

NPFMC Committees & Workgroups
(Revised January 25, 2011)

Council/Board of Fisheries Joint Protocol Committee

Updated: 8/10/07	<u>Council:</u> Dave Benson Ed Dersham Eric Olson	<u>Board:</u> Vince Webster John Jensen Mel Morris
Staff: Jane DiCosimo		

Council Coordination Committee

[Designated and renamed by Magnuson Act reauthorization April 2007]

Appointed: 4/05 Updated: 7/23/09 Staff: Chris Oliver	<u>CFMC:</u> C: Eugenio Pinerio ED: Miguel Rolon	<u>NPFMC:</u> C: Eric Olson ED: Chris Oliver
	<u>GMFMC:</u> C: Robert Shipp ED: Steve Bortone	<u>PFMC:</u> C: Dave Ortmann ED: Don McIsaac
	<u>MAFMC:</u> C: Richard Robins ED: Chris Moore	<u>SAFMC:</u> C: David Cupka ED: Bob Mahood
	<u>NEFMC:</u> C: John Pappalardo ED: Paul Howard	<u>WPFMC:</u> C: Stephen Haleck ED: Kitty Simonds

Council Executive/Finance Committee

Updated: 8/10/07	Eric Olson (Chair)
<u>Status:</u> Meet as necessary	Jim Balsiger (NMFS) Alt. Sue Salveson
	Dave Hanson (PSMFC)
	Cora Campbell (ADFG)
	Roy Hyder (ODFW)
Staff: Chris Oliver/Dave Witherell/Gail Bendixen	Bill Tweit (WDFW)

Bering Sea Crab Advisory Committee

Appointed 4/25/07	Sam Cotten (Chair)	Lenny Herzog
	Jerry Bongen	Kevin Kaldestad
Revised 11/15/07	Steve Branson	Frank Kelty
	Florence Colburn	John Moller
	Linda Freed	Rob Rogers
	Dave Hambleton	Simeon Swetzof
	Phil Hanson	Ernest Weiss
Staff: Mark Fina	Tim Henkel	

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BS/AI Pacific Cod Split Committee

<p>Pending appointment</p> <p>Staff: Nicole Kimball</p>
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Bering Sea Salmon Bycatch Workgroup

<p>Appointed: 3/07</p> <p>Staff: Diana Stram</p>	<p>Stephanie Madsen (Co-chair) Eric Olson (Co-chair) Becca Robbins Gisclair John Gruver Karl Haflinger</p>	<p>Jennifer Hooper Paul Peyton Mike Smith Vincent Webster (BOF)</p>
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Comprehensive Economic Data Collection Committee

<p>Appointed: 12/07 Updated: 2/9/09</p> <p>Staff: Jeannie Heltzel</p>	<p>John Henderschedt (Chair) Bruce Berg Michael Catsi Dave Colpo Paula Cullenberg</p>	<p>Brett Reasor Glenn Reed Ed Richardson Mike Szymanski Gale Vick</p>
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Crab Interim Action Committee
[Required under BSAI Crab FMP]

<p>Jim Balsiger, NMFS Cora Campbell, ADF&G Phil Anderson, WDF</p>

Ecosystem Committee

<p>Updated: 10/22/07</p> <p><u>Status</u>: Active</p> <p>Staff: Diana Evans</p>	<p>Stephanie Madsen (Chair) Jim Ayers Dave Benton Doug DeMaster/Bill Karp Dave Fluharty John Iani Jon Kurland Caleb Pungowiyi</p>
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NPFMC Committees & Workgroups

(Revised January 25, 2011)

Enforcement Committee

<p>Updated: 7/03</p> <p><u>Status</u>: Active</p> <p>Staff: Jon McCracken</p>	<p>Roy Hyder (Chair) CAPT Mike Cerne, USCG Jon Streigel, AK F&W Protection Martin Loefflad, NMFS Stefanie Moreland, ADF&G Lisa Lindeman/Garland Walker, NOAA-GC Sherrie Meyers/Ken Hansen, NMFS-Enforcement Jim Balsiger, NMFS</p>
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Halibut Charter Stakeholder Committee

<p>Appointed: 1/06 Revised: 3/29/10 <u>Status</u>: Idle, pending direction</p> <p>Staff: Jane DiCosimo</p>	<p>Dave Hanson (Chair) Seth Bone Robert Candopoulos Ricky Gease John Goodhand Kathy Hansen Dan Hull Chuck McCallum</p>	<p>Larry McQuarrie Scott Meyer Stephanie Moreland Rex Murphy Peggy Parker Charles "Chaco" Pearman Greg Sutter</p>
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IFQ Committee

<p>Reconstituted: 7/31/03 Updated: 11/09</p> <p>Staff: Jane DiCosimo</p>	<p>Dan Hull (Chair) Bob Alverson Rick Berns Julianne Curry Tim Henkel Don Iverson</p>	<p>Jeff Kauffman Don Lane Kris Norosz Paul Peyton Jeff Stephan Phil Wyman</p>
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Non-Target Species Committee

<p>Appointed: 7/03 Updated: 8/10/07</p> <p>Staff: Jane DiCosimo, NPFMC/ Olav Ormseth, AFSC</p>	<p>Dave Benson (Chair) Julie Bonney John Gauvin Ken Goldman Karl Haflinger Michelle Ridgway</p>	<p>Janet Smoker Paul Spencer Lori Swanson Anne Vanderhoeven Jon Warrenchuk</p>
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NPFMC Committees & Workgroups

(Revised January 25, 2011)

Observer Advisory Committee

Reconstituted: 1/20/11 Updated: 1/25 <u>Status</u> : Active Staff: Chris Oliver/ Nicole Kimball	Dan Hull (Chair) Bob Alverson Jerry Bongen Julie Bonney Kenny Down Dan Falvey Michael Lake Todd Loomis	Paul MacGregor Brent Paine David Polushkin Darren Stewart Ann Vanderhoeven
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Pacific Northwest Crab Industry Advisory Committee

Appointed: 12/10 Staff: Diana Stram	Steve Minor (Chair) Keith Colburn Kevin Kaldestad Garry Loncon Gary Painter Kirk Peterson Rob Rogers (Vice Chair) Vic Sheibert	Dale Swartzmiller Gary Stewart Tom Suryan Elizabeth Wiley Arni Thomson, Secretary (non-voting)
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Rural Outreach Committee

Appointed: 6/09 Staff: Nicole Kimball	Eric Olson (Chair) Paula Cullenberg Duncan Fields Jennifer Hooper Tom Okleasik Ole Olsen Pete Probasco
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Steller Sea Lion Mitigation Committee

Appointed: 2/01 Updated: 11/09 [formerly SSL RPA Committee; renamed February 2002] Staff: Jeannie Heltzel Advisor: Dan Hennen	Larry Cotter (Chair) Jerry Bongen Julie Bonney Kenny Down John Gauvin Pat Hardina Sue Hills Frank Kelty	Steve MacLean Stephanie Madsen Max Malavansky, Jr Gerry Merrigan Mel Morris Art Nelson Glenn Reed Beth Stewart
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Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority (in no particular order)	Specific priority actions	Related to management objective:	Status (updated 1-30-11)	2011				
				Feb	Apr	Jun	Oct	Dec
Prevent Overfishing	a. continue to develop management strategies that ensure sustainable yields of target species and minimize impacts on populations of incidentally-caught species	5	Aggregate ABC/OFL for GOA 'other species' in Apr 08 BSAI skates TAC breakout in Oct 2009 remaining other species mgmt addressed under ACLs. final action in Apr 10					
	b. evaluate effectiveness of setting ABC levels using Tier 5 and 6 approaches, for rockfish and other species	4	AFSC responding to CIE reviews as part of harvest specifications process					
	c. continue to develop a systematic approach to lumping and splitting that takes into account both biological and management considerations	5	BSAI Pcod split discussion in Feb 11 report from non-target species committee in Dec 09	█				
Preserve Food Web	a. encourage and participate in development of key ecosystem indicators	10	ecosystem SAFE presented annually; AI FEP identified/refined indicators for the Aleutians (report 2011); EBS indicator synthesis for 2010			█	█	█
	b. Reconcile procedures to account for uncertainty and ecosystem considerations in establishing harvest limits, for rockfish and other species	11	report from non-target species committee in Dec 09					
	c. develop pilot Fishery Ecosystem Plan for the AI	13	FEP brochure published Dec 07 FEP updates, AI report for 2011	█	█			
Manage Incidental Catch and Reduce Bycatch and Waste	a. explore incentive-based bycatch reduction programs in GOA and BSAI fisheries	15	partially addressed in BSAI salmon bycatch EIS. Tanner crab area closures around Kodiak (Council action Oct 2010) also 2 GOA Chinook amds initiated					
	b. explore mortality rate-based approaches to setting PSC limits in GOA and BSAI fisheries	20	partially addressed in BSAI salmon bycatch EIS analysis of BSAI crab bycatch limits in 2011					
	c. consider new management strategies to reduce incidental rockfish bycatch and discards	17						
	d. develop statistically rigorous approaches to estimating bycatch in line with national initiatives	14, 19	National Bycatch Report update in Dec 07					
	e. encourage research programs to evaluate population estimates for non-target species	16	Part of research priorities, adopted in June 2007					
	f. develop incentive-based and appropriate biomass-based trigger limits and area closures for BSAI salmon bycatch reduction, as information becomes available	14, 15, 20	bycatch limit for Chinook adopted Apr 09. preliminary chum bycatch analysis in Feb 2011					
	g. assess impact of management measures on regulatory discards and consider measures to reduce where practicable	17	partially addressed by arrowtooth MRA analyses (Council action: GOA - Oct 07. BSAI - Oct 10)					

Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority (in no particular order)	Specific priority actions	Related to management objective:	Status (updated 1-30-11)	2011				
				Feb	Apr	Jun	Oct	Dec
Reduce and Avoid Impacts to Seabirds and Marine Mammals	a. continue to participate in development of mitigation measures to protect SSL through the MSA process including participation in the FMP-level consultation under the ESA	23	RPA from final NMFS Biological Opinion to be implemented by Secretarial action for Jan 2011					
	b. recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat	23						
	c. monitor fur seal status and management issues, and convene committee as appropriate	24, 25						
	d. adaptively manage seabird avoidance measures program	22	Council action. seabird avoidance measures in 4E in Jun 08					
Reduce and Avoid Impacts to Habitat	a. evaluate effectiveness of existing closures	26	NMFS researching GOA closed areas (Sanak & Albatross), Council review in 2011					
	b. consider Bering Sea EFH mitigation measures	27	Council action on measures in June 07 BS flatfish trawl sweep mods required in Oct 09 EFH 5-year review completed Apr 2010, amds and discussion on crab and sablefish initial review Feb 11 develop Northern BS Research Plan for 2011					
	c. consider call for HAPC proposals on 3-year cycle	27	HAPC proposals for skate nurseries under review Council amendment to change cycle to 5 years					
	d. request NMFS to develop and implement a research design on the effects of trawling in previously untrawled areas	27	Part of research priorities, adopted in June 2007					
Promote Equitable and Efficient Use of Fishery Resources	a. explore eliminating latent licenses in BSAI and GOA	32	Council action on trawl LLP recency in Apr 08 GOA fixed gear latent licenses in Apr 09					
	b. consider sector allocations in GOA fisheries	32, 34	Final action GOA Pcod sector allocations Dec 09 Reauthorization of GOA rockfish program. Jun 2010					
Increase Alaska Native and Community Consultation	a. Develop a protocol or strategy for improving the Alaska Native and community consultation process	37	protocol presented in Jun 08 annual review of protocol					
	b. Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions	37	outreach plan for chum salmon, meetings planned for Feb-Mar 2011 Workshop for NBSRA research plan, Jun 2011					
Improve Data Quality, Monitoring and Enforcement	a. expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	Council action in Apr 08 to improve program. Oct 10 to restructure program next phase of electronic monitoring EFP 2010; report in 2011					
	b. explore development programs for economic data collection that aggregate data	40	final action, salmon bycatch data collection Dec 09 partially addressed in BSAI Amd 80					
	c. modify VMS to incorporate new technology and system providers	41	Council action. VMS exemption for dinglebar gear. Jun 08					

DRAFT NPFMC THREE-MEETING SCHEDULE - updated 1/24/11

January 31, 2011 Seattle, WA Renaissance Hotel	March 28, 2011 Anchorage, AK	June 6, 2011 Nome, AK
SSL Update BSAI FLL Catch Accounting: <i>Discuss and action as necessary</i> BS&AI P.cod Split: <i>Discussion paper/action as necessary</i> Halibut/Sablefish Hired Skipper: <i>Initial Review</i> CQE area 3A D class purchase: <i>Final Action</i> Electronic Monitoring: <i>Review White Paper</i> Am 80 Replacement Vessel Sideboards: <i>Discussion Paper</i> Am 80 GRS Program Changes: <i>Final Action</i> BSAI Crab ROFR: <i>Final Action</i> BSAI Crab IFQ/IPQ Application Deadline: <i>Initial Review</i> BSAI Chum Salmon Bycatch: <i>Preliminary Review</i> GOA Chinook Salmon Bycatch: <i>Review Workplan</i> Octopus Management Alternatives: <i>Discuss</i> BBRKC Spawning Area/fishing effects: <i>Discussion paper</i> Estimating non-target species catch in halibut fishery (SSC only) Sablefish Recruitment Factors: <i>Discussion Paper</i> GOA Trawl Sweep Modifications: <i>Discussion Paper</i> HAPC - Skate sites: <i>Disc paper/ finalize alternatives</i> EFH Amendment: <i>Initial Review</i>	AFA Coop Reports BSAI Rolling Hot Spot Exemption report Halibut mortality; salmon excluder EFPs: <i>Review and Approve (T)</i> Halibut/Sablefish Hired Skipper: <i>Final Action</i> GOA P. cod Jig Fishery Management: <i>Initial Review</i> GOA Halibut PSC: <i>Review Discussion Paper</i> Economic Data Collection (Crab EDR): <i>Review Alternatives</i> Salmon FMP: <i>Preliminary Review (T)</i> BSAI Chum Salmon Bycatch: <i>Review as necessary</i> GOA Chinook Salmon Bycatch: <i>Initial Review (T)</i> AI P.cod Processing Sideboards: <i>Initial Review (T)</i> Scallop SAFE: <i>Review and approve specifications</i> BSAI Crab modelling workshop report (SSC Only) Pribilof BKC Rebuilding Plan: <i>Final Action</i> BS Tanner Crab Rebuilding: <i>Finalize Alternatives</i> MPA Nomination Discussion Paper: <i>Review (T)</i> HAPC - Skates sites: <i>Initial Review (T)</i> EFH Amendment: <i>Final Action (T)</i>	CQE vessel use caps: <i>Initial Review (T)</i> CQE in Area 4B: <i>Initial Review (T)</i> Halibut/Sablefish IFQ changes: <i>Discussion paper</i> GOA P. cod Jig Fishery Management: <i>Final Action</i> BSAI Crab SAFE: <i>Review and approve catch specifications</i> Habitat Conservation Area Boundary: <i>Review</i> Northern Bering Sea Research Plan Report: <i>Review</i> BSAI Chum Salmon Bycatch: <i>Initial Review; Choose PPA</i> GOA Chinook Salmon Bycatch: <i>Final Action (T)</i> P. Cod assessment model review (SSC only) Items below for a FUTURE MEETING BSAI Tanner crab rebuilding plan: <i>Initial Review</i> Crab bycatch limits in BSAI Groundfish fisheries: <i>Finalize Alternatives</i> Groundfish PSEIS Schedule AFA impacts on BS cod trawlers: <i>Discussion paper</i> WGOA A-season Cod Opening Date: <i>Discussion paper</i> Grenadiers and EC category: <i>Discussion paper</i>

