairman. And thank you Mr. Anderson. I appreciate all those perspectives. In terms of planning for this meeting, what we had envisioned was that discussion you're referencing is happening here, and in your briefing book you have a document that Mr. Dahl and I worked on that has the first stab at the list and then the Budget Committee has added to that. So, I was envisioning a Council discussion here knowing that it's still not an ideal process. But from my vantage point I was hoping this would be the time for that discussion.

Brad Pettinger [00:26:31] Okay. Vice-Chair Hassemer.

Pete Hassemer [00:26:37] Thank you Chair Pettinger. Yes, and as part of my motion it was capturing what's mentioned in the Budget Committee report. We were working off that C.4, Supplemental Attachment 1, that is a list of projects. I hesitate to use the word finite that there are a number of projects

but it is not set in concrete, more can be added to it. The committee added a list. I think what was important was that the committee's discussion was that it was better to approach this process with a larger list of projects, and it's correct there was no prioritization, but bring to the Council a larger list of projects that would proceed through the process of seeking some funding in Phase 2, because there was work that needs to still occur that can occur between the Executive Director, staff and our NMFS partner on identifying where the better opportunities are to have projects funded. So as Executive Director Burden pointed out, this is the opportunity for the Council to look and if it desires, assign some priorities. What the Budget Committee put together, I should say adopted the list that the staff generated with the addition of a couple of items there, and so that entails the list of projects, those on in the supplemental attachment plus those that are mentioned as additions in the Budget Committee report. So, thank you.

Brad Pettinger [00:28:39] Okay. So, we have a motion on the floor, any further discussion? Corey Ridings.

Corey Ridings [00:28:48] Thanks Mr. Chair, and apologies for confusing you earlier calling you Vice. I have an amendment for the motion if that's appropriate at this time?

Brad Pettinger [00:28:59] Now would be the time.

Corey Ridings [00:29:03] Okay, thank you. Thanks Sandra. After the period in that sentence just write, "and provide funding to support attendance of state and tribal representatives at the upcoming TNC FEP Initiative Workshop". Period.

Brad Pettinger [00:30:01] Okay, so is the language accurate?

Corey Ridings [00:30:08] I think it is. Thank you.

Brad Pettinger [00:30:09] Okay. Do we have a second? Seconded by Christa Svensson. Thank you Christa. Please speak to your motion Corey, or your amendment.

Corey Ridings [00:30:13] Thanks Mr. Chair. Just to follow-up on what I was noting earlier, and that I think this is important work that follows on to the climate work that's already been done by this Council for multiple years. This is, the workshop is something that was brought to us by the public that we asked for over a year ago as a way to help supplement the climate and FEP work that we've been doing. This is something where I think TNC has largely tried to foot the bill, but they actually just cannot pay for these folks to attend. So, this would be a way to help get those folks there, state representatives from our ABs as appropriate as well as tribal reps. Thinking about the timing, again, I think the timing is good in terms of our ongoing processes around climate and ecosystem work and I think this would be appropriate use to help move all of that work forward and hopefully get us situated even better to execute on some of the IRA projects, whatever those might be down the road.

Brad Pettinger [00:31:36] Okay. Discussion or questions for the motion maker? Marc Gorelnik.

Marc Gorelnik [00:31:42] Thank you Chair Pettinger. Is there a notion of how much money we're talking about here? Because as it reads here it's a blank check.

Brad Pettinger [00:31:58] Corey.

Corey Ridings [00:31:59] Thanks Mr. Gorelnik. I don't know the exact dollar amount but I'm going to guess it's somewhere around 25,000.

Brad Pettinger [00:32:09] Okay. Marci Yaremko.

Marci Yaremko [00:32:15] Yeah, thank you Mr. Chair. Just to follow-up on that to the maker of the motion. Do you have an anticipated number of representatives that you're looking to have the Council support?

Corey Ridings [00:32:27] Thanks Miss Yaremko. I don't think the exact list is set in terms of exactly how many folks. It is somewhat depending on if and how much that funding would be available. I think probably somewhere like twenty to thirty. Right now, the plan is to have two different workshops that are able to focus on the different FMPs, that's my understanding. As I said I don't think it's carved in stone quite yet, but that is the ballpark the steering committee has been talking about.

Brad Pettinger [00:32:59] Okay. Phil Anderson.

Phil Anderson [00:33:03] So I just want to make sure that response of twenty to thirty people? Is that what would result from this?

Corey Ridings [00:33:13] Yes, that is accurate.

Phil Anderson [00:33:16] And... okay.

Corey Niles [00:33:16] Are we in discussion?

Brad Pettinger [00:33:42] Corey Niles.

Corey Niles [00:33:42] Are we in discussion or you're still on questions? Yes. Well, I wish, I meant to alert Gway earlier post Budget Committee discussion and ask her to be here because it seems like there's been some miscommunication between her and the Executive Director in the past about who can pay for what and more details. Yeah, Corey's probably in the ballpark. I was hearing more like ten to twenty people, like one or two per management team would be, you know, eight with the tribal reps, you know, maybe ten for a workshop. So I think, I guess Merrick committed to talking to Gway but Merrick was saying after the IRA... asking Gway to push the workshops and I think she's already pushed him as far as she can is my understanding but I'm going off a few weeks memory here ago that I don't know. So, it does seem like with the Council's provisional budget and with the likelihood of a sizable amount of money coming in on this very topic that it would be, again lacking my adjectives today, just a bit odd to say we don't have the money to support this initiative that I think Corey said earlier that the Council was really supportive of back in June and encouraged organizing. And I think it's not ships passing in the night metaphor but I think it only came to at least my attention recently that there wasn't that money to pay for the state and tribal folks, and I thought the Council was as in the last round of workshops, I don't know, five, six years ago where the Council's budget did support those that the Nature Conservancy could not.

Brad Pettinger [00:35:50] Okay, Marc Gorelnik.

Marc Gorelnik [00:35:52] I have another question for the maker of the motion. Do you have any idea what the total attendance is estimated to be for the workshop?

Corey Ridings [00:36:04] Thanks Mr. Gorelnik. Gosh I'm going to echo the other Corey again and say my memory is a little foggy on that. I'm going to guess because there are going to be two workshops, so probably somewhere forty and fifty at each workshop. And, sorry, I don't have a more precise answer

for that. Like I said we're still in the planning phases and trying to figure out exactly what that would be.

Brad Pettinger [00:36:36] Butch Smith.

Butch Smith [00:36:40] Thank you Mr. Chair. And I'm not against this concept but I'm just kind of befuddled here on kind of the open end of this and not any of the finer details that we can see to what it would cost, how many people and all that good stuff. So, and this much budget, I have not participated in the Council's budget, but I have been in charge of a multi-million dollar port budget and this kind of seems backwards to me, but excuse my reluctance to vote for something that is not in more financial detail on the spending part, but I might have this wrong so I apologize.

Brad Pettinger [00:37:38] Thank you Butch. Executive Director Burden.

Merrick Burden [00:37:40] Yes, thank you Mr. Chairman. Thank you, Miss Ridings, for offering this amendment. Like I said earlier, I'm completely happy to work with Gway and try to put something together here in a way that, in a way that we can think about systematically. And I would, I realize that TNC is maybe up against a deadline. I don't have any control over that. I don't think anybody here does. But at the same time, we have a process here that we work through and I think we have to be very diligent with our budget and I would prefer if we could take a step back here and allow me to have a conversation with Gway and discuss whether there is a way for us to fold this TNC workshop into the IRA funding process and then allow this Council the opportunity to weigh-in on that at our Committee-of-the-Whole meeting. So that would require, as my understanding, would require TNC to move their timelines back, but given that they're trying to help us, I think that's a, that would make sense to me that they and their funder would be amenable to that. Of course, I don't have any control over it but that would be my preference.

Brad Pettinger [00:39:10] Okay. Vice-Chair Hassemer, or Sharon Kiefer.

Sharon Kiefer [00:39:16] A question to the motion maker. I see that you emphasize state and tribal representatives, but I am wondering why, I mean at least from what I see we have a lot of members, stakeholders who are on advisory bodies in leadership positions and why no consider....that would probably benefit from this and have a lot to offer, why no consideration of them in this motion?

Brad Pettinger [00:39:50] Corey.

Corey Ridings [00:39:51] Thanks Mr. Chair. Thanks Miss Kiefer. Because TNC can pay for those folks. Yeah, so they will be invited and are definitely going to be included as part of this, but TNC can invite and include them and pay for them.

Brad Pettinger [00:40:08] Okay. Phil Anderson.

Phil Anderson [00:40:11] Thanks Mr. Chair. I just want to express... I'm supportive of us trying a way, find a way to get the yes on this, but I think some more, I mean I heard twenty to thirty, I heard ten in terms of how many people we're talking about. I think we need to be specific in how many people and if it's two per state or three per state or whatever it is, and a number that we're willing to support from the tribal, from tribal representatives and then they can decide, you know, who comes. But I think the Executive Director's suggestion at this point, having that conversation with Gway and making sure we know where we're going here, but I don't want those comments to be taken as a lack of support for trying to find funding to support these folks attending the workshop.

Brad Pettinger [00:41:17] Thanks Phil. Christa Svensson.

Christa Svensson [00:41:21] Yeah, I'm just curious, I think for the maker of the motion, but possibly for Executive Director, what the timeline for that conversation would likely be? And there's a big difference in my mind between, hey, we vote on the first part of this and then if need to do something like a motion to reconsider before the end of the meeting if needed versus no this conversation can't happen for another two weeks and we need to sort this out in January or whenever is appropriate.

Brad Pettinger [00:41:57] Executive Director Burden.

Merrick Burden [00:41:59] Yeah, thank you Mr. Chairman. Thank you Miss Svensson. If I understand your question correctly, I hadn't anticipated getting in touch with Gway this week during the Council meeting. And there's some... some additional thinking and consulting I'd like to do with Patricia and probably Kelly on this, including can we actually pay people to attend something that's not a Council sponsored event. And so, we've offered to partner but that's not the same as sponsoring. But there are details like that I need to doodle through before having a conversation with Gway. So, I think we're talking about a couple of weeks at least.

Brad Pettinger [00:42:42] Okay, Christa.

Christa Svensson [00:42:44] Thank you. So that was the bulk of the question. And then the second piece was the budget component. I mean I think that's kind of thrown all of us for, well, maybe not all of us, but many of us for a loop in terms of what that cost is. And I don't know if that would be coming from Miss Riding or if that would be coming from you, but in my mind, those were two kind of separate pieces in terms of could we do it and what would the timeline be in terms of that conversation, but also the budget component piece of how that would be gathered?

Brad Pettinger [00:43:18] ED Burden.

Merrick Burden [00:43:21] Thank you. The budget component piece, I'm assuming what you mean is an estimation of how much it would cost us, yes? That would have to be a communication between Gway and myself. I need a better understanding of how many people we're talking about and how long of a time it would take. And if it is, you know, if it is a Council sponsored event that we have to notice it as, that might require some additional expense on our part, I'm not sure. This is why I need to talk with Patricia.

Brad Pettinger [00:43:59] Okay. Further discussion? Patricia.

Patricia Hearing [00:44:06] I had a question for the maker of the motion. If this is to be seated advisory board or management team members or somebody else, and tribal?

Brad Pettinger [00:44:16] Corey.

Corey Ridings [00:44:16] Mr. Chair. I'm so sorry Patricia, I don't quite understand the question. I think you used the word "seated" but I'm not sure.

Patricia Hearing [00:44:26] Current members of advisory body and management teams or outside agency people?

Corey Ridings [00:44:36] Mr. Chair. Yes, they would very likely be seated.

Brad Pettinger [00:44:44] Okay. No more....Corey.

Corey Ridings [00:44:46] Thanks Mr. Chair. In light of this conversation, I will withdraw my amendment. With comments about just my concern about the timing and hoping that the conversation that Director Burden and Gway, as sort of the one in charge of it, can think about ways to make this happen on the current timeline that the steering committee has been discussing, going back to my original rationale for this amendment being that this is follow-up, something the Council has asked for and it's in time with a lot of the work that has been done by the EWG and EAS. And so just hoping that that conversation, I think this is a little bit of what Miss Svensson was saying, that that can happen sooner or later and the discussion includes options for keeping it on track with where our ecosystem and climate work on this is.

Brad Pettinger [00:45:59] Okay. Do we have the approval of the second? We do. Okay. That takes us back to the original amendment. Discussion on the original amendment or original motion? Ryan.

Ryan Wulff [00:46:14] Yeah, thanks I just have a question on this. Sorry, I know we're in discussion. But as I look at this, and based on our earlier conversation and maybe you already said this, but the way the Budget Committee recommendations are written, which this would endorse, it has a request for Merrick to discuss delaying that January 31 deadline and then if not, add this to the Committee-as-a-Whole. So, I just wanted to clarify, right, that I think we could have already had that discussion. Are you asking him to again request a delay or are we just moving forward with the Committee-as-a-Whole? Thank you.

Brad Pettinger [00:46:52] Vice-Chair Hassemer.

Pete Hassemer [00:46:52] I'm sorry. Thank you, Mr. Wulff, for the question. Yes, that in the course of our deliberations there was some discussion already had so I'm not, my intent was not to re-ask that.

Brad Pettinger [00:47:09] Okay. No more hands, we're going to call for the question. All those in favor signify by saying "Aye".

Council [00:47:18] Aye.

Brad Pettinger [00:47:18] Opposed, no? Abstentions? Okay, the motion passes unanimously. Okay. Patricia, how are we doing?

Patricia Hearing [00:47:36] You have completed the work for this agenda item.

Brad Pettinger [00:47:39] Very good. Okay, well done.

5. Legislative Matters

No transcription for this agenda item.

6. Approval of Council Meeting Record

Pete Hassemer [00:00:00] C.6, Approval of the Council Meeting Record. And there is only one item here and that is our Council meeting record, Attachment 1. I will ask for any hands who wants to start the discussion on reviewing and approving? Phil Anderson.

Phil Anderson [00:00:24] Thanks Mr. Vice-Chair. If Sandra's read my mind. I move the Council approve the Council meeting record as presented in C.6, Attachment 1, Draft Council Meeting Record, 273rd session of the Pacific Fishery Management Council, September 7 through 14, 2023.

Pete Hassemer [00:00:50] Thank you. That language looks very accurate and complete. Do you agree?

Phil Anderson [00:00:54] Yes.

Pete Hassemer [00:00:54] Is there a second? Seconded by Bob Dooley. Speak to your motion as needed.

Phil Anderson [00:01:02] I just want to thank Council staff for maintaining such good records of our discussions and decisions and I know it's not a small job and we tend to approve it in a matter of seconds or minutes, but I know there's a lot of work that goes into it and we do refer back to it quite often and so it's really important to do. Thanks.

Pete Hassemer [00:01:26] Thank you very much. Any questions or discussion on the motion? I'm not seeing any hands I will call the question. All those in favor say "Aye".

Council [00:01:36] Aye.

Pete Hassemer [00:01:36] Opposed, no? Abstentions? The motion passes unanimously. Thank you. That completes action under this agenda item.

7. Membership Appointment and Council Operating Procedures

Brad Pettinger [00:00:00] With that I'll open the floor up for discussion or go straight to... why don't we just do the appointments first so. Lynn Mattes.

Lynn Mattes [00:00:13] Thank you Chair Pettinger. If we were going to start with what I'm assuming are the more simple pieces I do have with the help of Miss Ames a motion for the Oregon Charter Boat Representative?

Brad Pettinger [00:00:24] Please.

Lynn Mattes [00:00:25] Okay. I move the Council appoint Mr. Andy Martin to the Oregon Charter Boat Operator position on the Groundfish Advisory Subpanel.

Brad Pettinger [00:00:33] Okay. I see the language on the screen is accurate so seconded by Corey Niles. Thank you Corey. Please speak to your motion Lynn.

Lynn Mattes [00:00:45] Thank you Chair Pettinger. Mr. Martin has been involved in our state process for a while. He comes attends public meetings, participates in our Oregon Fish and Wildlife Commission Meeting, and really appreciate his willingness to participate in this process. We have been lacking a charter representative on the GAP for a little while now and I think Mr. Martin will help fill that role. I do want to thank Captain Mike Sorensen for filling in at this meeting. I think he provided a lot of feedback. I don't think I need to say any more.

Brad Pettinger [00:01:16] Okay, very good. So, is there any discussion? Okay. I will call for the question. All those in favor signify by saying "Aye".

Council [00:01:25] Aye.

Brad Pettinger [00:01:25] Opposed, no? Abstentions? The motion passes unanimously. Thank you Lynn. Joe Oatman. Joe.

Joe Oatman [00:01:37] Yes, thank you Mr. Chair. I have a motion for the Salmon Advisory Subpanel. I move the Council appoint Mr. Calvin Frank to the Tribal position on the Salmon Advisory Subpanel.

Brad Pettinger [00:01:52] Thank you Joe. Second by Butch Smith. Thank you Butch. Please speak to your motion Joe.

Joe Oatman [00:01:58] Yes, thank you Mr. Chair. So, Calvin Frank has been nominated by the Quinault Indian Nation to fill the Washington coastal Tribal position on the Salmon Advisory Subpanel. He is a member of the Quinault Indian Nation. He has also served previously on the Salmon Advisory Subpanel and is an active ocean and river salmon fishery. He has participated in the salmon troll fishery as well as gillnet fisheries for the Quinault Indian Nation. I think that given his knowledge and experience with salmon and salmon fishing that he would be a welcome addition to the SAS.

Brad Pettinger [00:02:51] Thank you Joe. Any further discussion on the motion? Okay. With that I'll call the question. All those in favor signify by saying "Aye".

Council [00:03:00] Aye.

Brad Pettinger [00:03:00] Opposed, no? Abstentions? Okay, the motion passes unanimously. All right, thank you. Okay, that takes us to the second part, I guess we do have some additional openings and is there going to be any comments on that or necessary action we need to do? Kelly.

Kelly Ames [00:03:23] Thank you Chair. Just to note, we would after this Council meeting solicit nominees for the Washington EAS position and the Oregon troll SAS position.

Brad Pettinger [00:03:34] Okay. Thank you Kelly. And to the third item. We have discussed that earlier in the meeting I believe, so I'll just open the floor for discussion on that as needed. The Take Reduction Team issue. So anyway... so I'll open the floor for discussion. Sharon.

Sharon Kiefer [00:04:07] So, just so I'm clear, the Council can nominate people but ultimately NOAA selects who's on the team? I'm a little unclear about the process of how to populate the team.

Brad Pettinger [00:04:27] Keeley Kent.

Keeley Kent [00:04:29] Thank you. Yes, we are certainly open and interested in Council feedback in general on the scope, but also on particular people that might be good for the team, but, yes, it is ultimately a NMFS decision and we certainly have heard some of the thoughts about sort of the timing and like today, you know that's still quite a bit away from when we would actually convene the team and so when I gave the NMFS report, hopefully I made it clear that this is not the only option to offer up names and that we would certainly take interested folks outside of the actual Federal Register scoping time period. So, this is not the only chance but if there are particular folks that you want to recommend at this meeting or in a letter afterwards, certainly we would take those at any time.

Brad Pettinger [00:05:20] Thank you Keeley. Okay. Bob Dooley.

Bob Dooley [00:05:27] Thank you Mr. Chairman. Good morning. On this issue I just hope that they take... that consideration is given to the advice by the GAP on this. I think it comes from a place where they're consulting with each other and understanding who might be the best person for the job and the experience and all of that stuff and the willingness to serve, so I think that it should be well heeded that that's a real good source to pull from to create this list. So, I just wanted to say that. Thank you.

Brad Pettinger [00:06:04] Thank you Bob. Anyone else? Executive Director Burden.

Merrick Burden [00:06:11] Yes, thank you Mr. Chairman. Just in the interest of clarity, it might make sense to revisit some of the discussion we had earlier in the week, which feels like earlier this year at this point. A couple of things come to mind. One is, as we discussed either the first or second day as we talked about membership, I think there was a desire to make sure we had someone on point with PRD and NMFS when it comes to this issue and so we are recommending that we have Jessi Doerpinghaus be our point of contact as this issue unfolds. There's also an earlier discussion that in response to the Federal Register Notice that we transmit a letter to the agency outlining our belief that it should be a narrow scope focused on the fixed gear sablefish fishery. Those are two things that came to mind. And then the third point that we discussed was, unless your thinking has changed, that we are not quite at a place of recommending particular names, but that as we gain some additional clarity that we'd like to be in touch with the agency and then come back presumably at a later time and transmit an actual recommendation to the agency regarding seats on the Take Reduction Team. I believe that's where we landed earlier in the week. So that might be good to hear from you all if you still have that same opinion and perspective about how to best move forward.

Brad Pettinger [00:07:40] Okay. Corey Niles.

Corey Niles [00:07:42] Yes. No, I think these people that the GAP brought forward are that type of people that we would want. It's just it's going to be two years from now and your recap of the plan is the way to go.

Brad Pettinger [00:08:04] Thank you Corey. Corey Ridings, other Corey.

Corey Ridings [00:08:09] Thanks Mr. Chair. I just wanted to note in thinking about this that I think it's important that someone with both marine mammal conservation as well as fisheries experience is important and finding that nexus of expertise will be good for the overall benefit of the TRT eventually. So just noting how this process is moving here, our role and then of course that it is NMFS's decision and PR's decision eventually. Just the importance of having someone with that nexus of knowledge is probably a good thing. So, thanks.

Brad Pettinger [00:08:44] Thank you Corey. Corey Niles.

Corey Niles [00:08:46] Sorry, one other thought. I think I fully agree with the other Corey over there but just as it goes without, and you probably thought of this already, but just mentioning, and if Marci were here I think she... she may have brought this up earlier, but just the model we've had in our Endangered Species Groundfish Workgroup and on this issue and just adding that to the letter of these collaborative ways of working are the way to go. And I don't I have a point other than making that emphasis to NMFS that we have that model and we have, it strengthens when we have, when we've had the GAP people engage, so I just think that would be a nice addition to the letter would be noting the experience we've had with that workgroup.

Brad Pettinger [00:09:41] Thank you Corey. Anyone else? Joe Oatman.

Joe Oatman [00:09:50] Thank you Mr. Chair. And I understand that there's been some discussion and consideration by some of the treaty tribes and I do believe that there's an interest in having a representative from one of the tribes serve on this as well.

Brad Pettinger [00:10:08] Okay, thank you Joe. Okay, Kelly, I'm not seeing any other hands so how did we do?

Kelly Ames [00:10:19] Thank you Chair Pettinger. So, what I take from this discussion is as part of our comment on the Federal Register Notice, which captures your comments under the NMFS report to set the scope as the sablefish fixed gear fishery off the West Coast. We would also express our commitment to work with the agency on this Take Reduction Team, noting our successful models in handling similar matters with endangered species that Mr. Niles just mentioned. And then reiterating that we would like to work with the agency once the scope has been set to forward a set of nominations to participate on the team. And with that and the motions earlier, I believe you have covered the actions expected under this agenda item.

Brad Pettinger [00:11:09] Thank you Kelly.

8. Future Council Meeting Agenda and Workload Planning

Brad Pettinger [00:00:00] That takes us to Council action or discussion, so... Executive Director Merrick Burden.

Merrick Burden [00:00:06] Yes, thank you Mr. Chairman. Since we do have these supplemental materials, I think I'll take a couple of minutes just to walk you through them. You have heard some comments already that may affect your thinking. So, starting first with the Preliminary Year-at-a-Glance Summary, the supplemental version that you have in your briefing book now. A couple of things to note. Let's start with March, or rather I will start with an overview. So, what we like to do is aim to have Council meetings last no longer than five and a half days. So, you'll note, I guess unsurprisingly, that March and April are already quite full as is June. The number of hours for the June meeting have actually come down as we've moved some things around. And then looking out further beyond the year, September and November are still coming into focus and so the time is not quite fully taken, which is fairly typical at this point. Starting with March. Of course March is not a CPS meeting. It does... it is shaping up to be a rather heavy groundfish meeting. We have moved a few things around that I will touch on here as I go through the QR Agendas in a minute. Moving down, we do have the HMS, and there's been some talk this week about the HMS Roadmap Workshop. We did have a motion earlier this week that gave some clarity about next steps and the title of that has changed from report to check-in, and you heard from the HMSMT they would suggest titling that as a planning item. March, of course, is a very heavy salmon meeting. You see the usual salmon matters listed. You also have there the KRFC Workgroup Progress Update and Klamath Dam Removal Update. A very exciting issue is happening there that should affect our West Coast fisheries. March is also an ecosystem meeting so you see several items there. Pacific halibut as well and then some usual routine matters. Another thing to flag for you is the Office of National Marine Sanctuaries, the Coral Restoration and Research Plan. We're looking for a range of alternatives and a PPA on that matter. And then finally at the bottom we have a new item that we have not had before and this is something that I've spoken to several SSC members about, several of you about, and was a recommendation made to me by several other Council EDs, which is an agenda item where if you were to envision the table in front of us here, you'd picture the SSC Chair and the Subcommittee Chairs and we would have a discussion about what the Council needs of the SSC are, and any questions the SSC would have of the Council about their role and any particulars. And the intention of that is just to build a better dialogue between the Council and the SSC and make sure we're all in alignment about how to best work together to achieve our objectives. Let's see then... looking through April. April, of course, we're also trying to pin down the agenda at this meeting. April, we do have a CPS meeting. And then in terms of groundfish we have a few matters of note. We've shifted the sablefish gear switching matter from March to April. The intention there was to give NMFS a little bit more time to review the PPA package before coming back for a final given their staffing issues at the moment. Moving down through salmon, we begin consideration of the Queets Rebuilding Plan. That is a new matter that you'll see there. Ecosystems, the CCI matter was stricken. That is over in March at this point. Pacific halibut, typical salmon troll regulations. Moving down through other, we'll then bring back the NMFS regional EEJ Plan and provide space for a EEJ Committee Update. And then we have our Report of the Office of National Marine Sanctuaries that's been placed on April rather than March. Moving over into June. June is always a fairly full meeting with lots of different FMPs meeting and lots of different agenda topics. So, June also a CPS meeting. Of note, there's this matter that we put on the agenda at the last meeting, around the Year-at-a-Glance at the last meeting, which is titled Science Needs and Stock Definitions. That is, I would describe that as an agenda item that is intending to start to fine tune the process we use about what questions we have of science, set priorities for work and try to create a more systematic process around CPS. Groundfish, of course, is quite heavy. One of the things you'll note, in particular, we will be going through our final action on management measures for specifications so that alone will make June a busy meeting. We also have one matter that has caused

some confusion that's called Stock Definitions for Species Assessed in 25 and 27. So, that is different from the Phase 2 Stock Definitions, and that is to make sure we're defining stocks for assessment purposes. And then there's a bigger question of the Phase 2 Stock Definitions that is also on your Year-at-a-Glance Summary. And given the progress and frankly the competing workloads that we have, we have proposed shifting the consideration of the Trawl Catch Share Program back one meeting. This is in response to the, just the continuing work on the gear switching matter, and then some staffing considerations we have internally about when we'll be able to begin doing that program review. Moving further down into HMS you see a lot of typical matters there. We also come back for the HMS Roadmap Workshop. Salmon, you'll see the workgroup of the Sacramento River Fall Chinook Workgroup. There's a progress update that's scheduled for June. That will be the first time you hear from that workgroup. And then again, the Queen's Rebuilding Plan. Moving down through Pacific halibut you'll see there is a matter there for June. Our typical schedule is September and November. In June, one in particular matter here is the finalization of the enforcement regulations. There's also some question we have about what your intention might be for that June meeting, if it is beyond just the regulations or if indeed that is the one item for us to consider at this point. And then some fairly typical matters as we go down through the rest of the agenda. Moving over into September, I believe I've begun to speak to most of the matters you'll see in September and November, but just for orientation purposes September is a groundfish meeting, every meeting is. Stock Definitions for Species Assessed in 25 and 27 goes final. We have a final action for Limited Entry Fixed-Gear Follow-on. We begin our Trawl Catch Share Program Review, and we begin our Phase 2 Stock Definitions for Complexes and scoping of that matter. Again, the HMS Workshop Report in September and moving down through... let's see... we bring back the Regional Recusal Determination Procedure Handbook, which I know everyone is waiting with bated breath on that one. Let's see, and then CPS in September again, and for November rather, a couple of items of note on groundfish Phase 2 Stock Definitions, we're looking for a range of alternatives and a PPA. We start to pick up the FMP amendment to remove drift gillnet gear. You'll hear from both Fall Chinook Workgroups under salmon matters. And I guess that is, that would conclude the orientation of the YAG. Maybe I'll pause there and see if there are any questions before I turn to the Quick Reference Agendas.

Brad Pettinger [00:09:33] Okay. Questions for Executive Director Burden? I think you're doing great so far.

Merrick Burden [00:09:39] Okay. Let's see starting with March, and just again we are looking to go through both March and April given the quick turnaround from March to April so we try to pin all that down here in this meeting. So, starting off with March, we are looking at the first the left hand column. We've added this, this new section that I think we're all still getting used to called AB Meetings in Advance. And so, these are generally remote meetings of advisory bodies before the Council meeting, but that will provide a report for the Council meeting. So, we're looking at a HMSAS and MT meeting in advance of the March meeting. And then beginning on Tuesday we'll pick up the first in-person meetings. We're looking at the Habitat Committee. We had been planning on having the GAP and GMT, but given the shifting, the shifting of the gear switching matter I believe in particular, we've alleviated one day off their schedule. Of course, we also have the SAS and STT, the SSC, the Legislative Committee and the EC. And then as you move across the bulk of the week you see that the GAP and GMT arrive and start to be in meeting on Wednesday. The EAS and EWG also begin meeting on Wednesday. And then we have as needed EC. And then as you follow the EC out throughout the week you'll note that they are unbolded as you get later in the week and that is because they go remote. Let's see, going up to the Council agenda. A couple of matters of note. So going down through the first day, we'll start off with our usual flow and then we will have this Council and SSC Priorities discussion early in the week, that's to take advantage of the SSC being in-person with us at that time. And then taking up several salmon matters including the, the usual review of '23 fisheries and '24 stock forecasts. And then the new matters of Klamath Dam removal and the Klamath Workgroup Progress Report. And

then of course we also have Habitat. As we go throughout the week, then moving into Thursday we begin consideration of 2024 salmon. We have Office of National Marine Sanctuaries, the Coral Restoration and Research, again looking for a range of alternatives and a PPA. Groundfish, we have the Whiting Treaty Implementation, which comes up on Thursday according to the schedule. And then we have this rather new matter we're calling Consideration of Additional Quillback Analyses. What this is a reflection on is your earlier desire that you expressed to have a special SSC review of the Hilborn and Maunder Analysis and so we would be having the SSC report back to you at this time on Thursday under F.4 as is currently penciled out. Let's see... going through Friday. Let's see, of note, we've added the Climate and Communities Initiative Review and Prioritization of Tasks on Friday, and that's a new matter, a new item. Going through Saturday, let's see if there's anything I should flag here of note. Let's see... under F.9 I did hear earlier a suggestion from the GMT to shift Workload and New Management Measure Priorities to June. Just reading between the line I would think that that's likely due to the number of items we're working on between now and June and that perhaps it makes sense to take up those priorities after we get a few things off of our plate. And then going down through the rest of the week you'll note we've stricken out Gear Switching, so we've moved that to April. And then as we go to April, again starting on the left, AB meetings in advance. We have CPSAS and MT, the Habitat Committee and the SSC. And then beginning on Friday, the STT and SAS begin meeting as do our groundfish groups, the Model Evaluation Workgroup. We have our Budget Committee, the EEJC and the EC. And then as you move throughout the week, you'll see that it's right now it's focused on having the salmon and groundfish groups in-person and the EC as needed. Let's see moving down through the first day, this should all look fairly familiar to you. We have several matters that are oriented around salmon and habitat so the Pacific halibut item, of course, is about catch limits in the salmon fishery. Then as we go through Sunday, you'll note we've stricken the Trawl Cost Recovery Annual Report. Let's see... anything else that I have not touched on. First thing, I guess, jumping over to Monday, we have our first session of Sablefish Gear Switching. We're looking for final action at this meeting and we're scheduling 5 hours on that matter and then coming back on Wednesday for a Council action. And we have one inseason in April. Moving over, of course we have salmon sprinkled throughout the meeting and oftentimes that will flex per usual as our committees and the tribes make progress. Tuesday, we take up CPS. Again, Wednesday we come back for groundfish. I'm sorry, come back for '25, '26 management measures on groundfish. Then we come back for Sablefish Gear Switching FPA and then final action on salmon. That makes for a very full day. My thinking is that comfortable putting this in place now and when we get to April either salmon goes well or it goes into the last day, and so we will be prepared to move things around as necessary and potentially take up Thursday matters if salmon is not ready on Wednesday. So, let's see I will stop there Mr. Chairman and happy to take questions and I would appreciate further guidance if you have it.

Brad Pettinger [00:17:09] Okay. Thank you Executive Director Burden. Questions on the overview? Lynn Mattes.

Lynn Mattes [00:17:20] Thank you Chair Pettinger. I wasn't quick enough earlier when Merrick was talking and mentioned the review of Hilborn and, I can't remember the other fellow's name. Could we get some clarification about what you see that being involving? Is it going to be a full Star process or just a review? I know some folks have been talking to me wondering what exactly that's going to entail so if you have any more details that would be wonderful.

Merrick Burden [00:17:51] Yeah, thank you Mr. Chairman. And thank you Miss Mattes for that question. Kelly and I have been working with our colleagues at the Science Center and the Northwest Center on this question and I'm happy to say that it is a difficult issue and everyone's working very well together on this and a very nice plan is coming into focus. And so just to outline how I see the steps flowing from here if you continue to desire this SSC review. What I would do is leave this meeting and we'd write some correspondence to Mr. Hilborn and Mr. Maunder requesting their participation in this

additional review. And as part of that we would ask them to flesh out the comment letter that you saw in your briefing book here this week. And there are some additional pieces of information that would, if they're fleshed out, would help the SSC in the review. Assuming they're amenable to participating in a review, we would move forward with scheduling that. The Science Center has offered to host that in Seattle or we could do it remotely. It would be a one day affair at the most. And what we would do is ask the Groundfish Subcommittee and then the full SSC to consider that analysis and whether it would have influenced the SSC's decision and recommendations regarding specifications of the '21 assessment if they had had that review at that time. So, we're not going to ask them to then go back and review the full assessment. We're going to ask them to review the analysis of Hilborn and Maunder. And it's a maybe a nuanced point but an important one for various reasons. So that would then lead to a report and recommendation from the Subcommittee to the full SSC and that would come to you again in March. And at that time if there is, if the SSC were to conclude that that information would lead to a different specification number, that's when you would hear of that opinion. I'll pause there and see if that is answering your question?

Brad Pettinger [00:20:19] Lynn.

Lynn Mattes [00:20:19] Chair Pettinger, Executive Director Burden. That answered the initial question but leads to a quick follow-up, what I hope is a quick follow-up question. Will the members of the GMT and GAP be able to participate as advisors like they normally would at a STAR Panel type approach? Thank you.

Merrick Burden [00:20:44] Thank you Miss Mattes for that question. We have not contemplated this as a STAR Panel. I had not contemplated having additional advisers. I think the question has been a fairly narrow one in my opinion, and that narrowness lends itself to being specific to the SSC. If there's reason to include additional people in there, I'm happy to entertain that discussion, but I think the ask here is not about, since it's not about revisiting the assessment and all the data inputs, it's about the Maunder and Holborn analysis of that and their justifications of it. That's a much more narrow focus that I think is much more closely in the SSC's wheelhouse. That's my first reaction.

Lynn Mattes [00:21:34] Okay, thank you. I appreciate that.

Brad Pettinger [00:21:36] Thank you Lynn. Sharon Kiefer.

Sharon Kiefer [00:21:40] This may already be in here, but I'm not sure that it is. So, given how we ended the day yesterday and Marci had a statement about the upcoming actions that California Department of Fish and Wildlife was going to need to take relative to fisheries within state waters and recognizing they're having to kind of take a phased approach because of upcoming deadlines, obviously commercial fisheries potentially as early as January but the rec folks not until May. I was wondering if it'd be appropriate to get a report from Marci in March kind of just summarizing the actions they took for commercial fisheries within state waters and then perhaps giving us, to the degree that they can, kind of a overview of decisions that they may have already made relative to recreational fisheries or that they're working on.

Brad Pettinger [00:22:38] Executive Director Burden.

Merrick Burden [00:22:42] Yes, thank you Mr. Chairman. Let's see, just pausing here for a second. That request, Miss Kiefer, would generally come up under groundfish inseason. Oftentimes the California Department of Fish and Wildlife will provide reports about how things are going through the year. I think that request is reasonable and happy to reach out to Miss Yaremko about that, if it pleases you?

Brad Pettinger [00:23:13] Thank you Sharon. Phil Anderson.

Phil Anderson [00:23:20] Just have a few comments and one would be, my first would be on the last one. I think the states and I'd probably call out California Department of Fish and Wildlife have been very good at updating the Council on activities associated with actions taken for state waters and catch updates. And frankly my preference would be to defer to them when they have information that they want to bring forward to the Council rather than saying we want it in March or April or any other time. But just the record of, particularly California Department of Fish and Wildlife, they've been very, very good, as the other states have been in keeping us informed. And the first one I have is a observation not necessarily a suggestion, but I see we have, you've ex'd out the GAP and GMT on Tuesday, I'm on the March agenda by the way, you crossed them out on Tuesday, March 5th, but you still have them listed on Sunday, March 10th. After the groundfish we have inseason that day but I would assume that they would have completed their work, but I would just suggest maybe asking them if they would rather eliminate Tuesday or Sunday. That's just a observation. On Thursday, March 7th under F.1, the National Marine Fisheries Report, they may be going to do it anyway, but I'd like an update on EM implementation. We last discussed and provided guidance coming out of our committee in June. There was some additional work that was left up to both Pacific States and National Marine Fisheries Service, so I'd be interested in an update and would request that they include that as part of their report if they would be willing to do that. The last thing on the March agenda is on Sunday under Pacific halibut there's the IPHC Commission Report and then there's the matter of the incidental limits for salmon troll and fixed-gear sablefish. First, I wanted to confirm that it was the desire of the Council to have me attend the... as your representative to the International Pacific Halibut Commission attend the annual meeting. This year it's going to be in Anchorage so there is some cost to consider there. I'm sure the state reps are going, I assume, but just wanted to confirm that that was the desire of the Council. And then on this particular item on this day we have an hour and what is, there's been some... I felt like there's been some duplication in the past or I write a report and then we also have a representative or representatives of the IPHC, Dr. Wilson or his designee come and report out to the Council about the annual meeting. So I didn't... and there's, sometimes there's a fair amount of overlap in what I write in my report and then what we hear verbally here. I think... I'm not arguing against having them come because it does I think keep us in coordination with one another, but I would like to reduce the overlap and with the idea that we might be able to save a little bit of time there if we're limited in time. I also had a comment on the Year-at-a-Glance and it had to do with the halibut matter that is listed on the June meeting. I noted the GAP's recommendation that the topic that we'd be discussing is the inseason management flexibility matter. They did not use the word or reference allocation and so it would be good for us to be as clear as possible what the scope of the issues that we would be taking up for halibut at that June meeting. So, if there is a desire to take something else on besides the inseason flexibility matter, I think the earlier we flag that and allow people to be prepared for it, the better. Thanks.

Brad Pettinger [00:29:31] Thank you Phil. Executive Director Burden.

Merrick Burden [00:29:34] Thank you Mr. Chairman. Thank you, Phil, for those remarks. Let's see if I can work through these. I guess starting with your last one, I also did make note of the GAP's recommendation to focus on inseason flexibility. There's also the matter of the enforcement regulations, and for those two things clarify? Okay. We will I think if it's the wishes of the Council to clarify that that matter will cover those two things then we're happy to clarify that on the YAG. So, I guess I would just look for some confirmation.

Brad Pettinger [00:30:11] Okay. Thank you. Go ahead.

Merrick Burden [00:30:12] A couple of other matters. Yes, thank you, I've noted we can ask for a EM update that may extend the NMFS Report beyond 30 minutes but I think we can work with that. And

then your other remark was on the... oh, your attendance at the IPHC meeting. That is in the provisional budget. We did include that. You'll note September, I think you and I had a discussion about maybe there wasn't a need to have a Council representative there. And then we discussed that in September, that was put back into the budget. You adopted that provisional budget earlier this week and that does include travel for you as our representative to that meeting.

Brad Pettinger [00:31:03] All right. Thank you Phil. John Ugoretz. John.

John Ugoretz [00:31:09] Yeah, thank you. And thanks Mr. Anderson for your initial comments regarding workload assignments to California Department of Fish and Wildlife. I think the department obviously will continue to provide analyses and information as needed and as available. However, we definitely cannot accept a direct assignment to provide something on a certain timeline. You'll definitely get what you need from us as we are able. With regards to groundfish on the agenda, kind of following on some of the comments, just noting that the April meeting item F.4 for inseason management is scheduled on Monday the 8th, which is just the third day of the meeting. That might be a little early and perhaps it could be switched to April 10th on Wednesday. Thanks.

Brad Pettinger [00:32:23] Okay, thanks John. Lynn Mattes.

Lynn Mattes [00:32:33] Thank you Chair Pettinger. On the March agenda, I got some groundfish birdies in my ear, with inseason being the only groundfish item on Sunday, March 10th, if that was moved to earlier in the day, then that could also be a travel day for the GMT members and might save a little bit of wear and tear on them. It means they wouldn't necessarily have to be here all day for that. Otherwise, they would be traveling on the 11th. I'm getting mixed messages about whether or not the groundfish folks would like to work on the, still have that meeting on the 5th. I know gear switching has been removed, but consideration of additional quillback analysis could be time consuming additionally. This will be the first chance for the GMT and GAP to get together and talk about the overwinter analysis the team had been working on for the spex item, so maybe some additional consideration on the 5th between you all, Council staff and the GAP and GMT leadership might be needed between now and when the public notice goes out. I just want to leave that in your hands. In general, in their report and number of reports, the GMT has been asking for very specific guidance on where they should make their priorities. During the spex cycle we often request that their priorities be one spex and two inseason. I think that should continue. Anything beyond that would be a lesser priority. I know there's going to be a lot of interest in the Initial Stock Assessment Plan and TOR item, so that would probably be there. I'm not sure how to give them guidance that they specifically requested on the Climate and Communities Initiative piece. I know previously the GMT Subgroup was a subgroup of one and that subgroup has moved on to another position, so I'm not quite sure how to provide them that specific guidance they requested, but trying to fulfill their requests on where they should prioritize their time. Thank you for the consideration.

Brad Pettinger [00:35:02] Thank you Lynn. Keeley Kent.

Keeley Kent [00:00:00] Thank you. I'm going to start with the CPS item. The June science agenda item, just noting we appreciate the background and explanation provided by Mr. Burden as we had some questions on the scope. Based on the comments, we're wondering if it's appropriate to retitle that item "Science Needs and Priorities" to keep it broader and similar to how Mr. Burden explained it. I just wanted to pass that along. I have a couple of groundfish things, but if Merrick wants to respond right now, I'll pause.

Brad Pettinger [00:00:37] Executive Director Burden.

Merrick Burden [00:00:40] Thank you Miss Kent. Maybe just some background so that originally we were, we first began this discussion talking about bringing back the question of the CPS stock definition, whether there is a northern and southern stock and whether to start managing those two differently. So that's why you have now the stock definitions part of that still remaining. That's what originally triggered that discussion. And then I believe it was the last meeting, I think it was Miss Hall or WDFW, someone recommended that we start thinking more specifically about scheduling a conscious time where we talk about the science needs that the Council has regarding CPS matters and so you see a fusing of those two items. I guess I would need to hear from the whole Council whether you want to, I'm not sure if drop the stock definitions question is appropriate, but just refocus this on priorities rather than considering a specific, one specific priority in the context of more general science requests and needs, if that makes sense.

Brad Pettinger [00:01:57] Keeley. Corey.

Corey Niles [00:01:57] Yeah, I think having spoken with Josh in particular, not recently, but on this topic. I would I think, Keeley, correct me if I'm wrong, but I think this stock definition is like Keeley suggesting, one of the many potential issues that could be brought up and so it's underneath that umbrella, I would say. So, it's I believe that... my bet would be it would be rising to the top but it is an item that should be in the mix for priority, so I think if I'm guessing that's where Keeley's comments coming from and I would agree. I don't know to get too hung up on the title if that launches the stock definition to the top by being in the label or not, but I think it falls on the umbrella of CPS, the science needs and responding to them.

Brad Pettinger [00:02:55] Keeley.

Keeley Kent [00:02:57] Thank you. Thank you Mr. Niles. Yeah, our thinking is that the stock definitions could be part of that discussion and the result could be a focused item on stock definitions and so I don't think we're necessarily suggesting anything different, just sort of making sure it's clear to the public what the item in June is, if that's all right.

Brad Pettinger [00:03:18] Okay. Keeley.

Keeley Kent [00:03:21] I do have other groundfish things and a halibut thing, but if there's more CPS discussion on this particular thing, I'm happy to wait a moment.

Brad Pettinger [00:03:30] Corey Ridings.

Corey Ridings [00:03:32] Thanks Mr. Chair. Just listening to this discussion, just wanted to add that I do think the stock definitions part of that conversation is very important. So, while renaming it is acceptable in my mind, I just want to be clear that I agree with the other Corey that that's probably one of the top priority things and falls under the umbrella.

Brad Pettinger [00:03:54] Thanks Corey. Executive Director Burden.

Merrick Burden [00:03:59] Thank you. With that, assuming that that is all the guidance you have on that, I think we can handle this in the Situation Summary so we can specify that stock definitions are a part of the priority discussion.

Brad Pettinger [00:04:11] John Ugoretz.

John Ugoretz [00:04:14] Yeah, thank you. And I'm not exactly sure if what Executive Director Burden

said is saying, yes, we agree with changing the name on the YAG, which I do support changing the name to Science and Priorities. So, if that's where he's going with that, that's great. I do have another comment about CPS and the April and June agendas, but I want to make sure you're done with this one before I go to that.

Brad Pettinger [00:04:49] Okay. Further discussion on that CPS matter? Okay John.

John Ugoretz [00:04:58] Yeah, thanks. I just note that there was mention of the CPS Management Team meeting remotely in April and in-person in June. I honestly feel that that should be switched. Meeting in April is important in person, given the benchmark Sardine Stock Assessment to set specifications in April. So, I think if we're having the CPSMT meet in person it's much more important that they do so in April.

Brad Pettinger [00:05:32] Okay. Thank you John. All right. Keeley.

Keeley Kent [00:05:41] Thank you. I will go quickly to halibut and then I have a couple of groundfish things. Just on halibut noting, you know we can support unshading the June agenda item. We appreciate the additional guidance that the Council has provided on expectations and prioritization. We will just note that NMFS is certainly open to continuing to support that development with Council staff, but we will be working on processing 5 rules over the next couple of months and so just sort of noting that, you know, that will be the priority first but happy to support the unshading in June. And then on groundfish, there's been some discussion about the Workload and New Management Measures and Prioritization. Similar to the GMT, we would rather not have that item on the March meeting. I certainly recognize that that was sort of the, the March meeting was the time when we were going to do that annually but we do not have capacity for anything new, certainly by March and even June with just the overlap with spex feels like it could be challenging. We would support putting it on the list for September. You know we do continue to think that that is the right place to make sure that we are doing that prioritization process before selecting new things, but we are still working on the last set of things that have been prioritized and it would be nice to be able to make good progress on those before we come back to another round. You know I think the public's expectation is every time we have that there is an opportunity to move something off the list and so sort of lining that up with when there actually is the workload capacity across NMFS and Council staff to me seems like the better timing. If Council staff feel like that, September would be a good time, we would certainly support that. We're happy to have more discussion on that. On Mr. Anderson's requests for an EM update in March, I think we can support doing that and we're happy to provide information under the NMFS Report on that. And then last comment for now would be so on the March Quick Reference, and given the conversation and the new item for quillback, we would like the Council to consider that under F.8, so March would typically be just an update for the specifications and management measures, but given that we're walking out of this meeting without our full suite of typical decision points, we'd like the Council to consider expanding the time on F.8 As well as the scope. I could see that if we drop Workload and New Management Measures, we could take some of that time directly into F.8 and that would leave the door open for an opportunity to respond directly to whatever comes out of F.4 at that meeting and provides us just a little bit more time. We've talked a lot at this meeting about the timeline of specifications and management measures. We do not want to shortchange the considerations of the remainder of the package of specifications and management measures and so are hoping for an opportunity in March to continue to cover some of the ground that here in November we weren't ready to move forward on. So would hope the Council would consider expanding that, given all of the recent changes on that item.

Brad Pettinger [00:09:24] Thank you Keeley. Lynn Mattes.

Lynn Mattes [00:09:33] Thank you Chair Pettinger. Just on the April agenda I see that F.5 is split over

two days. I think we saw yesterday that having a break in that agenda item is useful and helpful. I'm assuming we would get through the advisory body reports, public comment, et cetera, and then come back the next day for the discussion and motion making? I just want to say I really appreciate having that tentatively scheduled. I think it will help facilitate the process as we move forward. Thank you.

Brad Pettinger [00:10:11] Thank you Lynn. Corey Niles.

Corey Niles [00:10:17] Yeah, Mr. Chair, thank you. I guess, well I could comment on a lot that's been said but I think the bigger one that was leading to what Keeley's, some of the quillback thoughts and the earlier discussion on what will be asked of the SSC, and it's good to hear that Merrick you've been working with the Science Centers to get it to ask specific questions of the SSC, because I think you'll hear that typically if you don't ask them a specific question that's there, discussions they might not know what you're looking for, so I hope you continue working on that and narrowing in on what we're asking. But I think that where I'm going here is... the real question in my mind, these assessments, yeah, they're very volatile and you can get different answers on different assumptions and we're going to continue to see that. But the bigger question is, is how do we respond to them? And that was the, the thrust of the motion that Marc withdrew under that agenda item, which was basically what happened to our flow chart is where I'm going... in Informational Report 8 of, you know, given the severe cost of a false alarm so to speak, the Council's preference was to not fully respond until the full assessment was done. So, it's a question of maybe not for answering now, but how do we get the discussion going about the flow chart approach? Where does that fit? Does it fit under this stock assessment Terms Of Reference? Is it a longer term thing? But that to me is the crux of the issue. We can't be...we won't be, hopefully this is the worst situation we'll be in in terms of responding to a data-moderate assessment. But I don't....we're going to need....the potential cost here do, in my mind, justify asking for this extra step, but I don't know that we'll be able to do that with every single assessment where this is an issue. So where do we fit that discussion about the flow chart into our process is the question I'm posing here. And I'll stop there. I see Miss Kent has her hand up.

Brad Pettinger [00:12:44] Executive Director Burden.

Merrick Burden [00:12:47] Yeah, thank you Mr. Chairman. And thank you Mr. Niles for that question. Well, I think the short answer here to start off with is that what you're raising is more than a scheduling discussion. You know most of the time what we focus on here is the schedule. And so, this is more of a strategic consideration of how we want to use data-moderate assessments and whether that is any different than a data-rich assessment. And as you're reflecting on Mr. Niles, this discussion came up on the Council 10 years ago. There was a desire to do things a little bit differently when it came to data-moderate assessments. The science has evolved since then. I'm sure the thinking has evolved since then. But what is, one of the takeaways for me after that report was put together is that there's still a need perhaps to say, to ask ourselves how we want to use this, and we don't have a clear process as you're outlining, and so this could be a workshop like we talked about 10 years ago. It could be an expert panel that gives us recommendations. It could be a joint paper between staff and the Science Center. There are a variety of ways to go, but I would say or I would propose rather than trying to schedule something, to let us as staff take a step back and talk with our Science Center colleagues about what this could look like and we could bring a plan to you or take this up again in March and potentially schedule a workshop or something of that nature if that seems to be the most appropriate way to go. In other words, I'd like to do a little bit more thinking on how we move forward before we try to schedule something, but I don't intend for us to drop it.

Brad Pettinger [00:14:51] Okay, thank you Corey. Keeley Kent.

Keeley Kent [00:15:00] Thank you. I agree with Mr. Burden's comments that it is a bigger issue and

I'll just note we're happy to continue that conversation. It is much bigger than that old flow chart and I think it gets into, you know, the agency's role in determining BSIA and how it is appropriate for use in stock status determinations and so I think we need to be clear as we have that conversation, sort of the roles and responsibilities and then where that occurs and how that feeds into the Council process. So, we are supportive of continuing that conversation outside of this arena and figuring out sort of when and where we bring back more information.

Brad Pettinger [00:15:41] Thank you Keeley. Okay. Bob Dooley.

Bob Dooley [00:15:48] Thank you Mr. Chairman. A question I believe for Merrick, maybe the whole Council. In September, we requested that the at-sea co-ops report back on their progress on a intercooperative agreement to deal with bycatch and how that's progressing. I recall that when they came to us in September... was really, they ended up in public comment almost and it was or did and it was very limiting to the time that they were allowed to present their problems and reports. So, in that we're asking them to come back I don't see where there's a specific place in the agenda, maybe it's embedded I just don't see it, but I want to know how we're going to follow that. Are we going to give them time to present their progress? And is it going to be in the context of public comment or is it going to be an actual interim part of an agenda so that they have the time and the ability to submit any information prior to us meeting? So, thank you.

Merrick Burden [00:16:58] Yeah, thank you for the question, Mr. Dooley. Generally speaking, I envision that discussion and information from them coming under inseason. How exactly you make that work? There are some issues I'll need to noodle on with GC about how to formalize a presentation from a group that we are asking to voluntarily do something. So, there's just some process issues I think we have to pin down and figure out exactly what that looks like. But perhaps the higher level question is that we're looking to do that under, or the higher level answer rather, is that we're looking to do that under inseason, whether that's public comment due to some of the other legal issues we need to work with or whether we can formally schedule that. I think we still have some work to do, but that's where we would have it is under inseason.

Brad Pettinger [00:17:53] Thank you Bob.

Bob Dooley [00:17:55] Thank you Merrick on that. I just wanted to bring it up so that they have clarification of what their, how their presentation might go and what time would be allotted and how they best present that information and have full information on that going forward. So, I do appreciate your comments and thank you.

Brad Pettinger [00:18:15] Thanks Bob. All right, anyone else? Keeley.

Keeley Kent [00:18:20] Just one other ecosystem item. So, for the March Quick Reference, the Climate and Communities Initiative Review and Prioritization, I'm not opposed to having it on March, just noting the nexus with the IRA funds. It's not clear if we'll have that information all sorted out before March so just sort of noting it aloud right now, not necessarily suggesting a change.

Brad Pettinger [00:18:47] Okay. Corey.

Corey Niles [00:18:52] Yeah, well sounds like we're wrapping up here. On the ecosystem items that brings the connection back. I think there was a question in the GMT report about how we expected them to be involved in the current initiative and what their priority should be. And again, having spent several years on the GMT and I think I agree with Lynn's overall guidance to, you know, that list of things we're taking on in the management measures was overwhelming to us just to look at the list. So,

there's a lot of work to actually accomplish the items on that list. So that should be their priority. Inseason traditionally isn't a big, a lot to do in March and April given it's early in the year. The meetings are really close together. There's not a lot of feedback on what changes are needed. So, I guess you just never know what's going to be needed, but I guess I would, in terms of priorities, I do hope the GMT will engage in the ecosystem initiative. It is on that very goal that Keeley just mentioned of figuring out how to make, whether you call them climate ready, climate adaptive, ecosystem based, sustainable, whatever, it's how do we use this information to improve our management and our outcomes. And so I, you know, there's I don't know how many members of the team there are, but there's probably that many perspectives on what they would like to provide insight to in the Council and it to me it's up to their, the team's judgment on where they think as individuals and each states members take, you know, they're judging, they're juggling the priorities that their agencies give them first of all on the GMT so yeah, I think it's a great group of professionals and I hope they'll use their professional judgment to weigh-in where they think they're most useful and recognizing fully that the spex cycle is a lot of work. On that, I think where I was going was those workshops were scheduled specifically for groundfish and I forget exactly the ones that the Nature Conservancy is working on scheduled for February and January which now we don't know if we have funds to support, but those were designed for like folks from the GMT and the GAP to help us on this goal, general goal that these IRA funds will be helping us make progress on more broadly. So just... a lot of thoughts on that and I do hope Merrick will continue to talk to Gway and we'll find a solution on where those workshops are. But that is our current initiative and we do, the point is to have our management teams and our advisory bodies thinking using this information as part of the routine management and for improved, you know, outcomes for our fisheries and fishing communities and ecosystem.

