

North Pacific Fishery Management Council

Richard B. Lauber, Chairman
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September 9, 1994

DRAFT AGENDA

**114th Plenary Session
North Pacific Fishery Management Council
September 28-October 5, 1994
Red Lion Hotel-SeaTac
Seattle, Washington**

The North Pacific Fishery Management Council will convene at 8:00 a.m. on Wednesday, September 28, 1994, at the Red Lion Hotel-SeaTac, in Seattle, Washington. Other meetings to be held during the week are:

Committee/Panel

Beginning

Crab Plan Team	12:00 p.m., Monday, Sept. 26
Advisory Panel	8:00 a.m., Tuesday, Sept. 27
Scientific and Statistical Committee	8:00 a.m., Tuesday, Sept. 27
Law of the Sea Committee	7:00 p.m., Wednesday, Sept. 28
Finance Committee	7:00 a.m., Friday, Sept. 30
IFQ Orientation for Processors	1:00-3:00 p.m., Friday, Sept. 30

All meetings except Council executive sessions are open to the public. Other committee and workgroup meetings may be scheduled on short notice during the week. All meetings will be held at the hotel unless otherwise noted.

INFORMATION FOR PERSONS WISHING TO TESTIFY BEFORE THE COUNCIL

Those wishing to testify before the Council on a specific agenda item must fill out a registration card at the registration table before public comment begins on that agenda item. Additional cards are generally not accepted after public comment has begun. A general comment period is scheduled toward the end of the meeting, time permitting, for comment on matters not on the current agenda.

Submission of Written Testimony During Council Meeting. Any written comments and materials provided during a meeting for distribution to Council members should be provided to the Council secretary. A minimum of 18 copies is needed to ensure that every Council member, the executive director, NOAA General Counsel and the official meeting record each receive a copy. Some agenda items may have a formal, published deadline for written comments. For those items, written comments submitted after the published deadline or at the Council meeting, other than simple transcripts of oral testimony, will be stamped "LATE COMMENT." They will not be summarized or analyzed in preparation for the Council meeting, nor will they be placed in Council member notebooks. All "LATE COMMENTS" will be placed in a special notebook, marked as such, and made available to Council members upon their request. Information on testifying before the Advisory Panel and Scientific and Statistical Committee is found on the next page.

FOR THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP must sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. The AP may not take public testimony on items for which they will not be making recommendations to the Council.

FOR THOSE WISHING TO TESTIFY BEFORE THE SCIENTIFIC AND STATISTICAL COMMITTEE

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. In addition, the SSC will designate a time, normally at the beginning of the afternoon session on the first day of the SSC meeting, when members of the public will have the opportunity to present testimony on any agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC, and presentations lasting more than ten minutes will require prior approval from the Chair.

COMMONLY USED ACRONYMS

ABC	Acceptable Biological Catch	MMPA	Marine Mammal Protection Act
AP	Advisory Panel	MSY	Maximum Sustainable Yield
ADF&G	Alaska Dept. of Fish and Game	mt	Metric tons
BSAI	Bering Sea and Aleutian Islands	NMFS	National Marine Fisheries Service
CDQ	Community Development Quota	NOAA	National Oceanic & Atmospheric Adm.
CRP	Comprehensive Rationalization Program	NPFMC	North Pacific Fishery Management Council
EA/RIR	Environmental Assessment/Regulatory Impact Review	OY	Optimum Yield
EEZ	Exclusive Economic Zone	POP	Pacific ocean perch
FMP	Fishery Management Plan	PSC	Prohibited Species Catch
GOA	Gulf of Alaska	SAFE	Stock Assessment and Fishery Evaluation Document
IPHC	International Pacific Halibut Commission	SSC	Scientific and Statistical Committee
ITAC	Initial Total Allowable Catch	TAC	Total Allowable Catch
MFCMA	Magnuson Fishery Conservation and Management Act		

September 9, 1994

DRAFT AGENDA

**114th Plenary Session
North Pacific Fishery Management Council
September 28-October 5, 1994
Red Lion Hotel-SeaTac
Seattle, Washington**