AI - Aleutian Islands
 BiOp - Biological Opinion
 CQE - Community Quota Entity
 CDQ - Community Development Quota
 GOA - Gulf of Alaska
 BKC - Blue King Crab
 BOF - Board of Fisheries
 FEP - Fishery Ecosystem Plan
 SSL - Steller Sea Lion
 VMS - Vessel Monitoring System
 EFP - Exempted Fishing Permit
 MRA - Maximum Retainable Allowance

PSC - Prohibited Species Catch
 BSAI - Bering Sea and Aleutian Islands
 IFQ - Individual Fishing Quota
 ROFR - Right of First Refusal
 GHL - Guideline Harvest Level
 EIS - Environmental Impact Statement
 GRS - Groundfish Retention Standard
 SAFE - Stock Assessment and Fishery Evaluation
 MPA - Marine Protected Area
 EFH - Essential Fish Habitat
 HAPC - Habitat Areas of Particular Concern
 (T) Tentatively scheduled

Future Meeting Dates and Locations

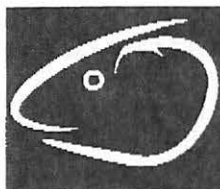
January 31-February 8, 2011-Seattle
 March 28-April 5, 2011-Anchorage
 June 6, 2011 - Nome
 September 26-, 2011 in Unalaska
 Dec 5 - 2011 in Anchorage
 January 30 - February 7, 2012 - Renaissance Hotel, Seattle
 March 26 - April 3, 2012 - Hilton Hotel, Anchorage
 June 4 - June 12, 2012 - Kodiak Best Western
 October 1 - Tuesday October 9, 2012 - Hilton Hotel, Anchorage
 December 3 - Tuesday December 11, 2012 Anchorage

NPFMC/NMFS Action - updated 1/25/11

AGENDA D-2(e)
February 2011

			Timeline											
			2011											
Action	Status	Staffing	January	February	March	April	May	June	July	August	Sept	Oct	Nov	Dec
Blue = Post Council Action, Rulemaking														
Halibut Catch sharing plan	Proposed and Final Rule	NMFS 90% Council 10%												Refer to NMFS Management report
BSAI crab arbitration, C-shares, cod sideboards	Preparation of rulemaking packages	NMFS 80% Council 20%												Refer to NMFS Management report
Litigation workload	Ongoing	NMFS 90% Council 10%												Refer to NMFS Management report
Am 80 lost vessel replacement	Proposed and Final Rule	NMFS 90% Council 10%												Refer to NMFS Management report
BSAI Chinook Salmon EDR	Proposed and Final Rule	NMFS 90% Council 10%												Refer to NMFS Management report
GOA Rockfish Program	Preparation of rulemaking package	NMFS 90% Council 10%												Refer to NMFS Management report
GOA Pcod Sector Split	Preparation of rulemaking package	NMFS 90% Council 10%												Refer to NMFS Management report
BSAI Fixed Gear Parallel waters	Preparation of rulemaking package	NMFS 90% Council 10%												Refer to NMFS Management report
12 month 20% halibut sablefish QS	Proposed and Final Rule	NMFS 100% Council 0%												Refer to NMFS Management report
Tanner crab bycatch in the GOA	Preparation of rulemaking package	NMFS 90% Council 10%												Refer to NMFS Management report
BSAI Crab ACLs; Snow crab rebuilding plan	Preparation of amendment package	NMFS 50% Council 50%												Refer to NMFS Management report
Scallop ACL plan amendments	Preparation of amendment package	NMFS 50% Council 50%												Refer to NMFS Management report
BSAI Arrowtooth Flounder MRAs	Preparation of rulemaking package	NMFS 90% Council 10%												Refer to NMFS Management report
Observer Program restructuring	Preparation of SOC draft and rulemaking package	NMFS 80% Council 20%												Refer to NMFS Management report
BSAI Crab Emerg relief	Preparation of rulemaking packages	NMFS 90% Council 10%												Refer to NMFS Management report
4 New CQE communities	Final action in Dec	NMFS 10% Council 90%												Refer to NMFS Management report
Remove inactive Halibut/Sablefish QS	Final Rule	NMFS 100% Council 0%												Refer to NMFS Management report

Action	Status	Staffing	2011											
			January	February	March	April	May	June	July	August	Sept	Oct	Nov	Dec
Purple=Potential new project														
SSL management measures	Report on RPA in Dec.	NMFS 50% Council 50%	?											
BB RKC Spawning Area	Discuss in April	NMFS 60% Council 40%	[Purple bar from Jan to May]											
Sablefish Recruitment Factors	Discuss in Feb.	NMFS 90% Council 10%	[Purple bar from Jan to Feb] ?											
P.cod Jig Fishery Mgmt	Initial Review in April	NMFS 30% Council 70%	[Purple bar from Jan to April]											
PSEIS Review	Receive update in 2011	NMFS 30% Council 70%	[Purple bar from Jan to July] ?											
BSAI crab control rules and uncertainty	Ongoing evaluation	NMFS 33% ADF&G 33% Council 34%	[Purple bar from Jan to Dec]											
BSAI FLL catch accounting	Discuss in Feb.	NMFS 80% Council 20%	[Purple bar from Jan to Feb] ?											
BSAI Crab 5-year review changes	Stakeholder report	?	[Purple bar from Jan to Feb]											
BS/AI cod TAC split	Discuss again in Feb - potential major project	NMFS 10% Council 90%	[Purple bar from Jan to Feb] ?											



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Eric A. Olson, Chairman
Chris Oliver, Executive Director
North Pacific Fisheries Management Council
605 W. 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Re: Agenda Item D-2 Staff Tasking

Dear Chairman Olson,

I would like the NPFMC to consider changes to the current LLP program for the BSAI Pacific cod longline catcher/processors "FLCP" that would allow more flexibility by eliminating length restrictions. Recent changes to the management of this fishery, particularly the formation of a 100% voluntary cooperative and recent federal legislation that could create a regulatory cooperative, and GOA P cod sector splits have reduced the need for other management measures that were designed to limit capacity in the fishery. The LLP program was designed to limit capacity while the Council worked on other programs that would further rationalize the fisheries. Similar to the A-80 fleet, now that the fishery is operating in a cooperative with individual vessel allocations, the need for length restrictions to limit capacity are unnecessary.

Allowing for BSAI Pacific cod catcher/processor hook and line vessel owners to lengthen or replace their vessels Would encourage new-build, would help to improve vessel safety, meet international class and load-line requirements, allow for a broader range of onboard processing options, and improve the economic efficiency of the vessels.

Safety

Vessel safety is a major concern for vessel owners, the captains and crews that operate the boats, the Coast Guard, and the general public. The current FLCP fleet is composed of a variety of boats from many different eras and built for different uses. Twelve vessels in the fleet were built for military purposes during World War II, while other vessels were built in the 1970's for the offshore oil industry. Very few vessels were actually built for longline fishing and only one vessel in the entire fleet is less than ten years old. Vessels that were built in 1989 are considered "new boats" even though they are over 20 years old. It is time to start replacing this over aged fleet.

Small vs. Large

Over the years, the NPFMC has passed on recommendations to NMFS that have favored smaller vessels. The council's actions created a 125 foot class of freezer longline vessels. These vessels were converted, shortened, or built new to take advantage of regulations that favored vessels under 125 feet. Vessels under 125 feet can fish in the GOA inshore fishery and do not need 100% observer coverage in the BSAI. Currently there are 11 boats in the FLCP fleet that are less than 125 feet. Four boats were intentionally shortened, two vessels were built new, and one other was converted from another fishery to take advantage of the inshore fisheries and thereby avoid observer regulations. Recently the Council has moved to change the observer requirements and the GOA inshore fishery. These actions eliminate the advantages that encouraged owners to build, convert, or shorten their boats. In view of these recent actions it is reasonable to allow those owners to build or convert their vessels to meet the new regulations.

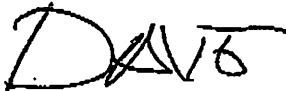
Vessel Capacity

Over the years many different fisheries have used length restrictions to limit capacity. The use of length restriction to reduce capacity has had limited success. For example, in Bristol Bay 32 foot boats have beams of 14 to 16 feet and one boat even has wheels on it. The 58 foot limit for salmon seiners has led to what are now referred to as "Super 8s" and these boats have similar capacity to a normal 100 foot boat. The latest newly constructed vessel to enter the FLCP fleet was built under 125 foot. This "new" boat has a beam larger than some factory trawlers and its capacity is equal to most longline boats over 170 feet. Vessel length restrictions do not effectively limit capacity and in most cases result in vessels being built to odd proportions. Vessels built with excessive length to beam ratios are not only fuel inefficient, but can be unsafe.

Freezer Longline Coalition

Elimination of length restrictions may or may not be supported by the Freezer Longline Coalition "FLC". The FLC is composed of the owners of 36 FLCP LLPs (see attached). About half of the LLPs that are less than 140 feet are probably in favor of this action. The other half, as owners of larger vessels, are either neutral or opposed. I am making this request as the owner of five vessels under 135 feet. As a vessel owner, I would like the opportunity to build newer, safer, more fuel efficient modern vessels and not be bound by a regulation that has outlived its purpose.

Best Regards,



David Little
President

Freezer Longline Coalition

Vessel(s)	LLP	FFP	COD	GRT		
	LLP	Length	Length			
Blue Ace	4508	124	124	123.4	396	1945
Kjevolja	1401	124	110	98.4	196	1979
Prowler	3676	124	124	109.9	191	1980
Zenith	1400	124	124	107.8	186	1980
Clipper Surprise	1917	124	124	113.5	163	1980
Clipper Endeavor	1916	124	124	113.5	141	1981
North Cape	1785	124	123	111.6	194	1989
Bering Prowler	3681	124	131	110.7	193	1991
Bering Leader	3609	124	124	108.5	193	2005
Beauty Bay	3617	127	127	116.5	196	1990
Deep Pacific	1989	130	124	111.6	140	1981
Frontier Mariner	1127	135	135	117.8	446	1989
Frontier Spirit	1128	135	135	117.8	446	1989
Frontier Explorer	1125	135	135	110.3	467	1991
Norton Sound	4823	136	136	128.3	653	1944
Blue Star	2783	138	138	127.1	187	1946
Lilli Ann	1988	141	141	124.3	479	1991
Alaskan Leader	2238	150	150	137.2	464	1991
Ocean Prowler	2958	155	155	143.8	196	1941
Blue Gadus	3973	157	152	149.9	467	1944
Liberator	3637	162	162	149.6	446	1979
Blue Attu	2421	162	162	124.5	379	1979
Clipper Express	1713	163	161	138.4	497	1937
Aleutian Lady	3090	165	165	154.7	189	1966
Clipper Epic	3616	172	172	162.7	989	1979
Alaska Mist	2892	174	174	166.5	916	1942
Blue North	2959	174	174	166.5	608	1945
Alaska Patriot	2112	177				
Glacier Bay	5222	178	154	136.3	982	1978
Baranof	1578	180	180	170.1	907	1942
Courageous	1576	180	180	170.1	920	1943
Pathfinder	2026	180	180	169.7	787	1944
Blue Pacific	3847	180	180	166.3	867	1944
Bristol Leader	3602	188	167	153.3	765	1998
Alaska Pioneer	2081	196				
Siberian Sea	4008	198	137	123.3	741	1991
Alaska 1	2085	220				

D R A F T
ADVISORY PANEL MINUTES
January 31 – February 3, 2011
Seattle, Washington

The following (20) members were present for all or part of the meetings:

Kurt Cochran	Jeff Farvour	Theresa Peterson
Craig Cross	Becca Robbins Gisclair	Ed Poulsen
John Crowley	Jan Jacobs	Neil Rodriguez
Julianne Curry	Bob Jacobson	Beth Stewart
Jerry Downing	Alexus Kwachka	Lori Swanson
Tom Enlow	Chuck McCallum	Anne Vanderhoeven
Tim Evers	Matt Moir	

Minutes of the December 2010 meeting were approved.

Election of Officers

The AP elected Tom Enlow as Chair. Lori Swanson, Matt Moir and Becca Robbins Gisclair were nominated for the positions of co-vice chair. Mr. Moir was elected by a vote of 11-9 over Ms. Gisclair to serve as co-vice chair along with Lori Swanson.

C-1(a) Initial review of Halibut/Sablefish Hired Skipper

The AP recommends the Council send the analysis out for public review with the following changes:

- Include a description of the goals and objectives of the original IFQ program as was noted in Pautzke and Oliver (1997). (Pautzke, C., C. Oliver. 1997. Development of the Individual Fishing Quota Program for Sablefish and Halibut Longline Fisheries off Alaska Presented to the National Research Council's Committee to Review Individual Fishing Quotas, September 4, 1997, Anchorage, Alaska.)
- Include information on the percentage of new entrants by management area.
- Add a new Alternative 3: An initial recipient who owns 50% of a vessel and hires a second generation quota share holder as a hired skipper will not be restricted by the limitation to be on board for additional quota that is acquired.