Brad Pettinger [00:21:57] Thank you Corey. All right, we're winding down. Corey Ridings.

Corey Ridings [00:22:05] Thanks Mr. Chair. I'm reading the room here and sensing I'm in the minority, but I did want to voice my opposition for the consideration of the additional quillback analysis and provide some reasons for that. I have general concerns that this is introducing selective and biased inclusion of what science informs our decisions. Something that is critically important should be neutral. Clear rules and sticking to them is important and necessary to avoid bias and maintain the integrity of science in this process, as well as maintain the trust and integrity of public inclusion in this process. I want to note what other Corey spoke to shortly ago. I agree that revisiting the process may be appropriate and really appreciate those clarifying thoughts on that. The Quillback Stock Assessment was already reviewed twice by the SSC back in 2021 and was used for management that we are fishing under right now. It was not only determined to be BSIA, but we decided to use it in management. Phil correctly noted, I think it was yesterday, that this is the first time we're using this data-moderate method. That's true and it was the growth of evolving methodologies and represented the best method available at that time. It was vetted, it was researched, and it was approved the best way out there to apply what we gave it. I mention this because I appreciate the ongoing efforts by scientists out there who are continually thinking about how to improve our methodologies so we get better and better at this as time goes on. I want to recognize that it wasn't out of nowhere. It was effort to do this better that they do every year. Over, as I've stated, over half of our stocks are managed under data-moderate and data-poor methods. I think this was spoken to earlier, but it really begs the question of what's next? I mean what are we going to do when this happens again? Are we going to do this for every stock that comes to us with data-moderate or data-poor methods and we don't like the outcome? If that's what we intend to do, and I agree we need to think very seriously about our processes and how we deal with that next time. I remain concerned that this is a last second after the fact effort by the Council to not take responsibility for our management choices and with zero, no disrespect for those sitting at this table who represent government of both the feds and the state government to collect the data that we knew was needed. We cannot say we didn't know this was coming. Science folks from NMFS, folks from Council staff and industry people have been talking about this for years. We knew it and yet that data was not collected.

I hesitate to even call it a silver lining, but what it means is we can try to fix it. I'm deeply troubled that it took this long to get to this serious and potential irreversible harm to fishermen and coastal communities to get here, as well as having an overfished stock that represents a conservation concern. We need to be thinking more strategically, more thoughtfully and planning for the long term when it comes to collecting data for management. This to me highlights poor prioritization of data needs. While I continue to appreciate the underlying intent here, which is to ultimately provide better fishing conditions for fishermen and communities, that is always a goal for us. I am again deeply concerned this is setting a precedent for something that this Council and the process simply cannot do. I'm also concerned this might be a bit of a red herring and it sends a message of false hope. I really hope I'm wrong about that. However, the SSC, as noted in their statement under the rebuilding analysis said, the SSC received public comment at this meeting relevant to the assessment and rebuilding analysis and determined that many of the scientific aspects of the public comments had been previously considered in the construction and review of the 2021 assessment. Thinking a little bit on Director Burden's earlier comments on the scope of what this agenda item might look like. If it moves forward, then I think the review should include all new data and information and be open to public comment from everyone. This really isn't proper public participation. The public had multiple opportunities in 2021 to provide input on the stock assessment, and if we are going to essentially reopen it, it should be open to all new science and public input, not just the Maunder analysis. The public did not have notice that this was going to be reopened. Finally, I'll just close with, I mean this Council needs to take responsibility for its own management, its own process, and addressing government data collection. Doing extreme gymnastics with our science and science process it just doesn't change the fact that while our task is difficult, we're responsible.

Brad Pettinger [00:27:00] Thanks Corey. Anyone else? Okay. Butch Smith.

Butch Smith [00:27:12] Yeah, I was, thank you Mr. Chair, I was waiting to the end. I've got about 17 items I want to add to the, try to get it to add to the agenda. This going too fast.

Brad Pettinger [00:27:23] We got time.

Butch Smith [00:27:24] We've got to have a 7 hour one of these. No, I would just like to, hopefully it's okay to interject at this time. You know we have a group of people that don't always get recognized I think like they should, the engine of this whole operation, and I'd just like to give them a shout out before we go into a long recess. To Amy, Renee, Kim, Patricia, Kris, Craig, and Sandra, for all they do to make us look good, because without them we'd be on four flat tires and a broken engine, and I just want to take the time to recognize how much they do. And the other, the second thing I have, so I'll just go to 15 instead of 17, is in a few days turkeys are going to get real nervous. We're 15 days from Thanksgiving and Christmas or Hanukkah or whatever you celebrate and it's just around the corner and I'd just like to wish this family happy Thanksgiving and happy holidays and hopefully '24 is much better than '23. And thank you for all we do and I think we do important stuff and well we had a marathon this meeting and take a rest and get with your families. I know I will be grandpa profiled probably for allegedly teaching my grandsons some jokes or saying some words they shouldn't, but that's just what happens. That's the fun of the holiday season and so happy holidays to all. Thank you.

Brad Pettinger [00:29:04] Thank you Butch. Keeley.

Keeley Kent [00:29:06] Thank you. I don't want to finish this meeting without acknowledging Miss Ridings comments. We appreciate the comments that you've made and hopefully it's clear from my earlier comments that we are seeking more time on the March agenda for the Council to resolve the issues that we are walking out of this meeting without resolving. And so, we are hoping that there is a clear path forward to continue the good work of this Council and to stay on the track that we are on.

And so, my hope is that we can accommodate that in the schedule, but I want to acknowledge those comments and appreciate you for bringing them forward.

Brad Pettinger [00:29:45] Thank you Keeley. Okay. Okay I'll turn to Executive Director Burden for a, to wrap this up.

Merrick Burden [00:29:53] Yeah, thank you Mr. Chairman, and thank you Council members for this very productive discussion. I just want to recap a couple of changes I've made note of and that will be reflected in the next time you see these materials. So, starting at the Year-at-a-Glance, I am in agreement with Miss Kent that we should shift the Workload and New Management Measures Priorities back to September. I just think we have to look around the room at our capacity and be honest with ourselves about not being able to take up much until after we get past the June meeting. I'm going to retitle the HMS Roadmap Workshop, make it planning rather than check-in, maybe that's a minor adjustment. And we'll plan on a marine planning meeting, so consider that unshaded. On the June items. Let's see we'll retitle "Science Needs and Stock Definitions" to "Science Needs and Priorities". We'll clarify on June the halibut item. We'll cover inseason flexibility and the remaining enforcement matters. Let's see, moving over to March. Let's see, moving down Thursday we will request that NMFS provide the EM Implementation Update as part of F.1. I've stricken F.9, which is the Workload and New Management Measures. Given the, I think the steps that we're working through with the, the new SSC review, I do think it's appropriate to retitle F.8 to be more of an update as Miss Keeley noted, so we can take action at that time to clarify some remaining specifications matters if that's appropriate at the time. Let's see, Mr. Anderson made note of the halibut item on Sunday, and we can be in communication with our colleagues at the IPHC, just and Mr. Anderson just to make sure there's not a lot of redundancy in the reporting. I think that's pretty easy to do. I was also compelled by the idea of moving groundfish on Sunday, moving that to be earlier in the day so that our groundfish folks don't have to wait to the, the end of that day to travel home. And I have a couple of questions about reconsidering the schedule of the GAP and the GMT on Sunday and Tuesday and I think we can resolve that offline. Let's see the other item, Mr. Ugoretz mentioned his preference to have CPS meet in person in April rather than June and so we've made note of that. And I'll look to Kelly to see if there's anything other of note that we need to summarize? And I have a thumbs up so that's where I believe we've landed.

Brad Pettinger [00:32:56] Okay. Thank you Executive Director Burden. And with that before we leave, I'd say acknowledge Kevin for delivering donuts, paying it forward. Thank you Kevin. Also, I'd just like to say that I had discussions with numerous people at this meeting and they just, I think they're just really impressed with the outstanding dedication and work ethic from the staff and the individuals involved in this process. And, you know.....just hats off to everyone involved so... yeah. Phil.

Phil Anderson [00:33:34] And just one other thank you. And that is to Merrick and Kelly for making our agenda planning less painful and more productive and clear. Appreciate that.

Brad Pettinger [00:33:55] Merrick.

Merrick Burden [00:33:56] Yeah, thank you Mr. Anderson. I'm glad to hear it's still a little bit painful so...(laughter).... Really Kelly, Kelly deserves the credit. She spends a lot of time working in the background, so thank you Kelly.

Brad Pettinger [00:34:07] So we knew this meeting was going to be tough and it delivered. And but as Butch said, just you know have a great holiday season and I look forward to seeing you in March and safe travels today and all right, well done. Oop, hold it here. Hold it here. That's right. I need a motion. I knew that before.....(laughter).....yeah, motion to adjourn? Somebody? Oh, Dani.

Dani Evenson [00:34:33] Why not?

Brad Pettinger [00:34:39] Please.

Dani Evenson [00:34:39] Thank you Mr. Chair. I move that we adjourn the November 2023 meeting of the Pacific Fishery Management Council.

Brad Pettinger [00:34:48] Thank you Dani.

Chris Oliver [00:34:48] Second.....(laughter)...

Brad Pettinger [00:34:48] Got a second on the floor, all those in favor say "Aye".

Council [00:34:54] Aye.

Brad Pettinger [00:34:54] No? Abstentions? All right, well done, well done. All right. See you in March.

D. Salmon Management

1. National Marine Fisheries Service Report Including Stock Status Determinations

Pete Hassemer [00:00:00] That completes all our reports, our public comment, takes us into Council discussion and action. On this particular item it's just discussion and guidance. The primary item here is in relation to the Queets rebuilding and a recommendation to start work on the rebuilding plan. So, I will look for a hand to start any discussion on this. It's very quiet in here. Nothing. So, I'm going to look to Robin. We had the STT report. The STT is standing by ready to start work on the rebuilding plan provided the Council desires to move in that direction, but maybe we don't. Robin, a little help.

Robin Ehlke [00:01:09] Thank you Mr. Vice-Chair. There isn't a lot of work to do as far as the Council is concerned in the sense of taking action, you're correct. But as noted by the STT, I think the STT would appreciate at least a nod that says, yes, the NMFS report is correct. We do need the STT to start their work on that rebuilding plan and would look forward to seeing perhaps that first draft come this September. So, just I don't necessarily need a motion, but just agreeance that, yes, those are the right steps for the STT to take.

Pete Hassemer [00:01:44] All right, thank you Robin. Kyle Adicks, you have your hand up. Please go ahead.

Kyle Adicks [00:01:51] Thank you Mr. Vice-Chair. This the first time I've talked so I'll just make sure you can hear me?

Pete Hassemer [00:01:57] It's a little difficult. We can hear you.

Kyle Adicks [00:02:06] So the WFDW and the Quinault Indian Nation have been in communication about the need to start this rebuilding plan process. We need to get a little more organized in moving forward but I support the STT engaging with WDFW and Quinault moving forward to try to get that rebuilding plan put together and hopefully to the Council by next September.

Pete Hassemer [00:02:32] All right. Thank you Kyle. There's support for moving forward with that. This does not require a motion. Just a head nod that that's the direction we want to direct the STT to work with the agencies. I'm going to look around the table and I see agreement with that so the Executive Director can work with the staff in the STT to make progress on that. And then a reminder, the other thing we heard, the tule, the report on the tule matrix from NMFS. That's a draft report that they are accepting any comments on that prior to, I believe, a date in February to be able to implement something in 2024. So, Phil Anderson.

Phil Anderson [00:03:24] Thanks Mr. Vice-Chair. I just wanted to echo my support for Kyle Adicks' remarks and also just thank both WDFW and the Quinault Indian Nation for beginning their communications early on. It's going to be extremely important for them along with the STT to be working together in crafting the rebuilding plan for Queets spring summer Chinook.

Pete Hassemer [00:03:51] Thank you Phil. Any further discussion or guidance on this? Marci Yaremko.

Marci Yaremko [00:04:00] Yeah, thank you Mr. Vice-Chair. Just turning back to Supplemental NMFS Report 1 and the Salmon Ecosystem Indicators Workshop and the exchange we had with Correigh Green. I will look forward to receiving from Robin the updates to the stoplight charts, and it's exciting that we'll be getting them this early in the process so that we can think about them as we proceed with

new information available during the preseason process. Thank you.

Pete Hassemer [00:04:32] All right, thank you Marci. Further comments? Robin, does that complete our work here?

Robin Ehlke [00:04:41] Thank you Mr. Vice-Chair. Yes, it does.

Pete Hassemer [00:04:43] All right. Thank you. So, we'll close out this Agenda Item D.1.

2. Fishery Management Plan (FMP) Amendment 24: Southern Resident Killer Whale Chinook Threshold Clarifications – Final

Pete Hassemer [00:00:00] We have no sign-ups for public comment so we'll move into our Council discussion and action. A reminder a motion is needed here to move forward on this so I will look for a hand to initiate the discussion. And Kyle Adicks.

Kyle Adicks [00:00:24] Thank you Mr. Vice-Chair. I don't have a lot to say through discussion. We saw some draft language back in September. The Council made a couple of modifications to it based on input. We heard and put some language out for public review. It doesn't sound like we've had public comment on it. I think the language will clarify some issues we ran into the first time. We tried to address some changes to one of the models that's used to set the threshold, so I think it's an improvement. I'm glad to hear the STT thinks it's clear. So not a lot to say but I'm happy to make a motion when the time comes.

Pete Hassemer [00:01:02] All right. Thank you. I'll just look around and see if there's any other discussion before we entertain your motion. And I'm not seeing any so you can proceed with your motion and see what discussion that generates.

Kyle Adicks [00:01:21] Thanks again Mr. Vice-Chair. And hopefully we can pull the motion up on the screen here in a second. I move that the Council adopt for incorporation into the Pacific Coast Salmon Fishery Management Plan the text and citations concerning Southern Resident Killer Whale management measures contained in Agenda Item D.2, Supplemental Revised Attachment 2.

Pete Hassemer [00:01:45] Thank you. So, the language on the screen is accurate and complete?

Kyle Adicks [00:01:51] Yes.

Pete Hassemer [00:01:54] And I read it as you spoke to it and it does look accurate and complete. So, I will look for a second. Seconded by Phil Anderson. Go ahead Kyle and speak to your motion as needed.

Kyle Adicks [00:02:12] Thank you Mr. Vice-Chair. As Robin explained during the summary, there were a couple documents in the briefing book on this. The first was the revised language for this section of the FMP along with the citations that needed to be added because they were referenced in that section. Attachment 2 is just the full FMP with that language added to the appropriate section with the citations added to the literature cited section and some other minor editorial updates through the document, updated amendment numbers, corrections of a scientific name, that sort of thing, but nothing of substance. And as I said during Council discussion, I think this provides the clarification we were looking for and how the STT will move forward as we see changes to either of the models that are used to calculate the Southern Resident Killer Whale threshold moving forward.

Pete Hassemer [00:03:05] Thank you. Are there questions to the maker of the motion for clarification? Not seeing any questions for clarification, discussion on the motion? And I'm not seeing any hands for discussion so I will go ahead and call the question. All those in favor signify by saying "Aye".

Council [00:03:32] Aye.

Pete Hassemer [00:03:32] Opposed, no?

John North [00:03:35] Aye.

Pete Hassemer [00:03:35] I assume, John, you were voting in favor. I just want to clarify that? I was too fast here.

John North [00:03:53] Yeah, no I'm sorry Mr. Vice-Chair. I wish I was there today so I didn't have to deal with all this IT problems I'm having. But yeah, I don't have the ability to raise a hand or anything so I'm just going to have to butt in I guess when I have a comment. And I did vote in approval of that motion.

Pete Hassemer [00:04:16] Thank you. With that clarification I will make sure I accommodate those. I did ask all those opposed, no? Abstentions? The motion passes unanimously. Thank you. And I will be more careful to accommodate our virtual attendees. Robin, is there anything else we need to do here?

Robin Ehlke [00:04:44] Thank you Mr. Vice-Chair. I think you have done your work under this agenda item and we'll work over the winter to get the FMP updated with this new amendment. Thank you all.

Pete Hassemer [00:04:54] All right, thank you. That's going to close out that agenda item.

3. Final Methodology Review

Pete Hassemer [00:00:00] We will close our public comment and that will take us to Council discussion and action. We'll bring that up on the screen before us. We have there approve the new and modified methodologies, conservation objectives as appropriate, and guidance as needed for unresolved issues. And on this item, we will need motion to approve the use of the methods as appropriate as you desire. So, I will look around for any hand to initiate discussion here. And I see online Kyle Adicks. Kyle.

Kyle Adicks [00:00:51] Thank you Mr. Vice-Chair. I've been trying to troubleshoot my audio through the last hour so hopefully I sound clearer than I did earlier.

Pete Hassemer [00:00:58] Much better.

Kyle Adicks [00:01:00] Great. So, there were three topics of most interest to me North of Falcon that put into the methodology review this cycle. One we knew was not really a methodology review topic, but it's one that we've done a bunch of years in the recent past and that was the further documentation of FRAM, so I just want to recognize the modeling staff that put their work into that. It sounded like the SSC, STT were grateful to receive an update and thankful for the progress that's been made on that, so I don't think there's any Council action required but just want to acknowledge the staff that put the work in on that one. Second, was the review and consider improvements to method used to model South of Falcon fisheries and Chinook FRAM. This is another one that it wasn't quite clear if it needed to go through methodology review. There was work done to update some methods there looking at fishery scalers that it sounds like the STT and SSC both agreed were improvements and I fully support implementing in 2024 as we start fishery planning again. Again, that one was one that was really changes to some base years and data that I don't think require Council approval to go forward but thank the staff that was involved in that and for the review it went through. The third one that's of, is of significance and needing Council action is the Revised Oregon Production Index Hatchery Coho Forecast. Again, thanks to the small group of ODFW and WDFW staff that put a lot of work in the summer into evaluating potential new methods and then actually bringing forward the recommendation. You may recall in September I told the Council that I was sure they would at least have a review of forecast methods but wasn't sure if they'd have a recommendation, and they were able to get to a recommendation that went forward through methodology review and was supported by the STT and SSC, so I appreciate that and I support moving forward with that new method. In response to the Tribal statement and thanks to Mr. Oatman for delivering that, yes, there are further improvements that we can make. There's other things we can look at in the future. I look at this as a big first step in making a big improvement to the existing method. I was able to listen in to the meeting earlier this week where staff, WDFW staff walked Northwest Indian Fisheries Commission and Tribal staff through the new method and hear some of the exchange and comments there, so I appreciate those comments. I think there are a lot of things that will be cleared up just by us doing a better job of explaining what the forecast is as we put this new methodology into the Pre-1 document next year... assuming that it's approved. I think some of the noted inconsistencies between the old method and new method were actually just not doing a good job of explaining what the old method was in some previous documents. Recognized the fact that we can always dig in further, we can break it out into component parts and try to forecast them individually. I know that there are STT members that are knowledgeable and willing to explain how it's currently separated out between the different major stock groups within the forecast and sure they will be willing to walk people through that as we move towards the next preseason. All that to say, I appreciate the work that was done. I think we have a much improved forecast method that I intend to propose moving forward.

Pete Hassemer [00:04:41] Thank you Kyle. Further discussion? Joe Oatman.

Joe Oatman [00:04:51] Thank you Mr. Vice-Chair, and appreciate the comments that Mr. Adicks just provided and do want to provide some additional comments on the Oregon Production Index Area Hatchery Coho Forecast. So as noted in the Tribal report, you know, the Tribal staff and folks there at Northwest Indian Fish Commission, you know, are generally happy with the progress that's been made to improve this particular forecast. I think what they're calling for is additional work to help us better understand kind of whether and how this forecast improvement impacts the individual stocks. You know they made reference of the Pre-1 Table III. I how this relates to that and how, you know, those impacts individual FRAM inputs. So, their interest is ensuring that forecast improvements are made at the level that these stocks are managed at. They also want to ensure that, you know, as this moves forward that it is consistent with the stipulation and order concerning co-management and mass marking that the co-managers understand the potential impact of one party's action on the other. To them this required documentation how the OPI-H is further broken down as well as requiring some additional documentation and understanding of how impact neutral is derived inseason. And so, they do request documentation of these methods to help facilitate agreement in the upcoming preseason planning cycle, so that being the North of Falcon and PFMC on the appropriate methods for determining impact neutral inseason management changes. They also want to make sure that, you know, we include process recommendations to ensure that co-managers are properly engaged in inseason decision-making and this sort of documentation will be helpful in that regard. Thank you Mr. Vice-Chair.

Pete Hassemer [00:07:30] Thank you Joe. Further discussion? Phil Anderson.

Phil Anderson [00:07:42] Thanks Mr. Vice-Chair, and thanks, Joe, for those comments and appreciate the tribes written remarks as well. In addition to all of the work that's been done to try to improve the forecast methodology for the OPI. I understand and support the desire to have the changes that are being made documented so we can, everybody knows and can see what there is. I noted in the tribal letter that they expressed a desire to not have this used until the documentation had been completed or something close to that. I'm having, I'm struggling with that one. I think the, you know, given what we've heard from the STT and the SSC it seems appropriate and prudent for us to move forward with what we have. And I think with the understanding that the documentation will occur in the near, well, I say near term, meaning that it wouldn't take as long as the documentation for the FRAM model. And I think that's a completely reasonable request to make and it's a smart thing to do besides. I think there's also a good discussion to be had about future methodology reviews, looking at whether the forecasting for individual components can provide improvement, and I think that additional step we can take that up in our next cycle for methodology review and that maybe we should make a note to ourselves to ensure that that is on our list to discuss for potential methodology review in the next cycle. I'm very mindful of the stipulation. It's a 1996 stipulation that I had some participation in and I want to make sure we're true to the commitments that were made in that stipulation. And I think by taking these steps that have already been taken in terms of the communication that's occurred, and if there's a need or if it would be beneficial to have another communication, meeting, webinar, whatever works for people between the states, National Marine Fisheries Service and the STT and the tribes to discuss and address any additional issues that have been raised here between now and March that if that would be a benefit and help address some of the concerns I would be supportive of that as a measure to go along with the approval of the methodology itself so we can use an improved forecast methodology in 2024, have to remember what year it was. So those are my thoughts Mr. Vice-Chair and Joe.

Pete Hassemer [00:11:42] Thank you Phil. Further discussion?

John North [00:11:46] Mr. Vice Chair, John North.

Pete Hassemer [00:11:53] Yes, please go ahead John.

John North [00:11:58] Yeah, thank you sir. I agree with a lot of what the other Council members have said, especially acknowledging the staff work that went into the FRAM documentation and the South of Falcon scaler updates, which I support. As far as the OPI-H forecast issue, I would support using that new weighted ensemble approach for the coming year because it just incorporates, you know, environmental data. It blends and weights a top performing model. It's adaptive and the approach has been used successfully for a couple of years now on various stocks in the U.S. v Oregon Technical Advisory Forum. And I would really like to thank the OPED and STT members who worked on that. I think it's a step in the right direction since the accuracy of the current methodology has been declining recently. I would think that we could apply this method and then look at utilizing it on the subcomponents of the aggregate or cap moving forward as time allows and give, maybe see how the new methodology even performs on the aggregate for a while. That's my thoughts.

Pete Hassemer [00:13:37] Thank you John. Susan Bishop.

Susan Bishop [00:13:41] Thank you Mr. Vice-Chair. In listening to the conversation around the table I'd make a few observations, which is it sounds like the STT, the SSC, and the Tribal comments all agreed that the new methodology had showed great improvement over the old methodology. So, I guess I would be, or NMFS would be a bit concerned if the default to not using this methodology was to use the current methodology, which seemed like there's a consensus that that's not as good. So the, you know, better performance, you know, may not be the perfect or may not be what we aspire to, but it's a step in the right direction to start with. I hear commitments from the states and I will throw NMFS's commitment in there to follow-up on the questions that were raised in the Tribal document to have better communication. I heard a lot of questions raised that need answers and I think if we were able to answer those in advance of next March, April, when we start setting up the next methodology review considerations, that would be very helpful and required and also involve the people that are closest to the data and to the issues and to the fisheries, which is probably likely to be a much more effective conversation and probably more efficient. So, I think that at least from NMFS's perspective, those are just some observations to put to add to the discussion for today. And my, I have already received emails from my staff just to let you know that they have reached out, or the Tribal staff at the Fish Commission has reached out to them and they've already started conversations about a couple of the questions that were raised. Thank you.

Pete Hassemer [00:15:26] Thank you Susan. Further discussion? And just a reminder that at some point we will need a motion to adopt the methodologies. Marci Yaremko.

Marci Yaremko [00:15:43] If now's the time to move to Sacramento winter Chinook, I am prepared for motion on that one.

Pete Hassemer [00:15:55] If you're ready, go ahead.

Marci Yaremko [00:15:57] All righty. Sandra, the Sacramento winter Chinook. Thank you. Recognizing that both the Scientific and Statistical Committee in Agenda item D.3.a, Supplemental SSC Report 1, and the Salmon Technical Team Agenda Item D.3.a, Supplemental STT Report 1 found the Gaussian Process an improvement to the current base model of the Sacramento River winter Chinook abundance forecasts. Adopt the Gaussian Process 1 Model for use in harvest management beginning in 2024 due to its superior performance in predicting control rule outputs. As recommended by the SSC, periodically revisit the forecast methods for Sacramento winter Chinook every 3 to 5 years to reassess their performance and evaluate additional covariates, e.g., Juvenile Production Index as warranted.

Pete Hassemer [00:17:28] Thank you. The language on the screen is accurate and complete it appears?

Marci Yaremko [00:17:34] Yes, it is. Thank you.

Pete Hassemer [00:17:35] Thank you. Is there a second? Seconded by Marc Gorelnik. Please speak to your motion.

Marci Yaremko [00:17:42] Thank you Mr. Vice-Chair. Heard from both teams that it's clear that both of these Gaussian Process Models show superior performance in predicting Sac winter Chinook abundance over the existing base model and over the egg-to-fry model, which was originally the topic that was under consideration. As we've heard from Doctor O'Farrell, the outputs of the Gaussian Process 1 and 2 methods are actually the same in many years, and the two models perform quite similarly. Although GP-1 uses data that incorporates parent spawners and river temperatures as predictors, while GP-2 uses those two predictors along with hatchery releases. The two models differ in their performance. When you look at some of the different metrics of evaluation, the STT's recommendation for GP-2 did best at predicting abundance in terms of the raw number of fish over that full range of possible abundance levels, while the STT's recommendation for GP-1 performs best in terms of the Harvest Control Rules ability to predict impact rates, that's because the GP-1 Model performed better at lower levels of abundance and the shape of the Harvest Control Rule graph remains unchanged at that abundance level above 3,000 fish where we get our 20 percent impact rate. I want to thank both Doctor Byrne and Doctor O'Farrell for conveying why each of their respective teams may place different value on certain performance metrics, that was very helpful. And I think because the Council concerns itself when it comes to winter run, a very endangered ESA-listed stock, we need to be most certain about the accuracy at low abundance levels. The performance of GP-1 in specifying allowable impact rates is so important when we're at low abundance levels, and that's likely where we need to be the most sure that we're sure. So, thank you.

Pete Hassemer [00:20:31] Thank you Marci. Are there questions for the maker of the motion for clarification? Not seeing any questions. Discussion on the motion? I don't see any hands. I will therefore call the question. All those in favor say "Aye".

Council [00:20:55] Aye.

Pete Hassemer [00:20:55] Opposed? Abstentions? The motion passes unanimously. Thank you Marci. Are there any further pieces? There are some other parts to the methodology review. Kyle Adicks.

Kyle Adicks [00:21:23] Thank you Mr. Vice-Chair. I do have a motion for the OPI forecast if we can get that on the screen.

Pete Hassemer [00:21:32] All right I believe that's up on the screen now. Go ahead.

Kyle Adicks [00:21:36] It is. And I'm going to make one correction to the page numbers. As I read this I realized I mis referenced one of the pages so I'll just correct that as I read. I move that the Council adopt the forecast methodology for Oregon Production Index Hatchery Coho as presented on pages 28 through 51 of Agenda Item D.3, Attachment 1 with the corrections identified as erratum in Agenda Item D.3, Supplemental Attachment 2 incorporated.

Pete Hassemer [00:22:07] The language on the screen now looks accurate and complete, is that correct?

Kyle Adicks [00:22:12] Yes.

Pete Hassemer [00:22:13] All right, thank you. Is there a second? Seconded by Butch Smith. Please speak to your motion.

Kyle Adicks [00:22:19] Thanks Mr. Vice-Chair. We had a pretty good discussion on this already so I'll be brief. I think everyone has acknowledged this is an improvement to our forecast methods for OPI coho. Recognized from the statements and comments that there's still some work we can do to further improve it in the future. There's some documentation we need to do as we move into next preseason and be thinking about future potential methodology review topics that dive into this further. But again, thanks to the team that dove into that, dove into this this summer and got a ton of work done and got us in a much better place than we were at this time last year with the OPI forecast method.

Pete Hassemer [00:23:03] Thank you. Are there questions to the maker of the motion for clarification? Seeing no questions, I'll open the floor for discussion on the motion. And there are no hands for discussion. I will call the question. All those in favor say "Aye".

Council [00:23:26] Aye.

Pete Hassemer [00:23:26] Opposed? Abstentions? The motion passes unanimously. Thank you Kyle. I believe I'm going to look to Robin and ask if there is anything else we should be doing here.

Robin Ehlke [00:23:57] Thank you Mr. Vice-Chair. I do believe that the two motions that the Council has put forward covers the items that actually needed motions. We also have that South of Falcon topic, and we heard a nod from WDFW that, yes, that was an improvement and it was, you know, kind of on the line whether it was just a data change or full methodology review. So not to get ahead of the Council but I do think that you've covered your work relative to adopting the two methods for change for upcoming 2024 season.

Pete Hassemer [00:24:35] All right. I will look around the table then and see if there's general agreement with that. We've completed our work agreement with the South of Falcon piece and also note that we've heard about additional work doing on the OPI hatchery piece of that, that that's already started to occur. So, anything else that we need to discuss here? And I'm not seeing anything so I believe that will complete this and will close out this agenda item.

4. Final 2024 Preseason Management Schedule and 2024 Management Framework for California Chinook Fisheries

Pete Hassemer [00:00:00] And I think that concludes now our public testimony so that will take us into Council discussion and action. In a few seconds we will have what we need to do. Remember the two parts there, confirm the Council staff hearing sites and intentions for additional hearings. So that's just a head nod or agreement amongst the Council with what was proposed. And the overall schedule and then adopting the framework would require a motion. So, with that I'm going to open it up for discussion and look for any hands to initiate discussion on this.

John North [00:00:58] Mr. Vice-Chair. This is John North, Oregon Fish and Wildlife.

Pete Hassemer [00:01:02] Yes, John, go ahead. John will be followed by Corey Ridings. John.

John North [00:01:08] Yeah, just to get the hearing schedule out of the way. After talking things over with the Oregon staff, you know, we are, we're willing to try an online public meeting on March 26th of next year. Hopefully, that'll improve participation and representation by the agencies as recommended by the Salmon Advisory Subpanel. I think there is still some interest out there for some in-person meetings just so we can meet each other. Certainly, is support for a hybrid approach but I don't believe that's currently an option, so we're willing to try that online on March 26th in Oregon.

Pete Hassemer [00:01:54] Thank you John. Corey Ridings.

Corey Ridings [00:01:58] Thank you Mr. Vice-Chair. This is actually a question for NMFS. We heard some very compelling public testimony today about the value of taking a pause and bringing this back possibly in March when we have our salmon folks here and have a little more chance for public input and to think this over, and I just wanted to hear about whether that was possible and how that sort of legally fits? I know there is something going on here with the buy-op, and I must confess I don't fully understand that process. So, if that's not too much to ask, it'd be good to hear about that. Thank you.

Pete Hassemer [00:02:41] Susan, would you like to respond?

Susan Bishop [00:02:43] Yes, thank you Mr. Vice-Chair. Thank you, Miss Ridings, for the question. We don't have a lot of time so we need to... if there is salmon fishing off the coast of California next year, we know that it will take several listed species, one of which is California Coastal Chinook. In order for the fisheries to proceed, we need to have a completed biological opinion to sign in order to issue regulations for the fishery. Otherwise, the regulations can't go forward because we can't assert that the regulations are consistent with all applicable law, including the Endangered Species Act. So, we don't have a lot of time to do that. If we take this up in March then there is a lot of uncertainty. I mean this is something for the Council to decide, but given the conversations that have happened and the concern that have happened over the last several years with NMFS coming in with different levels of guidance, there will be uncertainty coming into the Council with what is sufficient for NMFS. I have to underscore that doing the same thing that we have been doing is not sufficient to pass that test. We are open to other ideas. We have not heard other ideas. What we do have ahead of us in what we are considering in the biological opinion are the actions we have taken that this Council has taken. Everything that the Council has tried... that has not worked. The information that the STT has produced about the contributing factors, which includes the high catch rates, particularly early in the season from the troll fishery and the failure to get those under control, so there would need to be some action taken to address that. We have, we do not see anything else, anything on the table that is proposed to do that at this point. This approach, quite frankly, seems to provide more flexibility than what I'm hearing in

terms of it requires landing limits, but how those are structured, it allows some flexibility over the months to implement those. You know, quite frankly, we don't have another option that we see at this point as viable, and that's about as bluntly as I can put that. Again, we don't have a lot of time unless the fishery really is not going to happen next year and we know that going into it, otherwise, as you know, things move very quickly. We want to make sure that people know what they are, what they can expect to the degree we can provide that information. And we want to make sure that we have everything in place to get those regulations in place in a very short turnaround time.

Pete Hassemer [00:05:46] Corey, follow-up.

Corey Ridings [00:05:48] Thank you, Susan, for that. Just a quick follow-up question on that. We heard under some public testimony that not going fishing might be better than the alternative and that, you know, we're not fishing this year. Numbers are low and, you know, we don't know yet what next year will bring and we can be optimistic and hope it will bring some fishing, but best case scenario we're probably not looking at a lot of fishing and that may bring financial hardship for a lot of the fleet. If we were to wait till March, and I'm hearing you say that that's a problem and that we're going to have to, you know, there's going to be reasons that the season might start later or something like that, is that what would happen if we held this off to March and revisited this knowing that that would potentially delay a potential fishing season, is that what would happen?

Pete Hassemer [00:06:46] Susan.

Susan Bishop [00:06:49] Thank you Mr. Vice-Chair. Thank you, Miss Riding, for the question. Reminding that we actually have early season fishing starting so and in the 2023 regulations there are fisheries that are tentatively planned for, I believe, it's March and April of, and potentially May, I'd have to go back and look for the fishery, but they would occur before the new regulations would come into place. This was something that we considered last year when we set those regulations in place as well. So, without considering this at that time, because again we're talking about a biological opinion being in place, that would make those fisheries problematic also. You know, again, I think that this framework would be important to the alternatives. If this was an action this would be important for the alternatives and that March would be a difficult place to do all of this at the same time and people trying to craft alternatives around certainty. That's... those are only my thoughts. You know I would defer to the management entities themselves that actually do that heavy lifting and need to figure out in a pretty short time what they're going to do. I would also just comment on the use of the KRFC proxy. At this point that is the best we have. You know, I share the concerns that were expressed by the members of the public about how representative that might become over time, but right now the returns we have coming back are from the fish that were in the system as it is now. Once the dams are fully out and the returns from those fish start coming back, then we hopefully will have much better information on the productivity and what the system will do that will inform our management going forward. You know we... the Council has formed a KRFC Workgroup to do basically exactly that. And that information would be used to inform these decisions for California Coastal Chinook, just like they will be for California, or, sorry, for Klamath River fall Chinook themselves. But at this point we don't have any better information on what will happen to that system to rely on.

Pete Hassemer [00:09:11] Thank you. Phil Anderson.

Phil Anderson [00:09:15] Thanks Mr. Vice-Chair. And first of all, I want to say I hear, I appreciate the concerns that have been raised during our public comment period here and I don't want to sound callous to those. Having seen the results of this past season on Klamath harvest rates and knowing the history of that and the efforts that have been made to try to approach the preseason in a more conservative manner to keep us from going over the harvest rate limits, and the fact that those haven't

worked, I think, leaves your managers in a predicament, a situation that they must make a significant change in order to provide an opportunity for fishing in future years beginning in 2024. To be honest, I applaud the management entities that have scrambled to look for a new management regime that can be put in place in time for next year. And the only reason I'm really making any comments on this is that I just want to share with you I come from an area off... I come from Washington. We're surrounded by ESA and biological opinions and constraints in all of our fisheries inside, outside. And relative to our commercial troll fishery, and several of you mentioned it in your public comment, we have managed our fishery up there with a similar model, a little bit different, but basically harvest limits and trip that are accompanied with trip limits and periods of opening and closures. And, you know, you're right, I think one individual talked about how low they got and they got low as we got toward the end of our harvest limits, they got very low. But we had a, you know.....to say that, to conclude that you can't be successful, and maybe you're in a position where you can make that judgment now, but until you see what those trip limits are it's hard for me to understand how you can come to that conclusion. And we have a base of 50, 60 boats that have been participating under this regime year in and year out and have been able to make it successful. And my comments may be falling on deaf ears or getting responses that I probably don't want to hear, but I don't see that there's a choice here. And again, I applaud your managers for stepping up and looking for something as an alternative here that can provide the level of assurance that the terms of your biological opinion are going to be met and that you can be provided the potential of a fishery into the future.

Pete Hassemer [00:13:18] Thank you Phil. Bob Dooley.

Bob Dooley [00:13:22] Thank you Mr. Vice-Chair. Thanks, Phil, for those comments. Kind of brings things down to earth a little bit. I appreciate it. And thank you too, Corey, for your comments. Hearing from fishermen I hear the concern here. I do for this issue of the management framework. And I do realize that that was actually asked for a bit by industry last year when we were going into the season that we weren't going to have that we needed to come up with something. I guess the thing that I'm concerned about and hearing from fishermen, and correct me if I'm wrong, but this was not developed in collaboration with the fishing fleet. And a lot of the tools... we may end up right at the same place, but a lot of this stuff was built by trust and by collaboration, understanding, working through the process, and it seems like we've had a while to do that since last year. But to me that's the voice I hear that we heard today in testimony is that, yeah, they don't want trip limits but it might be what they're thinking about trip limits could be not what they will be like Phil had talked about, and I just I find it really problematic that the fleet wasn't brought forward with this and really had some collaboration in understanding what works, what doesn't work and you work back and forth and you finally come up with what does work. And it might be right where you're at, and I don't deny that that might, that this tool would work, but it, I think, it could have some effects on the different entities for sure. So, to that end it sure sounds from what I'm hearing, and I correct me if I'm wrong, we don't, returns aren't doing so good right now from the preliminary things that I'm hearing from the fleet and from others, and it's a good possibility you might not have a season next year. So, is there a rush to get this done right now? And I guess that's one question. The other question is, Susan, you had, maybe I heard it wrong, but you were saying this action is needed because it would affect other fisheries as well. And did you say that or is this measure really going to affect the commercial opener of salmon if we don't have it in place because we won't have management measures that are acceptable that could prevent what happened in the past. Is that, am I getting that right?

Pete Hassemer [00:16:08] Susan.

Susan Bishop [00:16:09] Thank you Mr. Vice-Chair. Thank you, Mr. Dooley, for the question. I'm not sure that I entirely understood the question. The framework is designed to apply to the troll fishery, which is and again for, this does not preclude the states from taking other managers, from taking other

actions, this is, you know what NMFS has focused on getting given the information that we have been provided or that we have seen. And so that is what the framework is directed at. If there is a salmon fishery, we need to.....typically what we do is at the end of April the Council transmits the regulations to us that the Council has adopted and we put those into regulation. We do that as a full package. And so, in order to approve that package, NMFS needs to be assured that that package is compliant with all applicable law, which includes the ESA. And in this case, it would be difficult or we could not approve those regulations if we could not attest to that, which would include the impacts to California Coastal Chinook because it is a listed species. Does that, did I answer the question or...

Bob Dooley [00:17:26] I'm wondering this isn't going to affect, sorry through the Vice-Chair, this isn't going to affect other fisheries, it's going to just affect that fishery and the ability to actually get it underway if we don't have, or actually, you know, establish a quota or a season in if we don't do something. But I thought I heard you say that if we don't do this it would affect other fisheries as well.

Susan Bishop [00:17:59] I may be missing. I'm sorry I apologize if I am not, if I'm dense here, but it would affect the ability to put the ocean regulations for all salmon fishing in place. So, it would not affect fisheries that are directed at other species like other non-salmon species for example, but it would affect the salmon regulations that we would put in place for the salmon fisheries along the coast.

Bob Dooley [00:18:29] Thank you. I didn't get an answer to my first question. Maybe I didn't ask it correctly. Was there consultation with the fleet? Were they fully aware of this before we came to the table and before the start of the meeting?

Susan Bishop [00:18:45] I can't speak fully to that. There's a lot of things that happen when I'm not in the room. In fact, there's probably more conversation that happens when NMFS isn't in the room. I have been present in conversations with industry on this over the last year or so. Certainly, as you well know, the industry is very active in this process so was involved in the conversations that we have had over the last two years. Was aware of the request that NMFS made in its guidance letter last year that the Council examine inseason or investigate inseason actions. Was part of or aware of the Council discussion that we had last November when we talked about when CDF and W put several supplemental reports out. It did not have the same level of detail certainly that these reports do, but several of the conversations that I have been involved in did have this type of detail in it. Request the discussion about landing limits for example. The discussion that we would be looking at the preseason at a catch limit based on the preseason estimates of Chinook catch. So those sort of umbrella elements of the proposal were part of the conversation. I can say that it wasn't, there wasn't an enthusiastic embrace of that for sure and that the folks that I was in the room with wasn't a huge amount of fishermen, but there were the leaders, from what I know, that there were leaders of the industry there. And again, I can't speak to the conversations that the managers may have had with their folks either. There may have been more of those so I wouldn't, I won't speak to that.

Bob Dooley [00:20:45] Thank you Mr. Vice-Chair. Thank you Susan.

Pete Hassemer [00:20:47] Thank you. Marci Yaremko.

Marci Yaremko [00:20:49] Yeah, thank you Mr. Vice-Chair. I'll just add that on the state side we have been fully transparent about our desire and intention to implement trip limits on this fishery because we have exceeded our preseason projections quite substantially in recent years. We know about the overage now in great detail on age four Klamath adult Chinook, but there are other overages that have been a very significant concern in our state. We're in a situation right now where Klamath Fall Chinook continue to be overfished. SAC Fall is on the brink after just rebuilding. We have had low stock forecasts now for some time. And when we're at low abundance levels it's particularly important that

we don't exceed our projected harvests. The ocean fisheries in recent years in total we've been coming over, you know, two, threefold what we've projected the harvests to be. In the case of Sacramento Fall Chinook we have failed to meet the minimum escapement goal in six out of the last eight years. Our, excuse me, our harvest models have been overestimating the escapements. We've taken actions here around the Council table to increase in the case of Sacramento fall, that conservation objective for a number of years running in an effort to improve the escapement and provide some assurance that we'll meet that minimum objective. That floor of 122,000 returning Sacramento adults. We've increased that floor, you know, in 2022 we set it at 180 and what we got back was a small fraction of that. So, we've got to do something. We have to do something for Coastal Chinook, and we need to find a tool that's going to work to realign our management with regard to the ocean fishery so that we can ensure that our escapement projections have a better chance of being realized. So, when it comes to state discussions, these issues have been in front of our Fish and Game Commission. They've expressed concerns about not achieving the projected escapements. What can we do? The models are broken. We need a fix. And looking at the alternatives and what we can do right now to ensure that we can provide fishing opportunity and yet do better to ensure that we provide adequate escapement and adequate protections as required by ESA, this was the tool that we found had the most promise. And so, I just want to appreciate the work that we've undertaken over the last year with National Marine Fisheries Service to build a framework that does allow some continued opportunity. And I think Susan laid out what we're looking at if we don't move forward at this time. Thank you.

Pete Hassemer [00:24:51] Marc Gorelnik.

Marc Gorelnik [00:24:53] Thank you Mr. Vice-Chair. I don't interpret the public comment as a request to exceed, to have the harvest exceed the forecast because I don't think anyone would responsibly suggest that. I think the issue really has to do is within the bounds where harvest can be allowed, and within the framework that we have before us, can it be structured to allow the fishery to be prosecuted in an efficient way? And I don't see why we wouldn't have that flexibility within the framework. But the fundamental element of the framework is that we're going to keep a very close eye on the harvest to make sure harvest does not exceed forecast, and I don't think anyone can responsibly object to that.

Pete Hassemer [00:25:51] Thank you. Butch Smith.

Butch Smith [00:25:56] Yeah, I too was very surprised by the public testimony. All or nothing. And I come from a state that manages completely different so I don't mean to put my feelings on the state of California how you manage, but I do know with as stocks get more constraining, you have to come up with tools to allow fishermen to get back on the water. You know an example, if you had a 200 fish trip limit times 7.50 a pound for a week, that's a 15,000 dollar bill. I didn't tie for 15,000 dollars a week. I didn't tie for 750 a week but that's me. And change, you know, change is hard. You know, once in Washington we started fishing in April and we quit November 15th and we counted the fish afterwards. We don't do that anymore and we have to do various things to keep our coastal communities open, keep the infrastructure open, keep the marine stores open, the mechanics, all that has to be considered. Now, the way I read this proposal it doesn't say that you have to fish for a certain number if it gets so low, you could choose to close the season just like they are saying, but at some point that tool, whether it passes here or not, or whether they vote on it today or not, is there for when it becomes appropriate when the number becomes big enough where a person could go out and maybe not make the living that they once did. You know, I've heard numbers of fish landed in California of 400 fish, you know, that's pretty good. But, you know, you at some point, you know, sitting, we'll just sit on the beach. That gets pretty old because then it doesn't become a disaster anymore. I mean that's your choice and does the government keep paying you to sit on the beach? I know our fishermen have fished for a lot less than that but they've gone to self-marketing. So instead of making that 7.50 a pound, they're making the 15 and 20 dollars a pound. And so, there's lots of things that we've had to change. I'm not saying California

has to do that or should do that. I just use an example of what goes on in Washington. But I hear what the guys say and I feel for them but I'm also wondering if they really know what they're saying because without tools to get you back on the water it could be a lot of long, cold winters or I guess get into a new profession and I don't want to see anybody leave this profession. It's a profession that I love, fishing, I'm not on the commercial side but they're my brothers. And so, I just wanted to throw that out there that like Susan said, Miss Bishop said, if we, you know, don't have these tools for March and, you know, we miss an opportunity that might be appropriate to go fishing or not, then we can make that decision, but if we don't apparently we can't make that decision. Come March they'll sit on the dock no matter how good or how bad. I just want to throw that out there. I just... I think it's always good to have tools in the toolbox to be able to fish or not. So, thank you.

Pete Hassemer [00:30:01] Thank you. Looking around. Corey Ridings.

Corey Ridings [00:00:00] Thank you Mr. Vice-Chair. Thanks for this conversation. It's helpful to hear from people in other states and what they're thinking and how it's going. This is a question for Susan, if I may. Susan, I'm being the dense one here, but this is a little bit of a follow-up to the question I started a while ago and Bob brought forward. But I'm trying to get my head around, you know, this is a framework for California troll, but you said that this would impact the whole coast. And so, I'm, I want to just be clear here. You know, my intent would be if we delayed it, it would be for the California troll fleet. It would be to make sure we're doing it right. It would be delay. You know, that would be the idea, not a permanent keep on the beach to the point Butch just made. We're just making sure we're doing it right. So, I just want to be crystal clear, you know, if we were to do that would it impact salmon fisheries for the tribes, for Oregon, for Washington, or for recreational salmon fishers in California?

Pete Hassemer [00:01:07] Susan, go ahead.

Susan Bishop [00:01:11] This would be, this is a question I'd have to talk about with my legal folks. Typically, what we, we have a very short turnaround once the Council meets in April to get the regulations back to headquarters and get those in place for... and we do that coastwide. We do not typically pick out specific fisheries out of that mix, largely because the negotiations, and again, I'm getting, I'm maybe overshooting my SKEEs here, but there's often intersector negotiations that happen within the different fisheries. So, there may be, you know, commercial and recreational discussions that happen in terms of how to split up impacts. There may be discussions between Oregon and California that happen that overlap with effects on Klamath Chinook and Sacramento. And so, the regulations that we typically promulgate reflect a range of fisheries. So, at this point I don't know how we would pick out specific sectors from those other than making the decision that those sectors will not go fishing for the year. There may be, you know, again, further consultation that's needed but given the way that the process typically works, at least that I'm familiar with, that is the way that we would need to do it for the troll fishery, which I know would be very difficult if the fish showed up and everybody else is fishing and they're on the beach. So, I just want to kind of I guess put that out there. The other thing I'd like to say, which I'm going to use you as an opportunity to make this, it's not directly related to the question that you asked, but this is not a set it and forget it forever in your life. And so, this is a framework that we think will work for the long term. If there is a better mousetrap that's brought forward, then we can consider that and we can reinstate consultation and we can look at it. You know if you look at other parts of the coast, we have the conversation about OPIT for example. There are conversations ongoing continually about how do we improve our models, how do we find better ways of doing things, how do we fish more effectively with different kinds of gear? Those conversations go on consistently and ongoing among the managers and with NMFS throughout the whole process. And when we find something that needs to be adjusted or new information that we need to take into account, we have processes that allow us to do that both through the Council process and allow through and through NMFS's ability to consult. So, I think everyone around the table knows this. They've been

through it, but I just didn't want people to forget about that.

Pete Hassemer [00:04:05] Thank you. Sharon Kiefer.

Sharon Kiefer [00:04:09] Thank you Mr. Chairman. So, I'm recognizing the public comment that we heard over and over again that the management measures were not economically viable. If we proceed, and I'm just curious, at the end of the day say if we achieved the desired result will you be able to parse out whether that was because the measures were the right measures or because if it's not economically viable for the fleet, that participation was so reduced that the measures did indeed work. So, effort went down. If effort goes down significantly because if indeed it's not viable for much of the fleet, so as a result of the management measures actually working or the fact that really you've reduced effort so low that the measures were successful. Will you be able to measure that?

Pete Hassemer [00:05:14] Marci Yaremko.

Marci Yaremko [00:05:17] I'll give this a go. Let me start by saying that the California commercial troll fleet has over a thousand permitted vessels. And when we're at low stock abundance there's not a lot of fish to go around. So, one thing that is deeply important to our preseason process is the building of our annual fishery review document where the STT spends a week building us a several hundred page document that evaluates the prior year fishery, including the number of participating vessels, the catch by those vessels, the value of those landings and the contribution to the coastal community of that fishery product in the marketplace. So that analysis will continue to be done by our STT. I think that we are in a situation here now talk about California normal. What is California normal anymore? We've experienced decades of drought now and low abundance and difficulties with water. And, you know, we're hopeful for the future and I think, you know, one thing to keep in mind is that this framework is adaptive. The intention is that when abundance and forecasts are higher, we're going to, the models were to predict that catches can go higher. And I just encourage our commenters to keep that in mind that right now everyone is definitely visualizing this state of despair that we're in due to low stock abundance, but the future may look quite differently or we hope it does. So, I don't know if that answers your question but that's best I can do.

Pete Hassemer [00:07:38] All right, thank you. And I see Butch, but Marci you had your hand up I thought? Just in response. All right. Was there a hand to my left?

Butch Smith [00:07:50] Yeah.

Pete Hassemer [00:07:51] Butch Smith.

Butch Smith [00:07:51] Just two more comments because I know I've overstepped my time. Two comments per customer. Well, that's, I think that's the thing, Marci, I think I hear. You know I just want to say that I totally respect the California troll industry for what they did in stepping forward when it was time to say we need to sit on the beach. You just, you know, fishermen are sometimes brushed with a different stroke and you got to give admiration. I've been in that same spot and that's hard to do when you're looking at a family to feed in your community, so total kudos to the California troll industry. But, you know, when you do sit on the beach, you're sitting on the beach for a reason that someday you can get back on the water, and will that look like when you've done your conservation, will that look somewhere, you know, to what's considered normal before this issue? And I think they would want to know that if, you know, is this a stop gap time in history to get the fish back rebounded and then hopefully when that happens, when they got lots of water, when you got lots of fish coming back, you know, what will be more to what California's used to fishing, I think that's number one. And I just want to say I know the, you know, the Council, we've got some financial, I won't say hardships, but financial

things that we got to a mind right now but I think this is a perfect reason why we should have had the SAS at least somewhat here for a day or two to ask these questions to vet these ideas. You know every once in awhile we do have the SAS come to the normal meetings and this is a pretty, pretty big issue and just not trying to armchair quarterback, but I certainly would have liked to talk to George, you know, and the guys and kind of vet these ideas, kind of talk about their fears so we could go have a back and forth. Right now, it's just a, you know, it's just a call in and testifying so, just a note that we might have been better off having some of the SAS here to talk to, but I'm not blaming anybody. I mean, you know, we're doing what we're trying to do but this is a pretty big issue. So anyway, I think what I'm hearing in their voices more than anything coming from that position, will we be stuck here forever or when we do the hardship, the pain that we have to do, will there be a prize at the end, meaning can we go fishing like somewhat what we did in the, you know normal, under normal circumstances? So anyway, thank you and I've lost my two comments so...

Pete Hassemer [00:10:51] Thanks Butch. Bob Dooley.

Bob Dooley [00:10:54] Thank you Mr. Vice-Chair. Thank you Butch. Very good comments. And I guess, you know, what I interpret from today is the fear of the unknown. What I heard from Marci a little bit ago what meant something to me is that this is a framework, and I heard from Marc too. It's a framework that it's another tool in the toolbox and I don't think that what I heard from the fleet here today or from our fishermen wasn't that it was a tool, that it was a mandate and it was going to be implemented, imposed on them without any ability to talk about it. And I'm not hearing that now. I'm hearing that this is just another tool in the toolbox and just like they were involved in the... they... meaning the SAS and the industry, involved in setting the openers and closers we've had in the past, they would too be involved with these tools as it goes forward to find out which one works the best and ultimately decide where that work, what controls are controlling their fishery. And I think that to me gives a little comfort that it's not that, and if I'm wrong then I have concern. That if it's going to be just, okay you said all you're going to say, you know, during our March and April, and by the way we're going to put this season limit and this trip limit over and above that without any consultation with the fleet or any advice. And I think that's what I heard today. That's what I felt. And I think this is an open process and transparent process. And I think there's a fear that that was being taken away. And I think we heard, the fleet came forward last year and I thought they stood up. They really did. I mean they're the ones that said, 'hey we got to stop this', and they requested this. But I get the feeling that they think it's out of their hands now. And so, I'm not hearing that now, maybe I'm wrong. If I'm wrong let me know. But I would support this management framework as another tool in the toolbox. That one more thing that we can do to make sure we stay within that 16 percent, so that's the way I see it. So, thank you.