Estimated Hours

- | | | |
|-----------|--|---------------------------------|
| A. | CALL MEETING TO ORDER | |
| | (a) Oath of office to new Council appointees. | • |
| | (b) Approval of Agenda. | • |
| | (c) Election of Chairman and Vice Chairman. | • |
| | (c) Approve minutes of previous meetings. | • |
| B. | REPORTS | |
| | B-1 Executive Director's Report
(will include Magnuson Act Update) | • |
| | B-2 Domestic Fisheries Report by ADF&G | • |
| | B-3 NMFS Management Report
(includes status of amendments and regulatory actions) | • |
| | B-4 Enforcement and Surveillance Report | • |
| | B-5 Marine Mammals Status Report
Comment on draft marine mammal stock assessments and
potential Biological Removal workshop reports. | •
(5 hours for
A/B items) |
| C. | NEW OR CONTINUING BUSINESS | |
| | C-1 <u>Moratorium</u>
Review Secretarial decision to disapprove moratorium and take
action as necessary. | (4 hours) |
| | C-2 <u>Pacific Pelagics</u>
Inter-Council cooperative management. | (1 hour) |
| | C-3 <u>Sablefish and Halibut IFQs</u> | (6 hours) |
| | (a) Status report. | |
| | (b) Review issues dealing with hardship cases. | |
| | (c) CDQ discussion paper. | |
| | (d) Status of liens registry. | |
| | (e) Amendments and other issues, including outcome on
block proposal. | |
| | (f) Approve CDQ plans for 1995-97. | |

- C-4 Observer Plan (3 hours)
 (a) Observer Oversight Committee Report.
 (b) Research Plan fees for 1995 - final action.
 (c) Insurance Committee - status report. (8 hours)
- C-5 Comprehensive Rationalization Planning
 (a) Approve draft analysis of License Limitation alternatives for public review.
 (b) Future IFQ programs.
 (c) Social Impact Analyses - status report.
- C-6 Full Utilization and Harvest Priority (3 hours)
 (a) Discussion paper on full utilization (objectives, definitions, methodology, case studies).
 (b) Discussion paper on harvest priority (logistics, monitoring, unresolved questions).
- C-7 Inshore-Offshore (1 hour)
 Identify elements and alternatives for analysis of inshore-offshore and CDQ program rollover.
- C-8 Sablefish Longline Surveys (1 hour)
 Consider recommending an end to foreign involvement.
- C-9 International Fisheries (.5 hour)
 Compare Law of the Sea and current treaties and agreements.

D. FISHERY MANAGEMENT PLANS

- D-1 Crab Management (2 hours)
 (a) Review plan team report and status of stocks.
 (b) Set time for joint Council/Board of Fisheries meeting.
- D-2 Salmon Bycatch Items (3 hours)
 (a) Receive report from Salmon Foundation on "B" season activities.
 (b) Salmon retention and delivery (plan amendment) - final action.
 (c) Review analysis of BSAI time/area closures to reduce salmon bycatch.

- D-3 Initial Groundfish Specifications for 1995 (8 hours)
- (a) Approve initial SAFE report for BSAI groundfish fisheries for public review.
 - (b) Approve initial 1995 BSAI groundfish and bycatch specifications for public review.
 - (c) Approve initial SAFE report for GOA groundfish fisheries for public review.
 - (d) Approve initial 1995 GOA groundfish and bycatch specifications for public review. Consider removing fixed gear halibut PSC in GOA.
 - (e) Set initial VIP rate standards for 1995.
 - (f) Set discard mortality rates for halibut in the groundfish fisheries.
 - (g) Approve plan team Terms of Reference.

- D-4 Groundfish Regulatory Amendments (4 hours)
- (a) Total weight measurement - final action.
 - (b) Trawl mesh regulations -final action/rock sole separation for VIP.

- D-5 Other Groundfish Issues (1 hour)
- Opilio bycatch measures - discussion paper.

- D-6 Staff Tasking (1 hour)
- (Includes review of amendment proposals)

- E. FINANCIAL REPORT
- F. PUBLIC COMMENTS
- G. CHAIRMAN'S REMARKS AND ADJOURNMENT

Total Agenda Hours - 51.5

Draft Agenda Schedule North Pacific Fishery Management Council Week of Sept. 26, 1994

