

# April 2023 Decision Summary Document

12 April 2023

*Modified 15 May 2023*

## **April 2-7, 2023**

Council Meeting Decision Summary Documents are highlights of significant decisions made at Council meetings. Fishery policy decisions made by the Council are formally transmitted to the National Marine Fisheries Service (NMFS) as recommendations and are not final until NMFS approval. Results of agenda items that do not reach a level of highlight significance are typically not described in the Decision Summary Document. For a more detailed account of Council meeting discussions, see the Council meeting record and transcripts.

## **Pacific Halibut Management**

### Incidental Catch Limits for the Salmon Troll Fishery — Final Action

The Council adopted final incidental halibut catch limits as follows:

Open May 16, 2023, through the end of the 2023 salmon troll fishery, and beginning April 1, 2024, until modified through inseason action or superseded by the 2024 management measures. License holders may land no more than one Pacific halibut per two Chinook, except one Pacific halibut may be landed without meeting the ratio requirement, and no more than 35 halibut landed per trip.

# Salmon Management

## Methodology Review Preliminary Topic Selection

The Council supported the items for review submitted by the Model Evaluation Workgroup (MEW), Salmon Technical Team (STT), and the Scientific and Statistical Committee including:

1. Consider technical modifications to the Sacramento River winter Chinook abundance forecast by examining whether an egg-to-fry covariate can improve forecast performance (assigned to National Marine Fisheries Service)
2. Review and consider improvements to methods used to model South of Falcon fisheries in Chinook Fishery Regulation Assessment Model (assigned to MEW)
3. Explore alternative forecast approaches for the Oregon Production Index Hatchery coho forecast (assigned Oregon Production Index Technical Team)
4. Explore alternative forecast approaches for the Sacramento Index (assigned to STT)
5. Fishery Regulation Assessment Model Documentation (assigned to MEW)

## Sacramento and Klamath River Fall Chinook Conservation Objectives Scoping

The Council requested that National Marine Fisheries Service, California Department of Fish and Wildlife, and Council staff develop a briefing paper outlining the potential pathways forward on a coordinated effort surrounding Klamath River salmon recovery following dam removal, and reevaluation of Sacramento fall Chinook conservation objectives. The Council asked that the paper consider resources available to help support a potential workgroup focused on Klamath River salmon, and a workshop to discuss Sacramento River fall Chinook. The Council is scheduled to consider this topic again in June 2023.

## 2023 Management Measures—Final Action

The Council adopted management measures for 2023 ocean salmon fisheries and will transmit its recommendations to National Marine Fisheries Service for implementation by May 16, 2023. Detailed management measures and a press release are posted on the Council's webpage.

# Groundfish Management

## National Marine Fisheries Service Report

The Council received an overview from the West Coast Region on current rulemakings and the petition to list sunflower sea star (*Pycnopodia helianthoides*) as threatened under the Endangered Species Act. The Northwest Fishery Science Center briefed the Council regarding 2023 groundfish survey plans and provided revisions to the Pacific Halibut Bycatch in U.S. West Coast Groundfish Fisheries, 2002 – 2021 report and associated data.

## Trawl Cost Recovery Annual Report

The Council received the annual trawl cost recovery report which provides an assessment of previous years' costs and a calculation for the current year cost recovery fees (Agenda Item G.2.a, NMFS Report 1). Additionally, National Marine Fisheries Service (NMFS) provided a report detailing its determination of costs using a 'with and without' comparison and its evaluation of the agency cost savings and efficiencies generated by the move to the trawl individual fishing quota program (Agenda Item G.2.a, NMFS Report 2). NMFS Report 2 concluded that the method "is consistent with statutory and regulatory cost recovery mandates, guidance in NMFS Catch Share Policy, and the Council's intent in establishing the cost recovery program."