Pete Hassemer [00:13:14] Thank you. All right we've had a lot of discussion. I don't want to close that out. That's why we're here to thoroughly deliberate on this, but we do have these three items before us. Our discussion was focused on number 3 so far so I'd like to focus on that right now. Marci.

Marci Yaremko [00:13:37] Yeah, thank you Mr. Vice-Chair. I am ready with a motion if it's your pleasure?

Pete Hassemer [00:13:41] Please go ahead.

Marci Yaremko [00:13:43] Thank you. I move that the Council adopt the framework to achieve conservation objectives for California stocks of Chinook salmon as described beginning on Page 3 of Agenda Item D.4.a, Supplemental NMFS Report 1, November 2023, and in Agenda Item D.4.a, Supplemental NMFS/CDFW Presentation 1. Using the draft regulatory language for the framework shown in Agenda Item D.4.a, Supplemental NMFS Report 2, November 2023, request that Council

staff work with NMFS to finalize the regulatory language for transmittal in Section 660.405, prohibition section, including the additional language requested by NMFS regarding possession and the additions proposed for Section 660.410 Conservation objectives, ACLs and de minimis control rules.

Pete Hassemer [00:14:48] Thank you Marci. That language looks accurate and complete. Is that correct?

Marci Yaremko [00:14:53] Yes, it is.

Pete Hassemer [00:14:55] Thank you. Is there a second? Seconded by Marc Gorelnik. Please speak to your motion.

Marci Yaremko [00:15:03] Thank you Mr. Vice-Chair. I think we had quite a bit of discussion. I'll just hit a couple of highlights that the management measures will be designed to comply with the coastal Chinook salmon conservation objective of the Klamath River fall Chinook age four ocean harvest rate not to exceed 16 percent, consistent with table 3-1 of the salmon FMP. That conservation objective will be the basis for the preseason modeling and postseason assessment, and the Council and NMFS may in addition apply a buffer to that harvest rate based on recent performance of the harvest control rule. In terms of mechanics, managers will use the Klamath ocean harvest model and the Sacramento harvest model to project the all stock harvest of Chinook, adhering to the conservation objective for Coastal Chinook. That preseason all stock harvest projection will serve as the overall harvest limit and will be the basis for developing landing and possession limits for the commercial troll fisheries. Landing and possession limits will be developed based on the preseason projected all stock harvest and the projected effort. Landing and possession limits will be implemented on a weekly basis and will be determined through the preseason Council process for each month. Defined periods for the landing and possession limits will be established. A shorter period may be used, such as a five day period to compress the landings into a shorter timeframe to allow for a reporting and accounting of catch. Additional management measures needed to support the framework will include provisions requiring submission of electric, electronic, sorry, fish tickets within 24 hours of landing to CDFW, and that's consistent with a number of our other federally managed commercial fisheries with a 24 hour E-tix reporting requirement. Tickets would be required to be submitted in accordance with the requirements of the state of California. Catch triggers such as the percentage of that allowable harvest would be established during the preseason process to identify when inseason action would be considered to ensure that allowable harvest level is not exceeded. We touched on the two year requirement that would apply for inseason actions to only adjust trip limits downward to further restrict harvest downward or closure if necessary if the fishery harvest approached that allowable harvest projection. Performance of the framework, of course, will be assessed postseason and incorporated into, the performance measures will be incorporated into the management decisions for the following year. We talked about the need for inseason management obviously for California Coastal Chinooks required by this, by the action we're taking today, but also the series of events in California's fisheries over the last few years. The reinitiation of the buy-op served as the catalyst, but it does in our estimation, this measure should address a number of other issues facing management of California's other stocks, particularly Sacramento fall Chinook. Just want to reiterate a little on the trial and error that we've been through over the past several years before getting to this point. This is a... we realize this is not the favored choice by industry. I'm thinking back a few summers ago where the Council directed Michael O'Farrell to get back to work and see what he could do to make adjustments and apply different base periods in that Klamath ocean harvest model to see how we might do better to forecast effort and catch. I think we've really asked our modelers to step up and do an awful lot of extra work to try to solve this problem in some other way. Then we turned to the buffering concept which similarly wasn't met with success, and I firmly believe that we are out of options. We had hoped that...well, so a few more notes on coastwide inseason management being new to California. The concept of trip limit management is not

new to Council managed salmon fisheries. We heard quite a bit about that. We're aware of their routine use in Washington's fisheries as well as Oregon's. I'd also highlight that in the California KMZ trip limits and quotas are a very common element of our management in the California KMZ, so it's not new everywhere in California. We've also in certain years, certain areas where we've had concerns about fisheries catching far more than projections we've implemented quotas and trip limits on a time-and-area basis at select times in our past. So, the tool, while it will be new in terms of being used comprehensively in California, is not new in many ways. We feel confident that this approach will allow us to achieve the objectives both for Coastal Chinook and hopefully aid us with our other objectives on Sacramento fall as well. Thank you.

Pete Hassemer [00:21:53] Thank you Marci. Are there questions to the maker of the motion for clarification? Not seeing any questions, discussion on the motion? Corey Ridings.

Corey Ridings [00:22:14] Thank you Mr. Vice-Chair. Thank you, Marci, for putting this forward. I'm just going to share some thoughts here. I will not be voting for this motion but I do feel I really need to explain myself here. I feel this way in recognition of the good work that has gone on, not because of it. It is very clear that CDF and W and NMFS and their staff put a lot into this and there are, as stated earlier today and in the briefing book and materials, there is an incredibly real conservation need. And this Council has worked for years to try to get there and we have failed in that. So, I see that and where I am today is in recognition of that good work and those needs, not in spite of it or because of it. I don't disagree with anything that was said today. It all made sense to me. Thanks again to people from other states who shared their experience on this, that's helpful. I'm going with the assumption what I heard Susan say, which is that pulling out this sector would be very difficult but that it's likely possible. So, I'm going with the assumption that this would not impact the tribes, other states, or the recreational sector. I want to acknowledge that I could be misunderstanding something here in the big picture, but from what I have in front of me, delaying by one meeting to engage the fleet towards a better framework is something that's important for a fleet that isn't even able to fish right now so I think it matters. I think there's a good chance we might end up exactly right here in March, but we'll have more input and more public participation and I think even the process and the possibility of improvement, even if it's small, might be worth it for this fleet. So, thanks.

Pete Hassemer [00:24:24] Thank you. Further discussion on the motion? Not seeing any hands, I will go ahead and call the question. All those in favor say "Aye".

Council [00:24:39] Aye.

Pete Hassemer [00:24:39] Opposed?

Corey Ridings [00:24:46] No.

Pete Hassemer [00:24:48] Abstentions?

Bob Dooley [00:24:50] Two no's. I'll say no.

Pete Hassemer [00:24:53] We've had two no's.

Sharon Kiefer [00:24:56] One abstention.

Pete Hassemer [00:24:57] Abstentions noted. That concludes it. The motion passes with Corey Ridings, Bob Dooley voting no. Sharon Kiefer abstaining. So, thank you Marci. Okay, with that well we finished that up. We've adopted the management framework. There is still the task we did here.

Reminder from John North very early in the discussion, ODFW supported the online meeting to be held in March. I'd look to the other states and around the room for any confirmation or approval of the proposed schedule, confirmation about the hearing sites and the state intentions. And, Kyle Adicks, I see your hand up.

Kyle Adicks [00:26:13] Thank you Mr. Vice-Chair. I'll just say that I support the plan to have an in-person hearing in Westport, Washington on Monday, March 25th, and let the Council know as usual WDFW will be working on our schedule for public engagement through our North of Falcon process to plan the salmon fisheries around the rest of Washington State, as well as our usual co-manager processes. So, a whole bunch of other meetings that we'll be scheduling that will coincide with the March and April Council schedule.

Pete Hassemer [00:26:45] All right, thank you. So, I've heard Oregon's support. Marci.

Marci Yaremko [00:26:53] Yeah, thank you Mr. Vice-Chair. California supports the proposed hearing schedule, including the in-person meeting scheduled for Santa Rosa. Thank you.

Pete Hassemer [00:27:03] All right. Thank you. So, with those approvals of locations and meetings I'm going to turn to Robin to see what other work we need to do here or have we covered it all?

Robin Ehlke [00:27:21] Thank you Mr. Vice-Chair. You have covered all your work under this agenda item. We have a plan for salmon public hearings come March in all three states, and we've adopted the management framework for those California Coastal Chinook that will come up in our 2024 preseason management salmon schedule.

Pete Hassemer [00:27:41] All right, thank you. With that I want to thank everybody for their patience, their deliberation on this and the public also for engaging. With that, that'll close out this agenda item and I'm going to pass the gavel back to our Chair.

5. Klamath River Fall Chinook Workgroup Progress Report

Pete Hassemer [00:00:00] That completes our public testimony and will take us into Council action, which on this item is discussion and guidance. I will look around and see if there are any hands for any discussion here? Marc Gorelnik.

Marc Gorelnik [00:00:20] Thank you Vice-Chair. I just wanted to note a news article came to my attention yesterday that Copco number 2, that dam is completely out now. The other three dams will come out next year.

Pete Hassemer [00:00:35] All right. Thank you for that update. Further discussion? The Workgroup report was just their organizing their activities. Good to see that's underway. And if there is no other discussion then I'm going to turn to Robin and ask, is there anything else we need to do?

Robin Ehlke [00:00:58] Thank you Mr. Vice-Chair. You've heard from the Workgroup. They'll continue their work. They'll touch base again in the spring, but other than that, yes, you've completed your report and good luck on groundfish today.

Pete Hassemer [00:01:11] All right. Thank you Robin. That will close out this agenda item.

E. Groundfish Management

1. National Marine Fisheries Service Report

Pete Hassemer [00:00:00] That concludes our public comment and our reports and will take us to Council action. We'll wait for that to come up on the screen but I'm sure you know what it is, simply a discussion and any guidance as appropriate. So, I'll look around if there are any hands to initiate the discussion. Marci.

Marci Yaremko [00:00:33] Thank you Mr. Vice-Chair. I just want to speak to the two reports we have in our materials surrounding the halibut bycatch in U.S. West Coast fisheries. I'm just, based on the exchange I had with Dr. Russell I would be very interested in seeing a bit of reformatting of that report, make it a little more user-friendly. I appreciate that the primary purpose of the report is to estimate discards to confirm our estimate of the set-aside and the IBQ that is issued each year in the Catch Share Program, but we have not done a comprehensive look lately at that set-aside or the estimates of discard. There's been a lot that's changed since the IQ Program was put into place, and while the monitoring of IBQ and its effectiveness in keeping bycatch to a minimum, we just may want to take a look at that set-aside at some point in the future in light of other changes in the stock abundance of Pacific halibut. Additionally, with regard to the report, I think there is a lot we might learn taking a deeper dive at this report and maybe having the information presented to us in a little different way. With the increased scrutiny that we have on our nearshore fisheries, you notice there was an uptick this year in the nearshore fishery bycatch of halibut. Taking a closer look at the regional data that might be available to us from this report might be insightful. Just, you know, noting that California it looks like had the highest nearshore discard ever in the time series. If I'm reading that spreadsheet correctly. It just might be indicative of trends that we might want to be considering in light of our discussions about climate ready fisheries and needs to adapt to changing trends and distributions. Thank you.

Pete Hassemer [00:03:09] Thank you Marci. Further discussion? Phil Anderson.

Phil Anderson [00:03:16] Thanks Mr. Vice-Chair. I just wanted to extend my thanks to National Marine Fisheries Service, Craig and his folks, for following through on their commitment to have an open and transparent process in terms of revising the trawl survey methods and including industry and having that dialogue as we go along. There was obviously a lot of concern expressed by industry and others, managers, when we learned about the efforts to try to combine these two surveys into one and they really stepped up and worked with us and listened to the industry folks and the people who know a lot about gear and gear types and so I just wanted to express that appreciation to them for that.

Pete Hassemer [00:04:16] Thank you Phil. Bob Dooley.

Bob Dooley [00:04:21] Thank you Mr. Vice-Chair. Yeah, following up on Phil's comments there. I was very pleased to hear that the particular vendor that was selected, very knowledgeable, very good and both parties there are very knowledgeable. And I hope when the, understanding there's limited bunk space, but this is for a sea trial in the winter to test this gear and understand how it works and it's working to design and very important to have fishermen input, and I trust the Ocean Gold people, the representative from there. And the net designers in my opinion are probably the best on the coast. And I think we should, if there's a shortage of bunk space that they should be the last to be eliminated. Those two people need to be on that vessel to help them should it not be performing because they have the intimate knowledge of how to adjust things and make the adjustments to make it perform to design, and that's critically important. So, I'm heartened to hear that that is in the process but I just wanted to add some comments to that. So, thank you so much.

Pete Hassemer [00:05:39] Thank you Bob. Further discussion? Heather Hall.

Heather Hall [00:05:46] Thank you Vice-Chair. I'm just going to have some thoughts on the Take Reduction Team and appreciation for the GAP for discussing that during their meeting. And I also want to thank the Protected Resources Division for getting the Federal Register Notice out. It was something that we were hoping we could talk about at the Council meeting so we're really, I appreciate having the opportunity for the discussion and being able to hear from the advisory bodies and the public on what that might look like. One of the things, and this is where I was hoping that Dan would still be on the line, is in the GAP report their input on meeting in person and the idea around alternatives or meeting remotely was a question that I also had, and so maybe I wasn't sure if that Take Reduction Team would only meet in person or only meet virtually? So, any input on that I think would be really helpful as we think about that membership, what that might look like. And I know we're two years out from having a first meeting but if there's any input on that I'd appreciate it.

Pete Hassemer [00:07:12] Thank you Heather. And I see Dan Lawson is online so if you have a question directly you want to pose to him?

Heather Hall [00:07:21] Thank you. Dan, will that Take Reduction Team be meeting in person or virtually?

Dan Lawson [00:07:27] Hi. Good morning, Heather.

Heather Hall [00:07:29] Good morning, Dan.

Dan Lawson [00:07:29] My understanding is that Take Reduction Teams have always met in person. You know, I don't want to preclude the possibility of alternative participation but I mean I think I would approach this with an expectation that Take Reduction Team meetings will be in person. That what I expect to happen. Again, I won't completely rule it out otherwise but that's my expectation.

Heather Hall [00:07:58] Okay. Thank you Dan. If I may ask another question?

Pete Hassemer [00:08:05] Please go ahead.

Heather Hall [00:08:06] Okay. How frequently does the Take Reduction Team meet? Do you know?

Dan Lawson [00:08:13] Yes, well... so I think when the team initially convenes that's going to be a very intensive period. You know there's a six month, you know, sort of deadline for the team to generate those recommendations for the Take Reduction Plan, so it is highly likely there will be a series of meetings over that six months. You know, will that be three, four, five? You know there'll be as many as needed within that six month period. You know after that, you know, that's when it's going to be, you know, highly variable in terms of how often the team reconvenes to assess progress, potentially consider additional recommendations and so, yeah, that's harder to predict. But, yes, this initial period will be several meetings at least during that, you know, six months following when the team is convened.

Heather Hall [00:09:12] Thank you. That's helpful. And that triggered another question on the timeline. Dan, you mentioned six months. Is it a six month timeline if it's just the fixed-gear sablefish pot fishery that's included in the Take Reduction Team?

Dan Lawson [00:09:30] Oh yes, thank you. An excellent clarifying question. The six month timeline is to generate a Take Reduction Plan that will get mortality and serious injury below PBR, Potential

Biological Removal, you know, which is a marine mammal stock assessment concept. So depending on where the, what the scope of the Take Reduction Team is, you know, if it is on the sablefish pot fishery it's possible that in fact that deadline will, or that goal, that criteria will already be in place and then in which case, you know, I think it's perhaps.....gosh I don't want to misquote here but there's a different timeline, I think it's, you know, within eleven months. Just trying to check some notes to see if I have anything specific on what the deadline would be in terms of delivering that reduction plan. It's certainly less, I mean it's more time than the initial six months and I just don't know that I can give you a definitive time period that it is today. But there would be more time if the short term goal is already being met, you know, as the TRT sits and convenes for the first time.

Heather Hall [00:10:56] Okay. Thank you Dan. I think I understand.

Pete Hassemer [00:11:03] All right. Thank you. And excuse me, Marc, before I turn to you, a point of clarification. I've heard references to the first meeting of the team being two years out, that it would occur then. My understanding, and maybe NMFS can clarify, is that the first meeting has to occur before a date, the date in November 2025, I think, meaning it could be any time between now and that date. It's not scheduled to occur. The first meeting is not going to occur in November 2025, is that correct?

Dan Lawson [00:11:46] Yes sir. That is absolutely correct. It could convene prior to that. Our commitment is to convene before that deadline.

Pete Hassemer [00:11:57] All right, thank you. Marc Gorelnik.

Marc Gorelnik [00:11:58] I think with two years to get something on the calendar we should be able to do that. I wanted to turn to the GAP report and there are a couple of points there on the Take Reduction Team. One had to do with membership, and we'll take that up I guess under C.7. And the other has to do with the scope of the Take Reduction Team. And the GAP recommends that it be kept to the sablefish pot fishery. And I probed that a little bit and I think now I agree with that. I took a look at the Federal Register, it only mentions that, it's the only fishery mentioned by name. It indicates that it may be expanded to other fisheries but I think that unless and until there's a specific identification, there's no reason to expand the scope of the Take Reduction Team beyond the sablefish pot fishery.

Pete Hassemer [00:12:59] All right, thank you. Lynn Mattes.

Lynn Mattes [00:13:04] Thank you Vice-Chair. I had a question and then a question you just asked triggered a thought. With the first meeting of the TRT saying it could be at any time, does that start the six month or the eleven month clock? So, if we start the TRT early are we also starting the clock early or is that, can that be a like a planning or a pre-meeting? And then I have a different question on a different topic.

Pete Hassemer [00:13:34] All right.

Dan Lawson [00:13:36] Oh, yep, good morning. And ,yes, if... when the team convenes that will start the clock. So, yes, should it convene earlier, yeah, the six month clock will start with that.

Pete Hassemer [00:13:50] Follow-up then Lynn?

Lynn Mattes [00:13:52] Thank you. That was very helpful. It's a question on a different topic within the TRT. What is the geographic scope being proposed? My reading was that it was just the three U.S. West Coast states, but in some discussions yesterday I heard that Alaska was being included. I think

that could be a whole different conversation if we're talking about just off the West Coast or if we're including Alaska in the discussion.

Pete Hassemer [00:14:28] Either Dan...

Dan Lawson [00:14:28] If that question is for me, I mean I think, you know, there is no geographic scope that has been proposed in terms of the Take Reduction Team. The only thing that has been proposed, for lack of better words, is that, you know, the sablefish pot fishery will be included. You know the scoping activity is to seek additional input on what that scope could be but, you know, NMFS has not proposed any additional scope beyond what's been committed to for this sablefish pot fishery.

Pete Hassemer [00:15:07] Thank you. Executive Director Burden.

Merrick Burden [00:15:11] Yes, thank you Mr. Vice-Chairman. Miss Mattes, just in regards to your reference to the Alaska geography question. Of course the FRN is fairly broad. As we've just heard there was some chatter, I guess, about whether and to what degree this might entail a Take Reduction Team that includes membership from Alaska? And I mean I'm not the person to make the decision of course, but I am in touch frequently with my ED counterparts and conversations with Mr. Witherell. In the North Pacific there's been no discussion of that happening in the North Pacific. He was surprised by my question. So, at this point, you know, I don't make that determination and who should be on the TRT, but maybe that addresses your point.

Pete Hassemer [00:16:04] Thank you. Phil Anderson.

Phil Anderson [00:16:07] Yeah, I and I think Dani Evenson both had follow-up conversations with Ryan Wulff following our conversation yesterday and he clarified that this would only pertain to the West Coast, not Alaska.

Pete Hassemer [00:16:25] Thank you. Heather Hall.

Heather Hall [00:16:32] Thank you. And just in terms of that, I know providing input and guidance to NMFS on this is challenging without an understanding of the scope. And I know that changes kind of to my question earlier about how long the team would have to come up with a plan and it's maybe it's six months if to get under PBR or eleven months, depending if it's just sablefish fishery and that then could influence the number of meetings that are needed. So, I think I'm just expressing a bit of a challenge without having a full understanding of the scope and recognizing NMFS is saying, please tell us your thoughts here. So, it's important to also maybe say that we hope that the scope is just specific to the West Coast. I don't know if we need to do that following what Mr. Anderson just said, but it might be important to include that relative to the PBR question. I'm not sure, just given the little bit of take that the sablefish pot fishery has, is responsible for. How do you get take below PBR if you're just addressing the sablefish pot fishery? But, so those are just comments not a question. Thanks.

Pete Hassemer [00:18:18] All right, thank you Heather. Executive Director Burden.

Merrick Burden [00:18:24] Thanks Mr. Vice-Chairman. And Miss Hall, I think some of your comments are leading to some thoughts I have and some conversations that several of us have had just about the process for moving forward here. And of course, we don't have a good sense of the Council about what exactly we're being asked to do and how to address best way in as you just outlined. And all of that tells me something about the process we should use, hopefully, in close contact with Dan Lawson and others at PRD. There's another factor at play here and that is an agenda item that we'll be tackling between now and June, the fixed-gear marking which may have some bearing then on this

Take Reduction Team and the actions that we're asking, that are being asked of that TRT. So perhaps as a member, as a note of process, we could make some suggestions about timing to PRD. So, no earlier than June presumably that we would want to get started because that item on the gear marking would have some bearing and then at least between now and then we could continue to formulate some thoughts about how best to weigh-in with PRD. So that's some thinking I have about how to move forward on this and maybe that's helpful.

Pete Hassemer [00:19:45] Thank you. So, as we go through just a reminder, the Federal Register Notice it's open for comment now so I've heard thoughts about scope, whether it's geographic scope or the fisheries involved, the timing of the first meeting and aligning it with other things, so I want to know the Council's desire here on providing comment relative to that because the comment period is open now and if there's any agreement on what that should be? And Heather Hall.

Heather Hall [00:20:37] Thank you. This is following off on Director Burden's last comments too, but maybe it would be helpful to send a letter and if it could just be as simple as, you know, saying we have some questions and some uncertainty about scope. We know that, understand that NMFS will be making decisions on these and we would just appreciate the opportunity to coordinate with NMFS, you know, on who's on the team and follow-up, you know, very broadly high level our interest in having that, really lines of communications remain open as this process becomes more clear.

Pete Hassemer [00:21:27] Thank you Heather. So maybe at this point I'll ask Executive Burden here to summarize what he's heard. What could go in this letter relative to what we just heard from Heather and others around the table and see if there's agreement on that or modification. So Executive Director Burden.

Merrick Burden [00:21:54] Thank you Mr. Vice-Chairman. At the risk of playing hot potato here, I think a letter would be fine. Miss Hall, could I ask you to summarize the points that you would envision in the letter, and such a letter please?

Heather Hall [00:22:11] Yeah, the primary point is we have a... we don't have certainty on the scope. We do know that the Council wants to be involved and that stakeholder representation on the Take Reduction Team is critically important and that it, it be reflective of the scope, and that to facilitate that, we, the Council, would want to have open communication with NMFS when there's more clarity on the scope.

Pete Hassemer [00:22:56] Mark Gorelnik.

Marc Gorelnik [00:22:57] Thank you Vice-Chair. I'm not sure what's meant by more clarity on the scope, and per the same scope that I referred to in my earlier comment that is, you know, confining the scope, at least at the start, to what's in the Federal Register Notice, which is the sablefish pot fishery. I think that my preference is that we express that in our communication.

Pete Hassemer [00:23:26] Heather Hall.

Heather Hall [00:23:28] Thank you. I think that's a good comment. I appreciate that and didn't mean to suggest it be different. But I also understand that NMFS will make the decision on the scope and so then with that, if the scope is different, than we would really want to have more conversations.

Pete Hassemer [00:23:53] Todd Phillips.

Todd Phillips [00:23:54] Yes, thank you Mr. Vice-Chair. I have a question for Miss Hall. Miss Hall

there is the matter that was brought up in the GAP report about remote meetings. Do you wish in the letter to bring that subject up about where? When? That sort of thing. Thank you.

Heather Hall [00:24:12] Thank you Todd. I think that's an important point to bring up. I know we've heard a lot about that just in terms of how our advisory bodies engage throughout the Council efficiencies process. It's a trade-off I understand between being together and developing really challenging approaches to managing. Entanglement issues and being at the table is important but I hope there's flexibility in that and maybe our letter could just speak to some openness for flexible engagement.

Pete Hassemer [00:24:57] Great. Thank you. Marci Yaremko.

Marci Yaremko [00:24:58] Yeah, thank you Mr. Vice-Chair. With regard to remote meetings, I don't know that I'm comfortable commenting on that not knowing the membership of the group. And not, you know, they aren't likely to know each other or may not know each other. So, I think I was comfortable with Dan Lawson's response. I appreciate the need for flexibility, especially in changing times and circumstances and less certainty maybe than we've had in the past with the ability to conduct in-person meetings, but I'm comfortable not speaking to that in the letter. But really my... my question is for you Mr. Vice-Chair, or perhaps ED Burden, is there a plan for a quick response review process on this letter or what was the thinking on how this letter would be reviewed by the Council?

Pete Hassemer [00:26:11] My assumption would be it would be a quick response if that's what the Council desired. I mean there's two pathways because their next meeting is March and the Federal Register, the comment period would close, so it's either the leadership team review that and send it or it get reviewed by the full Council through the quick response and anything other than that.

Merrick Burden [00:26:43] Yeah, thank you Mr. Vice-Chairman. Happy to use the QR process. I would just say though that for the QR process to work well we should all be on the same page about what that letter should contain. That process really isn't very good at iterating. And so, I think we're getting there but there are I think there's just a little bit more discussion to have to make sure we're on the same page before we draft the QR letter.

Pete Hassemer [00:27:14] And Chair Pettinger.

Brad Pettinger [00:27:16] Yeah, it seems to me that outside of the kind of names, the kind of sectors and organizations and governmental bodies it should be included, but it's pretty ambiguous as far as how many people are we talking? How many slots are they looking for? And which slots that they would like have comment that should be filled? It'd be nice if they could bounce something off us as far as what they're thinking about so we have something to respond to. Otherwise, it's kind of mushy right now outside of just a description of who they'd like to propagate that committee. So, I'd like to see, you know, is it going to be ten, twelve? And which, you know, I'm sure they certainly have people that they're going to appoint. And which seats do they want us to have to comment on it would be nice to know. And maybe we comment, when we see what they send us we could maybe comment on maybe some issues that are in deficit in as far as representation. Thank you.

Pete Hassemer [00:28:23] Marc Gorelnik.

Marc Gorelnik [00:28:24] Yeah, I think it's a fair point that all these, a lot of decisions are going to be up to NMFS and this is really simply our opportunity to express our preferences, whether it be membership or scope. So, I guess again we'll talk about membership under a separate agenda item, I guess that will get fed into the letter. But I think if the Council has a preference on scope, that should

be in the letter and with the understanding obviously is that it's going to be up to NMFS in the final analysis.

Pete Hassemer [00:28:59] Thank you. I was going to add that comment that this is our opportunity to inform NMFS what the Council thinks it should be. So, and I'd look around for other suggestions but I know the Executive Director has been taking notes and make sure we've got all of the points clear that you would like to see in a draft letter, we agree on all of those so. Chair Pettinger.

Brad Pettinger [00:29:34] Well, we're going to send a letter it appears to me and we're going to be discussing this in the later agenda items, and I think that later agenda item might very well help us fill this letter up as far as what we will have in it, or help us form it.

Pete Hassemer [00:29:54] Okay. So, I'm going to ask Executive Burden then to summarize the key points that would be in the letter and see if there's consensus on that as the starting point.

Merrick Burden [00:30:08] Thank you Mr. Vice-Chairman. And I'll also invite Todd to weigh-in. I'm sure he will when I get something wrong. So, let's see, I have a note here we're going to be drafting a QR letter to PRD. That letter will cover a couple of matters of process. One is just to raise our desire to be involved in the process or overarching comments that the membership of the TRT needs to be aligned with the scope of the task assigned to the TRT that we'd like to be in close communication with Protected Resources as the Take Reduction Team moves forward. In terms of specific recommendations regarding the scope, I have the Council's desire is to keep the scope focused on the fixed-gear pot sablefish fishery. Also, I did note there was some dialogue about the flexible engagement and whether to use remote meetings. I understand from the Council that there's not a clear recommendation there, but I would picture the letter mentioning that topic and saying depending on the scope or the charge of the TRT some openness might be warranted, but we don't really have enough to make a specific recommendation on that format. So that's what I have and maybe I'll just look to Todd and see if, he gave me a thumbs up which is better than a thumbs down so that's what I have.

Pete Hassemer [00:31:37] Thank you. So, I will look around the table and see if there's agreement at least to generate the letter for your review at a later date. And I'm seeing some head nods that we would proceed in that direction. So, Todd, beyond that and I'll look around, is there any other guidance necessary or needed on this agenda item?

Todd Phillips [00:32:10] Thank you Mr. Vice-Chair. I would say that the Council has heard from the West Coast Region as well as the Science Center and their updates. You've had a pretty good discussion here on the Federal Register Notice and it's my understanding as we just spoke about a QR letter will be generated here and per the items that Mr. Burden just mentioned. I would say I have no other guidance for you. You've done your task here. Thank you.

Pete Hassemer [00:32:35] All right. So, I will look around for any final comments or discussion here? And I'm not seeing any so that will conclude our work under E.1.

2. Adopt Quillback Rebuilding Analysis, Catch-Only Projections, and Revised Projections

Pete Hassemer [00:00:00] All right I thank everyone for this, their patience on this important topic. We've heard a lot of information in the reports and the public testimony. To begin with I'd like to turn to Keeley Kent for some opening remarks to help maybe frame the discussion before us. You can see on the screen our action. Your action for today is approve rebuilding analyses, catch-only projections, and revised projections for use in 2025 and beyond. So, with that in mind, Keeley, if I can put you on point there and give us some opening remarks. Thank you.

Keeley Kent [00:00:48] Thank you Mr. Vice-Chair, Council members. I thought it would be helpful to start the discussion with just sort of a recap of the other actions that are ongoing that play into this particular agenda item. We are very close to making the final determination on Amendment 31 to the Groundfish FMP. This is the Stock Definitions Phase-1 and this is the FMP amendment that the Council recommended to define quillback rockfish off California as a stock, among other actions in that. The public comment period has closed. We received only positive public comments and we must make that final determination by November 21st of this year. Once quillback rockfish off California is defined, we would carry out the status determination. Generally, there's a status determination package across the different regions that it goes in a report to Congress before the end of the calendar year. At that point, after a status determination is made, we send a letter to the Council informing you of the status change and that implements the rebuilding time clock that the Council is well aware of and that we are discussing under this action. The Council has fifteen months from that point to develop a rebuilding plan to submit to the agency for review. The rebuilding plan must be in place within two years of the status determination. If during that two year period that the Council does not submit to the Secretary a Fishery Management Plan Amendment or proposed regulations as required, then the Secretary must implement a management plan as required. I want to say, too, that we understand the frustrations related to the current quillback fishing restrictions and the very real economic impacts these management decisions have. We also recognize that addressing nearshore data needs and expanding data collection efforts could reduce uncertainty in future assessments for nearshore stocks like quillback. We are committed to taking a comprehensive look at nearshore data needs for the next assessment and will continue to collaborate in this process to find ways to provide as many fishing opportunities as we can in the interim. Thank you.

Pete Hassemer [00:02:56] Thank you Keeley. And with those opening remarks just to more or less frame our discussion here, I'm going to look for any hands to initiate discussion. Marci Yaremko.

Marci Yaremko [00:03:11] Thank you Mr. Vice-Chair. If I may ask a question of Keeley?

Pete Hassemer [00:03:14] Yes, please.

Marci Yaremko [00:03:15] On that report. Thank you. I'm looking for a little more on the fifteen month passage. It was my understanding the Council had two years to submit a plan. It's fifteen months for submission and two years for implementation? Okay. And can you let me know which section of Magnuson that rule comes from?

Keeley Kent [00:03:46] The citation is 50 CFR 600 310 Paragraph JII, Roman at two. So, it's the National Standard 1 Guidelines. And that provides the Secretary the opportunity to have sufficient time for rulemaking once the Council submits the rebuilding plan so that we can get it in place in the two years.

Marci Yaremko [00:04:11] Thanks.

Pete Hassemer [00:04:14] All right, thank you. Marc Gorelnik.

Marc Gorelnik [00:04:18] Thank you Vice-Chair. I've got a few comments and then I'll have a motion, but I don't want to forestall discussion. We're in a very difficult situation here and I don't think anyone here, NMFS, the Council, stakeholders like where we find ourselves. And I think that speaking for myself I would like to find a way that where we honor our conservation obligations while minimizing impacts on the fishery. Coastal communities, as we've heard, have been decimated really, you know, in California this year, no salmon and now relatively little opportunity for the nearshore rockfish, and that may continue for years, frankly both salmon and the nearshore. So, I think that when we're dealing with consequences like this, we must in proportion be careful about the reliability of the information that we rely upon. So, I'll leave it there for now but I'll have more commentary when I offer my motion.

Pete Hassemer [00:05:36] All right, thank you. So, I recognize that you do have a motion ready. Before hearing that, I want to see if there are any more general discussion comments related to this before we go to the motion. And I'm not seeing any so, oh excuse me, Director Burden.

Merrick Burden [00:06:00] Thank you Mr. Vice-Chairman. And I'm going to apologize to General Counsel for putting you on the spot, but in reading the materials that we do have in front of the Council, the SSC statement, in particular, is a statement that should really be informing the Council on this agenda topic. They use the term BSIA to describe where we're at with the quillback rebuilding analysis, in particular. Could you help us understand the implications of that please?

Sheila Lynch [00:06:36] Thank you Executive Director Burden and Vice-Chair Hassemer. The Council is required to use Best Available Scientific Information in developing its specifications and management measures, but maybe, I don't know. Could you maybe be a little more specific or Miss Kent might actually want to take this one?

Pete Hassemer [00:07:11] Keeley.

Keeley Kent [00:07:12] Thank you. Thank you for the question. I do think it is clear in the SSC report that they have determined that the rebuilding analysis for quillback rockfish is the best scientific information. In our BSIA framework, our regional framework that the Council adopted, we look for the SSC to make those determinations as well as the agency. I think, you know, the Council role on a rebuilding analysis and what we have gone through in the past is the Council can seek additional information but ultimately it is the SSC on these matters, including OFLs, where that recommendation needs to come. And so, I think it would be helpful, you know, to hear more from the Council. I certainly understand some of the concerns, but in front of us we have the SSC, BSIA determination, and from the agency standpoint we don't see any issues at this point that would cause us to have an issue moving forward at this time.

Pete Hassemer [00:08:11] Thank you. So, I'm not seeing others. Sharon Kiefer.

Sharon Kiefer [00:08:22] So please forgive my density. I'm pretty new to this process but I'm curious, given if I understood some of your former comments, that you've not yet delivered an over, or a status determination to the Council yet. You indicated that's yet to come and that is what actually kicks off a rebuilding plan. So how do you do a rebuilding analysis when you've not yet delivered the status determination to the Council that would then kick off, presumably analysis as part of a rebuilding plan. I'm just a little confused here.

Pete Hassemer [00:09:17] Keeley.

Keeley Kent [00:09:18] Thank you for the question. Through the Vice-Chair, the complexity that we are dealing with now with the timing, you are correct we have not yet notified the Council, in part it is because back in March of 2022 we informed the Council the Council did not have stock definitions in its FMP. We need that stock definition to be able to carry out a status determination. We are finalizing that stock definition now. We will inform the Council. But the bigger question comes back to the structure that the Council has elected to use for groundfish, which is a biennial specification period. Because of that biennial specification period with the rebuilding clock, even when we determine it to be overfished and we notify the Council, we have to have rebuilding in that biennium. The Council could choose to make a big change in the future and they could decide to move to annual spex. I think that is more akin to what happens in some of the other FMPs where that time clock makes perhaps a little bit more sense. But right now, because we have biennial specifications that's why you see it frontloaded, and that is what's contemplated in the specifications schedule that the Council adopts, that that's the structure we have in place.

Pete Hassemer [00:10:38] Thank you. Corey Niles.

Corey Niles [00:10:43] Yeah, thanks Mr. Vice-Chair. I think there's one more part to Sharon's question of why, and I think it's confusing the terminology, why it's called a rebuilding analysis. I don't know if you caught that part Keeley or Marlene or Merrick want to weigh-in, but it's just the analysis of the times, the actual analysis of the rebuilding plan comes next. I think that might have been, remembering being new myself, I think that term sounds more expansive than it is. The fuller analysis of the rebuilding alternatives comes later, but I think that was part of your question too.

Pete Hassemer [00:11:20] All right, thank you. Marci Yaremko.

Marci Yaremko [00:11:26] Thank you Mr. Vice-Chair. Yeah, one more if I could for Keeley on the timeline. I know she indicated that the Amendment 31 was nearing completion and I didn't quite catch what you said about the overfished determination and notifying the Council of NMFS making that determination, are you in the process of making that determination right now before the stock is even determined as a California stock or... ? I understood these to be sequential events that first we'd complete Amendment 31 and then you'd be reviewing and making the determination and notifying the Council. So maybe you can clarify if these events are occurring concurrently or sequentially?

Keeley Kent [00:12:18] Thank you for the question. They are sequential. We must have the determination of what is the stock first. They are likely steps that we could get through in a very short period of time because the assessment is from 2021. We already went through the process of determining the assessment to be BSIA. So right now, we're in the process we would look at the 2023 assessments and do that, but we've already done that piece from the assessment in 2021. We need that stock definition to move forward. But there isn't new information to reevaluate the stock status determination, but they are sequential steps, it's just a pretty short timeline for us to be able to turn that around.

Pete Hassemer [00:13:00] A follow-up Marci?

Marci Yaremko [00:13:02] Yes, thank you. I'm referring back to yesterday in our letter from NMFS to the Council sent October 13th notifying us of status changes for three Pacific salmon stocks, and it looks to me like the Council provided a letter to NMFS regarding the status updates in June, and then NMFS replied back to the Council in October notifying of those determinations. So that's about a four month period. Is that what we should expect here or you're.....we just talked about the sequence of

events, so should we be expecting a determination four months or so out or on a more quick timeline? I don't know what all is involved in that review and determination so I'm just looking for a comparison with the salmon letter we received.

Keeley Kent [00:14:22] Thanks for the question. I'm not a salmon expert so I can't speak to that. I can speak to the groundfish part of things. We expect that the process will take less than four months. We expect that the Council will have that letter in hand if everything moves forward and we approve that stock definition before the March meeting. I can't tell you where that four month came from in the salmon process, but that's not the timeline that we would expect should everything move forward here in groundfish.

Pete Hassemer [00:14:54] Thank you. I'm looking for general, but I'm going to turn to Mr. Gorelnik. You offered a motion. We're ready for that.

Marc Gorelnik [00:15:06] Yes, I am. I'll just wait for it to appear on the screen. I move the Council, I may need some help here, I move the Council conduct a benchmark full assessment once the California quillback rockfish stock is defined. The assessment should be used to determine if consideration of a California quillback rebuilding plan is necessary.

Pete Hassemer [00:15:49] Thank you. That language on the screen appears accurate and complete. Is that correct?

Marc Gorelnik [00:15:54] Well, I may say "I move that the Council", but it doesn't change the meaning of the motion at all.

Pete Hassemer [00:16:02] All right.

Marc Gorelnik [00:16:02] But that's fine on the screen now.

Pete Hassemer [00:16:04] Now it's complete. Thank you. Is there a second? Seconded by Bob Dooley. Please speak to your motion.

Marc Gorelnik [00:16:12] Thank you. I think a lot of the justification for this motion is in the CDFW report. And I think that was covered well by Caroline McKnight and Marci Yaremko. I want to say that I appreciate the need for us to adopt a rebuilding plan at some point. We don't even have a stock defined yet. We don't even have a determination letter yet. And, you know, maybe that will happen by March and if it does, but right now we don't have it and what we have is a rebuilding analysis based upon an assessment which charitably is highly uncertain. Yes, we did approve that assessment and we approved that assessment because we were told we had to. And we're getting much the same message here on the rebuilding analysis. We have an assessment that doesn't track what we see in data collected. And I'm not suggesting we can revisit that assessment right now but I do want to highlight that we may want to consider whether we want to today at this meeting adopt a rebuilding analysis or as put forward in my motion, seek better information upon which to base a rebuilding plan if it is necessary. A lot of this information has been covered so I'm not going to go into any detail. A lot of it was covered at the September meeting. We have a stock that according to the assessment was depleted at six times the rate of co-existing stocks. That's just simply not credible. We have many years of stable harvest, which is also inconsistent with a stock that's being depleted. And again, as I said before, I don't doubt the model at all but the model is very sensitive to the assumptions that are plugged in and the data that is used, and, you know, the natural mortality rate and age. In the briefing book and also presented to the SSC was an analysis done by Dr. Maunder, and Dr. Maunder had access to the model and he could replicate the results of the assessment based upon the data that the assessors used. But there was other data out

there available that was available. For example, some earlier recreational harvest data that predated the RCA and therefore covered a much larger area and maybe perhaps a more representative sample of the stock. And also he used, and again I'm not a stock assessor, but he, he used, he didn't use the asymptotic model or the shape, it was a dome shaped. And when he did that lo and behold the stock was over 40 percent of the unfished biomass. Now I'm not saying what he did was was, was gospel, but I only mention that to illustrate the sensitivity of the model to the inputs. And I would simply submit that the inputs that were used in the output of the model has not, it doesn't track what we're seeing on the water. It doesn't track the data that's being collected and, you know, if we ground truth it, it doesn't work out. But we're not here to, you know, to.....the assessment has been accepted but as put forward in the motion, there's a lot more data out there and more data can be made available. And we have otoliths that, for whatever reason, were not aged for use in the last assessment. More data has been collected. There's ROV data. All of that can be fed into a benchmark full assessment to give us a more reliable assessment of the stock and that would, that's the goal of this motion. I know that NMFS has some concerns but nevertheless I think I personally don't feel that the assessment upon which the rebuilding analysis before us has been, the assessment that the rebuilding analysis relies on... I just don't think is reliable and I don't know how anyone could conclude otherwise. In any event, that is that is my motion and I'm happy to address any questions.

Pete Hassemer [00:21:35] Thank you. Are there any questions to the maker of the motion for clarification? Sheila Lynch.

Sheila Lynch [00:21:43] Thank you Mr. Vice-Chair. Not a question, but I do just want to raise the fact that this agenda item was not noticed for consideration of prioritizing stock assessments. So... not to say that the Council can't do that, but it should be under a properly noticed agenda item.

Pete Hassemer [00:22:05] Thank you. Executive Director Burden.

Merrick Burden [00:22:14] Thank you Mr. Vice-Chairman. I guess I won't weigh-in on the particular point about notice here, but I would say I do think it's appropriate to take this up at this meeting if the Council would like to at the appropriate time and if that's not now then I would suggest perhaps we can consider the development of an assessment under workload planning. I know that's not, I think we have more latitude under that item so I'll offer that up as maybe a way forward if this is not the time. And I'll pause there. I'm happy to be proven wrong but that's a suggestion.

Pete Hassemer [00:23:02] Marc.

Marc Gorelnik [00:23:03] Yes, thank you Mr. Vice-Chair. Well, there's two parts to this motion. One relates to conducting a benchmark full assessment, and that's perhaps not within E.2. But the second part says let's not do a rebuilding plan until we have better data. And that's really the thrust of the motion. So, I'm happy... I can't, maybe someone can amend the motion to satisfy the legitimate concern of General Counsel?

Pete Hassemer [00:23:52] All right, I'll look around. Yes, someone could amend that or you have the opportunity to withdraw with the agreement of the second. Marci, I see you raising your hand.

Marci Yaremko [00:24:05] Yes, thank you. I can come up with an amendment. Give me just a second please.

Pete Hassemer [00:24:17] While you're thinking I'm going to give you some time because I want to make sure we've cleared up that there are no other questions for clarification. Mr. Gorelnik explained the intent of the motion. Keeley Kent.

Keeley Kent [00:24:33] Thank you. It would be helpful to hear more about the reasoning for this motion now versus the stock assessment prioritization process that we begin in March. So, in March we will have stock assessment prioritization, the preliminary list, and in June the final. That seems like the already determined place for the Council to have this conversation.

Pete Hassemer [00:25:01] Thank you. Marc, did you want to respond to that?

Marc Gorelnik [00:25:04] Well, I think that's fair. We'll see how the amendment gets, how the motion gets amended to address the workload on the scheduling the assessment. As to the portion of the motion that addresses the rebuilding plan, basically I, again I want to see how it gets amended, but the thrust of it is, is to not adopt a rebuilding plan at this meeting in November.

Pete Hassemer [00:25:36] Thank you. Corey Niles.

Corey Niles [00:25:42] Yeah, before we go to... thank you Mr. Chair, before we go to the amendment I just, I'm not, I am not understanding even if what I think the amendment would be? Where we are? What we're doing here? Because...

Pete Hassemer [00:26:01] Corey, I want to make sure it's a question for clarification.

Corey Niles [00:26:06] What's the point here is the question. What is trying to be achieved and whether it's going to be legitimate even if it passes. So, I read this motion, Marc, to try to instill the process that we wanted to have like ten years ago and is in one of the informational reports of let's not use a data-moderate assessment for status determination until a full assessment has been done. I'm personally confused about what happened to that policy. I guess we never incorporated it properly and we've been told by NMFS that the best available science is coming. There's some timelines coming with the Amendment 31, if I got that number right about the stock definition. So, I don't know that this, if this motion were to pass that it's legal to be shorthand about it because it was everyone's preference that a full assessment for quillback happen this cycle, but it was determined by the Science Centers and CDFW that the data was not going to be ready for a full assessment. So, I think we, in spirit, we all agree that it would be preferable to do the full assessment before going to a rebuilding plan, but we are in an awkward situation where we have our best available science laws and the Magnuson Act to follow and I don't know if. So, I'm just, I don't know if there's more discussion on that, if NMFS doesn't have concerns that's one thing, but if there's concerns I'd rather have them out now before we worry about an amendment.

Pete Hassemer [00:27:56] Thank you and respect that we're getting into discussion, but I did have an offer of an amendment so I'd like to honor that now.

Marci Yaremko [00:28:07] Thank you Mr. Vice-Chair. Sandra, ready? Okay. The very beginning in front of, "I move", no very beginning, so just "Expecting the California quillback stock will be defined and assessed as part of the benchmark full assessment scheduled, defined", comma, "and assessed as part of the benchmark full assessment scheduled for 2025. Use that assessment", and then now starts the strikeout, all the way down to the word, "to". There you go. Thank you.

Pete Hassemer [00:29:52] All right, with the highlights and the notation, the highlighted in yellow on the screen before us, is the language you would like to have added. There was... is some indicated for strikeout. Is that accurate and complete?

Marci Yaremko [00:30:10] Yes, it is.

Pete Hassemer [00:30:12] Thank you. Is there a second to the amendment? Bob, or Butch Smith. Thank you Butch. Please speak to your amendment.

Marci Yaremko [00:30:24] Yes, thank you. I want to make clear that we are not taking up a matter of determining stock assessments or prioritization of stock assessments in this agenda item. In fact we have previously taken that topic up and at this moment for the 2025 full list, this is referenced in the CDFW report, the action the Council took in September 2022 to adopt final stock assessment recommendations for 2023 and preliminary recommendations for 2025, quillback rockfish is listed in the Table 1 as a, I'm sorry the Table 2 as a full assessment, noting that the Table 2 reference to quillback rockfish doesn't speak to California, Oregon, and Washington stocks of quillback rockfish. Presumably there will be a full benchmark assessment of the quillback rockfish stocks, plural, now that it is anticipated to be defined as three different stocks off the three states. So, we've already acted to prioritize this full stock assessment in prior Council actions, so to clarify we aren't asking for that to be considered here in this agenda item. Looking at the schematic that was offered in Informational Report 8, which was the Council's process that it adopted in 2013 for considering the use of data-moderate assessments, if you look at the flow chart when a data-moderate assessment suggests that the stock depletion estimate is below MSST, the first thing that happens is a determination by the SSC if there's enough data to conduct a full. We've already scheduled a full. In that case, according to the schematic, that assessment proceeds as planned and in the interim precautionary management is initiated. The next step that would take place would be that full assessment, and we would be then using that assessment to evaluate whether or not a rebuilding plan is or is not necessary. So, thinking about sequence here, that would allow us the opportunity to manage in a precautionary manner in the upcoming specification cycle and develop a rebuilding analysis if needed on a full assessment of the newly defined California stock. That's my rationale. Thank you.

Pete Hassemer [00:34:07] Thank you Marci. Are there questions to the maker of the motion to amend for clarification? Keeley Kent.

Keeley Kent [00:34:17] Thank you. Keeping with questions and discussion we'll certainly have more to say. Just noting that it's part of the original motion, but in Marci in your explanation, you know, the motion is speaking to the rebuilding plan, not the rebuilding analysis which Corey helped to try to explain. The rebuilding plan is not part of this agenda item so I am unclear as to what your expectation is for this agenda item and this motion. I have other questions but I will start there.

Pete Hassemer [00:34:54] Marci.

Marci Yaremko [00:34:55] Thank you Mr. Vice-Chair. I would appreciate an amendment to change the word "plan" to "analysis". And I would ask if that alleviates the concern?

Keeley Kent [00:35:13] We'll have more under discussion. I will save it for discussion.

Pete Hassemer [00:35:20] Marc Gorelnik.

Marc Gorelnik [00:35:22] Well, as long as I don't run afoul of our parliamentarian. I move to amend the amendment to replace the word "plan" with "analysis".

Pete Hassemer [00:35:36] Okay, I think that language on the screen is clear. It's been seconded by Sharon Kiefer. Speak to your motion as needed.

Marc Gorelnik [00:35:56] Well, I don't know. I mean we'll find out more in discussion. Keeley's got some comments saved up, but I think I believe this addresses the concern about how it relates to this

agenda item, which is the rebuilding analysis and not the rebuilding plan.

Pete Hassemer [00:36:13] All right. And to make sure we cover all bases, any other questions for clarification on that motion to amend? I'm not seeing any. Any discussion? I'm not seeing any discussion. I'm sorry, Keeley Kent.

Keeley Kent [00:36:32] Sorry to do this Mr. Oliver, but Parliamentary question. I had discussion on the motion. It's not necessarily specific to each of the amendments, but I'm assuming we're going to go through each amendment and decide if there's discussion there and we'll come back to the main motion and there's a choice about where you raise it?

Pete Hassemer [00:36:48] Yes. So, the first opportunity now is discussion on the motion to amend the motion to amend. And there's no discussion there. I will then call the question on the motion to amend the amendment, which is to replace the word "plan" with the word "analysis". All of those in favor signify by saying "Aye".

Council [00:37:19] Aye.

Pete Hassemer [00:37:19] Opposed, no?

Keeley Kent [00:37:23] No.

Pete Hassemer [00:37:24] Abstentions? Thank you. The motion passes with one no vote by Keeley Kent for NMFS. That takes us back now to the motion to amend which has been, I hate to use the word amended, it has been changed by replacing the word "plan" with "analysis". So, is there discussion on that motion to amend? And I'm not seeing any hands there. I hope this is clear. So, we are going to, I will call a vote on the motion to amend and I want to make sure it is clear what that is. It is the highlighted text in yellow and the text for strikeout that is indicated on the screen before you. I believe it is very clear. All those in favor signify by saying "Aye".

Council [00:38:39] Aye.

Pete Hassemer [00:38:39] Opposed?

Keeley Kent [00:38:43] No.

Pete Hassemer [00:38:45] Abstentions? The motion passes with one no vote. Miss Keeley Kent for NMFS. Which now brings us back to the main motion as amended. And now I will look for discussion on that. Keeley Kent.

Keeley Kent [00:00:00] Thank you. I remain confused about the motion. I think I understand the intent of what is being attempted, but on the merits of the motion itself, you know, I would just note that the reason that we make a status determination is not on the merits of a rebuilding analysis, right? It's on the status of the stock. For quillback, the 2021 stock assessment has been declared BSIA. That process is done. That is the process by which when we have a stock of quillback rockfish off of California, that would be used to make the determination that it is overfished. That is what sets in motion the Council's need to develop a rebuilding plan. If the Council fails to do that, the Secretary will do that. And I'm concerned that this motion makes it seem like the Council has the ability to do something else and that is not possible. You know we are looking forward to the next steps. I think it is reasonable to discuss under our already existing stock assessment prioritization process whether or not there's enough data to do a benchmark assessment for quillback rockfish in 2025. I think that is a worthy discussion. I know

that there is a lot of work ongoing now that in 2024 additional data would be collected and so I think that conversation in March and June is worthwhile. I would remind the Council that the process is in motion. We have the information from 2021 once the stock is defined to move forward. If we do a benchmark assessment in 2025, which feeds into the 27-28 spex, and that analysis or that assessment brings forward something wildly different, which is not what we are expecting, but just noting for the hypothetical, there is the ability to get out of that rebuilding plan. And more generally, every time you choose to do an assessment for an overfished stock you can amend a rebuilding plan. If there is new information, we will act upon it. There is not new information in front of the Council right now. There's not anything to do differently. And so, you know, I am concerned that the Council is not taking the steps forward. We can take a step forward while also continuing the conversation about how do we make sure that there's more data for the next assessment. And I think both of those things can happen at the same time, it's not a one or the other choice. I'm concerned with this motion. I understand where it's coming from. We certainly will not be supporting it and I'm concerned that the Council is not going to do its work that needs to happen under the specifications process. This Council has an excellent track record of being precautionary, of making science-based management decisions and I would really hate to see that change. I won't be supporting the motion and I don't know that there's anything more to be said at this point.

Pete Hassemer [00:03:05] Thank you. Further discussion? Corey Niles.

Corey Niles [00:03:11] Yeah, thanks Mr. Chair. I wish, I love Robert's Rules of Order but I wish we could have had that discussion ahead of time because I didn't vote no on the other just to make sure we had the vote on the merits, excuse me, because they were trying to get it cleared out, the votes on the merits. But, yeah, I think if we had our way that we would want it to work like this. It worked like this for copper rockfish just kind of by chance and the stock assessment did confirm that the stock was in a similar spot, if not the same spot as where the data-moderate assessment said. Well, we tried to do that for quillback but it was determined that the data wasn't ready and that's a smart decision given the limited stock assessment resources we have. And I would support as an information report, the number of which I don't have here, of figuring out in the future how to do that flow chart, but I just... I think Keeley's summary is my understanding and this motion amounts to saying that this is not best available science and that's not the Council's role. In this process we have our scientific review process. It happened in 2021 so it was kind of confusing at the last meeting, but that happened and this Council has had a lot of respect for that process. Marc's description of the sensitivity of these models, yeah, if you go to a STAR Panels, I've been to, I think I've been through eight rounds of them now and that happens a lot more than anyone wants it to but that's just the nature of these, of when you have the data we have, lack of indices of abundance, that's just that's par for the course unfortunately. And, yeah, we're looking at the California situation and really sympathizing and hoping that when a full assessment comes out that this is a false alarm, but we have the law and we have the science and this Council's motion will do anything of just cause NMFS to have to act on its own and that would have workload implications. More seriously I would worry about the perception that we are trying to say that that we have a better idea of the science than our scientists do.

Pete Hassemer [00:05:44] Thank you Corey. Marc Gorelnik.

