

North Pacific Fishery Management Council

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ADVISORY PANEL MINUTES April 10-12, 1989 Anchorage, Alaska

The Advisory Panel of the North Pacific Fishery Management Council met April 10-12, 1989 at the Anchorage Sheraton Hotel. The following members were present:

Arne Aadland	Ron Hegge	Ron Peterson
Al Burch	Pete Isleib	Harold Sparck
Phil Chitwood	Rick Lauber	Dave Woodruff
Lamar Cotten	Nancy Munro, Chair	Lyle Yeck
Dave Fraser	Dan O'Hara	Fred Zharoff
John Gilbert		

Paul Clampitt, Ed Fuglvog, Steve Smith, and John Woodruff were not present.

Minutes of the January 15-17, 1989 meeting were approved as presented.

C-5 FUTURE MANAGEMENT PLANNING

The AP heard public testimony on the cut-off date and limited access questions included in this agenda item.

The AP recommends that the Council maintain the open access system and stop talking about limited access for all species currently within Council jurisdiction, except salmon. *The motion carried 8 to 3.*

The AP has no comment at this time on agenda item C-5(e) which considers the future of the fisheries under open access. The AP expects that the Fishery Planning Committee will further develop management options under open access. The AP anticipates that the issue of shorebased preference will be discussed as a separate item. If the Council appoints a committee the AP would like to hear at least a preliminary report at the June meeting.

Minority Report. We anticipate that the Council will consider each of the agenda items under C-5. In light of this, we feel it was inappropriate for the AP, in one fell swoop, to decline comment.

For example, the AP, by its decision, removed sablefish from its place in the current amendment cycle. Sablefish management came as a result of industry requests that passed

both the AP and Council. To stop sablefish management consideration at a meeting when no such action was announced and at a meeting which coincides with the sablefish season, minimizing industry attendance (including two AP members), constitutes a highly questionable action. The same is true for other parts of this agenda item, such as the cutoff date.

Signed by: Dave Fraser, Ron Hegge, and Nancy Munro.

C-6 DATA GATHERING PROGRAM

The AP recommends that the Council send out the amendment package with the following revisions:

- (1) Emphasize that the graph on page 50 which shows precision estimates attainable with increasing levels of observer coverage is an example based on joint venture data from 1986-1988. The AP is concerned that those estimates may change if a different data base is used.
- (2) The administration section on page 54-55 offers little substance on which the public could comment. The AP recommends that alternatives and details for administration be clearly spelled out.

The motion carried unanimously.

Observers

The AP recommends the Council proceed with an emergency rule requiring observer coverage on all trawl vessels operating in the EEZ as a permit requirement. *The motion carried 7 to 5.*

C-7 EMERGENCY ACTION REQUESTS

Roe-Stripping

The AP recommends the Council proceed with an emergency rule to prohibit roe-stripping and require full utilization of pollock in the Gulf of Alaska and Bering Sea/Aleutians by January 1, 1990.

Full utilization is defined as the use of all fish flesh less the heads, viscera, and resultant "rack" or "fish frame". *The motion carried 14 to 1.*

The AP recommends the Council direct the staff to develop an amendment package which would ensure a full airing of the issues and impacts of full utilization, including a range of alternatives:

- (1) Status quo.
- (2) Prohibit roe-stripping of pollock and require full utilization in the GOA and BSAI.

- (3) Prohibit roe-stripping of all groundfish in the GOA and BSAI.
- (4) Require full utilization of all fish.

The AP would recommend that development of this amendment package proceed immediately on an off-cycle. *The motion carried unanimously.*

Shorebased Preference

The AP recommends the Council form a committee to consider the issue of shorebased preference for coastal communities of Alaska. The AP would like a report from that committee at the June meeting. *The motion carried unanimously.*

An amendment to attach this to the Fishery Planning Committee process failed 12 to 3.

Pollock Bycatch Retention

The AP recommends the Council do what is necessary, as soon as possible, to allow retention of pollock bycatch not to exceed 20% in the Gulf of Alaska. *The motion carried 7 to 4.*

This recommendation followed an earlier motion to advise that the Council allow pollock bycatch to be retained up to 20% in other groundfish fisheries in the Western and Central Area until the June Council meeting. The motion passed 11 to 3 with 1 abstention. However, after hearing the administrative process and time involved in implementing this action, the AP reconsidered its motion.

Minority Report. The management system as currently structured requires a species to be placed in a PSC status when its TAC is reached. This will occur with a number of species during 1989. Absent new data on stock status, PSC status alone should not be a justification for raising a TAC/ABC inseason.

In addition, an ABC cannot be raised immediately inseason under existing NOAA Fisheries authority. Therefore, to implement the intent of the AP's motion would require utilization of an emergency rule which is an inappropriate use of finite staff time and would take almost until the June meeting to put in place.

