

# North Pacific Fishery Management Council

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## ADVISORY PANEL MINUTES October 1–4, 2013 Anchorage, Alaska

The following members were present for all or part of the meetings (absent ~~stricken~~):

Ruth Christiansen  
Kurt Cochran  
John Crowley  
Jerry Downing  
Tom Enlow  
~~Tim Evers~~  
Jeff Farvour

Becca Robbins-Gisclair  
John Gruver  
Mitch Kilborn  
~~Alexus Kwachka~~  
Craig Lowenberg  
Brian Lynch  
Chuck McCallum

Andy Mezirow  
Joel Peterson  
Theresa Peterson  
~~Neil Rodriguez~~  
Lori Swanson  
Anne Vanderhoeven  
Ernie Weiss

### C-1 Observer Program

The AP recommends the Council adopt the OAC recommendations captured in pages 3 – 6 of the OAC report. *Motion carried 18/0*

- The OAC report includes the rationale for the recommendations.
- This includes the comments on the NMFS letter on the EM pilot program listed on page 6.

The AP recommends the Council ask NMFS to collect data on number of sets and hauls made by vessels carrying observers, the number of sets or hauls sampled, and the percent of each observed set or haul sampled. *Motion carried 18/0*

- This information could help in understanding the data from the observer samples.
- It is not expected to be expensive or burdensome to collect. Note this could not be verified with the Agency due to federal shutdown.

### C-2 SSL EIS Final Action

The AP recommends the Council select its Preliminary Preferred Alternative as its preferred alternative for the SSL EIS. The AP recommends the Council request that the Agency provide a draft biological opinion to the Council prior to the February 2014 Council meeting. The draft BiOp should provide clear and definitive information to allow the Council to understand what elements of the PA do not create JAM and what adjustments are needed to any elements that may cause JAM. The draft BiOp should also allow the Council to discern what combinations of elements in each AI subarea are allowable.

The timing of the draft BiOp should allow the Council to have full participation in crafting the final RPAs.

*Motion passed 17/1*

### **C-3 BSAI Crab SAFE Report**

The AP recommends the Council approve the 2013 BSAI Crab SAFE report and the 2013/2014 OFL and ABC specifications as recommended by the SSC. *Motion carried 18/0*

### **C-4 Groundfish Specifications**

#### **a) Stock Structure**

The AP recommends the Council establish a process for addressing stock structure concerns raised by the Plan Teams as part of the harvest specifications process. This process should encompass the following:

- A) Clearly identify the problem that justifies a need for spatial management. i.e., Is this a yield issue? Is it a conservation of genetic diversity issue? Has a new stock been identified?
- B) Identify the possible tools that may be appropriate for dealing with the concern. These may include industry's ability to adjust harvest on a spatial scale, specification of OFLs, ABCs, or TACs, or other tools.
- C) This process should allow time for input by in-season management, stakeholders, and the Council before final SSC recommendations are made on harvest specifications

*Motion carried 17/0*

- Public needs to understand what the problem is, and why action is needed. Stock structure alone may not require management action.
- Industry has demonstrated the ability to respond to spatial concerns.
- Input from management and fishermen will help all decision-makers understand the possible unintended effects of spatial management.

#### **b) Sablefish TAC apportionment**

*The following motion failed on a 9/9 vote*

*AP recommends that Council direct staff to develop an expanded discussion paper analyzing a broad range of options aimed at maximizing the utilization of all sablefish in the BSAI fishery. Included in the analysis would be an evaluation of use caps, effects on CDQ participation in the fishery, adjustment of the trawl and fixed gear TAC apportionment, underutilized sablefish harvest by sector and gear type, and potential entry level opportunity in the sablefish fixed gear fishery.*

#### Minority Report

*BSAI Sablefish TAC Apportionment: The minority felt that an expanded discussion paper regarding an evaluation of potential options aimed at increasing the utilization of Sablefish in the BSAI is appropriate at this time.*

- *Additional analysis is required to provide information capable of achieving an adequate response to this issue.*
- *Regulations regarding use caps and sector allocations in the BSAI may no longer accurately reflect current industry conditions, and restrict some industry participants from increasing their harvest of otherwise non-harvested sablefish.*

- *Employing a broader scope to examine possible actions will help avoid adverse consequences to sectors, current and future industry participants, and CDQ fisheries.*
- *Additional analysis on potential factors impeding full utilization should also be addressed.*

*Signed by: Becca Robbins Gisclair, Ruth Christiansen, Ernie Weiss, Jeff Farvour, Theresa Peterson, Chuck McCallum, Brian Lynch, John Crowley, Joel Peterson.*

Rationale against the motion:

- This is a very complex issue and only provides more fish to the few vessel owners that are at the IFQ use cap in the Bering Sea fixed gear sablefish fishery. The Council has much bigger issues of greater importance to address.
- There is unharvested TAC in both the trawl and fixed gear Bering Sea sablefish fishery. Moving TAC from one sector to another does not address the root problem.
- The Council is already considering a change in use caps to address this issue.
- There are other options for fixed gear participants, including leasing CDQ fish.
- As proposed, this could fund a new fishery (entry level) for fixed gear using TAC allocated to the trawl sector.

#### **c) Groundfish harvest specifications**

BSAI:

The AP recommends that the Council adopt the ABC, OFL and TAC numbers for 2014 and 2015 contained in the attached spreadsheet.

*Motion passed 18/0*

The AP recommends that the Council adopt the PSC limits and apportionments contained in Tables 10 to 13 in the Action Memo for the BSAI for 2014 and 2015.