Motion passed 19-0.

C-1(b) Final action on CQE area 3A D class purchase

A motion to recommend the Council adopt Alternative 2 failed 6-13.

Minority Report: The minority recommended that the Council adopt Alternative 2. The excellent staff report concluded on page vi that "No significant effect on individual participants, is anticipated under alternative 2 compared to the status quo." (see also page 42) The staff report noted that "CQE's would be limited to purchasing a relatively small percentage of the overall pool of Area 3A D category QS (9.6%)" and that "under existing program rules a CQE is limited to purchasing a maximum of 10 blocks of halibut QS in Area 3A in total."

The vast majority of CQE communities now have significantly less D share holdings and D shares holders than they did at initial issuance. On page 35 of the analysis it is appropriately noted that "Regardless of individual holdings, the CQE Program is premised on the concept that communities need the opportunity to hold a perpetual investment in nearby fisheries that have been historically available to resident fishermen, in order to provide long-term benefits to community members."

At this point the CQE program cannot be thought of as a success and while there is no one magic bullet to fix the program, alternative 2 provides a needed and reasonable amendment to the program that does not significantly impact other stakeholders.

Signed by: Chuck McCallum, Becca Robbins Gisclair, Anne Vanderhoeven, Beth Stewart, John Crowley

C-2(a) Discussion paper on Am 80 Replacement Vessel Sideboards

The AP recommends that the Council take no further action on this agenda item.

Motion passed 16-2-1 (abstention).

C-2(b) Final Action on GRS Program Changes

The AP recommends that the Council adopt Alternative 2: Remove groundfish retention standard requirements from the Federal regulations. In addition, include a requirement that the Amendment 80 sector report to the Council, on an annual basis, the sector's groundfish retention performance.

Motion passed 14-6.

Minority Report: A minority of the AP opposed the motion to adopt Alternative 2 removing the groundfish retention standard (GRS) requirements from regulation. The GRS was intended to improve retention and utilization. Improved retention and utilization was one of the primary conservation benefits promised by Amendment 80 and was one of the arguments for rationalizing the fishery. By removing the GRS from regulation, there are no longer assurances that this goal of Amendment 80 will be met. The minority was uncomfortable with moving from a regulatory approach to an industry-regulated approach, particularly without a 3rd party audit in place (Note that an amendment to add a requirement for a 3rd party audit of the Amendment 80 sector's GRS performance and report directly to the Council failed 7-13). Finally, the minority was concerned that reversing regulations because of enforcement difficulties sets a dangerous precedent, as similar arguments could possibly be made for other bycatch and PSC issues.

Signed by: Becca Robbins Gisclair, Chuck McCallum, Jeff Farvour, Tim Evers, Theresa Peterson, Alexis Kwachka

C-2(c) Flexibility of using unspecified reserves in specification process to address Am 80 hard caps

The AP recommends the Council request an expanded discussion paper to address legal, practical, and policy implications of the proposed action, including consultation with NOAA General Counsel, In-season Management, and stock assessment scientists. The AP further recommends the Council request that the expanded discussion paper include possible impacts on prohibited species bycatch, and examine the possibility of expanding the proposed action to include the CDQ sector.

Motion passed 18-0-1 (abstention).

C-3(a) BSAI Chum (non-chinook) Salmon Bycatch

The AP recommends that when the Council adopts a problem statement it include the following elements:

- An effective approach to reduce non-Chinook (chum) salmon bycatch in the Bering Sea Pollock trawl fishery is needed to meet National Standard 9, and to contribute towards efforts to reduce bycatch of Yukon River salmon under the Yukon River Salmon Agreement.
- Current information indicates that non-Chinook salmon bycatch includes stocks from Alaska, Asia and the Pacific Northwest.
- Chum salmon are an important stock for subsistence and commercial fisheries in Alaska and are a key resource for sustenance, culture and economies in Alaska communities.
- Chum salmon bycatch has been managed under chum salmon savings areas and the Voluntary Rolling Hotspot System in the past. New approaches should be considered to ensure bycatch is consistently reduced.
- Hard caps, area closures, a hotspot system or some combination thereof may be needed to ensure bycatch reduction goals are met.
- Chum salmon bycatch reduction measures should focus, to the extent possible, on reducing impacts to Alaska chum salmon as a top priority.
- Chinook salmon bycatch reduction should remain the priority.
- The Council is also aware of the contribution that the pollock fishery makes in the way of food production and economic activity for the country as well as for the State of Alaska and the coastal communities that participate in the CDQ [Community Development Quota] program; and the need to balance tensions between National Standard 1 to achieve optimum yield from the fishery and National Standard 9 to reduce bycatch.

Motion passed 20-0.

The AP recommends the Council move this analysis forward for initial review analysis in June as a top priority with the following changes/additions:

1. Change Component 5 – Rolling Hot Spot Program and its associated sub-option to its own alternative, Alternative 4;
2. Expanded discussion of the sampling utilized in genetic stock analysis, including any caveats associated with the results of genetic stock analyses;
3. Expand discussion of impacts of chum bycatch reduction measures on Chinook bycatch.
4. Under the status quo, discussion of the Rolling Hotspot System (RHS) should include separate examination of the pre-2007 and post 2007 RHS agreements.

Motion passed 19-0.

C-3(b) GOA Chinook Salmon Bycatch

The AP recommends that the Council reconsider the timeline for implementing Chinook bycatch measures in the Gulf of Alaska pollock fishery. Western GOA and other fishermen will not be able to attend either the June or October meetings because they will be fishing.

The AP requests that that Council conduct an outreach program during development of these regulations; so that they can provide more meaningful comment.

Motion passed 12-8.

Minority Report: *A minority of the AP opposed the motion to reconsider the timeline for GOA Chinook salmon bycatch measures. Addressing this issue is long overdue. The extremely high Chinook salmon bycatch numbers in the GOA at the same time as many Chinook runs have been low makes this a priority issue, particularly given the number of stocks of concern and ESA-listed species potentially impacted. This action has already slipped from being an emergency action to one on an expedited timeframe, and it is appropriate to maintain the expedited timeframe rather than delay this action for an indefinite time. Signed by: Becca Robbins Gisclair, Chuck McCallum, Julianne Curry, Jeff Farvour, Tim Evers, Theresa Peterson, Alexis Kwachka*

The AP recommends that the Council change the language under Alternative 2 as shown in **bold/underline** and ~~strikeout~~. *Motion passed 19-0.*

Alternative 2: Chinook salmon PSC limit and increased monitoring.

Component 1: 15,000, 22,500, or 30,000 Chinook salmon PSC limit (hard cap) **GOA wide cap where cap is divided between Central and Western GOA.** ~~Option:~~ Apportion limit between Central and Western GOA **where the sum of the individual areas equals overall GOA wide cap:**

Option a) proportional to the **historic** pollock TAC (**based on 5- or 10-year average**)

Option b) proportional to historic average bycatch rate of Chinook salmon (5 or 10-year average) **and historic Pollock TAC (5 or 10 year average)**

Option c) proportional to historic average bycatch number of Chinook salmon (5 or 10-year average).

Option d) each regulatory area (C/W) receives the highest cap option a, b, or c adjusted pro rata to equal overall GOA wide cap.

Component 2: Expanded observer coverage.

Extend existing 30% observer coverage requirements for vessels 60'-125' to trawl vessels less than 60' directed fishing for pollock in the Central or Western GOA.

Component 3: Consequences if the cap is exceeded

Option a) any overage within a regulatory area is not applied to the overall GOA cap and only the area that is over its cap is shut down (i.e., overage in the CGOA does not shut down the WGOA).

Option b) any overage within a regulatory area is not applied to the overall GOA cap and only the area that is over its cap is shut down (i.e., overage in the CGOA does not shut down the WGOA).

Gulf-wide cap

and thus could affect the overall area

The AP recommends the Council replace the descriptive language under Alternative 3 with the language presented by staff on pages 12-14 with two modifications shown in **bold/underline**. *Motion passed 19-0.*

To be eligible to participate in the Central Gulf of Alaska or Western Gulf of Alaska pollock fishery, the holder of an appropriately endorsed License Limitation Program license would be required to join a Chinook salmon bycatch control cooperative.

Each cooperative would be formed for participation in a single regulatory area (e.g., Central Gulf of Alaska or Western Gulf of Alaska).

To form, a cooperative is required to have more than:

- a) 25 percent;
- b) 33 percent; or
- c) **40 percent**

of the licenses that participated in the applicable regulatory area in the preceding year.

Any cooperative is required to accept as a member any eligible person, subject to the same terms and conditions that apply to all other cooperative members. In addition, the cooperative agreement shall not disadvantage any eligible person entering the fishery for not having an established Chinook salmon bycatch history in the fishery.

Each cooperative agreement shall contain:

A requirement that all vessels retain all salmon bycatch until the plant observers have an opportunity to determine the number of salmon and collect scientific data and biological samples.

Measures to promote gear innovations and the use of gear and fishing practices that contribute to Chinook salmon avoidance.

Vessel reporting requirements to be used to identify salmon hotspots and an appropriate set of measures to limit fishing in identified hotspots.

A system of vessel performance standards that creates individual incentives for Chinook salmon avoidance, which could include rewards or penalties based on Chinook salmon bycatch.

A system of information sharing intended to provide vessels with timely information concerning Chinook salmon bycatch rates.

A monitoring program to:

ensure compliance with the full retention requirement,

catalogue gear use and fishing practices and their effects on Chinook bycatch rates,

ensure compliance with vessel reporting requirements and limits on fishing under the system of salmon hotspots,

determine compliance with measures that require use of fishing gear or practices to avoid Chinook salmon PSC, and

verify vessel performance and implement any system of rewards and penalties related to vessel performance.

A set of contractual penalties for failure to comply with any cooperative requirements.

Each cooperative shall annually provide a report to the Council that includes the cooperative agreement and describes the cooperative's compliance with the specific requirements for cooperatives and the cooperative's performance with respect to those requirements (including salmon retention, gear innovations and fishing practices, vessel reporting requirements and hotspot identification and fishing limitations, vessel performance standards, information sharing, and monitoring). Cooperative reports shall also document any rewards or penalties related to vessel performance and any penalties for failure to comply with the cooperative agreement. The cooperative report should also describe the Chinook salmon bycatch seasonally, identifying any notable Chinook salmon bycatch occurrences or circumstances in the fishery. As a part of its report, a cooperative shall describe each measure adopted by the cooperative, the rationale for the measure (specifically describing how a measure is intended to serve the objective of addressing Chinook salmon PSC, while ensuring a fair opportunity to all participants in the fishery), and the effects of the measure.

In the event more than one cooperative is created **within a regulatory area**, those cooperatives will be required to enter an intercooperative agreement prior to beginning fishing. The intercooperative

agreement will establish rules to ensure that no cooperative (or its members) are disadvantaged in the fishery by its efforts to avoid Chinook salmon.

The parties to any intercooperative agreement shall annually provide report to the Council including the intercooperative agreement and describing each measure in the agreement, the rationale for the measure (specifically describing how a measure is intended to serve the objective of addressing Chinook salmon PSC, while ensuring a fair opportunity to all participants in the fishery), and the effect of the measure.

Finally, the AP recommends the Council move forward with an analytical package of Alternatives 1-3, as described above, for initial review for Chinook salmon bycatch in the pollock fishery.

Motion passed 19-0.

C-4(a) Discussion paper/finalize alternatives on HAPC - Skate sites

The AP recommends that the Council expand this discussion paper to include a better description of:

1. Refined VMS tracking for these specific sites.
2. Biomass history and trends.
3. Life history
4. Density and area determination rationale.
5. Does the definition of rarity and the process apply to this species at this time with new and current knowledge.
6. What the process will be for addressing future site discoveries.
7. History of commercial fishing activities in the proposed areas.
8. Enforcement challenges in enforcing fishing regulations that may be applied to these areas.
9. Arrange alternatives so six sites may be selected individually or as a group.
10. Information on effects of fishing on skate egg sites.

Motion passed 20-0.

C-4(b) Initial review EA: EFH Amendment

The AP recommends that the Council delay action on Pacific salmon methodology to refine the geographic scope of EFH until that document is fully peer-reviewed. *Motion passed 16/0.*

The AP recommends that the Council send the EFH amendment document out for initial review for the remaining EFH items. *Motion passed 16-0-1 (abstention).*

C-5(a) BS and AI Pacific Cod Split Discussion paper

AP recommends that the Council bring this issue back for further discussion following the CIE review, the 2012 trawl survey, and after the fishery has been conducted under the new RPAs and state water fishery for at least one year.

Motion passed 20-0.

C-6(a) BSAI Crab - Final action on Right of First Refusal

The AP recommends the Council adopt the following preferred alternatives for each action under this agenda item (*bold/italic* is new language):

Action 1: Increase a right holding entity's time to exercise the right and perform as required.

Alternative 2 – Increase an entity's time to exercise the right and perform.

- Require parties to rights of first refusal contracts to extend the period for exercising the right of first refusal from 60 days from receipt of the contract to 90 days from receipt of the contract.
- Require parties to rights of first refusal contracts to extend the period for performing under the contract after exercising the right from 120 days from receipt of the contract to 150 days from receipt of the contract.

Action 2: Increase community protections by removing the ROFR lapse provisions.

Alternative 2 – Strengthen community protections under circumstances where ROFR may lapse.

- Require parties to rights of first refusal contracts to remove the provision that rights lapse, if the IPQ are used outside the community for a period of three consecutive years.
- Require that any person holding PQS that met landing thresholds qualifying a community entity for a right of first refusal on program implementation to maintain a contract providing that right at all times.
- *In cases where the right holder has affirmed that it has allowed the right to lapse, the ROFR will not be required.*

Action 3: Apply the right to only PQS or PQS and assets in the subject community.

Alternative 1 – status quo

The right of first refusal applies to all assets included in a sale of PQS subject to the right, with the price determined by the sale contract.

The AP recommends the Council move forward with Alternative 2 for Action 4 as a trailing amendment, along with the Statement of Council Intent language provided in *bold/italic*.

Action 4: Require community approval for IPQ subject to the right to be processed outside the subject community.