Marc Gorelnik [00:05:47] Thank you. I appreciate those comments, Corey. I think I started my comments earlier by saying how frustrated we all are with the situation we find ourselves in. And I think that this is an expression of that frustration. We, stakeholders, have made an effort at the SSC to ask the SSC to take another look based on an analysis and based, frankly, based upon a model run that was not contemplated and was not reviewed and not considered at the time of the stock assessment. And that's the one I referred to that using I think some recreational data from 1993 forward. A point was made in the letter from Tim Hobbs that the SSC has a continuing obligation to review its science.

And I'm disappointed that the SSC did not take that opportunity because I believe if they took that opportunity, we would be in a very different and a much better place right now. I think that there's still an opportunity for that to happen. I can't make it happen. It's really up to the SSC whether they want to do that because that's their role here, but I think that there is, given the impacts on coastal communities, I think we have, and in particular the SSC has an obligation to have as reliable an assessment as possible in order to inform the rebuilding analysis, the rebuilding plan, spex, et cetera, and we have some time before March and it is my hope that we can make some progress there. I don't know if it will happen. We may come to March and SSC may not have budged and, you know, we may be faced in March with a different choice or maybe the Council may decide that it doesn't want to compound or aggravate the situation we currently find ourselves in. As I said before, we adopted that assessment because we were told we had to, notwithstanding the reservations. In the time since data has shown that the models done a very poor job of predicting what has actually happened in the fishery. This should make a difference. It should make a difference to the SSC and I hope that, I hope they will reconsider it. I think that I think tomorrow Dr. Ray Hilborn will be speaking during public comment and we have the very brief sketchy analysis by Dr. Maunder, but it's significant enough to show that if we just used a different data set and a different assumption in terms in the sensitivity analysis we come up with very different result. So anyway, it's my hope that we can buy ourselves some time to work that out. I don't know if it'll happen but I hope and pray it does.

Pete Hassemer [00:09:24] Marci Yaremko.

Marci Yaremko [00:09:27] Yeah, thank you Mr. Vice-Chair. I'll be speaking in, or I'll be supporting the motion. I just would like to refer back to the CDFW report and the top of page 3 with regard to the three 2021 data- moderate quillback assessment areas, and reflecting more on that time period I really wish we had had more opportunity for dialogue. I recall that we were remote. It was difficult but I recall some discussions about the three areas and the varying depletion levels that each of those assessments generated, but that if we were to roll up the three areas, we would wind up with a coastwide stock of quillback rockfish that would fall in the precautionary zone with a combined depletion of just over 25 percent. I remember this because California, of course, had the lowest depletion out of the outcomes from the three assessments and the decision of not to apply the HCR to coastwide, but instead to apply individually to each assessment area because obviously other states would be winding up needing to pay the bill in terms of reduced yields if we were to roll the three assessments up. I understood that. If I was in a, from a different state with the same circumstance that's likely how I would have responded as well, but I'm thinking about the fact that if we had looked at that and, you know, if NMFS had made a determination that the quillback rockfish stock, which was coastwide at the time, was in the precautionary zone, I would just question noting that NMFS was unable to determine that there was a California quillback stock upon which to make an overfished determination. If we've already used this data-moderate to determine that the stock was in a precautionary zone under a roll-up scenario, is it appropriate then to go back and apply that assessment again now in a different light with a different stock definition that's California only. So again, this just highlights the need for us to do a new benchmark full on only the California stock that relies only on California data. Right now, this portion of the stock, the California assessment that was done, relies on an age and growth relationship with fish from Oregon and Washington and at the time it was all one stock. And so that was appropriate for treatment in the original DM assessments that we conducted. But applying that result from that data-moderate to now a newly defined California stock, I have some severe reservation with the validity of that approach. I'm trusting that NMFS will be doing its review and going through the steps of making a determination, but I'm not ready to just conclude that this data-moderate assessment should be used to make a determination of overfished for the California stock of quillback. Thank you.

Pete Hassemer [00:13:50] Thank you Marci. Phil Anderson.

Phil Anderson [00:13:54] Thanks Mr. Vice-Chair. I appreciate the conversation here. I appreciate the spirit in which the motion is offered and largely agree with the foundation of the spirit in which it was offered. If I had my way, I would ask the maker of the motion to withdraw it and I would recommend that we not take any action on adopting a quillback rebuilding analysis through the catch only projections and the revised projections. That we follow the subsequent guidance idea that Mr. Gorelnik offered in terms of... I don't know can we make an assignment to the SSC? I hope so. To take a look at the work of Doctor... I may have his name wrong, Budrick, and the comments and perspectives of Dr. Hilborn and include and agendaize that for a report back in March and at that point make a decision on how we move forward with a potential of adopting a quillback rebuilding analysis. The sequence that I'm... as I look forward and think about what action we may or may not take at this table, first of all I think we have the time to wait until March to take an action or not. If we don't have any new information that leads us into, in a different direction and we don't take action to adopt a rebuilding analysis then that I think we've received pretty clear signals from National Marine Fisheries Service that they would pursue a secretarial action to adopt the rebuilding analysis. Then would come the question of how we respond to that in our spex in June and whether or not we tailor those spex in recognition of a secretarial adoption of a rebuilding analysis or not, and if we choose not to then we run the risk of partial disapproval of our two year spex cycle and everything that goes with that. That's not a good course to go down. So, I'm again suggesting that we buy ourselves a little bit more time here. If it's appropriate to make, and if we can craft the assignment to the SSC. Maybe that comes back, how we word that, maybe that comes back under workload planning where we can make the assignment, I'm not sure, and tackle this problem potentially with some new ideas, new approaches in March. Again, if the motion, if you choose to leave the motion as is, the only reason I'm suggesting that it be withdrawn is that it would be in conflict with what the approach that we're talking about in terms of what we'd be asking the SSC to do and the basis for it, which is to further inform us about using the existing assessment and the corresponding rebuilding analysis. If we have, if we pursue that road and we also have this road, this road seems to me to maybe be one that we put back in front of us, depending on where we are in March, rather than doing it now, but take another step here with what we have and the very, the meritorious points that have been made by stock assessment authors that have a lot of credibility, not to say they're the ones who have done it don't, but to have some additional thinking. That would be my recommendation on a course of action for today.

Pete Hassemer [00:19:26] Thank you Phil. Keeley Kent.

Keeley Kent [00:19:29] Thank you. On that point, when I read the SSC report it reads to me as though they did consider that information. They have in their report that they determined that many of the scientific aspects of the public comments have been previously considered in the construction and review of the 2021 assessment. They noted that other comments suggested issues and approaches that will be considered as research and data needs to be addressed before the next quillback rockfish assessment. I think I want to be clear that there was a review by the SSC, so stating that the SSC did not take into consideration that information at this meeting I think is not true. I understand the Council may want to delve further in, but I think we should be clear that that, what I read in the report is that discussion did happen.

Pete Hassemer [00:20:26] Thank you Keeley. Marc had his hand up. Phil, was there a follow-up to that comment?

Phil Anderson [00:20:33] Well, I didn't say that first of all. I didn't say they didn't take it into consideration. I made no such comment. I was in the SSC room when Dr. Hilborn provided public testimony and there was a brief, ever so brief interaction between Dr. Hilborn and Dr. Field. I think that, and I don't know whether or not there was time for them to consider Dr. Budrick's information, maybe they did I don't know, but I did not say that.

Pete Hassemer [00:21:18] Marc Gorelnik.

Marc Gorelnik [00:21:20] Yeah, I guess a question for our Executive Director is to what extent can we ask the SSC to look at things? And the reason I ask this is there wasn't really any discussion in the SSC because I listened to public comment as well about the Maunder analysis. And as I pointed out, and I don't know by now an hour ago maybe, there was a run using the model using available data that showed the stock above 40 percent of unfished biomass. Now again, I don't know that that was the best data. It may have been, and so I guess my question is to what extent can we ask the SSC to look at these things? I think that Keeley is correct in the SSC report, but there were two parts there. One, they said, 'well, there are things they considered', and the other part it says, 'well, we'll look at it next time'. Why look at it next time if we can look at it now and if that will change the results. So, I guess my question is to what extent can we structure our ask of the SSC and without simply saying we looked at it and we're done?

Pete Hassemer [00:22:46] Thank you. Executive Director Burden.

Merrick Burden [00:22:49] Yeah, thanks for the question, Mr. Gorelnik. I guess the first part of my answer is that the SSC, when the folks have their SSC hats on, they work for the Council. And so, they work at the direction of the Council. We do have some process issues that we need to consider and we do have Terms of Reference. We have processes in place. Those are all there to make sure that we can work through a smooth process, make sure we can get our work done, hit our milestones, get our spex in place on time and all of that. That's our process so if there's a compelling need to deviate that, from time to time, I'm more than happy to work on a way to do so. What that looks like exactly I'm not sure, but I think just circling back to my first point, if the Council feels compelled to task the SSC with a, I hate to use the word legitimate science topic, that is your prerogative. So hopefully that answers your question.

Pete Hassemer [00:24:00] I have hands on the other side. I believe I missed Butch earlier. I will take Butch and then Corey Niles.

Butch Smith [00:24:13] Thank you Mr. Vice-Chair. You know I had a hard time with this in September. I'm having a hard time with it now. I just want to point out to the Council, whoever's right here, if Phil's path is the best way or Marc's the best way, when it comes right down to it, we're talking about people's livelihoods and lives and coastal communities and, you know, if there is some question we need to look at that. We shouldn't rush to judgment. If there's a way to continue the fisheries through regulations that akin to, you know, quillback take in the meantime that we can, or California or whoever could do some regulation to mitigate that then that's what they should do. I don't get the sense we're any more confident with the stock assessment that's before us now than we were in September, or when we were in June, or when we talked about the partial stock assessment under Covid. I just wanted to, you know, bring that to the Council's attention. We do have, you know, we do have a job to make sure we meet all conservation standards, but we also got a job to do to make sure we include the people we represent, account for them. And however this path is... I am not a smart enough Council person to navigate through what we have to do in the NOAA process, and I certainly respect the person that sits right next to me representing NOAA and her opinions, but I think why we're arguing the logistics I just don't want to lose sight of the people that we're representing and the devastation and the loss of jobs and all the stuff that goes in with this, our decisions, they got to have a placeholder in this decision too, and I want to make sure we, we don't lose sight of that. Thank you Mr. Vice-Chair.

Pete Hassemer [00:26:42] Thank you. Corey Niles.

Corey Niles [00:26:46] Yeah, a few thoughts about responses what's been said. But, you know, going

to Phil's idea I think there's, if there is more that can be done then sure that's why not. I just I don't know if the SSC is online and if it would be appropriate for them to respond that it would be more efficient to ask them now, I think that if there's more than that. Because what I have heard, again most of discussion, a lot of discussion happened a couple of years ago. And, Marc, I'm not picking on you on your words, and Butch, yeah, I think we, we all recognize the seriousness in this and wanting to not... if this is a false alarm it would be really not good for lack of better words. But they are working really hard at the Southwest Center and elsewhere to collect data for 2025. So it was a while, it was a ways back when you said like the SSC is not being... you didn't say it this way, but I kind of heard you say the SSC is saying there's no more that can be done. And that might be true for this cycle but that is not true for what they're getting ready for the next cycle the best they can and you weren't, maybe you didn't mean to suggest that. Yeah, Marci I wish, I don't know that our stock definitions discussion... none of us believe there's a wall at the Oregon California border where the quillback stocks just goes down to from 20 or 40 down to 14 and I don't know that we, the SSC told us we had to draw a line somewhere and I still don't, that is still not a satisfying answer to me. So, there's a lot of good questions being asked. I guess the only, my only on Phil's suggestion they might just say there's no more we can tell you. But back to what I started with, if they're online now and appropriate to respond we could ask, but I'll stop.

Pete Hassemer [00:28:41] Marc Gorelnik.

Marc Gorelnik [00:28:43] All right, the wisdom of Phil Anderson. I think Phil makes a good point about maybe just taking a pause here on the motion and coming back in March. But I think that that's premised on our ability to ask the SSC, and I can't formulate that ask as we sit right now, I don't know if it's really necessary, but the thrust of it is there have been some criticisms or observations and I think they need to be fully vetted and not, 'well, we looked at it', because as has been pointed out a lot of that happened during Covid and happened on a very short, relatively short timeline and perhaps without a full appreciation of the time of the years of hardship that would result. The closer we get, or right now we have, you know, on the nearshore is closed in California. You know it's, I'm not going to repeat the testimony we've heard, but we've had a lot of people came up and told us what the real world consequences are. So, I would like to withdraw the motion with the understanding that we can task the SSC. And I think that the form of that review by the SSC, you know, we can talk about that under a different agenda item, workload planning or something, but I would definitely like to include some outside experts. Dr. Hilborn, Dr. Maunder, if they're willing to really fully vet this out. So, with that with the permission of Mr. Dooley, I would like to withdraw the motion.

Pete Hassemer [00:30:36] Mr. Dooley agrees.

Bob Dooley [00:30:37] Can I speak to it?

Pete Hassemer [00:30:41] Yes.

Bob Dooley [00:30:41] Thank you Mr. Vice-Chair. I do, I've heard loud and clear though from our industry, and agree with Butch Smith's assessment of that. We don't need to worry about what will happen, it's happening right now what happens. And we have a coast that's in desperate decline right now in many, many places and the thought of waiting until 2027 to get something done is just not even on the, not even on the chart for me. I really respect Phil's suggestion and in that, you know, in that note I would, it's okay to rescind the motion, but, boy, I sure feel the pain and I understand what our, how our constituents are feeling. Thank you.

Pete Hassemer [00:31:34] All right, thank you. And with your comment about tasking the SSC, conferring the appropriate place to do that would be under workload planning. So, day last we would take that up. So, Corey Ridings.

Corey Ridings [00:00:00] Thank you Mr. Vice-Chair. I have a motion.

Pete Hassemer [00:00:07] All right. Go ahead please.

Corey Ridings [00:00:11] Thank you Sandra. I move that the Council approve the draft 2023 rebuilding analysis for quillback rockfish, Agenda Item E.2, Attachment 1, using a 2024 estimated removal assumption of 10.62 metric tons as recommended by the GMT, Agenda Item E.2.a, Supplemental GMT Reports 1 and 2.

Pete Hassemer [00:00:38] Thank you. The language on the screen appears accurate and complete. Is that correct?

Corey Ridings [00:00:45] It does. Thank you.

Pete Hassemer [00:00:46] Thank you. Is there a second to the motion? Seconded by Keeley Kent. Please speak to your motion.

Corey Ridings [00:00:55] Thank you. And I want to start by thanking everyone who came and spoke to us today and the previous conversation that we just had kicked off by Marc. Thinking hard about this for all the reasons that we must think hard about this, first principles are here that we are here to manage and advise NMFS under the MSA and this particular agenda item is to approve the rebuilding analysis, and there are going to be more options when we look at a potential rebuilding plan down the road whenever that might be. Fundamentally, I do not want to abdicate our Council responsibility to do this. The Council is here to manage and we have done so over the decades, very much so when it comes to groundfish. I don't see a rationale to deviate from good science advice because we are unhappy with our own management decisions and processes. The stock assessment this analysis stems from is data-moderate. I think we heard today a lot of reasons why they can be problematic or the uncertainty that they bring to managers when trying to make management advice. But I want to note that over half the species this Council sets limits for are done with data-moderate and data-poor methods. So seriously throwing into question an assessment or the analysis done based on that assessment raises very large questions about how we are managing. The SSC statement noted that the concerns of Dr. Maunder and Hilborn were addressed as part of the 2021 review, so I disagree with sending this back, with all due respect to Mr. Anderson trying to find solutions here, which I appreciate. This is sound science and it was vetted multiple times and as we've heard, the stock assessment and the rebuilding analysis are BSIA. We set up this system of management over many years, includes input, participation and science and is guided by the law. In fact, there are many around the table who I think can speak to that much better than I. I do not want to set up any precedent that this Council does not need to be consulted about rebuilding analysis or hinder the ability of stakeholders to participate and weigh-in on rebuilding analysis or other science and management, or reduce transparency in the management process by removing the Council from the process and punting this to the National Marine Fisheries Service. I hear the severe and deeply painful impacts this is having and will have on many fishermen and communities, but I believe that myself and this Council need to take the responsibility for getting here. It is because I believe in this Council and our fishermen and stakeholders and the management it has created that we can do better and we can commit to doing that and not stepping away from it. Years of decisions have led to where we are today, including the design of our groundfish FMP, our complex system of grouping species, our Council processes for input in public testimony, our biannual spex cycle, our TORs, and even how these meetings are run. These are just examples that show we have tools and ways that we manage and that we can do better. The stock assessment as a precursor to this agenda item has been picked apart. I appreciate the good work of NMFS, our SSC, the MTs and the ABs, and the public who contributed to the dialogue around this scientific product. The timing was poor in many cases, and I know we heard from folks at this meeting about the assessment that was finalized two years ago. We

could pick apart the process, however, that process is what allows for public comment. The process is what allows for industry and other stakeholders to know what is going on. And the process is something that we as a Council decided on, not the scientist or the assessment or the analysis. I want to say now how much I appreciate the efforts of CDF and W and Marci who have been thinking about ways to try to find solutions. That shouldn't go unnoticed and I hope that as we continue to talk about quillback over the course of this week that we can talk about solutions. We heard some of our public commenters today talk about solutions, and I hope that we get to a chance where we can focus on those and move forward. Follow-up, I'm putting this forward now because, as noted, this is an outcome of many years of management decisions regarding how we manage groundfish and how the Council operates. To not endorse this would signal we do not believe in our own ability to manage. It's far from perfect but as part we have to take responsibility for our own decisions.

Pete Hassemer [00:05:56] Thank you. Are there questions to the maker of the motion for clarification? I'm not seeing any questions. Corey, question?

Corey Niles [00:06:11] Yeah, thanks Mr. Chair. Corey, I heard you say that, I forget how you phrased it exactly sorry, but on Phil's idea that you were not in favor of it, but I don't see anything in this motion that would preclude the Council having the discussion on tasking the SSC with more information under meeting planning. Is that a fair, a fair reading of the motion and you're speaking to it?

Pete Hassemer [00:06:42] Corey Ridings.

Corey Ridings [00:06:43] Thank you Mr. Vice-Chair. Thanks Corey. I mean my understanding of what Phil was saying and I stand to be corrected if so, was that we wanted to go back to the SSC and ask for them to take another look to include, I think, what I've heard is some additional public comment that came in at this meeting and to revisit the stock assessment. I support the spirit of that but I do not think that is appropriate given our management cycles, how we set up our biennial management and the quality that we have seen and the opportunities that have already been made to comment. I think what the SSC deemed BSIA is BSIA and I have concerns if this is where we go with this, where do we go potentially with other stocks that come our way? This Council has hundreds of stocks that we have to manage, and as I said over half are data-moderate and data-poor and I think we need to rethink how we manage and we can do that under other agenda items. So, I do not think it's appropriate to say that the science is not appropriate for management or that it should be improved at this time.

Pete Hassemer [00:08:09] Other questions for clarification? Sharon Kiefer.

Sharon Kiefer [00:08:14] So, Corey, again kind of back to the just the process that I interpreted from Keeley. I thought she was pretty clear that where things are right now is you're wrapping up Amendment 31 to define a California stock of quillback. They've been working posthaste, is my impression, that's getting wrapped up pretty darn quick. And she also identified that between now and March, but it has not occurred yet, that NOAA or NMFS will be sending the Council a letter defining that stock as overfished. Do I have... I think I've got that right. A letter that we have not received. That then kicks off presumably rebuilding analysis and the Council's development of a rebuilding plan of which we have fifteen months to complete that and implementation within two years. I think I've got all the pieces part, so I just have some concerns. Certainly, you made some very eloquent points about process yet this motion is actually out of sync with the process. I just want to make... so is that your intent?

Pete Hassemer [00:09:49] Corey Ridings.

Corey Ridings [00:09:50] Thank you Mr. Vice-Chair. Thanks Sharon. I guess I can say I heard things a little bit differently and I could stand to be corrected in terms of the process. I mean this Council for

a long time is held to this biennial cycle in terms of how things move through it and sometimes there is iteration in that and it is a combination of management needs, workload needs, scientific needs, and just given the multiple groups of folks that work on things. I am certainly not in control of those things. So, I would defer to Miss Kent and the agency in terms of the exact order of that. It is my understanding that legally this is required, BSIA and we are at the point in the cycle for that to happen now. If that is incorrect, I'm happy to have Miss Kent provide more information to help us all understand that better.

Pete Hassemer [00:10:52] Thank you. Keeley Kent.

Keeley Kent [00:10:56] If it's appropriate now I can certainly speak to that, although knowing we're still in questioning.

Pete Hassemer [00:11:00] I think it falls under....it was a question for clarification on the process.

Keeley Kent [00:11:04] Yes. I will generally note that from a process standpoint just within our own agenda it's a little confusing that we're talking about one small part under E.2, but the broader discussion will occur under E.5. The process steps of determining that quillback rockfish off of California is a stock, yes, we are very close on that and then a status determination is forthcoming... a letter to the Council. I'm in the larger context of how the Council has chosen to do groundfish. You have chosen to do biennial specifications. That is the framework that you have set up. So, you have to frontload your rebuilding plan, right? And so, from the spex process, November is the time when we need OFLs, ABCs, PPAs of ACLs, and then we're starting to discuss management measures. That sets up the ability for the GMT and Council staff to be able to develop the analyses over winter. So, in particular when you have a stock that is co-occurring with other species, right, we can't take the rebuilding plan out of context because even though it's not a target anymore, those impacts will be occurring in other target fisheries so you have to consider it within the whole of the fishery. Because of that biennial specifications process, we are moving more quickly and that has been standard for groundfish since we move to biennial specifications. So, it is more of that process that's dictating why here in November are we looking at the rebuilding analysis. That will allow us to, to drill into the rebuilding plan, which we will talk about more under E.5, that is the point at which there would be over winter analysis where the GMT and Council staff are bringing forward information looking at the different rebuilding alternatives, right? So rebuilding analysis is just the one part of it. Without taking action in November there is the risk that that work over winter is not happening. I understand the desire for more time. With the rebuilding analysis I think there's a lot of time needed to generate the discussion and the analysis for the needs of fishing communities, and I think we all agree that that is where we need to spend our time, right? We need to be looking at what are the tradeoffs and the time to rebuild and the amount of catch that gives us each year so that we can account for the needs of the fishing community. That is absolutely where we need to spend our time. That is what should be occurring over winter. So, by adopting the rebuilding analysis now, you have the numbers to then generate what are our alternatives to be able to look at over winter. Taking more time and waiting till the spring... it just truncates the amount of time that the Council has to really dig in on that, and that's hard. It is going to be really hard to look at the different rebuilding alternatives with as small as the catch is and to draw out the possible different management schemes you could have under there. So, from my perspective, more time is better because that is where we need to be spending a lot of time and effort so that we can generate as much as possible support for understanding the needs of fishing communities under different rebuilding alternatives.

Pete Hassemer [00:14:15] Thank you. Further questions for clarification? Marc Gorelnik.

Marc Gorelnik [00:14:20] Thank you. I don't want to... I realize E.2 and E.5 are related here, but we're on E.2 and I think Sharon's points are well taken. I think that we can still adopt a rebuilding analysis in March... is my understanding would still be an appropriate time to do that. So, I don't see the urgency

right now to adopt a rebuilding analysis, because if we adopt one and then we ask the SSC to look at it and there's a change, then we have to unwind the rebuilding analysis we adopted in November and I don't know that that is, that is wise. I also want to say with respect to the SSC's comments about having looked at these things. I was there virtually in the meeting and I didn't, if there was a well considered review of some of those public comments, they weren't evident during the period I was listening. And there's just a conclusory statement in the report. No, not addressing how they looked at it. So, I do, I still think it's appropriate for to ask, which we'll take up under another agenda item, to talk to the SSC and we can come back in March and if necessary adopt a rebuilding analysis then.

Pete Hassemer [00:16:07] Thank you. Corey Niles.

Corey Niles [00:16:10] Yeah, well, I think Marc launched us into discussion there so I'll.....

Pete Hassemer [00:16:14] Please proceed. Yes, and if there are other questions they can be asked. We're in discussion now.

Corey Niles [00:16:18] Yeah, and having gone through this quite a bit when we had a lot of rebuilding plans going on, I hope what Keeley is saying is sinking in for a lot of people, but I don't think it probably is and it shouldn't unless you've spent years doing this. But while I understand Corey's perspective that we shouldn't ask the SSC, I would support this motion, you know, thinking that we can still ask the SSC at the end of the meeting to do what Phil's suggesting. But, yeah, Marc, there I would say I'm not an oddsmaker by any means, but having interpreted SSC statements for a long time, it's not even, it's a 1 percent chance that they're going to change their mind, and maybe that's generous. Their cursory statement is that I would interpret to mean they took a look at those issues at the STAR Panel and the STAR Panel Chair was there and probably said, 'yes, I've heard all this before, let's write it down' and they all agreed. So that's just my guess. So, this is a way of adopting this now, hedging our bets to do that work that Keeley just said is vitally important for, you know, describing the economic importance of this stock happens, excuse me, happens between this meeting and the April meeting I believe which, and there's a lot on the GMT's plate but that's the time when it gets done, that important economic analysis. So, I don't... if the SSC comes back and says, 'oh yeah, we didn't consider that you're right we shouldn't have adopted this', which a very low probability. I don't think it's hard to unwind this motion. I don't want to get into Robert's Rules because I'm not good at them, but it wouldn't be hard. Like if the evidence is there that this shouldn't be adopted that would be easy to do. But, yeah, it takes a lot of work to do these, compare and contrast the different rebuilding alternatives and I don't think... something I've been meaning to say but I haven't yet is that under...yeah, when we get to this next agenda item where we talk about actually doing, looking at options for the rebuilding plan, I hope there's some creativity and some thinking there that really recognizes the importance of this stock. So, to kind of recap, yeah, I think this is the right thing to do for our process. It doesn't preclude asking for more information in the SSC in my mind. And maybe I'm just too pessimistic here, but I don't expect the SSC to change their mind. And the analysis that Keeley spoke to is really the core important thing for justifying how important these fisheries are to California.

Pete Hassemer [00:19:13] Further discussion on the motion? Marci Yaremko.

Marci Yaremko [00:19:20] Yes, thank you Mr. Vice-Chair. Just to be clear, I will not be supporting the motion. I heard the SSC say the rebuilding analysis was determined to be BSIA because it followed the established method, was technically correct, used standard software and because the data-moderate assessment of quillback off California was previously determined to be BSIA. It's not clear to me that the 2021 data-moderate assessments are BSIA for purposes of determining the newly defined quillback stock status as overfished. So given that I will not be voting for the motion. I'm not clear that there is need for a rebuilding analysis at this time. Thank you.

Pete Hassemer [00:20:17] Thank you Marci. Further discussion? I have scanned the room carefully and will therefore call for the question. The motion is on the screen before you. All those in favor signify by saying "Aye".

Council [00:20:34] Aye.

Pete Hassemer [00:20:34] Opposed, no?

Council [00:20:38] No.

Pete Hassemer [00:20:41] Abstentions.

Sharon Kiefer [00:20:42] Abstain.

Pete Hassemer [00:20:46] Executive Director Burden I would like to have you call a roll call vote.

Merrick Burden [00:20:55] Thank you Mr. Vice-Chairman. Just one second here. Okay, just for the record I'm working from voting sheet number 1. The motion reference here is motion E.2 number 2 that was made by Miss Corey Ridings. I'll start off with ODFW. Lynn Mattes.

Lynn Mattes [00:21:26] No.

Merrick Burden [00:21:29] Sharon Kiefer.

Sharon Kiefer [00:21:31] Abstain.

Merrick Burden [00:21:33] Butch Smith.

Butch Smith [00:21:35] No.

Merrick Burden [00:21:36] Corey Ridings.

Corey Ridings [00:21:38] Yes.

Merrick Burden [00:21:40] Marci Yaremko.

Marci Yaremko [00:21:41] No.

Merrick Burden [00:21:43] Joe Oatman.

Joe Oatman [00:21:45] Yes.

Merrick Burden [00:21:46] Christa Svensson.

Christa Svensson [00:21:48] No.

Merrick Burden [00:21:50] Phil Anderson.

Phil Anderson [00:21:52] No.

Merrick Burden [00:21:56] Corey Niles.

Corey Niles [00:21:58] Yes.

Merrick Burden [00:22:00] Marc Gorelnik.

Marc Gorelnik [00:22:02] No.

Merrick Burden [00:22:04] Robert Dooley.

Bob Dooley [00:22:06] No.

Merrick Burden [00:22:10] Keeley Kent.

Keeley Kent [00:22:11] Yes.

Merrick Burden [00:22:14] Brad Pettinger.

Brad Pettinger [00:22:15] No.

Merrick Burden [00:22:28] Mr. Vice-Chairman there are four yes, eight no's so the motion fails.

Pete Hassemer [00:22:36] Thank you Executive Director Burden. And for clarification I called for the roll call vote. There's quite a range of voices and distances between the microphone and those voices so it's very difficult for me to sort out by ear the yes's and no's so thank you for taking the time for that. So, the motion fails. So, I am going to look then, so Marlene I'm going to turn back to you. Oh, I'm sorry, Lynn Mattes.

Lynn Mattes [00:23:21] Thank you Vice-Chair. I suspect you were going to ask Marlene to pull up our action item checklist for this item. And I have a motion for the non-quillback rebuilding pieces that are remaining if this, if that is the appropriate time.

Pete Hassemer [00:23:35] All right. You read my mind. So, if you have a motion please proceed with it.

Lynn Mattes [00:23:42] Sure. Give Sandra a moment to catch up. So, I move that the Council adopt the catch-only projections for chili pepper rockfish as shown in Attachment 2. Yellowtail rockfish north of 40 10 North latitude as in Attachment 3. Vermilion rockfish south the 42 in Revised Attachment 5. And revised projections for dover sole, Attachment 4, Table 2. And rex sole, Attachment 4, Table 4. And the GMT black rockfish projection for use in 2025 and beyond.

Pete Hassemer [00:24:21] Thank you. So, I followed along. I believe the language on the screen is accurate and complete as you intend it to be?

Lynn Mattes [00:24:32] Yes, it is.

Pete Hassemer [00:24:33] Thank you. Is there a second to the motion? Seconded by Christa Svensson. Please speak to your motion as needed.

Lynn Mattes [00:24:43] Thank you Vice-Chair. This is slightly different than what I had originally intended to move, but based on some of the back and forth discussion during the GMT questioning and some of the dialogue with the Executive Director Burden, removed the ODFW catch projection on black rockfish and going with the GMT recommendation. I do still have some questions and some

concerns about our TORs, which I think we will, we kind of have teed up and have some placeholders for discussing the next time we get there, but otherwise these recommendations follow what is in the GMT report. I don't know that we need to belabor this much anymore at this point.

Pete Hassemer [00:25:31] Thank you. Are there any questions to the maker of the motion for clarification? Seeing no questions, I'll open the floor for discussion on the motion? Corey Niles.

Corey Niles [00:25:47] Yeah, thanks Lynn for the motion. Supportive, of course, on that part about your withdrawing the black rockfish projection. I just, yeah, again we had a lot of Q&A about it but reiterating that we should look for ways to do this differently in the future and hoping staff can find a place when appropriate for us to do that and I have faith that won't get lost. But supportive of the motion. Do think that discussion will be helpful and healthy to have next time.

Pete Hassemer [00:26:22] Thank you. Further discussion? Seeing no hands for discussion I will call the question. All those in favor say "Aye".

Council [00:26:32] Aye.

Pete Hassemer [00:26:32] Opposed, no? Abstentions. The motion passes unanimously. Thank you Lynn. And with that I'm going to turn back to Marlene and ask if we've completed our tasks here or done what we can do.

Marlene Bellman [00:27:00] Thank you Vice-Chair Hassemer. The Council has considered the advice that was put forward from them from the management entities, the advisory bodies as well as the public. You put a motion forward, it was withdrawn, another one motion was put forward and did not pass. And thirdly, you've addressed the catch-only projections and a motion was passed to adopt them. So, I believe that you've addressed, you've covered all of the topics that were part of this agenda item regardless of their outcomes and so in my opinion at that point the topic is complete.

Pete Hassemer [00:27:47] All right, thank you. I'm going to look around before I close this and just make sure there's no additional final comments or actions anybody wants to take. And I'm not seeing any so we will close this agenda item.

3. Final Inseason Adjustments for 2023 and 2024, including 2024 Whiting Set-Asides (Part 1)

Pete Hassemer [00:00:00] That concludes our public testimony and will take us to Council action which appeared on the screen before us. And you see a list of items up there, final inseason adjustments for 2023-2024 as necessary, whiting yield set-asides and any additional adjustments for Agenda Item E.9. So, with that gave you a little pause, I will look for any hand to initiate discussion on this topic. Caroline McKnight.

Caroline McKnight [00:00:39] Thank you Mr. Vice-Chair. And I just want to take a moment to reflect on the public comment that we just heard this last hour or so and thank everybody for coming and providing their very unique perspective to the area that they've have come from. You know Crescent City is not Monterey and Monterey is not Morro Bay and hearing the diversity of the needs and impacts are very important. We hear all of that. I do just want to provide a little bit of clarification that, you know, with having two agenda items for inseason it's difficult to make arrangements and to be here. We recognize that. And so, a lot of the comments were relative to deeper and shallow, nearshore inseason adjustments that we will be taking up on Tuesday, but that being said I do just want to provide additional clarification that for deeper and nearshore authorized state permits our GMT and GAP are still working on looking at 2024. We're working at state regulation solutions to provide opportunity and that work is in progress and being considered and will be ongoing. So, we are hearing you and we are acknowledging all that and we're doing the hard work. So, thank you again for being here. Thank you Mr. Chair.

Pete Hassemer [00:01:54] Thank you Caroline. Further discussion? Lynn Mattes.

Lynn Mattes [00:02:00] For the items I think we're trying to take up today under Part 1, I think the GMT and the GAP laid things out pretty well, and not to preclude discussion but if we're ready I have a motion for part, at least part of this.

Pete Hassemer [00:02:17] As one of our previous Chairs would say, a motion can always stimulate discussion so please proceed with it.

Lynn Mattes [00:02:25] I think I emailed it to Sandra a while ago. Yay, it wasn't the cold meds that emailed it. Sorry you all are having to put up with me this week and my illness. I'm trying. So I move the Council adopt the GMT recommendations from Agenda Item E.3.a, Supplemental GMT Report 1 of 750 metric tons as the whiting yield set-aside for 2024 and to increase the commercial lingcod trip limits north of 42, North lat. to Option 2 from the GMT report which was for limited entry north to 11,000 pounds per two months and open access north to 55 hundred pounds per month and decrease the Oregon recreational long leader, or Holloway gear fishery bag limit to 12 fish per angler per day.

Pete Hassemer [00:03:20] Thank you Lynn. As I read it, that language on the screen looks accurate and complete. Is that correct?

Lynn Mattes [00:03:27] Yes, it is. Thank you.

Pete Hassemer [00:03:28] Great. Is there a second to your motion? Seconded by Heather Hall. Please speak to your motion.

Lynn Mattes [00:03:36] Thank you Vice-Chair. I think the GMT laid out pretty good recommendations or reasonings why on the whiting set-aside and the commercial trip limits for lingcod. I'm still a little

uncomfortable with having to change the long leader gear limit in federal regs, but I understand that's where we are and we will live with it and work through that process. I don't know that we need much more discussion. I thought the GMT laid it out pretty well.

Pete Hassemer [00:04:04] All right, thank you. Are there questions to the maker of the motion for clarification? I see no questions. Discussion on the motion? Caroline McKnight.

Caroline McKnight [00:04:21] Thank you Mr. Vice-Chair. Thank you, Lynn, for the motion. I appreciate it. I will be supporting the motion. I do just want to I guess share a little bit of, I don't know if heartburns the right word, but some trepidation in the lingcod north of 42 trip limit increase, noting that there was I think a more incremental step that could have been taken with a different option. And also just in recognition that just south of 42 we're currently at no lingcod and that does create some potential issues with effort shifting. And also, just what we've noted here in some other discussions, other agenda items we know that lingcod just doesn't stop at the 42 border and that is hard to accept but otherwise I will be supporting the motion. Just wanted to give that some attention. Thank you.

Pete Hassemer [00:05:14] Thank you. Further discussion? And I do not see any further discussion so I will call the question on this motion. All in favor signify by saying "Aye".

Council [00:05:29] Aye.

Pete Hassemer [00:05:29] Opposed, no? Abstentions? The motion passes unanimously. Thank you Lynn. Now that we have that one done if we can go back to our action item checklist and I will look to Todd first. Oh, excuse me, Caroline McKnight.

Caroline McKnight [00:06:01] Thank you Mr. Vice-Chair. I do believe I have another motion in the wings waiting.

Pete Hassemer [00:06:06] All right. We are ready for it.

Caroline McKnight [00:06:11] Thank you Sandra. I move the Council adopt the GMT recommendations in Agenda Item E.3.a, Supplemental GMT Report 1 to increase the commercial bocaccio trip elements under Option 1. Decrease the commercial vermilion, sunset rockfish trip limits under Option 1. And decrease the commercial canary rockfish trip limits under Option, that should read one. Thank you Sandra.

Pete Hassemer [00:06:39] Thank you. That language appears accurate and complete. Is that correct?

Caroline McKnight [00:06:46] It does.

Pete Hassemer [00:06:47] Thank you. Is there a second to the motion? Seconded by Corey Ridings. Please speak to your motion.

Caroline McKnight [00:06:53] Thank you Mr. Vice-Chair. Yeah, both of, all three of these options are jointly supported by the GAP and the GMT. I just want to touch briefly on each of them. Bocaccio trip limits and the rationale for one to one ratio with chilipepper is very important. As we're shifting to offshore fisheries as we're trying to provide as much opportunity as possible and bocaccio is a very healthy and underutilized stock so we want to provide that opportunity without question. Relative to vermilion and sunset, I did point this out in the CDF and W report that we are tracking high for this year and we have been tracking high at and attaining our harvest limit in years prior. So, this is a reasonable and prudent measure to start ratcheting down a little bit so that we can stay within that

harvest limit. And then lastly, you know, I think based completely on the GAP's recommendation here and noting the status of the canary stock assessment, providing a ramp down is also I think a wise choice here and it had concurrent agreement from both of them. Thank you.

Pete Hassemer [00:08:00] Thank you. Are there any questions to the maker of the motion for clarification? I don't see any questions? Any discussion on the motion? Seeing no discussion, I will call the question. All those in favor say "Aye".

Council [00:08:19] Aye.

Pete Hassemer [00:08:19] Opposed, no? Abstentions? The motion passes unanimously. Thank you Caroline. I will look around see if there's any other motions, or we will bring up our checklist and see if there are other items. Maybe I'll just look to Todd and say what else should we tackle here?

Todd Phillips [00:08:50] Yes, thank you Mr. Vice-Chair. So, I do have one question for the Council. In the GMT report they do mention for sablefish north of 36 status quo trip limits for both open access north and limited entry north. I just wanted to confirm that that was the Council's intent to maintain those trip limits. Thank you.

Pete Hassemer [00:09:10] Lynn Mattes.

Lynn Mattes [00:09:12] Through the Vice-Chair. Mr. Phillips, I almost called you Mr. Anderson. Mr. Phillips, yes, we... because it was status quo, maintaining status quo we didn't think we needed a motion to keep that but we appreciate you double checking that we were on the ball.

Pete Hassemer [00:09:31] All right, thank you. Anything further, Todd, that comes up?

Todd Phillips [00:09:35] No, Mr. Vice-Chair that is it for me. The Council has, under this particular agenda item, has adopted all the recommendations that were put forth in the GMT report. You've had a good discussion and I would say that you have addressed your Council action.

Pete Hassemer [00:09:51] All right, thank you. With that there's no other hands and that brings us to an end to this agenda item. Again, I want to thank everybody who stood with us in public comment. And that will close out Agenda Item E.3. And with that I get to pass the gavel back to our Chair.

4. Sablefish Gear Switching – Preliminary Preferred Alternative

Brad Pettinger [00:00:00] Public comment is now closed. I'll open the floor for those concepts, ideas for the Council to consider between now and tomorrow. And so, with that I'll open the floor up. Phil Anderson.

Phil Anderson [00:00:18] Thank you Mr. Chairman. I guess the first thing I want to say is I have a high degree of respect for all my colleagues around the table. And I know there's a lot of space between what we think should be done on this issue between us and I think we've put a lot of effort into trying to find a solution. And unfortunately, at least for you, I'm not going to stop trying to find a solution until it's all over. And so, I have a concept I would like to put on the table so that you have, so that everybody that's been involved in this that's here and listening online has a chance to think about it a little bit. And before I do I want to give the credit to my colleague to my left for kind of coming up with the idea. I have it. I've conveyed it to Sandra so we can put it on the screen. And I know this isn't the time to debate it or it's just an opportunity to air a potential alternative way or concept to deal with the issue that we are grappling with. So hopefully that will pop up here in a moment. And the concept is based on the belief that the level of gear switching in the trawl fishery creates potential problems, and I won't, I'm not going to make a big speech about what all those are, when we have, when we're at relatively low ACL levels, and that when we're at higher ACL levels we really don't have an issue. And we are in and are entering a even higher time period when ACL levels, we are entering a time period when we are going to be observing higher ACL levels. So, I'll just read this so that people listening in on the line or they can't see it from where they're sitting, it goes, it's simple. If the sablefish north ACL is below 6,000 metric tons and more than 29 percent of quota pounds is landed with fixed gear in two consecutive years, then all trawl quota share will be distributed seventy-one, twenty-nine in the following year and remain that way until the sablefish north ACL grows above or is above 6,000 metric tons. The selection of 6,000 metric tons is just taking a look at that ACL history that I've added here just for your reference. You can see that we were below 6,000 tons in the timeframe from 2011 through to 2020, and we've been above that here the last three years and all of the information that we have at this moment suggests we're going to be above it for some time to come. The time period in which we heard, I think, the loudest about the concerns associated with the level of gear switching was in this timeframe when these ACLs were down below the 6,000 level and certainly the five-year review when we were coming through a timeframe where it was down in the 443, 4752 timeframe, I remember there was, we heard a lot of concerns about it. It doesn't, there's not a legacy provision. When it goes back above 6,000 you know you can, the limitation on gear switching doesn't come into play. If as the Council goes through time and we learn that 6,000 isn't the right number you could change it at a later time. Or during deliberation if you chose, if we all chose to go down this road instead of the other roads that we have in front of us, pathways that we have in front of us, obviously the 6,000 is out there as a, I guess, our suggestion as an appropriate level. You may disagree and think it ought to be something else. So that's the concept that I wanted to put out there for your... so you can deliberate on that as you're doing everything else and as we move to tomorrow's discussion about moving forward with a potential PPA.

Brad Pettinger [00:06:09] Okay, thank you Phil. We're not going to have discussion here so is there any other concepts, ideas, thoughts people want to put on the floor before we move to F.1? Lynn Mattes.

Lynn Mattes [00:06:24] Thank you Chair. Is it, would it be an appropriate time to ask NMFS a clarifying question about the control date? Because it may factor into people's thoughts overnight.

Brad Pettinger [00:06:36] Sure.

Lynn Mattes [00:06:37] Okay. And I'm not sure if this will be for Maggie or for Caitlin. The issue of the control date. If, for instance, the Council chose to go 'no action' but specified we want to keep the control date through at least the next five-year review, is that something that would be an option should the Council want to go that way?

Brad Pettinger [00:07:02] Maggie.

Maggie Sommer [00:07:03] Thank you Mr. Chair. Thank you for the question. If the Council takes no action to limit gear switching now but wanted to retain the control date, the Council could state that wish and it could be conditioned on some... we want to retain it for some time period or retain it indefinitely. But if at some future time the Council wanted to consider limiting gear switching and use that control date reaching back to use the 2017 date, the Council would have to justify at that time why it makes sense. Logically the longer it's been without active work on a gear switching limitation action, the more difficult it would be to make that justification and to use that control date. So, the Council again could say at this time that you want to keep the control date but I'm not sure how much effect, I can't say at this time how much effect that would have.

Brad Pettinger [00:08:03] Okay. Thank you Maggie.

Lynn Mattes [00:08:04] Thank you. That was helpful.

Brad Pettinger [00:08:05] Okay. Any points of clarification? Okay, then we will turn to Jim and Jessi to how we're doing on this besides four hours late.

Jim Seger [00:08:21] Thank you Mr. Chairman. You've completed part one of this issue and we'll see you tomorrow for your decision on a PPA.

Brad Pettinger [00:08:29] Okay, very good.....(BREAK).... I'm going to hand the gavel off to Vice-Chair Hassemer for this is an item.

Pete Hassemer [00:08:57] Thank you very much Mr. Chair. Good morning, everyone. This is item E.4, Sablefish Gear Switching Part 2. We initiated our work on this yesterday and I'm going to ask either our staff officers there, Dr. Seger or Jessi Doerpinghaus, I don't know if you draw straws or flip coins, one of you just refresh us on what we went through yesterday, what the tasks are before us today please.

Jim Seger [00:09:33] Yeah, thank you Mr. Vice-Chairman. So, we started off on Saturday afternoon. You've had your presentation, you've heard from your advisory bodies, you had your public comment. We're ready here now to take action on this agenda item and, Sandra, could you pull up the list of actions? And your actions here as listed in the Situation Summary are to select a preliminary preferred alternative. As part of that, you'll be wanting to specify the preferred options as well. For that preliminary preferred alternative if there are outstanding questions that need to be addressed as identified in Attachment 2 you need to do that. And then whatever other guidance you might like to provide for this agenda item... and then, yeah, thank you.

Pete Hassemer [00:10:23] All right, thank you Dr. Seger. So, with that, you've had plenty of time to sleep on this to think about it and I'm going to look around the table here. And again, I look very thoroughly and carefully for any hands to initiate discussion. So, Phil Anderson.

Phil Anderson [00:10:46] Thanks Mr. Chair, or Mr. Vice-Chair. At the appropriate time I do have a motion that I'd like to put forward. Prior to doing that I want to, I'm hesitant to use the word apologize,

but I know bringing ideas into the fold on matters like this at, I guess, I can fairly say at the last minute, are difficult to deal with and for the most part try to avoid doing that. But if there is a new idea that comes along that has the potential of getting us to a better place, I think not bringing it forward is worse than bringing it forward in an untimely way. I received a bit of criticism for bringing the item forward yesterday because of timing, not withstanding substance but... and I thought about that and thought well, you know, we've been working on this issue for a long time and it's apparent to me that there are significant differences of opinion around the table as to what the appropriate action is or should be and that if I had to stand pat on the two choices that were in the IPPA that came out of our deliberations in June, then there wasn't much use to do any additional thinking. And if that, if any new ideas that might get us to a better place were out of bounds because of timing and we were left with just the two that we had, I guess, I didn't feel very good about that. So again, and for those that I offended or are concerned about the timing, I apologize for that. That said, I really do appreciate all the members of the public who have participated in this process throughout the last whatever number of years you've been in it. And I appreciate, again, all my colleagues around the table for persevering through thick and thin trying to get to a resolution on this issue. And I'm hoping that when we're done with this morning's discussion, we... we will have made some additional progress to getting there. I thought the music that Craig chose during the break, "Stuck In The Middle With You" is pretty appropriate because I do feel like I'm stuck in the middle here with all of you. I don't want to preclude other initial comments that others may have around the table so I'll conclude there. And when you're ready for a motion I would be ready to offer one. Thanks.

Pete Hassemer [00:15:09] Thank you Mr. Anderson. So, there is the offer of a motion there. We will bring that up at the appropriate time. Discussion is part of our procedures regarding a motion that has been moved and seconded so there will be discussion there, but I want to look around and make sure we've covered any other pertinent discussion, clarification you might have regarding that, any general comments? So, I will look to entertain any hand here regarding that. Lynn Mattes.

Lynn Mattes [00:15:46] Thank you Vice-Chair. Hopefully this is the okay time to do this. I just wanted to take a moment to thank everybody who has reached out to ODFW staff. I know in the process over the timeline that we've been working on this there have been three of us in this seat and a lot of you have taken the time to reach out to Maggie and then Jessica and myself and I know it's been triple the work for you all, but I really do appreciate you reaching out to me again. I've talked to a large number of people over the last few months or last couple of months and it's much appreciated, people providing that feedback so I could learn more about what it means to our fisheries, our communities, so I just wanted to say thank you and understand that it could be a little frustrating that we've had multiple people in this seat. Thank you.

Pete Hassemer [00:16:30] Thank you Lynn. Any other comments, items for discussion? I'm not seeing any hands so, Phil, I believe we are ready for your motion.

Phil Anderson [00:16:55] Thanks Mr. Chairman. And thanks Sandra for getting it up on the screen. I move that the Council identify Action Alternative 2 as its Preliminary Preferred Alternative as identified in Agenda Item E.4 with the following modifications and clarifications. The provisions of Alternative 2 will only be used if the sablefish north ACL is below 6 to 8,000 pound, metric ton, excuse me. The trawl quota pounds will be distributed consistent with the provisions of Alternative 2 until the sablefish north ACL is equal to or greater than, and that should be 6 to 8,000, could you... and I'll explain that when I get to my graph. In parens you'll see the potential of adding a 29 percent, three year rolling average provision and I'll speak to that. That's not part of the preferred, preliminary preferred but I wanted to identify that so that we could have some conversations around that going forward. A description of Alternative 2, first the gear switching control trawl-only and any gear or unrestricted quota pounds. Northern sablefish quota pounds will be issued as trawl-only quota pounds and any gear

quota pounds unrestricted. Procedure for determining the amount and distribution of any gear quota pounds. Upon implementation NMFS will identify legacy participants, their eligible quota share and the standard ratio which will apply to quota pounds issued for all other quota share based on the qualification criteria listed in the following section. Legacy participants will receive any gear quota pounds for their eligible quota share. Paren, eligible quota share is any quota share owned by a legacy participant that does not exceed what the participant owned on the control date or the implementation date of this action, whichever is less, in paren. For quota share owned by non-legacy participants and a legacy participant quota share that is not eligible, quota pound distribution Option 1, constant proportion of any gear quota pound, paren, i.e., consistent standard ratio, in paren. At implementation a standard any gear and trawl-only quota pound ratio will be determined such that the total amount of any gear quota pound will equal 29 percent, including that issued to legacy participants. As legacy participants divest of their eligible quota share, the any gear trawl only quota pound ratio for non-eligible quota share will not change such that the total amount of any gear quota pounds declines to less than 29 percent. Legacy participants. Legacy participants are individuals that meet the qualifying criteria provided below. The designation as a legacy participant stays with the individual and is not transferable. As legacy participants divest themselves of quota share, the total legacy participant holding of eligible quota share will decline. To qualify as a legacy participant as of and since the control date, an individual must have some ownership interest in a permit or permits that landed northern sablefish quota pounds with non-trawl gear totaling at least 30,000 pounds per year in the last three years between January 1, 2000 per year in at least three years between January 1, 2011 and September 15th, 2017 paren the control date, in paren, and had some ownership in northern sablefish quota shares, any amount. Transferability and accumulation limits. As under status quo all quota share and quota pound would remain fully transferable in the existing quota share control limit of 3 percent and annual vessel quota pound use limit of 4.5 percent will continue to be applied for northern sablefish quota as a whole without distinction by gear type. After implementation if a legacy status holder divest quota share below the amount held when they qualified, any new quota share acquisition will be treated as non-legacy quota share. If a legacy participant divests of all quota share, their legacy status would expire. And Mr. Vice-Chairman that completes my motion.

Pete Hassemer [00:23:13] Thank you Phil. I followed along. It appears the language on the screen is complete and accurate. Is that correct and as you intend it to read?

Phil Anderson [00:23:24] Yes, Mr. Vice-Chair, that's correct.

Pete Hassemer [00:23:27] Thank you. Is there a second? Seconded by Bob Dooley. Please speak to your motion as needed.

Phil Anderson [00:23:35] Thanks Mr. Vice-Chair. And I think it probably is needed. First of all, think of this as Alt. 2 with a trigger. It's really that simple. And so, we can have, you know, when we get into the discussion point we can obviously talk about all of it, but when thinking about this really the, it is just Alt. 2 with introducing a trigger such that at the higher, when we get into very high or high levels of sablefish ACLs the provisions of Alt. 2 don't apply. So I begin with the premise that for the trawl fishers to access a variety of shelf and slope species, trawl sablefish quota pounds must be available to them either through ownership or lease. Second, at some point, particularly at lower sablefish ACLs, acquisition of trawl quota share quota pounds of sablefish by fixed gear participants will constrain the trawl fishery from harvesting coexisting species. Now, we can argue about what that level is, whether it's 29 percent or 50 percent or 80 percent, but at some point I believe that that occurs and I think we've had some evidence of that happening. I'm mindful that the high lease and quota share sale prices of trawl sablefish brought about by the development of the gear switching fishery following the creation of the Catch Share Program was the number one concern identified at the Santa Rosa industry meetings during the first five-year review. In reviewing the sablefish trawl attainment north of 46... that can't be

right. Attainment.... must be north of 36 degrees, sablefish for the period between 2014 and 2019 it averaged 97.5 percent. During that same period, trawl sablefish taken with fixed gear was at 33.25 percent. I believe these data are indicators that support the notion that gear switching was having a negative impact on the success of the trawl fishery. I'm mindful that trawl fishers have used gear switching participants to their advantage, primarily resulting from the ability to lease unneeded sablefish quota pounds to gear switch participants thereby increasing their income. It's important for our action to recognize and respond to the fact that sablefish ACLs are increasing to near historic highs and that the potential for gear switching to adversely impact the trawl fishery is greatly reduced if not eliminated at those high levels. The motion adds an important element to Alternative 2. It utilizes a trigger and a recognition of my last point. Constraining gear switching at high sablefish ACLs isn't needed by providing, and by providing maximum access to the trawl sablefish allocation and will promote OY within the trawl sector. My last point under these general comments is the belief that by establishing a trigger whereby limitations would be placed on gear switch operations when northern sablefish ACLs are at medium or low levels will serve as a deterrent to gear switching participants from acquiring speculative sablefish quota share. I want to just speak to the groundfish FMP goals and objectives for a moment. I think it's recognized that it's important to consider these goals and objectives. So just reminding ourselves of what those are. Goal 1 is conservation. Prevent overfishing and rebuild overfished stocks by managing for appropriate harvest levels and prevent to the extent practicable any net loss of habitat of living marine resources. Goal 2 has to do with economics. Maximize the value of the groundfish resource as a whole. And then Goal 3 is utilization. Within the constraints of overfished species, rebuilding requirements achieve the maximum biological yield of the overall groundfish fishery, promote year round availability of quality seafood to the consumer and promote recreational fishing opportunities. There's also a series of objectives in the FMP. I'm not going to go through those individually but I will speak to several specific ones. Objective 6 is all about net economic benefits. Talks about within the constraints of the conservation goals and objectives of the FMP, attempt to achieve the greatest possible net economic benefit to the nation. It's my belief that by maintaining an adequate proportion of the trawl sablefish poundage for use by the trawl fishery is critical to allow access to co-occurring species. Examples of dover, thornyheads to be caught and provided to the marketplace thereby benefiting the economic health of the fishery. In addition, this approach retains the advantages of providing flexibility to trawl fishers to lease their fish to gear switching participants and maintains the opportunity to those who want to solely focus on gear switching to continue their operations. There is an objective that speaks to full utilization and it reads, "develop management measures and policies that foster and encourage full utilization, harvesting, and processing in accordance with conservation goals of the Pacific coast groundfish resources by domestic fisheries". Again, while full utilization may be out of the reach, maybe out of reach when considering the challenges in the fishery and the marketplace, but left uncontrolled the proportion of the sablefish quota share controlled by fixed gear participants, particularly in low and medium and northern sablefish ACL levels, can constrain the trawl fishery from utilizing the harvest of co-occurring species in a significant way. Placing a limit when the sablefish ACLs are in this low to medium range will better position the trawl fishery to more fully utilize predominantly trawl species. Objective 12 speaks to fairness and equity when conservation actions are necessary to protect stock or stock assemblage, attempt to develop management measures that will affect users equitably. Under this alternative when sablefish are in need of conservation because they're at relatively low levels, a limit on gear switching would go into place at a level consistent with their history thereby fairly distributing the conservation burden. Lastly, under the FMP objectives is Objective 16, the communities. Consider the importance of groundfish resources to communities, provide for sustained participation of fishing communities and minimize adverse economic impacts on fishing communities to the extent practicable. I believe all of our fishery sectors are important to our coastal and fishing dependent communities. The motion is designed to create and bring a more stable planning horizon relative to the allocation of trawl sablefish poundage between gear switching participants and trawl participants. As we have heard, a stable planning horizon may incentivize additional investment in automated flatfish processing and the development of new markets.