*Motion passed 18/0*

- These TAC numbers make some slight adjustments, but primarily roll over last year's numbers as a placeholder.
- The AP adjusted the industry proposal slightly down for pollock and up for Alaska plaice .
- Catch to date is 21,600 mt for plaice and went to PSC in May. There is a viable market for these fish and it is important to fund the fishery adequately

GOA:

The AP recommends that the Council adopt the SSC recommendations for ABC and OFLs for the GOA proposed specifications for 2014 and 2015, and:

Roll over the TACs from Table 2 of the final specifications for 2013/2014 (attached) with the following changes

- 1) Shallow-flatfish in WYAK to 4,299 MT
- 2) Shallow flatfish in SEO to 1,092 MT
- 3) Rex sole in WYAK to 823 MT

For the 2014 and 2015 proposed TACs.

Adopt the tables (pages 10 and 11 in the action memo) that reflect:

- 1) 2013/2014 halibut PSC limits, allowances and apportionments.
- 2) 2013/2014 halibut PSC trawl limits between the trawl gear deep-water species fishery and the shallow-water species fisheries.
- 3) Apportionment of the “other H&L fisheries” 2013 and 2014 halibut PSC allowance between the H&L catcher vessel and catcher processor sectors.

For the proposed 2014 and 2015 specifications.

*Motion passed 18/0*

- This primarily rolls over the numbers from last year for now and adjustments can be made in December when we have more information available.

### **C-5 GOA Trawl Issues**

#### **a) Updated discussion paper on GOA trawl bycatch management.**

The AP recommends the Council accept the revised proposals received by the AP (Groundfish Forum and Pacific Seafoods) for inclusion in future discussion and analysis along with the current suite of proposals.

*Motion passed 18/0*

- The current suite of proposals has merit and its worth continuing to analyze all of them.
- The revised proposals flesh out some important details from the previous proposals.
- There are still details which need to be further developed in many of the proposals and we expect to see additional revisions as we move through the process.
- The fleet needs tools to reduce bycatch and it is important to continue to move this process forward.

The AP recommends the Council request an expanded discussion paper which compares the current/revised suite of proposals to the Council’s goals and objectives. *Motion passed 18/0.*

- While the proposals are still works in progress, comparing the current proposals to the Council’s goals and objectives will assist us in measuring the proposals against the Council’s stated goals and objectives.
- This comparison should assist us in narrowing the range of proposals under consideration.

#### **b) GOA trawl data collection**

The AP recommends the council take final action and adopt the Preliminary Preferred Alternative.

*Motion passed 18/0*

- Adopting a data collection program now before the new trawl management program is in place makes sense to collect pre-program data.

- The consistency between this data collection program and that utilized in the Bering Sea will be helpful to industry in collecting and reporting data.

**c) GOA rockfish Chinook cap rollover**

The AP recommends the Council add:

Alternative 5. Rollover all Chinook PSC but 50 fish remaining in the Rockfish Program CV Chinook cap on October 1. No uncertainty buffer would apply to the Rockfish Program CV sector. *Motion passed 18/0*

- A rollover provision is critical to the operations of this fishery. It is important that we develop a plan that works
- Utilizing an uncertainty buffer in the rockfish program makes things complicated.
- For ease of managing the fishery, we need something simple and clean.
- This alternative combines several approaches and is worth analyzing.

**C-6 BSAI Salmon Bycatch**

**a) SeaShare report on Salmon Donation Program**

The AP received a report on the SeaShare PSC donation program.

**b) BSAI Chinook salmon report and industry Chinook IPA reports**

The Advisory Panel recognizes the continued importance of maintaining low Chinook salmon bycatch by the Bering Sea pollock fishery. The AP has determined that the Amendment 91 IPAs are working as intended and are reducing Chinook bycatch at all levels of abundance. The Performance Standard at 47,591 and the 60,000 hard cap are accomplishing their role in establishing incentives as originally designed by the unique nature of Amendment 91. Therefore, the AP recommends the Council take no further action on Amendment 91 at this time. *Motion passed 13/5*

- Industry IPAs have been a factor in recent low Chinook bycatch numbers; they are working.
- The industry is doing a lot to avoid bycatch, at a cost in terms of higher fuel use, lower value products.
- Industry is developing salmon excluders and developing new fishing styles that are effective at reducing bycatch.
- Amendment 91 has only been in effect for two years. It is too early to revisit.

Minority Report. *A minority of the AP supported this substitute motion:*

*The AP recommends the Council request an expanded discussion paper which investigates methods to further reduce bycatch, including the overall cap level and placing limitations on late September through October fishing. The discussion paper should include additional information on Western Alaska stock status including detailed descriptions of the restrictions imposed on commercial and subsistence salmon fisheries in the region over the last 5 years, total subsistence harvests and whether amounts necessary for subsistence have been met.*

*Chinook salmon stocks are in a state of crisis throughout Western Alaska. Subsistence harvests have been dramatically reduced and commercial harvests virtually eliminated for Chinook salmon. Despite*

*these reductions and the extreme sacrifices made by in-river users, escapement goals are not being met. In this context, it's critical that all sources of mortality are reduced. In a time when every fish counts, bycatch in the pollock fishery has an impact. Coming close to the Amendment 91 cap limits in these conditions of stock abundance would be devastating to Western Alaska stocks. It is therefore imperative that we take a look at what can be done to further reduce bycatch as both a matter of conservation and equity. Signed by: Becca Robbins Gisclair, Theresa Peterson, Andy Mezirow, Jeff Farvour, Chuck McCallum*

### **c) Industry IPA reports for BSAI chum salmon**

The AP supports the IPA/RHS proposals and recommends the Council request a discussion paper which further evaluates the following:

- Modifications needed to Amendment 91 and Amendment 84 to adopt this type of proposal.
- What components of the rolling hot spot program are critical and could be placed into regulation while still providing flexibility for the industry to adapt the program to new information?
- Improved reporting requirements.
- Potential approaches for combining reporting requirements for chum and Chinook IPAs.

