

North Pacific Fishery Management Council

Richard B. Lauber, Chairman
Clarence G. Pautzke, Executive Director

605 West 4th Avenue
Anchorage, Alaska 99501



Mailing Address: P.O. Box 103136
Anchorage, Alaska 99510

Telephone: (907) 271-2809
FAX: (907) 271-2817

Certified Richard B. Lauber
Richard B. Lauber, Chairman *hla*

Date 10/15/93

MINUTES

**108th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
JUNE 21-25, 1993
Westmark Hotel
Kodiak, Alaska**

The North Pacific Fishery Management Council met June 21-25, 1993 at the Westmark Hotel in Kodiak, Alaska. The Advisory Panel and Scientific and Statistical Committee began on June 20. The Comprehensive Planning Committee met June 20. The following members of the Council, staff, SSC and AP attended the meetings.

Council

Richard Lauber, Chairman
Alan Millikan for Robt. Turner
CAPT Bill Anderson for RADM Rufe
Linda Behnken
Oscar Dyson
Bob Mace for Randy Fisher

Robert Alverson, Vice Chair
Dave Hanson
Ron Hegge
Henry Mitchell
Steve Pennoyer
Wally Pereyra
Clem Tillion for Carl Rosier

NPFMC Staff

Clarence Pautzke, Executive Director
Judy Willoughby
Darrell Brannan
Marcus Hartley
Brent Paine

Chris Oliver, Deputy Director
David Witherell
Helen Allen
Gail Peeler
Regina Stewart

Support Staff

Ron Berg, NMFS-AKR
Earl Krygier, ADFG
Dave Flannagan, NMFS-AKR
Lisa Lindeman, NOAA-GC
Colleen Coogan, NMFS-AKR
Jay Ginter, NMFS-AKR

Sally Bibb, NMFS-AKR
Kurt Schelle, CFEC
Ben Muse, CFEC
Sue Salveson, NMFS-AKR
William Karp, AFSC
Dave Ackley, ADFG

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

Scientific and Statistical Committee

Bill Clark, Chair
Bill Aron
Bud Fay
Larry Hreha
Dan Huppert

Richard Marasco
Marc Miller
Phil Rigby
Jack Tagart
Al Tyler (alternate-Quinn)

Advisory Panel

John Bruce, Chairman
Al Burch
Phil Chitwood
Phil Drage
Dan Falvey

Dave Fraser
Stephanie Madsen
Pete Maloney
Penny Pagels
Bryon Pfundt

Perfenia Pletnikoff
John Roos
John Sevier
Harold Sparck
Michael Stevens
Robert Wurm

General Public

Approximately 100 people attended the meeting. The following members of the public signed the attendance register:

Arni Thomson
Tom Pearson
Karl Ohls
Becky Moen
Kris Norosz
Denise Fredette
Kate Graham
Dick Tremaine
Shari Gross
Ed Wolfe
Lennie Gorsuch
Scott Matulich
Seth Macinko
Larry Cotter
Paul MacGregor
Vince Curry
Brian Bigler
Thorn Smith
Chuck Jensen
Paula & Ron Tennison
Suzanne & Charlie King
Michael Jones
Lyle Yeck
Margaret Hall
David Benson
Allison Barns

Deming Cowles
Chris Blackburn
John Iani
Kevin Suydam
Wenona Suydam
Bruce Cotton
Fred Gaffney
Ben Stevens
Rich White
Clare Hiner
Robert Czeisler
Mark Chandler
Joe Plesha
Linda Kozak
Pete Maloney
Chris Blackburn
Jeff Stephan
Joe Sullivan
John Winther
Todd Hiner
Frank Kelty
Kris Poulsen
Karen Samuelson
Doug Vincent-Lay
Dave Benson
Pete Woeck

Cathy Coon
Ellen Lockyear
Bob Shaw
Helge Fiskerstrand
John Gruver
Stephanie Love
Steve Hughes
Ken Allread
Donna Parker
Nels Anderson, Jr.
Lars Asgersson
Gunnar Johannesson
Margaret Hall
Vern Hall
Debbie Hicks
Bill Jacobson
Michael Mayo
Eric Fry
Syma Ebbin
Tate Hayes
Suzanne Hancock
Stoian Sankov
Ben Muse
Kathryn Kinnear
Carl Ellis
Bill Karp

MINUTES
NPFMC MEETING
JUNE 1993

John Jemewouk
Bryce Morgan
Charlie Johnson
Kristin Stahl-Johnson
LeeAnne Tryon
Suzanne King
Donald J. Leedy
Alexander Galanin, Sr.
Charles Sink
Marilee Jones
Rep. Cliff Davidson
Sinclair Wilt

Dorothy Anderson
Barbara Zharoff
Page Herring
Capt. Rog. Gravino, USCG
Frank Charles
Debby Swenson
Jan Jacobs
Mike Atterberry
David Harville
Richard Morgan
Stan Simonson
Larry Engel

Craig Rose
Angafon Krukoff
Joe Blum
Terry Carmichael
Jack Hill
Annette Hagen
Garry Langille
Louise Ball
Stormy Stutes
James Fisk
Omar Allinson

NOTE: A list of those testifying on Council agenda items is found in Appendix I to these minutes.

**A. CALL TO ORDER, AGENDA, AND APPROVAL OF MINUTES
OF PREVIOUS MEETING(S)**

Chairman Lauber called the meeting to order at 8:13 a.m. on Monday, June 21, 1993.

Agenda. The agenda was approved with the addition of a discussion of Council policy on proposals submitted for regulatory changes, and a discussion of the Southeast troll fishery, which was added to Agenda item C-4, Other Business.

Minutes of the April Meeting. Draft minutes for the April 1993 Council meeting were not yet available for review. They will be mailed to Council members for review before the next meeting.

Council Policy on Amendment Proposals

Council members Alverson, Millikan and Pereyra requested, by letter, that the Council discuss Council policy on accepting proposals for changes to the groundfish plans. They were concerned about the number of "out-of-cycle" proposals the Council has received and considered recently. Executive Director Pautzke mentioned that the Council had chosen not to issue a call for proposals last summer because staff time was already consumed with projects already in progress. However, during the year several groups had submitted requests for Council consideration of various regulatory changes. The Council decided to issue the normal call for proposals following the June meeting recognizing that the majority of staff time will have to be committed to current projects, particularly the comprehensive rationalization plan. Council members felt that Plan Team and Plan Amendment Advisory Group reviews are valuable tools in the consideration of proposals. The Council requested that staff provide time frames in the form of staff hours required for any proposals, new and in progress.

B. REPORTS

B-1 Executive Director's Report

Executive Director Pautzke, in addition to providing information on the Council's groundfish proposal policy, reported on the Regional Council Chairmen's meeting held May 16-18. There was no new information on MFCMA or Marine Mammal Act reauthorization hearings. Dr. Pautzke advised

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

Council members of a request from Dr. Bill Aron that Dr. Anne Hollowed be appointed to the GOA groundfish plan team in place of Sandra Lowe who will be on extended leave. The Council approved the change during their executive session later in the week. The Council was also advised that a decision needed to be made at this meeting on whether or not a late summer meeting would be required so that plans for meeting space could be finalized. It was the consensus of the Council that an additional meeting would not be required.

