

### **Status of 'Items for Future Meetings' from the 3-meeting outlook**

A list of previously tasked items are included on the lower right corner of the 3-meeting outlook. This summary provides information on the status of these items.

#### **BSAI Crab PSC numbers to weight: Discussion Paper**

In June 2010, as part of the motion to initiate crab bycatch limits in all BSAI groundfish fisheries, the council briefly discussed the possibility of establishing crab caps by weight, rather than in numbers of crab. In June 2011, the Council explicitly tasked staff to prepare a separate discussion paper to evaluate changing the catch accounting of BSAI crab PSC from numbers to weight. This issue could be evaluated to some degree as part of the discussion paper addressing crab bycatch limits in BSAI groundfish fisheries, which could inform future direction on this issue. Alternatively, we could pursue this directly outside of any longer-term initiative to evaluate crab PSC limits in groundfish fisheries.

#### **BSAI Crab bycatch limit evaluations: Expanded Discussion Paper**

In February 2013, the Council reviewed a discussion paper on existing measures for trawl and pot bycatch management in the BSAI groundfish fisheries, as well as trends in bycatch by stock, and the relative percentage of the crab stock ABC the current bycatch comprises. For most stocks, while variable across years, groundfish bycatch represents a small (often <1%) component of the catch accruing towards the ABC. Following discussion of the relative complexity of the PSC limit analysis and its objectives, the Council requested an expanded discussion paper on four stocks: Bristol Bay red king crab, Bering sea Tanner crab, Bering Sea snow crab and St. Matthew blue king crab. The paper will include an historical evaluation of the existing closures for these stocks, for both permanent closures and those triggered by a PSC limit. Additionally, the paper will describe the stock and PSC (by groundfish gear type) distribution relative to these areas. The Council further recommended that the BSAI Groundfish Plan Team work together with the State to provide estimates of crab bycatch mortality in the respective groundfish fisheries by crab stock. This could help to reduce the uncertainty in projecting these estimates annually in TAC-setting, and assist the State in estimating an appropriate buffer level for groundfish bycatch, below the ACL.

#### **Salmon EFH Revisions: Initial Review**

At the time the Council took action on the 2010 EFH 5-year review, the AFSC was in the midst of developing a new methodology for refining EFH descriptions for salmon species. The Council opted to postpone action on updating the EFH sections of the Salmon FMP until the new methodology was ready for use. The methodology has now been peer-reviewed and published as a NOAA Technical Memorandum. In this amendment analysis, the Council would consider replacing the existing salmon EFH descriptions with the more refined descriptions resulting from the new AFSC methodology. Initial Review of the analysis will be scheduled when NMFS HD, AFSC, and Council staff time becomes available.

#### **ROFR Aleutia PQS: Final Action**

In February 2013, the Council took final action on several provisions to modify rights of first refusal created to benefit community interests under the Bering Sea and Aleutian Islands crab rationalization program. To protect community interests, holders of most processor shares were required to enter agreements granting community designated entities a right of first refusal on certain transfers of those shares. The Council elected to take no action on a sixth action, which would have allocated up to 0.55 percent of the Bristol Bay red king crab processing quota share pool to Aleutia Corporation (a right holding entity) to address a grievance concerning a right of first refusal that it formerly held on shares in

that fishery. The Council urged the parties to that dispute to work to resolve their issues prior to further Council consideration of the matter, and scheduling of final action.

#### Greenland Turbot Allocation: Initial Review

In June 2012, the Council received a staff presentation summarizing the BSAI Greenland turbot longline and trawl fisheries and information relative to possible sector allocations for the BSAI Greenland turbot fishery. Discussions have occurred between the Freezer Longline Coalition and the Amendment 80 Cooperatives to reach non-regulatory agreement to manage Greenland turbot catch in the Bering Sea and Aleutian Islands subareas, but to date those cooperatives have not been able to reach agreement on measures to ensure the directed fishery remains open. Because the cooperatives have not yet reached agreement, the Council voted in June 2012 to move ahead by adopting a draft purpose and need statement, and alternatives for analysis. In December, the Council agreed to put the analysis on hold until the results of the 2013 fishery become available.