*Motion passed 18/0*

- The AP appreciates industry's work to develop IPA's which are responsive to the Council's requests and supports moving forward with these.
- The IPA presented by industry focuses chum salmon bycatch reduction on the time period when mature Western Alaska stocks are more present in the bycatch and provides mechanisms for balancing chum and Chinook salmon avoidance.
- A discussion paper will help clarify the regulatory process for adopting this approach via amendments to Amendment 84 or 91.
- Forwarding the proposal will provide an opportunity for public and Council review, along with information on regulatory process which can inform our path forward on chum salmon bycatch bycatch measures.

## **D-1 Miscellaneous issues**

### **a) Discussion paper on AI Pacific cod processing**

The AP recommends the council request staff to bring back a discussion paper to develop a problem statement. Issues that should be addressed include:

- A history of both shoreside and offshore processing of all species in the Aleutian Islands.
  - What protections currently exist and may be required to provide for community stability?
  - Dependence of the communities on cod and other fishery-related operations
  - Proposed scale of processing in the communities
  - The impact of the AI TAC split on creating a race for fish
  - Considerations to mitigate harm from any potential action on other stakeholders
- Historic and relative dependence by all fishery sectors on Aleutian Island fisheries  
The effect competition among processors on CV operations  
Other opportunities available for affected stakeholders.

## **b) GOA Gear Committee report on implementing a sablefish pot fishery**

The AP recommends that the Council direct staff to develop an expanded discussion paper on the use of pots in the Gulf of Alaska sablefish IFQ fisheries, and that the analysis include the topics of concern and recommendations identified in the minutes of the September 30 meeting of the Gulf of Alaska Gear Committee. In addition to the topics brought forth by the Gear Committee, the following topics should also be included for analysis:

- The cost of gear conversion from longline to pot gear
- Vessel demographics: vessel size by area and Quota Share size by area
- Halibut bycatch by different pot configurations
- Information on the biodegradability of twine used for escape ports at sablefish fishing depths
- A wider range of gear location methods than only AIS as found in the committee report.

*Motion passed 17/0*

### **D-2 Staff Tasking**

The AP recommends that the Council initiate a discussion paper, adopting a problem statement, and considering proposed regulation changes or exemptions that will: 1) promote the development of a CDQ village directed Pacific cod fishery; and 2) allow CDQ and IFQ halibut harvesters to retain CDQ Pacific cod in excess of the 20% MRA, as proposed in the handout by the CDQ groups.

*Motion passed 17/0*

- Current regulations applicable to vessels targeting Pcod with hook and line gear are prohibitive for the CDQ village fleets.
- The CDQ groups believe easing certain regulations will make the development of the fishery viable, particularly as the halibut quotas they currently fish continue to decline.
- Regulatory precedence has been set with similar sized vessels in jig fisheries having been exempted from VMS and LLP requirements.
- It would be most efficient and conservative to allow retention of CDQ Pcod when the village fleet targets CDQ and/or IFQ halibut.

The AP acknowledges the request submitted in writing by Melvin Grove Jr and recommends that the Council take no further action on this item. *Motion passed 17/0*

Advisory Panel Proposed BSAI OFL and ABC Recommendations (metric tons) for 2014 - 2015