	SSC	AP	COUNCIL
Tuesday, Sept. 27	8:00am D-3a-b BSAI SAFE/ 95 specifications	8:00am B-1 ED Rpt C-1 Moratorium C-4 Observer Plan	
	1:00pm D-3c-g GOA SAFE/ 95 specifications; PT Terms of Ref.	1:00pm C-3 Sbl/Hal IFQs C-7 Inshore/Offshore	
Wednesday, Sept. 28	8:00am D-3, cont'd B-5 MM Rpt	8:00am B-5 MM Rpt C-5 CRP	8:00am Call to Order Oath to New Members Election of Officers Agenda Reports (B1-5)
	7:00pm Law of Sea Committee	1:00pm C-4 Observer Plan C-6 Full Utilization/ Harvest Priority	1:00pm Reports, cont'd C-1 Moratorium
Thursday, Sept. 29	8:00am C-5 CRP D-1(a) Crab Mgmt	8:00am D-3c-g GOA SAFE/ 95 specifications; PT Terms of Ref.	8:00am C-9 Int'l Fisheries C-3 Sbl/Hal IFQs
	1:00pm D-4 Grfish Reg Am. D-2(c) Salmon Bycatch D-6 Am. Proposals C-8 Sblf LL Survey	1:00pm D-4 Grfish Reg Am. D-5 Oth Grfish Issues	1:00pm C-3, continued
Friday, Sept. 30 7:00am Finance Committee		8:00am D-2 Salmon Bycatch D-1 Crab Mgmt	8:00am C-2 Pacific Pelagics C-4 Observer Plan
		1:00pm Continue as necessary	12:00 Executive Session* 1:00pm C-5 CRP
Saturday, Oct. 1			8:00am C-5, cont'd
			1:00pm C-5, continued
Sunday, Oct. 2			8:00am C-6 Full Utilization/ Harvest Priority
			1:00pm D-3 BSAI/GOA SAFES/95 specifications
Monday, Oct. 3			8:00am D-3 continued
			1:00pm D-4 Grfish Reg Am.
Tuesday, Oct. 4			8:00am D-2 Salmon Bycatch D-1 Crab Mgmt
			1:00pm D-5 Oth Grfish Issues
Wednesday, Oct. 5			8:00am C-7 Inshore-Offshore C-8 Sbl Surveys
			1:00pm D-6 Staff Tasking E Finance Rpt

NOTE: The above agenda items may not be taken in the order in which they appear and are subject to change as necessary, other items may be added.
*All meetings are open to the public with the exception of Council Executive Sessions.

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Certified: Jane Bendixen
Date: 9/19/94

MINUTES Scientific and Statistical Committee June 6-9, 1994

The Scientific and Statistical Committee of the North Pacific Fishery Management Council met June 6-9, 1994 at the Anchorage Hilton. All members were present except Al Tyler:

Terrance Quinn, Chair
Doug Eggers
Rich Marasco
Jack Tagart
Jim Balsiger (Aron Alt.)
Dan Huppert

Keith Criddle, Vice-Chair
Susan Hills
Phil Rigby
Harold Weeks
Marc Miller

MARINE MAMMAL PROTECTION ACT

The letter from William Fox to Clarence Pautzke dated May 19, 1994 solicited nominations for regional scientific review groups from the Council. The SSC marine mammal expert Sue Hills is willing to be nominated and the SSC supports her nomination.

C-1 NORTH PACIFIC RESEARCH PLAN

The SSC received a presentation by Dr. Joe Terry of NMFS of estimated costs and proposed fees to be assessed for implementation of the Research Plan in 1995. We also heard public testimony from Chris Blackburn, Chairman of the Observer Oversight Committee, and John Gauvin, from AFTA. The analysis by Dr. Terry suggests that the Research Plan provides for sufficient collection of funds, unless the observer cost per day is at the upper end of the range considered. It should be noted that the costs for 1995 include amounts necessary to fund the program for the first 1.25 years. In subsequent years, only annual costs are necessary, and hence, the fee percentage for 1996 and later years could be lower if prices, costs, and observer coverage levels are stable.

In response to requests by the Observer Committee and the AP, the SSC focused its attention on the methods for determining standard ex-vessel prices used in the assessment of recoverable fees. If the Council prefers a more detailed determination of ex-vessel price to account for seasonal, or fishery differences, the data collection system needs to be enhanced and modified because of concerns over data quality. Furthermore, linkage of fees with prices could result in misreporting of price data. Reduced stratification of estimated ex-vessel prices could make administration of the program simpler, but may result in less equitable distribution of assessments among the fleet.

Regarding the imputation of value for fish delivered offshore for which there is no ex-vessel market, there is currently no strong technical basis for any procedure. In reality, the relationship between ex-vessel and first wholesale value is highly variable. To more accurately impute values to ex-vessel fish in the offshore sector, one could formulate an economic research program, but that effort would require individual processor cost and operational data. These data are not now available. As is true for price data, linkage with fees could result in collected cost data being misreported. An alternative would be to more thoroughly document prices paid by motherships to catcher vessels. This would be attractive for some species (yellowfin sole and rock sole, but not Atka mackerel). This approach has, in fact, been adopted in the proposed system.

