

PROPOSED AGENDA

Ad Hoc Southern Resident Killer Whale Workgroup

Pacific Fishery Management Council/National Marine Fisheries Service

Embassy Suites Portland Airport

Oak Room

7900 NE 82nd Avenue

Portland, OR 97220

Phone: (503) 460-3000

May 23-24, 2019

The meeting is open to the public and is a work session for the primary purpose of reassessing the effects of the Council-area ocean salmon fisheries on the Chinook salmon prey base of Southern Resident Killer Whales (SRKW). Please note: this is not a public hearing, but public comment may be accepted if time allows and at the discretion of the SRKW Workgroup Chair. This proposed agenda represents suggested topics and may be modified during the meeting. Start times for each agenda item (in parenthesis) are estimated and also subject to change.

A SRKW Workgroup Progress Report is scheduled to be presented to the Council at its June 2019 meeting in San Diego, California. Additional information on SRKWs can be found at this link: https://www.westcoast.fisheries.noaa.gov/protected_species/marine_mammals/killer_whale/

THURSDAY, MAY 23, 2019: 10 AM – 5 PM

A. Call to Order and Administrative Matters (10:00 a.m.)

R. Ehlke, Council Staff

1. Introductions
2. Review of Membership Roster
3. Approve agenda
4. Meeting logistics
5. Review of Council Operating Procedures /Ground Rules
6. Review of Terms of Reference
7. Election of officers (Chair and Vice Chair)

B. Background information on SRKWs (10:45 a.m.)

Chair

1. SRKW status and recovery T. Mongillo, NMFS WCR
2. SRKWs and Chinook salmon E. Ward, NMFS NWFS
 - Correlations between SRKW survival and fecundity and Chinook abundance
 - Summary of the Independent Science Panel
3. New available science: T. Mongillo and E. Ward
 - Diet and development of priority Chinook salmon priority list
 - Distribution
 - Health and Body Condition
4. Workgroup discussion

Lunch Break - (12:30 p.m.) One hour

- C. Fishery interactions with SRKW (1:30 p.m.)** Chair
1. Description of Council area salmon fisheries J. Jording, NMFS WCR
 2. Review of analyses for salmon fishery evaluations T. Mongillo and J. Jording
 - Review of 2009 Council area salmon fisheries analysis
 - Review of non-Council fishery analyses (including adaptive framework)
 - Review of 2019 Council area salmon fisheries analysis
 3. Workgroup Discussion

15 minute break (3:45 p.m.)

- D. Risk assessment development (4:00 p.m.)** Chair
1. Risk criteria discussion T. Mongillo and J. Jording
 - Metric and Methodology scoping
 2. Workgroup Discussion

- E. Public Comment (as time allows)** Chair

FRIDAY, MAY 24, 2019: 9 AM – 2PM (or until business is complete)

- F. Risk assessment development (continued) (9:00 a.m.)** Chair
1. Risk criteria discussion T. Mongillo and J. Jording
 - Metric and Methodology scoping
 - Potential data needs and sources
 - Identify data gaps
 2. Workgroup Discussion

Lunch Break - (11:30 p.m.) one hour

- G. June Council meeting (30 minutes)** Chair
1. Briefing Book schedule R. Ehlke
 2. Assignments for material due at June Council meeting
 - Draft statement and progress report discussion

- H. Future Workload and Meeting Planning (60 minutes)** Chair
1. Assignments for modeling developments J. Jording/ Workgroup
 2. Assignments for determining solutions to identified data gaps J. Jording/ Workgroup
 3. Develop/approve due dates for assigned tasks R. Ehlke/J. Jording
 4. Approve draft Workgroup meeting schedule R. Ehlke/J. Jording

- I. Public Comment (as time allows)** Chair

ADJOURN

PFMC
05/16/19

Table 1. Ad-Hoc Southern Resident Killer Whale Workgroup Members

Member	Affiliation
Phil Anderson	Pacific Fishery Management Council Chair
Jeromy Jording	West Coast Region, Sustainable Fisheries
Susan Bishop	West Coast Region, Sustainable Fisheries
Teresa Mongillo	West Coast Region, Protected Resources
Eric Ward	Northwest Fisheries Science Center
Will Satterthwaite	Southwest Fisheries Science Center
LCDR Scott McGrew	United States Coast Guard
Mike Matylewich	Columbia River Intertribal Fish Commission
Nate Tyler	Makah Tribe
Tyler Gross	Quileute Tribe
Tyler Jurasin	Quinault Tribe
Melvinjohn Ashue	Hoh Tribe
Kyle Adicks	Washington Department of Fish and Wildlife
Derek Dapp	Washington Department of Fish and Wildlife
Chris Kern	Oregon Department of Fish and Wildlife
Craig Foster	Oregon Department of Fish and Wildlife
Lance Hebdon	Idaho Department of Fish and Game
Chris Kozfkay	Idaho Department of Fish and Game
Brett Kormos	California Department of Fish and Wildlife
Erica Meyers	California Department of Fish and Wildlife