During discussion of Magnuson Act reauthorization Council members discussed the possibility of an amendment which would allow a regional fishery management council to set up a program to assess administrative fees from the fishing fleet for management programs. Bob Alverson moved to support a Magnuson Act amendment which would give regional fishery management councils the ability to set up a program to extract administrative fees from the fishing fleet to carry out and assist in its management programs with NMFS. The intent would be to earmark funds for that council's area of jurisdiction. The motion was seconded and carried without objection.

B-2 ADF&G Report

Because of a lengthy agenda and limited time, the ADF&G report was provided in written form only. The report summarized the current status of fisheries managed under delegated authority to the State of Alaska: crab, salmon and demersal rockfish.

Bering Sea Tanner Crab Fisheries. The Bering Sea C. bairdi fishery closed March 31 with a total harvest of 35.1 million pounds, valued at over \$55.6 million to the fleet. The C. opilio season closed March 15 with a total harvest of 230.8 million pounds valued at over \$149 million to the fleet. A total of 294 vessels participated in these fisheries during the 1992/93 season.

Aleutian Island King Crab Fishery. Sixteen vessels entered the Adak brown king crab fishery after the closure of the Bering Sea Tanner crab fisheries. To date, 3.4 million pounds have been harvested, compared to a total harvest of 6.3 million pounds taken during the 1991/92 fishery. The fishery is expected to produce approximately 5 million pounds by the time it will close on August 15.

Southeast Alaska Chinook Salmon Fisheries. The 1993 season began on October 11, 1992; the winter catch was 62,126 fish, including 3,834 chinook salmon from Alaskan hatcheries. Chinook salmon experimental and terminal fisheries began in late May. Approximately 5,500 fish have been taken through June 11. These fisheries will be managed not to exceed approximately 10,000 treaty chinook salmon through June 29.

Since there was no agreement under the Pacific Salmon Treaty, Alaska will manage for a ceiling of 263,000 treaty chinook salmon. A Biological Opinion was issued by NMFS for the 1993 season. The Opinion was necessary to assure that the Southeast Alaska fisheries reduce their impact on Snake River Fall Chinook (SRFC) by 5% from the 1986-90 base period. The Opinion requires that Alaska eliminate the June Hatchery Access fishery for 1993, and that following the summer chinook fishery, a 5-day closure take place. The purpose of eliminating the June Hatchery Access fishery is to move 25,000 chinook that would normally taken during the fishery, extending the length of the summer season, and consequently reducing the number of chinook non-retention days. Following the 5-day closure, the fishery will be managed for coho salmon. If any chinook salmon remain to be taken following the initial opening, it will take place following any coho closure. Council discussion of this subject is under Agenda Item C-4, Other Business.

Southeast Alaska Demersal Shelf Rockfish Fishery. The remaining portion of the East Yakutat District was closed on May 14 to directed fishing for demersal shelf rockfish when the projected seasonal fishing allocation was reached.

Emergency Orders changed the state directed fishing standards for rockfish to be consistent with the Federal directed fishing standards in the offshore areas of the Eastern Gulf, and closed the territorial waters of the Eastern Gulf to longlining for all species except demersal shelf rockfish, consistent with the federal halibut PSC closure in the adjacent EEZ. The territorial waters of the State's outside districts were opened and closed for sablefish fishing concurrent with the Federal seasons in the adjacent EEZ. The Southeast Outside District demersal shelf rockfish fishery was reopened for 24 hours concurrent with the halibut opening to allow full retention of DSR taken incidental to the halibut fishery since Federal regulations restrict bycatch of DSR to less than 10% when the directed DSR fishery is closed.

The annual sablefish stock assessment survey was completed in the Southern Southeast Inside Subdistrict; the sablefish season has been set for 57 hours beginning at noon June 25 and ending at 9:00 p.m. on June 27.

B-3 NMFS Report

Ron Berg reported on the status of current regulatory actions:

GOA 2nd Qtr Pollock Delay - regulation has been finalized.

Delay of BSAI pollock B Season - regulation implemented.

Careful release of halibut - regulation effective as of 5/15/93.

Groundfish and Crab control date - should be published today (6/21/93).

Fair start regulation in GOA - will be implemented in time for black cod season opening.

New TAC for GOA POP - rule should be published soon.

CDQ final rule for 1994-95 - now in effect.

COUNCIL DISCUSSION AND ACTION

Salmon Bycatch

Wally Pereyra asked for clarification of the reason(s) NMFS cannot publish vessel names of those found to be taking an exceptionally high amount of bycatch. Mr. Berg said that NMFS is still looking at confidentiality rules on whether they can release the vessel names; release of data is also a problem. If they can do it, they will. Lisa Lindeman, NOAA-General Counsel, said that FOIA rules might protect catch information if disclosure is likely to result in substantial competitive harm to the vessel operator or owner. Such disclosures may have to be handled on a case-by-case basis. One solution being discussed would be to make permits to fish a certain area dependent on whether the permit holder would waive rights to confidentiality so bycatch information could be released.

Joe Blum, Executive Director for the American Factory Trawler Assn. was asked to give a brief report on the industry voluntary yellowfin sole vessel incentive program. AFTA formed the voluntary program with other trawlers as a means of stretching the bycatch allowance as long into the season as possible. Mr. Blum said the program got a late start so it was not as effective as they would have liked. Only about half of the number of vessels participating in the fishery will take part in the voluntary program which makes it difficult to monitor. Several of the vessels that are believed to be

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

part of the problem have refused to take part in the program.

Bob Alverson moved to initiate a regulatory amendment which would accomplish the goal of publishing salmon bycatch data on a vessel-by-vessel basis. The motion was seconded by Clem Tillion and carried without objection.

B-4 Enforcement Report

The NMFS and Coast Guard enforcement reports were also submitted only in written form. NMFS reported that April 1 through May 31, 1993, 67 investigations were opened by NMFS and the Coast Guard and further actions were taken on 79 pending cases. Nineteen investigations were closed as unfounded; two investigations were closed due to a lack of enforcement resources, nine cases were handled with written warnings, and six were settled with summary settlement offers totaling \$10,325 in assessed penalties. Eleven cases were settled through voluntary abandonment of property valued at \$9,537. Sixteen cases were referred to NOAA General Council. NOAA GC issued six notices of violation, assessing a total of \$21,021 in penalties. An additional ten notices of violation were settled by General Counsel with penalties totalling \$47,274. Observer-initiated cases resulted in six written warnings, two dismissed as unfounded, one dismissed due to lack of enforcement resources, two referrals to the Coast Guard Marine Safety Office, and four assignments for further investigation.