AP Minutes  
October 2013

Species	Area	2013				2014			2015		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	2,550,000	1,375,000	1,247,000	1,146,604	2,730,000	1,430,000	1,249,000	2,730,000	1,430,000	1,249,000
	AI	45,600	37,300	19,000	2,916	48,600	39,800	19,000	48,600	39,800	19,000
	Bogoslof	13,400	10,100	100	57	13,400	10,100	100	13,400	10,100	100
Pacific cod	BSAI	359,000	307,000	260,000	178,388	n/a	n/a	n/a	n/a	n/a	n/a
	BS	n/a	n/a	n/a	169,840	352,470	300,390	243,100	352,470	300,390	243,100
	AI	n/a	n/a	n/a	8,548	22,500	16,900	7,381	22,500	16,900	7,381
Sablefish	BS	1,870	1,580	1,580	548	1,760	1,480	1,480	1,760	1,480	1,480
	AI	2,530	2,140	2,140	702	2,370	2,010	2,010	2,370	2,010	2,010
Yellowfin sole	BSAI	220,000	206,000	198,000	101,596	219,000	206,000	198,000	219,000	206,000	198,000
Greenland turbot	BSAI	2,540	2,060	2,060	1,097	3,270	2,650	2,060	3,270	2,650	2,060
	BS	n/a	1,610	1,610	818	n/a	2,070	1,610	n/a	2,070	1,610
	AI	n/a	450	450	279	n/a	580	450	n/a	580	450
Arrowtooth flounder	BSAI	186,000	152,000	25,000	18,515	186,000	152,000	25,000	186,000	152,000	25,000
Kamchatka flounder	BSAI	16,300	12,200	10,000	7,500	8,300	7,100	7,100	8,300	7,100	7,100
Northern rock sole	BSAI	241,000	214,000	92,380	55,401	229,000	204,000	92,450	229,000	204,000	92,450
Flathead sole	BSAI	81,500	67,900	22,699	15,317	80,100	66,700	22,699	80,100	66,700	22,699
Alaska plaice	BSAI	67,000	55,200	20,000	19,982	60,200	55,800	23,700	60,200	55,800	23,700
Other flatfish	BSAI	17,800	13,300	3,500	1,467	17,800	13,300	3,500	17,800	13,300	3,500
Pacific Ocean perch	BSAI	41,900	35,100	35,100	26,460	39,500	33,100	33,100	39,500	33,100	33,100
	BS	n/a	8,130	8,130	1,573	n/a	7,680	7,680	n/a	7,680	7,680
	EAI	n/a	9,790	9,790	8,209	n/a	9,240	9,240	n/a	9,240	9,240
	CAI	n/a	6,980	6,980	6,614	n/a	6,590	6,590	n/a	6,590	6,590
	WAI	n/a	10,200	10,200	10,064	n/a	9,590	9,590	n/a	9,590	9,590
Northern rockfish	BSAI	12,200	9,850	3,000	1,892	12,000	9,320	3,000	12,000	9,320	3,000
Blackspotted/Rougheye rockfish	BSAI	462	378	378	324	524	429	429	524	429	429
	EBS/EAI	n/a	169	169	173	n/a	189	189	n/a	189	189
	CAI/WAI	n/a	209	209	151	n/a	240	240	n/a	240	240
Shortraker rockfish	BSAI	493	370	370	333	493	370	370	493	370	370
Other rockfish	BSAI	1,540	1,159	873	653	1,540	1,159	873	1,540	1,159	873
	BS	n/a	686	400	146	n/a	686	400	n/a	686	400
	AI	n/a	473	473	507	n/a	473	473	n/a	473	473
Atka mackerel	BSAI	57,700	50,000	25,920	16,031	56,500	48,900	25,379	56,500	48,900	25,379
	EAI/BS	n/a	16,900	16,900	8,899	n/a	16,500	16,500	n/a	16,500	16,500
	CAI	n/a	16,000	7,520	7,012	n/a	15,700	7,379	n/a	15,700	7,379
	WAI	n/a	17,100	1,500	120	n/a	16,700	1,500	n/a	16,700	1,500
Skates	BSAI	45,800	38,800	24,000	19,643	44,100	37,300	24,000	44,100	37,300	24,000
Sculpins	BSAI	56,400	42,300	5,600	4,323	56,400	42,300	5,600	56,400	42,300	5,600
Sharks	BSAI	1,360	1,020	100	100	1,360	1,020	150	1,360	1,020	150
Squids	BSAI	2,620	1,970	700	235	2,620	1,970	500	2,620	1,970	500
Octopuses	BSAI	3,450	2,590	500	132	3,450	2,590	500	3,450	2,590	500
<b>Total</b>	BSAI	4,028,465	2,639,317	2,000,000	1,620,216	4,193,257	2,686,688	1,990,481	4,193,257	2,686,688	1,990,481



Advisory Panel Proposed GOA OFL, ABC, and TAC Recommendations (metric tons) for 2014 - 2015

Species	Area	2013				2014			2015			
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC	
Pollock	W (61)		28,072	28,072	6,173		25,648	25,648		25,648	25,648	
	C (62)		51,443	51,443	41,988		47,004	47,004		47,004	47,004	
	C (63)		27,372	27,372	11,357		25,011	25,011		25,011	25,011	
	WYAK		3,385	3,385	2,917		3,093	3,093		3,093	3,093	
	Subtotal		150,817	110,272	110,272	62,435	138,610	100,756	100,756	138,610	100,756	100,756
	EYAK/SEO		14,366	10,774	10,774	0	14,366	10,774	10,774	14,366	10,774	10,774
Total		165,183	121,046	121,046	62,435	152,976	111,530	111,530	152,976	111,530	111,530	
Pacific Cod	W		28,280	21,210	13,587		29,470	22,103		29,470	22,103	
	C		49,288	36,966	23,574		51,362	38,522		51,362	38,522	
	E		3,232	2,424	313		3,368	2,526		3,368	2,526	
	Total		97,200	80,800	60,600	37,474	101,100	84,200	63,150	101,100	84,200	63,150
Sablefish	W		1,750	1,750	1,003		1,641	1,641		1,641	1,641	
	C		5,540	5,540	4,285		5,195	5,195		5,195	5,195	
	WYAK		2,030	2,030	1,910		1,902	1,902		1,902	1,902	
	SEO		3,190	3,190	2,593		2,993	2,993		2,993	2,993	
	Total		14,780	12,510	12,510	9,791	13,871	11,731	11,731	13,871	11,731	11,731
Shallow-Water Flatfish	W		19,489	13,250	152		18,033	13,250		18,033	13,250	
	C		20,168	18,000	2,962		18,660	18,000		18,660	18,000	
	WYAK		4,647	4,647	1		4,299	4,299		4,299	4,299	
	EYAK/SEO		1,180	1,180	2		1,092	1,092		1,092	1,092	
	Total		55,680	45,484	37,077	3,117	51,580	42,084	36,641	51,580	42,084	36,641
Deep-Water Flatfish	W		176	176	22		176	176		176	176	
	C		2,308	2,308	126		2,308	2,308		2,308	2,308	
	WYAK		1,581	1,581	4		1,581	1,581		1,581	1,581	
	EYAK/SEO		1,061	1,061	3		1,061	1,061		1,061	1,061	
	Total		6,834	5,126	5,126	155	6,834	5,126	5,126	6,834	5,126	5,126
Rex Sole	W		1,300	1,300	98		1,287	1,287		1,287	1,287	
	C		6,376	6,376	3,129		6,310	6,310		6,310	6,310	
	WYAK		832	832	0		823	823		823	823	
	EYAK/SEO		1,052	1,052	-		1,040	822		1,040	822	
	Total		12,492	9,560	9,560	3,228	12,362	9,460	9,242	12,362	9,460	9,242
Arrowtooth Flounder	W		27,181	14,500	779		26,970	14,500		26,970	14,500	
	C		141,527	75,000	13,164		140,424	75,000		140,424	75,000	
	WYAK		20,917	6,900	49		20,754	6,900		20,754	6,900	
	EYAK/SEO		20,826	6,900	68		20,663	6,900		20,663	6,900	
	Total		247,196	210,451	103,300	14,060	245,262	208,811	103,300	245,262	208,811	103,300
Flathead Sole	W		15,729	8,650	569		16,063	8,650		16,063	8,650	
	C		26,563	15,400	1,556		27,126	15,400		27,126	15,400	
	WYAK		4,686	4,686	0		4,785	4,785		4,785	4,785	
	EYAK/SEO		1,760	1,760	-		1,797	1,797		1,797	1,797	
	Total		61,036	48,738	30,496	2,125	62,296	49,771	30,632	62,296	49,771	30,632