*Updated 05/14/19***Table 2. 2019 Ad-Hoc Southern Resident Killer Whale Workgroup Meeting Schedule**

Date	Location
May 23-24	Meeting in PDX - Embassy Suites Airport
July 2	Webinar - Council debrief
July 23-24	Meeting in Vancouver, WA - Vancouver Hilton
September 4	Webinar if needed SAS/SRKW
September 14-ish	Maybe 2 days at Council Mtg in Boise, ID
October 8-9	Meeting in PDX near Airport
October 29?	Webinar if needed SAS/SRKW
November 16-ish	Maybe 2 days at Council Mtg in Costa Mesa, CA

Updated 05/22/19

COUNCIL OPERATING PROCEDURE

Ad Hoc Committees



Approved by Council: 03/11/05

Revised : 09/16/10, 11/08/18, **04/16/19**

PURPOSE

To establish procedures for creating, operating, and terminating Ad Hoc Committees.

CREATION AND TERMINATION

Ad Hoc Committees are created to address specific (or short term) issues and are intended to be in place for a limited duration. Ad Hoc Committees are created and terminated by vote of the Council. Current Ad Hoc Committees (including names and affiliations, but not contact information) shall be listed in the Council Roster.

OBJECTIVES AND DUTIES

Objectives, duties, and expected duration for each Ad Hoc Committee shall be specified at the time the committee is created.

MEMBER COMPOSITION AND TERMS

Based on the advice of Council members and advisory committees, the Council Chair appoints Ad Hoc Committee members.

Member Terms

Ad Hoc Committee members serve until the tasks assigned to the Ad Hoc Committee are completed. However, an Ad Hoc Committee member may be replaced at the Council Chair's discretion if a member; 1) transfers employment or moves to a different location, 2) is absent from two or more consecutive meetings without giving adequate notification to the Committee Chair or Council Executive Director, or 3) appears unable to fulfill their obligations as a Committee member.

Termination of Membership

An Ad Hoc Committee member may be replaced at the Council Chair's discretion if a member: 1) transfers employment or moves to a different location; 2) is absent from two or more consecutive meetings without giving adequate notification to the Ad Hoc Committee Chair or Council Executive Director; or 3) appears unable to fulfill their obligations as a Committee member; 4)

their area of expertise is no longer required; 5) is reassigned by sponsoring agency; 6) violates the *Rules of Conduct for Employees and Advisors and Contractors of Regional Fishery Management Councils, U. S. Department of Commerce*; or 7) The Council Chair, in consultation with the Executive Director, determines that a member should be removed for just cause (e.g., violation of marine resource regulation, felony conviction, investigated reports of sexual harassment, etc.; these examples are not all-inclusive.). This also includes removal of a member who repeatedly fails to adhere to proper decorum and to show respect for other Committee members, or the Committee itself, as evidenced by rude and disruptive behavior and/or an unwillingness to refrain from abusive treatment or harassment of other members and/or Council staff assigned to assist the Committee in carrying out its business of providing recommendations to other committees and the Council. Reports of such behavior should be made to the Executive Director or Council Chair so that the incidents(s) can be properly investigated.

Alternate Members

Due to the limited and specific nature of Ad Hoc Committees, members shall, generally, not be allowed to appoint alternates and are strongly encouraged to attend all Ad Hoc Committee meetings. However, a member may request an alternate to a meeting no more than twice per calendar year under the following terms. All requests for alternates require prior approval by the Executive Director. The Executive Director must be notified in advance in writing with the name of and contact information for the proposed alternate at least 30 days prior to the first day of the committee meeting, or the first day of the Council meeting held in conjunction with the committee meeting. Non-federal alternates will be reimbursed for travel expenses per the Council travel rules. Exceptions to these terms may be made at the discretion of the Executive Director for highly unusual occurrences. Such designees may participate in Ad Hoc Committee deliberations as a regular member.

Officers

The Chair and Vice Chair of each Ad Hoc Committee shall be appointed by the Council Chair and shall serve for the duration of the Ad Hoc Committee. The presiding officer has the responsibility and authority to ensure that meetings are conducted in an orderly and business-like manner.

MEETINGS

The committee shall meet at the request of the Council Chair or Executive Director as often as necessary to fulfill their responsibilities.

Public Participation

The public will be permitted to comment on items relative to the agenda at a time to be announced in the *Federal Register* and a Council news release. Comments may be limited if deemed necessary by the Committee Chair. Written statements also may be submitted during the public comment period. The public will not be permitted to interject comments during the meeting at any time other

than the established comment period unless asked to do so by the Committee Chair or a Committee member. Members of the public may be asked to leave the meeting at the Committee Chair's discretion if their conduct is impeding the orderly progress of the meeting.