The Coast Guard reported several significant law enforcement cases during the same period. The fishing vessel *Sunset* was seized for illegally processing and transporting fish, failure to maintain required fishing logs, fishing for sablefish out of season, and illegally disposing of navigational data from a color plotter. The 50,285 pounds of sablefish on board were sold for \$102,966. The catch of the fishing vessels *Evangeline* and *Miss Norma* was also seized after it was determined that the vessels were fishing in federal waters without a federal fisheries permit or logbook.

Between March 19 and April 11 the Coast Guard conducted 21 boardings of U.S. stern trawlers, longliners, and pot boats participating in the BSAI Pacific cod fishery; the majority of the boardings were in the Horseshoe area north of Unimak Island along the 50-fathom curve. Coast Guard boarding teams found a general trend of underlogging total halibut bycatch. The data was forwarded to NMFS to ensure that observer data are representative of that needed to properly manage the Pacific cod fishery.

In May, during a high seas driftnet patrol to enforce the United Nations General Assembly moratorium against large-scale high seas driftnet fishing, two Chinese fishing vessels were sent back to China after Coast Guard boarding parties discovered that the vessels were equipped to conduct large scale high seas driftnet fishing.

C. NEW AND CONTINUING BUSINESS

C-1 Management of the Scallop Fishery

In January the Council asked staff to develop a draft management plan for the scallop fishery with an emphasis on protecting the fishery from overcapitalization. The Council also established a control date of January 20, 1993 to notice industry that a moratorium for the fishery may be implemented. Twenty vessels were licensed to fish scallops as of May 28, 1993, up from seven in 1992. The Council received a draft plan and analysis in April but were unable to review them. A revised draft was provided to the Council in early June. The Council was advised of several interim management

measures adopted by the Alaska Dept. of Fish and Game for the scallop fishery since the January Council meeting.

Report of the Scientific and Statistical Committee

The SSC reviewed the draft fishery management plan for scallops and, although they concurred that timely action should be taken, they had several concerns with the draft plan. Details are found in the SSC Minutes, Appendix II to these minutes. The SSC felt that, through Council direction to staff, two possible alternatives had been omitted in the plan: an ITQ system, and full Council management, rather than shared management with the state. The SSC also felt that the draft analysis was hindered by a shortage of data. The SSC recommended several areas of the plan which could be developed in more detail before releasing it for public review.

Report of the Advisory Panel

The Advisory Panel unanimously recommended that the Council send the draft plan out for public review and that the Council set a control date concurrent with the time action is taken at this Council meeting (June 1993).

COUNCIL DISCUSSION AND ACTION

Bob Mace expressed concern with devoting staff time to development of a fishery management plan for scallops at this time. He stressed that the Council should continue development of a comprehensive plan and not continue to address single-species issues.

Bob Mace moved to establish a June 21, 1993 cut-off date and direct staff to proceed with developing and implementing a moratorium for the scallop fishery, allowing the State of Alaska to continue day-to-day management of the fishery. The motion was seconded by Oscar Dyson.

Mr. Mace suggested the new control date because of a memo received from NMFS-Central Office stating that control date announcements should be received by OMB within 30 days of the Council's chosen control date, or the control date should be the date the notice is published in the *Federal Register*. However, Council members felt that the earlier control date should be retained.

Lisa Lindeman, NOAA General Counsel advised that in order to pursue a moratorium a fishery management plan will be required.

After the advice from General Counsel, **Mr. Mace allowed the motion to be changed to send the draft FMP out for public review, after inclusion of suggestions from the SSC.** For the purpose of voting, the Chairman allowed the motion to be bifurcated, with separate consideration of the control date and whether to send the FMP out for public review.

The motion to set a control date of June 21, 1993 failed, 7 to 4, with Alverson, Behnken, Mace and Pennoyer voting in favor.

In discussion of the draft FMP, Council members stressed that the new draft should include an alternative for full federal management in addition to the ones for state management.

**DRAFT MINUTES
NPFMC MEETING
JUNE 1993**

Bob Alverson moved to amend the listing of management authorities to include measures that would involve observer assignments on vessels and those measures such as exclusive registration or superexclusive registration areas under either Category 1 or Category 2 actions. The motion was seconded by Wally Pereyra and carried without objection.

Wally Pereyra moved to amend the listing of management authorities to have the option of placing the 'closed waters' and 'other' measures in Category 1 or Category 2 for purposes of public review. The motion was seconded and carried without objection.

The main motion, as amended, carried unanimously. The original control date of January 20, 1993 was not abandoned.

C-2 Sablefish and Halibut IFQ Program

The Council was scheduled to receive an update on the implementation of Amendments 15/20, the Sablefish and Halibut IFQ program, and to review the analysis of the proposed block and 1,000 lb minimum amendments to the plan and to decide whether to send them out for public review and comment.

Report of the Scientific and Statistical Committee

The SSC noted that effects on economic efficiency were considered only briefly and qualitatively in the draft analyses of the block proposals, but concluded that a more detailed and quantitative cost/benefit analysis was not feasible. The SSC recommended releasing the draft for public review but noted that the block proposals, like other restrictions on the transferability of quota share, are sure to entail some costs even if they cannot be estimated.

Report of the Advisory Panel

The AP recommended that the Council release the block proposals for public review and comment, but that they not give further consideration to the 1,000 lb minimum proposal.

COUNCIL DISCUSSION AND ACTION

Steve Pennoyer reported that the draft regulations for the IFQ program are in Washington, DC, and should be published soon. Preparing for implementation, i.e., preparing the databases, system design for the leasing program, and a system for tracking quota shares, will take six to twelve months.

Kurt Schelle and Ben Muse of CFEC reviewed the draft analyses for the block proposals and the 1,000 lb minimum proposal. Because the draft analyses were revised versions of earlier drafts reviewed by the Council, there was minimum Council discussion.

Linda Behnken moved to send the analysis of the two block proposals out for public review and comment. The motion was seconded by Oscar Dyson and carried without objection. There was no further action on the 1,000 lb minimum proposal.

C-3 Comprehensive Planning

The Comprehensive Planning Committee, composed of all Council members, met on June 20 to receive a staff progress report on the analytical methods and models to be used in assessing socioeconomic impacts and net benefits of the proposed alternatives for a comprehensive rationalization plan for the groundfish and crab fisheries. The Council received a draft elements and options paper prepared by staff and draft profiles for five coastal communities. The community profiles will be augmented to include 127 Alaska communities and eight to ten Pacific Northwest communities during the analytical process. The committee also received public testimony. The committee meeting was mainly informational and no action was taken. During their plenary session later in the week the Council was scheduled to review the elements and options and provide staff with further direction for analysis.

Report of the Scientific and Statistical Committee

The SSC had extensive comments on analysis of comprehensive rationalization alternatives (See SSC Minutes, Appendix II). Their comments addressed the social impact assessment, vessel profiles, the economic model of the fishery, and economic impacts. Regarding the staff paper on the elements and options, the SSC once again stressed the necessity to narrow the options as much as possible now in order to keep the analytical task within feasible limits.