These attributes are good for the communities and help sustain them over the long term. Turning now to the National Standards. Again, I'm not going to speak to them all. We may need to when we get to March and selecting a final preferred alternative, but for now I'm going to look at National 1, that conservation and management measures shall prevent overfishing while achieving on a continuing basis the optimum yield from each fishery for the United States fishing industry. It goes on to talk about in determining the greatest benefit to the nation among the values that should be weighed and receive serious attention when considering the economic, social, and ecological factors used in reducing MSY or its Proxy to obtain OY include benefits of food production derived from providing seafood to consumers, maintaining an economically viable fishery together with its attendant contributions to the national, regional, and local economies, and utilizing the capacity of the nation's fisheries resources to meet nutritional needs. I think this approach would support each of those values. The multi-species nature of the trawl fishery has historically provided a variety of seafood products to the nation's consumers. This action seeks to stabilize the trawl fishery, including the gear switching participants that are part of it. The fixed gear and trawl fisheries support regional and local economies and contribute in a meaningful way to meeting the nutritional needs of the nation. This motion seeks to maximize those benefits. In addition, by placing a limit on the amount of gear switching allowed at medium to low ACLs, it preserves a meaningful proportion for trawl for use in multi-species harvest strategies that are a hallmark of the trawl fishery, thereby promoting optimum yield. My last piece has to do with National Standard 4. National 4 states in part that conservation and management measures shall not discriminate between residents of different states. If it becomes necessary to allocate or assign fishing privileges among United States fishermen, such allocation shall be fair and equitable to all such fishermen and reasonably calculated to promote conservation and carried out in a manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges. The motion recognizes the importance of sablefish to the trawl fishery and retains the ability of the gear switching component of the fishery so that together they can continue to contribute to the fishery as a whole, the fishery dependent communities, and the families they support. The motion places an upper limit on gear switching and circumstances when the northern sablefish ACL is below the trigger point. It is designed in a manner that does not cause harm to existing participants with a meaningful history as gear switching participants and preserving at a minimum the balance of the trawl sablefish allocation for use in the trawl fishery. It is my conclusion that this is a fair and equitable way of addressing this issue. Looking ahead, given the current and foreseeable future of higher sablefish ACLs, there will be little or no harm to the current participants in either the trawl or gear switching fisheries resulting from the action. In years when the limitations are in place it may mean acquiring quota pounds from different quota pound holders, but there will remain leasing opportunity. What it will create is a stable allocation of trawl sablefish for both gear switch participants and trawl participants. The action will also help prepare and provide a greater degree of stability for the trawl fishery when the time comes that lower sablefish ACLs and higher prices return. Regarding the selection point of the trigger, I put a range in here and that for your consideration and I know that this is one particular component of the motion that, and the trigger point, the addition of the trigger point, that the public hasn't had an opportunity to comment on. Some have commented to me as I'm sure they have to you... about their thoughts about that but... So I put a range in there trying to cover the kind of the range and I'm not saying I covered the entire range from what I've heard from folks, but I think the 6 to 8,000 range is the range that is a reasonable range to think about and get some additional thoughts on that before we pick an FPA if we go down this road, all the all the caveats that go with it. Yesterday, I showed what the ACLs have been over the last since, I think, 2014 I had on that graphic, and we, when we look ahead, so in 2023 we're at 88,486. 2024 is 7730 and then '25 is 28,000 and some change. So in looking at this six to eight and looking at the potential of toggling back and forth, I thought it was important for us to have time to hear from our advisors, our public about the range and what their thoughts are, and to consider, which you all may not have an opportunity to look at these numbers maybe as closely as I have, for all of you to think about those so that we can make an informed decision about that when the time comes if we choose to go down that road. Similarly, the piece that's in parens at the top having to do with the three year rolling

average is also meant to provide some protection against having a yoyo effect. And while I'm not putting that in the, I wouldn't put that in the PPA and I'm not frankly sure how to do this procedurally, but I'd like for it to be an additional element along with the range of the ACL triggers to be in our thinking if we were going to go down this road, create a trigger and set this kind of a regime up for the future. Lastly, I think I addressed all of the, not all but almost all, of the other considerations that were in the discussion points in our analytical document that Dr. Seger and Jessi Doerpinghaus produced. But the one outstanding piece that they didn't address in this motion because I don't think we're ready to have something in the PPA is having to do with divestitures of legacy quota shares that come about as a result of a death or the sale when it's involving or maybe involving a trust. And I think we need some legal advice on how to deal with those and so I didn't, I mean and I'm certainly not the one obviously to do that, so I left that piece out so that we could have some further work done on that and that it could be brought in at the time we select an FPA if in fact we get to that point. So, Mr. Vice-Chairman, that's my effort to provide you the rationale for the motion and the thought that went into it.

Pete Hassemer [00:00:00] Thank you Phil. Are there any questions to Mr. Anderson on his motion for clarification first? Sharon Kiefer.

Sharon Kiefer [00:00:11] I'm just ask....I might be reiterating, but just so I'm clear. So, you've put a range in more from the aspect of public and feedback, but your intent relative to a final PPA would be a single trigger?

Phil Anderson [00:00:34] Yeah, in the final FPA, when we get to the F, setting the FPA we would select a one number. There wouldn't be a range.

Sharon Kiefer [00:00:42] And then the... once again for some feedback, the potential of adding a 29 percent three year rolling average provision, is that, what is that relating to? Is that relating to some aspect of the trigger or is that relating to some aspect of... I'm a little confused about what that references.

Phil Anderson [00:01:07] You recall that yesterday I had in there, there were kind of two, two elements that had to be met in order to trigger the implementation of the elements of Alternative 2, one was you were below the metric ton trigger amount, and the other was that you had had two consecutive years where the gear switching percentage of the trawl quota pounds was above 29 percent. And people that are smarter than me had a chance to think about that some more overnight and they advised me including my friend here to the left, that this might be a piece that we might want, a tool that we might want to add after we've had a chance to look at it, think about it, and get some public feedback on it. So, we may want to go, you know, so it's trying to preserve that potential in the event, and I know having simply an ACL number, a single trigger is probably my guess is preferred by maybe people especially NMFS, I'm not sure. But just didn't want to completely pull that off the table.

Sharon Kiefer [00:02:46] Thank you. That helps to clarify.

Pete Hassemer [00:02:51] Thank you. Further questions for clarification? Maggie Sommer.

Maggie Sommer [00:02:56] Thank you Vice-Chair Hassemer. Thank you for the motion Mr. Anderson. I have a question of clarification. Could we scroll down just a little bit and a little bit more. Perfect, right there. Thank you. For quota share owned by non-legacy participants and a legacy participant quota share that is not eligible it says, "Quota Pound Distribution Option 1" at the top, but then the description goes on to align with what was, has been in our analytical documents as Option 2 describing a decline in the sectorwide any gear quota pounds to less than 29 percent. So, I'd just like to confirm or I guess to ask which is your intent here? What's described in the text, in which case I would

think that a motion just to correct that number would make it clear. I could.....

Phil Anderson [00:03:58] Thank you Miss Sommers for pointing out my error. It should be Option 2. The description is what the intent is and at one time amongst my many variations of this motion I had Option 1 in there and I subsequently changed my mind after talking with some folks and so that's why that occurred, but that should be a 2. Can we consider that a technical correction or?

Pete Hassemer [00:04:33] Maggie.

Maggie Sommer [00:04:35] Thank you Mr. Vice-Chair. This is the object of much public scrutiny. I would be happy to offer an amendment to correct that and change the numeral 1 to a 2 to ensure that it reflects the maker's original intent.

Pete Hassemer [00:04:52] Thank you. We'll wait till the language gets on there. There was a motion to amend changing the number 1 there to the number 2, and it appears correct on the screen. I will ask Maggie to... and she is indicating yes.

Maggie Sommer [00:05:12] Yes, thanks.

Pete Hassemer [00:05:14] Is there a second to the motion? Seconded by Chair Pettinger. Speak to your motion as you deem necessary.

Maggie Sommer [00:05:24] Unnecessary. Thank you.

Pete Hassemer [00:05:26] Thank you. Are there any questions or discussion regarding that change, technical change? I'm not seeing any hands. I will call the question. All those in favor signify by saying "Aye".

Council [00:05:41] Aye.

Pete Hassemer [00:05:42] Opposed, no? Abstentions? The motion to amend passes unanimously. We are back to the main motion as amended. Still, I will pause to look for any other questions for clarification. Dr. Seger.

Jim Seger [00:06:07] Thank you. Just on the very top paragraph and a little bit higher up there, that second one there, I just wanted to note that how I would anticipate... you would... this would look assuming that this motion passes in its current form that the 6 to 8,000 range and the 29 percent three year rolling average parts of this, what I would expect to bring back to you, it would be the alternative with those in as options but not specified as the PPA selected options, just options that are available for the Council to consider in March.

Pete Hassemer [00:06:46] Phil.

Phil Anderson [00:06:47] Dr. Seger, that sounds like a good plan.

Pete Hassemer [00:06:52] All right, thank you. Corey Ridings.

Corey Ridings [00:06:57] Thank you Mr. Vice-Chair. Thank you, Phil, for putting all of this forward. There's a lot here and I have to confess the hamsters in my brain are running at full speed right now trying to digest this. This gets a little bit to what Jim was just talking about. I appreciate your comments earlier about ranges and the need for more analysis that we might get if this were to move forward.

Looking at the 6 to 8,000 metric ton range, can you provide a little bit more about why you chose that range? We, I heard some, from some folks considering what you put on the screen yesterday that lower numbers might be preferable. So, I would just like to hear a little bit more specifically what that....you're thinking. Thank you.

Phil Anderson [00:07:47] Thanks Miss Ridings for the question. The selection of the range, let me just speak first to the 6,000. When you look back at the ACLs in the 2013 through 2020 timeframe, we have a low of 5451 in 2013 bumped up to 5909 in 14, moved into the seven thousands in 2016 and came in at about 7896 in 2020. Oh, I'm sorry, gotta to start. I'm sorry, thank you. Boy, was that... I need you right here. Let me start over, okay? Can I start over? Thank you. I have ACLs and ACL north and I was reading off the full one. So, it's the ACL north numbers that are applicable here. So, 2013 we're at 4,000. We were at 43 hundred in '14, 52 hundred in '16, 54 hundred in '18, and 57 hundred in '20, in 2020. So, during those years when you look at the trawl attainment they're in the hundred percent in '15. 95, 105, 91, 99 percent through 2019. When you're over on the gear switching side it's 33, 34, 36, 32, 35. So in those years is when we, well we, when I heard from the trawl participants the loudest that prices were high. They were up, like in 2015, average trawl price was like 2.75 and then it dropped all the way down to a dollar five and 2021. But when they had those higher prices and the higher prices on the fixed gear side, the quota shares and quota pounds were really expensive to purchase and so we had this situation where we had these ACLs in the 5, 6, 7,000, or excuse me in the 4 to 5 to 6,000 range. And there was fair evidence, and I will grant you that it's at least in somewhat anecdotal coming from industry participants, that it was really tough for the trawl folks to get quota pounds at a price that made sense for them to then go out and participate in a multi-species strategy fishery that is the hallmark of their fishery. So, looking at that range of 4 to 57 hundred during that timeframe, that's where the 6,000 came from. So, if we assume for the moment or for the sake of this argument, my argument, is that when we're at 6,000 or below, that's when it really begins to manifest itself about trawl participants having a difficult time acquiring either quota pounds through leasing or purchasing quota share so that they can access their underutilized species. The eight, I think the 8,000 number is, well, if the idea here is to not just barely get to the point, I mean if we're still having problems in the 5 to 6,000 ACL category, then when if we're going to get to a point where we kind of get some relief for that, that scenario, we need to go up to a number higher than that. So, 8,000 is where that number, well it's, and there may be others around the table who have a different perspective in terms of the basis for that number, but in talking with folks a little bit that I had a chance to talk with and looking over the range of numbers, that's where I thought it would be best to have an 8,000 number. I also heard from people that thought six was too high. And I've heard from people that think eight is too low. But in looking at those numbers and the behavior of the fishery and what we heard from the participants, that's what led me to select that range. The last thing I would say is I was also guilty of just kind of looking ahead, not that we're going to get this, even if we pass this, by the time we get this implemented we're going to be in ACL land that's way above these triggers but, you know, knowing that history tends to repeat itself, you know, we've got, we're at 7730 in 2024, so if we implemented this, which of course we can't, I was also trying to look for a number that didn't put us in a situation where we were going to be going back and forth all the time, which is another reason that the three year rolling average as maybe an additional provision for kicking in Alternative 2 is being put out there to think about so that we don't get into trigger, you know, turning it on and off. But in general, when you think about it when we get a sablefish assessment we have some, we have knowledge of four to five years out what those ACLs are going to be. And the Council, especially if we, and we haven't talked about or I'm not knowledgeable enough to speak to the implementation process, but if we put the six, whatever the trigger number is, if we put it in regulation, we got a new assessment and we saw that our number was, it could be, you know, triggering it on and off through a four or five year period where we're using the new assessment, the Council could make an adjustment to that number so to keep that from happening. But that's, you know, that's a conversation for another day after we get people smarter than me to talk about how that might work. But my thought was to put this in, at least I was hoping that it could be done in a manner where

through the appropriate process if it needed to be modified a little bit in order to make sense that that could be done. Sorry for the long winded answer.

Pete Hassemer [00:16:35] Thank you. Is that good, Corey? Chair Pettinger, did you have your hand up?

Brad Pettinger [00:16:42] I did. I just want to make sure I got this right. We discussed it last night Phil. So above the trigger, above the trigger amount it will be all-gear quota above the trigger amount? I'm envisioning, it says the six to up to the trigger amount, Alternative 2 kicks in and it's divvied up as we've discussed Alternative 2 would and then any amount above that tonnage would be any gear? No? Okay.

Phil Anderson [00:17:30] Well, Chair Pettinger, if I understood your characterization correctly I would say no. It's simply a trigger. None of the elements of Alternative 2 apply if you're above the trigger point, right? I mean if, let's say at 7,000 just for sake of example, if you're above 7,000 metric tons none of these pieces for Alternative 2 apply because the rationale is that at those higher levels there is no need to restrict gear switching. That's the rationale, and it's informed by what we've seen in our past practice. But once you hit that trigger all of the elements of Alternative 2 apply. But in order to be prepared for that eventuality, upon implementation, which is also says right, the procedure there, NMFS will identify those legacy participants and set that piece of the system up so when it gets triggered, and it will, I mean over time, I mean you can bet we're going to fall below whichever number we pick, the legacy piece of this motion and those people they will have been identified and so that they can be fairly treated on upon implementation.

Pete Hassemer [00:19:10] Thank you. Further questions for clarification? Lynn Mattes.

Lynn Mattes [00:19:21] Thank you Vice-Chair. And maybe I'm being the Department of Redundancy Department with what we've just been talking about. The 6 to 8,000 pound is intended to be a range. Was there any consideration for larger or smaller? It seems like there was because I've, just a little bit I've been around this morning I've heard maybe we should go down to 5,000 and up to 10,000 pounds. I don't know if this would be the time to have that discussion for a range, and then we could come back in March with some additional information on what those might mean. Are we firmly set on 6 to 8,000 pounds or could a different range be looked at?

Phil Anderson [00:20:07] Well, that is the range I suggested. It is obviously up to the Council to decide what that range is. If you are favorably inclined to move forward with this and you want a different range then that's what amendments are for. But this was my best effort to represent a reasonable range. I would caution against having a range that's too wide. But in my, as I've said my range was informed by our past history and when we were at ACL levels that I felt the elements of all two would be needed.

Lynn Mattes [00:21:01] Thank you. I appreciate the additional dialogue.

Pete Hassemer [00:21:03] Thank you. And Corey and Christa was raising her hand also. I'm not sure who was first, but on this thread, Corey go ahead. Corey Niles.

Corey Niles [00:21:17] Thank you, excuse me Mr. Chair. I think this might go into a bit of discussion but I just want to, and I'm going to have more discussion, but I just wanted to on that level, the range of level, I think that 29 percent piece, and these ideas arose out of some discussions we had in the Washington discussion, that 29 percent piece go hand in hand to me because the disputes we've had, the polarization we've had is in large part on whether there's a need for the Council to intervene at all and what the benefit of doing so would be. So, to leave it just as an ACL amount, you're having a debate

about what level of ACT that controversy goes away. The 29 percent is another piece, another part of the trigger where, okay, if the ACL is below that amount and you're going over the 29 percent, that is more evidence that the action would be warranted over status quo. So, I just wanted to make that quick point that I think Mr. Anderson did a really good job of explaining the thinking, but the level of ACL is still pretty controversial in my mind. If you add something else to it that becomes less, so I will explain that more before but I just want to get that out there in terms of my small point on I think is connected to the question of what the range should be.

Pete Hassemer [00:22:55] All right, thank you. I'm a little bit black and white on things that the initial question was clarifying from Miss Ridings why that range was selected. That was covered. I think we got a little bit into discussion about different things and I know we can come back to that. I want to make sure we have clarified all the aspects of this here. And, Christa, I'm going to go to you next and then Maggie Sommer.

Christa Svensson [00:23:28] Yeah, thank you Mr. Vice-Chair. I am prepared to make an amendment and I was waiting for discussion, but it was really based upon what my colleague said around range and is intimately tied to what my colleague from Washington just said in terms of the rolling average. So, I will pause there because this is still taking questions but that is where I was headed.

Pete Hassemer [00:23:57] All right, let's make sure everybody is clear on why the language on the screen is there before us. Maggie Sommer.

Maggie Sommer [00:24:08] Thank you Vice-Chair. I had gotten lost also and was also prepared to offer an amendment to the range. Thanks. I'm out of order here.

Pete Hassemer [00:24:20] Marci Yaremko.

Marci Yaremko [00:24:23] Thank you Mr. Chair, or Vice-Chair. I apologize. And I am struggling to know whether my question is a clarifying question or a question for the maker of the motion so if I'm misplaced please don't hesitate to tell me. My question is about the use of the ACL trigger concept. And my question is about the use of ACL acknowledging that the Council sets the ACL based on conservation concerns but also socioeconomic concerns. And so, I'm wondering if you can explain why it should be the ACL that is the trigger rather than the OFL or the ABC?

Phil Anderson [00:25:17] Well, I believe that it should be the ACL because that is what determines how many fish are allowed to be taken in each sector and an OFL is almost meaningless as far, I mean it's got meaning but it's meaningless in this context because, as you stated, the Council can set an ACL on a level that takes a variety of things into consideration, which they do, which determines the amount of removals that they believe are appropriate. And it is the amount of removals that is important to the fishery, not the amount of fish that are above an ACL that they don't have any opportunity to access.

Pete Hassemer [00:26:16] Thank you. Marci, follow-up?

Marci Yaremko [00:26:18] Yes, follow-up. Thank you. Appreciate the answer. I guess maybe to probe a little deeper. Do you see any conflict here with using the ACL as a trigger recognizing the Council's role in setting that ACL? So essentially the Council has the ability, using its policy decision making to set the ACL accounting for a number of needs and things which would therefore influence whether or not this trigger would be attained. So, I'm just hoping to understand how we're making a policy decision here to use a trigger but yet we're, we have an ability to influence whether we hit the trigger or not. Thanks.

Phil Anderson [00:27:19] Well, you're of course right, Miss Yaremko, that it is the Council's decision to decide what ACLs are. It's also the Council's decision to decide what the trigger is, which at some appropriate time we can have the discussion about, and whether it's at this meeting or the next one, about the ability or the potential of the Council being able to change that trigger based on new information. But I'm confident in the Council and its deliberations in terms of the considerations it makes in determining the ACL. Whether or not its relationship to the trigger is considered is a question for the people that are going to be sitting around the table at the time that decision has to be made. But that's why it's a policy call. That's why the trigger's a policy call.

Pete Hassemer [00:28:45] Maggie Sommer. Follow-up to that?

Maggie Sommer [00:28:47] Yes, thank you Mr. Vice-Chair. Thank you Mr. Anderson. Maybe a different version of the question Miss Yaremko asked. Why the ACL and not the trawl sector allocation since we were just talking about the trawl sector?

Phil Anderson [00:29:13] Well, I acknowledge there are different ways you could, values you could use to determine the trigger, but the fact of the matter is the trawl allocation is a percent of the ACL. You know after the different, I can't remember exactly where the set-asides come off and all the ramifications of the math, but there is a direct relationship between the trawl allocation to the ACL and I'm not sure that it would make a difference in this case. I think the looking at the ACLs is a reasonable thing to do. It identifies the amount of fish the Council believes is available for harvest. We've already made the decision about allocating between fixed gear and trawl and the other, and the other allocations decisions and policies that we have in place relative to sablefish for the other gear types and sectors, so I'm not saying that you couldn't use the trawl allocation, you could. We'd have to go dig out, you know, we'd go out and dig out that information so we have that same range of years to look at and what might be an appropriate trigger level, but again, if that is a different direction and a different method by which the Council wants to determine a trigger, obviously that's an option but I don't see an advantage to it.

Pete Hassemer [00:31:40] All right, thank you Phil. I've got two hands up there. Our questioning and answering seems to be centered around the particular concept or piece of this. I want to move us out of clarification. I think maybe this will benefit from broader discussion and potential amendment. I want to make sure everyone is aware at this point before we go down the road, we operate by Robert's Rules of Orders. My understanding is Robert's Rules of Orders limits us to two amendments on a motion. We've used one up but as I view that, and I'm going to ask for the parliamentarian's approval on this, that was simply a technical correction of a typographical error in the motion. It was not a substantive amendment so I would take the prerogative to ignore that. I want to confirm that that's okay.

Chris Oliver [00:32:46] Yeah, Mr. Chairman, I believe you're talking about an amendment that's already been dispensed with, so you can have ten amendments just only two at one time. So, you're okay.

Pete Hassemer [00:32:58] Okay. All right, my misinterpretation of that. So, we can have lots of amendments here. So, Corey, you had your hand up but I want to note that Maggie Sommer may have had a follow-up to the response Phil had given to her question so I want to make sure you're good on the response.

Maggie Sommer [00:33:30] I am good Chair. Thank you very much. I appreciate the clarification Mr. Anderson and I can certainly see that there might be some benefits to using the ACL, but we can talk about that in discussion and they're not important.

Pete Hassemer [00:33:45] Thank you. Corey Niles.

Corey Niles [00:33:48] With all that it was a, I could phrase it as a question to Phil as clarification. But what I hear Phil saying is the intention is that the relationship between the OFL, the north ACL, and the trawl allocation would be the same now or in the future as it is now and that could be part of the exploration of where those relationships depart, but they're all the same thing. I'm agreeing with Phil of there are ways of doing it but I think the intent, I would be asking Phil is to frame these triggers in the way that the allocation scheme has worked now. I think that's the simple way to think of it and if there's ways to gain off of that then those could be part of the analysis.

Pete Hassemer [00:34:34] Thank you. Further discussion on the motion? Christa, you had offered an amendment. I think we're ready for that.

Christa Svensson [00:34:44] Okay. So, my amendment would be to strike six from 6,000 and change that to 5,000. And strike 8,000 and change that to 10,000. So, we would have a range of 5,000 to 10,000 metric ton.

Pete Hassemer [00:35:26] Okay, now what's highlighted as your amendment is accurate and complete there?

Christa Svensson [00:35:36] There's a little bit of text moving around, but yes, that is where I would make the changes, or I'm proposing in my amendment.

Pete Hassemer [00:35:52] I'll just pause while all edits are completed here. All right, that completes it. Is there a second on the motion? Seconded by Chair Pettinger. Please speak to your motion.

Christa Svensson [00:36:12] Well, thank you. I realize this is a wider range and I'm extremely appreciative of the maker of the motion for providing why he chose what he did and I think we will likely end up in that range, but this is essentially analysis of an alternative that was proposed to the public and I think they have, at least in the state of Oregon, asked for a range between five and 10,000. I think that there is a lot of merit, and I had considered only asking for the 5,000 edge of this range. I think there's a lot of merit to having the 5,000 component simply because when I looked at the numbers I came up with an average not counting this year of 53 hundred and without the second provision of the 29 percent three year rolling average, I just saw the potential to yo-yo more than maybe we would want to. That doesn't mean that we will get there and I think the rolling provision could be really a positive tool in the toolbox to prevent having business disrupted for everybody with a, 'hey, we're over now we're under, oh we're over again long term', so I do really want to encourage that component in the analysis. I did go with a slightly larger number because that was expressed publicly from stakeholders within Oregon. I mean I'm sure there are other people out there that would like more, but I am cognizant of a lot of different voices and that we as a Council are trying to find a solution that is probably going to make no one thrilled but hopefully will be something that people can live with, and so that's why the range is what it is in this amendment.

Pete Hassemer [00:38:11] Thank you. Are there any questions to the maker of the motion for clarification? I'm not seeing any question. Any discussion on the motion? Maggie Sommer.

Maggie Sommer [00:38:23] Thank you Mr. Chair. Thank you, Miss Svensson, for the motion. I'd like to speak in support of it. I fully appreciate Mr. Anderson's statements earlier about bringing forward this concept yesterday. I do recognize the challenge that the timing of it presented and the lack of opportunity for formal public input to the full Council on the range. Recognize that many of us have heard from those who have the opportunity because they are here in Garden Grove or they happen to have our contact information to reach out to some of us in the short time since yesterday with some input on what the triggers should be and why, but given that it has been such a short time and this is a

very important component of the alternative, we support analysis of the wider range proposed here in this alternative. Thanks.

Pete Hassemer [00:39:21] Thank you. Further discussion? Corey Ridings.

Corey Ridings [00:39:26] Thank you Mr. Vice-Chair. This is actually a question either for Council staff or NMFS, if I may? Thank you. Mr. Anderson spoke a little bit earlier about the smaller range and why he felt that was prudent. This is obviously a larger range and I'm curious if Council staff or NMFS has thoughts on the workload associated with both of these ranges and the analysis that would come from that? I realize this may not be an answerable question but just looking to get a little feedback there. Thank you.

Pete Hassemer [00:40:04] Thank you. I will first look to our staff officers to see if they want to tackle that. Jessi, it looks like it's to you.

Jessi Doerpinghaus [00:40:11] Thank you Mr. Vice-Chair, Miss Ridings. Yes, I don't think there's a lot of difference in our preliminary assessment of whether it's six to eight or five to ten. We would be analyzing the bookends of these so if the Council were to pick something, whatever they picked, whatever y'all chose to pick if this alternatives move forward, under final action that assessment would be covered in the range of analyzed impacts. Additionally, we might be looking at, you know, what's the impacts of not doing something higher or lower, but all in all I don't think there's a difference in the workload of whether having five to ten or six to eight.

Pete Hassemer [00:40:52] Okay, thank you. Further discussion? I'm not seeing... Maggie Sommer.

Maggie Sommer [00:41:01] Thank you Vice-Chair. I'd just like to weigh-in that we don't see any NMFS workload related to the difference in range proposed by this amendment because it will be Council staff conducting this part of the analysis. But I do want to say that I will have comments from a NMFS workload perspective on other aspects of it when we're done discussing this amendment. Thanks.

Pete Hassemer [00:41:29] Thank you. Further discussion on the motion to amend? And I'm not seeing any hands. I will call the question. It's there before us highlighted. All those in favor signify by saying "Aye".

Council [00:41:44] Aye.

Pete Hassemer [00:41:44] Opposed, no?

Marci Yaremko [00:41:47] No.

Pete Hassemer [00:41:49] Abstentions? The motion passes with one no vote. That was recorded. Miss Marci Yaremko. Thank you. So, we are back to the main motion again as amended and I will look for further discussion on that. Maggie Sommer.

Maggie Sommer [00:42:18] Thank you Vice-Chair. I will make those workload comments now. I understand that at a PPA stage the expectation is that this new trigger concept can be fleshed out and analyzed in advance of an FPA. However, at this stage, as noted under E.1, given our existing staff resources NMFS is unable to staff this agenda item as would be needed to understand how these new concepts would or would not work and whether modifications would be needed. Once we have additional staffing resources and our priority tasks are covered, then we would inform the Council as

to the timing of our availability to carry out the review and considerations that would be needed for this revised alternative. We can discuss this further under workload planning. I will add that, you know, as I commented a minute ago, certainly recognize that Council staff will be doing the analysis of the impacts of this alternative as proposed and amended, but there certainly is a need for NMFS to really put some thought into the mechanics and the timing of how it would work, the feasibility of it just from an administrative standpoint, as well as other perspectives, and make sure that we can fully advise the Council on all of that before you make a final decision. And at this time, I am unable to provide any information on when we'll be able to do that, but again, perhaps under workload planning. I do want to add, to follow that on with the addition of the potential of adding a 29 percent three year rolling average provision adds to the complexity of both the evaluation that we will be doing on the front end and the complexity of tracking, monitoring and implementation, but then as we go if this was to be adopted, recommended, approved, and implemented, we will really need to think through the timing of that and I am, I guess, all I can say at this point is we will really be looking for more from the Council in terms of rationale on why this component is necessary and how that factors into the rationale for this alternative. But I will say at this point it does add some complexity to our evaluation and to implementation workload. Thanks.

Pete Hassemer [00:45:14] Thank you. Further discussion? Executive Director Burden.

Merrick Burden [00:00:00] Yes, thank you Mr. Vice-Chairman. In response to your comments Miss Sommer, we are in the background working on the Year-at-a-Glance and we have some inclination to push this to April rather than March. Curious if you have any reactions there to the workload issues that you expressed on behalf of the agency and being able to review this in time for a FPA?

Maggie Sommer [00:00:29] Not at this time. Thanks.

Pete Hassemer [00:00:34] Thank you. Further discussion? Phil Anderson.

Phil Anderson [00:00:37] Yeah, thanks Mr. Vice-Chair. Miss Sommers, I'm trying to figure out what, I heard what you said but I'm not sure what it means. It sounds like if we put, if we add a trigger mechanism, whatever it might be, that NMFS isn't in the position to do its due diligence in reviewing and analyzing and whatever you do before you come up with a perspective about a management element like this. And so, it sounds like it's open ended, we might get to it in June, maybe next year at this time, maybe never. I'm trying to understand what the result is from what you just said.

Pete Hassemer [00:01:51] Maggie Sommer.

Maggie Sommer [00:01:55] Thank you Mr. Vice-Chair. Thank you Mr. Anderson. We can provide the Council with an update in March on our staffing. We hope that our staffing resources will change before too long but we at this point, we don't know and we are not certain that we'll be able to provide the level of due diligence we need under the Regional Operating Agreement to inform an FPA for March or April. Again, all I can say at this point is we will advise the Council on any changes in our staffing and capacity when we can.

Pete Hassemer [00:02:40] Thank you. Corey Niles.

Corey Niles [00:02:45] Yeah, thanks Mr. Chair. Starting with that last thought, I guess, first of all, preface all my comments with understanding of the timing and people wanting to react, needing more time to absorb and react. I don't see how this motion here would be any different or any... I think my gut instinct this would be easier to implement than something like just recommending Alternative 2 by itself, but fully appreciating people need time to think about that. Moving to the merits of this, again

recognizing the timing was not ideal, I feel that at least we had some break through, break through the polarization that has made this a difficult issue. And I'm going to say I don't think we would have that breakthrough if it wasn't for Mr. Anderson and his ability to look for a common ground and look, not just listen to what people are saying, but try to think about the merits of what they're saying and I think this does move us forward constructively. I was worried about being able... what was going to happen at this meeting. I don't want to go too long but I do think this has high prospects of getting some consensus when people have time to think about it more. I really think I will start, well, I won't go for the fullness of my thoughts here, but Mr. Anderson again his comments that this is really Alternative 2 with a trigger, or something like that, and I think a lot of people are saying, 'well, this is like No Action but with a trigger', and then is there any difference between those two perspectives? This is kind of an interesting question. So, yeah, thankful for Phil for putting this out there. I do think people need more time to think through the elements. And just illustrating I need, we need, WDFW needs more time to think through the elements. But just a gut reaction here without that 29 percent piece of the trigger, this is really just a vote on when, at what level of the ACL Alternative 2 is making sense. And Mr. Anderson laid out his evidence for why he thinks Alternative 2 would be justified at some level. It's kind of funny to say we haven't had enough time to understand that evidence since we've been doing this so long, but we just got some new information I think this cycle and we're still trying to... I think there's people, reasonable people can differ on whether the evidence supports the Council action. And as I've said a number of times, I start from the place that this is an IFQ program and that stepping in to correct what businesses are doing themselves requires showing that the action is needed to correct that action. I'm not going to go into the fullness of that, but I don't think we would support Alternative 2 at this meeting, even as a PPA. This we can support. And it really is to me, I'll go back and I'll just I'll wrap up here in a second, but this is, I would say this is No Action with something stronger than a control date. We've supported a freeze the footprint approach as a sensible way. We're not sure if there's an issue here, but let's not let it get too much worse until if we don't have to and that this is a way of achieving, keeping levels of gear switching from getting out of hand, so to speak, because it creates a disincentive for new people to come in. A pretty strong one, stronger than a control date. And that's open for debate of course, but the theory here is that someone looking to purchase quota share to use with fixed gear would have to know that that quota share comes at a risk of, I don't know what the ratio would end up with, but it would be at least 71 percent trawl-only. So that to me is why this has a lot of potential and I do think, you know our Washington delegation and when we did have a change and people coming off their extremes, so to speak, and I'm starting to repeat myself but I will, I think people need more time to think about this and was expecting this would come back in March and that would be sufficient time given all the thought we put in for, put into this already to get some really good analysis from staff.

Pete Hassemer [00:07:58] Thank you Corey. I scan for hands here. I'm going to ask Chair Pettinger, I thought you had a hand. Maggie Sommer, Marci Yaremko, Corey Ridings in that order. Chair Pettinger.

Brad Pettinger [00:08:11] Thank you Vice-Chair Hassemer. Thank you, Phil, for putting that out on the table yesterday. I will say that members of the public, I was probably thrown back a little bit by them by seeing it initially, but appreciate the time last night discussing it, although I missed a few things, but I think Christa's amendment to tell you the range I think gives me, makes me support this. I think that the time between now and April will allow us to look at it, kind of massage it, see what we got, better understand it, and that would be good, that's a good thing. I mean we need to do something. I think the status quo, if you look at the, I think slide 11, the gear switching levels that was shown by the staff yesterday was pretty illustrative of what the trajectory was in gear switching. It was going up till 2019 and where that stopped, you know who knows? So, something needs to be done. You know this fishery has been decimated by the cutbacks in the early 2000s, and I think certainty in the market I think here recently really has exacerbated the rebuilding of this program. So, you know, obviously for the next well, four years, five years, let's say, I mean we're going to be well above 10,000 tons. I don't think that's going to be an issue. And I think we're going to find out exactly how much fish the

processing sector needs. I mean they've got a five year window at least to invest and to show us what the fishery needs. What that three year rolling average provision, I mean I think that there's going to be some way we're going to need to analyze where we're at and how we're doing. I don't think we need to name anything on how we do that because I think we're going to probably learn more as we go through this and just be open to that and just be mindful of that. I think this gives us a foundation for the processing sector and the trawl fishery to give the stability that's needed that's been asked for. So anyway, I do appreciate it and all the careful thought and the detail put into it. Thank you, Phil, and I'll be voting for it.

Pete Hassemer [00:10:53] Maggie Sommer.

Maggie Sommer [00:10:55] Thank you Mr. Vice-Chair. Just a brief comment to clarify my remarks earlier about timing and NMFS availability. We would certainly be okay with this, with FPA being put on a spring agenda. I heard March or April. I'm sure that will be a workload planning discussion and we will just come to the meeting at that time. If we are able to weigh-in we will. But just wanted to put everyone on notice that if we are not able to do a full evaluation before then, we may at that point just be advising the Council that we have not fully vetted it yet. But certainly the... did not mean to imply that it should not go on a spring agenda. Thanks.

Pete Hassemer [00:11:46] Thank you. Marci Yaremko.

Marci Yaremko [00:11:49] Thank you Mr. Vice-Chair. A question for Maggie on her earlier remarks and the mention of the new concepts. I just am looking for confirmation from NMFS that this alternative is actually within the range?

Pete Hassemer [00:12:31] Maggie Sommer.

Maggie Sommer [00:12:32] Thanks Mr. Vice-Chair. Thanks Miss Yaremko. We believe that it is within the range of alternatives. It is adding a feature to Alternative 2, which has been in the range. We think that is within the Council's purview to do at this time and select as a PPA.

Pete Hassemer [00:12:53] Thank you. Corey Ridings.

Corey Ridings [00:12:57] Thanks Mr. Vice-Chair. The hamsters are still spinning but I thought I'd provide some thoughts which is just thinking about that this is how going, to still going to require more work by the Council and NMFS. We have other critical agenda items that need attention, many of those on groundfish. The Council has worked on this for I think it's eight years now. I heard earlier that everyone is tired and struggling with this and that there's a lack of certainty, so I continue to have strong heartburn about continuing this. Looking at National Standard 1, we can and do inflict harm but it must be done with information and analysis, consideration, and deliberation. So, we must have evidence that the benefits outweigh the costs. At this point, after all these years of information, deliberation, public comment, input from ABs, staff analysis, I feel that we still lack the evidence. This was highlighted by the SSC's conclusion about the analysis for this meeting, despite its very high quality, which was that the analysis does not provide evidence that gear switching is limiting trawl attainment. All the action alternatives, including this one, still feel like an allocation of fishing privileges, and I have many concerns that they will not pass the NS 4 test of being fair and equitable. To be clear, I continue to believe that this and other action alternatives might benefit some fishermen. There very well could be some benefits that percolate through the supply chain that benefits both processors and fishermen, but we also know that there have been major investments made by other fishermen who have built businesses and about the harms that will very likely be done. This was a trawl program, we heard that talked about today, we've heard that talked about a lot. I hear that and it makes good sense. But even

with that being true, the gear switching provision was not a mistake. It was built into the program to provide flexibility and options for an uncertain future. Everyone then made financial and business decisions accordingly. Today the original set of environmental and economic circumstances have changed as they always do and they will, and there are groups of people who want to alter the program for their benefit and that is understandable. But gear switching was a feature and not a bug and was a feature of a market-based program. We have willing buyers and sellers and we decided as a Council to delegate some of the decision making power to that market. I want to note that when gear switching was created as part of the program there was conservation justification for the action, including minimizing bycatch and protecting habitat. West Coast trawling has solid accountability and has largely addressed the conservation issues inherent in the gear type. But on balance, fixed gear has less impact, and at the time that was part of the overall calculus and decision to launch the program. Just going to close. This has been a really tough issue. I echo Mr. Anderson. I'm honored to be stuck in the middle with the folks around the table regardless.

Pete Hassemer [00:16:20] Thank you. I'm going to look to my left. Lynn Mattes.

Lynn Mattes [00:16:26] Thank you Vice-Chair Hassemer. I initially had three pages of bullets of talking points for this item that have all proven moot or have already been said so I'm going to skip all of those. I want to thank Mr. Anderson for continually trying to find solutions, find that middle ground. We did hear a lot in delegation, the Oregon delegation this morning about the timing of this not providing for public comment, but I think the path we're setting up here will give that time for the public comment and the public to weigh-in. I agree this has been a long process and we've had both sides in limbo about moving forward with their business plans and this seems like a reasonable way to keep moving forward. So, thank you for providing that.

Pete Hassemer [00:17:20] Thank you. Further discussion? Christa Svensson.

Christa Svensson [00:17:25] Yeah, thank you Mr. Vice-Chair. I am going to support this motion. I have been strongly in favor of No Action and I think, and I don't remember which of us spoke to it earlier, some of us see this as a path forward for Alternative 2, some of us say this is a path forward to No Action. I think the fact that we have something on the table that we can hopefully rally around and continue to have conversations is important. I am appreciative of your willingness to bring this forward at the 11th hour. I will say last November it felt like the 11th hour for Alternative 3. But I do think that we spend a lot of time in the Council process talking about the need for flexibility, and I think this is an example of a time when flexibility is helpful or has the potential to be helpful. I know there are a lot of concerns about public process, but I am confident that over the winter we will have a lot of people reaching out to us providing input. I'm certainly open to that and I believe everybody else at this table is and that we will have that going into final action. The piece that I do really want to hit on is I think that that 29 percent, three year rolling average provision, making sure that that's folded in is important. I've heard that it is today but I really am concerned about trying to set a trigger on a one year when we also talk a lot about climate change and how things are going to be very volatile. And I just don't want to see businesses in this case having to dance back and forth between when rules are in effect and when rules aren't, and I do think that there is a lot of merit to taking an average and to causing all of us within industry to work together to find a solution to help stabilize and build a, excuse me, build a future that will work for all of us.

Pete Hassemer [00:19:56] Thank you. Further discussion? Marci Yaremko.

Marci Yaremko [00:20:01] Thank you Mr. Vice-Chair. This is better. It does feel like a path to somewhere and I appreciate that. And my issue is that I don't know where the somewhere is or why we need to go to the somewhere, but I do appreciate that this is a breakthrough. It is progress. I just want

to acknowledge that. But I'm looking at the purpose and need of this action and I feel like this motion actually gets us further away from what the purpose and need states, which is that the action is needed because the IQ program has underattained most of its allocations since the inception of the program, and that that underattainment may be due to the allowance to use fixed gear. So that leads me to the next thought of, okay, well this action results, would result in implementing or activating or requiring National Marine Fisheries Service to move forward with the foundation or the infrastructure involved with issuing all gear and trawl-only shares, which if any of you that have worked for agencies or even an industry have been involved in implementing limited entry programs of any sort, they are difficult, costly, time consuming, involve appeals and are quite a burden on any agency that's undertaking such an action. I appreciate the spirit with the idea of the trigger that we wouldn't actually use the... to the crux of the constraints until the trigger is met, but it's difficult to understand then why the benefits of implementation would be realized and that those benefits outweigh the costs of implementation. So, for those reasons I will be voting no, but I did want to express that I'm hopeful. Thank you.

Pete Hassemer [00:23:00] Thank you. Further discussion? Bob Dooley.

Bob Dooley [00:23:10] Thank you Mr. Vice-Chair. Well, I've been sitting here listening to this for a long, long time, as you all have and I just wanted to offer a few thoughts. I will be supporting this motion. I'll just start with that. And I really commend Phil and others to really put a lot of effort into finding the place, finding a place where we could get to. So, I want to go back a little bit and Marci talked a bit about the purpose and need. But what sticks in my mind about the purpose and need is the goal and objectives. So, the purpose of this action in reading would be to keep northern sablefish gear switching from impeding the attainment of northern IFQ allocations within trawl gear while considering the impacts on current operations and investments. To me that doesn't say we have to prove it's doing it now. Our job isn't to look what's directly in front of us, although that's a consideration. Our job is to look down, look at the horizon, maybe sometimes look in the rearview mirror of where we've been and I think this looks at that. So going back to the original Community Advisory Board that was, that recommended to the Council that we take, put a control date in place because there was a problem identified in that original five-year review and it was the prime one and the Council did that. Sent a signal that 'hey, after this date buyer beware'. We may not, any history you accrue might not be used in future actions. And that's the character of a control date, but it's a signal, and that signal dampened people the effort going forward, but not much because we saw an increase from there a bit. At the time when the SaMTAAC was devised to further work on this, that I was a member of that both as industry and as a state representative, later a Council representative. We had, I believe, my recollection is we had 23 proposals on the table and we had to go down from there. And I'll tell you from my perspective, the bookends of opinions are not much different than what we saw up to this date. We saw the GAP reports over the years. We could never get a consensus view. But we did through a vote in the SaMTAAC choosing the top five out of the 23, whittle it down and that process went back and forth but we never did get the bookends to come together. The people that wanted no gear switching, the people that wanted gear switching never, never met. The SaMTAAC actually asked that. The Council requested that industry come together and bring something to work with. I think over and above that over time the Council, Council members and a lot of, and our industry has been working diligently to try to find some middle ground, some place where we could solve this problem. Obviously, we're not going to make everybody happy. And a lot of proposals have been crafted and a lot of alternatives and they've been changed and whittled, but all for the purpose of getting somewhere, getting to a solution to this problem. So, what were the problems? Why were we, what were we chasing here? Well, that's defined by the principles. The Council, I don't believe, has ever formally adopted the principles. But by not eliminating the principles, we have crafted our desires as a Council based on those principles. I think it's important to visit those. What were they? Guiding Principle A was, we want to ensure there's affordable trawl access to sablefish. Okay, that was the first one. I don't know that these were actually in order of importance but that was one of them. Okay, but the one that I really get to is we believe that

unlimited catch of sablefish through gear switching is not desirable. Well, I think that's been acknowledged by the Council over the times, first with a control date that we better look at this and we better have a way to get back to some stable pace in history so it doesn't get away from us. I think that signal was very clear. Furthermore, in April of 2021 we actually defined what that meant. What does that control mean? There needed to be a limitation but what was it? I think everyone would agree that a hundred percent gear switching, as Phil talked about earlier, that limit would be unacceptable. We wouldn't have a trawl industry. If it was... you know zero is not acceptable to people either but there's some limitation that needs to be there. So, what is that limitation? April 2021, we had a motion on the floor to limit it to a maximum of 29 percent. That motion passed with one no vote and one abstention. The Council voted nearly unanimously for that. That sent a really critical signal to industry that 'hey, there will be a limit and it probably will be not much more than what's being done, in some cases less'. So, I go forward. Once again, the Council's asking industry to come forward with a compromise, with a proposal that will meet these guiding principles. One of the other principles we want to consider impacts on existing operations. I think that's where our legacy comes from. And understanding what dependents was, the standards that illustrated that. We want to maintain option, gear switching options for trawl operations. I think that's where the rounding up to, after you've defined legacy, everybody gets a piece of the pie to a certain extent. I think that solves that. We will consider industry community impacts to ensure long term stability. I think this gets us there too. Consider the effect of value on trawl permits, that's been considered. We want to increase the net economic value of the trawl individual fishing quota fishery. All of these things are contained in this that's taken years to come to this place. The thing we've never had until I think today is agreement on a place that might get us there. I'm hearing from, like many around here, you've heard today from industry folks either by in person or on text or on emails that there may be a way here. It's not unanimous but at least we're a lot closer. I really, really think that not accepting this motion and going forward with the analysis that it's going to take to get it all the way done would be a huge mistake. I think that we are offering stability by doing this. I think industry, and I think we've heard it loud and clear, they're not a hundred percent happy with either side of this. It depends where you stand. But understanding it is a place that gets us where it doesn't do undue harm, great harm to anyone. I think the thing that changed and caused this, this major change in having this added alternative that was just came at some think the last minute is this whole idea that came forth in public testimony mostly, but also in just the acknowledgement by the Council that this quota is going to go to places we've never seen before for sablefish. We're going to be awash, as one of the commenters said, in sablefish. And the market's down, we're going to be having more than we can ever have so is there a utility then to making a restriction? And I don't think we've ever thought of this trigger method. It was all or nothing before this and I think this addresses that. The different levels, there's different risk. So, let's talk about risk. What's the risk of getting this wrong? If this is, if this was the motion that ended up ultimately being where we are in the final motion and the final alternative, what's the risk? Well, if in the future we see the fixed gear sectors and all the other sectors attaining a hundred percent of their quota and the trawl sector leaving amounts on the table year after year after year, we have a mechanism for that, that's called allocation. But I think this sure gets us to a place where we solve the immediate problem and we do it in a flexible manner. Flexibility is important. It's been one of the premier things about climate change is we need flexibility. That's, I think everyone has their own definition of what that means, but we have, that's been one of the primary points of this. I think it gets us there. I know it's not where everybody wants to be, but I'm seeing at least we're coming together a bit. There's some decisions to be made, analysis to be done. I guess if ultimately the analysis of the two outlying issues prove to be too much and cost us too much and jeopardize the implementation, well, that's a decision we can make at that time. But I support the ranges. I think those are, that's a good bookends to analyze. I look forward to this, and more than anything I look forward to hopefully seeing an end to this and a successful win, not just dismissing it. And, boy, do I appreciate working with all of you on this issue to finish it and to do it in a way that benefits everybody. So, thank you. I will support it.

Pete Hassemer [00:35:17] Thank you. I'll look around for further discussion? Phil Anderson.

Phil Anderson [00:35:29] Thanks Mr. Vice-Chair. I just wanted to express my appreciation to everybody around the table regardless of where you are on this for giving it your due consideration. And I appreciate everybody that's help think about this. And I also want to thank my colleague to my left for letting me take his idea and run with it. So, thanks.

Pete Hassemer [00:36:00] Thank you. Further? Maggie Sommer.

Maggie Sommer [00:36:04] Thank you Mr. Vice-Chair. I have been involved around this Council table in a couple of different seats in this issue for a while. And lest you think that you will be hearing fewer remarks from me in the NMFS seat than the ODFW seat gave me opportunity to ramble on, I just want to make a couple brief personal comments or comments about this from my own observation. You know we've talked about the time and analytical effort we've dedicated to this issue and it's easy to criticize that and to beat us, beat ourselves up or beat up the Council members for wasting time. But, you know, I have been reminded that sablefish allocation and management has been one of the biggest challenges in this fishery for 40 years. I, too, was at some of the first program review hearings and recall this coming up as a top issue then brought up by vessel skippers who were having problems on the water then due to sablefish quota availability. I don't think that the time we've dedicated to this and the process have failed. I think that they have been valuable in getting us here. The extensive analysis has been inconclusive one way or the other. The numbers don't clearly point to gear switching having been a limit, and they don't point to it not having been or what will happen in the future. And we've recognized before now that we aren't going to analyze our way to an answer, but I think that that enormous effort that Council staff in particular have gone through has been incredibly valuable. It's given all of us around the table, in the advisory body meetings, in the audience, access to the same comprehensive information describing the fishery, describing the assumptions and tradeoffs so that we all have the same basis to start with. Yes, National Standard 4 requires that we must determine that the benefits of an allocation outweigh the costs. In addition to the quantitative analysis we can consider qualitative information. We can and we must consider all of the testimony provided to us by stakeholders, all of the advisory body input, et cetera. The answer need not only lie in the numbers. We all share a desire for a successful and vibrant groundfish trawl fishery producing value, seafood, supporting vibrant and resilient fishing communities. I think that we all support that and I would take objection to any statement that regardless of our stance on gear switching any of us feels otherwise. We certainly differ in the details of what a vibrant and successful groundfish trawl fishery looks like and what's needed to get there, and I would say that's not just okay, that's expected. That's our role as a collective body. Our diversity is our strength. So, to each of you listening around the table, in the audience, I want to add my recognition of your dedication, the cost of your time and your travel and your stress about this. If you are certain of your position and your desired outcome, I understand and I appreciate your engagement regardless and your willingness to continue sharing your knowledge and perspective with us over and over. If you are uncertain about what the right thing to do for our fisheries is of whether or not to change from status quo, or if so, what's the best approach? I understand. There is much uncertainty. There is no objective right or wrong. It's a policy decision that this body will make collectively. I think that this proposal here for a PPA is worth considering. I think the rationale provided for it suggests how it can contribute to meeting the purpose and need and potentially provide the conditions for improving attainment. I look forward to further input on it and I will be supporting this motion. Thanks.

Pete Hassemer [00:40:56] Thank you. Further discussion? I'm not ignoring any sides here. I'm looking very carefully and I'm not seeing any additional hands so I will call the question on this motion. It has been on the screen here before us, the motion as amended. All those in favor signify by saying "Aye".

Council [00:41:22] Aye.

Pete Hassemer [00:41:22] Opposed, no?

Marci Yaremko [00:41:25] No.

Corey Ridings [00:41:25] No.

Pete Hassemer [00:41:27] Add no votes I believe from Corey Ridings and Marci Yaremko. Abstentions? The motion passes with two no votes. Thank you very much. And that has been recorded. I'm going to pause here and we've been at it for a long time so I want to look at our staff officers Dr. Seger and Jessi and just glance back and put it up there. We have selected a PPA. In Mr. Anderson's speaking to his motion did identify that he had addressed those outstanding questions except one related to divestiture. So, I think we're down to number three. Is there any further guidance or discussion here? And while you think about that I will look to Dr. Seger, Jessi, and see if I've captured that correctly.

Jim Seger [00:42:41] Thank you Mr. Vice-Chairman. Yes, I believe you have. We have a motion that includes a couple of different triggers for when the Alternative 2 would be activated. And we've talked about how that will be formatted and brought back to you. And you've identified everything else here. You've addressed those outstanding questions and so forth so unless there's anything additional on item three here, then I think you would be finished with this agenda item.

Pete Hassemer [00:43:11] All right, thank you. Then I will look around to see if there are any hands for further guidance on this as needed? And I'm not seeing any so I think that will bring us to a close on this. And I just want to express also maybe follow on to what Miss Sommer was saying there about the dedication, the time. It's very important. It's very valuable because we exercise our policy decisions given to us under the MSA. A lot of this is generic. We talk about fishers and communities and processors but they all have names. We see them out here before us and so it's important to take the time and do that and it has been very worthwhile. So, thank you all and that closes out this agenda item.

5. Harvest Specifications and Management Measures for 2025-2026 (Part 1)

Pete Hassemer [00:00:00] That completes public comment and take us into Council action and we'll get that up here on the screen quickly. Quite a list. Maybe I'll ask either Todd or Marlene. Marlene, you gave us the overview. Just summarize again what the action is here before the Council.

Marlene Bellman [00:00:28] Thank you Vice-Chair Hassemer. The first Council action, we've kind of broken this up into individual pieces, is to adopt final 2025-26 OFLs and ABCs where possible. In the event that you choose to depart from those harvest, default Harvest Control Rules to adopt a preliminary range of 25-26 P Stars, ABCs and ACLs for more detailed analysis, and adopt preliminary preferred ACLs for stocks and stock complexes where possible. In regard to number four, adopt a range of rebuilding specifications. The current recommendation, based on previous Council guidance under E.2, is that the Council action number four would be perhaps taken up under E.7. Secondly, I would like to point out that the quillback rockfish is currently a part of the nearshore complexes both north and south of 40 10 and so any of your Council actions under one, two, or three would need to potentially preclude those complexes as well because the quillback numbers are currently not accounted for.

Pete Hassemer [00:01:51] All right, thank you. So good, that's a good reminder. This is a two-part agenda item. Item four is listed there for action here, but we're taking that up under part two at a later date. A real focus is agenda items, or action items one through three. And I will look for any hands to initiate discussion on this. Keeley Kent.