Alternative 2 – Require community consent to move IPQ outside the community

Require the PQS holder to obtain written approval from the community prior to processing IPQ subject to the right (or formerly subject to the right), at a facility outside the subject community.

Statement of Council Intent

In developing the crab rationalization program, the Council included several measures to protect regional and community interests. One of the specific measures designed to protect communities from the loss of crab processing include the right of the community to exercise the right of first refusal (ROFR) to purchase the PQS in the event the owner proposes to sell the shares outside the community. Many aspects of the ROFR limit the effectiveness of the provision in protecting community interests.

It is the intent of the Council that while the community entity must consent to IPQ processing outside the community where the PQS was historically originated, the consent should not be unreasonably

withheld. In cases of unforeseen circumstances or emergencies, it is expected the community entity will allow, on a timely basis, the movement of the processing until the temporary issues have been resolved. In addition, end of season consolidation of small amounts of IPQ should be accommodated.

The AP recommends the Council move forward with Alternative 2 for Action 4 as a trailing amendment. The adoption of Alternative 2 for Action 4 including the new Council intent language was an amendment to the original motion which replaced status quo.

The amendment passed 17-3.

The final motion as amended (Action 4) passed 20-0.

A motion to adopt Alternative 2 for Action 3, in place of status quo, failed 8-12.

C-6(b) BSAI Crab - Initial Review of IFQ/IPQ Application Deadline

The AP recommends the Council release the document for public review with the current alternative to change the filing deadline date, with addition of the following:

- Reduce the time for filing an appeal from 60 days to 30 days
- Add a statement that maintaining proof of timely filing of an application (e.g., fax record) creates a presumption of timely filing.

Motion passed 20-0.

D-1(a) Discussion paper on Sablefish Recruitment Factors

The AP urges continued research to identify EFH and important recruitment areas for juvenile sablefish. The AP also urges the Council to work with the Board of Fisheries and State of Alaska through its Joint Protocol Committee to protect juvenile sablefish within St. John the Baptist Bay which has been an important rearing area.

Motion passed 19-0.

D-1(b) Discussion paper on GOA Trawl Sweep Modifications

The AP recommends the Council move forward with the testing plan of trawl sweep modifications in the Gulf of Alaska, as outlined in the discussion paper; however, limiting it to the Central Gulf of Alaska flatfish fishery only.

Motion passed 19-0.

Marie

**DRAFT REPORT
of the
SCIENTIFIC AND STATISTICAL COMMITTEE
to the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
January 31st –February 2nd, 2011**

The SSC met from January 31st through February 2nd, 2011 at the Renaissance Hotel, Seattle, Washington.

Members present were:

Pat Livingston, Chair

NOAA Fisheries—AFSC

Susan Hilber

Oregon Dept. of Fish and Wildlife

George Hunt

University of Washington

Lew Queirolo

NOAA Fisheries—Alaska Region

Ray Webster

International Halibut Commission

Farron Wallace, Vice Chair

Wash. Dept. of Fish and Wildlife

Sue Hills

University of Alaska Fairbanks

Gordon Kruse

University of Alaska Fairbanks

Terry Quinn

University of Alaska Fairbanks

Robert Clark

Alaska Department of Fish and Game

Anne Hollowed

NOAA Fisheries—AFSC

Jim Murphy

University of Alaska Anchorage

Kate Reedy-Maschner

University of Idaho Pocatello

Members absent were:

Seth Macinko

University of Rhode Island

Kathy Kuletz

US Fish and Wildlife Service

Doug Woodby

Alaska Department of Fish and Game

Election of Officers – The SSC re-elected Pat Livingston for chair and Farron Wallace as vice chair. The SSC would like to welcome three new members to the committee, Kate Reedy-Maschner, Jennifer Burns and Jim Murphy. Kate’s expertise in social anthropology and Jim’s expertise in economics will improve our ability to be responsive to a wide range of issues and analyses. Jennifer Burns expertise in marine mammals will be essential as the Council continues to deal with difficult Steller sea lion issues. We would also like to express our sincere best wishes and gratitude for many years of dedication to the SSC for two members Keith Criddle and Sue Hills who will no longer be participating on the SSC.

C-3(a) BSAI Chum Salmon Bycatch – Preliminary Review Draft EA and RIR

Diana Stram (NPFMC), Nicole Kimball (NPFMC), Jim Ianelli (NMFS-AFSC), and Alan Haynie (NMFS-AFSC) presented details from the preliminary draft Environmental Assessment (EA) and Regulatory Impact Review (RIR) concerning analysis of alternatives and assessment of potential impacts of addressing chum salmon bycatch (PSC) in the BSAI groundfish fisheries. Topics discussed in the EA were the background and rationale for the action, a description of the affected fisheries (including state-managed salmon fisheries), the range of management alternatives considered, potential analytical techniques for assessing the implications of chum salmon PSC at the drainage and region level, and evaluating the impacts of the alternatives. There was no public testimony.

Alternatives discussed in the EA include: 1) status quo, with the current system of area closures along with exemption to these closures by pollock vessels participating in the Voluntary Rolling Hotspot inter-cooperative agreement (VRHS ICA), 2) a hard cap on chum salmon bycatch, with options for sector splits, sector transfers, and cooperative provisions; and, 3) chum salmon bycatch triggered closures, with

options for sector splits, sector transfers, cooperative provisions, area and timing considerations, and a rolling hotspot system.

The SSC commends the authors for the impressive amount of work completed to date. The analysts have clearly benefited from their experience conducting the Amendment 91 analysis of Chinook salmon PSC and have applied these lessons in this preliminary version of the EA. In particular, the background section is well written and the description of the alternatives is clear and concise despite their complexity. The AEQ and selection of closure area methodologies, as previously reviewed by the SSC, are sufficient for this type of analysis. The SSC has the following recommendations for improving the document:

- Although the alternatives are clearly articulated, the analysis would greatly benefit from a clear, concise problem statement and description of the purpose and goals of this management action.
- Alternative 3, component 5 describes a rolling hotspot system in addition to the triggered closures that are the main thrust of this alternative. This component may need further clarification from the Council to ensure this component fits within the overall alternative.
- The EA should include appropriate caveats on the unpublished or soon to be published nature of estimates of the proportion of chum salmon PSC samples in each stock grouping.
- Discrepancies between temporal stratification of genetic data and temporal/areal stratification of PSC need to be resolved so that genetic data can be appropriately weighted to estimate chum salmon PSC by regional stock groupings.
- Estimates of chum salmon PSC proportions by stock grouping need to be analyzed for a 'year effect' before estimates are averaged and then used to estimate total chum salmon PSC for years when no genetic sampling occurred. If a year effect is evident, the analysis may need to be restricted to years when estimates of chum salmon PSC for stock groupings are available (2005-2009).
- The assumption that a pooled (among years) age-length key for chum salmon is sufficient to estimate age composition of PSC needs to be tested. One way to investigate this is to examine variation in mean length at age by sex among years when sufficient age-length samples are available.
- The EA would greatly benefit from a table of annually estimated PSC by subregional or drainage groupings (e.g., Norton Sound drainages, Yukon River summer chum drainages) alongside estimates of total inriver run, inriver harvest, inriver harvest rate, and chum salmon PSC harvest rate, so the reader can see the estimated impact of chum salmon PSC on annual run strength. Determination of groupings to be used in this analysis should be facilitated through a workshop with the analysts and ADF&G fishery managers.
- The authors need to fold the analyses of status quo management of chum salmon PSC in the January 25, 2011 action memo into the EA. Plans for analyses of status quo management seem to be reasonable, but also need to investigate the effect of individual vessel behavior on variation in PSC rates with respect to current closed areas and rolling hotspots. Although the status quo analysis speculates on the effect of Amendment 91 management actions on chum salmon PSC, the analysis of impacts of the alternatives in the EA and RIR will have to rely on the assumption that fleet behavior will remain constant. The SSC looks forward to seeing analyses of the effect of base PSC rate, closure area limitation, and the modifications to the tier system on the efficacy of the VRHS ICA.

The SSC also has some minor corrections to the EA document as follows:

- We are assuming that sections indicated with placeholders will be filled in with the relevant information, and the number of tables and figures in section 5 will be integrated into the remainder of the document.
- In section 5 on page 173, there may be reconstructed total run information for Kotzebue area chum stocks. Check with ADF&G staff to see if these data are available.

- On page 100, the definition for Sustainable Escapement Goal (SEG) has changed recently to include lower bound SEGs as well as SEG ranges. The revised text is in the current version 5 AAC 39.222(f)(36).
- In section 3.1 on page 68, the last sentence on the page references Chinook salmon instead of chum salmon.
- The website URL in footnote 2 on page 13 is outdated. The correct website is www.habitat.adfg.alaska.gov.

The SSC offers the following observations concerning the Preliminary Draft RIR. The staff noted that there is not a Council endorsed Problem Statement for this proposed action and their intention to highlight this deficiency when presenting this agenda item to the Council, later this week. A fully articulated problem statement will greatly improve the analysts' ability to complete this analysis.

As the RIR author acknowledged in the document, and made clear in staff presentation, this is a very preliminary draft of the chum salmon PSC reduction program analysis. Effectively, none of the mandatory elements prescribed under Magnuson, EO12866, and RFA are present yet in the draft document.

The contents of the document, beyond placeholder RIR headers, include descriptive information and historical empirical statistics on the development, operation, production, and economics of the Bering Sea pollock sectors. Similarly, the extensive subsistence-use/dependent community profile narratives in the document are important and informative; however, the SSC encourages a more inclusive but concise description of all western Alaska chum user groups beyond Yup'ik communities, and suggests shortening the dog team section. The SSC also encourages the analysts to carefully re-evaluate the extensive profile discussion for relevance to the chum salmon PSC reduction program for the BSAI pollock fishery action. Both sets of information (i.e., BSAI AFA pollock fishery; chum salmon escapement/subsistence/in-river commercial salmon status) provide context, which are key to construction of the required RIR elements in the next phase of its development.

The SSC was very encouraged by staff efforts to integrate genetic region-of-origin research results for the chum salmon PSC in the Bering Sea pollock fisheries. These data are crucial to the analysis of the potential economic, socioeconomic, and cultural impacts that may emerge from each alternative chum salmon PSC avoidance action. Without the integration of region-of-origin information, any meaningful interpretation of the potential relationship between chum salmon PSC removals in the EBS pollock fisheries, and the status of subsistence and commercial users of chum salmon resources that derive from North American sources will be problematic. Further, the ability of the RIR to address the requisite "net National benefit" assessment is highly dependent on regional source composition of chum salmon PSC. The SSC encourages the analysts to integrate this crucial contextual information in the next iteration of the draft. When evaluating the impacts of chum salmon PSC removals on subsistence users, the SSC encourages the analysts not to limit their evaluation just to impacts on run size relative to subsistence needs, but also to consider the possibility of increased harvest costs imposed on subsistence users as run size decreases. Examples could include changes in fuel costs and the opportunity cost of time spent harvesting. The SSC also encourages analysts to evaluate human population trends in impacted communities and regions.

The SSC notes that, based upon our review of the document package and the presentations received from staff, a substantial amount of work remains to be completed before the June 2011 target date for an Initial Public Review Draft RIR/IRFA.

C-4(a) EFH discussion paper/finalize alts on HAPC-Skate sites

A discussion paper and initial alternatives for HAPC Skate Nursery Areas was presented by Sarah Melton (NPFMC) and Matt Eagleton (NMFS-AKR). HAPCs are areas within EFH that are rare and are either ecologically important, sensitive to disturbance, or stress. At the October 2010 meeting, the Council selected an AFSC proposal on skate nursery HAPCs for consideration for analysis. Six skate nursery sites in the BSAI management area were identified for potential HAPC designation. At this meeting, the Council intends to decide whether to initiate a full analysis and to finalize the alternatives.

The SSC appreciates analysts' efforts to develop this discussion paper. The SSC agrees with the HAPC ranking of skate nursery areas as determined by the Plan Team and supports initiation of a full analysis of the proposed alternatives. The proposed three alternatives, as well as the options listed under alternative 3, appear to be complete.

The SSC offers the following suggestions for consideration in the development of the full analysis:

- The selection of six skate nursery areas was determined by identifying areas exceeding a threshold of 1,000 eggs/km². The basis for choosing a threshold should be justified. The SSC recommends considering the development of species-specific thresholds based on considerations of egg density at these sites with respect to their estimated mean egg case densities. Presumably different thresholds may be necessary for each species based on its abundance and fecundity.
- The SSC understands that the choice of six areas for research resulted from a screening process involving examination of trawl survey and observed fishery catches of skates and follow-up field research. The analysts should consider meeting with fishermen to seek their knowledge in selecting the subset of nursery areas for action and/or future research. Discussions with fishermen could also uncover the degree to which these areas are known and avoided already.
- The SSC recommends considering the appropriate shape for nursery area designation. Given that concentrations are found in the center of the distribution and decrease with distance from center, an ellipse may best fit the actual shape of the nursery area. An ellipse could be chosen to include a given proportion of total number of egg cases in a given nursery area (e.g., 50%) as estimated by fitting a bivariate normal model to this data. The SSC also questioned the confidence in zero values on the periphery of the sampling area for use in defining the total extent of the area to be designated.
- It may be necessary to determine a threshold for the minimum size of an area for which closures are enforceable. The analysts should receive guidance about the minimum size (and shape) of the areas from the Enforcement Committee.
- The SSC noted that the six areas identified amounted to 0.05% of the estimated area of the EBS. During questioning, the analysts indicated that the reported potential for discovery of up to 300 additional sites is misleading and highly speculative, and that this issue would be more accurately addressed during the full analysis. The SSC noted that the proposed 6 sites do not afford protection to all skate species and include only two sites each for Aleutian skate and Bering skate.
- A full analysis should analyze the potential effects of fishing on embryo survival and population-level effects. A review of gear types employed and their potential differential effects on the mortality of egg cases and reproductive adults should be considered in the document. Also, additional justification should be provided regarding damage and mortality of egg cases by fishing gears. This information is necessary to inform the selection of Alternative 3 options.
- The full analysis should describe the procedure by which additional sites are added to or subtracted from HAPC in the future after consulting the Council. Presumably, potential new sites would be bundled into a future plan amendment. The Council could perhaps consider such modifications to skate nursery area designations on a periodic basis as a standing priority.