Report of the Advisory Panel

The Advisory Panel also had several detailed comments on comprehensive planning (see AP Minutes, Appendix III to these minutes). Their areas of concern included specific items to be addressed in the social impact analysis, the development of fishery profiles, accurate catch history data to be used in allocation decisions and establishing incentives to minimize unacceptable bycatch. The AP supports analysis of a "two-pie" approach with processors receiving "processor shares," harvesters receiving harvesting shares, and requiring the two be matched for processing to occur. The AP also requested that staff further analyze a crew licensing concept.

COUNCIL DISCUSSION AND ACTION

Using a spreadsheet of the various elements and options (see Appendix IV), the Council spent several hours discussing species, areas, initial assignment of quota share, qualifying period, criteria for initial quota share allocation, transferability, ownership caps, general provisions, use provisions, and penalties in an attempt to focus some of the alternatives for further staff development. Individual motions are not included here, but the major decisions made by the Council are summarized below.

Because of requests from participants in the crab fisheries, the Council asked that both the IFQ and license limitation alternatives be given equal consideration for the crab fisheries. The IFQ alternative continues to be the primary alternative for the groundfish fisheries. The same elements and options, where applicable, will be used for the crab license limitation program as those discussed for the IFQ alternatives.

Other Council direction included:

Species. The analysis of the IFQ alternative will focus on a comprehensive program which includes all groundfish, crab, and prohibited species under the Council's jurisdiction. Other alternatives, such

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

as all species except prohibited species, and a prohibited species-only alternative will be discussed only qualitatively in the final analysis.

Area. IFQs should be awarded in the area they were earned: Bering Sea/Aleutian Islands, Bering Sea, Aleutian Islands, Western Gulf, Central Gulf, or Eastern Gulf. Bogoslof pollock should be awarded in the Bering Sea. Gulf pollock will be issued by TAC subareas. PSC species will be allocated based on the current areas used for PSC management.

Initial Assignment of Quota Share. Options to be addressed:

- (A) To vessels or vessel owners at the time IFQ is issued.
- (B) To vessel owners at time of landings activities (assumes criteria for allocation would be some form of landings history). Two general types of recipients would be considered: (1) those still in the fisheries, (2) those who have exited the fisheries.
- (C) Assign harvest quota share to other fisheries investors, including processors, skippers, and crew.
- (D) Coastal communities (without regard to landings history).
- (E) Assign separate processor quota shares (two-pie system).

Criteria for Initial Quota Share Allocation. Options to be addressed:

- (A) DAH historical landings history. Suboptions include, but not limited to:
 - 1. 1984 through June 24, 1992 or through approval date by Council for groundfish.
 - 2. 1978 through June 24, 1992 or through approval date by Council for crab.
 - 3. Back as far as useable data exist.
 - 4. Weighting of DAP or JVP harvests.
 - 5. Credit catch only for years that were fully DAP.
 - 6. Credit catch only for years up to "full utilization" for each species.
 - 7. Must have fished in recent past (1990, 91, or 92, for example) to qualify. All options for calculating QS still apply.
- (B) Specific percentages by gear type or other sector, based, for example, on relative dependence or other criteria (would then rely on landing history, for example, within a specific group).
- (C) Dependence on the fishery by individual operators, for example, relative income by species).

Other considerations for QS calculation: Options:

- (A) Credit retained catch only.
- (B) 'Package QS' bundles based on target fisheries with attendant bycatch and PSC needs.

Transferability of QS/IFQ. Options:

- (A) Fully and freely transferable.
- (B) Fully and freely transferable after initial 2-year moratorium on permanent sales.
- (C) Transferable only within specific gear, vessel categories, or other sectors (such as inshore/offshore).
- (D) Transferable only in bundles (target species).
- (E) Limited to ensure some level of deliveries to shoreside processing.
- (F) No waiting period for transfers beyond administrative necessities.

Ownership caps. Options:

- (A) 1%, 5%, or 10%, or any number in between.

General Provisions. Options:

- (A) Pooling of IFQs on vessels would be allowed.
- (B) Allocations would be use privileges; however, the Council could alter or rescind program without compensation.
- (C) Council should pursue some level of administrative fee extraction to fund program, if Magnuson Act is amended.

Use Provisions. Options:

- (A) After initial allocation, QS would be independent of vessels.
- (B) Must control IFQs for expected catch before trip begins.
- (C) Allow trading of QS/IFQs after the fact to cover catch already taken.
- (D) No restrictions on where catcher vessels deliver catch.
- (E) Overage/Underage program.

Penalties: Violations should carry severe penalties, but will be set by NOAA-GC.

During discussion Council members indicated that they felt they could not narrow the options too much at this stage. They felt they needed some analysis, at least qualitative, before narrowing the options. Some of the options, such as skipper and crew shares, have already been ruled out under the sablefish and halibut IFQ program as unfeasible; however, in order to compile a complete record, Council members asked staff to address the options in a preliminary analysis.

The Council also directed staff to address, to the extent possible, the concerns listed in the Advisory Panel report (Appendix III). The Council also requested that Redmond, Monroe, Bellingham, Seattle, and Tacoma be among the Pacific Northwest communities profiled in the social analysis.

C-4 Other Business

Exclusive Registration for Flatfish Fisheries

Last December the Council approved a groundfish plan amendment which requires exclusive registration for fishermen conducting pollock trawl fisheries. Fishermen would be required to register to fish for pollock in either the BSAI or the Western/Central GOA, but could not fish both. The amendment has not yet been published as a Proposed Rule.

In May the Council received a proposal from the Alaska Groundfish Data Bank to initiate an amendment which would require exclusive registration for flatfish fisheries in the Central Gulf. The rationale for the proposal cites inefficient use of the halibut PSC cap in the Gulf at the expense of shorebased delivery vessels.

**DRAFT MINUTES
NPFMC MEETING
JUNE 1993**

Because the pollock exclusive registration amendment has not yet been submitted to the Secretary, the Council could rescind their previous action and consider both issues together, or they could initiate a separate plan amendment analysis which would deal with flatfish only.

Report of the Advisory Panel

The Advisory Panel recommended the Council rescind their previous action and expand the current analysis to include flatfish for exclusive registration in the Central and Eastern Gulf. The AP stressed that a draft analysis should be available for preliminary Council review in September with final action scheduled in December.

The Scientific and Statistical Committee did not address this agenda item.

COUNCIL DISCUSSION AND ACTION

Oscar Dyson moved to rescind previous action on exclusive registration in the Gulf of Alaska. The motion was seconded by Linda Behnken and carried, 8 to 3, with Alverson, Mace and Millikan opposed.

Council members opposed were concerned with adding another proposal to staff tasking on an off-cycle basis.

Oscar Dyson moved to expand the current exclusive registration analysis in the Gulf of Alaska to include all trawling for all groundfish species in the Western, Central and Eastern Gulf of Alaska. The motion was seconded by Henry Mitchell.