Advisory Panel Proposed GOA OFL, ABC, and TAC Recommendations (metric tons) for 2014 - 2015

Species	Area	2013				2014			2015		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pacific Ocean Perch	W		2,040	2,040	436		2,005	2,005		2,005	2,005
	C		10,926	10,926	8,484		10,740	10,740		10,740	10,740
	WYAK		1,641	1,641	1,537		1,613	1,613		1,613	1,613
	W/C/WYAK	16,838				16,555			16,555		
	SEO	2,081	1,805	1,805	0	2,046	1,775	1,775	2,046	1,775	1,775
	E(subtotal)										
	Total	18,919	16,412	16,412	10,457	18,601	16,133	16,133	18,601	16,133	16,133
Northern Rockfish	W		2,008	2,008	2,164		1,899	1,899		1,899	1,899
	C		3,122	3,122	2,360		2,951	2,951		2,951	2,951
	E		-	-	-		-	-		-	-
	Total	6,124	5,130	5,130	4,524	5,791	4,850	4,850	5,791	4,850	4,850
Shortraker Rockfish	W		104	104	39		104	104		104	104
	C		452	452	376		452	452		452	452
	E		525	525	246		525	525		525	525
	Total	1,441	1,081	1,081	661	1,441	1,081	1,081	1,441	1,081	1,081
Dusky Rockfish	W		377	377	215		354	354		354	354
	C		3,533	3,533	2,597		3,317	3,317		3,317	3,317
	WYAK		495	495	3		465	465		465	465
	EYAK/SEO		295	295	7		277	277		277	277
	Total	5,746	4,700	4,700	2,822	5,395	4,413	4,413	5,395	4,413	4,413
Rougheye and Blackspotted Rockfish	W		81	81	20		83	83		83	83
	C		856	856	385		871	871		871	871
	E		295	295	188		300	300		300	300
	Total	1,482	1,232	1,232	593	1,508	1,254	1,254	1,508	1,254	1,254
Demersal shelf rockfish	Total	487	303	303	209	487	303	303	487	303	303
Thornyhead Rockfish	W		150	150	216		150	150		150	150
	C		766	766	449		766	766		766	766
	E		749	749	221		749	749		749	749
	Total	2,220	1,665	1,665	886	2,220	1,665	1,665	2,220	1,665	1,665
Other Rockfish (Other slope)	W		44	44	194		44	44		44	44
	C		606	606	425		606	606		606	606
	WYAK		230	230	65		230	230		230	230
	EYAK/SEO		3,165	200	44		3,165	200		3,165	200
	Total	5,305	4,045	1,080	728	5,305	4,045	1,080	5,305	4,045	1,080
Atka mackerel	Total	6,200	4,700	2,000	1,241	6,200	4,700	2,000	6,200	4,700	2,000
Big Skate	W		469	469	71		469	469		469	469
	C		1,793	1,793	1,807		1,793	1,793		1,793	1,793
	E		1,505	1,505	61		1,505	1,505		1,505	1,505
	Total	5,023	3,767	3,767	1,939	5,023	3,767	3,767	5,023	3,767	3,767
Longnose Skate	W		70	70	37		70	70		70	70
	C		1,879	1,879	972		1,879	1,879		1,879	1,879
	E		676	676	365		676	676		676	676
	Total	3,500	2,625	2,625	1,374	3,500	2,625	2,625	3,500	2,625	2,625
Other Skates	Total	2,706	2,030	2,030	1,409	2,706	2,030	2,030	2,706	2,030	2,030
Sculpins	GOA-wide	7,614	5,884	5,884	1,241	7,614	5,884	5,884	7,614	5,884	5,884
Sharks	GOA-wide	8,037	6,028	6,028	793	8,037	6,028	6,028	8,037	6,028	6,028
Squids	GOA-wide	1,530	1,148	1,148	147	1,530	1,148	1,148	1,530	1,148	1,148
Octopuses	GOA-wide	1,941	1,455	1,455	191	1,941	1,455	1,455	1,941	1,455	1,455
Total		738,676	595,920	436,255	161,600	723,580	584,094	427,068	723,580	584,094	427,068

### **Catcher Processor Gulf Bycatch Incentive Program**

The catcher processor sector has developed this paper in response to the Council's request for stake holder input concerning an appropriate bycatch incentive program in the Gulf of Alaska trawl fisheries. The paper represents the discussions within the sector of possible measures to include in a program. The sector has **not** reached a consensus on these issues. The paper is intended only to show the Council the scope of discussions and the general program structure that the sector believes may beneficially address its bycatch concerns.