C-3 COMPREHENSIVE RATIONALIZATION PROGRAM (CRP)

C-3(a) Review CRP Documents and Workplans

1. Economic Base Model Final Report

The SSC has reviewed Dr. Lee Husky's (University of Alaska Anchorage) final report on the economic base models (EBM). The report describes eight statistical models. There are statistical and theoretical problems with the four log-linear models (2, 4, 6, and 8) reported by Dr. Husky, therefore the SSC recommends that they be disregarded. The linear models (1, 3, 5, and 7) do not make efficient use of the available data and should be replaced by an encompassing multiple regression. The encompassing model should include all of the explanatory variables specified in regression model 1, and add binary variables to indicate whether the community is coastal or inland and whether the community population is greater than or less than 500. Additional variables should be introduced to account for reliance on subsistence activities and to test for regional differences and interactions between these categorical variables and the basic sector employment variable. The encompassing model can then be examined using t-tests and partial F-tests to determine the statistical significance of community location, population, etc. Given the data series already developed by Dr. Husky, these additional statistical analyses could be completed with minimal effort. Therefore, the SSC requests that Dr. Husky's data be included as an appendix to the EBM report. Additional statistical studies are required prior to use of the economic multipliers to evaluate CRP alternatives.

2. IMPLAN Model Documentation

The SSC acknowledges receipt of additional documentation on the IMPLAN input-output model used as a basis for the FEAM model.

3. Draft EA/RIR for License Limitation

The SSC reviewed the Draft EA/RIR for License Limitation Alternatives for the Groundfish & Crab Fisheries in the Gulf of Alaska and Bering Sea Aleutian Islands, received at the April meeting. The number of potential alternatives is exceedingly large. There is considerable redundancy among the elements and options for a license limitation program defined for analysis. Given the large number of alternatives defined, the Council staff was faced with the need to develop an analytical framework. The proposed framework will provide information about who will receive licenses under different alternatives. However, it will not provide estimates of the change in net benefits to individuals, communities, or to the nation.

4. License Limitation Study Plan

Council staff provided the SSC with a presentation on Agenda Item C-3(a)2, "Details on the License Limitation Analysis." The SSC also heard public testimony from Ron Rogness (Long John Silver). The alternatives included in the document are a collation of the options contained in the Draft EA/RIR and those contained in the ADF&G proposal. This collation greatly increases the number of alternatives to be considered. Many of these alternatives are redundant and should be eliminated. However, even if the redundancies were eliminated, the number of elements and options would still be excessive in terms of analysis. Council staff have indicated their intention to reduce the number of alternatives to be analyzed to 30-60. The SSC recommends that the Council specify three to four alternatives for detailed analysis in an EA/RIR. Each alternative should specify the nature of the license, who receives the license, eligibility criteria, ownership requirements, transferability restrictions, and other general provisions. Given the eligibility criteria, the nature of the license, ownership restrictions, and who receives the license that are characteristic of an alternative, data are available to describe distributional consequences. Theory suggests that there are no long-run net economic benefits to license limitation programs. It is for this reason that ITQ programs are preferred by economists. However, the Magnuson Act identifies multiple objectives for fisheries management. The extent to which license limitation addresses one or more of the Council's objectives should be clearly articulated. For example, an alternative could be motivated by the objectives of preserving fleet diversity and contributing to the economic and cultural stability of coastal communities.

5. CRP Study Plan

In addition to the license limitation options described in greater detail in Agenda Item C-3(a)2, Agenda Item C-3(a)1, "License Limitation Elements and Options," lists alternatives and options for an IFQ program. The list of alternatives, options, and elements for the implementation of an IFQ program suffers from the same dimensionality and redundancy problems that plague the study plan for license limitation. Therefore, it is again imperative that the Council specify a handful of alternatives for detailed analysis in an EA/RIR. Each alternative should specify the nature of the quota share program: that is, who will receive the quota shares, eligibility criteria, ownership requirements, transferability restrictions, and other general provisions. If there is to be a staged transition from the status quo to IFQs via a license limitation program, the EA/RIR for license limitation should address the relevant social and economic consequences.

In order to get measures of changes in net benefits to individuals or industry sectors associated with moving from open access to an ITQ fishery, accurate data on the cost of vessel and processor operations are imperative. If updated cost information cannot be obtained, it will be necessary to rely on previously collected data such as the OMB survey. Reliance on previously gathered data is unsatisfactory, because it is not sufficiently comprehensive and may not reflect current forms of organization or production. Furthermore, not all fleets were surveyed. Updated cost data can only be developed with the support and assistance of the industry. As noted in the January 1994 SSC Minutes:

"Analysis of the pecuniary benefits of plan amendments has been and continues to be crippled by the lack of accurate data regarding the costs and performance characteristics of fishing operations. Surveys and focus group interviews are a poor substitute for a comprehensive database. The SSC urges the Council to prepare an amendment to the Groundfish Data Plan to require annual submission of cost and

performance data for all sectors of the fishing industry. These data will enable Council and Center staff to predict the local, regional, and national impacts of plan amendments with much greater accuracy."