The granting of permission for the public to tape all or any part of the meeting is at the discretion of the Committee Chair and such permission shall be obtained in advance of the meeting.

Copies of this operating procedure shall be available upon request from the Council office.

Public Notification of Meetings

Timely public notice of each Ad Hoc Committee meeting, including the time, place, and agenda topics for the meeting, shall be widely distributed via facsimile machine, electronically (e-mail and Council website), and/or U.S. Postal Service to individuals on mailing lists maintained by the Council and to local media. The notice also may be announced by such other means as will result in wide publicity. For purposes of this notice, the term "timely" will be defined as two weeks prior to the actual meeting. However, the Council recognizes that due to the expediency of some Council actions and/or other reasons deemed valid, such two-week advance notice may not always be possible.

Timely notice of each regular meeting, emergency meeting, and hearing also shall be published in the *Federal Register*. Council staff shall prepare this notice in coordination with the appropriate NMFS regional office. In this context, the term "timely" shall denote submission (at least 23 calendar days prior to the meeting) of the notice to NMFS for publication in the *Federal Register*.

Minutes and Reports

As workload permits, a Council staff member shall attend and draft minutes of each Ad Hoc Committee meeting. Such minutes shall be submitted for approval by the majority of committee members prior to or at the next committee meeting.

Ad Hoc Committees shall report to the Council as directed by the Council Chair or Executive Director.

Reports will describe both areas of consensus and differences. If necessary, majority and minority reports may be drafted to present the divergent views of the Ad Hoc Committee. The Committee Chair will present both majority and minority reports to the Council.

Draft reports or statements prepared and discussed at these meetings will be available to the public in final form after submission to the Council. They will not be distributed to the public during the meeting unless authorized by the Committee Chair.

STAFF RESPONSIBILITIES

In addition to drafting meeting minutes, Council staff has responsibility for guiding, assisting, and coordinating activities of these committees including ensuring that Council policy, schedules, guidelines, and direction are followed; preparing agendas, *Federal Register* notices; attending meetings; conducting supportive analyses of complex technical and policy matters; presenting briefings to these committees on necessary matters; supporting preparation of committee reports or recommendations for presentation to the Council; and facilitating discussion among committee members to achieve consensus and maintain decorum. Council staff also facilitates communication and coordination among the various Council advisory bodies to resolve issues and promote consistency.

NATIONAL MARINE FISHERIES SERVICE REPORT ON SOUTHERN RESIDENT
KILLER WHALE ENDANGERED SPECIES CONSULTATION

Draft Proposed Southern Resident Killer Whale (SRKW)
Ad Hoc Workgroup Terms of Reference

1. Purpose

- The purpose of the ad hoc SRKW Workgroup (Workgroup) is to reassess the effects of Pacific Fishery Management Council (PFMC, or Council) ocean salmon fisheries on SRKW and potentially recommend conservation measure(s) or management tool(s), that limit PFMC fishery impacts on Chinook salmon prey availability for SRKW.
- NMFS is reinitiating consultation on PFMC salmon fisheries relative to their effects on SRKW; therefore, the need for the proposed reassessment and potential conservation measure(s) or management tool(s) is to determine whether, and ensure that, the Council's salmon harvest management measures do not jeopardize the continued existence of SRKW in light of new information available on SRKW and their prey since the previous consultation was completed in 2009.
- The Workgroup's analyses and the Council's recommendations will provide information necessary for NMFS' Endangered Species Act (ESA) consultation and National Environmental Policy Act (NEPA) analysis.

2. Membership

- The Workgroup will be established by Council.
- Membership should include representatives from:
 - Pacific Fishery Management Council staff
 - National Marine Fisheries Service WCR, NWFSC, and SWFSC
 - Tribal membership
 - California Department of Fish and Wildlife
 - Oregon Department of Fish and Wildlife
 - Washington Department of Fish and Wildlife
 - Idaho Department of Fish and Game
- The Workgroup will choose from among its members a Chair and a Vice-Chair. The Council will be responsible for administrative and logistical support. The Vice-Chair will act in instances where the Chair is unavailable.

3. Milestones

- Collect and summarize relevant information regarding the status of SRKW.
 - Describe temporal and spatial overlap of the Council salmon fisheries and SRKWs.
 - ✓ Identify the priority Chinook salmon prey stocks that contribute to Council salmon fisheries.
 - Describe development of analyses for other salmon fishery evaluations, including a framework proposed in another geographic area (e.g., Puget Sound), relative to interactions and considerations of SRKW.
- After evaluating the new information, reassess the effects of Council salmon fisheries on SRKW, and, if warranted, develop a range of alternatives that are responsive to the status of SRKW.
- Develop a preferred alternative that can be recommended for adoption by the Council and to NOAA Fisheries for ESA review by November 20, 2019.