## Trawl Catch Share Cost Project—Update

The Council reviewed the first draft of the trawl catch share cost report (Agenda Item G.3, Attachment 1) being developed by Mr. Darrell Brannan. The Council requested that as Mr. Brannan continues work that he explore additional ways to reach out and collect industry thoughts and focus on program costs related to design elements that the Council might be able to adjust in upcoming deliberations. NMFS will be providing funds for a second year of this project, to start after the final first year report is provided for the September Council meeting.

## Sablefish Gear Switching—Check-in and Refine the Range of Alternatives

The Council continued its work on the range of trawl catch share fishery alternatives that would limit gear switching for sablefish north of 36° N. lat. After the Council completed its actions, in addition to No Action, the range included: Action Alternative 1, gear-specific quota shares (QS; trawl-only and any-gear QS); Action Alternative 2, gear-specific quota pounds (without creating gear-specific QS); and Action Alternative 3, a gear-switching season that would end when it is projected that 29 percent of the trawl allocation of northern sablefish is taken by

gear-switching vessels. A gear-specific QS alternative that would have had a very narrow distribution of any-gear QS (the old Alternative 2, as described in Agenda Item G.5, Attachment 2) was removed from the range. Additionally, work will not continue on a gear-switching endorsement approach to limiting gear-switching (the old Alternative 3). Qualification options from that alternative are now in the new Alternative 2, which also includes expiration of gear-switching opportunities for historic participants as they leave the fishery. At its June meeting, the Council plans to make its initial selection of a preliminary preferred alternative (PPA). At its November 2023 meeting it will work to refine the initial PPA, and final action is scheduled for March 2024.

## Considerations for a Sablefish Assessment Update

The Council received an overview from the Northwest Fisheries Science Center on the status of age reading to support 2023 groundfish stock assessments. In addition to those planned in 2023, considerations for a sablefish stock assessment update were discussed. The Council approved a sablefish assessment update for 2023 with provisions to accommodate additional workload.

# **Coastal Pelagic Species Management**

## Exempted Fishing Permits for 2023-2024—Final Action

The Council approved two Exempted Fishing Permit proposals (Attachment 1 and Attachment 2) designed to support stock assessments for Pacific sardine. This includes a total amount of up to 670 mt for nearshore aerial surveys and directed biological sampling.

## **Fishery Management Plan (FMP) Housekeeping—Final Action**

The Council adopted final FMP language, pending approval of Amendment 20 on management categories, as outlined in Attachment 3 and including the modifications in Supplemental CPSMT Report 2.

## Sardine Harvest Specifications and Management Measure for 2023-2024—Final Action

The Council adopted the following harvest specifications and management measures for the 2023-2024 Pacific sardine season.

OFL	5,506 mt
P* Buffer	0.4
ABC <sub>Tier 2</sub>	3,953 mt
ACL	3,953 mt
ACT	3,600 mt

In addition, the Council recommended the requested EFP amounts from Agenda Item H.2.

Accountability measure recommendations include:

1. Incidental landing limit in coastal pelagic species (CPS) fisheries of 20 percent.
2. If landings in the live bait fishery attain 2,500 mt, a per-landing limit of 1 mt of Pacific sardine per trip will apply to the live bait fishery.
3. If the annual catch target (ACT) of 3,600 mt is attained, a per-trip limit of 1 mt of Pacific sardine applies to all CPS fisheries.
4. An incidental per-landing allowance of two mt of Pacific sardine in non-CPS fisheries until the annual catch limit (ACL) is reached.

## Coastal Pelagic Species Essential Fish Habitat Amendment

The Council adopted a Range of Alternatives (ROA) that included all the potential CPS essential fish habitat (EFH) modifications described under Alternative 1, with Alternative 1b as the Preliminary Preferred Alternative. The Council endorsed the Habitat Committee’s recommendation to include U.S. waters of the Salish Sea as EFH for market squid and krill. Alternative 2 addressing market squid Habitat Areas of Particular Concern was not included in the range of alternatives and thus will not be moved forward for further consideration. The Council is scheduled to take final action at its June meeting in Vancouver, Washington.