- The SSC supports the option to monitor skate nurseries every few years, but it is not clear that the best way of highlighting this priority is through amending the FMP research priorities, which are not updated frequently. This priority should also be included as part of the Council's list of research needs, drafted by the Plan Teams and revised by the SSC annually.

C-4(b) Initial review EA EFH omnibus amendment

A summary of the preliminary review draft EA for EFH omnibus amendments was provided by Diana Evans (NPFMC) and Matt Eagleton (NMFS-AKR).

Based on the recently completed EFH 5 yr review, the Council identified various elements of the EFH descriptions that merit revision and initiated an analysis to address the recommendations. The EFH initial review document summarized information on prospective changes to EFH for FMP groundfish, crab, scallop, and salmon species respectively. Amendments will apply to the Arctic, BSAI, and GOA regions. Eight actions are recommended.

The SSC recommends that this document be released for public review.

The SSC provides the following comments and suggestions to be included before release to the public:

- **The Council's approach to updating the EFH analysis is founded on the conclusion from review of updated information that the spatial footprint of fishing activity has not changed substantially over the last 5 years. Given the central importance of this finding, it is critical that this be explicitly mentioned in the document.**
- The SSC agrees that the document should separate BSAI Kamchatka flounder as a separate species. We also note that in the future, BSAI Bering flounder may be broken out from the flathead sole assessment and if that occurs, EFH descriptions of this species will also be needed.
- The SSC requests that the authors select a standard unit (complex or species) and use that unit consistently throughout the document. In the current version, there is a mix of species in some tables and species groups in others. For an example of the problem refer to Tables 5 and 6.
- The SSC agrees that Action 6 (EFH conservation recommendations for non-fishing activities) should be considered. When developing this document, it would be useful to provide a short discussion that clarifies that climate change (global warming) and ocean acidification are related to the build-up of green house gases in the atmosphere and these changes are likely to impact EFH, especially in the Arctic. The build-up of greenhouse gases in the atmosphere could be addressed in the summary of non-fishing human activities.
- The SSC reviewed the description of the proposed new method for designating salmon EFH. While this method appears to be an improvement over previous approaches, the SSC will reserve judgment on its merits until it is able to review the technical memorandum that provides the details of the technique used.
- The SSC understands that the revised analysis of the effects of fishing on EFH for crab will be available in April 2011. The SSC also understands that if the crab EFH white paper identifies a need to consider further FMP amendments, that these may be treated in a separate action.
- The SSC requests that objectives be included in the research priorities on page 52, and research questions and activities should also continue to be included.

C-5(a) Discussion paper on BSAI Pacific cod split

The SSC received a staff presentation from Jon McCracken (NPFMC). Public testimony was provided by Dave Fraser (Adak Community Development Foundation), Frank Kelty (City of Unalaska), Jon Warrenchuk (Oceana), Kenny Down (Freezer Longliner Coalition), and Brent Paine (United Catcher Boats).

The paper discusses various approaches to sector allocation revisions, should cod BSAI ABC and TAC be separated into BS and AI. A substantial amount of uncertainty remains with respect to these action alternatives, especially in light of the 2010 SSL BiOp and RPAs. We have no empirical experience to understand fishing sector behavioral responses to the RPA's. As the author demonstrated, until these uncertainties can be clarified, it is difficult to arrive at a clear understanding of the "reasonably likely" outcomes that may emerge from each apportionment alternative identified in the paper. The SSC has previously expressed concern when reviewing the Draft RIR/IRFA supporting the 2010 SSL RPA action that conflicting expectations and assertions concerning cod fishing patterns and redeployment in response to recently proposed management actions (e.g., Amend. 90 RIR, 2010 SSL RIR) further confound analysis of impacts of AI and BS sector apportionment splits. The prospect of triggering another ESA consultation on AI Steller sea lions also adds to the difficulty in moving forward with this action.

It is noteworthy that recent cod biomass estimates indicate that the proportion of the combined BSAI biomass that AI represents is smaller than previously estimated (i.e., historical estimate >16%; new estimate ~9%). As AI cod allotments are reduced on the basis of the revised biomass, some sectors' shares may become inaccessible (e.g., NOAA may not be able to open a fishery due to limited TAC). This may have very significant implications for apportioning future AI cod fishing opportunities necessary to sustain patterns of historical dependency (e.g., catch distributions by area, operating mode, and gear type). The split of cod allocation between the BS and AI is likely to reduce the potential for localized depletion of AI cod by the BSAI cod fleet. However, the SSC notes that the potential still remains for localized depletion, given that a large portion of the fishable area may be closed under SSL closures.

The SSC recommends that the stock assessment author and Plan Team develop a plan of action for how the BSAI cod assessment should evolve. The possibilities include maintaining the status quo of a modeling approach in the BS and survey biomass in the AI, having separate models for the BS and AI, or having a single BSAI model (with or without geographic stratification and movement).

The discussion paper cites several aspects of a future AI cod sector apportionment action that may require the Council to revisit its original Problem Statement and 'purpose and need' rationale. Formal clarification of the Council's desire in regards to examining limits on EBS TACs, specifying area-specific allocations, and the disposition of latent permits are identified by the analyst. The interplay between the Federal AI cod fisheries and the State's parallel-waters AI fishery will also require Council examination and guidance, particularly in light of the most recent actions by the Alaska Board of Fisheries and ADF&G regarding SSL mitigation and several pending lawsuits challenging the 2010 BiOp and RPAs.

Depending on the Council's expectations for further analysis of this topic, revisions to this discussion paper could advance the development of the initial documents (e.g., RIR, IRFA) necessary to support formal Council action. If the discussion paper were revised, the SSC recommends expressly incorporating the recently announced State of Alaska AI cod management changes into the analytical baseline.

C-6 (b) Initial review of BSAI crab IFQ/IPQ application deadline

The SSC received a concise staff report from Mark Fina (NPFMC) on this agenda item. No public testimony was provided. The draft document is a straightforward presentation of the arguments for and against the proposed modification of existing regulations specifying application deadlines for BSAI crab fishing cooperatives, IFQ, and IPQ privilege holders. The action is largely an administrative adjustment initiated with the expectation of improving operational efficiency and promoting more complete utilization of the crab resources of the BSAI, while reducing the regulatory burden on fishery participants.

The proposal does not appear to present any novel or complex scientific or statistical issues. The draft analysis would benefit from a thorough editing to enhance clarity and accessibility. To this end, the SSC will provide the author with specific suggestions and recommendations to assist in this task. The author is requested to elaborate on, for example, the assertion in sections 2.4.2 and 3.5 that the date change should not impose an undue hardship. On the issue of reducing the period within which to file an appeal, the analysis should explicitly affirm that there are no regulatory or legal mandates that would conflict with the proposed interval change. The IRFA is incomplete and will require the addition of tabulations of entities expected to be directly regulated by the proposed action including, to the extent practicable, an evaluation of their size for RFA purposes, based on SBA criteria.

The SSC recommends that the document be sent out for public review after our recommended edits are incorporated.

D-1 (a) Discussion paper on sablefish recruitment factors

Jon Heifetz (NMFS-AFSC) presented a discussion paper on factors affecting sablefish recruitment in Alaska. The overview was provided in response to Council's request for additional information on sablefish recruitment in regards' to possible development of small research closures in areas of intense fishing for EFH. Linda Behnken (Alaska Longline Fishermen Association) provided public comment.

The presentation and white paper provided an overview of the current knowledge of sablefish recruitment and possible factors affecting episodic recruitment events, as well as a description of ongoing and future research projects that will help fill in data gaps and enhance our knowledge of sablefish recruitment. Assessment authors conclude that it is premature to recommend EFH measures at this time given our lack of sufficient information to understand the effects of fishing on sablefish and sablefish recruitment.

The document does not provide an adequate assessment of the impact of fishing on sablefish essential fish habitat, and the effects of these impacts on sablefish growth, recruitment and spatial distribution. The time series of growth, recruitment and spatial distribution for sablefish is among the longest for any groundfish managed by the NPFMC. Therefore, some effort to provide a statistical assessment of the implications of fishing on sablefish EFH is warranted. **The SSC agrees that there is insufficient information to justify small research closures. If such closures are considered in the future, the SSC recommends that proposed areas include a descriptive study design and what might be learned from the study.**

The SSC notes that the spatial distribution of sablefish spawning potentially includes a region where trawling has been prohibited (SE Alaska). This may provide a rare opportunity to assess growth, recruitment and spatial distribution before and after the closure, and to assess habitat changes and estimate habitat recovery rates in SE Alaska.

It was noted in public testimony that Saint John the Baptist Bay has been a site of large sablefish recruitment events in the past. Development of possible EFH sites in State waters warrant further consideration and cooperation between Federal and State representatives to develop EFH initiatives.

Jeff Fujioka (NMFS-AFSC) recently retired and has been involved in sablefish assessment and research for many years. The SSC would like to thank Jeff for his dedication and years of work that greatly improved our understanding of population dynamics of this valuable resource.

D-1 (c) Estimation of non-target species catch in the halibut fishery

Cindy Tribuzio (NMFS-AFSC), with Olav Ormseth (NMFS-AFSC), presented a summary report prepared by a working group examining methods to estimate catch of non-target species in the unobserved halibut IFQ fleet. While recognizing the limitations of the data sources, the SSC agrees that the working group is doing the best they can with the available information. **We support the recommendations of the report that catch of non-target species be estimated using the CPUE catch estimation method using proportionally weighted survey data.**

The SSC requests clearer documentation of the statistical methods used to estimate catch. In particular, the inclusion of mathematical formulae to precisely describe the methods used would be very helpful, and would ensure that those reviewing this work in the future have a clear understanding of what was done. Finally, we recommend that the working group review the commercial catch records for the areas in which their report shows no commercial catch was taken (a large area west of Kodiak and a smaller area in SE Alaska). This could be done in conjunction with IPHC staff.

D-1 (d) NOAA/BSFRF survey results for snow crab

The SSC received a presentation by David Somerton (NMFS-AFSC) and Steve Hughes (BSFRF) on the analysis of 2010 data from a cooperative study conducted by NMFS and BSFRF to estimate selectivity of the NMFS survey trawl for snow crab. His was a well-designed, thorough field study. The SSC appreciates the enormous efforts by BSFRF and NMFS to evaluate and estimate snow crab selectivity to inform the snow crab assessment.

The 2010 results generally agree with results from previous studies in 2008 and 2009, which imply that the NMFS survey trawl survey selectivity for snow crab is much less than 1 over most of the range of snow crab sizes. The new results are based on estimating a smooth, non-parametric selectivity curve as a function of crab size that is allowed to vary with net width, depth, and grain size (representing substrate).

For males, the results show a sharp increase in survey selectivity starting at about 30 mm, a leveling out or slight increase past 50 mm, and then a sharp increase at 100mm (Figure 8). The sharp increase at the end is somewhat counterintuitive; the usual expectation is that the shape of the selectivity curve is logistic with an asymptote at the upper end. This may be an artifact of the small number of large crabs encountered or perhaps due to unknown behavior or gear effects.

For females, estimated survey selectivity rises rapidly to a maximum near 55 mm and then decreases slightly to the upper end at 70 mm (Figure 8). For both males and females, the estimates are highly uncertain at the larger crab sizes. The results also suggest that selectivity is higher in sand than mud, and in shallow waters than deep waters, although this is confounded because sand is typically associated with shallow water. The latter result is consistent with studies on capture efficiency of a similar bottom trawl for snow crab in Newfoundland (Dawe et al 2010, Fish. Res. 101: 70-79). The question of how to

incorporate these results into the snow crab assessment model is one topic to be considered at a crab modeling workshop in February 2011.

The SSC provides the following recommendations to the analysts:

- The SSC agrees that the experimental data from 2010 could be combined with 2009 data to reduce the uncertainty about the estimated selectivity curve. This would, in particular, improve selectivity estimates at larger sizes because larger numbers of large crab were observed in 2009.
- The SSC understands that the analysts will present a detailed summary of the analysis at the modeling workshop. The summary should include a presentation of observed proportions in each size bin and each station as well as the GAM fits and model diagnostics to allow for full evaluation of fitted selectivity curves. Therefore, the best empirical estimate of gear and survey selectivity and its use in the model must await the conclusions from the workshop and further analysis by the researchers.
- The SSC recommends that the analysts also consider a semi-parametric approach that uses a logistic form of selectivity at size, combined with a non-parametric smooth function of the covariates to model differences in selectivity by depth and grain size. This would allow a more formal comparison of a logistic selectivity curve with a more flexible curve. Truncation of the data at 100-120 mm could also be considered.

The SSC requests that models considered during the next assessment cycle include options to fix selectivity at the best estimate from these analyses, to use a flexible selectivity curve with priors on selectivity parameters derived from the field experiments, and to freely estimate selectivity using a flexible selectivity curve. It may be worth exploring the use of more flexible functions than the two-parameter logistic, such as the generalized logistic models in Dawe et al. (2010) or the general growth models of Schnute and Schnute and Richards (Quinn et al. 1999, Quantitative Fish Dynamics. Oxford Univ. Press).

SSC Workshop on Socioeconomic Research and Economic SAFE

The SSC is impressed with the variety and quality of economic research conducted at AFSC. The SSC appreciates the excellent staff presentations during the workshop. Presentations included:

Economic SAFE Report (Groundfish)

- Overview of fishery trends and content (Felthoven)
- Revenue decompositions (Dalton)
- Proposed new market and risk indices (Fissel)

Economic SAFE Report (BSAI King and Tanner Crab)

- Overview of fishery trends and content (Garber-Yonts)
- Bioeconomic models, population dynamics, and the estimation of maximum economic yield for North Pacific crab stocks (Dalton)

Community Research and Data Collection

- Community meetings, profile updates and AK community survey (Himes and Sepez)
- Quantifying community-level diversity of fisheries involvement as an indicator of resilience (Sepez)

Economic Research and Data Collection

- Charter halibut survey (Garber-Yonts)
- Regional economic impacts of SSL protection measures (Seung)
- Climate change and the pollock catcher-processor fleet (Pfeiffer)

Economics in the Regulatory Process (Mark Fina)

Comments and suggestions from SSC members include:

- Encouragement to maintain communication and strengthen collaboration among the AFSC, Alaska Region, and Council staff.
- The groundfish economic SAFE reports may benefit from expanded discussion of new market opportunities and challenges, and how those would affect the fisheries. In particular, it would be useful to examine the harvest control rules governing fisheries of other nations that compete in supply markets, to assess whether the supply is sustainable or temporary.
- The crab economic SAFE presents an opportunity to look at the effects of rationalization and test indices of sustainability. New literature is emerging that suggests incentives like rationalization may lead to sustainable resources (Gutierrez et al. 2011, Nature)
- To the extent practicable, the analysis of MEY/MSY should be incorporated into Grant Thompson's decision theoretic approach, as part of the review of groundfish ACLs.
- Regarding the proposed Fishery Involvement Diversity (FID) assessment, the SSC notes that some of the indices are interrelated (e.g., range of areas fished, seasonal distribution of species, landings distribution by species, and range of species). The authors should strive to minimize redundancy in their indices, to avoid unintended over-weighting of an index. To be useful for comparisons, considerable care is needed to establish a common level of aggregation over space, time, fishing sector(s), and species. Finally, the presenter indicated that the FID may provide an index of resilience. The analysts should identify factors in that consideration, because perceptions of community resilience will differ depending on forcing factor(s). Moreover, the link between diversity and resilience is unclear.
- The SSC recommends that the Council investigate means of adjusting the confidentiality rules by adopting a sunset provision, such that after some period of time, say 2 or 3 years, confidential data are made available to the public.