### **Rationale for the program structure - regulatory bycatch measures and cooperative bycatch measures**

The Council has clearly indicated that performance-based PSC avoidance measures will be a component of any Gulf trawl bycatch program. The Council has suggested that performance based measures should be administered at the individual vessel level to ensure that all participants undertake efforts to avoid PSC. While the use of individual performance based measures can create effective incentives, if poorly designed, they may not achieve broader objectives. In the development of a performance based program, the Council should take care to avoid creation of individual incentives that might result in poorer PSC performance overall.

Two concerns with individual performance measures should be considered. First, the measures should not deter vessels from sharing information across a fleet to achieve the PSC avoidance. Since the actions to avoid PSC may change over time with fishing conditions (such as hotspots and target concentrations), it is important not only that a fleet share information, but that it develop means for timely information sharing. Measures that create an incentive to withhold bycatch information from others could lead to poorer bycatch performance. While performance-based measures can lead to improved PSC performance, in some cases individual competition arising from those measures can impede the development of PSC improvements leading to poorer overall PSC performance.

Similarly, measures should create an incentive for development of technologies (such as excluders) for PSC avoidance. Past practices have demonstrated that the development of new technologies are most likely if undertaken at the fleet level where costs can be dispersed across several vessels. Given the potential for individual performance based measures to lessen incentives for sharing costs and information to avoid PSC, the Council should consider developing a program that mitigates these effects.

A carefully developed cooperative program can overcome these incentives, while maintaining a meaningful vessel level performance based component. Such a program structure needs to have a fleet level incentive for information sharing that outweighs any disincentive created by the vessel level performance measures. Cooperative programs also have an inherent benefit for information sharing by creating an institutional structure for undertaking that sharing. A program could be developed that rewards cooperative members collectively for acceptable bycatch performance. A cooperative bycatch performance incentive could be created by either an inseason or annual reward for acceptable PSC performance. Such a provision could be a bonus for acceptable PSC performance that is shared pro rata by all cooperative members. An individual performance measure could be imbedded in that structure by giving the best performing individuals a slightly larger share of the cooperative's reward. For example, some percentage of the cooperative's reward could be allocated based on vessel performance. This

performance based incentive would need to be large enough to be meaningful, but small enough not to overshadow the incentive for information sharing.

Using a cooperative structure has an added benefit in that it is flexible. Gulf fisheries are currently a series of overlapping target fisheries. Under a new cooperative structure, it is anticipated that target fishery seasons will be extended, with more overlaps. In addition, PSC avoidance capability is likely to change under the revised program. Relying on a cooperative to set and administer individual incentive provisions is more likely to result in an acceptable incentive structure, since changes in that structure can be made based on experience without regulatory action. Given the lack of experience administering individual performance measures, it is possible that the first effort to define such a measure could be less than perfect. Allowing a cooperative to negotiate and administer the measure would allow for rapid correction of any such errors.

Cooperative administration also can encourage experimentation needed for PSC avoidance developments. PSC avoidance often requires some trial-and-error. At the simplest level, a vessel may do a single tow to determine PSC rates at a particular time and location. Exempting this test tow from a reward system (or at least establishing a system that does not discourage it, is likely necessary to penalize it) is a necessary component of any effective reward system. Regulations establishing penalties and rewards cannot possibly identify this type of experimentation and address the disincentive for their use that may arise from general rules that reward performance.

#### **A80 CP Trawl Co-op management measures for PSC**

- ***Possible performance standards and incentives currently under discussion***
  - A80 CP co-op sets performance standards for PSC rates based on actual fishing conditions, past history, and achievability by target fishery (*see halibut rate and mortality Tables in Chapter 4 from Amendment 95 EA for example*) – used for implementing individual performance rewards
  - Incentive measures (*in development*)
  - CPs receive pro-rata share of halibut and salmon, under co-op mgmt., based on agreed upon formula (*TBD*)
  - Possible A80/Rockfish Program cost recovery payments tied to PSC usage (inverse relationship)
- ***Cooperative communication***
  - Monitor PSC by vessel, fishery, time and area
  - Daily call-in to discuss PSC, ongoing communication on grounds
  - Information sharing between sectors, coops
  - Seastate program monitors vessels' fishing locations and bycatch data, and disseminates daily (as in whiting fishery)
- ***Reporting to the Council***
  - Annual Report to Council, detailing bycatch avoidance measures and progress (similar to Seastate presentation on whiting )