Ron Berg, NMFS-Alaska Region, was asked to advise the Council on the position of NMFS with regard to exclusive registration, particularly in light of the delayed action in implementing the previous exclusive registration amendment approved in September. Mr. Berg explained that this is the first regulatory action of this type for the Council and there is some concern that other communities will follow suit and request superexclusive areas to protect their own economic bases. NMFS has been looking at using simultaneous seasons as a way to prevent preemption. However, because of the necessity to spread the harvest in the Gulf out in order to protect sea lions, they haven't been able to find a solution. If the Council finds that the final analysis in December supports the necessity of the proposal, approval by the Secretary would depend on whether the proposed measures would address the halibut bycatch and market problems identified.

During Council discussion it was pointed out that any approved measures could not be implemented in time for the beginning of the 1994 fishing season and that a request for emergency action may be necessary in December. It was also stressed that the existing analysis which covers the 'all species' alternative, would be available in August with supplemental information and the Council would take final action in September. Alternatives to be considered at that time would be either status quo or the alternative contained in Mr. Dyson's motion.

The motion carried, 9 to 2, with Mace and Millikan opposed.

Southeast Salmon Troll Fishery

Council member Linda Behnken asked the Council to consider action taken by the Alaska Department of Fish and Game for the Southeast salmon troll fishery.

In the absence of an agreement under the Pacific Salmon Treaty, ADF&G announced their intent to manage for a ceiling of 263,000 treaty chinook salmon. A Biological Opinion was issued by NMFS for the 1993 season. The Opinion was necessary to assure that the Southeast Alaska fisheries reduce their impact on Snake River Fall Chinook by 5% from the 1986-90 base period. The Opinion required that Alaska eliminate the June Hatchery Access fishery for 1993, and that following the summer chinook fishery, a 5-day closure take place. The purpose of eliminating the June Hatchery Access fishery is to extend the length of the summer season and reduce the number of chinook non-retention days.

Ms. Behnken said she does not feel action taken by ADF&G is consistent with the National Standards. In particular, she said that the 5-day closure was implemented at a time which would have a substantial economic effect on the fishermen. She asked that the Council request an explanation from the Commissioner of Fish and Game.

Linda Behnken moved to send a letter to the Commissioner of Alaska Department of Fish and Game requesting information on the actions taken in the Southeast Alaska salmon troll fishery, particularly with regard to supporting analyses of ecological and socioeconomic impacts of the actions. The motion was seconded by Bob Mace and carried without objection, with Clem Tillion abstaining from the vote.

D. FISHERY MANAGEMENT PLANS

D-1 Crab Management

The Council received a report from ADF&G biologist Dr. Gordon Kruse and a report on recent Alaska Board of Fisheries actions on crab. Of particular concern were Board decisions to make the Norton Sound king crab fishery a super-exclusive registration area and to set pot limits for Bering Sea crab fisheries, both subjects of appeals to the Council's Crab Interim Action Committee.

Neither the Scientific and Statistical Committee nor the Advisory Panel considered this agenda item.

COUNCIL DISCUSSION AND ACTION

The Council debated whether superexclusive registration was intended in the original Bering Sea King and Tanner Crab FMP. This would require Council consideration and approval before implementation by the State. However, a review of the record gives no clear indication of the Council's intent in this regard.

Bob Alverson moved to amend the crab plan to place exclusive and superexclusive registration proposals in Category 1. The motion was seconded by Al Millikan.

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

Linda Behnken moved a substitute motion: to set up a meeting with the Alaska Board of Fisheries to work out the problem. Staff and legal counsel should be available and Council should have some decision on what should be Category 1 or 2. The motion was seconded by Al Millikan and carried, 9 to 2, with Alverson and Pereyra opposed.

Bob Alverson moved to direct staff to solicit crab proposals and comments on crab management from the public for the September meeting. The motion was seconded by Bob Mace and carried, 6 to 5, with Dyson, Mitchell, Pennoyer, Tillion and Lauber opposed.

D-2 Groundfish FMP Amendments

D-2(a) Pacific Cod Allocation - BSAI Amendment 24.

An amendment proposal was initiated in January 1992 to analyze alternatives to establish fixed allocations of the Pacific cod TAC by gear in the Bering Sea/Aleutian Islands. In September 1992 the Council reviewed the preliminary analysis and asked that the draft be expanded to include an analysis of alternatives designed explicitly to change the seasonality of the cod fisheries. In April 1993 the Council reviewed a revised analysis and recommended it be reviewed by the public prior to the June 1993 meeting. The Council stated that unless the Council received a substantial consensus from among major industry components they would be unlikely to take any final action in June. The Council received presentations during public testimony from representatives of the trawl and fixed gear groups.

Report of the Scientific and Statistical Committee

The SSC provided an extensive review of the proposed amendment in their minutes (see Appendix II). In April the SSC had reviewed a draft analysis and recommended it be released for public review and comment. At that time they advised the Council that biological and economic effects of gear and seasonal allocations of the Pacific cod TAC were not large and that the Council already had the ability to allocate catch between gear groups through allocation of PSC. At this meeting the SSC concluded that they could not see any substantial benefits in terms of conservation or economic efficiency from a direct allocation among gears or a change in seasonal apportionments.

Report of the Advisory Panel

The AP heard considerable public testimony from both trawl and fixed gear groups that indicated that if a fair and equitable allocation could be achieved, both users would benefit. However, AP members could not agree on a specific allocation to recommend to the Council. They did, however, have the following recommendations if the Council did choose to allocate Pacific cod between gear groups:

1. Establish framework ability to seasonally apportion the fixed gear allocation between trimesters during the fishing year and provide authority for the Regional Director to reallocate cod from fixed gear to trawl, or vice versa, during the year in the event that one group or the other will not be able to harvest their allocation.
2. Prohibit the discard of cod in all BSAI groundfish fisheries, including cod taken in the directed cod fishery and cod taken as bycatch in other cod fisheries, and prohibit the discard of all groundfish species harvested by any gear type in the directed BSAI cod fisheries, except arrowtooth flounder, squid, and species in the 'other species' category.

3. Initiate action to require that all trawl, longline, and pot vessels carry an observer at all times while participating in the BSAI cod fisheries.

COUNCIL DISCUSSION AND ACTION

Bob Alverson moved the following:

- (1) **Allocate the Pacific cod Initial Total Allowable Catch (ITAC) as follows: 50% to fixed gear and 50% to trawl gear; bycatch of cod in other fisheries would come out of each group's allocation, respectively.**
- (2) **Provide framework ability for the Council to seasonally apportion the fixed gear allocation between trimesters during the fishing year, to be accomplished through the September-December specifications process.**
- (3) **Provide authority for the Regional Director to reallocate cod from fixed gear to trawl, or vice versa, during the year in the event that one group or the other are not be able to harvest their allocation;**
- (4) **It is the intent of the Council that no more than 775 mt of halibut PSC mortality be allocated to the BSAI longline Pacific cod fishery and no more than 950 mt of halibut PSC mortality be allocated to the BSAI trawl cod fishery;**
- (5) **Initiate action to require all trawl and longline vessels below 125 ft participating in the BSAI directed cod fisheries carry an observer at least 30% of the time.**

The motion was seconded by Ron Hegge.