Finally, without a single species rule in place, raising the TAC would reopen directed fishing and we doubt that is the intent of the majority.

Signed by: Dave Fraser, Pete Isleib, and Nancy Munro.

D-1 SALMON FMP

The AP recommends the Council send out the Salmon FMP for public comment. The AP further recommends that final action be delayed until the September Council meeting to allow opportunity for salmon fishermen to comment. *The motion carried unanimously.*

D-2 GULF OF ALASKA AND BERING SEA/ALEUTIAN ISLANDS GROUND FISH

1989 Amendment Package D-2(a)

The AP unanimously recommends the Council send out all eight amendments for public review with the following comments and additions to the analysis:

Proposal #1 - Allocate Sablefish TAC in BSAI

1. Clarify the difference in impacts between Alternatives 1 and 2, assuming the single species rule is in place in the GOA.
2. Consider including a reserve for bycatch to help with inseason management.
3. Consider killer whale predation in the economic analysis.
4. Include an analysis of economic incentives to minimize bycatch.
5. Consider specifying quota for the northern and southern Bering Sea areas.

Proposal #2 - Establish Fishing Season Framework for Groundfish in GOA and BSAI

1. The analysis should more clearly define the public comment period in Alternatives 2 and 3.
2. Spell out allocation criteria.
3. The AP is interested in hearing public comment on fishing season windows in Alternative 2.
4. The AP is concerned that the industry realize that split seasons and serial openings are not possible in Alternative 2.

Proposal #3 - Establish Shelikof District in Central Area of GOA

1. Update roe recovery rates and value with 1989 data.

Proposal #4 - Establish Closed Zone near Walrus Islands and Cape Peirce in BSAI

1. Analysis appears to consider only the impact of the trawl fishery. If local herring and salmon fisheries take place in the same area, their impact should also be analyzed.
2. Consider the impact of visitors on walrus.
3. Clarify the cause and effect relationship between fishing vessel noise and the decline in walrus hauling out.
4. Reconsider the analysis about the size of the DAP yellowfin sole fishery expected in 1989 and the future.

Proposal #5 - Replace King Crab Protection Time/Area Closures Around Kodiak and Modify Halibut Bycatch Management Regime in GOA

1. The AP heard conflicting opinions on the wisdom of allowing test trawling in the King Crab Protection Zones to provide updated bycatch data.

Proposal #6 - Expand Pacific Cod Trawl Exemption Zone in BSAI

1. Add an Alternative #4 to prohibit all trawling from March 15 through June 30 between 160° to 163° to protect spawning herring and molting crab.

Proposal #7 - Implement System for Observer Coverage and Other Data Gathering and Reporting Requirements

See item C-6 on page 2 of minutes.

Proposal #8 - Clarify Secretary's Authority to Split or Combine Species Groups Within Target Species Management Category

The AP had no comment.

Directed Fishing Definition D-2(b)

The draft regulatory amendment to redefine directed fishing for groundfish in the Gulf of Alaska and Bering Sea/Aleutian Islands provides for enforcement on two bases: (1) "sorted retained catch" on a tow basis, and (2) "the amount of fish or fish products onboard." The AP recommends that this be changed to provide for enforcement based on retention only. Retention would be defined as "fish that has been sorted, is in any stage of processing, or has been preserved." To prevent the problem of topping off the AP recommends that enforcement of bycatch percentages be based on fish "taken and retained within a trip or following any off-loading."

In addition, the AP recommends that the sablefish bycatch percentages listed in the table on page 6 be reduced as follows:

<u>Target Fishery in Gulf of Alaska</u>					
<u>Gear</u>	<u>Bycatch</u>	Flounder*	Rockfish	Pollock	P. Cod
Trawl	Sablefish	5%	15%	5%	5%

(*except for Rex sole and Dover sole which would be 15%)

<u>Target Fishery in Bering Sea/Aleutians</u>			
Continue with emergency rule percentages:			
<u>Gear</u>	<u>Bycatch</u>	Greenland Turbot	Rockfish
Trawl	Sablefish	10%	10%

The intent of the AP's motion is to solve the problem of topping off, and minimize the waste implicit with enforcing bycatch on a tow-by-tow basis. *The motion carried 11 to 1.*

Ad Hoc Herring Bycatch Workgroup D-2(d)

The AP received the majority and minority report from the Ad Hoc Herring Bycatch Workgroup. A motion to recommend that the Council act on the three recommendations in the minority report failed 5 to 7.

Recommendations in the minority report are:

- (1) Set a herring bycatch cap of 4,000 tons for the combined 1989 State and Federal Dutch Harbor fishery.
- (2) Require statistically significant observer coverage to determine bycatch rates of harvesters who discharge at-sea, and monitor shoreside deliveries.
- (3) Once the 4,000 tons is taken in any form in Federal or State waters, a mandatory time/area closure be implemented to halt fishing until herring have left the region in late September.