Keeley Kent [00:02:23] Thank you Mr. Vice-Chair. Well, I understand from Council staff that the desire is to hold many or most of the quillback things until E.7. Because it was discussed under public comment, I would like to make this comment now. The figure that has been brought up a number of times and was just discussed under public comment about the percentage of the biomass that was taken in recent years and then that being a crux issue that people view as to why they think that the stock assessment is not accurate. There is a report that we are planning to bring in March, and I'll just note that we have looked at many of the previously overfished stocks when they've been depleted and the numbers that have been brought forward about a significant percentage of the biomass, those are well in line with what we've seen in other stocks when they are in depleted state. The fishery has taken a significant portion of that biomass. And so, I understand that we're going to have more conversation about that and perhaps under E.7, likely more in March, but I do want to put that down that we have information, you know, that that is not a nonsensical number and I'm hoping we can focus our attention on moving forward through our spex process today.

Pete Hassemer [00:03:47] Thank you Keeley. Other discussion? Corey Ridings.

Corey Ridings [00:03:55] Thank you Mr. Vice-Chair. If I may, I have a question I think for NMFS?

Pete Hassemer [00:03:59] Please go ahead.

Corey Ridings [00:04:01] Thank you. I'm responding to the public testimony that we heard from Ben Enticknap regarding canary. And I'm just wondering if you could provide some clarification regarding the legality of setting limits based on the 2011 rebuilding plan or the 2023 stock assessment. I'm just trying to get some clarification about where we are with that. Thank you.

Keeley Kent [00:04:28] Through the Vice-Chair, thank you for the question. For the canary rockfish specifications at this point, you know, the stock was declared rebuilt according to BSIA. The new information in the stock assessment with the hindcast that has updated what happened previously, that

doesn't automatically change a stock status. We make stock status determinations with each round of new assessments that we have. The stock as of now is not overfished. It is in the precautionary zone so we're not required to pick back up that rebuilding plan. The Council certainly could deviate and choose to look at something different. So, my understanding with what the GMT has brought forward is in the precautionary zone. The Council's Harvest Control Rule has typically been the 40 10 reduction, recognizing that we want to bring that stock back up where it was. The Council can seek to do alternative things, but from our perspective it's not a must do because we do not automatically reenter that rebuilding plan. It has been rebuilt, but we should treat it appropriately as being in the precautionary zone.

Pete Hassemer [00:05:39] Thank you. Further discussion? Lynn Mattes.

Lynn Mattes [00:05:50] Thank you Vice-Chair. I don't want to cut off discussion but I do have a motion ready when... if we get to that point, which may help spur further discussion.

Pete Hassemer [00:05:58] I see no hands going up so please go ahead with your motion.

Lynn Mattes [00:06:12] Okay, thank you Sandra. Appreciate you being on the ball and dealing with all of our motions. I move the Council adopt default Harvest Control Rules for all species in the Groundfish FMP except for the three species listed below as recommended by the GMT in the Agenda Item E.5.a, Supplemental GMT Report 2, Table 1. And that's for rex sole, choose Alternative 1: ACL equals ABC, P Star of point 45. For shortspine thornyhead, ACL is less than ABC, P Star of point 45 with the 40 10 adjustment applied. For dover sole, Alternative 1: ACL equals ABC with a P Star of point 45. And adopt the GMT recommended shortspine thornyhead apportionment method, the five-year rolling average for north and south of 34 27 as outlined in Supplemental GMT Report 1.

Pete Hassemer [00:07:12] Thank you. As I looked at it, it appears accurate and complete. Is that correct?

Lynn Mattes [00:07:18] It appears to be. Thank you.

Pete Hassemer [00:07:20] Thank you. Is there a second to the motion? Seconded by Caroline McKnight. Please speak to your motion.

Lynn Mattes [00:07:28] Thank you Vice-Chair. I think the GMT did a really good job outlining in both their report and their presentation, the reasoning for default for most species and then the reasoning for the Alternative 1 for these three species. Do note that sablefish we had looked, there had been some consideration for an Alternative 1, but both the GMT and the GAP recommended the default of P Star of point 45. And the questioning that I asked the GMT about, the fact that we will be relooking at sablefish in two years with a full assessment. There seems to be some comfort there that we aren't going to really mess anything up with sablefish by going with a P Star of point 45 for two years, especially given some market considerations, et cetera. For the others, for rex sole and dover sole, increasing the P star to point 45 allows a little more yield but doesn't impact the, I'm sorry not dover sole, rex sole, the P Star of point 45 provides a little more yield but doesn't impact the conservation of the stock. Shortspine thornyhead, I believe that one is in the precautionary zone so we do need to do the 40 10 adjustment. And then dover sole, because the default ACL, or the default of 50,000 metric ton ACL would be above the projected ACL under a P Star of point 45 we couldn't go with that. And then on the shortspine thornyhead apportionment, this better lines up with how sablefish is apportioned north and south and is as flexible, adjust as the stock adjusts to north and south. I think I fumbled my way through with that enough.

Pete Hassemer [00:09:26] Thank you. Are there questions to the maker of the motion for clarification? I don't see any questions so I'll open the floor for discussion on the motion. Heather Hall.

Heather Hall [00:09:43] Thank you Vice-Chair. And thank you, Lynn, for the motion. I appreciate it and I'll be supporting the motion. I've been thinking a lot about the dover sole situation and the Council action in September and what we saw on the GMT report in September when this came to them kind of late in their meeting and in their development of their report, the Council's interest in seeing a catch-only projection for dover sole so that we could consider the default Harvest Control Rule approach for this not needing a new alternative here, and thinking about it in the context of the conversations that we've been having so far this week on attainment of dover sole in the trawl fleet, I realize there's a significant gap in the current catch and the ACL, whether it's the default ACL of 50,000 metric tons or the one that would result from a P Star of point 45 so which is why I'll support the motion. But it is a 15 percent reduction in the ACL approximately and so it's important, and I'm thinking about the process and just the fact that things can fall through the cracks. And this is a very appropriate time to, you know, even ask again for a catch-only projection for dover sole although I'm not going to, I'm just kind of calling this out. We'll talk about the DTS attainment relative to the shortspine thornyhead and all of that and so just kind of acknowledging the process that we're in that things can slip off the table that we can bring them back in. And I know there's some rigidity to the timeline here and making January 1 and all of that. But just kind of bringing that whole conversation in here, when I look at the September motion and our intent to get it right and maybe we didn't quite word it correctly. But anyway, thank you for the motion. Thank you for letting me just provide those comments about the process and some of it's, well, just the way things work out. Thank you.

Pete Hassemer [00:12:32] All right, thank you Heather. Further discussion? I do take time to look carefully here so I don't miss anyone and I'm not seeing any hands. I'll call the question on the motion before us on the screen. All those in favor say "Aye".

Council [00:12:48] Aye.

Pete Hassemer [00:12:48] Opposed, no? Abstentions? The motion passes unanimously. Thank you. Thank you Lynn. Further action? And it might be time to check-in with Marlene relative to our checklist there. Is there something more we need to do or are we good?

Marlene Bellman [00:13:29] Thank you Vice-Chair Hassemer. I'm just looking around a couple of backups to make sure that I've confirmed that the task is complete. Thank you.

Pete Hassemer [00:13:39] All right. Thank you very much. Oh....

Marlene Bellman [00:13:41] Oh, thank you Vice-Chair Hassemer. I believe there might be a clarification needed that the previous motion covered number one for, sorry task number one for adopting OFLs and ABCs that just for Council clarification that the language in the motion that was just passed.

Pete Hassemer [00:14:31] Keeley Kent.

Keeley Kent [00:14:33] Perhaps I could ask Miss Mattes, is your motion intended to include OFLs? Under our reading, you know Harvest Control Rules don't apply to the OFLs. Was that the intent?

Lynn Mattes [00:14:46] Thank you Vice-Chair. Miss Kent that was the intent. I apologize if I didn't get the language correct. We can do... well, I don't know if it's my place to volunteer, but I think we can hurry up and do another motion if we need to. Looking to Heather or Caroline to help me out.

Pete Hassemer [00:15:09] I suggest we do another motion to make it clear.

Keeley Kent [00:15:13] Could we have a couple minutes?

Pete Hassemer [00:15:15] Excuse me.

Keeley Kent [00:15:16] Could we have a couple minutes?

Pete Hassemer [00:15:18] Yes, you may. Everybody stay in your seats we'll get this sorted out. Please grab your seats. Strap yourselves in. We are going to take a break after this agenda item is complete. All right, let me get your attention everyone. I'm going to ask if there is any other guidance or action here and look for a hand. Lynn Mattes.

Lynn Mattes [00:16:22] Thank you Vice-Chair. I do have a second motion if we're ready for that.

Pete Hassemer [00:16:27] We're ready. Let's have it.

Lynn Mattes [00:16:29] Okay. And I'm going to have to add two table references and I will as I read. I move the Council adopt the 25-26 OFLs and ABCs as shown in tables 1-1 and 1-2 in Agenda Item E.5, Supplemental Revised Attachment 1 except for the OFLs and ABCs for nearshore rockfish, thank you, north and south of 40 10.

Pete Hassemer [00:17:09] I'll ask you to look carefully. Is that language on the screen accurate and complete.

Lynn Mattes [00:17:17] To the best of my ability at the moment, yes.

Pete Hassemer [00:17:19] All right, thank you. Hold it. We have a question.

Todd Phillips [00:17:25] Yes, thank you Mr. Vice-Chair. Miss Mattes, just for specificity, do you, your intent here is nearshore rockfish complexes north and south, yes?

Lynn Mattes [00:17:37] Through The Vice-Chair, Mr. Phillips that is correct. Nearshore rockfish complex north and south of 40 degrees, 10 minutes north latitude, not the 40 10 adjustment.

Pete Hassemer [00:17:54] All right, I think there was a clarification to that, that 40 10 is 40 degrees, 10 minutes North latitude. Lynn, I'll ask you once more to look at it carefully, make sure it's complete now and accurate as you intend.

Lynn Mattes [00:18:16] I believe it is. Thank you.

Pete Hassemer [00:18:19] Thank you. Is there a second to the motion? Heather Hall seconds the motion. Thank you. Please speak to the motion.

Lynn Mattes [00:18:30] Thank you Vice-Chair. And thank you to our colleagues at NMFS to help us realize, help us realize that I forgot a step on this. This motion adopts the OFLs and ABCs for 25 and 26 for most species and complexes. The nearshore rockfish complex north and south of 40 degrees, 10 minutes North latitude is not included at this time because we don't have cells filled in for the quillback rockfish in California piece. That's all I've got.

Pete Hassemer [00:19:04] All right, thank you. Questions to the maker of the motion for clarification?

Not seeing any questions, any discussion on the motion? No discussion. I'll call the question. A motion is before you on the screen. All those in favor say "Aye".

Council [00:19:21] Aye.

Pete Hassemer [00:19:21] Opposed, no? Abstentions? The motion passes unanimously. Thank you Lynn. All right, let's do one more check on the checklist. And I am assuming we have covered items one, two, and three as we intended to do here today. Is that correct?

Marlene Bellman [00:19:53] Thank you Vice-Chair Hassemer and thank you for the patience of the Council. I believe that those tasks have been complete.

Pete Hassemer [00:20:00] All right, thank you. With that I think of a look around but it's time to close out this agenda item and move on to the next one. So, with that I will pass the gavel back to our Chair.

6. Preliminary Exempted Fishing Permits for 2025-2026

Brad Pettinger [00:00:00] That takes care of public comment and leads us to Council action which is before you on the screen. So, with that I'll open the floor up for discussion. Caroline.

Caroline McKnight [00:00:20] Thank you Mr. Chair. I'm hoping to take just a moment here, and not intending to step out of turn but I didn't want to do this before a few folks in the audience left. I just want to take a moment because I think I need to, to draw some attention to some of the supplemental agenda items relative to the Dan Platt and Barbara Emley EFP. The title of it reads, "Termination of the EFP for 2024". And I hope you don't mind Dan, but I did a little bit of digging with the help from a few friends and I really wanted to take an opportunity to showcase the dedication and fortitude that it took Barbara Emley and those that participated in this EFP and you over these many years. This EFP began in 2013 and while the name of it has changed, it was a little hard to find in the record and track over the years, what has remained completely steadfast is the time and the attention and the engagement that both you and Barbara and Larry and all of those who have been participants have engaged in over ten long years and engaged in the process, which is not easy. It was a very straightforward and important goal. It was to test vertical mid-water hook-and-line gear that was meant to target those healthy stocks that you just mentioned while avoiding overfished yelloweye rockfish. And while it did start in North Central California with only five trips in 2013, it grew and expanded to a high or a peak of over 54 trips and had spread geographically both north and south with many gear innovations along the way. During that time where the total groundfish landed each year ranged from half a metric ton to as high as twelve metric tons, I just want to champion that the count of individual yelloweye rockfish never exceeded five observed fish. So, I just want to extend deep appreciation for your commitment and I admire the innovation and dedication and nothing has read more sweeter in a briefing book than to see the words that was in your performance report that says, and I quote, "There has been no participation in the EFP this year. This is most likely because it is legal now to fish in the RCA with this gear and the fishermen are doing that", end quote. The application and usage of this gear is a valuable and far reaching tool, maybe what was even beyond what was envisioned in 2013, but it is no doubt nothing but beneficial and an important management tool thanks to the both of you and all those who contributed. So, thank you for a moment to acknowledge that.

Brad Pettinger [00:03:07] Thank you Caroline. Okay, anyone else? A motion maybe? You do? Yes, please.

Caroline McKnight [00:03:21] Thank you. I do have a motion that I think is coming shortly. Thank you Sandra. I move the Council adopt for public review the exempted fishing permits as recommended by the GMT in Agenda Item E.6.a, Supplemental GMT Report 1, November 2023, including removal of the 100 Chinook salmon allowance for non-trawl EFP activity.

Brad Pettinger [00:03:46] Thank you Caroline. Is the language on the screen accurate?

Caroline McKnight [00:03:48] It is.

Brad Pettinger [00:03:50] Okay, looking for a second? Seconded by Marc Gorelnik. Thank you Marc. Please speak to your motion as needed.

Caroline McKnight [00:03:57] Thank you. I just extend the appreciation to the GMT and the GAP for taking the time to review the EFP applications and work through the checklists and, excuse me, and considerations through our COP. As a matter of clarity, I do want to point out there that there are no set-asides for groundfish species that are put forward or required as part of these EFPs, and I believe I

just confirmed with the GMT that that is the case, but I will mention that the motion is intended to include the Chinook salmon bycatch as listed in Attachment 4 for the Year-Round Trawl Gear EFP, which should have remained status quo. So, nothing should change there. These are renewals of existing EFPs with the modifications proposed for CDF and W that include two new species and some geographical extensions, otherwise they are operational and functional and serve to collect very much needed biological information for important species and were supported by both the GMT and the GAP. Thank you.

Brad Pettinger [00:04:59] Okay, thank you Caroline. Questions for the motion maker or discussion on the motion? Okay, seeing none I'll call for the question. All those in favor signify by saying "Aye".

Council [00:05:14] Aye.

Brad Pettinger [00:05:14] Opposed, no? Abstentions? Okay motion passes unanimously. Very well, good job. Jim, how are we doing?

Jim Seger [00:05:29] Thank you Mr. Chairman. I think that completes your business under this agenda item. You have decided to forward two EFPs as recommended by the GMT, and those include the clarification that the mid-water trawl EFP includes the Chinook harvest guidelines or bycatch caps. Sounds like neither of these needs to go to the SSC and we talked about there not being any yield set-aside was required so I think you're good.

Brad Pettinger [00:05:54] Fantastic. Thank you. Okay that closes the agenda item and on to Pacific halibut.

7. Harvest Specifications and Management Measures for 2025-2026 (Part 2)

Brad Pettinger [00:00:00] We're back in session on E.7. I know we have some Council discussion here. Todd, you want to just kind of like lay things out for us, so how things are going to go here?

Todd Phillips [00:00:11] Yes, thank you Mr. Chair. So currently the Council has gone through all the reports in front of it, has also heard from the public. You are now at a point where you can entertain Council discussions and ask for motions. Thank you.

Brad Pettinger [00:00:26] Okay, with that I'll open the floor up for Council discussion. Phil Anderson.

Phil Anderson [00:00:32] Thank you Mr. Chairman. And with your indulgence and that of the members, I wanted to just speak to the quillback rockfish issue and kind of where we are relative to the assessment and the rebuilding plan if this is an appropriate time to do that. I think I can safely say that I'm joined by all of you around the table that we want to acknowledge and respect the expertise of the Scientific and Statistical Committee. The high quality work that they do on our behalf in helping us meet our obligations and responsibilities relative to managing the living marine resources in the economic zone off the West Coast. We have been extremely fortunate to have individuals who are highly regarded within the science community and more broadly as being outstanding in their fields of expertise. The contributions of the SSC to the Council process and decision making are among the key reasons this Council has been recognized as one of the very best and singled out as being sound stewards of the resource. The quillback stock assessment of 2021 has been determined to be the best scientific information available. The assessment indicates the quillback off California are in a depleted state to the point that it meets the overfished threshold. In looking at all the information that we've received here this morning, if the Council uses the ABC control rule it will be nearly impossible to stay below even the highest result in a ACL of 1.3 to 1.5 metric tons without stopping or drastically reducing fishing for the entire '25-26 period, especially given that the current proposed, especially in considering that the current proposed inseason measures, which are drastic enough, are projected to generate a 6.32 million ton of quillback mortality in 2024. The GAP statement emphasizes and puts a spotlight on the devastating results from trying to manage California's fishery even within a 6.32 metric ton of quillback. Even at the highest end of the range the reduction in quillback will be severely restrictive to the fisheries and communities who rely on them. As the GAP and the Council heard in public testimony, our fishermen and families are at risk, businesses, local economies that rely on tourism generated by these fishing communities are at risk. Hotels, RV parks, restaurants, local attractions are at risk. The fishing industry is the cornerstone of local revenue generation in many of the ports that will be affected by the harvest specifications selected for quillback rockfish. The Council has a history of acting in concert with our scientific advice and I would expect nothing less in this case. We also have had a history of thoroughly considering all of the information that comes through our open and transparent process. In this case, the devastating nature of management measures that will need to be taken in response to the quillback assessment, I think I can safely say that all of us want to make sure that our actions are justified considering the information before us and that we have thoroughly investigated all of the information. Given the extreme economic impacts that the fishery is facing due to the OFL from the 2021 assessment combined with the fact that this is the first time a data-moderate assessment has been used to declare a stock overfished, the Council needs solid ground to stand on before approving regulations that we know will have devastating results to the fishing community. I submit that at this point we need the SSC's help and expertise, maybe now more than ever. The Hilborn-Maunders Analysis raised several points that the Council would like, that I believe that we should, that the Council should consider asking the SSC to fully consider. We are mindful that the timing of the submission of the Hilborn-Maunders Analysis of the 2021 data-moderate assessment was submitted to the briefing book one day prior to the groundfish SSC Subcommittee meeting. We understand and support the SSC's

requires good documentation, ample review time to provide the best possible advice to the Council. Accordingly, the Council Operating Procedures envision materials being submitted two weeks prior to their review. This opportunity was not provided. I believe that it would be prudent for us to create an opportunity to make sure the SSC has the time to fully consider this information, SSC or the subcommittee, has the time to fully consider this information and the opportunity to offer us, our experts opinions regarding the observations that Dr. Hillborn and Maunder brought forward. In order to be meaningful, we will need to ensure the information that we want reviewed is in written form, clear and concise, and documented. We can take the time to further review the science while not delaying our progress on the specifications analysis. If we need to adjust based on the additional review, we can. My request is that we take the discussion about making such a request to the SSC up under our workload agenda item tomorrow and convey to the SSC as appropriate the work that we would ask them to complete prior to the March meeting. Thanks, Mr. Chairman, for indulging me and my fellow colleagues around the table. I thought it was prudent to express this potential ask at this point and I'll be happy to answer any questions.

Brad Pettinger [00:08:29] Okay, thank you Phil. Obviously we'll the talk about bringing this up tomorrow so. Look to Keeley Kent. Keeley.

Keeley Kent [00:08:34] Thank you. And just checking since that isn't a motion per se we're in discussion? I appreciate Mr. Anderson's comments and I certainly understand we're going to have more discussion under workload planning so I won't belabor this, but because it's germane to the next steps of what we were going to be discussing under the Council action right now for '25-26 harvest spex and I fully acknowledge Mr. Anderson said this so, but from the NMFS perspective, just being clear that while this additional review, proposed review that the Council will discuss under workload planning is ongoing, NMFS will continue to utilize the quillback assessment off California as we have determined it is BSIA. This includes that we will continue moving forward as planned and has already relayed to the Council with the forthcoming status determination and status determination notification to the Council for quillback rockfish.

Brad Pettinger [00:09:35] Okay, thank you Keeley. Phil.

Phil Anderson [00:09:38] Thank you Miss Kent for those comments. And that was what I anticipated to happen. And no this wasn't a motion, it's a suggestion that we take it up during workload planning tomorrow.

Brad Pettinger [00:09:56] Okay, thank you Phil. All right. Executive Director Burden.

Merrick Burden [00:10:03] Yes, excuse me, thank you Mr. Chairman. And thank you, Phil, for that excellent speech. Kelly and I have been talking with some of our Science Center and SSC colleagues in the background about this possibility. And just for everyone's benefit we will be prepared to discuss the details of a SSC review of the Hillborn and Maunder Analysis with you all tomorrow. Those details are coming together so just want to make sure everyone is aware of that in anticipation of tomorrow's agenda item.

Brad Pettinger [00:10:37] Okay. All right. Okay, the floors open for discussion on E.7 unless there's questions for Phil. All right, and if there's no discussion there's a lot of motions so. Heather Hall.

Heather Hall [00:10:52] Thank you. I'll just start out by saying I think, you know, as we're getting ready to put forward motions that the GMT and the GAP did a really great job at preparing us to do so. I know this is just giving them some input and clear pathways for their over the winter analysis and they did a lot of work to I think develop their recommendations, made it very clear where they'd like

guidance from us and so I just want to thank them and I think that will help us move forward some motions that'll help them with that work they have on their plate. Thank you.

Brad Pettinger [00:11:47] Okay. Thank you Heather. Caroline McKnight.

Caroline McKnight [00:11:56] Thank you Mr. Chair. And I'd echo those comments as well Heather. Thank you to the GMT and GAP and everyone for contributing to the very detailed reports there in front of us. And on the heels of getting some more discussion going I'm offered to, I'm ready to offer a motion.

Brad Pettinger [00:12:14] Okay. Just make sure there's no further discussion on this subject. Okay, Caroline.

Caroline McKnight [00:12:33] Thank you Mr. Chair. I'll give Sandra a moment here. Thank you. This will be regarding E.7.a, Supplemental Revised GMT Report 5. This is intended to cover action items 1 and number 20. I move the Council adopt the 2025-2026 OFL, ABC, ACL values in Table 1-1 and Tables 1-2 in Agenda Item E.5, Supplemental Revised Attachment 1, November 2023 for the minor nearshore rockfish complexes north and south of 40 10 north lat. except for quillback rockfish. For quillback rockfish the following range of 2025-2026 OFL, ABC, ACL values would be used for over winter GMT analysis. An OFL of 8.41 metric tons. An ABC set equal ACL of 5.06 metric tons, and an OFL of 1.52 metric tons. ABC rule 1.3 metric ton.

Brad Pettinger [00:14:03] Thank you Caroline. Is the language on screen accurate?

Caroline McKnight [00:14:06] It is.

Brad Pettinger [00:14:07] Looking for a second. Seconded by Bob Dooley. Thank you Bob. Please speak your motion.

Caroline McKnight [00:14:17] Thank you. In light of the Council not recommending to adopt the quillback rockfish rebuilding analysis off California under our Agenda Item E.2 at this meeting, this motion reflects a range of harvest specification options specific to meeting the over winter analysis needs of the GMT, which would aid in meeting a January 1 target implementation date for the 2025-2026 regulations. The 2024 March Council meeting will be the opportunity for the Council to consider how to proceed with a final preferred alternative and would also take into consideration some of the discussion we've heard here about additional review under workload planning. These bookend OFL values represent a high and a low of harvest specifications that are derived directly from both the 2021 data-moderate stock assessment and the draft rebuilding analysis. The high, which is from the 2021 data-moderate assessment, directly reflects the status quo state will quillback rockfish, which is a stock defined as coastwide and no status determination or declaration as overfished, nor has the Council been made notified of such determination. The low reflects what is anticipated as a stock defined off California via Amendment 31 and the anticipated status determination that would follow declaring the California stock overfished, followed by notification to this Council of that determination. Selecting an OFL at the March 2024 meeting should not delay the '25-26 biennial specification timeline. So, I'd like to just walk through where these numbers are coming from. So, the high bookend, that 8.41 metric ton OFL is the 50 percent SPR harvest rate, or MSY proxy from the 2021 data-moderate assessment of quillback rockfish, it's referenced in the assessment on Table 11. The data-model assessment was approved by the SSC as best scientific information available. From that, that 5.06 metric ton ABC set equal to ACL is achieved by applying a P Star of .40 and a 39.8 scientific uncertainty buffer as the SSC would treat this type of an approach as a Category 3. And what I mean by that is when we're using the long term MSY proxy, and that was also as was done for the Washington quillback rockfish assessment.

Using a P Star of .4 rather than .45 reflects a measure of reduction from the OFL to account for perceived risk presented by the uncertainty associated with issues that have been identified with the assessment in the associated model parameters. The low number, the 1.52 metric ton OFL is taken directly from the draft rebuilding analysis approved by the SSC. The rebuilding analysis derives the ACL from the ABC rule, where the ABC is set equal to the P Star and the scientific uncertainty buffers are taken from the overfishing limit resulting in a 1.3 metric ton ACL. So, CDF and W is recommending to ask the GMT to analyze this OFL range over winter in order to illustrate the extreme economic impacts that result with each metric ton of quillback loss to the fishery over the ACL range of 1.3 metric ton to 5.06 metric ton. Each metric ton here makes a significant difference, and not because of the value of quillback itself, but because of the economic value lost to the entire mixed stock fishery as highlighted earlier this week in CDF and W's E.2 report under the quillback rebuilding analysis item. The mixed stock fisheries in which quillback stock is part of or interacts with includes minor nearshore rockfish, minor shelf rockfish, cabezon, kelp greenling, and lingcod. Each ton of quillback not available to the fishery results in several tons of losses from yields of other mixed stocks and should be evaluated and quantified to the extent possible. During this Council's discussion under E.2, it was suggested that the Council would benefit from additional SSC review of the quillback OFL and the analysis submitted under public review. The SSC is expected to convene before the March Council meeting, which would allow the Council to consider any additional SSC recommendations at that time. Including a range of OFL alternatives for analysis under this agenda item today acknowledges this additional step is still to come in our specification process. Thank you.

Brad Pettinger [00:19:27] Thank you Caroline. Questions for the motion maker? Keeley Kent.

Keeley Kent [00:19:30] Thank you. Thank you for the motion, Miss McKnight. This might also be a question for Council staff, but I wasn't able to figure out it quick enough. In the SSC report for E.5, they indicated that the quillback rockfish OFL off California is 1.51 metric tons. You indicated your number came from the rebuilding analysis. I haven't yet been able to run down the discrepancy. Perhaps another moment, but I'm understanding that your intent is what with consistent with what the OFL that the SSC recommended was in terms of that lower bound, is that right?

Brad Pettinger [00:20:18] Actually Todd has his hand up. He might have some clarity as far as this subject. Todd.

Todd Phillips [00:20:23] Thank you Mr. Chair. If I may Miss? Yes, the SSC did recommend a 1.51 but that was for an SPR of .5. In that case T max, or excuse me, what was it? T target exceeded T max and so that is an untenable option, so what the GMT and others recommended was the ABC rule which would generate a 1.52 metric ton OFL for 2025. Does that make sense?

Brad Pettinger [00:20:59] Okay, thank you Todd. Keeley.

Todd Phillips [00:21:01] Thank you.

Brad Pettinger [00:21:03] Okay, very good. All right. Further questions for the motion maker? Corey Ridings.

Corey Ridings [00:21:12] Thanks Mr. Chair. Thanks Caroline. This is just maybe a silly question here, but you noted about it being a Cat 3 when to my knowledge the SSC said it was a Cat 2. So, I was just looking for some clarification on that difference there?

Caroline McKnight [00:21:28] Thank you for the question. Yeah, because we're choosing to pursue an MSY proxy, the SSC would then treat it as a Cat 3. So that's how their application of it would be.

So again, taking into account more uncertainty, you would apply a higher buffer.

Brad Pettinger [00:21:51] All right. Thanks Corey. Executive Director Burden.

Merrick Burden [00:21:56] Yes, thank you Mr. Chairman. And thanks Miss McKnight for your motion. As we all know the MSA makes it clear that the SSC, one of the charges of the SSC is to specify OFLs for the Council. And so, your motion would specify two. There's nothing of course preventing the analysis of something other than that but it is unusual to have a couple of different OFLs to move forward with. So just in the interest of clarity and consideration of why we would be considering a couple of OFLs at this point, I'm hoping you could elaborate on your intent behind that part of the motion?

Brad Pettinger [00:22:39] Caroline.

Caroline McKnight [00:22:40] Thank you for the question. I think the intent here is not for us to say one of these is the specification, but to provide some mechanism for the GMT to move forward, recognizing that wherever the final preferred alternative for specification in March would result in one number and that would allow for additional economic analysis while we're waiting for March. Does that help?

Brad Pettinger [00:23:17] Executive Director Burden.

Merrick Burden [00:23:19] Yes, thank you Mr. Chairman. Thank you, Miss McKnight, it does help. If I may reflect a bit also, just for the benefit of the Council. There is the issue that Mr. Anderson raised about requesting another look from the SSC at the Maunder and Hilborn Analysis and presumably this still provides then space should something come of that review for the Council to look to the SSC for potentially a different OFL if there's something that comes out of that. So this would, if I'm reading between the lines, then this would then allow for room to incorporate that into our process without having to back up and start our analysis over in March or April. Is that a fair statement?

Caroline McKnight [00:24:06] Yes, thank you. It does entirely. I think this gives us the bookends that we might reasonably expect to be produced out of a further review over winter from the SSC and without delaying the GMT. But yes, your characterization is accurate. Thank you.

Brad Pettinger [00:24:31] All right. Further questions? Discussion? Keeley Kent.

Keeley Kent [00:24:37] Thank you. I appreciate Mr. Burden's comments. I still like to remind the Council that all Council recommended OFLs must be consistent with the SSC recommendations and best scientific information available. We have the SSC recommended OFL value for quillback rockfish off California for 2025. CDF and W's high OFL bookend is inconsistent with the requirement for the Council to recommend that OFL consistent with the SSC recommendation, the rebuilding analysis and the BSIA. We feel it is important to remind the Council that this recommendation would likely be disapproved by NMFS. That is not consistent with the obligations under the MSA including National Standard 2. Additionally, though we haven't gotten there yet, I'll just note that quillback rockfish off California must be pulled out of the stock complexes. The Council's groundfish stock complexes do not control overfishing at the component stock level and would not appropriately allow for the soon to be required rebuilding. Because of all the reasons provided, we will not support the analysis of this recommendation or any additional harvest specifications and management measures that would be based on or packaged with this value. These are challenging times. I recognize that, and we understand the frustrations with the process and with the results of the quillback assessment that must be addressed as part of our specifications and management measures action. As several people have noted over the

past few days, science is always evolving. For quillback rockfish there are federal and state efforts to collect more data over the short term and larger conversations occurring about broader changes to data collection efforts. We can and should push for another assessment in the near future when we have more data to inform the model. However, we have a system that requires us to act on the best available science in the meantime. Management must move forward. The biennial specifications structure for groundfish necessitates the frontloading of the rebuilding plan. When and if there is new science that will be evaluated and applied to management. Our science-based management framework is adaptive and certainly world class. Thank you.

Brad Pettinger [00:26:43] Thank you Keeley. Any further discussion? I'm seeing none. I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:26:56] Aye.

Brad Pettinger [00:26:56] Opposed, no?

Corey Ridings [00:27:00] No.

Keeley Kent [00:27:01] No.

Brad Pettinger [00:27:02] Abstentions? Okay. I believe motion passes with the two no's. Okay. All right, thank you. All right. Joe? Two. Yep, sorry. Two no votes.

Joe Oatman [00:27:28] Three.

Brad Pettinger [00:27:28] Oh three? Three no votes. Okay, thank you Joe. All right. Further motions or discussion? I'll take either one. Caroline.

Caroline McKnight [00:27:49] Thank you. In the interest of moving forward here I believe I have another motion waiting.

Brad Pettinger [00:27:54] Okay. Please.

Caroline McKnight [00:28:02] Thank you. I move that alternative 1, a P Star of .4, ABC equal to ACL for sablefish be removed from the range of alternatives adopted under Agenda Item E.5.

Brad Pettinger [00:28:17] Okay. Is the language the screen accurate?

Caroline McKnight [00:28:24] Yes.

Brad Pettinger [00:28:25] Okay, very good. Looking for a second? Seconded by Lynn Mattes. Thank you Lynn. Please speak to your motion Caroline.

Caroline McKnight [00:28:31] Thank you. I said yes in my mind and just not out loud. So, my understanding here is that when we took action under E.5 we chose the PPA, but that does not eliminate all the alternatives for analysis. The extra burden and work over on the GMT to evaluate P Star would be relatively heavy and that it doesn't necessarily going to give us much different than where we're at in terms of the stock assessment being where it is. So given there's, it's highly unlikely that there's going to be the full attainment of the sablefish given how much higher it's going to be and we know that it's on the stock assessment list for 2025, this doesn't seem like a reasonable use of GMT time. It can come back in the next cycle and we can evaluate a full suite. Thank you.

Brad Pettinger [00:29:24] Okay, thank you Caroline. Discussion, or questions for the motion maker first? Discussions? Lynn.

Lynn Mattes [00:29:35] Mine's a discussion point. I agree with this and supportive of it obviously from seconding it because it carried out clarifies something and I thought I had done under E.5, so appreciate that. Also supportive of this because sablefish is scheduled for a benchmark for assessment in 2025 so we will be getting a new look at sablefish then. So, our risk of being wrong, I think, here is very low for a multitude of reasons. Thank you.

Brad Pettinger [00:30:04] Thank you Lynn. Heather Hall.

Heather Hall [00:30:07] Thank you Chair. My comments are along the lines of what Miss Mattes and Miss McKnight have already said. I also wanted to acknowledge the SSC and thank them for their action or their input under E.5 where they endorsed the preliminary work on the risk table approach. You know in their statement under that they recommended some operational testing and also suggested that the GMT and the Council could use the information from those risk tables to understand 2025 and 2026 harvest specifications and how they might be used. So also acknowledging the comfort with removing this recognizing the upcoming full assessment in 2025 and the unlikely chance that catch will reach even the the ACL under a P Star of .4. Thank you.

Brad Pettinger [00:31:16] Thank you Heather. Further discussion? Okay I'm a call for the question. All those in favor signify by saying "Aye".

Council [00:31:25] Aye.

Brad Pettinger [00:31:25] Opposed, no? Abstentions? Okay, the motion passes unanimously. Thank you. All right. Anybody else? Lynn Mattes.

Lynn Mattes [00:31:45] I wasn't sure if it was going to be Mr. Oatman or myself going next with the to start on the off the top deductions. That's what I was trying to point back and forth. It might make more sense if he's ready to have him go first because what I have next would build on what he's already going over.

Brad Pettinger [00:32:05] Okay, very good. Joe Oatman.

Joe Oatman [00:32:08] Thank you Mr. Chair. And thank you Lynn. So, I have a motion. I move that the Council adopt the preliminary 2025 and 2026 tribal management measures and set-asides as outlined in Supplemental Tribal Report 1, November 2023.

Brad Pettinger [00:32:31] Okay. Joe, is language of the screen accurate?

Joe Oatman [00:32:34] It is Mr. Chair.

Brad Pettinger [00:32:37] Very good. Second? Seconded by Sharon Kiefer. Joe speak to your motion.

Joe Oatman [00:32:37] Thank you Mr. Chair. So, the coastal tribes and Makah Tribe provided supplemental reports, those being Supplemental Tribal Reports 1 and 2 respectively, regarding their intent to harvest groundfish during the 2025 to 2026 management years. The intent of this motion is to adopt the preliminary tribal set-asides requested by the coastal tribes. This will allow the treaty tribe to continue with their groundfish fisheries to target the very stocks at the levels identified in the Supplemental Tribal Report 1. The set-asides are the same as in the 2023-2024 biannual process. The

coastal tribes are experiencing increasing attainment of their set-asides following the complications related to COVID 19 constraints and determined upon initial discussion that these set-asides will be sufficient to account for anticipated mortality in their fisheries for 2025-2026. And if I could I do want to take an opportunity to also thank the work of the GMT and GAP for this piece among the others, so appreciate that.

Brad Pettinger [00:34:00] Thank you Joe. Okay, questions for the motion maker? Discussion on the motion? Okay moving right along. I'll call for the question. All those in favor signify by saying "Aye".

Council [00:34:12] Aye.

Brad Pettinger [00:34:12] Opposed, no? Abstentions? Thank you. The motion passes unanimously. Thank you Joe. And with that I'll turn to Lynn Mattes.

Lynn Mattes [00:00:00] Thank you Chair. I have the next motion and my motion is going to cover several action items that seem to all be pretty well bunched together so that we didn't end up having twenty motions for this agenda item, only seven or eight, and Sandra has been kind enough to put it up. I move the Council adopt the following alternatives for inclusion in the... could you please add an "e" to rang to be range, in the range considered for groundfish management measures in '25-26. Thank you. And the numbers are the same as in Supplemental Revised Attachment 1, the Action Item Checklist. I want to thank Miss Ames for developing this list a number of cycles ago, it seems to come in handy every year. Action Item number 3: Off the top deductions: Adopt the following preliminary set-asides for 2025 and 26. Please copy and paste error. Thank you. Okay, so adopt the following preliminary set-asides for 2025 and 2026 as shown in Appendix 1 and Appendix 2 of Supplemental GMT Report 2. For research, use the rolling ten year maximum of research mortality to set research set-asides in '25-26 except for: Canary rockfish set at 10.08 metric tons. Cowcod, 10 metric tons. California quillback rockfish, 0.1 metric tons. And yelloweye rockfish, 2.92 metric tons. For incidental open access: Use the ten year maximum methodology to set IOA set-asides listed in Table 3 in GMT Report 2 except for those species listed as the GMT recommendation in Table 4. Do I need to read all of those into the record?

Brad Pettinger [00:02:00] If you say they're accurate. How's that sound?

Lynn Mattes [00:02:03] I do believe they are accurate.

Brad Pettinger [00:02:05] Okay.

Lynn Mattes [00:02:06] The table shown is a reproduction of Table 4 in GMT Report 2.

Brad Pettinger [00:02:12] Okay.

Lynn Mattes [00:02:12] So if there is an error, please default to GMT Table 4. I was doing this late last night. For exempted fishing permits: No set-asides for '25-26. And recreational sablefish: For sablefish north of 36 north lat., increase the set-aside to 30 metric tons and create a sablefish south of 36 recreational off the top set-aside of 10 metric tons. In regards to Action Item number 5: Two year allocations: Adopt status quo two year allocations for all stocks except canary rockfish. Have the GMT develop an alternative option for Council consideration in March and or April. Petrale sole, similarly have the GMT develop any alternative options for Council consideration in March or April. And for widow rockfish, 200 metric ton non-trawl, remainder to trawl. Action Item number 6: Rebuilding overfished species allocation: Adopt the status quo yelloweye rockfish proportions for trawl non-trawl allocations which are 8 percent trawl 92 percent non-trawl. Action Item number 7: Amendment 21

allocation changes: Maintain the current Amendment 21 allocations for trawl non-trawl and reconsider allocations during the intersector allocation review. Action Item number 8: Harvest guidelines and state shares for stocks in a complex: Adopt status quo harvest guidelines for black rockfish within the slope rockfish complex south of 40 10. No species specific harvest guidelines for Oregon black, blue deacon rockfish complex nor the Oregon or Washington cabezon, kelp greenling complexes. And Action Item number 17: The Oregon recreational fishery: ODFW and the GMT as needed will analyze routine measures such as bag limits, season structures, depth limits, and length limits, including an increased bag limit for sablefish that keep catch from exceeding harvest targets for the Oregon recreational fishery. Thank you.

Brad Pettinger [00:04:27] Thank you Lynn. It looked like it was accurate, but I guess...

Lynn Mattes [00:04:31] It did as I was reading it. Thank you.

Brad Pettinger [00:04:33] Very good. Okay. Looking for a second? Seconded by Caroline McKnight. Thank you Caroline. Please speak to your motion.

Lynn Mattes [00:04:40] Thank you Chair. Started with the off the top deductions. These are the numbers that come off of the ACL to set the fishery harvest guideline. There are sectors that the Council doesn't have regular control over. Mr. Oatman provided the tribal set-asides and then this provides research and incidental open access as well as EFPs. The GMT did take a close look at the mortality in the IOA and research sectors and rather than using the historic back to 2002 max, they're going to plan on looking at a rolling ten year average, or ten year max, which seems more reflective of current conditions. And then there's a few exceptions, as an example, the research set-aside for yelloweye rockfish, the 2.92 metric tons is the standard that we've been setting aside the last several cycles to account for NMFS research, the IPHC halibut survey, as well as some research by the three states. Earlier this week under exempted fishing permits the Council did approve review two EFPs, however neither of them needed any set-asides as they were covered elsewhere. And then there was a request, we're getting new requests for recreational sablefish. As rockfish becomes more constricting to folks they're looking for other opportunities. Additionally, they're starting to run into more and more sablefish with this large year classes that are coming through. On the two year allocations, these are stocks that we look at that aren't hard wired under Amendment 21. These are stocks we look at how we share them every year or every two years. Canary is going to be an issue as mentioned in both the GAP and the GMT reports. It's likely going to be constraining to all sectors so the GMT has suggested they will do a holistic look at canary over the summer, over the winter. Petrale sole, currently we have 30 metric tons set aside, however there's been an increase in catch of recreational petrale sole over the last year or two years so I think the team would like to look at that one as well. And then widow rockfish, with a widow rockfish ACL, I think it's decreasing a little bit and catches have been increasing. There has been a 400 metric ton set-aside for a cycle or two now and the non-trawl catches have not approached that. There is some consideration with the RCA as being reduced or modified that we could have some additional impacts on widow, however that seems like something we can look at next cycle too if we approach that number. On Action Item number 6 rebuilding allocations, everyone thus far seems to have been an agreement to keep the between sector sharing of yelloweye the way it is. It seems to be working for us. We have enough issues with all the other species that we're going to be battling over. Item 7, the Amendment 21 allocation changes. We have a review process that is going to consider in a big picture interceptor allocations, and that seems like a better process to make any changes than trying to do it through the biennial specifications at this time. On item 8, everything that is listed under eight is status quo. It is what we have done the last couple of cycles. There is a black rockfish, a black gill rockfish harvest guideline within the slope complex south because that is a highly desired species and we have not been putting species specific harvest guidelines in the other three complexes. The states have agreed to manage to the best of their ability to the species specific ACL contribution to the

complex and have been doing a good job so that those harvest guidelines do not seem to be necessary at this time. And then under item number 17, this is a standard procedure we do for analyzing the recreational fishery. Now the GMT will have some numbers to analyze too. The team and ODFW staff will go through and try to model to what we can get a season structure based on staying within all those harvest guidelines. We'll be looking at trip limits, or not trip limits, bag limits, depth limits, all that. And we have had a request specifically to see if we can do sort of an outside of the regular bag limit a sablefish limit or increase a sablefish bag limit over the other limit. So, we would like to look at those things. I think that's enough on that item. Thank you.

Brad Pettinger [00:09:34] Okay, thank you Lynn. Questions for the motion maker? Pete, Vice-Chair Hassemer.

Pete Hassemer [00:09:37] Yeah, before I go ahead and demonstrate my ignorance, can we scroll to the top? I have to look at the set-aside table. And I think either one of those is good. Lynn, the set-asides, I apologize for being so critical, but it's shown as a combined two year research set-aside and I thought we, they're managed as annual set-aside. So, is your intent there that that is the annual set-aside for each year and they're not two year combined set-asides?

Brad Pettinger [00:10:25] Lynn.

Lynn Mattes [00:10:25] Chair Pettinger, Vice-Chair Hassemer, you are correct. That is to be annually so it would be 10.0 metric tons for canary rockfish each year in that two year cycle. So, thank you for making sure that is clear that it isn't 5.04 for one year and 5.04 for the other year.

Pete Hassemer [00:10:42] Thank you.

Brad Pettinger [00:10:43] Thank you. Thank you Vice-Chair. Caroline McKnight.

Caroline McKnight [00:10:47] Thank you, and apologies, Lynn, that I did not catch this, I think, when we were going through staff presentations. I'm just noticing the California quillback rockfish set aside is for 0.10, which was put forward from CDF and W solely. I just I want to confirm and I understand that that means that there was no additional research set-aside proposed for quillback in federal waters?

Brad Pettinger [00:11:15] Lynn.

Lynn Mattes [00:11:15] Through the Chair, Miss McKnight that is my understanding as well based on what I read in the GMT report. I'm waiting for somebody to tap me on the shoulder if I'm incorrect, but is my understanding that is correct.

Caroline McKnight [00:11:29] Thank you.

Brad Pettinger [00:11:31] Thank you Lynn and Caroline. Phil Anderson.

Phil Anderson [00:11:34] Thanks Mr. Chairman. Under Action Item 5, have the GMT develop any alternative options for Council consideration. Is there any more guidance that we could give them other than bring us whatever rocks you think we want to see? I mean I'm not... if I were them, I'm not sure I would know what to do with that.

Brad Pettinger [00:12:10] Lynn.

Lynn Mattes [00:12:13] Thank you Chair. Mr. Anderson, I was copying the language directly out of

the GMT report on this one. I think they would want to look at what the various sectors have been catching each year over the last several years and is the current sharing that is going to be tough for everybody, is there any wiggle room anywhere? I think that's the type of thing they plan on looking at. That is what I assume they would be looking at. I'm looking to see if Mr. Phillips is going to nod his head or shake his head or throw things at me. I don't at this time don't have any other specific guidance but would welcome any additions if others have that.

Phil Anderson [00:12:55] Well I didn't, thank you, I didn't see anything fly by so he didn't throw anything at you. Did he nod his head one way or the other down there?

Brad Pettinger [00:13:04] Yeah, he did... (laughter)...

Lynn Mattes [00:13:06] He did, and I'm getting a message from ODFW GMT member that this is where they're hoping for some additional guidance from us. This is a starting place but if there's anything specific that Council would like them to look at, they would prefer some guidance on that. Thank you.

Brad Pettinger [00:13:31] Phil.

Phil Anderson [00:13:31] Yeah, I would. I might suggest just as general guidance that, you know, as they're looking at the status quo allocations be looking at the impact that it has on the particular sectors in some qualitative way so that we can make some judgments about whether retaining the status quo two year allocation for the '25-26 timeframe makes sense. Thanks.

Brad Pettinger [00:14:09] Thank you Phil. Heather Hall.

Heather Hall [00:14:13] Thank you Chair. And thank you Miss Mattes for the motion. My question is about Action Item number 5 as well and I'll ask the question here. Just under widow rockfish, looking at the 200 metric ton non-trawl, that's including status quo, status quo would be analyzed and so also just to comment, I think that for as we've prepared our motions, we all have just assumed, unless we're explicit, that status quo is included, and I thought it might be a way to ask the question and then also share how we approached our motions just so everyone understands.

Brad Pettinger [00:15:04] Lynn.

Lynn Mattes [00:15:04] Thank you Chair. Thank you Miss Hall. That is correct. Unless otherwise specified all of these include plus status quo...

Heather Hall [00:15:13] Perfect.

Lynn Mattes [00:15:14] ...as a starting point. Thank you for the clarification.

Heather Hall [00:15:16] Thank you.

Brad Pettinger [00:15:17] Okay, thank you Heather. All right, anyone else? Not seeing any hands I'll call for the question. All those in favor signify by saying "Aye".

Council [00:15:27] Aye.

Brad Pettinger [00:15:27] Opposed, no? Abstentions? Okay the motion passes unanimously. Thank you. Thank you Lynn. Okay. Heather Hall.

Heather Hall [00:15:43] Thank you. I have a motion that I'm ready to walk through. Thank you Sandra. I move that the Council adopt the following alternatives in the range considered in the 2025-2026 groundfish harvest specification and management measure process. Action Item number 9: At-sea set-asides: Analyze the range of at-sea set-asides listed in Table 12 of the GMT report. That is Agenda Item E.7, Supplemental GMT Report, November 2023, in addition to all status quo at-sea set-asides. Action Item number 10: within non-trawl harvest guidelines shares: Adopt status quo two year within non-trawl harvest guidelines, ACTs or shares for cowcod south of 40 10 north latitude, bocaccio south of 40 10 north latitude. Sablefish, I think that should say south of 36 north latitude. Thank you Sandra. Nearshore rockfish complex north of 40 degrees, 10 minutes north latitude, and yelloweye rockfish. Analyze all allocation and management schemes for canary rockfish including alternatives for the commercial non-nearshore and nearshore shares. Analyze a copper rockfish ACT for the recreational fishery south of Point Conception. Action Item number 16: Washington Recreational: Analyze routine changes to Washington recreational fisheries. Specific measures may consider revisions to season dates, bag limits or depth restrictions that keep catch from exceeding harvest targets. Action Item 19: New Management Measures, and can you please delete "commercial" Sandra? Thank you. 19A: Develop open access permits or registration. 19B: Develop requirements for recreational anglers to possess a descending device aboard a vessel when fishing for groundfish in federal waters. Other: Electronic monitoring discard list: Align the discard species list in regulation with the list that was in the Vessel Monitoring Plan for the Exempted Fishing Permit. Evaluate whether it's feasible to move the discard species list from the regulation to the VMP to add flexibility. This is other again: WDFW sorting requirement: Consider revisions to federal sorting requirements to require all rockfish to be sorted to species. And 19C: Remove updates to discard mortality rates. 19D: Remove analysis of recreational YRCA at Rittenberg Bank. Thank you Sandra.

Brad Pettinger [00:19:23] Okay Heather. Thank you. It appears the language is accurate, but I'll have you confirm that?

Heather Hall [00:19:28] Yes, with the magic of Sandra, it is.

Brad Pettinger [00:19:32] Okay, thank you. Looking for a second? Seconded by Lynn Mattes. Thank you Lynn. Heather, please speak to your motion.

Heather Hall [00:19:40] Yes, thank you. These, for the most part, are recommendations that are based on the work of the GMT and the GAP. They've been working on preparing us with the information that they presented this week. Since we left the September Council meeting, I know they met in October, they dug into the details of the catch data and status quo management measures to provide us with recommendations for what should be included in the over winter analysis. They also were very thoughtful about workload and what is potentially manageable for them, although I do acknowledge the conversation around the request for canary rockfish being very broad in that and appreciate their willingness to look under all the rocks for canary rockfish. Under Action Item... oh, under Action Item 9, at-sea set-asides, I do appreciate the work of the at-sea sectors to provide their input on these set-asides and that these also reflect the input from the, presented in the GAP report, so Table 12 in the GMT report aligns with what we heard from the GAP this morning. Down to Action Item 19, I just wanted to add that the "Other", I didn't assign a number to it. I didn't want to mess up any ordering by doing so, so under electronic monitoring discard list, this came through the GAP report this morning and just I think cleans up some work that needs to be done. And then the other, other, the WDFW sorting requirement, that was something that was described in our WDFW report under this agenda item and would just be looking to get some input on the interest in that coming back to us in March or April. I think that covers it. Thank you.

Brad Pettinger [00:22:10] Okay, thank you Heather. Questions for the motion maker? Discussion on

the motion? Okay I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:22:23] Aye.

Brad Pettinger [00:22:23] Opposed, no? Abstentions? All right, thank you. The motion passes unanimously. All right, I think we have one more. Caroline.

Caroline McKnight [00:22:36] Thank you. Sandra, could you make that a little bigger for me? I can't see it. Thank you very much. I move the Council adopt the following alternatives in the range considered in the '25-26 groundfish harvest specification and management measure process following the Action Item Checklist numbering from Agenda Item E.7.a, Supplemental GMT Report 5, and Agenda Item E.7.a, Supplemental GAP Report 1. Action Item number 2: For area management: Evaluate minor revisions to rockfish conservation... that should say "area" adjustments. Waypoints to better align with bathymetry lines as described in Agenda Item G.6.a, Supplemental CDFW Report 1, September 2023. Action Item number 4: ACT: Copper rockfish: Evaluate removing statewide California copper rockfish ACT and establish an ACT south of Point Conception for the California stock quillback rockfish off California, yelloweye rockfish, do not analyze removing so essentially remain as it is. And for sablefish ACT north of 36 do not analyze. Action Item 11: For shore-based IFQ: Status quo IFQ allocations, RCA configurations, trip limits for non-IFQ species. Action Item 11, excuse me, Action Items number 12 through 15. This is to evaluate routine adjustments to the non-trawl RCA configuration as appropriate and analyze triple limits, size limits for managed species as appropriate as indicated by GMT Report 5 and GAP Report 1 recommendations, and that includes OA north of 40 10 north lat., OA south 40 10 north lat., LEFG north of 40 10 north lat. and LEFG south of 40 10 north lat. And lastly for Action Item number 18: This is for California recreational: Analyze routine adjustments to bag limits, season structure, size limits, et cetera, as appropriate including Action Item subnumber 18A through 18F from GMT Report 5.

Brad Pettinger [00:25:17] Okay, thank you Caroline. It looked accurate but as a screen...

Caroline McKnight [00:25:22] Yes.

Brad Pettinger [00:25:22] Okay, very good. Looking for a second? Seconded by Bob Dooley. Thank you Bob. Please speak to your motion as appropriate.

Caroline McKnight [00:25:30] Thank you. Working from the top of the list there I'll start with the area management. CDF and W collects suggested waypoint modifications from both our industry and enforcement, and we use this particular specification process as the vehicle to consider these changes. We're proposing these changes, they're essentially routine for us and they are minor modifications in nature and it usually amounts to a handful of waypoints that are being tweaked rather than any kind of broad scale line adjustments. Moving on to ACTs, copper rockfish, this particular evaluation is specific to the new stock assessment and new stock definition and is specifically responding to a portion of the model assessment in the area south of Conception indicating some localized depletion that needs to be considered. For quillback rockfish I'm considering what took place under my first motion. This is for the GMT to have some latitude to consider for over winter analysis without too much specificity and have that latitude. For yelloweye rockfish I think that not analyzing removing it and maintaining the status quo makes sense for this next specification cycle. We're very close to rebuilding yelloweye rockfish. We are not having an issue or problem with these particular ACTs, so I think in light of how close we are to rebuilding it's better to maintain them as they are and reevaluate potentially next cycle. And lastly, for sablefish ACT north of 36, I appreciate there's been a tremendous amount of discussion in the room about this. I think following the same kind of logic that we took under a previous motion relative to removing a P Star alternative run, this is a very robust assessment and it has not been

completely reassessed, but just an update. It has not being fully attained. We expect that all of we've heard about market limitations to persist on some level such that an ACT would not necessarily be needed, and I think that hearing from the GMT and noting that there would be a lot of mechanisms that would need to be built around what we would track to and how we would monitor that doesn't seem warranted, so not pursuing that is included in this motion. Moving down to number 11 for shore-based IFQ, this is just status quo. There's no recommendations to do anything other than that. Action items 12 through 15, this is the standard operating procedure for the GMT to evaluate all of these commercial trip limits and the suggestions both from the GMT and the GAP in order to make sure that we're maximizing fishing opportunities while staying within those harvest specifications and so this provides the latitude for the GMT to do that over winter. And similarly for action item number 18, this is our standard ability to run through seasons and bag limits. With the addition of a few specific things that were noted now, and that's appreciated for those items 18A through 18F, it gives some specificity and allows us to run some additional things, but what I would expect from those is some of them may turn out to be more state regulation appropriate or not, but allowing them to remain on the list gives the GMT the ability to review that. Thank you.