No public testimony was received.

DRAFT

Ecosystem Committee Minutes

Thursday, February 3, 2011 9am - noon
James Room, Renaissance Madison Hotel, Seattle, WA

Committee: Stephanie Madsen (chair), Jon Kurland, Dave Benton, Bill Karp, Dave Fluharty, Jim Ayers, John Iani, Diana Evans (staff)

Others attending included: Matt Eagleton, John Olson, Sarah Melton, Craig Rose, Jon Warrenchuk, Dave Witherell

EFH Omnibus Amendments

The Committee heard a report from staff on the initial review draft of the EFH Omnibus Amendment package. **The Committee recommends the following language as a problem statement for this action**, modified from the language provided by staff on page 4.

The EFH Final Rule and each of the Council's FMPs state that a review of EFH components should be completed every 5 years and the EFH provisions should be revised or amended, as warranted, based on the best available information. The 5-year review of EFH was completed in April 2010, and synthesized in a Summary Report presented to the Council. Based on the review, the Council has determined that new habitat and life history information is available to revise many of the EFH descriptions and recommendations in the Council FMPs. Additionally, the EFH review process has proven to be an appropriate vehicle for identifying HAPC priorities, and the Council intends to consider whether periodic calls for HAPC proposals should be synchronized with future 5-year reviews.

The Committee also recommends that the Council release the document for public review, with the revisions noted below. The Committee had no specific comment on Actions 1, 2 and 4. Indirectly on Action 3 (amend EFH descriptions in the BSAI Crab FMP), the Committee notes that as part of Council action on the EFH 5-year review, a separate discussion paper was initiated by the Council, to address both potential changes to juvenile red king crab EFH, and the effect of fisheries occurring in southern Bristol Bay on spawning habitat for red king crab. Given the timing of the discussion paper, which will be available for review in April, the Committee suggests that any action that may result from this discussion paper should be moved forward as a trailing amendment to the omnibus package.

With respect to Action 5 (technical changes to EFH descriptions in the salmon FMP), the Committee discussed the AFSC's progress with developing a new methodology for refining EFH for salmon marine life stages. The Committee concurs that changes to the salmon EFH descriptions should be postponed until the methodology has been peer reviewed. **The Committee recommends that the Council remove Action 5 from the omnibus amendment package.** The salmon FMP technical changes should be undertaken as a trailing amendment to the omnibus package, in conjunction with the substantive revisions to EFH that result from the new methodology. The Committee notes that the Council is currently considering other changes to the salmon FMP, and it may be appropriate for the EFH revisions to be included in a comprehensive salmon FMP amendment.

Under Action 6, the revised non-fishing EFH conservation recommendations, the Committee appreciates NMFS' efforts to contact marine industry groups that may potentially be affected by the changes. The Committee discussed ways for NMFS to provide a central information source identifying whether activities are covered under a general permit or require individual permitting (and thus EFH consultation), as well as NOAA's responsibility to identify sensitive areas of EFH under the revisions to the National

Contingency Plan for oil and gas spills. **The Committee encourages the Council to ensure that the draft recommendations and analysis that go out for public review provide sufficient information to allow the public to understand the likely effect of the revised recommendations on their activities.** This will allow interested stakeholders (e.g., industry, communities, tribes) to make an informed comment prior to final action.

The Committee discussed the proposed revisions to the default timing for the Council's consideration of HAPC priorities under Action 7, and the rationale for changing the timing. The Committee notes that when the process was put in place, in addition to the Council's periodic HAPC consideration, it was also understood that NMFS would review habitat information on a continuous basis. The Committee notes that NMFS should be encouraged to bring proposed HAPC priorities to the Council when warranted, and that the proposed change under Action 7 does not preclude the agency from doing so.

With respect to Action 8, the Committee understands that the SSC is providing revisions to the research objectives included in the FMPs' EFH research approach. The Committee considers it important that the FMPs recognize that the Council is moving along a continuum in EFH research and conservation, and progress to date should be reflected as well as continued activity to meet the FMPs' habitat goals.

HAPC Skate Nurseries Discussion Paper

The Committee had a brief staff presentation on the HAPC discussion paper evaluating skate nursery HAPC proposals. **The Committee recommends that the Council initiate an analysis for considering the six proposed skate nursery sites as HAPCs, using the alternative structure identified in the discussion paper. The analysis should clarify that the Council may select a different alternative for each of the six proposed skate nursery sites.** Under Alternative 3, the options for prohibiting gear types within the proposed HAPCs should clarify which gear types would be excluded, and should add an option to prohibit pelagic trawl in addition to mobile bottom contact gear. The proposed alternatives would be as follows:

Alternative 1: status quo

Alternative 2: identify skate nursery HAPCs, without associated management measures

Alternative 3: identify and conserve skate nursery HAPCs

Option a: prohibit nonpelagic trawl, dredge, and dinglebar gear ("mobile bottom contact gear")

Option b: prohibit nonpelagic trawl, pelagic trawl, dredge, and dinglebar gear

Option c: prohibit nonpelagic trawl, dredge, dinglebar, pot, and hook and line gear ("bottom contact gear")

Option d: prohibit nonpelagic trawl, pelagic trawl, dredge, dinglebar, pot, and hook and line gear (all fishing gear)

The discussion paper identifies an additional conservation measure, labeled "D", which proposes monitoring skate egg case concentrations every 2-3 years. **The Committee recommends that option D in the discussion paper be identified as a research priority, and removed from the options under alternative 3.** The research priority should be incorporated in the Council's annual research priority list, and the Committee expresses its support for continuing research to evaluate skates, skate nurseries, their ecology and habitat.

Additionally, the discussion paper identifies an option "E" that would maintain skate nursery areas as a Council HAPC priority. This raises the broader policy question of whether Council HAPC priorities are, by default, continuing priorities, for which HAPC site proposals may be submitted on a continuing basis, or whether a Council HAPC priority exists exclusively for the duration of a Council HAPC proposal cycle. In the latter case, no further HAPC proposals would be accepted for a given HAPC priority after the conclusion of the HAPC proposal cycle, unless (a), the Council re-designates that particular HAPC

priority, and initiates another HAPC proposal cycle; or (b), NMFS brings forward compelling information to suggest that the Council should re-designate the HAPC priority. **The Committee recommends that the Council specifically address this broader process question, and that option E in the discussion paper be removed from the options under alternative 3.** The Council could address this question either in the analysis, or as a general policy clarification to the Council's HAPC process.

Discussion paper on sablefish recruitment

The Committee had a short discussion with Dr Jon Heifetz about the sablefish recruitment discussion paper. The conclusions in the discussion paper indicate that adopting specific conservation measures for juvenile sablefish is premature given ongoing research about the relationship between habitat and recruitment. Consequently, **the Committee recommends that no further action be taken with regard to EFH conservation recommendations for sablefish.**

The paper, and the Plan Teams, continue to affirm that small research closures in areas that are intensively fished are a useful tool to understand the effects of fishing in a multispecies context, especially on benthic habitat. **The Committee recommends that the Council invite the AFSC to provide a specific research proposal with a rationale and suggested methodology and locations for this type of work.**

Enforcement Committee Minutes

February 1, 2011

Renaissance Hotel, Seattle, WA

Committee present: Roy Hyder (Chair), CAPT Mike Cerne, Martin Loefflad, Ken Hansen, Garland Walker, Dr. James Balsiger, Sherrie Myers, Stefanie Moreland, Major Steve Bear, and Jon McCracken (staff)

Others present: Jane Dicosmo, Bill Tweit, Susan Auer, LCDR Brian Chambers USCG, Ken Lawrenson, USCG, CAPT Gregory Sanial USCG, LT Josh Boyle USCG, Mike FSA, Galen Tromble, Glenn Merrill, Diana Stram, Scott Miller, Sarah Milton, Matt Eagleton, Jerry Hoff, Olav Ormseth, and John Olson

C-1(a) Halibut/sablefish hired skipper

Jane DiCosimo, Council staff, provided a brief overview of the initial review analysis on the halibut/sablefish hired skipper currently under consideration by the Council. The purpose of this action would be to narrow the restrictions for initial recipients of quota share to use a hired master to harvest their IFQs in all areas where hired skippers are allowed.

During discussion of this hired skipper issue, it was noted that abuse of IFQ leasing exists. The Committee discussed at length the extreme difficulty enforcing abuses of IFQ leasing, noting that the only tool available is tangentially in regulation at 50 CFR 679.41(g)(4), which reads, "The Regional Administrator will not approve an Application of Transfer of QS assigned to vessel categories B, C, or D subject to a lease." It was noted during the discussion that a more useful tool to eliminate or enforce the abuse of IFQ leasing would be a prohibition on leasing coupled with a thorough definition of what constitutes unlawful leasing with regards to the IFQ program. The Committee recognized that a leasing prohibition will require further work, but a careful crafted leasing prohibition may provide the enforcement tools necessary to enforce lease abuse.

In summary, the Committee noted the analysis provides a thorough presentation on the enforcement issues relative to the hired skipper proposed action. The Enforcement Committee does not see any difficult enforcement issues associated with the hired skipper proposed action. However, the Committee notes that the proposed Council action will likely not be effective in addressing abuses in leasing without first addressing the specifics of leasing, namely defining leasing and prohibiting leasing. The Committee recommends the Council review its objectives for the hired skipper provision to provide clear definitions of leasing. This would enable those crafting regulations to better meet the Council's objectives.

Developing West Coast enforcement priorities and objectives

The Committee was scheduled to receive a report from Mike Cenci, Deputy Chief for Enforcement, Washington Department of Fish and Wildlife, regarding discussion at the Pacific Fishery Management Council concerning funding priorities for Joint Enforcement Agreement (JEA). Unfortunately, Mr. Cenci was unable to attend the Enforcement Committee meeting due to a conflict with legislative hearings. Major Steve Bear, Alaska Wildlife Troopers, and Bill Tweit, Washington Fish and Wildlife, presented the issue for discussion in Mr. Cenci's absence.

The issue is the reduction in west coast JEA emphasis, in favor of increases in other regions. The west coast states have been involved in a decades-long Cooperative Enforcement Agreement with the National Oceanic Atmospheric Administration Office of Law Enforcement. That partnership was supported with funding through a JEA opportunity available to the nation's coastal states. This funding is critically

important to support marine fishery management of increasing complexity. It was recently learned that the 2011 JEA solicitation period resulted in initial funding reductions from previous levels for all three of the west coast states, while at the same time, at least 11 other states received increased funding. Recognizing the importance of the JEA funding, the Pacific Fishery Management Council wrote a letter to Mr. Eric Schwaab expressing its concern about the inadequacies in the JEA allocation matrix. A copy of that letter is included in the appendix. Major Bear indicated that JEA funding for Alaska appears stable. However, final funding is yet to be resolved by NOAA OLE. Additional information will be made available to the NPFMC at the April meeting, and at that time comments by the Council may be appropriate.

C-3(a) BSAI Chum Salmon

Dr. Diana Stram, Council staff, provided an overview of the proposed Bering Sea chum salmon analysis. The proposed action is to implement new management measures to minimize chum salmon bycatch in the Bering Sea pollock fishery. The purpose of the chum salmon bycatch management in the Bering Sea pollock fishery is to minimize chum salmon bycatch to the extent practicable, while achieving optimum yield.

During a discussion on the alternatives, the Committee, recognizing that the national trend is for individual accountability which often leads to complex regulations, noted that regulations are more enforceable if they are simple and easy to understand. The more complicated the action, the higher the likelihood of creating loopholes and legal defenses. In addition, simple regulations are easier for industry to comply with. Complex regulations result in errors and misunderstandings.

Given that the analysis is at the preliminary stage, the Committee recognizes that many of the enforcement and monitoring details of this action still need to be further defined within the analysis in time for initial and final review of this action. The Committee recommends that the Council clarify at this meeting how the rolling hot spot system integrates with existing action alternatives. By clarifying this issue, the Committee will be better able to evaluate the compliance and enforcement considerations of this proposed action during initial review in June.

D-1(b) Discussion paper on GOA Trawl Sweep Modification

Jon McCracken, Council staff, provided a brief summary of the GOA trawl sweep modification discussion paper. The Council in October 2010, initiated an amendment package to implement trawl sweep modifications for nonpelagic trawl vessels fishing in the Central GOA. The purpose of this proposed action is to reduce unobserved Tanner crab mortality in the Central GOA.

There was discussion concerning enforcement of modified trawl sweeps on smaller GOA vessels. In many cases, the vessel size may limit the ability to measure the spacing length of elevating devices at-sea, therefore measurement of spacing lengths of elevating devices may need to be completed at dockside.

The Committee also noted that the implementation of Bering Sea trawl sweep modification for flatfish vessels in January 2011 is a new program that will likely contribute insights and lessons that will aid in developing a GOA trawl sweep modification program. In addition, the ongoing enforcement and monitoring of the BS trawl sweep modification on flatfish vessels will also likely inform the development of enforcement and monitoring measures in the Central GOA nonpelagic sweep modification requirement. This action on safety is consistent with a recommendation to NMFS and NPFMC in the final report on the sinking of the F/V Alaska Ranger.