#### Charter Halibut Compensated Reallocation Pool

In October 2012 the Council accepted a proposal to begin a discussion paper on a compensated reallocation pool plan for the charter sector in Area 2C and Area 3A. Alaska Charter Association and the Southeast Alaska Guides Organization requested that the Council consider initiating an amendment to the existing commercial halibut IFQ program. The groups provided a general outline for its proposal for the regulatory amendment that would create a new type of entity who may transfer (purchase, hold, and administer) commercial halibut QS for the common use of all charter halibut anglers. The amendment would allow a single eligible Recreational Quota Entity (RQE) for each regulatory area (2C and 3A). The RQE will be organized as a non-profit organization under the laws of the State of Alaska, with a regional quota share pool each for Area 2C and Area 3A. The RQE board would consist of stakeholders in the recreational halibut fishery in Alaska. This entity would provide a mechanism for the compensated transfer of allocation between the commercial and charter sectors based on a willing buyer and a willing seller model and provide a long-term solution to issues of insufficient allocations to the charter sector and uncompensated reallocation to the commercial sector. The purchased QS would be used to supplement guided angler fish under the proposed Halibut Catch Share Plan. The amount of QS that could be purchased by an RQE would be an amount sufficient to provide a means for guided anglers in Area 2C to eventually return to their traditional two halibut of any size daily bag limit, while at minimum to allow for a one fish of any size bag limit in times of low abundance. In Area 3A it would maintain the two halibut of any size daily bag limit.

The proposal does not address funding sources for the purchase of commercial halibut QS, nor does it need to, since that aspect of the compensated reallocation pool program would not be implemented in regulations and would not be part of the Council decision process or NMFS rulemaking, and therefore does not require analysis. The Council directed staff to prepare the paper after the organizations formerly submitted its RQE proposal to the Council, which has not yet occurred. In its deliberations on this proposal, the Council may wish to consider whether to allocate its agenda and staff resources only after the funding source has been finalized or consider recommending the regulatory amendment before funding sources have been identified, as it did in its adoption of the commercial quota entity (CQE) program. If the Council wishes to proceed with a discussion paper (or analysis), the proposal must be received by the Council with sufficient lead time for the staff to consult with Federal and State agencies to prepare the requested documents. In sum, this item is on hold awaiting a formal proposal from the charter organizations.

MPA Nominations: Discuss and Consider Nominations

In December 2009, the Council reviewed a discussion paper on the MPA nomination process, including a revised list of closure areas that appear to be eligible for inclusion into the national system of MPAs. The paper is posted: [http://www.alaskafisheries.noaa.gov/npfmc/PDFdocuments/meetings/MPA\\_1209.pdf](http://www.alaskafisheries.noaa.gov/npfmc/PDFdocuments/meetings/MPA_1209.pdf)

Based on its review, the Council tasked staff to prepare a follow-up discussion paper that would incorporate anticipated guidance on the NOAA interpretation of 'avoid harm to the extent practicable', and evaluate the council's existing quasi marine reserves (i.e., Option 2 from the December 2009 discussion paper -- seamounts, AI coral gardens, Bowers Ridge, GOA coral HAPC areas, Sitka pinnacles, and Steller sea lion 3-nm no-transit zones) relative to the avoiding harm from the effects of fishing on these areas. The paper will also review the original list of eligible MPAs forwarded by the MPA center and develop draft justification of why sites would or would not be recommended for inclusion into the national system of MPAs. Further, the paper would discuss how a MPA nomination process could potentially interface with the EFH/HAPC process specified in the FMPs. Further work on the discussion paper has been put on hold until NOAA issues guidance on the interpretation of 'avoid harm'.