Brad Pettinger [00:29:14] Thank you Caroline. Questions for the motion maker or any discussion on the motion? Heather Hall.

Heather Hall [00:29:22] Thank you Chair. And thank you Miss McKnight for the motion. I didn't provide this clarification under Action Item 10, which we just adopted but also addressed at ACTs, but under Action Item 4 here, which also includes ACTs, in our discussions around canary rockfish and the wide range of leeway we've given to the GMT to explore management measure tools, just because we haven't included a canary ACT on here doesn't mean if that was something that they looked at over the winter it couldn't be included. I think it can be included, you know, within that broad range of guidance we've given them to look at management measures. Just wanted to flag that.

Brad Pettinger [00:30:23] Okay, thank you Heather.

Heather Hall [00:30:24] Thank you.

Brad Pettinger [00:30:25] Anyone else? Lynn Mattes.

Lynn Mattes [00:30:29] Thank you Chair. Just another thing on the sablefish ACT. Why we are not recommending going forward at this time. As Miss Kent mentioned earlier today, there are some complications with Amendment 6 that seem like they would be a little too tough to try to tackle as part of this biennial harvest specification process. I just wanted to add in that there was that additional factor for consideration. Thank you.

Brad Pettinger [00:30:54] Thank you. Okay I don't see any hands so I'm going to call for the question. All those in favor signify by saying "Aye".

Council [00:31:02] Aye.

Brad Pettinger [00:31:02] Opposed, no? Abstentions? Okay the motion passes unanimously. Thank you very much. Okay, I think... Todd, how are we doing?

Todd Phillips [00:31:17] Yes, thank you Mr. Chair. Well, you've adopted multiple motions here but I do have one question for the Council and it's quite possible that my eyes crossed and I did not see it in one of the motions. Is in Action Item 20 we do refer to removing quillback rockfish from the nearshore rockfish complexes and I'd hope that the Council could give some guidance on that?

Brad Pettinger [00:31:39] Okay. Caroline.

Caroline McKnight [00:31:45] Thank you Todd for reminding me that that was not in my motion. Yeah, the intent was to allow the GMT to analyze that as well. If it requires a motion happy to do so.

Todd Phillips [00:31:58] Through the Chair. It is my preference that we had a motion just for the record. It is obviously up to your discretion.

Brad Pettinger [00:32:07] Okay. Caroline.

Caroline McKnight [00:32:13] Happy to provide one. Just need a few moments if that's okay?

Brad Pettinger [00:32:17] Okay, very good. Lynn Mattes.

Lynn Mattes [00:32:24] That's okay. Thank you Chair. While we're waiting for Caroline and so that I don't delay us getting a lunch break after her motion, just want to really thank Keeley and Maggie from NMFS and Jessi and Todd from the Council staff who were instrumental in helping my neighbors to the north and to the south, and I, in working through this list, developing the motions and making sure we hopefully didn't miss anything, but their behind the scenes help for us was invaluable and I just want to make sure that they're behind the scene work gets acknowledged.

Brad Pettinger [00:33:03] Thank you Lynn. It is definitely a heavy lift to say the least, so yeah, well done. Sorry for going so late into the lunch hour but we did have the hour off so... well, some of us did. Good point. Let me just say that Vice-Chair Hassemer going to take us out of the lunch hour when we get back so we'll pass the gavel to him as soon as we close this out today. Okay the motions in the ether so hopefully it's nice and fluid today. And there we go.

Caroline McKnight [00:34:32] Thank you Sandra. I move the Council adopt the following alternative for consideration... that should say consideration, not considered. In the 2025-2026 groundfish harvest specification and management measure process under Action Item number 20, remove quillback rockfish from the nearshore rockfish complexes.

Brad Pettinger [00:34:55] Okay, thank you Caroline. The language looks accurate?

Caroline McKnight [00:34:59] It is.

Brad Pettinger [00:35:00] Wonderful. Looking for a second? Seconded by Heather Hall. Thank you Heather. Please speak to your motion if you need to.

Caroline McKnight [00:35:07] Thank you. I apologize for the oversight here. Yes, this falls in line with what could be expected for an overfished determination and I think it's standard practice to remove species from a complex as such. Thank you.

Brad Pettinger [00:35:22] All right. Keeley Kent and then...

Lynn Mattes [00:35:25] We may have the same question.

Keeley Kent [00:35:25] Vulcan mind meld. Clarifying question? Do you intend this just to be quillback rockfish off California?

Caroline McKnight [00:35:39] I do. Yes.

Brad Pettinger [00:35:43] Okay. All right. Lynn Mattes.

Lynn Mattes [00:35:47] I'll offer to make an amendment to the motion because I think we're at that point.

Brad Pettinger [00:35:54] Please.

Lynn Mattes [00:35:57] In the language where it says remove quillback rockfish, after that add, "off California" from the nearshore rockfish complexes. And I'm going to look to Miss Kent to see if that covers what we were both thinking. Thank you and I hope that's a friendly amendment for Miss McKnight.

Caroline McKnight [00:36:18] Indeed. Thank you.

Brad Pettinger [00:36:20] Okay. Second? Seconded by Heather Hall. Thank you Heather. All right, I don't think we need to speak to this but.

Lynn Mattes [00:36:27] No.

Brad Pettinger [00:36:28] Okay. All those in favor signify by saying "Aye".

Council [00:36:33] Aye.

Brad Pettinger [00:36:33] Opposed, no? Abstentions? All right. Appreciate that. All good. Todd, are we there? Oh. Yeah, all right. Now we'll go to the amended motion. All those in favor signify by saying "Aye".

Council [00:36:54] Aye.

Brad Pettinger [00:36:54] Opposed, no? Abstentions? Okay the amended motion passes unanimously. All right, Todd.

Todd Phillips [00:37:05] Yes, thank you Mr. Chair. Thank you, Council, for that. I believe looking at, well, the action item list that you have and I've been keeping track, you've addressed all the items necessary for this particular action as well as the items that we left sort of hanging under E.5. So, my evaluation is that you have completed your action for this particular item. Thank you.

Brad Pettinger [00:37:30] Okay, thank you Todd and well done. What a lift, so okay we'll see you back in an hour so.

8. Phase 2 Stock Definitions - Planning

Pete Hassemer [00:00:00] That completes all our reports, the public testimony, takes us into Council action. I'm sure it will pop up on the screen. While we're waiting, Keeley Kent.

Keeley Kent [00:00:10] Thank you. Before we get into things, I just wanted to take a moment and thank staff for the paper that was put together for this agenda item. These are hard issues. They are complicated. We are walking down a long road on this and there are challenging issues to explain and to write clearly and I just want to recognize the work that it takes to get to this point where you have a clear document that lays out, hopefully, what is the path in front of us on some challenging issues. So just taking that moment.

Pete Hassemer [00:00:49] Thank you very much. So, with that, your Council action is up there. One item, we're looking for a motion should you desire to adopt the work plan and schedule and then additional guidance. So, we'll look for anybody to start the discussion on this topic. Caroline McKnight.

Caroline McKnight [00:01:14] No specific discussion but prepared to offer up a motion.

Pete Hassemer [00:01:19] All right, thank you. I will look around just to make sure. And I'm not seeing any hands for discussion. Please go ahead with your motion.

Caroline McKnight [00:01:32] Thank you Mr. Vice-Chair. I move the Council adopt the proposed schedule for developing the Phase 2 stock definition process in Agenda Item E.8, Attachment 2, November 2023.

Pete Hassemer [00:01:46] Thank you. That language looks accurate and complete? Do you agree?

Caroline McKnight [00:01:50] Yes, it does.

Pete Hassemer [00:01:50] Good. Is there a second to the motion? Seconded by Corey Ridings. Please speak to your motion.

Caroline McKnight [00:01:57] Thank you. I think this is very straightforward. The document in Attachment 2 has got a very comprehensive and thorough schedule and process and pathway forward that we've discussed here today.

Pete Hassemer [00:02:11] Thank you. Any questions regarding the motion? Any discussion on the motion? Lynn Mattes.

Lynn Mattes [00:02:22] Thank you Vice-Chair. I appreciate that the schedule has been put out there. I do have some concerns that it's overly optimistic. We've got about a nine month timeframe to look at 75 species. Phase 1, which we were learning what we were doing but seemed to recall it took us about eighteen months to do what, 14, 17 new stocks. Just given other things on our plate, hopefully, as we move through this there may be some flexibility. I know there's some definite timelines due to overlapping things like stock assessments and biennial specifications. I'm just worried starting something in September and having FPA by June when we're doing a PSA analysis and state, federal stuff, it just seems like a lot in a short amount of time period and I just want us all to be cognizant of that.

Pete Hassemer [00:03:14] Thank you. Further discussion? Corey Ridings.

Corey Ridings [00:03:21] Thank you Mr. Vice-Chair. Thanks, Miss McKnight, for this motion. Just thinking about this and listening to the SSC report, they had some recommendations to fit into the timeline. Some methodologies, some science related activities, it looks like some conceptual approaches, and so just wanted to voice my support for that and hope that that would be included as part of the timeline.

Pete Hassemer [00:03:50] All right, thank you. Further discussion? Not seeing any discussion I'll call the question. The motion is on the screen before us. All those in favor say "Aye".

Council [00:04:03] Aye.

Pete Hassemer [00:04:03] Opposed, no? Abstentions? The motion passes unanimously. Thank you Caroline. Further action necessary here? I believe we possibly heard some guidance also when Miss Ridings spoke to that in terms of the SSC report, so I will ask Todd if there is anything else?

Todd Phillips [00:04:32] Thank you Mr. Vice-Chair. You have adopted the work plan schedule, which was the main idea here behind this action. And, yes, I did hear Miss Ridings guidance, as well as Miss Mattes reality check. So, I appreciate both of those. So, thank you very much. I would say that you have completed your action for this agenda item.

Pete Hassemer [00:04:51] All right, thank you. And I think I maybe echo Miss Kent's comments about thank the staff for the detail that was put into this multi-year process. With that, that completes this agenda item.

9. Final Inseason Adjustments for 2023-2024 (Part 2)

Pete Hassemer [00:00:00] Our Council action on this item here is before us on the screen is adopt any final inseason adjustments. We've heard the reports, we've got the public testimony. Keeley Kent.

Keeley Kent [00:00:16] Thank you. I wanted to just make a few remarks. We sort of brought it up a bit under the GMT report, but just relative to the GMT's recommended RCA boundary change, as the Council may recollect under Amendment 32, when the Council makes a change to the boundary lines of the non-trawl RCA in order for that change to apply to the directed halibut fishery, that change must be made separately pursuant to the Halibut Act. So, without a separate action once a groundfish inseason RCA change, it does not apply to the entire directed halibut fishery participants unless they are incidentally retaining groundfish on those trips. This is just making sure that this is clear to the Council and the public. We could evaluate the mechanism and timing for a recommended RCA change relative to the directed halibut fishery, if needed. We're not necessarily saying that needs to happen, just making sure that it's clear those two different fishery mechanisms and how that would work. Other than that, I just wanted to note again, you know, a lot of recognition has been given at this meeting to the GMT and the GAP on the inseason. Again, I do want to recognize a huge amount of work and in particular what I've seen in the GAP and the GMT statements is a big effort to really drill in on where changes need to be made and where they do not. We certainly heard a lot of public testimony of specific areas of the California coast and I see that reflected in the reports. A really diligent effort to try to surgically address the problem and leave other areas out that do not need to be a part of it, and so I'm hopeful that this action, if the Council chooses to move forward with that, gets at... at least some of the comments that we've received and a really good effort on trying to find solutions and a path forward so I want to recognize that.

Pete Hassemer [00:02:08] Thank you Keeley. Other discussion? Marci Yaremko.

Marci Yaremko [00:02:16] Yeah, thank you Mr. Vice-Chair. Thank you for this opportunity to maybe bring everyone up to date on developments within CDFW since the September Council meeting. Keeping in mind the goal here for 2024 fisheries as the GMT highlighted, is to keep our fisheries within the established quillback ACTs for 2024. As Keeley highlighted, we've been doing a lot of work continuously since the September meeting working alongside with NMFS with our Enforcement Consultants, CDFW enforcement representation, and our state GMT analysts to try to address some of the shortcomings that came about as a result of the September inseason actions that we took. Back at that time we were looking for a broad spectrum closures in September that were very difficult and continue to be difficult, and what you're seeing now in the GMT's recommendations and with the GAP's concurrence, some modifications that restore some activities and modify some to provide some opportunities in the federal waters now that we've had some time to consider input from GAP representatives over the past few months. Keeley highlighted the 36 line and that the evaluation of existing data really strongly suggests that there are just no interactions with quillback south of 36. So, as you see in the GMT's proposed amendments, the ability to allow for continued fisheries opportunities in that area to the south. Lingcod's another one where we did some homework and figured out what we actually need to prohibit and what we need to authorize. So, I kind of just want to lay this out. When we got back from September, we started thinking about how do we, how do we organize all of this in our minds? And it occurred to us that these fishing activities that are seaward of the RCA, those are not impacted by quillback, so we need to make sure that our seaward opportunities are remain completely intact and that within the RCA where we've authorized take of particular species and species groups with 12e gear, how do we do that? And so, what you see in the series of recommendations from the GMT and the GAP is a very detailed evaluation of what activities can be allowed in the RCA as well as what is the, what is the configuration of the RCA? So, then you get to the area shoreward of the RCA

which now has been, will be redefined as the state waters line. So, this is where the plans moving forward come into play. Now that the RCA line will be at that state waters line, that will require that in state regulation we address groundfish fisheries within state waters that run seaward out from the beach to that state waters line. And, I guess, I'd start by saying we've never done this in our regulatory, current present day regulatory arena in the state of California for groundfish fisheries. We are working hard on the plans moving forward and we appreciate the Council's patience. We are working as expeditiously as we can but rule changes using the authorities that we need to use to enact this are new for us and involve some different administrative processes and we're going to need to work through those procedural requirements step by step. So, we've started this. We are absolutely committed to carrying forward our plans. I want to acknowledge our commitment to the GAP representatives and to their statement, the mention that we will work to provide appropriate authorizations for nearshore fisheries in state waters. We are working right now to establish a 20 fathom series of waypoints approximating the 20 fathom contour. Our GIS folks are hard at work on that right now. We do intend to use that new series of waypoints that would be established in state regulations for both our state and commercial fisheries management under state regulation. I've heard a lot of comments today about interest in providing opportunities for shallow and deeper nearshore activities, and that's exactly what we'd be looking to do, is restore those trip limits that are zeroed out in federal waters so that they would be authorized in state waters. Again, this is new for us. We're working to develop the regulatory framework to be able to do this. It just doesn't happen overnight. So, I just want to kind of also outline that our plan here is to tackle the state waters commercial fisheries piece first. We've developed this plan working closely with Keeley on kind of the sequential series of steps that we want to work toward in the state arena so that we accomplish all of our goals as expeditiously as possible. And again, like rolling everything up across the state and federal regulatory landscape that we are working collectively and in coordination to achieve that quillback annual catch target for 2024. So, the plan is to recommend the Council approve the recommendations of the GMT and GAP today, which you might notice are exclusively for commercial fisheries in federal waters. Our plan is to then go home and immediately take up that regulatory work for the commercial fisheries that we'd authorize trip limits for within 20 fathoms, and looking toward the beginning of 2024 they're slated to open January 1. They have a year round season so we're going to do our darndest to try to get something done for the beginning of the year. Then we will pick up the situation with recreational fisheries. As noted in the GMT report, the season structures are a little different for rec fisheries and we don't have openers that are affected by this until May 1, so that gives us a little bit of time in the state arena to again work with our constituents and build a series of recreational season structures for state waters that with looking toward the March Council meeting just to discuss recreational measures that will be necessary for 2024. So, I just wanted to convey that those are the plans. Some of the things we've already done. Recently, the state completed an emergency rulemaking action based on industry's request, that we heard loud and clear at the September Council meeting, that we need to find a way now that we're operating under this offshore-only regimen, that we authorize the use of hoop nets and crab traps while legally taken groundfish are aboard a vessel that was fishing in this offshore-only fishery. So, we spent a fair amount of time promulgating this emergency action in the state arena that also solidified or codified the closures of the nearshore fisheries for recreational. So, we spent some time on that. Again, we've got the waypoints underway. So, I just wanted to try to convey as clearly as I can what the plans are and that we are working in each of these steps with our GAP representatives through our delegation to develop these recommendations so that they can be coordinated across state and federal waters. A couple of the comments made specifically about gear, regulating gear inside state waters. Again, those discussions will commence in this commercial package that we're planning under state authority, but I do just want to acknowledge in response to Dan Lee's questions and others their interest in having an inside 20 fathom fishery authorizing all gears that have previously been authorized, and I think that's something we'll be looking at and talking about but appreciate the suggestion. So, I did take notes on all of the remarks here today and we will be taking a close look at those as we work toward developing those commercial authorizations for our deeper and shallow nearshore fishermen. We may be nearing the end

of the meeting here, but I certainly recognize the severity of the actions in front of the Council. I'm talking about a lot of work and a lot of words and a lot of process, but I just can't say enough how real I know this really is. And, Dan Platt, I just want to shout out to you and you're not kicked out, I promise. So anyway, with that I would offer a motion.

Pete Hassemer [00:14:22] All right. Thank you Marci. Let me just make sure there's no other general comments, discussion? I don't see any so whenever you're ready with your motion please go ahead.

Marci Yaremko [00:14:37] Thank you Mr. Vice-Chair. I move the Council adopt the inseason recommendations contained in E.9.a, Supplemental GMT Reports 1 and 2, November 2023.

Pete Hassemer [00:14:51] Thank you. That looks accurate, complete. Is that correct?

Marci Yaremko [00:14:56] Yes, it is.

Pete Hassemer [00:14:57] I will look for a second? Seconded by Lynn Mattes. Please speak to your motion.

Marci Yaremko [00:15:07] Thank you. I don't think it's necessary.

Pete Hassemer [00:15:10] All right. Thank you. Questions for clarification on the motion? Any discussion on the motion? And seeing none I will call the question. All those in favor say "Aye".

Council [00:15:27] Aye.

Pete Hassemer [00:15:27] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much Marci. We'll look to see if there's any further discussion and then I will look to Mr. Todd Phillips... how we are progressing on this agenda item?

Todd Phillips [00:15:52] Yes, thank you Mr. Vice-Chair. So, the Council has adopted inseason action for '23 and '24 as noted in the last motion. You made a really tough decision, and I would say, with that you have completed your action for this item.

Pete Hassemer [00:16:09] All right, thank you very much. With that I will close out this agenda item.

F. Highly Migratory Species Management

1. National Marine Fisheries Service Report

Kit Dahl [00:00:00] Yes, just should you want to have any further discussion on items that were raised in the NMFS report you have that opportunity.

Brad Pettinger [00:00:10] I was so happy to gain 15 minutes I thought I'd just jump the Council discussion. So, Council discussion? I see I was correct in that. Oh, Christa Svensson.

Christa Svensson [00:00:19] Yeah, thank you Mr. Chair. I do have a little bit of discussion on this particular agenda item. We had in our informational reports, the PAC report, I guess for lack of better terms. And typically, we have an international agenda item on the schedule for November. And typically, at that meeting we often adopt those as the position of the Council. So just wanting to make sure when I'm going to go be a representative along with Dr. Dahl that we have clear marching orders in terms of do we want to support what we have put forward partially through the PAC? We have a number of members in our ABs who participate in that forum, but just wanting to get a little direction. And Ryan, if you want to speak to that as well from a NMFS perspective, that may be helpful to clarify why I'm asking for this now.

Brad Pettinger [00:01:18] Ryan, please.

Ryan Wulff [00:01:20] Yeah, thank you Mr. Chair. Thank you Christa. Yeah, I'm happy to add on as, and part of the reason we don't have an international agenda item here, but I would strongly agree now is a good time. You can see this in Informational Report 3 the list of recommendations from the Permanent Advisory Committee to the U.S. Section of the WCPFC. That meeting will happen next month, but negotiations are about to kick up and start in earnest here shortly, so if the Council did want to at least send a signal that they supported this then I think it would give Christa, as your representative, the ability to kind of reinforce that in those upcoming things.

Brad Pettinger [00:02:07] Thanks Ryan. Christa.

Christa Svensson [00:02:09] Thank you Mr. Chair. I'm just going to speak for a moment about why I think it's important to support this. One of the agenda items that's coming up at WCPFC is the adoption of the Management Strategy Evaluation and Harvest Control Rules. And that is something that has been a long time coming. We've had over five years of meetings on that topic as well in international forums and it is something currently that at least from the U.S. stakeholders perspective, the environmental community, the commercial community have come together and said, 'hey, we're supportive of this'. You never know how things are going to go. We've had forward momentum both in the Northern Committee making the recommendation to support this and at IATTC to support this, and I think that it is something that would be very beneficial for North Pacific albacore, which obviously impacts us. If it were adopted this year, and just to put a little more color on that, this year is a big year for tropical tuna so other items like North Pacific albacore don't normally get a lot of attention. So, I do think any support we can lend to making that happen for our stakeholders is important and that's why I am really pushing this item right now even though I know we are trying to make up some time here.

Brad Pettinger [00:03:37] Thanks Christa. Further thoughts on that? Any disagreement? Corey.

Corey Niles [00:03:46] Yeah, thanks Mr. Vice-Chair, and thanks, Christa, for bringing this to our attention. My impression was this....well, the scope of it might be more than we typically to talk about, but what we talk about things very consistent with where we've been and I don't see any surprises or

terribly new changes in direction here, and I see you're nodding your head. And so I would, yeah, I continue to ask you to do your good work in representing us in these forums, you know, towards the goals we've been working on. I think it can almost go without saying, but it probably would have been better not to say anything but I think I'm very comfortable with Christa's using her judgment on our behalf.

Brad Pettinger [00:04:36] Okay. Anybody else? Anything... everybody in agreement with that? I'll look around for head nods. Okay, very good. Okay, any other discussion on this issue, agenda item? Kit, how are we doing?

Kit Dahl [00:04:57] I think you're done here. Thank you Mr. Chair. You have endorsed Miss Svensson as your Commissioner for the WCPFC and her to advance those positions that were agreed to by the Permanent Advisory Committee and represent the interests of the Council in that forum. So, I think that was helpful for her role in that regard.

Brad Pettinger [00:05:25] Okay, thank you Kit. Thank you Christa. With that, that ends F.1. We'll go to F.2 after lunch.

2. Highly Migratory Species Essential Fish Habitat (EFH) Amendment – Final

Brad Pettinger [00:00:00] That brings us to the Council action, which is before you so I'll open the floor up for discussion as needed. Briana Brady.

Briana Brady [00:00:14] Thank you Mr. Chair. I just wanted to say that I'm supportive of moving Attachments 2 and 3 forward and can offer a motion if you'd like.

Brad Pettinger [00:00:23] Okay, thank you.

Briana Brady [00:00:34] Great, thank you. Hopefully it's arrived.

Brad Pettinger [00:00:52] You did put the stamps on it, right?

Briana Brady [00:00:55] Thank you. I move that the Council adopt the proposed EFH modifications to the HMS FMP as contained in Agenda Item F.2, Attachment 2, and Supplemental Revised Attachment 3.

Brad Pettinger [00:01:24] Okay, thank you Briana. Is the language accurate on the screen?

Briana Brady [00:01:28] Yes. Thank you.

Brad Pettinger [00:01:29] Looking for a second? Seconded by Marc Gorelnik. Thank you Marc. Please speak to your motion.

Briana Brady [00:01:33] Thanks. I just would like to acknowledge the considerable efforts by NMFS, Council staff and the advisory bodies that they've put into reviewing literature and drafting the proposed FMP modifications for the HMS EFH section. And with the modifications in these reports, they address the advisory body input and bring HMS EFH into alignment with the current scientific understanding of the species. And these edits have been supported by the MT, AS, and Habitat Committee and I think any final minor edits can be made by Council staff as needed.

Brad Pettinger [00:02:07] Thank you Briana. Questions for the motion maker? Discussion on the motion? Okay, I'll call for the question. All those in favor signify by saying "Aye".

Council [00:02:19] Aye.

Brad Pettinger [00:02:19] Opposed, no? Abstentions? The motion passes unanimously. Thank you. All right Kerry.

Kerry Griffin [00:02:33] Thank you Mr. Chair. That was done in record time. Well done. Oh, I see a hand up over there.

Brad Pettinger [00:02:39] Corey Riding.

Corey Ridings [00:02:41] Thank you Mr. Chair. I just wanted to quickly thank the team who put this together and the good work that went into it and wanted to note that I especially appreciate the addition of the Kiffney et al table and the additional things to think about including offshore wind and some additional things that are going to be impacting our ocean, so I was pleased to see that there, as well as

the clarification around research needed, especially in regards to benthic areas and pupping habitats. I'll stop there. Thanks.

Brad Pettinger [00:03:11] Thank you Corey. Anyone else? Okay, very good. Kerry.

Kerry Griffin [00:03:18] Okay. Yes, thank you. Seeing no further hands that does conclude your business. Thank you very much. So, we'll take this now and do a proof and add it to it, pick up any minor edits as Miss Brady spoke to, and then we'll put together a transmittal package. This will be an FMP Amendment... I think it's number eight now. So that concludes your business. Thank you.

Brad Pettinger [00:03:41] Okay, on this item. Okay, thank you. Good work everyone.

3. Highly Migratory Species Roadmap Workshop

Pete Hassemer [00:00:00] That completes all our reports and the public testimony and will take us to Council action. A number of items there for us to discuss so I am going to look for a hand and I think I see one. Briana Brady.

Briana Brady [00:00:18] Thank you Mr. Vice-Chair. I just wanted to start off by saying that I appreciate all the work that's gone into the reports that our advisory bodies have brought forward and I'm okay with moving forward with HMSMT goals to possibly refine in the future. And I think that a workshop would need a facilitator and maybe we could have a check-in to look at workshop planning progress in, in March 2024 and whether or not there is additional Council discussion. I have a motion to put forward at some point.

Pete Hassemer [00:01:00] All right. I think they're trying to get some notes down here. I'll look to see if there are any other hands for discussion? Lynn Mattes.

Lynn Mattes [00:01:09] Thank you Vice-Chair. This question I think would be for Executive Director Burden. As we're talking about a potential workshop, is there Council funding for such a workshop and or a facilitator? And would it be, would a workshop being held in conjunction with a Council meeting or outside of a Council meeting change the likelihood of Council funding support for such a workshop?

Pete Hassemer [00:01:34] Executive Director Burden.

Merrick Burden [00:01:36] Yes, thank you Mr. Vice-Chairman, and thank you, Miss Mattes, for that question. As you heard from a couple of different public comments and from the MT report, I believe the AS report also, this is tentatively in our proposal for Inflation Reduction Act funding. So, we'll need a bit more cogitation as staff and probably in consultation with the HMS folks to make that linkage between this workshop and climate change, and Ryan and I are in close communication about how to make sure we could structure that in a way that is consistent with the objectives of the Inflation Reduction Act funding. That's where we're looking for the money to come from. I have a lot of optimism that that proposal would be successful based on the conversations we've had so far but we do not have the money in hand yet.

Lynn Mattes [00:02:30] Thank you. That's helpful to understand the possible funding issue as we think about this workshop.

Pete Hassemer [00:02:37] Thank you. Further discussion? I'm not seeing hands so I'm going to look... Bob Dooley.

Bob Dooley [00:02:46] Yeah, thank you Mr. Vice Chair. Just a couple of thoughts here. I appreciate the HMSAS comments and in some of the comments of our presenters or are commenters or the public, and, you know, innovation's messy. Learning how to do something, Elon Musk didn't shoot his first rocket into space and had success the first time, a lot of failures, and I've been pretty much involved in that kind of thing with salmon excluders and ways to avoid that in the trawl fishery and it's messy. It takes, you know, it takes time. It takes a lot of trial and error to get there and if we knew what the answer was we'd have it already, and I don't think we have it. And I do think that we have a pretty big deficit that we've exported our swordfish fishery to places where they don't fish as responsibly as we do, and I think we need to get that back and we need to support our economy and that's going to take a lot of thinking, a lot of experiment, a lot of trials and errors. So, I hope we don't make it so tight that we can't innovate. Maybe start off a little looser with the parameters and to let people innovate. And

EFPs typically aren't widespread, they're not, you know, a lot of participants so very focused projects, but speed is important so it might take more than one or two or even three different approaches to get us to where we might eventually get, but, boy, I sure trust fishermen. I know that you tell fishermen the best way to get something done, tell them they can't do it. And I think if we put the proper sideboards or buffers, bumpers, however you want to describe it to get them the ability to try things and the ability to get us to a place. And I don't care if they do it with a butterfly net as long as they achieve the result which is low bycatch, target species, all the issues that have been described. But, boy, I trust our fishermen to be a innovate and I think we, we need to work hand in hand. A lot of tools we didn't have in the toolbox years ago are available to us so all hands on deck and I think we need to get this fishery back. And I don't know that, there's been a lot of progress with deep-set buoy gear, but it doesn't appear to me, and maybe I'm wrong, but it doesn't appear to me to be the answer to fill the entire gap. So, we need to not box them into areas they can't catch fish. Understand people that are doing this it doesn't come free. It's an expense. And then we need to make sure they can still make a living at it while they while they take us to the future if possible. So, thank you.

Pete Hassemer [00:05:40] Thank you Bob. Okay, we have a motion in the waiting, but just I want to make sure there isn't any other general discussion related to this topic before we get to that. Christa Svensson.

Christa Svensson [00:05:53] Yeah, thank you Mr. Vice-Chair. I have to agree with Bob and his comments. I mean I think we have an opportunity to define our future. And I asked the last couple of questions really with the thought in mind around how do we get people to the table and how do we have a really productive conversation, and how do we get people who may not traditionally be in our path in this fishery or the set of fisheries engaged and involved, because I do think that there is an opportunity there to make some huge advances, whether they come from the tech industry, whether they come from international experience, whether they come from universities, I don't know, but I do think as we think about who the attendees are for this workshop, and particularly if it's a public workshop, who we are advertising to. It would be really beneficial to have additional thought in the room that could help get us to a future that is a little more exciting in a positive way for all of us.

Pete Hassemer [00:07:08] All right, thank you. Sharon Kiefer.

Sharon Kiefer [00:07:14] Thank you Mr. Chairman. And really this is a question to help me as a new Council member. So more for my edification because I'm sure many people around the table probably already know the answer to this. But in regards to a very definitive recommendation of speeding up the Essential Fish Permit process, currently, and perhaps I'll direct this at Kit, at the staff officer, typically now how long is that process?

Kit Dahl [00:07:51] Through the Vice-Chair, Miss Kiefer. I think, you know, it varies. So as was referenced there are some EFPs that were reviewed and endorsed by the Council that are in NMFS hands and they have had to spend several years doing the requisite analyses and so on. They're still in process. Maybe it's been, maybe NMFS can correct me, but I think maybe three years or so or four years since the Council endorsed those. Maybe a counterexample in some sense was the ability for NMFS to fairly rapidly approve applications and issue permits for deep-set buoy gear. They were able to structure a sort of a framework given that it was multiple, you know, multiple applicants using the same type of gear. They could do sort of an umbrella evaluation that then within that, within that umbrella or that limit they could more rapidly issue permits, and in those cases I think those permits would go out within something like six months, certainly less than a year or so. I think it really depends on what is being proposed and how much analysis that requires, the risks entailed in that proposal, and the ability for NMFS to come up with approaches that maybe in certain circumstances can sort of streamline the process or look at, you know, activities that share a lot of common characteristics and

perhaps do an umbrella type analysis that would be able to bring a number of proposals that fall within that scope into a single analysis. So those are all kind of questions I don't know that we have the answers to but, you know, would be things to think about going forward.

Sharon Kiefer [00:10:24] Thank you.

Pete Hassemer [00:10:27] Ryan Wulff.

Ryan Wulff [00:10:29] Yeah, thanks. Well, I guess first of all I appreciate the comments we've already heard. I agree with what I heard from Mr. Dooley. I also wanted to highlight I appreciate all of the work that the MT and the AS have put in here. I know they've had a lot of discussions here and it looks like they came to kind of a joint agreement here with the documents we've had before us and wanted to acknowledge that. And to Merrick's point, yes, happy to continue to work with Council staff on logistics if the Council does recommend the workshop and we already have one pathway that Merrick has identified. And around the question of EFPs, I think Kit did a good job with his overview. It just depends, right? I mean it depends on the FMP. It depends on the complexity of the regulations you're exempting them from and how many that is. It depends on how much monitoring and the resources and stuff that are available for that. But a lot of times the timing is the compliance with other applicable laws, right? If you have to do an EIS versus an Environmental Assessment is a much more significant undertaking. If multiple biological opinions are needed from multiple agencies covering multiple endangered or threatened species also adds to timelines. So, these are all things that we have been working on. Kit mentioned kind of the framework we set up for buoy gear. We are looking into ways that we can streamline to the extent we can. You know the EFP regs, just as a reminder this is, you know, it's a separate regulatory process. The approvals come from NMFS but it does speak very much to Council involvement in that process in the regulations and I think we've done a good job at this Council of lining up and satisfying and streamlining as best we can, but we can touch on that further. So, I'll stop there but just note that should the Council want to move forward with a workshop, we can easily come and have part of that agenda as it's fleshed out, walk through some of this, lay out some of this in a little bit more detail and allow for a dialogue that could help potentially move us forward in the direction for some of the recommendations we've heard.

Pete Hassemer [00:12:42] Thank you. And Corey Niles.

Corey Niles [00:12:50] Yeah, thanks Mr. Chair. And appreciating the discussion here I'll just add one more thing, I think. You have these workshops and these ideas sound great and not putting more restraints on the fishery than you have to, I think everyone agrees with that. But just in the grander context, one of the bigger challenges the Council has dealt with and others around the nation is, are leatherback turtles. And we had a discussion in our morning meeting. You know past efforts have really, the reality is that that species is so endangered that any kind of new idea is likely to get one incidental take and that these gear types if they are likely to encounter leatherbacks and there's only one allowable take per year then that's a really a chilling effect on investment. So just it is, I don't know if NMFS still has the species in the spotlight, but leatherback recovery was one of the priorities for everybody. So I just wanted to... that is behind much of this, why the DGN fishery could not fish north of Conception. It is just the challenge, a conservation challenge that should be recognized.

Pete Hassemer [00:14:14] Thank you. And I think I'm going to turn to Briana. You offered a motion. I think we're ready for that.

Briana Brady [00:14:30] Thank you Mr. Vice-Chair. Thanks Sandra. I move that the Council adopt as draft the proposed HMS Roadmap goals as outlined in Agenda Item F.3, HMSMT Report 1 for further refinement during the HMS Roadmap Workshop to provide a facilitator for the workshop. And three,

direct the HMSMT and HMSAS to work with Council staff to continue to develop the agenda and associated operational plans for the workshop, including a list of defined terms and bring back for consideration at the March 2024 Council meeting.

Pete Hassemer [00:15:06] Thank you. The language on the screen looks, it sounds accurate and complete. Is that correct?

Briana Brady [00:15:12] Yes. Thank you.

Pete Hassemer [00:15:13] Thank you. Is there a second to your motion? Seconded by Mark Gorelnik? Please speak to your motion.

Briana Brady [00:15:21] Thank you Mr. Vice-Chair. Adopting draft goals for the HMS Roadmap now provides a foundation to the documents and will allow for better planning of the workshop as well for more of the workshop time to be dedicated to discussion and development of action items. And given the feedback with CDFW's proposed edits to the goals brought forward by the HMSMT and in public comment, it seems the best approach is to acknowledge the goals drafted by the advisory bodies. While in need of some clarifying edits, serve as a good foundation for further planning of the workshop. And these clarifying edits can be considered during the workshop to allow for broader input. I see a facilitator as necessary for this discussion due to the complex nature of the workshop topics and the potentially large number of participants and as a way to optimize use of workshop time. And we recommend that the Council choose a facilitator that meets the conditions outlined in the HMSMT Report 2. And then to speak to the timing of the workshop, at this time as recommended by the advisory bodies, holding the workshop in conjunction with the June Council meeting in San Diego seems like the best approach. And then modifying the shaded agenda item for March as a planning update could also be beneficial. And then in addition to having Council staff work with the MT and AS on the agenda, we expect this will be considered in the IRA proposal as outlined by Council staff under C.4 in their report. And then speaking to the draft agenda in the workshop, I think the advisory bodies could consider what would they have as a conclusion to the workshop, so adding next steps to the agenda in prep for the March meeting. Thank you.

Pete Hassemer [00:17:21] Thank you Briana. Are there any questions to the maker of the motion for clarification? Christa Svensson.

Christa Svensson [00:17:28] Thank you for the motion and thank you Mr. Vice-Chair. I was curious on point three, you have the management team, the advisory subpanel, and Council staff, but was there thought to including Council members as well as part of the development of this?

Pete Hassemer [00:17:49] Briana.

Briana Brady [00:17:50] Thank you for the question. I think that at the March meeting the Council members could provide their feedback.

Pete Hassemer [00:18:03] All right. And that answers your question? Thank you. I want to look carefully. Corey Ridings.

Corey Ridings [00:18:12] Thank you Mr. Vice-Chair. Thanks, Briana, for this. I'm trying to reconcile a little bit, I think it's clear but I'm just, you noted earlier when you kind of opened to this conversation about having this March check-in thinking about defining the goals in the future and here you talk about further refinements during the workshop. And I'm thinking a little bit about what Miss Labriola said about that there may be some merit to doing it ahead of the workshop to try to provide clarity, make

sure that workshop is focused, efficient. And from some other things we've heard today and know, you know, this topic can be a little contentious so just trying to make the workshop as productive as possible. So, I just wanted to throw that out in terms of your thoughts on moving the goals forward as opposed to also revisiting them in March?

Briana Brady [00:19:13] Thanks Miss Ridings for the question. I heard what Theresa said and could see that perspective. I think moving this way allows for more input and more thinking about it at this stage and maybe in March we could get there to prepare for June and change course if we need to. But at this stage I think that it's okay to say it this way.

Pete Hassemer [00:19:44] Thank you. Further questions for clarification? Lynn Mattes. I thought you were pointing to somebody else over here I'm sorry.

Lynn Mattes [00:19:57] Well, I saw that Executive Director Burden had his hand up and I was going to let him go first because... okay. Just a quick question. In the talking points it was mentioned the workshop in San Diego in conjunction with the June Council meeting. I don't see that specifically addressed. Was that intentional to give some flexibility for the changing of the timing? I just want to be clear that we're not missing the piece to the motion. Thank you.

Pete Hassemer [00:20:27] Briana.

Briana Brady [00:20:27] Thank you Mr. Vice Chair. Thank you Miss Mattes. Yes, that's, you have it right.

Pete Hassemer [00:20:34] Now I think Executive Director Burden is raising his hand.

Merrick Burden [00:20:40] Yeah, thank you Mr. Vice-Chairman. And thank you Miss Brady for the motion. There's some really good thought in here and I appreciate that. Just a matter of some logistics and thinking about funding and your intent behind this motion. So, in the earlier exchange with Miss Mattes, we covered the prospect of using IRA funding to fund and support this workshop. It's still not clear to me exactly when that funding would be made available. So, our proposal is due to NMFS at the end of January and with some little luck we might have that funding by the March meeting. So, I could imagine us making a little bit of headway in March and reporting back in March, but I wouldn't anticipate having a facilitator yet and we'd want the facilitator to really take a lead in putting an agenda together because there's a method to the meeting madness and the facilitator should be a part of that. And then of course in June, you know, our Council meetings are very, from a hotel contract perspective, very scripted affairs that are a couple of years out and so we could talk with the hotel if the June meeting is really what we want to do and see if we could find some space, but that's not clear that we could do that at the moment. So, all that gets me to my main question which is, is this what we should... should we interpret your motion as what we should aim to do and knowing that IRA funding will unfold over the next several months, we may learn some more over the next several months and we may then find that a different venue or a different time is what we want to aim for. Is that latitude embedded in your intent?

Pete Hassemer [00:22:32] Briana.

Briana Brady [00:22:32] Thank you Mr. Vice-Chair. Thank you, Mr. Burden, for the question. Yes, I believe that's the case. The one clarifying thing I would say is as far as the agenda I think that HMSMT and AS would like to be the ones to really have a say in what the content is, but I do agree with your point, which is it does help to have the facilitator be part of that process.

Pete Hassemer [00:22:59] Okay, thank you. We were on questions for clarification and I'll look to see if there are any others. I'm not seeing any. Open the floor for discussion on the motion? And Christa Svensson.

Christa Svensson [00:23:19] Yeah, thank you Mr. Vice-Chair. I will be supporting the motion. I think there is a lot of interest in having the workshop. I think we can pick it up under workload planning for March but I would also be long term supportive of having a check-in in March to give us a chance as Council members based upon Miss Braby's, or Brady, excuse me, response to my question, and am looking forward to making some progress on this topic.

Pete Hassemer [00:23:52] Thank you. Further discussion? I'm not seeing any hands I will call the question. All those in favor say "Aye".

Council [00:24:00] Aye.

Pete Hassemer [00:24:01] Opposed, no? Abstentions? The motion passes unanimously. Thank you. And, Kit, I'm going to turn to you and ask if that has touched on all of the items we have. And not to preclude Council members from raising their hand and bringing up more things, but have we covered one through four?

Kit Dahl [00:24:35] Yeah, I think you have covered all of those things. So, what I heard related to the goals, the HMS Roadmap goals at least, not sure about action specifically, but generally endorsed what was put forward although leaving the door open for further refinement of those goals taking into account comment at this meeting, Council discussion, public comment, and so on. Perhaps those could be brought forward again in March and more generally endorsement of the workshop idea with a tentative plan or tentative endorsement of the MT and AS's proposal of holding that in some fashion in conjunction with the June Council meeting. But, as the Executive Director pointed out, there are a number of uncertainties at this time, both in terms of funding and when and if that would be available, and then of course whether if, you know, if we wanted to kind of tack that on to the Council meeting. There are these issues around working with the hotel that we contract with and those contracts are generally negotiated and locked in well in advance. So how much flexibility we have now? So bottom line, all of those things need to be explored further and then as noted, come back in March with probably a more refined plan for the workshop, maybe another go round on the document, maybe some more kind of consideration. There are... these somewhat differing views about whether the roadmap goals should be more or less finalized before the workshop or a subject of the workshop, so that might be something to consider further in March. So, yeah, bottom line I think we have guidance in this motion to continue working on the roadmap itself and the development of the ideas around this document, I mean this workshop, and coming back in March for another check-in and hopefully we'll have some more information that will help us really get down to brass tacks on putting on a workshop.

Pete Hassemer [00:27:12] All right, thank you. I'll look around and see if there's anything else anyone needs to offer on this? We've provided our guidance through a motion here so that should be very clear. And I'm not seeing anything else here necessary for discussion so I believe that will close out this agenda item.

G. Pacific Halibut Management

1. 2024 Catch Sharing Plan and Regulations - Final

Brad Pettinger [00:00:00] But with that, that'll finish public comment. And I think that's almost, we're almost done here but I think to be consistent we had a short opportunity for people to input any thoughts, ideas, concepts before we quit today similar to what we did in the gear switching. So it's late in the day, I know we're tired but I'll just open up the floor for any thoughts on that. And if anybody wants to say anything, if not... Phil Anderson.

Phil Anderson [00:00:31] I wasn't quick enough when Tim was up here but I wanted to acknowledge Tim Klassen's contribution to halibut management in Area 2A and his approach to these really difficult issues. He's been a consummate gentleman, I think, but I think most or a lot of you know that are in the halibut world that Tim took the time to come up to the IPHC meeting, annual meeting. I'm hoping he'll be there again this year. Representing the Area 2A he was the only constituent I think that we had there from Area 2A and that's a big commitment of time and expense. And so just wanted to express my appreciation for Tim's contribution to this process as well.

Brad Pettinger [00:01:27] Okay, thank you Phil. Anyone else? All right, Robin, I'll turn to you for, to see how we're doing?

Robin Ehlke [00:01:38] Thank you Mr. Chair. You have heard from your state agencies, from your advisory bodies, from the public. We've tried to set the table for the Council, if you will, so that they can contemplate these issues. So, I think we've done what we can do tonight. And as you can see we're scheduled to return tomorrow and hopefully make some good decisions on halibut then.

Brad Pettinger [00:02:06] Okay, thank you Robin. Well, we did finish this afternoon because it is after noon. Some humor, right? Okay, well thank you for your patience and for hanging in tough and we'll see everybody at 8 o'clock tomorrow morning. Thank you.....(BREAK).....

Pete Hassemer [00:02:25] I think we're ready to commence our meeting here with getting back to agenda item, it's going to flash up on the screen before us. We are back to G.1, our halibut action. And because we covered so much of it, excuse me, it seems like a long time ago which was just yesterday afternoon, I'll ask Robin to just recap and refresh us on what's needed from us today. Robin.

Robin Ehlke [00:03:06] Thank you Mr. Vice-Chair. For your halibut agenda item, like you said, we've covered all of the state reports, all of the advisory body reports, we've heard our public comment, we walked you through the topics that are on the table for this agenda item, and there, I think I counted eight items that we're going to want to move through. Some of those items are items that need to be in place for the 2024 Catch Sharing Plan. We have our Washington and Oregon and California sport fishery changes that we want to address. And we also have the 2024 directed commercial halibut fishery season that we would want to address here for 2024. Besides all that traditional work, we do have four more what I call scoping items. Those are provided in the attachments under this agenda item. So, you'll recall Attachment 3 is most of just edits for mainly the management objectives within the Catch Sharing Plan. Most items in there are fairly benign. Attachment 4 is the allocation issue, so there are options in there to take action on shifting some allocation from Washington and Oregon to California, so the decision to take action or not. And then Attachment 5 is the inseason flexibility concept where we're trying to find language for the Catch Sharing Plan that will allow any excess quota, if you will, to be shifted amongst sport fisheries between states. And then the last item is Attachment 6, and those are three topics that the Enforcement Consultants have been recommending that some regulatory changes be made. Not all of these items may be ready for decision today so obviously we'll do what we can. But

for those items that aren't quite ready to be implemented in 2024, we would ask the Council to just identify those, let us know what the process might be, where the workload might lie, when you would want to schedule those again for Council consideration if they're not quite ready for prime time. So, we'll have, like I said, a number of motions on the items that we can take action on and then just some direction and guidance on what to do with those remaining items, if any. Thank you.

Pete Hassemer [00:06:02] All right, thank you Robin. So, with that I'll just highlight then, it's on the screen before us. Number one is those final Catch Sharing Plan and regulation changes. The Washington, Oregon, California recreational fisheries, the directed commercial fishery for halibut, and then we can proceed through the remaining items which are in Attachments 3, 4, 5, and 6. So with that great pause, I will look around and see where there is a hand to initiate discussion. And if we can do the items in number one first, I think that's beneficial, but that's your call. Heather Hall.

Heather Hall [00:06:53] Thank you Vice-Chair. And I do have quite a few things to say about this. I know we've been talking about this since June. And as we've been doing, maybe a way to get started with that discussion is by offering a motion and thinking that changes to the Catch Sharing Plan that address our season structures might be a place to start. This is normally what we do in September and November so I could start with the motion on the Washington recreational halibut seasons for 2024.

Pete Hassemer [00:07:28] Excellent. Please go ahead.

Heather Hall [00:07:33] And I'll just... I know Sandra has the motion. It's WDFW Motion 1 Sandra. Thank you. I move that the Council adopt the season structure and changes to the Catch Sharing Plan for 2024 as recommended in Agenda Item G.1, Supplemental WDFW Report 2.

Pete Hassemer [00:08:09] Thank you. That language looks accurate and complete. Is that correct?

Heather Hall [00:08:13] Yes, it does.

Pete Hassemer [00:08:13] Great. Is there a second? Seconded by Phil Anderson. Please speak to your motion.

Heather Hall [00:08:21] Thank you. The recommended season structure for Washington sport fisheries, including the Columbia River, reflect input from stakeholders. We had a very robust discussion in August and then again in October about the season date proposals which were influenced by the proposals under this agenda item that consider shifting allocation from Washington sport fisheries as well as uncertainty in the Area 2A allocation for 2024. There's a core group of halibut stakeholders that have provided input to WDFW for many years, some of them longer than I've been involved in halibut management. We value their input and contribution to the discussion and recommendations. Input from these stakeholders is influenced by their long experience with halibut management in Washington. They've been affected by the restrictive measures that have been implemented, particularly in years prior to 2019 when the Area 2A quota was not managed under a stable quota. The seasons were implemented to spread the halibut season out as much as possible, including allowing only a couple of open days per week, staggered fishing days, and daily and annual limits. In 2020, with certainty in the Area 2A quota, we proposed a season structure that started digging out from some of those very restricted measures. Several subareas would be open multiple days per week and on consecutive open days. The Puget Sound region was scheduled to be open in April for the first time in ten years. There was reason for Washington stakeholders to be more optimistic about Washington halibut seasons for the first time in several years. The excitement for the 2020 season was squashed by the pandemic. Recreational fisheries were completely closed for a portion of 2020 and the Makah and Quileute Tribes closed their reservations to protect their remote and vulnerable

communities. The ports of Neah Bay and La Push located on those tribal reservations provide recreational fishers access to some of the most productive fishing grounds on the Washington Coast and the West Coast. However, anglers adapted during those port closures, which affected access through 2021 and fishing efforts shifted to other areas. But the harvest results were nowhere near what we anticipated and catch fell below the Washington sport allocation. We've continued to adjust our season dates but acknowledge we are in a period of transition in Washington. Not wanting to risk going back to the days where Washington subareas like the north coast and south coast were only open a matter of days. The move from more conservative season dates to more liberal dates has been cautious. That caution was once again reflected in stakeholder input for the 2024 season recommendation. As such, we have season structures that are proposed which are contingent on the Area 2A FCEY. And although the 2024 season recommendations do include another step away from the restrictive season structures that have been in place, they do not include seasons that are open seven days per week for all subareas throughout the entire season.

Pete Hassemer [00:11:53] Thank you. Are there any questions to the maker of the motion for clarification? See no questions. Discussion on the motion? Lynn Mattes.

Lynn Mattes [00:12:10] Thank you Vice-Chair. The Washington motion also includes the Columbia River subarea which we co-manage. We didn't speak to it in our ODFW report mostly just we forgot to, but ODFW is fully supportive of the recommendations in the WDFW motion for the Columbia River subarea that we co-manage. Thank you.

Pete Hassemer [00:12:33] Thank you Lynn. Further discussion on the motion and I see none. I will call the question then. All in favor say "Aye".

Council [00:12:43] Aye.

Pete Hassemer [00:12:43] Opposed, no? Abstentions? The motion passes unanimously. Thank you. I'll look around for the next hand. Lynn Mattes.

Lynn Mattes [00:13:02] Thank you Vice-Chair. I guess we'll go north to south on this piece. And thank you Sandra. So, I move the Council adopt the changes to the Catch Sharing Plan for the Oregon recreational fishery as recommended in Agenda item G.1, ODFW Report 1.

Pete Hassemer [00:13:24] Thank you. That looks accurate and complete. Do you agree?

Lynn Mattes [00:13:28] I do. Thank you.

Pete Hassemer [00:13:29] Thank you. Is there a second? Seconded by Heather Hall. Please speak to your motion.

Lynn Mattes [00:13:35] Thank you. This only involves one change to the Oregon central coast spring all-depth. Currently the regulations say backup dates have to be every other week, but to provide some additional flexibility depending on our quota, we are changing that to say every week instead of every other week. In 2023 that would have meant we would have had another two weeks in July that would have been open to the all depth fishery. The potential backup dates will be identified preseason as we have been. This just provides us some more opportunity and more flexibility with the season. Thank you.

Pete Hassemer [00:14:14] Thank you. Any questions to the maker of the motion for clarification? Seeing no questions any discussion on the motion? Seeing no discussion, I'll call the question. All those

in favor say "Aye".

Council [00:14:31] Aye.

Pete Hassemer [00:14:31] Opposed, no? Abstentions? The motion passes unanimously. Thank you very much. And I guess we were proceeding more or less north south as you indicated. Maybe from my perspective let's just move a little more southwesterly from the center of the universe. Marci.

Marci Yaremko [00:15:05] Thank you Mr. Vice-Chair. I'm prepared to offer a motion on California recreational regulations. Thank you Sandra. For the California recreational subarea, I move the Council adopt changes to the 2024 Catch Sharing Plan to establish two subareas for the California recreational fishery by creating a management line at Point Arena. The area between the Oregon California border and Point Arena would be called the Northern California subarea. The area south of Point Arena would be called the South of Point Arena subarea. Assign 500 pounds of the California quota to the South of Point Arena subarea. The South of Point Arena subarea will be open May 1 through December 31st or until the assigned pounds for that subarea have been reached, whichever is earlier. All other management objectives, landing restrictions, et cetera, would be consistent with those as described for the California recreational fishery in the current Catch Sharing Plan. Request that Council staff work with NMFS and CDFW to finalize the Catch Sharing Plan regulatory language for transmittal.

Pete Hassemer [00:16:31] Thank you. That language on the screen is accurate, complete and as you intend?

Marci Yaremko [00:16:35] Yes, it is.

Pete Hassemer [00:16:37] Thank you. Is there a second? Seconded by Marc Gorelnik. Please speak to your motion.

Marci Yaremko [00:16:43] Thank you Mr. Vice-Chair. First, you'll notice there are no changes proposed to season dates or structure continuing on with the California subarea regulations for those items into 2024. This motion, as described in our report, is intended to create area specific management to meet spatially unique fishery needs off California, the area south of Point Arena is at the southern extent of the Pacific halibut range and Pacific halibut are not directly targeted in this area and are a rare and insignificant contributor to total fishery mortality. As presented in our CDFW report, most of the Pacific halibut taken off California or encountered off California are north of Point Arena with the highest recorded Pacific halibut sport catch in this area south of Point Arena at 391 pounds and that happened in 2022. The boundary line at Point Arena would allow Pacific halibut that are known to occur in the San Francisco area exhibit a seasonal movement cycle where they come in to shallower water in the later part of the summer. Anglers in the San Francisco area have reported and our krill data has suggested that encounters may increase in August and September and at that time period in most years the California quota has been reached and the fishery is closed for the year. So, suggestions from anglers have suggested that a separate amount of fish for the area south of Point Arena would allow for a longer season in that southern area. We'd use the same inseason tracking process that's already in place in California for quota tracking and inseason adjustments. And the expectation is that assigning 500 pounds of quota to the southern area would result in no change in effort and fish that were previously required to be discarded would be able to retained, be retained, sorry. We've had some discussions with NMFS and Council staff about the language and some minor work is needed to finish that up as I understand it, which is why we have the last bullet authorizing Council staff to work with NMFS and the department to finalize the language for transmittal. Oh yeah, just another note that December 31st end date would also allow catch of halibut which otherwise would have been discarded, would allow anglers to retain fish when they might be pursuing other targets in the fall such as sablefish

or combo crab trips that are of interest in the late fall and early winter. And as with the northern area season dates that are set preseason through the Catch Sharing Plan aren't guaranteed and we would continue our inseason monitoring and tracking process, and if that subarea quota of 500 pounds was reached, inseason action would be taken to close that southern area of the fishery. The area would also potentially allow for novel collections of biological data for any fish that are taken in the southernmost most extent of California. Thanks.

Pete Hassemer [00:20:46] Thank you. Are there any questions to the maker of the motion for clarification? Sharon Kiefer.

Sharon Kiefer [00:20:53] More a curiosity question. How many fish would you estimate is 500 pounds?

