



## Advisory Panel MINUTES

June 4-5, via webconference

*The Advisory Panel met Thursday, June 4, through Friday, June 5, 2020, in a virtual teleconference. The following members were present for all or part of the meetings (absent members are ~~stricken~~):*

Christiansen, Ruth (Co-Vice Chair)	Kauffman, Jeff	Upton, Matt (Co-Vice Chair)
Curran, Tory	Kavanaugh, Julie	Vanderhoeven, Anne
<del>Donich, Daniel</del>	Lowenberg, Craig	<del>Velsko, Erik</del>
Drobnica, Angel (Chair)	Mann, Heather	Weiss, Ernie
Gruver, John	O'Connor, Jamie	Wilt, Sinclair
Gudmundsson, Gretar	O'Donnell, Paddy	
Hayden, Natasha	Peterson, Joel	
Johnson, Jim	Scoblic, John	

The AP approved the minutes from the February 2020 meeting.

### C1 Scallop SAFE

The Advisory Panel recommends the Council adopt the 2020 Scallop SAFE report, as well as, the OFL and ABC as recommended by the Scallop Plan Team and the SSC.

*Motion passed 19-0*

*Rationale:*

- *The Alaska wide scallop stock is neither overfished nor is overfishing occurring. Additionally, both the Scallop Plan Team and SSC are in agreement regarding the appropriate OFL and ABC amounts.*
- *The AP appreciates the work-efforts of both the SSC and the SPT.*

### C2 BSAI Crab Specs

The Advisory Panel recommends the Council adopt the SAFE report, as well as, approve the OFLs and ABCs for AIGKC, PIGKC and WAIRKC as recommended by the CPT and SSC.

*Motion passed 19-0*

*Rationale:*

- *The AIGKC, PIGKC, and WAIRKC crab stocks are not overfished nor is overfishing occurring. Additionally, both the Crab Plan Team and SSC are in agreement regarding the appropriate OFL and ABC amounts for these three stocks.*
- *The AP appreciates the work efforts of both the SSC and the CPT.*

### C3 SMBKC Rebuilding

The Advisory Panel recommends the Council take final action on the St. Matthew Blue King Crab Rebuilding Plan by selecting Alternative 2/Option 2 as the final action alternative. A summary of the alternatives and options are listed below with the final action alternative indicated in bold.

Alternative 1: No Action

**Alternative 2: Set target rebuilding time frame ( $T_{\text{TARGET}}$ ) for the number of years necessary to rebuild the stock to the  $B_{\text{MSY}}$  level at a probability  $\geq 50\%$ . The stock will be considered “rebuilt” once it reaches  $B_{\text{MSY}}$ . No additional restrictions on bycatch of SMBKC in other fisheries.**

Option 1: No directed fishing until the stock is rebuilt.

**Option 2: Allow the directed fishery to open based on the state harvest strategy while the stock is rebuilding.**

*Motion passed 19-0*

Rationale:

- *While the SMBKC stock has been declared overfished, thus necessitating a rebuilding plan, this stock status is primarily due to environmental conditions and not overfishing (the directed commercial fishery has been closed 8 out of 14 years since rationalization).*
- *Alternative 2 would establish a rebuilding plan that would have greater than a 50% probability of rebuilding the SMBKC stock to  $B_{\text{MSY}}$  within a timeframe based on MSA’s NSI Guidelines. Under the Guidelines, rebuilding should be achieved in less than 10 years. If, however, the “biology of the stock, other environmental conditions, or management measures under an international agreement to which the U.S. participates, dictate otherwise” rebuilding can take more than 10 years.*
- *Alternative 2 does include options for the directed fishery to allow direct harvest during rebuilding under conditions consistent with the State of Alaska’s harvest strategy as currently described in State regulations (Alternative 2 / Option 2). While choosing Alt 2/Opt 2 is projected to extend the rebuilding time by 11 years over Alt 2/Opt 1, it may provide important economic opportunities for harvesters, processors, and Alaska communities.*
- *While opportunities under Alt 2/Opt 2 would likely be infrequent and at small harvest levels, maintaining the economic opportunity for a limited directed commercial fishery under the SOA harvest strategy is important for harvesters, processors, and communities, particularly during this time when the majority of commercial crab stocks are in a state of decline and future openings are likely to be limited and/or closed. Fishermen and communities must be able to diversify their portfolio and be flexible to opportunities and fisheries as they come and go each season to remain viable.*
- *Since rationalization, between 3-18 vessels have participated in the SMBKC fishery, valued at between \$1-8M ex-vessel. Providing for this economic opportunity is especially important for the community of St. Paul as 67% of the A shares for SMBKC have a northern delivery designation. In addition, the value of the SMBKC fishery has the potential to increase as a specialty product if fisheries open in the future given the new legislation passed this year to allow live shipments of all commercial crab species via surface transport in addition to air transport.*
- *Interest charges on the federal crab buyback loan still accrue on the order of \$1000/day even when fisheries are closed. This places significant burden on future generations in the fishery. Allowing fisheries to open, under sustainable harvest strategies while still rebuilding provides the*

*industry an opportunity to pay back their buyback loan with the federal government. Not allowing the fishery to open, when possible, would give the government another \$5M in the next 14 years, tripling the original loan amount, and coming directly out of the pockets of future fishermen for this resource.*

- *Responsive to public testimony.*

## **C4 Cook Inlet Salmon**

The AP recommends the Council adopt the existing Purpose and Need Statement and range of Alternatives (as presented in the May 2020 Preliminary Review document) and move the analysis forward for Initial Review.