More timely economic data could be used to estimate changes in net revenues. This information can in turn be used to examine community and national level impacts with the EBM or FEAM methodologies.

C-3(b) Moratorium Proposed Rule

The SSC did not address the proposed moratorium rules.

C-3(c) Inshore/Offshore/CDQ

The SSC also heard public testimony from Karl Ohls (Western Alaska Fisheries Development Association), and Richard Caulfield and Mary Pete (University of Alaska Fairbanks). Caulfield and Pete described research, funded by WAFDA and the Bering Sea Fishermen's Association, to be conducted this summer. The research examines the community level impacts of the CDQ fisheries using survey and interview techniques. The study that they propose appears to complement Council staff analysis on Community Profiles and Social Impact Assessment. The development of a baseline analysis of these communities and the impact of the CDQ program could be useful for determining the benefits of the CDQ program.

D-2(a) DIRECTED FISHING STANDARDS

The SSC reviewed the EA/RIR for a Regulatory Amendment to revise Directed Fishing Standards (DFS). NMFS staff described the changes to existing regulations. The SSC believes that the revisions contained in Alternative 2 reduce complexity and inconsistency in the regulations defining directed fishing and establishing DFS. These modifications coupled with changes in several of the standards should be beneficial in understanding DFS and reducing discards in some fisheries.

D-2(b) POLLOCK 'A' SEASON

The SSC reviewed the EA/RIR/IRFA proposal to change the start date for the Bering Sea pollock 'A' season and received public testimony from Paul McGregor and Vince Curry. In addition, the SSC received a recent, preliminary quantitative analysis from Sally Bibb. During the discussion of this issue, questions surfaced concerning source, variability and interpretation of roe quality data, roe yields, and prices. Nevertheless, roe quality and recovery data suggests that the value of the offshore roe fishery would increase with some delay of the 'A' season. Similar data for the onshore sector are more variable and less indicative of a trend.

Regulatory action that delays the offshore 'A' season may have countervailing effects. The value of pollock CDQs depends on access to fish during the peak roe production period. This access could be reduced with the delay. In addition, a shift of the opening date for the offshore fleet may be detrimental to the onshore segment of the fishery because the marketing system for pollock roe involves competition between various suppliers. While the relationship between roe price and quantity has not been explored, it was indicated that changes in the temporal pattern of production impacts roe prices. Hence, we are unable to conclude with certainty that a delay in the season for only the offshore roe fishery will entail an overall economic improvement.

Because questions of timing and location of open access fisheries can have important implications for optimum yield for the fishery, the SSC believes that there is a need for better information on temporal and spatial distribution of pollock maturation and economic impacts.

D-2(c) TOTAL WEIGHT MEASUREMENT

The SSC understands that there is no new information or analysis to consider on this issue. Hence, we repeat our April 1994 report to the Council:

APRIL 1994 minutes:

The SSC received a draft EA/RIR and a report from Sally Bibb (NMFS - AKR) on a proposed regulatory amendment to require total weight measurement of groundfish catch on processors with 100% and 30% observer coverage. The draft has an option to include catcher vessels with 100% observer coverage. The analysis clearly articulates the expected costs to fishing vessels of purchase and installation scales. Other costs associated with reduced product throughput and changed operating procedures are only qualitatively discussed. The Committee heard public testimony from Laura Janssen (Arctic Alaska) and John Gauvin (AFTA) indicating that such costs could be substantial. The increased accuracy and/or confidence in total catch estimates cannot be determined from the analysis; however total catch weighing should improve the accuracy and precision of our estimates.

The SSC continues to support the investigation of techniques which will lead to more accurate methods for estimating total removals from the ocean ecosystem. There will be increasing demand for higher quality estimates, even under open access management. Management at the vessel level, such as under individual vessel quotas, will require greatly improved accuracy and precision.

The accuracy and/or precision of current catch data is unknown, i.e., there are no data regarding independent tests of the reporting accuracy of catch data. Since this is the case, we can not evaluate the benefits of improved accuracy which may accrue through total weight measurement. Neither can we tell whether the assumed benefits justify the costs. Under these circumstances, all else being equal, total weight measurement could be justified by its elimination of a controllable source of error. If the Council really wants to know total catch weight with the least possible error, additional alternatives need to be added to the current proposal. The SSC recommends the following:

- I. Status quo
- II. All catch must be weighed on a scale
 - a. if weighed at sea, all catch must be taken with an observer on board the vessel,
 - b. otherwise, vessels must retain all catch, including usual discards except for prohibited species, for subsequent weighing at an observed processor.
- III. Same as Alternative II, but weight may be determined within a specified range of accuracy by any approved procedure, e.g., using volumetric methods.