Enforcement Concerns for Trawl Gear Area Restrictions

CAPT Mike Cerne, U.S. Coast Guard, presented a short discussion paper on enforcement concerns for trawl gear area restrictions. The Council over the years has considered action which would prohibit

nonpelagic trawling in a specific area, while at the same time allow pelagic trawl vessels to fish in that same area. Prohibiting one type of trawling while allowing another type of trawling in the same area presents numerous enforcement challenges. This paper was presented to the Enforcement Committee in order to give the Council the background relating to the definitions enforcement personnel must work within, as well as the challenges to at sea enforcement, and changes to boarding procedures that would have to be addressed in order to effectively monitor this type of regulation. The discussion paper is included in the appendix.

Incorporating safety issues in analyses

The Committee spent some time discussing ways in which to incorporate safety issues for proposed actions by the Council. This was initiated at the request of the Council. Included in the 5-year review of crab rationalization report was a report that analyzed the safety performance of the BSAI crab fleet since 2005. After hearing that report, the Council asked the Enforcement Committee to develop, where necessary, guidance for incorporating safety issues in analyses of proposed actions.

The Committee recommends that Council request staff to include in the enforcement and monitoring section of proposed actions a discussion of potential safety issues associated with the action. Requiring the inclusion of potential safety issues in the enforcement and monitoring section of analyses, would help ensure potential safety issues are brought up early in the development of management action thereby allowing the Council, Enforcement Committee, and the industry to address the safety issues early in the process. The Committee recognized that many of the Council's proposed actions would not likely result in any safety issues. To eliminate any confusion of whether safety was considered in the action, the Committee recommends that a statement be included in the enforcement and monitoring section of the analysis noting the absence of identified safety issues associated with the action. In those cases where there appears to be a safety issues associated with a proposed action, one source of expertise for Council staff would be Kenneth Lawrenson, Coordinator for the Fishing Vessel Safety Program at the U.S. Coast Guard. The Committee also noted an intent to conduct a review and comment on safety issues as proposed actions may affect NMFS certified observers.

C-4(a) Discussion Paper on HAPC – Skate sites

Sarah Melton, Council staff, and Matt Eagleton, NMFS, provided to the Committee a presentation of a discussion paper on Habitat Areas of Particular Concern (HAPC) concerning skate nursery sites. The purpose of the proposed HAPC sites is to protect eggs and developing embryos of skate species in the eastern Bering Sea.

The Committee recommends the Council maintain square or rectangular closures. In most situations, closed areas are more practical to enforce if they are square or rectangle shaped, since it is more clear cut that a vessel is west/east, north/south of an indicated line, and therefore, in or outside a closed area using VMS or aircraft overflight. This clarity also benefits fishing vessels to avoid inadvertently entering a closure.

The Committee noted that the proposed action includes options for restricting bottom trawling while allowing pelagic trawling in the proposed HAPC sites. As noted in the attached discussion paper prepared by the U.S. Coast Guard, at-sea enforcement of areas where pelagic trawl gear is permitted and nonpelagic trawl gear is prohibited is problematic. Aerial surveillance and VMS remain the most effective means to monitor closed or restricted gear areas. While aircraft can readily identify the type of vessel by gear, identification of pelagic and nonpelagic trawl gear by aircraft is virtually impossible. Also of note is the challenges outlined in the attached discussion paper regarding the enforcement of the performance based bottom trawl definition in the pollock fishery. Finally, it will be difficult to monitor compliance with the small discreet closed areas since this would require excessive use of the major enforcement assets that are used to patrol the Bering Sea.

3 mile territoriality boundary issue

Stefanie Moreland, ADF&G, presented an update on the status of changes in the 3 mile line for the Alaska coastline on NOAA charts. These changes were the result of the Baseline Committee action establishing baselines for the State of Alaska that had not yet been established. The NOAA Office of Coast Survey also recently completed a nation-wide project to digitize the U.S. baselines and to establish the resulting 3 nautical mile territorial line for Alaska based on the newly-established baselines. In some areas, the new Alaska baselines resulted in a change in the 3 nautical mile line that substantially reduced area previously considered to be under state jurisdiction. Ms. Moreland gave the two examples of Kachemak Bay (Cook Inlet) and Uyak Bay (west side of Kodiak) where the management of the state waters Pacific cod fisheries may be affected.

The committee discussed coordinated outreach needs and efforts to date to advise affected industry of these changes.



Alaska Department of
Fish & Game

Press Release

Cora Campbell, Commissioner

Press Release: No. 11-05, February 1, 2011

**Contact: Doug Vincent-Lang, Alaska Department of Fish and Game at 907-267-2339
or William Tweit, Washington Department of Fish and Wildlife at 360-902-2723**

States Will Review Federal Opinion of Fisheries' Impact on Steller Sea Lions

(Juneau) –The States of Alaska and Washington announced today they will conduct a review of a recent biological opinion by the National Marine Fisheries Service (NMFS) concerning the impact of groundfish fisheries on Steller sea lions.

Top fish and wildlife officials from both states said they will assemble a panel of scientists to determine whether the federal agency used all relevant scientific information and impartially considered those facts in its final Biological Opinion for Bering Sea and Aleutian Islands and Gulf of Alaska Groundfish Fisheries, released last November.

The biological opinion, known as a BiOp, evaluated the impact those fisheries have on the western population of Steller sea lions. This BiOp served as the basis for significant fishery closures and restrictions in the western Aleutians that went into effect January 1, 2011.

Cora Campbell, Commissioner of the Alaska Department of Fish and Game, said those actions have put a heavy economic burden on the shoulders of fishing communities and fishermen, despite the evidence that the western stock of Steller sea lions are recovering. "Before we severely curtail their economic livelihood, we should be certain these restrictions are necessary," Campbell said. "Our assessment of the BiOp is that it fails to provide sound scientific justification that the restrictions are necessary or will benefit the Steller sea lion population."

Phil Anderson, Director of the Washington Department of Fish and Wildlife, also questioned whether the new fishing restrictions are warranted, noting that most Stellar sea lion populations have been growing throughout their range. "We really need an independent scientific review to ensure that all of the science has been carefully reviewed," Anderson said. "We need to verify that the costs of this action have been accurately estimated, and that they are appropriately targeted to minimize both jeopardy to the animals and harm to fishermen and their communities."

Both states recently petitioned for the removal of the eastern sea lion populations from the Endangered Species list, based on steady increases over the past two decades alongside fisheries in Southeast Alaska, and throughout British Columbia, Washington and Oregon.

The western populations are also showing strong growth in most areas where they occur in Alaska and Russia, indicating that drastic reductions in fishing in the central and western Aleutians may be misguided. Evidence is available to indicate that factors other than fishing are likely responsible for the apparent lack of growth in these few colonies, such as predation by killer whales or changes in the environment.

The scientific panel convened by the states will review the critical science relevant to the analysis of factors affecting the status and recovery of sea lions and deliver its report by June of this year. Issues to be examined include:

- Scientific evidence that was not incorporated or adequately analyzed in the BiOp.
- Factors other than fishing affecting the recovery of Steller sea lion populations.
- Whether the economic valuations in the BiOp reflect the actual impacts to the affected communities and fishing fleets.

The panel will be chaired by a scientist from the States of Alaska and Washington, who will assemble a peer review panel. The panel's report will be made available to the public, the North Pacific Fishery Management Council, the fishing industry and other stakeholders to assist in their assessments of the biological opinion.

Regional Fishery Management Council Coordination Committee

February 2, 2011

Mr. Eric Schwaab
Assistant Administrator for Fisheries
National Marine Fisheries Service
1315 Easy West Highway
Silver Spring, MD 20910

Dear Mr. Schwaab:

Thank you for Gary Reisner's presentation at the recent Interim Council Coordination Committee (CCC) meeting regarding funding for the National Marine Fisheries Service (NMFS) and the Regional Fishery Management Councils (RFMC) for FY 2011 and beyond, and the subsequent discussion. In response to the unfortunate situation whereby the Federal government FY 2011 budget was still operating under Continued Resolution funding (CR), it was not possible to finalize RFMC funding allocations at that meeting. At the end of that meeting, the CCC committed to providing their perspectives and a proposal regarding the current funding dilemma; this letter serves that purpose.

On the basis of your briefing at the annual CCC meeting in Anchorage, Alaska last May, the RFMC expectation for FY 2011 has been \$30.5 M (\$28.5 M from various line items as provided in FY 2010, plus \$2 M for catch share program emphasis), plus further consideration of the \$2 M Council proposal for outreach activities including funding a major national conference. We appreciate your position that that \$30.5 M is still the preferred alternative if the total NMFS budget allows for its achievement. However, we understand the Congressional decision to not proceed with an Omnibus funding bill, the current CR providing for operations at the FY 2010 level through March 4, 2011, and the uncertainty of what might happen after March 4, complicates things.

You noted the necessity that budget planning for FY 2011 will proceed under three possible scenarios in anticipation of final budget resolution hoped to occur when the current CR terminates March 4, 2011. These three scenarios were:

1. a CR for the balance of the year at the 2010 budget level,
2. a CR or other budget resolution at the President's Request level for FY 2011, and
3. a CR for the balance of the year at a level below the President's Request level.



During your contingency planning preparatory to final budget resolution by the Legislative and Executive branches, the RFMC propose that \$30.5 M be provided the RFMC under each of the three possible scenarios for reasons described below. We presume this target is achievable under scenario 2, based on the commitments at the last two CCC meetings; we also presume it is achievable under scenario 1, as the total NMFS budget is actually higher under scenario 1 than scenario 2. Our rationale for \$30.5 M under scenario 3 includes the nature of the Council processes in CY 2011, the necessity of the RFMC process in satisfying the requirements of the Magnuson Stevens Act, and the relatively small percentage of the total NMFS budget needed by the RFMC. By the time the current CR expires, we will be approaching a quarter of the calendar year, and the small RFMC budgets do not have the kind of flexibility to adjust spending during the balance of the year that the large NMFS aggregate does, given the high proportion of fixed costs for such things as contracted meeting venues, staffing, and office space rent. Unless a reduction under scenario 3 is draconian, we presume normal Council operations and an emphasis on catch share programs will remain an administrative priority. Given that the RFMC allocation comprises only about 3 percent of the agency budget, we recommend that savings during the first half of FY2011 and flexibility in the remaining 97 percent of the budget be searched for a way to achieve the \$30.5 M target for RFMC. However, in the event that the level of a scenario 3 reduction is of such severity that \$30.5 M for the RFMC cannot be accommodated, we ask that the level of reduction be determined via discussions on March 23, 2011, as described below. Lastly, we propose further discussion about the outreach needs of the RMFC, including a national conference, at that same time.

At the recent CCC meeting, we indicated we would canvass RFMC calendar commitments and recommend a date whereby the Executive Directors could meet with you and appropriate NMFS leadership to reach final resolution on the relevant FY 2011 allocations. We propose March 23, 2011 for this meeting under the presumption year-end resolution of the CR has occurred by then. We appreciate your offer to provide for webinar or other communication participation for those Executive Directors that may not be able to travel for an in-person meeting.

Lastly, we note the comments made by John Oliver towards the end of the CCC funding discussion, regarding the probability of having to look at entirely new approaches to doing business in 2012 and beyond. We take his comments seriously and anticipate more discussion of possibilities at the annual CCC meeting.

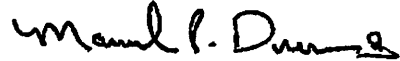
Page 3

Thank you for your attention to this important matter. Should you have any questions regarding our proposal, please contact Dr. Donald McIsaac at the Pacific Council office

Sincerely,



Mr. Mark Cedergreen
Pacific Fishery Management
Council Chair



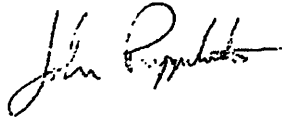
Mr. Manny Duenas
Western Pacific Fishery Management
Council Chair



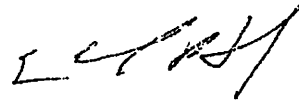
Mr. David Cupka
South Atlantic Fishery Management
Council Chair



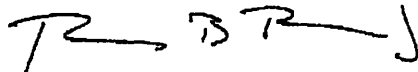
Mr. Eric Olsen
North Pacific Fishery Management
Council Chair



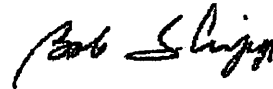
Mr. John Pappalardo
New England Fishery Management
Council Chair



Mr. Eugenio Poleiro-Soler
Caribbean Fishery Management
Council Chair



Mr. Rick Robins
Mid-Atlantic Fishery Management
Council Chair



Mr. Robert Shipp
Gulf of Mexico Fishery Management
Council Chair

DOM:kam

Cc: Regional Fishery Management Council Executive Directors
Mr. John Oliver
Mr. Sam Rauch
Mr. Gary Reisner

Regional Fishery Management Council Coordination Committee

February 3, 2011

Ms. Nancy Sutley and Dr. John P. Holdren, Co-Chairs
National Ocean Council
730 Jackson Place, NW
Washington, DC 20503

Dear Ms. Sutley and Dr. Holdren:

The purpose of this letter is to inform the National Ocean Council (NOC) of the Regional Fishery Management Councils' (RFMCs) interest in participating in the Coastal and Marine Spatial Planning (CMSP) process through the regional planning bodies being created by the NOC. Also, because of this interest, the RFMCs would like to be included to participate in the national CMSP workshop scheduled for May, 2011.

The Council Coordination Committee (CCC) recently met with NOAA Fisheries Senior staff and discussed the National Ocean Council and Coastal and Marine Spatial Planning. The CCC is the coordinating body of the RFMCs, established under Section 302(l) of the Magnuson-Stevens Fishery Conservation and Management Act. It consists of the chairs, vice chairs, and executive directors of each of the eight RFMCs.

Specifically, we are requesting that the RFMCs have an integrated role in the CMSP process, including membership in the appropriate regional planning bodies, and through other mechanisms (such as the national workshop) that will facilitate Council input in the development of CMS Plans.

We note that under the NOC priority objective for CMSP - Regional Planning Bodies it states "The members of the regional planning bodies will consist of Federal, State, and tribal authorities relevant to CMSP for that area. In addition, the regional planning bodies will provide a formal mechanism for consultation with their respective Regional Fishery Management Councils (RFMCs) on fishery related issues."