Henry Mitchell moved to amend to exempt vessels less than 42 ft from the 30% observer coverage requirement. The motion was accepted as a friendly amendment to the main motion. It was pointed out, however, that when the Research Plan is implemented these vessels would not be exempt from paying the 2% fee required under the Plan.

During Council discussion there were concerns expressed regarding whether the measures in the motion were adequately covered in the analysis of the alternatives. Steve Pennoyer said he would prefer to leave the measure regarding the halibut PSC allocations out of the motion because he felt the Council didn't have adequate information to make that decision at this time. Other members reiterated their concern over addressing management measures on a gear or species-by-species basis and stressed that the Council should focus on implementing a comprehensive plan as soon as possible.

There were several amendments made to the motion, including a sunset date and various allocation figures. The motion finally approved, on a 6 to 5 vote with Alverson, Behnken, Dyson, Hegge and Tillion opposed, was:

- (1) **Allocate: 2% to jig gear from ITAC; of the remaining ITAC, 55% goes to trawl gear, and 45% to fixed gear; bycatch of cod in other fisheries comes out of each group's respective allocation.**

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

- (2) **Provide framework ability for the Council to seasonally apportion the fixed gear allocation between trimesters during the fishing year. The apportionment decision will be made through the September-December annual apportionment process.**
- (3) **Provide authority for the Regional Director to reallocate cod from fixed gear to trawl, or vice versa, during the year in the event that one group or the other will not be able to harvest their allocation. That portion of the jig gear allocation that is expected to go unharvested may be transferred to other gears at the beginning of the third trimester.**
- (4) **Initiate action to require all trawl and longline vessels below 125 ft participating in the BSAI directed cod fishery to carry an observer at least 30% of the time while in that fishery; vessels less than 42 ft. would be exempted.**
- (5) **This action would sunset on 12/31/96.**

Henry Mitchell moved to initiate action to begin a regulatory amendment to require 8" mesh size requirement for trawl vessels participating in the BSAI trawl cod fishery. The motion was seconded and carried without objection. The Council discussed the timing for analysis and approval of the regulatory amendment and directed staff to prepare a report for Council review in September.

Linda Behnken moved to initiate action to begin an FMP amendment to require retention of all species in both GOA and BSAI. The motion was seconded and carried without objection. The Council recognized that this will be a fairly significant amendment which will require development of a problem statement and alternatives. Staff was directed to prepare a discussion paper to be distributed for public information during the summer and discussed by Council at the September meeting.

D-2(b) Salmon Bycatch Management.

The Council was to consider final action on the BSAI chinook salmon bycatch cap analysis (BSAI Amendment 21b) and on a proposed salmon bycatch vessel incentive program (VIP). The Council has considered ways of placing a limit on the incidental capture of chinook salmon in the BSAI trawl fisheries for the past two years. In April the Council was prepared to make recommendations for a chinook salmon PSC program using a combination of time/area closures of trawl fisheries triggered by attainment of an established number of chinook salmon. However, the Council received a draft analysis in April of a proposed vessel incentive program for salmon and also an industry-sponsored proposal for an industry-sponsored voluntary "salmon foundation" program to reduce chinook salmon bycatch. In view of these two additional alternatives, the Council postponed action on Amendment 21b to allow public review and comment on the VIP analysis and to provide industry representatives an opportunity to more fully develop their foundation concept.

Report of the Scientific and Statistical Committee

The SSC is of the opinion that bycatch caps, time/area closures and the VIP proposal are not workable, primarily because of sampling problems and the inability to predict salmon interception

volume by time or area. The SSC encourages industry efforts to try to resolve the salmon bycatch problem and supports the effort to fund a research program to try to solve the problem.

Report of the Advisory Panel

The AP advised against approval of Amendment 21b. They recommended the Council adopt the industry "salmon foundation" proposal including action by NMFS to regulate mandatory salmon retention, posting of bycatch by vessel and skipper name on the NMFS Bulletin Board, and data collection and logbook programs to collect necessary data. The AP also recommended the Council defer action on a salmon VIP program until September to determine the level of preparedness and commitment by the industry to the voluntary measures and development of the salmon foundation.

The AP expressed broader concerns with the need for publication of vessel-specific bycatch data relative to VIP programs in general and strongly urged the timely posting of vessel bycatch information on a publicly accessible bulletin board, particularly with regard to salmon. With regard to other PSC, the AP reiterated earlier recommendations that bycatch rates be posted weekly by PIN number and that debriefed bycatch rates be posted by vessel name for prior years, i.e., 91, 92, and 93. If the legal consensus is that this is not possible, the AP urges the Council request an amendment to the MFCMA that would allow for the release of bycatch information in the North Pacific EEZ.

COUNCIL DISCUSSION AND ACTION

Earl Krygier, alternate for Clem Tillion, made the following motion which would combine all three options currently before the Council:

- 1) an industry-based and self-regulating VIP program which would include a penalty for each bycaught chinook, mandatory chinook retention, and a fine for excessive bycatch;**
- 2) a federal VIP program which would include federal oversight and penalties for salmon bycatch in excess of a published weekly rate;**
- 3) time/area closures upon attainment of a given annual cap for chinook salmon.**

This motion would combine the three options listed above into a single amendment. The above options have been listed in order of increasing severity or perceived cost to industry and management. If the first option is effective, the other two would not be required, and the costs of chinook salmon bycatch management would be kept at a minimum. An effective first option also implies that chinook salmon bycatch is maintained at low levels.

Under the first option, the industry-based program would provide incentives for individual vessels to reduce chinook salmon bycatch, and industry would benefit from the proceeds collected as penalties by funnelling the proceeds into an industry-regulated foundation to research causes and effects of chinook salmon bycatch. The management costs to federal and state agencies would be minimal.

Simultaneously, a federal VIP program (option 2) would be in effect to ensure full participation of industry, or in the event that the industry-based program was

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

ineffective. The federal program would monitor individual bycaught salmon on a weekly basis, and would set the salmon bycatch standard high enough (100 salmon/week) so that only those vessels incurring the highest catch would be subject to federal prosecution. If the industry-based VIP rate was effective, the federal program would only incur the costs of monitoring rates and not of prosecution. If the industry-based program was not effective, the federal program would increase the incentive to stay within published guidelines.

The final option of time/area closures would be triggered by bycatch levels which exceed those seen in recent years, or roughly 50,000 chinook salmon. Given recent bycatch levels and effective VIP programs, it is unlikely that the bycatch level in any given year would be significant enough to trigger time/area closures. If, however, chinook salmon bycatch went unchecked, or the VIP programs were ineffective, the implementation of time/area closures would help contain the total chinook salmon bycatch in a year. Under this option, attainment of the cap would trigger a closure of a buffer strip of 15 miles on each side of the 200 m contour, as well as the two 1/2° latitude by 1° longitude blocks above Unimak Island (see Amendment 21b for details) during the months of January - April and September - December.

The motion was seconded by Henry Mitchell.