D-2(d)(1) EMERGENCY RULE FOR BYCATCH CAP OF 42,000 OTHER SALMON IN THE CVOA

The SSC received a status report on the emergency rule to establish a bycatch cap and associated closure for 'other' salmon, and to require additional observer for mothership and to require satellite communication capability for motherships and shorebased processors receiving product from the CVOA.

The SSC heard public testimony from Jim Salisbury, expressing concern that under the emergency rule, there may be potential for significant chum salmon bycatch to be in areas outside the 5-block area. The SSC notes that although this is a possibility, the selection of the 5-block area is generally consistent with the distribution of chum salmon bycatches in the B season in years 1991-1993. The SSC also notes that information on the origin of chum salmon in the trawl bycatches is lacking, and recommends that research be conducted to determine the origin of chum salmon bycatches.

D-2(d)(2) SALMON RETENTION

The SSC understands that there is no new information or analysis to consider on this issue and we repeat our statement from the April 1994 minutes.

April 1994 minutes:

The SSC heard a report on initial review of alternatives for salmon retention and delivery to food banks. The SSC notes that this is a policy issue and has no additional comments on the document.

D-2(e) HALIBUT BYCATCH/SORTING

The SSC reviewed a document prepared by the IPHC entitled "Methods to Improve Survival of Pacific Halibut Bycatch Discarded from a Factory Trawler." A presentation supplementing the document was received from Don McCaughran (IPHC) and Steve Hughes (Highliners Association). The SSC believes that the experimental design for the study was statistically valid and that the results are straightforward. Minor comments on presentation of results were given to the presenters, which are to be incorporated into the final report of this study.

The major implication of this study is that the sorting methods examined could provide significant halibut savings if adopted by the trawl fleet. The SSC recommends that a amendment package be developed in response to the request by the IPHC.

D-2(h) TRAWL MESH RESTRICTIONS

The SSC considered this topic in April and received no new information on this topic. While we understand that there is industry interest in establishing a standard minimum mesh size, results of the AFDF selectivity study will not be available until later this year. Additionally, we understand that AFDF will begin a trawl mesh escapement and mortality study later this year. We repeat our April 1994 minutes below, and recommend that the Council await the results of the AFDF studies which may provide essential data on which to base mesh size requirements.

APRIL 1994 minutes:

The SSC received a progress report from Paula Cullenberg of the Alaska Fisheries Development Foundation on the 1993 fishery codend mesh study. Preliminary results suggest that codend mesh size and configuration influences selectivity for pollock size classes. This study will continue in 1994 to refine selectivity estimates. If the Council wishes to pursue consideration of mesh sizes outside the range of existing information, additional research will be required.

The SSC understands that there is interest in investigating eight inch mesh for the Pacific cod trawl fishery. Information in NMFS data sets does not address performance of this mesh size.

Multivariate statistical methods should be used to isolate factors responsible for the variability across vessels.

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Certified _____

Date _____

ADVISORY PANEL MINUTES JUNE 5-8, 1994 ANCHORAGE, ALASKA

Advisory Panel members in attendance:

Bruce, John (Chair)
Benson, Dave
Burch, Alvin
Cotton, Bruce
Jones, Spike
Madsen, Stephanie
Maloney, Pete
Nelson, Hazel

Paddock, Dean
Roos, John
Sevier, John
Stevens, Mick
Sparck, Harold
Stewart, Beth (Vice Chair)
Wurm, Robert

Absent were Steve Drage, Dan Falvey, Kevin Kaldestad, David Little, Doug Ogden, Penny Pagels and Bryon Pfundt.

C-1 Research Plan

The AP recommends that the Research Plan be tabled until such time as we have an opportunity to see what Congress does with User Fees in connection with the MFCMA reauthorization.

The AP further identified the following concerns that need to be addressed before implementation of the Observer Plan.

1. That during the Reauthorization of the Magnuson Act, the North Pacific Fisheries Research Plan be renamed the North Pacific Fisheries Observer Plan.
2. The AP opposes the proposed rebate plan and instead strongly recommends that a company or vessel owner simply deduct observer payments from Research Plan fees dues on a bimonthly basis.
3. The AP recommends that there should be a single integrated observer program and training program for all crab and groundfish programs. The AP asks that NMFS prepare a budget that demonstrates all efficiencies such a program would provide.
4. The AP recommends that an annual independent (non-governmental) audit of the program be required.