## Administrative Matters

### Regional Implementation of the National Equity and Environmental Justice Strategy

The Council considered how it would engage with upcoming development of a regional implementation plan for the NMFS national equity and environmental

justice (EJJ) strategy and development of the NMFS regional geographic strategy—the latter being a separate strategy with broader scope than the EEJ strategy. As next steps in pursuing EJJ, the Council discussed: compiling advisory body statements on EEJ; evaluating how EEJ issues have historically impacted west coast fisheries and fishery management; and development of strategic partnerships to further pursue EEJ-related goals and objectives. The Council also agreed to appoint an ad-hoc EEJ committee to assist the Council in addressing EEJ issues and, in particular, to advise the Council on working with NMFS on the regional implementation plan and the geographic strategic plan (see Membership Appointments). These issues will next be taken up by the Council at its September 2023 meeting.

## Council Meeting and Process Efficiencies

The Council considered a staff paper on the topic of Council and Advisory Body meeting formats, including remote, in-person, and hybrid approaches to meetings. The Council expressed interest in continuing to expand capabilities to reach audiences and stakeholders that are not able to attend Council meetings in person, and noted that the issue relates closely to future Council budget planning, as well as matters of Equity and Environmental Justice. The Council will take up this topic again in June.

## Marine Planning

The Council directed staff to initiate a Quick Response letter to the Bureau of Ocean Energy Management (BOEM) reiterating the importance of a comprehensive cumulative impacts analysis of wind energy development on the entire U.S. West Coast. The Council also discussed the Advisory body recommendations (from the GAP and the MPC) to urge BOEM to develop a programmatic Environmental Impact Statement (EIS) for the five California wind energy leases and suggested that BOEM strongly consider a programmatic approach to the required EISs.

## Legislative Matters

The Council received a report from the Legislative Committee on several pieces of Federal and State legislation that may impact Council-managed fisheries. In addition, the Council considered a letter from Mr. Boomer Wright of the Oregon House of Representatives which requested Council input on Oregon HB 3382. The Council instructed staff to draft a letter in response to Mr. Wright's request.

## Membership Appointments and Council Operating Procedures

## ***Membership Appointments***

The following changes to the Council's membership roster were made at the April meeting:

### *Council Officers, Members, and Designees*

- Pacific States Marine Fisheries Commission notified the Council that Dave Hanson will be retiring in April. Barry Thom will remain the primary designee for the Commission.

### *Council Advisory Body Appointments for the 2022-2024 Term*

- Mark Fina was appointed to the Processor position on the Coastal Pelagic Species Advisory Subpanel.

### *Council Advisory Body Agency Appointments*

- Dr. Kayleigh Somers was appointed to the Observer Program position on the Groundfish Endangered Species Workgroup.
- Dr. Aaron Mamula was appointed to the Southwest Fisheries Science Center position on the Groundfish Management Team.

### *Solicitations for the 2022-2024 Terms*

The Council is soliciting nominations for the following positions for consideration at the June 20-27, 2023, Council meeting. Applications should be submitted by **5 PM on May 22, 2023**.

- Coastal Pelagic Species Advisory Subpanel – Commercial – 1 Position
- Highly Migratory Species Advisory Subpanel – Commercial Troll – 1 Position
- Ecosystem Advisory Subpanel – Washington At-Large – 1 Position

The Council also formed a new *ad hoc* committee to assist the Council in addressing equity and environmental justice (EEJ) issues and, in particular, to advise the Council on working with NMFS on the forthcoming EEJ Strategy Regional Implementation Plan and the Geographic Strategic Plan. Members of the EEJ Committee include

- Joseph Oatman – Tribal seat
- Heather Hall – WA seat
- Christa Svensson – OR seat
- Virgil Moore – ID seat
- Corey Ridings – CA seat
- NMFS member