Linda Behnken offered a friendly amendment which was accepted by the maker of the motion:

Add to the third paragraph of explanation: That the 50,000 figure be based on current data collection techniques, and in the event that the actual bycatch exceeds 50,000, the Council should revisit this issue and reconsider the measures that are to be taken, time/area closures.

Regional Director Steve Pennoyer and other Council members were concerned about how the three aspects of the proposal would interact and the problems of implementing all aspects of it. A major concern is the difficulty in estimating salmon bycatch numbers. Wally Pereyra asked whether any consideration has been made about secondary bycatch problems if an area is closed and vessels move to another area where bycatch of another species may be a problem, possibly a worse one.

The motion failed, 8 to 3, with Behnken, Krygier and Mitchell voting in favor.

Bob Mace moved to adopt the industry initiative with the recommendation that NMFS prepare an FMP amendment to prohibit discard of all salmon and a regulatory amendment to: (1) implement more specific data gathering and/or logbook procedures as appropriate to develop bycatch pattern analyses, and (2) posting on the NMFS bulletin board of chinook bycatch numbers on a vessel-by-vessel basis as of January 20, 1994. The motion was seconded by Oscar Dyson.

It was clarified that Mr. Mace intended all salmon with regard to prohibiting discards, not just chinook. Also, the other items in the industry initiative would be endorsed by the Council as a concept, but would not require regulatory action. Those items included;

Sampling retained chinook as appropriate to conduct bycatch pattern and stream-of-origin analyses.

Following sampling, preserving retained chinook in a "food grade" state, and turning them over at point of landing for distribution to food banks or related public use, provided that such fish are not placed in commerce.

A critical mass of vessel owners paying an assessment of \$20 per chinook to a private research foundation to support development of data concerning marine chinook bycatch patterns and avoidance, and stream-of-origin identification. The Foundation board is to be composed of marine fishery and terminal fishery representatives, and others as appropriate. The Foundation is to recommend appropriate conservation-oriented bycatch management measures based on data developed within the scope of its research program.

Henry Mitchell moved to amend to include a 50,000 chinook salmon cap. The motion was seconded by Ron Hegge. The amendment failed, 8 to 3, with Behnken, Hegge and Krygier voting in favor.

Earl Krygier moved to amend to include the vessel incentive program. The motion was seconded by Ron Hegge, and failed 8 to 3, with Behnken, Hegge and Krygier voting in favor.

Mr. Krygier pointed out that he feels that the Alaska Board of Fisheries may be reluctant to change state regulations without some extra element of regulation on the part of the federal government.

Council members asked NMFS whether they could mandate participation in the voluntary program as a condition of permit issuance. Steve Pennoyer said they haven't had the opportunity to research the question, but if the Council wishes to include it in the program, they could do so. If, during review it was found to be unacceptable, then it would be severed from the package.

This option was moved as a friendly amendment and accepted as part of the motion.

Steve Pennoyer suggested that the Council may wish to state its intent to reconsider a salmon vessel incentive program in September. He felt, as did some other Council members, that there should be some alternative for a regulatory regime for reduction of bycatch. **This suggestion was made in the form of an amendment and carried without objection.**

The main motion, as amended, carried without objection.

D-2(c) Establish Atka Mackerel as a Target Species in the GOA.

Atka mackerel, which had been included in the "other species" category, has recently become a target fishery in the GOA. High landings of Atka mackerel in 1992 accounted for almost the entire TAC of "other species" resulting in that category becoming non-retainable early in the year. The Council determined that by separating Atka mackerel from the other species category, management and conservation of this species would be improved, with harvest levels based on biological stock assessments. This would not only reduce the potential for overfishing Atka mackerel, but also allow for increased harvesting of the "other species" complex, and reduce user conflicts within the Western GOA. An analysis was prepared and reviewed by the Council in April and released for public review in May.

**DRAFT MINUTES
NPFMC MEETING
JUNE 3X1993**

Report of the Scientific and Statistical Committee

The SSC reaffirmed its position from the April meeting in support of the reclassification of Atka mackerel to the category of target species in the GOA. The action would be beneficial in that it would allow a species-specific ABC and TAC and would relieve the problem of early attainment of the "other species" TAC in the Gulf. The question of how the management of this stock can be dovetailed with that of the eastern BSAI stocks will need to be addressed, as will the possible impact on Steller sea lions, since the present Atka mackerel fishery takes place within 10-20 miles of some of their major rookeries.

Report of the Advisory Panel

The AP recommended adoption of Alternative 2, "Establish a separate target category for Atka mackerel," but asked the Council not to advocate a target fishery until the status of Atka mackerel in the GOA is known, based on an upcoming survey.

COUNCIL DISCUSSION AND ACTION

Steve Pennoyer moved to adopt the recommendation of the Advisory Panel. The motion was seconded by Al Millikan and carried without objection.

D-2(d) Expansion of Seasonal 20 nm Marine Mammal Closure Zones.

In April the National Marine Fisheries Service asked the Council to consider a modification to the 20 nm sea lion rookery protection zones. The modification would expand the seasonal no-trawl zones around Steller sea lion rookeries at Sea Lion Rocks, Akun, Ugamak, Akutan, Agligadak and Seguam Islands to November and December when significant pollock harvest is forecasted for these months. The Council received a draft analysis in April and released it for public comment.

Report of the Scientific and Statistical Committee

The SSC reported that although under present circumstances the probability that this proposal will ever need to be implemented seems low, there is a potential need for extended protection of the sea lions in the future. They recommended either alternative 2 or 3 as operationally acceptable.

Report of the Advisory Panel

The Advisory Panel recommended adoption of Alternative 2:

Extend the 20 nm trawl prohibition areas during November and December when significant pollock harvest is expected in those months through inseason management. Trawl closures around Akun, Akutan, Ugamak and Sea Lion Rock Steller sea lion rookeries would be extended to 20 nm on November 1 by inseason action if 71,500 mt of pollock harvest is forecasted in the Bering Sea, or around Agligadak and Seguam Steller sea lion rookeries if 7,160 met of pollock harvest in the Aleutian Islands is projected.

In addition, the AP requested that NMFS not request further closures for at least one year to allow current management measures to be evaluated for effectiveness. The AP also requested that NMFS provide specific data on Steller sea lions (see AP Minutes, Appendix III).

COUNCIL DISCUSSION AND ACTION

The Council received a review of the alternatives of the proposal from Colleen Coogan, NMFS-Alaska Region.

Steve Pennoyer moved adoption of Alternative 2 (per the AP recommendation above). The motion was seconded by Linda Behnken and carried without objection.

Mr. Pennoyer asked that a report on marine mammal research be placed on the September agenda. He pointed out that NMFS cannot promise not to request further closures because of ESA regulations. NMFS will try to respond to the other questions provided by the Advisory Panel, possibly by September.

Bob Alverson, expressing frustration over excessive penalties for straying into areas closed for protection of marine mammals, moved to request that fines for these infractions be commensurate with the impact such action has on the sea lion resource. The motion was later withdrawn after discussion and assurance that NMFS is trying to respond to the need to protect marine mammals with the least impact on fisheries as possible.