5. The AP recommends that fisheries subject to new user fees like those proposed in Commerce's Magnuson Act Amendments, be exempted from the Observer Program fees.
6. The AP also recommends:
 - * Looking at the use of differential prices by various sectors, at least for some species. The following specific recommendations were made: (1) for pollock and rock sole in the BSAI, different prices for shorebased, mothership, and catcher/processors, (2) differential prices for GOA pollock and BSAI pollock, (3) seasonal differences for pollock and rock sole, (4) differential prices for Pacific cod by gear type, and (5) differential prices for red king crab by area.
 - * In setting standardized prices, some of the seasonal variations would be more accurately captured by using six month standards (as with the VIP program) instead of annual standards.
 - * Meal plant fish should be treated as non-retained catch and considered exempt from assessment at this time.
 - * The methodologies employed in making the fish price projections should be reviewed by the SSC.
7. The AP recommends that the industry members of the *Observer Oversight Committee* also be members of the *agency work group*.
8. The AP recommends that industry members be part of the budget committee.
9. The AP finally recommends that a technical committee be set up to address the issue of insurance for observers.

Motion passes 13/0/1.

The AP requests that the Council draft a letter to the Secretary of Commerce that directs the Secretary to consider Magnuson Reauthorization language that guarantees that the Observer Plan (aka The Research Plan) fees are deducted up front from any future user fee assessments under section 305d(2) for observer coverage, industry capital buybacks, management fees, etc., considered during any reauthorization process.

C-2 Sablefish/Halibut IFQs

The AP recommends that the Council adopt the suggestions contained in the Draft Minutes of the IFQ Industry Implementation Team dated May 11-12, 1994, with the following exceptions:

The AP supports the creation of a central registry either within NMFS or through the private sector. Passes - no opposition.

The AP reserves comment on the deletion of the longline PSC cap in the GOA until the September Council meeting when the analysis is available. Passed 11/2.

The AP recommends that a WAFDA representative be appointed to the IFQ Industry Implementation Team. Passed 8/5.

The AP recommends that the Council advise the Secretary that after analysis it is clear that the block proposal is unworkable and particularly detrimental to the small boat fishery. Therefore, this amendment to the IFQ regulations should not pass. Passes 12/2.

The whole package carried 11/3.

There was a motion to delete the request by CBSFA to have a discussion paper drafted in relation to changing the nature of the CDQ program. This motion failed 8/5.

The following minority report is in response to that vote.

**ADVISORY PANEL
MINORITY REPORT
C-2 Sablefish/Halibut IFQs**

1. The IFQ Industry Implementation Team accepted a CB SFA initiative as a representation of all CDQ interests.
2. The position advanced in the discussion paper is not the position of the CDQ groups.
3. The discussion paper would include points that are not considered valid by the other five CDQ groups and could prove detrimental to the CDQ program as it now exists.
4. The Minority requests that the Council reject the Implementation Team recommendation that a discussion paper be developed regarding changes in the CDQ program.

Signed by:

Hazel Nelson Dave Benson
Harold Sparck Mick Stevens
Dean Paddock

C-3 Comprehensive Rationalization Planning (CRP)

The AP recommends that the staff continue to work on the analysis as is, and has no changes to recommend. Passes - no opposition.

D-2(a) Directed Fishing Standards

The AP recommends that the Council adopt Alternative 3 with the following provisions:

1. include part C of alternative 2 with the exception of rockfish which would remain in the aggregate,
2. include part D of alternative 2,
3. include Option 1 of alternative 2 with the exception of rockfish which would remain in the aggregate,
4. alternative 3, part A - change the DFS for sablefish to 15%,
5. alternative 3, part B - include deepwater flat fish, flathead sole and rexsole and change the DFS for Greenland turbot to 20%.
6. alternative 3, part D - include turbot.

Finally, the AP recommends that the Council direct its Executive Director to send a letter to the Plan Team concerning breaking flathead sole out from the "Other Flats" category in the BSAI and give it a separate TAC. Motion passes - no objection.

Supplemental explanation of AP motion above:

1. Rockfish was exempted from this provision because of overfishing concerns. A DFS for each species rather than in the aggregate could encourage "topping off" and potentially allow greater retention of rockfish species on bycatch status than is currently allowed.
2. Refer to EA/RIR, page 2 of the Executive Summary.
3. Refer to EA/RIR, page 2 of the Executive Summary. The rockfish exemption from this provision was done for the same reasons as stated above in item #1.
4. The original proposal in Alternative 3 set the DFS for sablefish at 10% which is 5% less than is currently allowed for trawlers in the Gulf of Alaska. Historically, trawlers have not taken their TAC for sablefish and it seemed unnecessary to reduce their allowable bycatch for a species which is bycatch only in the Gulf of Alaska and primarily bycatch in the Bering Sea and Aleutian Islands. The hook and line DFS for sablefish in the GOA is currently 4%. When this regulatory amendment goes into effect in 1995, hook and line sablefish will be under the quota system.
5. . . . "include deepwater flatfish, flathead sole and rexsole. . ." This provision is to provide trawlers fishing deepwater species with additional targets to retain turbot against. The original proposal listed sablefish and rockfish only as targets and since these species are primarily on bycatch status for trawlers, it would have provided a defacto allocation of turbot to the hook and line fleet. Due to the small TAC on turbot in the BSAI, it was felt that future management of this species would be to possibly treat it as a bycatch species.