*Motion passed 19-0*

### Rationale:

- *The AP thanks staff and analysts for providing a very thorough Preliminary Review document for consideration at this meeting. The level of detail for each of the alternatives speaks to the complexity of the management issue to be resolved.*
- *The existing Purpose and Need Statement and range of Alternatives adequately captures the management issue and do not need to be modified. The AP recognizes that the SSC made several analytical recommendations for the document and anticipates that the analysts will incorporate these suggestions to the best of their ability.*
- *The “modified scope” Alternative put forward by the CISC dramatically alters the scope and intent (i.e., goes beyond Cook Inlet salmon driftnet fishery in the EEZ) of the current Salmon FMP management issue to be addressed so was not recommended for inclusion in the Initial Review Analysis. The current analysis and action for Cook Inlet will establish precedent for future Council action to address Prince William Sound and Alaska Peninsula salmon fisheries in the EEZ so it is important to keep the scope narrow and focused.*

## **D1 Observer Report**

### **AP Motion 1**

The AP recommends to the Council that they send a letter to NFWF supporting the EM EFP projects and grant requests from the North Pacific region.

*Motion passed 19-0*

### Rationale:

- *The AP acknowledges past support provided by the Council regarding multiple EM projects funded through the National Fish and Wildlife Foundation. The AP strongly encourages the Council to continue its support for the upcoming EM grant requests taking place in the North Pacific.*

### **AP Motion 2**

If the Emergency waiver for observer coverage is not extended the AP recommends the following for mid-season coverage of the partial coverage program:

- 1 Recommend that NMFS consider a “cluster” sampling approach where observers are deployed to primary ports, undergo quarantine, then are deployed on a trip-by-trip basis on vessels departing and returning to that port. The cluster approach should include:
  - a. Observer testing within 72 hours prior to a deployment and again at the end of each trip. Contact with the community would be limited between deployments. And
  - b. Selecting deployment primary ports based on the availability of adequate medical and testing facilities, the volume of fish delivered, and the ability to quarantine observers between deployments in a cost-effective manner.
- 2 <sup>1</sup>Recommend that NMFS maintain the ~~consider~~ 30% ~~and 100%~~ selection rate for ~~fixed gear~~ EM vessels.
  - a. ~~<sup>2</sup>Maintain 30% EM coverage with camera on 100% of the time with post selection.~~
- 3 Recommend NMFS delay consideration of multi-trip selection implementation until the September ADP meeting to allow public comment on the details of the proposed program, including changes to zero selection that mitigate overall program costs and the impact of a multi-trip selection program on small vessels and remote communities.

*Amendment<sup>2</sup> failed 7-10 (edits to section two)*

*Amendment<sup>1</sup> failed 5-13 (edit to include sub a under section 2)*

*Motion without amendments passed 12-6*

*Rationale in Support:*

- *This fishing season is unusual because of the threat of, and response to, COVID-19. Response and decisions made by the Observer Program means that some partial coverage fishery data gaps will exist. However, large changes to the 2020 ADP that effectively alter fundamental portions of the ADP and some of the items discussed by the FMAC are not aligned with the Council’s stated purpose for the Observer program.*
- *Changing voluntary fixed gear EM vessels from 30% to 100% coverage would result in additional burden to current participants in an already challenging operational year and would serve to discourage increased participation in this program moving forward. Moreover, potential changes suggested by staff would further burden small vessels or disproportionately sample vessels with relatively low catch.*
- *The use of a geographic cluster approach (similar to what has been in place in Cordova and Kodiak this spring) could provide spatially representative data while providing protections to crew and observers consistent with State of Alaska health guidelines for the commercial fishing industry and health travel mandates.*
- *The AP appreciates the work and discussion of the FMAC and staff. This motion is responsive to the FMAC Report and to recommendations provided during public comment.*

*Rationale in Opposition:*

- *The language in the motion for bullet point (a) is too prescriptive for health screening in an environment of constantly shifting guidance (of note, CDC guidance and Alaska health mandate 017) from public health experts as more is learned about the spread of COVID-19.*
- *Fixing the sampling rate for fixed gear EM vessels at the current 30% takes away needed flexibility from the Observer Program to fill realized fishery data gaps especially related to composition information and encounter rates with bycatch species on a geographic and temporal scale. Additionally, the significant data loss that will be incurred due to the cancellation of bottom trawl surveys emphasizes the need for flexibility regarding the collection of any and all data.*

- *Delaying consideration of the multi-trip selection will likely result in a ‘too little, too late’ scenario to address the immediate, short term concerns being faced. Delaying until after September will mean that if implemented, the 2020 fishing season will essentially be concluded for the year without having resolved or mitigated the issues.*

## **E1 Staff Tasking**

Due to time constraints, the AP did not take any actions under Staff Tasking.