D-3 Groundfish Regulatory Amendments

D-3(a) Total Weight Measurement for CDQ Fisheries.

The Council recommended some time ago that NMFS develop a regulatory amendment that would require accurate estimation and reporting of total catch by species for all groundfish fisheries within the EEZ off Alaska in order to improve information about total removals from groundfish stocks, improve inseason management, improve the effectiveness of the vessel incentive program and improve data used to prepare stock assessments. Because of the complexity of the issue, NMFS suggested in April 1993, that the Council consider a measure for total catch measurement by processors participating in the Western Alaska CDQ pollock fisheries. This would allow the Council and NMFS to monitor, on a smaller scale, how such a program would work for all species. NMFS provided an analysis for alternatives for consideration. The alternatives were: (1) status quo; (2) require two observers and certified scales; and (3) require two observers and certified bins.

Report of the Scientific and Statistical Committee

The SSC pointed out that they have often called for better estimates of total removals. They felt the CDQ pollock fishery is an opportunity to develop and test methods of total weight measurements which will be needed in most groundfish fisheries in the near future. The SSC recommended that the Council allow vessels in the CDQ fishery a choice of using either surveyed bins or certified scales so that experience can be gained with both. The SSC also requested that NMFS be asked to conduct research on measuring the total weight and composition of mixed-species catches.

DRAFT MINUTES
NPFMC MEETING
JUNE 1993

Report of the Advisory Panel

The AP recommended the Council adopt Alternative 3: Require 2 observers and certified bins with a modification to allow the option of certified scales with 1 observer or certified bins with 2 observers.

COUNCIL DISCUSSION AND ACTION

Linda Behnken originally offered a motion to approve the AP recommendation to allow the option of certified scales with one observer or certified bins with two observers; however, NMFS staff said that in order to monitor the fishery properly two observers are needed.

Linda Behnken moved to approve an alternative which would require two observers and the option of using bins or scales. Clem Tillion seconded the motion which carried without objection.

D-3(b) Atka Mackerel Apportionment in Newly Created Aleutian Subdistricts.

In January 1993 the Council approved a plan amendment to subdivide the Aleutian Islands management area (540) into three smaller management areas. This would allow the Council to assign TACs to more finite areas within the Aleutian Islands management area during the annual specifications process and allow the Council to establish TACS that better reflect the actual biomass distributions. The three areas within Area 540 will be separated at the 177°E and 177°W longitudes. When the Council made the recommendation to subdivide the areas in January, they also expressed the intent to consider release of Atka mackerel TAC from the reserve during their June 1993 meeting. The Council received a letter from Regional Director Steve Pennoyer indicating that a release of 32,000 mt, as recommended by industry representatives, could safely be apportioned to the combined Western and Central Aleutian Islands districts. Mr. Pennoyer indicated that if the Council recommends a 1993 Atka mackerel TAC, a Section 7 (ESA) consultation will be initiated and NMFS will make every effort to implement the apportionment as soon as practicable.

Report of the Scientific and Statistical Committee

The SSC felt that not enough data were available to allow them to make further harvest recommendations. However, they did strongly recommend that expanded size, age and movement information (if available) be provided by district in September for the consideration of the initial ABC and TACs.

Report of the Advisory Panel

The AP recommended the Council consider recommending that 32,000 mt of Atka mackerel be released from the unspecified reserve in the Central and Western Aleutians, combined.

COUNCIL DISCUSSION AND ACTION

Steve Pennoyer moved to recommend release of 27,000 mt of Atka mackerel in the Central Aleutian subdistrict and 5,000 mt in the Western Aleutian subdistrict. The motion was seconded by Henry Mitchell and carried without objection.

D-3(c) Opening Date for the BSAI Pollock "A" Season.

In January the Council had requested development of a framework amendment which would allow the opening date for the BSAI pollock 'A' season to be set during the September/December annual specifications process to allow flexibility and ensure maximum benefit from the 'A' season pollock harvest. In April the Council reviewed a discussion paper and detailed outline of the amendment package and asked staff to complete the analysis and make it available for public comment prior to the June meeting.

Report of the Scientific and Statistical Committee

The SSC stated that, with respect to the options for preventing preemption, no data are presented to evaluate the likely or potential impacts of idled pollock roe vessels on other open groundfish fisheries, or the effect of these options on vessels that normally fish other species and then join the pollock fishery in progress. The SSC had no specific recommendation, but noted that a delay in the pollock roe season could be expected to increase gross revenues to the open access fishery and decrease revenues to vessels participating in CDQ fisheries.

Report of the Advisory Panel

The Advisory Panel recommended retaining a start date of January 20.

COUNCIL DISCUSSION AND ACTION

Henry Mitchell moved to approve the recommendation of the Advisory Panel, which is status quo. The motion was seconded by Steve Pennoyer and carried, 10 to 1, with Mace opposed.

Later in the meeting, Council member Pereyra moved to rescind Council action on this subject. The motion to reconsider carried, 9 to 2, with Mace and Lauber opposed.

Wally Pereyra moved to adopt a modified alternative 3, option 2: start the BSAI 'A' season pollock fishery on January 27, the inshore in the CDQ fishery to remain January 20; and a prohibition on all trawl vessels who participate in other groundfish fisheries prior to the offshore pollock 'A' season from fishing in offshore pollock 'A' season until 7 days after the start date. The motion died for lack of a second.

Bob Mace moved to reinstate previous action: status quo. The motion was seconded by Henry Mitchell.

Wally Pereyra moved to amend to recommend a January 26 start date for the offshore sector only; all trawl vessels who would participate in the offshore that wish to engage in other groundfish prior to the start of the offshore fishery, would not be able to reenter the offshore pollock 'A' season pollock fishery until 7 days after the start date. The motion was seconded by Bob Alverson and failed, 7 to 4, with Alverson, Dyson, Berg, and Pereyra voting in favor.

The status quo motion carried 10 to 1, with Pereyra opposed.

**DRAFT MINUTES
NPFMC MEETING
JUNE 1993**

D-4 Staff Tasking

The Council was provided with a written report of the current status and progress on regulatory and FMP amendments. An oral report on the status of current amendments was provided under the NMFS Management Report, Agenda item B-3. The Council discussed Council policy for initiating plan and regulatory amendments under Agenda item A. The Council directed staff to initiate a call for groundfish, halibut and crab management proposals for the next amendment cycle.

E. FINANCIAL REPORT

Chairman Rick Lauber reported that the Finance Committee met during the meeting week and approved the budget for FY 94. Any excess funds will be used for work on management plans and the comprehensive rationalization plan. The report of the Committee was approved by the Council.

F. PUBLIC COMMENTS

There were no further public comments.

G. CHAIRMAN'S REMARKS AND ADJOURNMENT

Chairman Lauber presented outgoing member Henry Mitchell with a plaque in appreciation for his nine years on the Council. Mr. Mitchell was given the Chairman's gavel for the purpose of adjournment and Mr. Mitchell adjourned the meeting at 10:32 a.m. on Friday, June 25, 1993.