The change from 35% in the original proposal to 20% was done as a friendly amendment which was made by a longline representative on the AP. The reasoning was that 35% was too high, particularly for the trawl fleet, and since the proposal is intended to simplify current DFS it would make trawl and hook and line DFS the same.

6. Including turbot in this provision was done to make it coincide with all the other deepwater species listed (deepwater flatfish, rex sole, flathead sole, sablefish and rockfish). A 15% DFS of rockfish against turbot is closer to a true bycatch amount than the 5% provided in the original proposal.

D-2(b) Pollock "A" Season

The AP recommends that the Council change the start date of the offshore pollock A season to January 26 and include a 10-day waiting period for vessels fishing in BSAI or GOA trawl fisheries or in BSAI crab fisheries prior to January 26 so that any such vessels could not enter the A season offshore pollock fishery until after February 5th. CDQ vessels fishing before the start of new A season date would not be subject to this regulation. Motion passes - no opposition.

D-2(c) Total Weight Measurement

The AP recommends that the SSC's recommendation (III) in its April minutes be included in the analysis. Weight May be determined within a specified range of accuracy by any approved procedure, e.g. volumetric, as long as such methods were verified by weight. Motion passes 12/2.

D-2(d) Salmon Bycatch/Food Banks

The AP recommends that the Council send the EA/RIR for Amendments 26 & 29 out for public review. (Retention & processing of salmon taken as trawl bycatch). Motion passes - no opposition.

D-2(e) IPHC Report on Grid Sorting Experiment

The AP recommends that the Council proceed with an analysis of the proposal submitted by IPHC. Passes - no opposition.

D-2(f) Opilio Bycatch

The AP recommends that the Council seek further analysis of this issue including information on: (1) historical bycatch by fishery, (2) breeding habitat, (3) bycatch mortality, (4) percentage of total biomass, (5) percentage of TAC, (6) information on age composition and adult equivalents (distribution by age), (7) bycatch avoidance potential like the Sea State Program, and (8) observer methodology and identification. Motion passes - no opposition.

D-2(g) Electronic Reporting & Record Keeping

The AP recommends that the Council refer this subject to a committee to develop additional alternatives before proceeding further. The AP would like to see alternatives that examine such things as report pools. Motion passes - no opposition.

D-2(h) Trawl Mesh Restrictions

The AP recommends that the Council direct the Regional Director to prepare a regulatory amendment to establish:

1. A single layer, single mesh, 6" minimum mesh size on the top quarter panel of the cod ends used in the BSAI rock sole fishery;
2. A single layer, single mesh 4" (or comparable) minimum mesh size on the top quarter panel of the cod ends used in the GOA & BSAI pollock fisheries;
3. A single layer, single mesh 8" minimum mesh size on the top quarter panel of the cod ends used in the BSAI cod fisheries; and
4. A single layer, single mesh 6" minimum mesh size on the top quarter panel of the cod ends used in the GOA cod fisheries.

In addition, the AP recommends that the industry committee meet as soon as possible to review VIP rates and that this package move forward at this meeting. The AP established a committee consisting of:

Spike Jones (Chair)
Dave Benson
Chris Blackburn
Al Burch

John Henderschedt
Steve Hughes
Dave Olney
John Roos

The AP also recommends that the Council direct the Regional Director to prepare a regulatory amendment to separate rock sole from the O. flat category in order to provide greater flexibility during the semi-annual setting of guidelines under the VIP program.

The AP feels very strongly that this regulation should move quickly. It begins to respond to national bycatch and waste reduction concerns. Passes - no opposition.

D-2(i) GOA Seamount Restrictions

The AP recommends that the Council task a work group to develop regulations as quickly as possible that regulate U.S. vessels fishing in international waters using such means as observers, permits, transponders, etc. The AP also recommends that the Council instruct NMFS to address management issues surrounding the development of fisheries in international waters. Motion passes 13/1.

Substitute motion: The AP recommends that the Council prohibit activities beyond EEZ until the NMFS produces a research program to collect biological data to determine if U.S. Nationals could prosecute a high seas fishery. Motion fails 2/12.

Marine Mammal Team

The AP nominates John Roos and Harold Sparck to the regional scientific review groups being formed under the MMPA.