Further, the final recommendations of the Interagency Ocean Policy Task Force state "Some comments suggested adding a Regional Fishery Management Council (RFMC) representative to the regional planning bodies given their unique quasi-regulatory role under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act). The Task Force is interested in finding the most effective opportunity for sustained and meaningful engagement with the RFMCs as it is their statutory responsibility to develop fishery



management plans and management measures for fisheries which NOAA then reviews and, if approves, implements through regulation. While the Task Force acknowledges the relatively unique role that RFMCs play, it did not want to prescribe a particular method for how RFMCs should be included in the CMSP process without more thoughtful consideration and analysis. The recommendations describe that the regional planning bodies would provide a formal mechanism for consultation with the RFMCs across their respective regions on fishery related issues and that the NOC would further assess if representation on the regional planning bodies is the best method for this engagement.” The CCC firmly believes that the best method for engagement with the RFMCs in CMSP is for each of the regional Councils to have a dedicated seat on the appropriate regional planning body in their jurisdictions.

The RFMCs have already been engaged with regional planning bodies where they exist. We have made significant efforts to work with the states in the development of the regional governor’s ocean partnerships/alliances and other entities addressing CMSP.

The Western Pacific Fishery Management Council (WPFMC) has been engaged as project partners in two funding proposals for NOAA’s FY-2011 Regional Ocean Funding Program. One of these proposals was to establish a process in Hawaii to bring together State, Federal, County, and other stakeholder groups to begin to implement CMSP. The other proposal was to establish a Pacific Regional Ocean Partnership that would include government representation from American Samoa, Guam, Northern Mariana Islands, and Hawaii. The WPFMC has also been in discussions with the Pacific Basin Development Council (PBDC) on their potential interest in forming a Pacific Regional Ocean Partnership. The PBDC is a non-profit organization that was established in the early 1980s by the governors of the Northern Mariana Islands, American Samoa, Guam, and Hawaii.

The Mid-Atlantic Fishery Management Council (MAFMC) passed a resolution expressing support for the Mid-Atlantic Regional Council on the Ocean (MARCO), and has requested representation on the MARCO Management Board. In addition to representation on the Management Board, the Council also requested representation on the appropriate MARCO Action Teams through participation of Council technical staff. The Council Chairman briefed MARCO on Council activities at the MARCO August 2010 meeting and the Council has had presentations from MARCO representatives at both their October and December 2010 meetings. However, it is unclear whether or not MARCO will become the regional planning body established by the Executive Order.

The Gulf of Mexico Fishery Management Council has interacted with the Gulf of Mexico Governor’s Alliance through their Council Chairman. The Chairman currently serves on the Gulf of Mexico Governor’s Alliance grant review board.

The New England Fishery Management Council (NEFMC) contacted the Northeast Regional Ocean Council (NROC), requesting a seat on their regional planning body. The NROC has invited the NEFMC to participate in all future NROC meetings and conference calls. The NROC has also verbally assured the NEFMC that they will support NEFMC membership on the regional planning body. However, as is the case with MARCO in the

Mid Atlantic, it is unclear whether or not NROC will become the regional planning body established under the NOC.

Currently no regional planning bodies exist in the Alaska Region; however, the North Pacific Fishery Management Council (NPFMC) has been engaged in numerous activities related to CMSP. Over 673,000 square nautical miles of the EEZ (over half of the area under the Council's jurisdiction) have been closed to various forms of fishing, or in some cases to all fishing, to conserve habitat or to minimize impacts of fishing on vulnerable species. The Council has established fishery management plans for the Arctic region, the Bering Sea and Aleutian Islands, as well as, a Fishery Ecosystem Plan for the Aleutian Islands area, which is an ecologically and historically unique ecosystem area. In 2005, in response to the U.S. Ocean Action Plan, the Council initiated the establishment of the Alaska Marine Ecosystem Forum, comprised of major State and Federal agencies involved in various aspects of resource management. While not designed as a 'Regional Ocean Partnership' at the time, this body currently functions in much the same manner as that envisioned for regional planning bodies under the Executive Order.

The South Atlantic Fishery Management Council has been involved in the development of the Governor's South Atlantic Alliance through participation of its state agency Council members and the Council staff. Council members and staff serve on the Executive Planning Team that developed the South Atlantic Alliance Action Plan. This has been an ongoing endeavour over the past several years.

At its September 2010 meeting, the Pacific Fishery Management Council (PFMC) formally considered Executive Order 13547 regarding marine spatial planning in United States territorial waters in an open, public meeting. The PFMC received a presentation from the West Coast Governors Agreement on Ocean Health (WCGA) Executive Committee members. They described the current status and activities of the WCGA, and emphasized the many areas of common interest with the Pacific Council. They also requested that the Pacific Council assign a point of contact with regard to participation in the marine spatial planning process, especially as it evolves into regional implementation led by regional planning bodies. As you know, the Pacific Council has also officially requested a dedicated seat on the West Coast regional planning body for a representative of the Pacific Council, something that has drawn broad support in general. Discussions are currently underway between the Pacific Council and the WCGA regarding a proposed organizational structure for a West Coast regional planning body, including the optimal role for the Pacific Council.

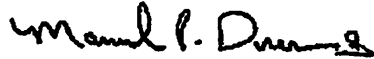
Since 1976, the RFMC model has proved to be an excellent operational design for regional governance. We believe the experience gained by the Councils', coupled with our successful science-based process, existing infrastructure and public interface processes will make us effective partners for implementing marine spatial planning in the future.

We look forward to working with the NOC and appreciate your thoughtful consideration of our request.

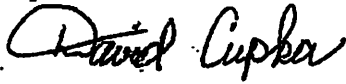
Sincerely,



Mr. Mark Cedergreen
Pacific Fishery Management
Council Chair



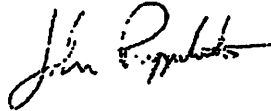
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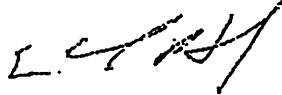
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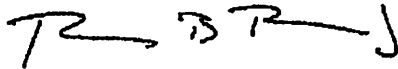
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Gulf of Mexico Fishery Management
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Co: Regional Fishery Management Council Executive Directors
Mr. John Oliver
Mr. Sam Rauch
Mr. Gary Reisner

Pacific Northwest Crab Industry Advisory Committee

TERMS OF REFERENCE

1. **Establishment.** The North Pacific Fishery Management Council (Council) shall establish a Pacific Northwest Crab Industry Advisory Committee (PNCIAC) for the king and Tanner crab fisheries of the Bering Sea/Aleutian Islands (BSAI) area pursuant to the provisions of the BSAI King and Tanner Crab Fishery Management Plan. The role of the PNCIAC is to provide the Alaska Board of Fisheries advice on preseason and in-season management measures for BSAI King and Tanner crab fisheries. The PNCIAC may also provide the Council with advice in the areas of management related to BSAI king and Tanner crab fisheries.
2. **Overarching Guidelines established in the Crab FMP.** "A special means of access to the BS/AI king and Tanner crab regulatory process for nonresidents of Alaska will be provided through an advisory committee. This Pacific Northwest Crab Industry Advisory Committee (PNCIAC) shall be sanctioned by and operate under the auspices of the Council. This is necessary because State law does not provide for the formation of a Board advisory committee located outside the State. This PNCIAC shall be recognized by the State as occupying the same consultative role on preseason and in-season management measures as all other existing State of Alaska Fish and Game Advisory Committees, no more and no less. The Council shall establish general guidelines and membership qualifications for the advisory group, which shall be substantially similar to those guidelines established by the State pertaining to existing advisory committees. Within this framework the advisory committee shall establish its own by-laws and rules of procedure.

The PNCIAC shall be industry funded, and members will pay their own expenses to attend meetings. The PNCIAC may request staff support from the Council, NMFS, and ADF&G as needed. The PNCIAC shall meet at appropriate times and places throughout the year to review and advise the State and the Council on crab management issues, stock status information, and biological and economic analyses relating to the BS/AI king and Tanner crab fisheries. In addition, the PNCIAC shall report to the Council on any relevant crab management issue by filing reports as appropriate. The Council will also review reports as appropriate from other crab advisory committees that normally report to the Board. The PNCIAC shall review and advise the State on proposed preseason management measures. During the fishing season, the PNCIAC, on the same basis as any other Board advisory committee, shall monitor ADF&G reports and data, may recommend to ADF&G the need for in-season adjustments, and may advise on decisions relating to in-season adjustments and "emergency-type" actions. The PNCIAC may request review of any relevant matter to the Crab Interim Action Committee and may bring petitions and appeals in its own name pursuant to Chapters 9 and 10 of this FMP, as may any other Board advisory committee."

Functions. The PNCIAC's function is to provide the Alaska Board of Fisheries and the North Pacific Fishery Management Council with advice and recommendations regarding appropriate measures for the conservation and management of the BS/AI king and Tanner crab fisheries. The PNCIAC committee's primary role is to do the following:

1. Develop regulatory and plan amendment proposals for submission to the Board and Council, as appropriate;
2. Evaluate regulatory proposals submitted to them and make recommendations to the Board and Council;

(c) **Selection of officers.** Officers (PNCIAC chairperson, vice-chair, secretary, and others as appropriate) will be selected, by majority vote of the committee, at the first PNCIAC meeting following appointment, or as vacancies arise, during the first available meeting after the vacancy. If the current chairperson is reappointed by the Council, he/she shall continue as chairperson until the first meeting following appointments, at which time, elections shall be held. The officers selected will serve until their appointments expire. There will be no limit on the number of consecutive terms that officers may serve. The committee may replace an officer if 1) the officer resigns, or 2) a quorum of the committee meets at an advertised committee meeting, and a majority of the full committee membership votes to remove the committee member from office. Officers shall be elected only by a majority of the total voting membership. In the event that the vote for chairperson results in less than such majority, the committee members present shall elect an acting chairperson, and conduct business. The acting chairperson, within one week, shall poll the membership regarding the two highest vote-receivers for chairperson who did not receive a majority. After the polling, the person who is elected by a majority of the entire membership shall immediately assume the position of chairperson.

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 2/6/10

March 28 -, 2011 Anchorage, AK	June 6 -, 2011 Nome, AK	September 26 -, 2011 Unalaska, AK
SSL Issues: <i>Discuss as necessary</i> AFA Coop Report and Am 80 Coop Report Salmon FMP: <i>Preliminary Review</i> GOA Chinook Salmon Bycatch: <i>Initial Review</i> Halibut/Sablefish Hired Skipper: <i>Final Action</i> GOA Halibut PSC: <i>Review Discussion Paper</i> GOA P.Cod Jig Fishery Management: <i>Initial Rev/Final Action</i> AI P.cod Processing Sideboards: <i>Final Action (T)</i> AFA Impacts on BS cod trawlers: <i>Discussion paper (T)</i> BSAI Crab IFQ/IPQ Deadline: <i>Final Action</i> Economic Data Collection (Crab EDR): <i>Review Alts</i> BSAI Crab modelling workshop report (SSC Only) Pribilof BKC Rebuilding Plan: <i>Final Action</i> BS Tanner Crab Rebuilding: <i>Finalize Alternatives</i> BBRKC spawning area/fishing effects: <i>Discussion paper</i> Scallop SAFE: <i>Review and approve catch specifications</i> Halibut ramp EFP Report: <i>Receive report</i> Salmon excluder EFP: <i>Review/Approve</i> HAPC - Skates sites: <i>Initial Review (T)</i> EFH Amendment: <i>Final Action</i>	P. cod assessment model review (SSC only) BSAI Chum Salmon Bycatch: <i>Initial Review</i> GOA Chinook Salmon Bycatch: <i>Final Action</i> BSAI Crab SAFE: <i>Review and approve catch specifications</i> Habitat Conservation Area Boundary: <i>Review</i> Northern Bering Sea Research Plan Report: <i>Review</i> CQE vessel use caps: <i>Initial Review (T)</i> CQE in Area 4B: <i>Initial Review (T)</i> Halibut mortality on trawlers EFP: <i>Review/Approve (T)</i>	BSAI Chum Salmon Bycatch: <i>Final Action (T)</i> Halibut/sablefish IFQ changes: <i>Discussion paper</i> BS & AI P.cod split: <i>Initial Review</i> GOA Flatfish Trawl Sweep Modifications: <i>Initial Review</i> Groundfish PSEIS: <i>Discuss schedule (T)</i> BSAI Crab: <i>Report from stakeholders on ROFR</i> HAPC - Skates sites: <i>Final Action (T)</i> MPA Nomination Discussion Paper: <i>Review (T)</i> Groundfish Preliminary SAFE: <i>Adopt prelim specifications</i> <hr/> ITEMS BELOW FOR FUTURE MEETINGS BSAI Tanner Crab rebuilding plan: <i>Initial Review (Dec?)</i> Crab bycatch limits in BSAI groundfish fisheries (Dec?) BSAI Flatfish specification flexibility Grenadiers and EC Category: <i>Discussion paper</i> GOA Halibut PSC

ACL - Annual Catch Limit
 AI - Aleutian Islands
 GOA - Gulf of Alaska
 SSL - Steller Sea Lion
 BKC - Blue King Crab
 BOF - Board of Fisheries
 FEP - Fishery Ecosystem Plan
 CDQ - Community Development Quota
 VMS - Vessel Monitoring System
 EFP - Exempted Fishing Permit
 BIOP - Biological Opinion
 MRA - Maximum Retainable Allowance

PSC - Prohibited Species Catch
 TAC - Total Allowable Catch
 BSAI - Bering Sea and Aleutian Islands
 IFQ - Individual Fishing Quota
 ROFR - Right of First Refusal
 GHLL - Gulldellne Harvest Level
 EIS - Environmental Impact Statement
 LLP - License Limitation Program
 SAFE - Stock Assessment and Fishery Evaluation
 MPA - Marine Protected Area
 EFH - Essential Fish Habitat
 HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations
March 28-April 5, 2011-Anchorage
June 6, 2011 - Nome
September 26-, 2011 in Unalaska
Dec 5 - 2011 in Anchorage
January 30- Feb 7 2012 - Reannnaissance Hotel, Seattle
March 26-April 3, Hilton Hotel - Alaska
June 4 - June 12- Kodiak Best Western
October 1-Oct 9 - Hilton Hotel, Anchorage
Dec 3 - Dec 11 - Anchorage
 (T) Tentatively scheduled