- Cooperatives to inform Council on measures taken to date and what's in the pipeline, ie salmon excluders, BS and GOA halibut excluder)
- **Possible PSC measures**
  - Chinook:
    - 200% observer coverage
    - Video monitoring in factory
    - whole haul instead of basket sampling
    - Seashare program participation
    - genetic sampling for Auke Bay lab
    - use of cameras on headrope and/or along body of net to see where salmon is with respect to water column
    - NMFS cooperative research program on salmon excluder panels
    - Industry experimentation with salmon flaps and panels
  - Halibut
    - 200% observer coverage
    - Basket sampling
    - Ongoing use and refinement of excluder devices and gear modification
    - EFP for Deck sorting to reduce mortality
    - Cameras on headrope and intermediate
    - Test tows
    - Spread out effort (avoid chumming in halibut)
- **Gear Development**
  - Continue trawl gear modifications presently in use to reduce bycatch
  - Continue to investigate new gear modifications, camera systems, EM
  - EFP for Halibut Deck Sorting program
  - NMFS cooperative research program on salmon excluders

NMFS Regulatory management changes necessary to reduce footprint, bring greater efficiency to harvesting for resultant reduction in halibut take and mortality

- **Hard cap allocations between sectors**
- **Allocate halibut to each co-op as one aggregate amount: not divided into either SW or DW; not divided into 5 seasonal apportionments; not divided between WGOA or CGOA**
  - *Rationale: Captains can fish when target is most aggregated, ie rex sole in the end of April or May, to reduce halibut (conversely may avoid fishing rex sole in May to avoid Chinook)*
- **Enforce MRAs on trip to trip/offload to offload basis**
  - *Rationale: When marketable species which are on MRA "bycatch status" are caught before there is adequate basis species, the amt in excess of the allowable MRA is discarded. However, the vessel will "top off" at the end of the trip to catch that same marketable species. This results in the Captain towing twice in the same area, to catch*

*an amt of fish that has been 1) discarded previously in the trip and 2) doubles PSC catch because the same tow is made twice for one total amt of fish.*

- **Allow Deck sorting in the Gulf fisheries where feasible**
  - *Rationale: getting halibut off the deck within 20 minutes greatly reduces the mortality. Catcher vessels sort at sea, and have lower mortality as a result. Afford same benefit to CPs (and to the resource). Decreased halibut mortality allows greater arrowtooth harvest which helps to better achieve OY and removes more arrowtooth from the GOA biomass so that halibut have less competition for food.*

### **Catcher processor program structure**

Catcher processor sector members have actively participated in the industry stakeholder discussions with the shoreside sector. The following provisions, elements, and options are patterned after the stakeholder group's submission to the Council to aid in integrating the provisions into a single document in the future. The format, presentation, or absence of competing options for a provision should not be interpreted as suggesting that the sector has reached consensus on any provision.

### **Sector allocations**

Pollock (620/630) – The target fishery shall be prosecuted exclusively by the inshore sector with an ICA set aside for the offshore sector as currently defined by Amendment 23 – offshore sector is regulated through the current MRAs.

Pacific cod (CG) Allocations as currently defined and managed for trawl CP and CV sectors for Western/Central Pacific cod by Amendment 83

CGOA rockfish – Primary, Secondary, PSQ allocations as currently defined by Amendment 88 (the rockfish program)

#### CGOA Flatfish

Option 1: No allocation

Option 2: Allocate rex sole, arrowtooth, and/or deepwater flatfish (as defined in the TAC sheet) based on:

- a) Sector total catch/trawl total catch (allocates entire TAC)
- b) Sector total catch/ABC (allocates only a portion of the TAC),
- c) Arrowtooth as total/abc

Under either option, sector catch is the trawl catch of eligible LLPs that apply for sector under the program. For CP LLPs that apply for the inshore sector, any catch of the vessel (including catch processed onboard) will count toward the LLP's allocation. For CP LLPs that apply for the offshore sector, only catch that is processed onboard will count toward the LLP's allocation.

Based on sector catches from:

Option 1: 2010-2012

Option 2: 2008-2012

Option 3: 2003-2012

Option 4: 1998-2004

### WGOA rockfish

Option 1: No allocation

Option 2: Allocate Pacific ocean perch, northern rockfish, and dusky rockfish to the offshore sector based on A80 sideboards for Pacific ocean perch and northern rockfish with the remainder allocated to the inshore. For dusky rockfish recalculate A80 sideboard based on catches of dusky alone. Black rockfish, blue rockfish, and dark dusky, yelloweye, and widow rockfish were removed from pelagic shelf rockfish complex since implementation of the sideboards and are now managed by the State of Alaska.

### WYak rockfish

Option 1: No allocation

Option 2: Allocate Pacific ocean perch, northern rockfish, and dusky rockfish to the offshore sector based on A80 sideboards for Pacific ocean perch and northern rockfish with the remainder allocated to the inshore. For dusky rockfish recalculate A80 sideboard based on catches of dusky only, since black rockfish, blue rockfish, and dark dusky rockfish were removed from pelagic shelf rockfish complex and are now managed by the State of Alaska

Sablefish - (excluding CGOA rockfish program sablefish allocation)

Long-nose skate

Big skate

Other species could be allocated after consideration of data and circumstances.

## 2 Sector PSC Apportionments

### 3.1 Halibut

The annual PSC limit will be apportioned between the following sectors and areas:

Offshore sector Gulfwide

Allocations to each sector/area will be based on relative historical PSC usage from:

Option 1: 2010-2012

Option 2: 2008-2012

Option 3: 2003-2012

Option 4: 1998-2004

Option 5: Allocation to the offshore sector will be based on the Amendment 80 sideboards, plus the history of any qualifying vessel the history of which is not included in the Amendment 80 sideboard.

### 3.2 Chinook

Apportionment to the inshore and offshore sectors will be based on the current apportionment to the pollock fishery and Council's June 2013 motion.

A review of Amendment 80 and Central Gulf rockfish program sideboards may be appropriate.