4. Timeline

- Pre-meet: Council initiates development of Workgroup
 - ✓ Agenda item scheduled to scope Workgroup assignment and engagement (Council April Agenda 2019);
 - invitations need to be sent to participating parties;
 - NOAA (WCR and FSC) staff participants assigned and ready to engage (4-6 staff [2 – 3 from the region and science center respectively, or contractors or details in place] successful implementation will require permanent staff to engage and carry through into the future);
 - FR notice of time/location of first workgroup meetings finalized (Council staff), Workgroup meetings will be open to public.
- **May 2019:** initial meeting
 - introductions;
 - Review purpose of Workgroup
 - establish ground rules and operating procedures
 - develop proposed timeline;
 - selection of Chair and Vice-Chair;
 - NMFS presentation of current SRKW status and available information, including analyses for other salmon fishery evaluations, describing a framework proposed in another geographic area (e.g., Puget Sound) and criteria used to evaluate risk to SRKW followed by group discussion;
 - group discussion to identify data gaps and provide ideas to help identify criteria and methodology that would be used in the risk analysis evaluating effects of the Council fisheries on SRKW in preparation for the next meeting;
 - date/location confirmed for next meeting, FR notice of time/location (Council staff).
- **July 2019:** second meeting (*compressed timeframe may require webinar*)
 - updates/additional status information provided to address data gaps and questions identified at May meeting;

- discussion about criteria and methodology developed from first meeting;
 - group assignment to begin drafting risk analysis report for current PFMC fishery structure based on evaluation criteria agreed upon to determine if further conservation measure(s) or management tool(s) are warranted;
 - Begin scoping possible conservation measure(s) or management tool(s) to propose based on the evaluation criteria developed for the risk analysis. Expect to have proposal(s) presented at the September Council meeting if needed;
 - date/location confirmed for next meeting, FR notice of time/location (Council staff).
- **September (11-18, 2019 Council meeting):** third meeting
 - Draft risk analysis report for current PFMC management is available for review.
 - If warranted, development of additional conservation measure(s) or management tool(s), or refinement of current management strategy would begin in the form of Alternatives,
 - Alternatives would be developed by the Workgroup and based on the findings of the draft risk analysis report. The scoping exercise performed at the July Workgroup meeting will help guide potential alternative development.
 - discussion if suite of alternatives is adequate/possible revision of alternatives,
 - IF alternatives are added based on initial draft risk analysis report, these items will all repeat during next meeting;
 - group assignment to update draft risk analysis report accordingly per third meeting discussions;
 - group assignment to present alternatives and draft risk analysis report to each parties' respective constituency; schedule meeting to present to Council's Salmon Advisory Subpanel (SAS) and Council's Scientific and Statistical Committee (SSC) for simultaneous preliminary reviews;
 - Chair and Vice-Chair present range of alternatives, and draft risk assessment report to PFMC;
 - date/location confirmed for next meeting, FR notice of time/location (Council staff).
- **September (last week) / October 2019 (first week sometime):** fourth meeting (*compressed timeframe may require webinar*)
 - discuss Council direction provided at September Council meeting;
 - update alternatives based on Council guidance and provide revised information to the SAS, SSC, and other tribal or state input sources outside Workgroup;
 - group assignment to revise draft risk analysis report for updated alternatives per external recommendations;
 - group assignment to present alternatives and revised risk analysis report to each parties' respective constituency via webinar;
 - Workgroup develops its recommendation(s) to PFMC for consideration in selection of a preferred alternative;
 - NMFS WCR begins drafting appropriate NEPA documents related to federal action;
 - date/location confirmed for next meeting, FR notice of time/location (Council staff).
- **November (13-20, 2019 Council meeting):** fifth meeting
 - final questions and input provided to Council from advisory bodies and public;
 - potential Workgroup assignment to revise alternative based on input provided to Council from the advisory bodies and/or public at the November meeting.

- The Council recommends its adoption of a preferred alternative recommendation and transmits to NMFS via signed letters for Section 7 consultation.
- **Spring 2020**
 - Council uses preferred alternative during March 2020 development of salmon fishery alternatives awaiting outcome of regulatory documents;
 - ESA and NEPA documents finalized by April 2020 in time for promulgation of 2020 management measures.

Meeting materials

- PFMC will post meeting information and agendas on their website (www.pcouncil.org)
- NMFS has a new website that will house meeting material and supporting documents
You can find those here: <https://www.fisheries.noaa.gov/west-coast/southern-resident-killer-whales-and-fisheries-interaction-workgroup>
- Additional information can be found here:
https://www.westcoast.fisheries.noaa.gov/protected_species/marine_mammals/killer_whale/