Marci Yaremko [00:20:59] Well, if you look at our CDFW Report, in 2022 we had four fish that were taken and landed that expanded out to 391 pounds, and that's the highest amount ever observed in this area. So, we feel that 500 pounds as a set-aside for this regional will probably get us through. Thanks.

Pete Hassemer [00:21:25] Thank you. Further questions for clarification? Seeing no questions, any discussion on the motion? And I'm not seeing any hands for discussion. I will call the question. All those in favor say "Aye".

Council [00:21:41] Aye.

Pete Hassemer [00:21:41] Opposed, no? Abstentions? The motion passes unanimously. Thank you Marci. Heather Hall.

Heather Hall [00:22:00] Thank you Vice-Chair Hassemer. I do have a motion to focus on the directed commercial halibut season. That's WDFW Motion 2. Thank you Sandra. I move that the Council adopt the following season structure for the commercial non-tribal directed halibut fishery in 2024. The 2024 season will consist of a series of three day openings, each beginning at 8 a.m. Tuesday, ending at 6 p.m. on the Thursday of that week. The first opening would be on the fourth Tuesday in June. The second opening would be two weeks after the first opener, and the third opening would be no earlier than three weeks after the second opener. Subsequent openings would occur as soon as possible. Notice of the dates for the first three openers would be announced in the Federal Register prior to the start of the season.

Pete Hassemer [00:23:15] Thank you Heather. That appears accurate and complete. You agree?

Heather Hall [00:23:19] Yes, I do.

Pete Hassemer [00:23:20] Thank you. Is there a second to the motion? Seconded by Lynn Mattes. Please speak to your motion.

Heather Hall [00:23:29] This motion moves forward the recommendation from the GAP although it is worded slightly differently. And I just wanted to point out here, the use of, for the third opening would be no earlier than three weeks after the second opener. The reasoning behind that is just to make sure that it's very clear to participants in the directed fishery that it wouldn't be two weeks after. And also acknowledging that NMFS might not be able to guarantee the timing of that third opener. I understand it's accounting that the remaining quota that is needed, that that time allows for NMFS. So, I think that's the only clarification I have there. Thank you.

Pete Hassemer [00:24:21] All right, thank you. Are there any questions to the maker of the motion for clarification? Josh Lindsay.

Josh Lindsay [00:24:28] Thank you Mr. Vice-Chair. Heather, thank you for the motion. Just a clarification I think and since we've discussed this and you referenced that discussion, in the middle of the motion it references that the third opener wouldn't necessarily be specified. However, the last sentence notes that the first three openers would be announced in the Federal Register prior to the season. And those two statements seem a little bit contradictory to me and I was just hoping maybe you could clarify the intent there.

Heather Hall [00:25:01] Thank you. This is just a, I think a transcription from the GAP report, but maybe it would be more clear if this last sentence said notice of the dates for the first two openers would be announced in the Federal Register.

Josh Lindsay [00:25:21] Thank you for the clarification.

Pete Hassemer [00:25:26] Lynn Mattes.

Lynn Mattes [00:25:28] Is this a technical correction or do we need an amendment? If it's a technical correction as the second I'm okay with it.

Pete Hassemer [00:25:37] We, at this point, need an amendment.

Lynn Mattes [00:25:44] Can I amend a motion that I'm the second to?

Pete Hassemer [00:25:47] I'm going to look to the parliamentarian.

Lynn Mattes [00:25:49] If not, I think Sharon's raising her hand to maybe help us out.

Chris Oliver [00:25:56] You couldn't as maker but as second I think it's okay.

Pete Hassemer [00:25:59] Did you want to go ahead Lynn, I'm sorry.

Lynn Mattes [00:26:09] Okay, this is my first time with one of these. I move the Council replace the word "three" with the word "two" in the last sentence of the main motion to reflect two openers would be announced rather than three. Thank you.

Pete Hassemer [00:26:36] All right. What's on the screen is accurate and complete?

Lynn Mattes [00:26:42] I believe so. Thank you.

Pete Hassemer [00:26:43] All right. Thank you. Is there a second? Seconded by Sharon Kiefer? As necessary, please speak to your motion.

Lynn Mattes [00:26:51] I don't think this one's necessary but thank you for the opportunity.

Pete Hassemer [00:26:54] All right. Any questions or discussion on the motion? I'm not seeing any. All those in favor say "Aye".

Council [00:27:03] Aye.

Pete Hassemer [00:27:03] Opposed, no? Abstentions? The motion passes unanimously. The motion to amend, which takes us back to the main motion now as amended. Any further? I'll look for either questions for clarification or discussion on the motion. Lynn Mattes.

Lynn Mattes [00:27:31] Just a couple of discussion points. No questions for Heather. I think this is going to be helpful for our industry members realizing that this is a new process for the National Marine Fisheries Service. IPHC had been doing it for a number of years and their rules allow for a little more flexibility in the timeline. Hopefully this helps meet NMFS's timelines. I thought they did a great job in the timeliness of things given their first year last year, but this will hopefully specify or make the expectations for the subsequent openers more clear so people have a better idea what's, when to expect to be open. So, appreciate that clarification and hopefully that provides NMFS some extra time to get through their process.

Pete Hassemer [00:28:19] Sharon Kiefer.

Sharon Kiefer [00:28:21] To either Heather or Lynn or both actually. Do the states have some sort of a corollary communications plan to help assist NOAA, you know, get out that information? Obviously, NOAA is publishing it in a highly regulatory, you know, some environment that some stakeholders may not have access to or pay attention to so I'm just curious. I'm assuming you do have some sort of a plan to help them get that word out.

Heather Hall [00:28:53] Thank you for the question. We do help, or we have a few stakeholders that participate in the directed fishery. It's just south of Point Chehalis in Washington and we are able to help them with this information. I think there's a similar process in Oregon.

Pete Hassemer [00:29:12] Lynn.

Lynn Mattes [00:29:13] Thank you Vice-Chair, Miss Kiefer. Yeah, we have, ODFW has port biologists in the major ports up and down the coast who are, they are a conduit for a lot of our fishermen when regs change. As soon as I get notice that, or Christian Heath gets noticed the seasons' opening, we blast that out to our port bios and then they go and talk to the processors in the different boats. So, it's sort of an organic word of mouth thing. We also put posters up but we do our best to try to help get the word out through NMFS and to our public.

Pete Hassemer [00:29:48] Thank you. Further discussion? Josh Lindsay.

Josh Lindsay [00:29:53] Thank you Mr. Vice-Chair. I just want to speak briefly to the concept here. We hope to continue to work with industry and the Council on figuring out the best way to announce these openers. During the transition there was a fair amount of discussion on our end that we actually thought we were going to need three, four weeks between each of these. I think we figured out at least one way to announce the first two with some certainty. The third one is still a work in progress that the three day aspect of the openers makes a two week time period between openers actually much shorter in terms of getting the data, getting advanced notice out. We do hope this motion and this concept for this issue will give a little bit more certainty to the fleet. We understand that there was a bit of confusion this last year. And we're also continuing to look at ways of potentially new and different ways of how we're able to initially notice some of these openers and fishery period limits and so just wanted to let the public and yourselves know that we're continuing to look at this as we go forward. Thank you.

Pete Hassemer [00:30:59] Thank you. Lynn Mattes.

Lynn Mattes [00:31:01] Just one more thing. Just really appreciate. I thought there was really good

communication between NMFS and the states throughout this whole process last year with us providing landing information and the NMFS folks working with us to let us know what they were thinking. The communication wasn't always maybe the greatest the last couple of years with the predecessors, but I'm hoping we can continue that communication as we manage this fishery, but really appreciate what NMFS did last year working with the states.

Pete Hassemer [00:31:32] Thank you. Further discussion? Not seeing any we will vote on the main motion before us as amended. All those in favor say "Aye".

Council [00:31:43] Aye.

Pete Hassemer [00:31:43] Opposed, no? Abstentions? The motion passes unanimously. Thank you Heather. That completes the recreational and directed commercial halibut fishery regulations and season changes so I will look for any other discussion. Lynn Mattes.

Lynn Mattes [00:32:20] We've got a couple of other items to address that we've broken up. The next item in the order that we put them through was advised doesn't need a motion but does need guidance, so hopefully this is the time to provide that. In regards to... where did it go? The Enforcement Consultants report. The items contained in the Enforcement Consultant's report we, I think, the Council should provide guidance that that continue to be worked on and looked at and then come back, try to come back to us in June 2024 for additional discussion. This involves the VMS, the fish receiving ticket forms, and the seabird measures. Both the GAP and the EC were supportive of this going forward to continue to work and I just, I think, we as a Council should also support that. But it was my understanding we didn't need a formal motion for that.

Pete Hassemer [00:33:18] Okay, thank you Lynn. That's offered as guidance. Heather Hall.

Heather Hall [00:33:24] Thank you. I just want to offer my support for that as well. I know our EC has put a lot of time into this and I appreciate the guidance to keep it moving forward and also acknowledge the support from the GAP on these measures.

Pete Hassemer [00:33:44] Thank you. I'm going to look around see if there's any objection to that guidance, the work on that continue. And I'm not seeing any so thank you very much. Got some guidance on Attachment 6. Heather Hall.

Heather Hall [00:34:13] Thank you. I have another motion. This one is addressing changes to the Catch Sharing Plan under Attachment 3. These are the management objectives.

Pete Hassemer [00:34:26] Please go ahead.

Heather Hall [00:34:29] Thank you. I move that the Council adopt the proposed changes to the management objectives in the Catch Sharing Plan as described in Agenda Item G.1, Attachment 3.

Pete Hassemer [00:34:44] That all looks accurate and complete?

Heather Hall [00:34:46] Yes, it does.

Pete Hassemer [00:34:47] Great. Thank you. Is there a second to that? Seconded by Phil Anderson. Please speak to your motion.

Heather Hall [00:34:57] Thank you. These changes to the management objectives came up early in

our discussion on around management because there would be an opportunity to look at the Catch Sharing Plan and just firm up or clean up how we've described our management objectives. In some areas they're specific to each subarea and what we want to achieve. In many places it's really just acknowledging that our goal is to, and our objectives are to attain that areas catch within the quota that we're managing to. And so, I think that's just what was intended to what's included in Attachment 3. Thank you.

Pete Hassemer [00:35:53] All right, thank you. Any questions to the maker of the motion for clarification? Marci Yaremko.

Marci Yaremko [00:35:59] Yes, thank you Mr. Chair. I don't know that I have a question but would just note the discussion that we had last evening about Section 6 of Attachment 3 pertaining to the reference of the ratio of halibut to Chinook. That language is proposed to be removed should this amendment go through. I asked Robin to explain for us what the intention of removing that language was, and I understood from that discussion that the intent was to simply clean up the language but it would not have a practical change or effect. Overnight I did have a chance to go and review the full language of the Catch Sharing Plan and I can't find any other reference to Chinook, leading me to be uncomfortable with what is proposed in front of us in Attachment 3 to strike that phrase. I'm not against having a further discussion on the topic of whether the halibut to Chinook ratio should be potentially broadened to include coho, but this particular amendment was couched as a cleanup without any sort of effect and we haven't had any discussion of this. I didn't see any public comments on this topic supporting this amendment. I don't think we've discussed the implications here in any detail. I don't see any input from our salmon advisors, so at this stage I am uncomfortable moving forward with the proposed language amendment shown in Section 6 until we can do some more homework and have a more inclusive discussion. So, with that I would propose an amendment to add at the end, "except for the proposed removal of the reference of ratio of halibut to Chinook" in Section 6 of Attachment 3. Thank you.

Pete Hassemer [00:39:23] Thank you. I will take a minute to look at it. And for you that language on the screen is accurate and complete?

Marci Yaremko [00:39:33] Yes, it is.

Pete Hassemer [00:39:34] Thank you. Is there a second? Seconded by Bob Dooley. Please speak to your motion as needed.

Marci Yaremko [00:39:42] Yeah, thank you. I just did but just want to say that I'm uncomfortable making this amendment, which I understood to be clarifying or technical cleanup changes as shown in Attachment 3 and I believe the potential implications are far more significant. Thank you.

Pete Hassemer [00:40:01] Thank you. Any questions to the maker of the motion for clarification? Discussion on the motion? Heather Hall.

Heather Hall [00:00:00] Thank you. No questions. I understand where this is coming from. My take on it is a bit different, though, in that I don't think there's implications to the changes that are proposed in the Catch Sharing Plan under Attachment 3 until the Council has a discussion on whether or not the landing ratio is different from halibut and Chinook, so which would happen under March and April when we're talking about the incidental halibut retention in the salmon troll fishery. So, I understand where this is coming from. I just think it doesn't have a significant change until action, further action is taken in March and April is how I was approaching this.

Pete Hassemer [00:00:54] All right. Thank you. Lynn Mattes.

Lynn Mattes [00:00:59] Thank you Vice-Chair. I had somewhat similar concerns to what Miss Yaremko had brought up because I know last spring there were some discussion about is it salmon? Is it Chinook salmon? Is it any salmon? And what exactly the salmon ratio refers to for halibut? I am afraid removing Chinook at this time will add to additional confusion when we start talking next March about the ratios and this is becoming more and more important as we get smaller Chinook seasons people are looking for additional opportunities. I do think it's worth discussing at some point, whether it should just remain Chinook or go to coho, I'm just a little concerned about that it's coming in through this item and maybe isn't getting the attention it should. So, I will be supportive of the motion but I see where you come from it too, Miss Hall.

Pete Hassemer [00:01:58] Thank you. Further discussion? Phil Anderson.

Phil Anderson [00:02:03] Thanks Mr. Vice-Chair. I'm going to vote against the amendment. And the reason is by making this change all we're doing is providing the Council some flexibility when we go about setting our ratios in our March April timeframe. We don't know, what we, actually we do know that we've had some real significant changes in our salmon seasons. There are times when it is Chinook non-retention and there are some coho directed fisheries and those may be the only opportunities that fishers have in recent times, particularly off of Oregon. And to simply make this decision now and preclude entire hands from not having the ability to talk about it and make a decision based on the salmon seasons when it comes time to our preseason management process for salmon, it does not make any sense to me. This does not hardwire anything other than it gives us some flexibility as managers to make those determinations when we know more about our salmon seasons and how the mix of Chinook and coho may affect our trollers ability to have access to their halibut allocation. We've talked about, you know, the downsides of not catching our Area 2A quota, and so this just, again this Council will have a full opportunity to discuss the ratios when it comes time and you have more information available. This is just providing you the flexibility to make those determinations at that time. So, I'm going to vote against the amendment.

Pete Hassemer [00:04:19] Thank you. Further discussion? Marci Yaremko.

Marci Yaremko [00:04:23] Thank you Mr. Hassemer. I see this differently. I did not hear in June an alternative come forward in the amendments to the Catch Sharing Plan for 2024 a specific proposal to modify the language of the Catch Sharing Plan to open the door to including coho as part of the ratio requirement. I'm open to doing that if we follow the proper process. I don't believe that any of the materials in the briefing book suggested that we'd be opening that door and hence my concern. This is more than just a technical change. The reason you're sensing resistance from me, coho are ESA-listed in California. We can never retain them. This is an allocative discussion and decision and we haven't had that discussion yet. So, I'm uncomfortable making what has been couched as a clarifying technical clean-up change here today in this action and signaling that we're opening that door.

Pete Hassemer [00:05:57] Thank you. Any further discussion on the motion to amend? And I do not see any hands. I will call the question. All those in favor say "Aye".

Council [00:06:14] Aye.

Pete Hassemer [00:06:14] Opposed, no?

Butch Smith [00:06:18] No.

Phil Anderson [00:06:18] No.

Heather Hall [00:06:18] No.

Pete Hassemer [00:06:18] Let me be clear. Butch Smith, Phil Anderson voted no. Was there a third no? Heather Hall. Abstentions? Hearing none Executive Director Burden by my count the motion to amend passes. Thank you. So, we are back to the main motion as amended. I will look for additional discussion on that? And I am not seeing hands here so I will call the question on that, the motion as amended before you on the screen. All those in favor say "Aye".

Council [00:07:12] Aye.

Pete Hassemer [00:07:12] Opposed, no? Abstentions? The motion passes unanimously. Thank you. All right, we've covered quite a number of items here. Marci Yaremko.

Marci Yaremko [00:07:41] Thank you Mr. Chair. I would offer a motion on allocation.

Pete Hassemer [00:07:51] Please go ahead.

Marci Yaremko [00:08:02] Thank you Sandra. Regarding non-tribal allocations to Area 2A sport fisheries, I move the Council adopt Option 3 from Agenda Item G.1, Attachment 4, November 2023. Move 0.6 percent of the Oregon sport allocation and 0.4 percent of the Washington sport allocation to the California sport allocation. Request that Council staff work with NMFS to finalize the Catch Sharing Plan regulatory language for transmittal.

Pete Hassemer [00:08:41] Thank you. That language on the screen appeared accurate and complete. Do you agree?

Marci Yaremko [00:08:46] Yes it does.

Pete Hassemer [00:08:47] Thank you. Is there a second of the motion? Seconded by Corey Ridings. Please speak to your motion.

Marci Yaremko [00:08:55] Thank you Mr. Vice-Chair. First, I just want to acknowledge the public comments we received yesterday reminding us that moving fish to one sector means moving fish out of another sector and that there are very real impacts of that. I want to note the California and Oregon members of the GAP per the statement agreed on the recommendation for Option 3. The slight move takes into account recent changes in fishery performance and under current conditions should have little effect on Oregon and Washington fisheries, but under current TAC levels would increase the California allocation by over 9,000 pounds. That's really significant for us in light of our current limit of around 40,000 pounds. The halibut resource is fully allocated and always has been fully allocated within the Catch Sharing Plan. An additional one percent will have the effect of extending our season a bit longer into the summer under the current conditions and should offer additional recreational fishing opportunity in the California north coast, which, as you've heard from our constituency, is an area that's increasingly struggling to find opportunities. It's been eight years since we've undergone an allocation shift. The current 4 percent allocated to the California subarea has consistently constrained opportunities in California on this highly valued sportfish resource. And I can't do half as well as Tim Klassen stressing the importance and the need. Thank you.

Pete Hassemer [00:11:05] Thank you. Are there questions to the maker of the motion for clarification? Marc Gorelnik.

Marc Gorelnik [00:11:14] Thank you Mr. Vice-Chair. Just to be clear, we're not talking about .6 percent of the Oregon sport allocation or .4 percent of the Washington, it's just California would go from 4 to 5 percent. Or do I have that wrong?

Pete Hassemer [00:11:36] Marci.

Marci Yaremko [00:11:37] Thank you Mr. Vice-Chair. Thank you Mr. Gorelnik. The move, this is straight language out of Option 3 of Attachment 4 that would in total move 1 percent to the California subarea, so .6 of a percent from Oregon and .4 of a percent from Washington. Thank you.

Pete Hassemer [00:11:59] Marc.

Marc Gorelnik [00:12:00] And that's of the non-tribal share?

Marci Yaremko [00:12:03] Yes.

Pete Hassemer [00:12:06] Further questions for clarification? I don't see any. Discussion on the motion? Heather Hall then Lynn Mattes.

Heather Hall [00:12:20] Thank you. I appreciate the motion. I appreciate the discussion in the GAP and where they came to. I wanted to just speak to the fact that the support for this approach, for this alternative was not offered by the Washington GAP member and I can't support a move of the Washington sport allocation. I'd like to offer an amendment to the motion to strike moving point four percent of the Washington sport allocation. Strike starting, sorry Sandra, I should have said starting with "and" after Oregon sport allocation strike "and .04 percent of the Washington sport allocation". 0.4. That's right.

Pete Hassemer [00:13:58] All right. I think that language there is accurate and as you intend, is that correct?

Heather Hall [00:14:04] Yes, it is.

Pete Hassemer [00:14:05] Okay. Is there a second to that? Seconded by Butch Smith. Please speak to your motion.

Heather Hall [00:14:12] Thank you. I also really appreciate the public comment that has come forward on this topic. I read every single one of them under this agenda item. I'm really respectful and appreciative for the open and transparent process that the MSA requires on this. I've managed halibut since 2006 in Washington and recognized several of the individuals that took time to provide input. I've heard their frustrations with the restrictive management in Washington, the few open days per week, the lack of consecutive open dates, annual limits and short seasons, as well as concerns about safety when these short seasons are combined with severe weather, which is very common off the Washington coast. I noted that several of the comments mention these restrictions and the cautious move to provide more opportunity and access for Washington recreational anglers. This year Washington's sport fishery took 91 percent of the allocation, leaving about 28,000 pounds of halibut left unharvested after our season closes at the end of September. The way that our seasons are structured in Washington is different, and each subarea has a different season structure. We need to do that to address the different harvest rates in each subarea and it's a way for us to make sure that our catch stays below the Washington sport allocation. So, with that, the south coast, which is our, our area off Westport and the Columbia River subarea, it's halibut seasons have closed after June with a few additional days offered in August and September. But neither of these areas are ever open seven days per week and just a couple

of additional open days in May or June would easily take if not exceed that 28,000 pounds that was remaining this year. It's this difference in the way that the Washington seasons have been structured, the very restrictive approach that we've taken and the cautious approach to liberalizing our season open dates in recent years that is the primary reason why I can't support moving additional quota to California. We really haven't had the opportunity to provide similar types of seasons in Washington and to our halibut fishermen that are similar to the way the season is structured in California and I can't justify transferring Washington quota under these circumstances. I am appreciative of the, for the extreme challenges facing California's sportfishing community. I didn't take the allocation proposal lightly. We explored the implications and considered public input. Alternatively, and we'll talk about this later, flexible inseason quota sharing between the states could be a valuable tool that we should explore. It's a tool that we've used in Washington since the pandemic, and the flexibility that it's provided has allowed us to respond to some of that effort shifts between Washingtons subareas that we've seen since 2020. I think that there are other tools that we can use to provide stable fishing opportunity. Thank you.

Pete Hassemer [00:17:42] Thank you. Are there questions to the maker of the motion to amend for clarification? I'm not seeing any. Discussion on the motion? Butch Smith.

Butch Smith [00:17:59] Thank you Mr. Vice-Chair. You know I've worked with most of you for a very long time and I find you fair minded and reasonable. And to have between 5 and 23-day halibut seasons in the state of Washington is pretty tough. And I appreciate California and I appreciate Tim and the GAP members that tried to come to consensus. But we also had 556 comments, or 663, 556 were for not moving fish. You know we always are inviting people to this process and does their testimony count? I think it counts. And I wish we had the spare fish to move to California. I support, you know, moving fish after a certain date when we find out they're not going to be used, I do support that. But for us to be giving up anything at this time is just asking us to cut days that we don't have on the Washington coast and I'm sorry for that. You know when I was SAS Chairman and eight years ago when we went through this I was asked to see if I could mediate a positive decision. Some say I was the reason for that decision which moved some fish to California. But at this time, Washington just doesn't have anything to give. I mean, and I'm sorry for that, but that's just the way it is. We, our fishers would love to enjoy a seven day a week fisheries from May 1st to August or November or December but we just don't have that. And for the most part that length of that season down in California is the length of our salmon season and halibut season combined. So, it's not like we're fishing every day, you know, wide open from May 1st to Christmas and halibut is an important piece of the economic puzzle to our Washington coastal ports. So, I hope that this Council will take in consideration that and consider voting favorable for this amendment. Thank you.

Pete Hassemer [00:20:48] Thank you. Further discussion on the motion to amend? And I believe I see no hands so with that, oh, I'm sorry there is a hand. Is that Chair Pettinger?

Brad Pettinger [00:21:04] There is. I thought it was interesting the public comment that was about a 90-10 split, which is pretty close to what the number of the fish above and below the California line was at about 90 percent above and 10 percent below. That's kind of ironic. This is...I hate these issues. There's nothing worse than allocation issues and I just, I live five miles from the California border and do a lot of time down there and I've talked to those folks down there and I get it, right? Probably it's easy, well, I think for this process I think it's important to be consistent how we do things. And I just, I'm not going to, I'm going to vote against you, Butch. But I just think that it's good to get stuff out there as far as make us to think about how we do allocations. I know there's a lot more halibut now of northern California because my boat fished out there quite a bit and I think a year or two ago they were even catching sub-legal halibut off Eureka. Certainly there's, you know, if it's ten, eleven percent it's probably more. If not an increase now when? And how much of an increase would it take? I'm not tuned in to

the Halibut Commission as far as how they do stuff. If the line was drawn in California would the FCEY still be 1.5 million pounds? I don't know. It would be interesting, I'm not up on that but I do know that we allocate north and south of 40 10 by stock assessments. Sablefish 36 degrees by the bottom trawl survey, what the latest numbers are. I was hoping that people would agree to get a little bit to help out, not because their salmon season has been shut down and their nearshore rockfish fisheries shut down. It doesn't really matter but we take, I mean California gives us our salmon every year, more Oregon portion, okay? I'm not going to vote against you. I just think that it's easy to want to keep what you got, but I'm just, I think that they'd just like to have a little more of the fish that's off the coast. So anyway, I'll just, I just want to say that. I'm not going to vote against Washington on this but I think it just needs to be said. Thank you.

Pete Hassemer [00:24:17] Thank you. I'll look more carefully to make sure we've covered all the discussion on this. And now I don't... I do see a hand. Bob Dooley.

Bob Dooley [00:24:33] Thank you Mr. Vice-Chair. I just want to comment. Much like Butch, I feel a commitment to my people I represent and the fishermen I represent and listen to their comments. I agree with a lot of the comments that Brad offered, how we split quota up and down the states and how we do that up and down the coast. I know every pound counts and I know the sacrifices everyone makes up and down. I think this combined with some flexibility might get the fish where it needs to be ultimately. But I think where California is right now, particularly listening to our fishermen, listening to the rationale that they brought forward, reading their public comment, I too, read all of it, and listening to the Washington fishermen I sympathize with them. But at this particular time, nothing personal, I just have to support my fishermen. So, thank you.

Pete Hassemer [00:25:44] Phil Anderson.

Phil Anderson [00:25:46] Thanks Mr. Vice-Chair. And totally respect people advocating for the people that they're here to represent and that's what I'm going to do as well. I'm not sure there's any arguments that any of us are going to make at this stage, maybe that are going to change anybody's mind and so I'm not naive enough to think I'll do that. I can't ever remember an issue that united the sport fishery in Washington like this one has. I've never seen this kind of a response from sport fishers in Puget Sound and all along the coast, our mayors of Westport and Ilwaco, our ports of Grays Harbor and Ilwaco. And I also respect the ability for the Oregon GAP and California GAP members to get together and come to an agreement on moving some fish from one state to the other, Oregon to California in this case. I don't respect their discounting and not honoring the GAP member from Washington's perspective in that. I don't... I think they are free to come forward to the Council with a recommendation that affects the states that they represent. But to include Washington in this over the objections of the GAP member over the objection of all the people that have written in, including our, in some cases our elected officials, would be a disservice to those people. So, I'm obviously going to support the amendment. And I will, pending hearing Oregon's view on the .6 percent, will yield to their perspective on that. But so, I'll stop there and just indicate my support for the amendment.

Pete Hassemer [00:28:23] Thank you. Further discussion? I'm looking and looking carefully and I don't see any hands at this point so I will call the question on the motion to amend that's before us. All those in favor say "Aye".

Council [00:28:46] Aye.

Pete Hassemer [00:28:46] Opposed, no?

Council [00:28:50] No.

Pete Hassemer [00:28:52] Abstentions.

Josh Lindsay [00:28:53] Aye.

Brad Pettinger [00:28:54] Aye.

Pete Hassemer [00:28:55] Executive Director Burden would you please call a roll call vote on this item?

Merrick Burden [00:29:06] Yes, certainly Mr. Vice-Chairman. Just one moment here. Okay for the record I'll be reading from voting sheet number two. This concerns an amendment to a motion I'm titling G.1, CDFW Number 2. The amendment was made by Miss Heather Hall. Marc Gorelnik.

Marc Gorelnik [00:29:56] No.

Merrick Burden [00:30:00] Lynn Mattes.

Lynn Mattes [00:30:00] Yes.

Merrick Burden [00:30:04] Phil Anderson.

Phil Anderson [00:30:05] Yes.

Merrick Burden [00:30:08] Marci Yaremko.

Marci Yaremko [00:30:09] No.

Merrick Burden [00:30:11] Christa Svensson.

Christa Svensson [00:30:14] Yes.

Merrick Burden [00:30:16] Sharon Kiefer.

Sharon Kiefer [00:30:17] Yes.

Merrick Burden [00:30:20] Joe Oatman.

Joe Oatman [00:30:22] Yes.

Merrick Burden [00:30:24] Heather Hall.

Heather Hall [00:30:27] Yes.

Merrick Burden [00:30:28] Butch Smith.

Butch Smith [00:30:30] Yes.

Merrick Burden [00:30:34] Josh Lindsay.

Josh Lindsay [00:30:36] Abstain.

Merrick Burden [00:30:39] Robert Dooley.

Bob Dooley [00:30:41] No.

Merrick Burden [00:30:43] Corey Ridings.

Corey Ridings [00:30:45] No.

Merrick Burden [00:30:48] Brad Pettinger.

Brad Pettinger [00:30:49] Abstain.

Merrick Burden [00:31:00] Mr. Vice-Chairman seven yes, four no. The motion passes.

Pete Hassemer [00:31:09] Thank you Executive Director Burden. So, the main motion has been amended. You can see the impact of that amendment there with the strike out on the screen. I will return to discussion on the main motion as amended. Lynn Mattes.

Lynn Mattes [00:31:31] Thank you Vice-Chair. I don't think this is a clarifying question so I didn't ask it at the time, but the GAP recommendation in the GAP report, it was that the California and Oregon members of the GAP agreed to this recommendation for 2024 only. I don't see any language about that in the motion. Was that intentional to try to have this be long term or inadvertent to not include their recommendation? Is it trying to be a separate recommendation without that 2024 only piece?

Pete Hassemer [00:32:05] Marci.

Marci Yaremko [00:32:07] Thank you Mr. Vice-Chair. I deliberately did not include that piece of the recommendation. I believe the only thing we are considering at this time are recommendations for the 2024 Catch Sharing Plan so that any regulatory changes for years 2025 and beyond would be undertaken next year in our process for considering amendments to the Catch Sharing Plan.

Pete Hassemer [00:32:43] Lynn, is there a follow-up?

Lynn Mattes [00:32:46] Then this may be kind of a process question that may fall to NMFS or to Council staff. The way we've been operating with the Catch Sharing Plan is once something is in there it's in there until it's changed. So putting, moving point six from Oregon to California without putting in 2024 only would be there until changed until somebody made an actual motion to change it. Is that the correct understanding?

Pete Hassemer [00:33:16] I think that's a question for either NMFS or for staff. Robin, who gets to tackle that one?

Robin Ehlke [00:33:30] Thank you Mr. Vice-Chair. My understanding would be consistent with how Lynn described it in that things in the Catch Sharing Plan are there until they're changed.

Pete Hassemer [00:33:46] All right, thank you. That clarifies that. Further discussion? Lynn Mattes.

Lynn Mattes [00:33:58] Then I am going to propose an amendment, and sorry I don't have this written out Sandra. I move that the words "for 2024 only" be added after to the California sport allocation.

Pete Hassemer [00:34:34] That appears to be accurate, complete, do you agree?

Lynn Mattes [00:34:38] Yes sir, I do.

Pete Hassemer [00:34:39] Thank you. Is there a second to the motion? Seconded by Christa Svensson. Please speak to your motion.

Lynn Mattes [00:34:46] Thank you. There was a lot of work by the GAP members. Captain Mike Sorensen, who has been on our SAS for a long time was filling in and he brought some of the salmon things he learned from Butch and others to try to have a meeting of the minds that I think was facilitated by Robin, and they came up with the plan that the California folks and the Oregon folks agreed to of moving point six percent of Oregon and we'll leave the Washington piece out at this point since that's been taken care of. But it was very specific in the report that it said for 2024 only. I'm reading that as 'let's do it for this year and then continue the discussion', and that is my hope that we could continue that discussion as we move forward. When we started talking about allocation changes last spring it sounded like it was going to be a multi... a bigger process, and then we got to June and all of a sudden we were talking about 2024. And when we left March or April, whichever it was, I didn't think we were talking about 2024 yet. So, this could be a stopgap for 2024 as we continue the discussions on how to move forward. It would provide some relief for California. It would also would not impact Oregon fisheries too much. Point six percent at this year's allocation would maybe be, maybe a day out of our Oregon central coast fishery, but it's a struggle when we've got the Columbia River that's open for 18, 20 days and trying to move quota to somewhere else. Most of Oregon didn't have a salmon season this year just like California and we're in the same situation. We're going to be okay for rockfish in 2024 but in 2025 our rockfish season is going to look significantly different as well because of restrictions to black rockfish and canary rockfish. So, it seems like, yeah, we can try to help out for 2024 and let's continue the discussion. I don't know that based on all of the public comment of don't move anything that I can go home with a long term allocation shift right now. I think I can go home with a short term allocation to try to provide some temporary relief while we continue this discussion. Thank you.

Pete Hassemer [00:37:14] Thank you. Are there any questions to the maker of the motion regarding the proposed amendment? Marci Yaremko.

Marci Yaremko [00:37:25] No questions but is it time to offer another viewpoint? It can hold.

Pete Hassemer [00:37:33] Let's go ahead. We can combine questions and discussion. The floor is yours.

Marci Yaremko [00:37:40] Thank you Mr. Vice-Chair. The Council agendaized considering allocation changes. We undertook this process beginning in June of this year, decided that we wanted a three meeting process so that we had enough time to build and consider alternatives and take input from our constituents and give the GAP an opportunity to work among itself with a specific goal in mind over the past several months. Lynn referenced the first thing she indicated was there's been a lot of work into this process and that is certainly true. It has been eight years since we've considered an allocation change. I don't want to be back considering allocation changes again next year. We have other work on the list to move on to. I don't recall at any time in the past that we've ever included language in the Catch Sharing Plan that made a change for a single year. That right there indicates that we will be considering allocation again next year. We've done a lot of investigating and listening and talking and holding meetings and hearing testimony, and considering a change for a single year isn't consistent with any past practice on this topic that I've ever seen. So, with that I will not be supporting the amendment. Thank you.

Pete Hassemer [00:39:55] Thank you. Further discussion on the motion to amend? Christa Svensson.

Christa Svensson [00:00:00] Thank you Mr. Vice-Chair. I will be supporting the amendment. I know just from the testimony we've had from Oregon there was not a lot of support for giving anything. Fishing, like everywhere else, in Oregon has been tough and as my colleague down the table from me knows, since he's also on the Columbia, it's a struggle for all of us. I won't speak for the southern part of the state because I don't know it quite as well and I know that there's a lot of cross-hopping there too and it's tough. I am thankful for our advisors from Oregon and California who've been able to work together and have come forward with something in terms of being able to share even if it is only for one year, but without their advice then I would be not supportive of the main motion, and I feel like with the ability to have a year I could be supportive of both. So otherwise, when I go home I have to explain why I'm voting for something that not only did my constituents not want but my advisors did not agree to, so that really is the position that I feel like I'm in here at the table today. I am appreciative of everybody that's worked on this. I know it is a lot of work moving forward if it is needing to be revisited and if this passes it will need to be revisited. I absolutely am sympathetic with California and I think it is important, particularly in light of the work and the public comment we've had this week on a variety of fisheries in California, to do what we can to help them this year, but that cannot come at the expense of not having stakeholder input from at least my region.

Pete Hassemer [00:02:07] Heather Hall.

Heather Hall [00:02:09] Thank you. And I think Miss Svensson said it very nicely. I agree if it's exceptional that we consider a Catch Sharing Plan change like this or an allocation change for one year, I'm willing to support that. I think again the GAP put themselves on the line and came up with a recommendation. I think what I'm hearing from Miss Mattes is also willing to move forward and I think that the Alternative 2 not having this for one year could be very different. We also in our Washington delegations and our discussions leading up to now have really talked a lot about uncertainty in the 2A allocation. We don't know what that's going to look like and so having this change in for a longer term I just think at this time is more challenging than maybe any other. So, I'll also support the amendment.

Pete Hassemer [00:03:22] Thank you. Further discussion? Bob Dooley.

Bob Dooley [00:03:29] Thank you Mr. Vice-Chair. I just want to offer my opinion or my rationale for my vote on this. I look at the GAP report and it was Oregon and Washington, I mean California and Oregon members of the GAP agreed on the recommendation and it included for '24 only and that's what they testified to. So, I find it hard to go against my own members, even though it'd be beneficial, I think in the long run to have that as a, you know, fixed, but I, that isn't what we were advised to. And I know that these, that wasn't an easy decision to move that. It also states that Washington did not support it, Washington recreational members. So, I have to respect the GAP decision on this so that'll be, I will be voting against the amendment too, or for the amendment I guess so... yeah. Thank you.

Pete Hassemer [00:04:36] Thank you. Further discussion? Done a complete scan. There are no hands. I will call for the question. The motion to amend, which is at the bottom of the screen there, you can see that. All those in favor say "Aye".

Council [00:04:57] Aye.

Pete Hassemer [00:04:57] Opposed, no?

Council [00:05:01] No.

Pete Hassemer [00:05:01] We had a no vote from Corey Ridings, Marci Yaremko, Marc Gorelnik. Abstentions?

Josh Lindsay [00:05:21] Aye.

Pete Hassemer [00:05:21] One abstention notice, National Marine Fisheries Service, Mr. Josh Lindsay. Executive Director Burden by my count the motion passes. Is that correct?

Merrick Burden [00:05:41] Yes, Mr. Vice Chairman.

Pete Hassemer [00:05:44] Thank you. So, if we can scroll back to the top. We are back to the main motion as amended twice, both of those amendments are in there. So, we know we strike what's in strike out and what is highlighted in purple has been added. Further discussion on the motion? Lynn Mattes.

Lynn Mattes [00:06:20] Thank you Vice-Chair. I'll be supportive of the main motion as amended. I know it's not perfect. It's not what a lot of folks were hoping to get out of this, but I think it's a compromise which seems to be the word of the last couple of days to, to get us going somewhere. There was a lot of public comment from Oregon saying don't give anything but then our GAP members worked with the California folks and agreed to this. ODFW staff will get some flack when we go home, but I think it's justified given where the, if the 2A allocation is somewhat similar to where it has been in the last few years, even though we took the highest amount of fish we've had in the last ten years, we took the highest number of fish, we still left a little quota on the table as those fish, we think it's the 2012 year class, they should be getting another 3 to 4 pounds heavier. If the average weight was 3 pounds higher this year we would have been at 95 percent of our allocation. So, this should still keep Oregon fisheries basically whole, but yet hopefully still provide at least a little bit of relief for California, which I know it's not perfect and what people were hoping to get out of this but I am supportive of this going forward as amended.

Pete Hassemer [00:07:43] Thank you. Marci Yaremko.

Marci Yaremko [00:07:48] I'll be voting against my own motion. I'm not willing to put NMFS through the workload associated with the rulemaking and Council staff through the workload associated with the analysis to move .6 percent for one year. That's not what was envisioned when we embarked on this discussion about allocation. I know everyone had a different vision of what they wanted as the outcome, but I'm unwilling to put our staff through that exercise. We'll save it for another day and another venue. Thank you.

Pete Hassemer [00:08:46] Thank you Marci. Further discussion? I do not see any so I will call the question on the main motion as amended. It's before us on the screen at the top there. All those in favor say "Aye". Opposed, no?

Council [00:09:13] No.

Pete Hassemer [00:09:14] Abstentions?

Sharon Kiefer [00:09:18] Abstain.

Josh Lindsay [00:09:20] Aye.

Phil Anderson [00:09:20] Abstain.

Pete Hassemer I have... Executive Director Burden would you please call a roll call vote?

Merrick Burden [00:09:47] Just one moment Mr. Vice-Chairman. Okay, for the record I will be

reading from voting sheet number three. Motion reference I've titled G.1 CDFW Number 2. And this is on the main motion. Heather Hall.

Heather Hall [00:10:24] No.

Merrick Burden [00:10:26] I'm sorry was that a no?

Heather Hall [00:10:27] No.

Merrick Burden [00:10:27] Christa Svensson.

Christa Svensson [00:10:32] No.

Merrick Burden [00:10:34] Joe Oatman.

Joe Oatman [00:10:35] No.

Merrick Burden [00:10:36] Marc Gorelnik.

Marc Gorelnik [00:10:38] No.

Merrick Burden [00:10:40] Sharon Kiefer.

Sharon Kiefer [00:10:42] Abstained.

Merrick Burden [00:10:45] Josh Lindsay.

Josh Lindsay [00:10:47] Abstain.

Merrick Burden [00:10:49] Robert Dooley.

Pete Hassemer [00:10:50] No.

Merrick Burden [00:10:52] Butch Smith.

Butch Smith [00:10:53] No.

Merrick Burden [00:10:55] Phil Anderson.

Phil Anderson [00:10:56] Abstain.

Merrick Burden [00:10:59] Corey Ridings.

Corey Ridings [00:11:01] Aye.

Merrick Burden [00:11:05] Marci Yaremko.

Marci Yaremko [00:11:06] No.

Merrick Burden [00:11:10] Lynn Mattes.

Lynn Mattes [00:11:11] No.

Merrick Burden [00:11:13] Brad Pettinger.

Brad Pettinger [00:11:14] No.

Merrick Burden [00:11:23] I have one yes, nine no. That was a clarifying vote Mr. Vice-Chairman. The motion fails.

Pete Hassemer [00:11:31] Thank you very much for calling the roll call vote. The motion fails so that will take us back to any further discussion on our remaining items which do include Attachment 4 allocation, Attachment 5 inseason flexibility. Marci Yaremko.

Marci Yaremko [00:12:00] Thank you Mr. Vice-Chair. Let's see if I can do better on this one. The motion on inseason flexibility. Sandra, thank you. At the earliest time possible a state can notify NMFS of the amount in pounds of halibut of their allocation that is projected to be unused after accounting for state management objectives. This projected amount could be made available to the other states for the remainder of the calendar year. NMFS would reapportion the amount of net pounds available equally to each of the two states receiving the additional pounds. NMFS will announce any such reapportionment as soon as possible in the Federal Register and concurrent publication on the hotline consistent with the language described in Section 6.8 of the CSP. On or around August 15th, Council staff will facilitate a discussion between the three states and NMFS to share catch-up dates and inseason fishery information which could provide insight to any excess that could potentially be available for the remainder of the current season. Request that Council staff work with the state agencies and NMFS to finalize the Catch Sharing Plan language for transmittal.

Pete Hassemer [00:13:38] Thank you Marci. All that language is accurate and complete as I read it. I'm just wondering at the beginning if we need to add anything. I'm just trying to think where the language goes but maybe it's okay. It's accurate and complete and as you intend?

Marci Yaremko [00:14:08] Yes, it is. Thank you.

Pete Hassemer [00:14:09] All right, thanks. Is there a second to the motion? Seconded by Heather Hall. Please speak to your motion.

Marci Yaremko [00:14:17] Thank you Mr. Vice-Chair. What you're looking at on the screen is a slight modification of the language that was recommended to us in the GAP report, and that has undergone additional review and minor tweaking by Josh and Robin as we approach this meeting to develop a path forward for inseason regulatory flexibility. I want to step back a minute and consider our goal. We want to utilize our Area 2A TAC. Our Catch Sharing Plan has shown that it does a decent job of initially allocating fish to the various sectors, but we have yet to work to find solutions that allow us to share fish inseason or move fish allowing better utilization of the full Area 2A TAC. That's really important and we usually, you know, our goal is to achieve and not exceed the 2A TAC, but in recent years we've been leaving a fair amount of the fish on the table and stranding it in certain sectors with no ability to move it to sectors that may be able to utilize it. So, I want to acknowledge the Washington contingency for offering a pathway considering other inseason flexibility measures that we currently utilize in our whiting fisheries. I appreciate them bringing the concept forward for discussion and refinement. Since September there's been a fair amount of work and discussion about how we can access fish that would otherwise be stranded and go unused to the end of the year. So, what you're seeing here again is a combination of some different thinking. I want to reference the GAP report that indicated they agreed the Option 1 out of Attachment 5 would provide flexibility to allow additional fishing opportunities to

communities that may need it. You may remember the exchange that I had with GAP representatives about their understanding of how Option 1 would work, and they confirmed that they understood that it would help those communities that may need it, particularly those in California after primary seasons have ended in other states. Appreciate the work of Josh and Robin in getting together to come up with language that we can actually work with for 2024. I'd say this is a starting point. We might be looking at refinements or additional flexibility provisions into the future. This alternative is limited to only the sport fishing sectors so the transfer would be based on examining inseason the progress of our recreational fisheries and identifying if there's pounds available to be utilized by other states. So, I want to refer back to our PowerPoint that suggests we may need more time to get the language right. I think we've gotten pretty far along and I think this is going to give us something to work with this year. The Catch Sharing Plan does its job in initially allocating poundage to the various sectors, yet the ability to move fish is limited. I want to speak to the Attachment 5 Supplemental and a change in the language that you see on the screen from what was proposed in the language of Option 1 offered by the GAP. The proposal here would reapportion the amount of net pounds available equally to each of the two states that would receive the additional pounds. The language that was under consideration, in the language provided to us from the GAP and originally identified in Supplemental Attachment 5 in fact fell back on the Catch Sharing Plans apportionment scheme such that any poundage that would be available would be redistributed, once again according to the scheme that's outlined in the Catch Sharing Plan. So, if you look at the example in Supplemental Attachment 5, which was that Washington would offer 10,000 pounds because they projected it would not be taken in their fishery before the season ends. 10,000 pounds would be distributed per the Catch Sharing Plan, the pro rata share between Oregon and Washington or, I'm sorry, between Oregon and California would result in 1187 of those pounds to be available to California and the rest would go to Oregon. 1187 pounds to California is not enough to warrant a reopener of the California fishery once it's closed. And the reason I know that is because in 2023 we estimated that about 1200 pounds remained on the California subarea quota after we had finalized our catch estimates and that reopening was not authorized because it's too small an amount, de minimis amount, would be difficult to manage and track. So, an equal share between the states of what might be offered up seems the most reasonable and efficient way of redistributing what might be available. So, with that, that's the proposal. I appreciate the work with the other two states on thinking through how to get something done with regard to flexibility in 2024 to better utilize halibut that is allocated initially through the Catch Sharing Plan. Thank you.

Pete Hassemer [00:22:45] Thank you. Are there questions to the maker of the motion for clarification? Not seeing questions... oh, Josh Lindsay, sorry.

Josh Lindsay [00:22:57] It's my fault Mr. Vice-Chair. I was late with the hand. Thank you. Thank you, Miss Yaremko, for the motion. I did have, I guess, two clarifying questions. I do believe you answered one speaking to your motion, but in the first sentence you reference just the amount of their allocation versus their sport or rec allocation, but in speaking to the motion you clarified that that's the intent as we've been discussing to date, I believe?

Marci Yaremko [00:23:31] Thank you Mr. Vice-Chair. I'm sorry I don't think I'm following your question.

Josh Lindsay [00:23:38] Sorry. In the first sentence you say at the earliest time possible a state can notify NMFS of the amount of their allocation that is projected to be unused after accounting for state management objectives, and the intent is that's the sport allocation of that state?

Pete Hassemer [00:23:52] Marci.

Marci Yaremko [00:23:55] Yes. Thank you Mr. Lindsay. I should probably offer a little more context

in the sense that this language that you see is what I had been provided as kind of a working draft of blue text that was discussion, resulted from some sidebar discussion on how to improve the language from the Option 1 initial draft. So, yes, this is speaking strictly to pounds and sport allocations.

Pete Hassemer [00:24:35] Another, further...

Josh Lindsay [00:24:37] Thank you, through the Vice-Chair. Thank you Miss Yaremko. The other clarifying question I had. I understand the change to the original option of the reapportionment to be equal to the other two states versus the allocation scheme within the Catch Sharing Plan. I guess the question I have then with that change is that as you're aware both Oregon and Washington also have various subareas, and is the intent of this motion that this reallocation would be among those subareas and also an equal reapportionment within those states or...?

Pete Hassemer [00:25:12] Marci.

Marci Yaremko [00:25:15] Thank you Mr. Vice-Chair for the question. The allocation would be made available to the state, and depending on where we are in season, for example, it may not be appropriate were Oregon to receive pounds under this reallocation scheme for those pounds to fall into their spring fishery. It may be, you know late into August so I believe that it is most appropriate to leave that to the discretion of the state managers on how those pounds would roll out through their state schemes, I guess, is the way to describe it. It's difficult for me to comment entirely because in California we receive one amount and it would be added to our total. So, I'm unclear how it would work, but I believe the states are capable of evaluating that themselves and recommending to NMFS the preferred distribution strategy.

Pete Hassemer [00:26:46] Josh, anything further?

Josh Lindsay [00:26:48] No, thank you Mr. Vice-Chair. I may have other associated comments with that in discussion, but thank you.

Pete Hassemer [00:26:54] Thank you. Further questions for clarification? Phil Anderson.

Phil Anderson [00:27:01] I have a question. I'm not sure it's for clarification.

Pete Hassemer [00:27:05] Go ahead with it.

Phil Anderson [00:27:07] Thanks. Thanks for the motion, Marci. Supportive of what you're trying to do here. And I was thinking about offering an amendment at the appropriate time to put the word "sport" between there and allocation on the second line but that's not my question. In the middle there where it talked about the reapportion, and I think that's a reasonable approach, I wondered if you or the other state reps talked about adding, unless otherwise agreed by the state representatives to that, so you'd hardwire that as the base but given the set of circumstances that the two states had, you may agree to do 60-40 or, you know, depending on how each state's sport fishery is progressing. So, I was just... my question is did you think about giving yourself a little bit of flexibility, understanding that would be the default or starting point, but giving yourselves a little bit of flexibility to discuss the potential of something different than 50-50?

Pete Hassemer [00:28:29] Marci.

Marci Yaremko [00:28:33] Thank you Mr. Vice-Chair. Yes. I believe Supplemental Attachment 5 does lay out kind of a process that the states would work through in terms of describing how any amount

that was available could be shared between the two receiving states. But at the end of the... it discusses that a state could say that it didn't need more than whatever amount it might have been granted under the scheme that was suggested and that, for example, if they were to receive 8,000 pounds and they estimated they only needed 5,000 pounds, then the remaining 3,000 pounds could go to the other state that was involved. So that is what's laid out in Attachment 5 as a process and I'm suggesting that process yet instead of the starting point be at the CSP distributions, let's start on an equal sharing basis between the two receiving states. So, all of that other language in Supplemental Attachment 5 about working out how the pounds would ultimately be redistributed, I believe, holds.

Pete Hassemer [00:30:20] Phil.

Phil Anderson [00:30:20] That would be a good clarification to have because of my experiences these things get read very prescriptively and deviating from the language that you have is generally frowned upon. So, if you wanted to have a little bit of flexibility here it was just a thought.

Pete Hassemer [00:30:46] We've been at this for a long time. Let's take five minutes for a break, give people a chance to think about that language there and we'll come back. So five minutes please.....(BREAK)....All right let's get back to business here. When I last saw you all we were discussing the motion on the screen before us. I'm going to look for further discussion. Heather Hall.

Heather Hall [00:31:25] Thank you Vice-Chair Hassemer. And thank you for the opportunity to, for a break. I'd like to make an amendment to the motion.

Pete Hassemer [00:31:37] Please go ahead.

Heather Hall [00:31:45] In the first sentence please add after, or before allocation, sport, the word "sport". Thank you. And then after the sentence that starts with, "NMFS would reapportion the amount"... yes, start a new sentence that says, "If a state eligible to receive the additional pounds declines all or in part of the additional pounds", or sorry, not the "in", "all or part". Thank you. "Of the additional pounds, comma, the remainder would go to the other state". That's correct.

Pete Hassemer [00:33:17] All right, thank you. Is what's highlighted there on the screen accurate, complete what you intend?

Heather Hall [00:33:26] Yes, it is.

Pete Hassemer [00:33:28] Thank you. I will look for a second. Seconded by Marci Yaremko. Please speak to your motion to amend.

Heather Hall [00:33:37] Yes, thank you. What we would like to do here is just have as much flexibility as possible and in a way that is transparent to the public and that gives NMFS clarity in the regulations. So, trying to find a, strike a balance between flexibility and clarity and transparency here in what we'd like to do and really addressing if there's just a small amount of quota available and it's not needed by one state, we want to provide the opportunity for it all to go to just one state.

Pete Hassemer [00:34:14] All right, thank you. I'm going to look around for either questions for clarification or any discussion, comments on the motion. Sharon Kiefer.

Sharon Kiefer [00:34:30] For discussion I just want to say I find this a particularly elegant way to address this and find it far more publicly understandable and friendly than what was in the Attachment 5.

Pete Hassemer [00:34:47] Thank you. Further questions or discussion on the motion to amend? Not seeing any hands, I will call the question. The motion to amend, text is highlighted on the screen before you. All those in favor say "Aye".

Council [00:35:08] Aye.

Pete Hassemer [00:35:08] Opposed, no? Abstentions? The motion to amend passes unanimously. Thank you Heather. We are back to the main motion as amended. I will look for any other hands for discussion. Heather Hall.

Heather Hall [00:35:31] Thank you. And the comment from Miss Kiefer is what I wanted to speak to. This motion, which I appreciate from the maker of the motion, doesn't speak to Attachment 5 at all. It's standalone and should operate on its own so... it's... there is no adopting the Attachment 5 or the process described in there. This is standalone and I just wanted to make sure that's clear.

Pete Hassemer [00:36:03] All right, thank you. Further discussion on the motion as amended? Not seeing any hands, I will call the question on the main motion as amended before us. All those in favor say "Aye".

Council [00:36:23] Aye.

Pete Hassemer [00:36:23] Opposed, no? Abstentions? The motion passes unanimously. Thank you. With that I'm going to summarize while you gather your thoughts unless somebody wants to raise their hand right now. Lynn Mattes.

Lynn Mattes [00:36:54] Mine is... I think it would come after your summary, but I just wanted to provide guidance and ask that NMFS provides what we've discussed here, the changes to the Catch Sharing Plan, et cetera, provides that to the International Pacific Halibut Commission for their regulatory process, which I think documents are due right around Christmas time for their annual meeting. Thank you for letting me get that in.

Pete Hassemer [00:37:19] All right, thank you. Guidance for NMFS on that to provide that information. Josh.

Josh Lindsay [00:37:27] Yeah, thank you Mr. Vice-Chair. Yes, happy to do that and I appreciate the comment by Miss Mattes. Some of these proposed changes that the Council is discussing will require some modifications to how we've handled IPHC regulations in the past and so we will work with Council staff to try to make those, as appropriate.

Pete Hassemer [00:37:51] All right, thank you. So, with that I'm going to run through. Off the top of my head, we had Washington, Oregon, California recreational season changes. We had the directed commercial halibut season. We covered Attachment 3, the management objectives, and we covered attachment, well, what was associated with Attachment 5, some inseason flexibility. We had guidance given relative to Attachment 6, the recommendations of the Enforcement Consultants. And we did not reach any consensus on action regarding Attachment 4, allocation. Robin, what did I miss?

Robin Ehlke [00:38:47] Thank you Mr. Vice-Chair. I don't think you missed a thing. I am very pleased that the Council talked all of this out and we had some really good outcomes. We achieved most of our goals or changes that we were hoping to... to provide some flexibility in the Catch Sharing Plan, get our season set for 2024. And some of the flexibility language, it might not be perfect but I think it's going to get better as we continue to use that type of language. So, you have checked all the boxes on

this. Eight different items to work through and I think you did it in record time. So, I appreciate it all and you've done your work under this agenda item. Thank you.

Pete Hassemer [00:39:35] All right, thank you very much. I believe that completes all our work then, allows us to close this out. I'm going to pass the gavel back to our Chair and note that relative to yesterday's proceedings we are right now three hours ahead of schedule.