### **Catcher processor cooperative program**

#### Eligible catcher processors

Those A80 vessels, and their replacement vessels, defined by Column A of Table 31 CFR part 679, and the LLP currently issued to them.

#### Allocation of groundfish history and apportionment of PSC limits within the catcher processor sector

Target species:

All allocations from the Central Gulf rockfish program will be maintained (including primary, secondary and PSC).

For distribution of allocations within the catcher processor sector other allocated target species, catch history is based on total catch during the qualifying period, with each eligible license receiving history based on catch of the vessel it is assigned to relative to the total catch of all vessels in the sector. All history will be attributed to the LLP license identified by the vessel owner at the time of implementation. To assign history to a license, that license must have gear, operation type, and area endorsements permitting that history.

Allow offload to offload MRA management for certain species when on bycatch status, to minimize regulatory discards:

Options: pollock, cod, other non-allocated species as determined

Note: Cod management needs special consideration because of the small allocation to the sector.

#### Halibut PSC:

Apportionment of halibut to LLP licenses under the Central Gulf rockfish program will continue as prescribed by that program.

The remainder of the sector's PSC will be apportioned within the sector to the following target species:

Pacific cod

Rex sole

Arrowtooth flounder

WGOA and WYAK rockfish

(A complete list of species should be developed after examining PSC usage and rates)

based on the average use of halibut PSC in each target species within the CP sector from the years \_\_\_\_\_, expressed as a percent of the total halibut PSC allocation to the sector (i.e., same general allocation system used for A80).



Each eligible license will then be assigned a share of the sector's available halibut PSC based on its catch of those target species equal to its proportion of the sector's qualified catch history of the target species. (Note – Halibut PSC apportionments may be made for targets that are not allocated under this program.)

Chinook PSC:

The sector's Chinook PSC will be apportioned within the sector to the following target species:

Central Gulf Rockfish (Pacific ocean perch, northern rockfish, and dusky rockfish) in the aggregate

Western Gulf rockfish (Pacific ocean perch, northern rockfish, and dusky rockfish) in the aggregate

Pacific cod

Rex sole

Arrowtooth flounder

(A complete list of species should be developed after examining PSC usage and rates)

based on the average use of Chinook PSC in each target species from the years \_\_\_\_, expressed as a percent of the total Chinook PSC allocation to the sector.

Each eligible license will then be assigned a share of the sector's available Chinook PSC based on its catch of those target species equal to its proportion of the sector's qualified catch history of the target species. (Note – Chinook PSC apportionments may be made for targets that are not allocated under this program.)

The PSC apportionments will not change from year to year (i.e., will not fluctuate annually with target TACs).

Catch history used for allocation and eligibility purposes will be legal and documented catch. For the catcher processor sector WPR data shall be used to determine catch.

Cooperative provisions for the catcher processor sector

No later than November 1 of each year, an application must be filed with NOAA fisheries by the cooperative with a membership list for the year.

In order to operate as a cooperative, membership must be comprised of:

At least \_\_\_\_ separate entities (using the 10% AFA rule) and

At least \_\_\_\_% of the eligible LLP licenses.

Annually, each cooperative will receive allocations of each allocated target species equal to its members' LLPs aggregate share of the sector's target species allocation.

Annually, each cooperative will receive allocations of halibut and Chinook PSC equal to its members' LLPs aggregate share of the sector's halibut and Chinook PSC apportionments, respectively.

Annual allocations would be to the cooperative and will be transferable within the cooperative among its members without NOAA Fisheries approval.

Annual allocations to the cooperative will be transferable among Gulf catcher processor cooperatives.

Inter-cooperative transfers must be processed and approved by NOAA Fisheries.

The cooperative(s) would need to show evidence of binding private contracts and remedies for violations of contractual agreements would need to be provided to NOAA Fisheries. The cooperative would need to demonstrate adequate mechanism for monitoring and reporting prohibited species and groundfish catch. Participants in the cooperative would need to agree to abide by all cooperative rules and requirements. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species and PSC mortality.

CP annual cooperative allocations may be transferred to CV cooperatives.

All transfers of annual cooperative allocations would be temporary, and history would revert to the original LLP at the beginning of the next year.

Permit post-delivery transfers of cooperative quota (annual allocations to cooperatives)

There would be no limits on the number or magnitude of post-delivery transfers. All post-delivery transfers must be completed by December 31st.

#### Catcher processor limited access fishery

The catcher processor limited access fishery is prosecuted by eligible catcher processor LLP participants who elect not to be in a cooperative.

Annually, the catcher processor limited access fishery will be allocated a share of the sector's allocation of each allocated target species equal the aggregate share of all LLPs that are not assigned to a cooperative.

Annually, the catcher processor limited access fishery will receive allocations of halibut and Chinook PSC equal to \_\_ percent of the aggregate share of the sector's halibut and Chinook PSC apportionments, respectively, of LLPs that are not assigned to a cooperative. Note: this provision is used to create an incentive for cooperative membership and participating in the PSC reduction measures required of cooperatives.

The catcher processor limited access fishery will be subject to all current regulations including all seasonal and deepwater/shallowwater complex fishery regulations and restrictions of the LLP and MRA limitations.

All vessels participating in the Gulf catcher processor fisheries will need to have an eligible catcher processor LLP with the appropriate gear, operation type, and area endorsement assigned to the vessel at the time of fishing.

Permanent transfers of an eligible license and its associated catch history would be allowed. Eligible LLP licenses and their associated catch history and eligibility endorsements would not be separable or divisible.