

**Ad Hoc Bycatch Committee Report
Committee Recommendations for Items to be Analyzed
for Amendment 19/24**

I. Introduction

The Ad Hoc Bycatch Committee met on three different occasions since the April Council meeting to develop options for consideration in a 1991 bycatch amendment. Minutes of the first two meetings are located in your notebooks as item D-2(b). At its June 3-4 meeting in Seattle the Bycatch Committee developed a list of 26 possible proposals for analysis (Attachment 1). During its June 23 meeting the Committee reviewed this list and received a report from the staffs of the Council, Region, Center, and ADF&G outlining their appraisal of staff requirements to analyze the various proposals for the 1991 bycatch amendment package. The Committee then formulated recommendations for analysis (Attachment 2). It divided the list into three categories: high priority proposals to be included for analysis for Amendment 19/24; regular or extended cycle proposals presumably due for initial review at the April 1992 meeting and final decision made in June 1992; and lastly, proposals to be deferred until a later date.

After review of the Bycatch Committee's recommendations the Council must choose which options to include for analysis for the bycatch amendment in order to initiate analysis and staff tasking at this meeting. The analysis will be conducted over a six week period this summer for initial review at the September meeting and final action at the December meeting. What follows is a review of the Committee's actions on proposed bycatch amendment options.

II. Proposals to be Analyzed in 1991

As can be reviewed in Attachment 2, the proposals the Bycatch Committee suggested for analysis fall into six categories:

1. Administrative-Technical
2. Time/Area Closures
3. Eastern Gulf Closure
4. Revised Halibut Bycatch Measures
5. Salmon Bycatch Controls
6. Bycatch Allowances

These would be the major sections of the bycatch amendment, comprised of 12 high priority proposals. The Bycatch Committee recommends the Council include the following items for analysis. Note the numbers for each item correspond to the list of 26 possible proposals for analysis (Attachment 1).

1. Enhance Hotspot Authority and Extend to the GOA.

This would include redefining and specifying triggering criteria that would allow the Regional Director the authority to temporarily close a fishery in season in a timely manner. Under the existing program that was implemented under Amendment 16a, hotspot closures are not possible without preparing an impact analysis of a temporary closure because the authority requires discretionary determinations. At the June 3-4 meeting NOAA GC presented information suggesting ways to enhance this authority, including preseason specification of threshold bycatch rates, designation of time-area closures and inseason triggers of hotspot closures.

reduction in trawl halibut PSC limits and an effort to allocate Pacific cod to the longline fishery, and objected to the high priority ranking proposed for this item.

23. Salmon Bycatch. Establish Time/Area Closures, Season Opening Delays for BSAI and Possibly GOA.

The Committee received a report from ADF&G presenting their work to date on analysis of 1980 to 1989 Foreign and JV observer data. ADF&G will complete analysis of BSAI by the end of July. They stated that analysis of the GOA data probably would not be completed by this time. The Committee discussed various factors to consider when analyzing this data, including: time/area closures, Chinook PSC cap/rates, type of gear, time of day, horse power and depth of tow. It also considered analyzing the effects of including salmon in the Incentive Program. After much discussion the Committee suggested that factors for analysis should focus primarily on time/area closures and season opening delays for BSAI, and if possible the same analysis for the GOA. ADF&G stated that the analysis to date did not include a review of possible impacts resulting from implementation of an option, and suggested that possible refinement of alternatives be an option as analysis of the data reaches completion. Therefore the Committee decided to hold a meeting in Juneau on July 25 to give staff additional guidance during the impact review portion of the analysis.

27. Review PSC Allowances by Fisheries.

This item was proposed by NMFS and includes altering current PSC allowances by fisheries by:

- A. Combining rocksole with YFS and other flatfish and delaying the fishery until May to address halibut PSC;
- B. Specify separate bycatch allowances for Pacific cod and bottom pollock fisheries; and,
- C. Prohibit all trawling for species in "Other Fishery" category when bycatch allowance is reached to allow for greater control of PSC in these fisheries.

The Committee realized that the result of 27A could have similar effects to the rocksole fishery as proposal number 22, modify/limit the rocksole fishery in the BS.

III. Proposals to be Considered in the Regular or Plan Amendment Cycle

Though the Bycatch Committee ranked the proposals in this category as high priority, it felt the 12 previous items would provide greater benefits. In addition, some of these proposals would require more than six weeks for proper analysis and some would fall into the regular plan amendment process.

4B Depth restrictions on sablefish longlining in GOA to protect halibut.

The IPHC is compiling information on these issues which will not be ready until autumn.

4C Unimak Pass Closure

This could be addressed if necessary under an enhanced hotspot authority for the Regional Director and improved Incentive Program. IPHC is developing additional data on this issue. Two members, Ron Hegge and Wally Parayra, objected to the suggestion that this item be placed on an extended cycle.

4D Pribilof Island Trawl Closure to Protect King Crab

King crab are already protected by a PSC cap and zonal closures. Tow-by-tow data will not be available for 1990 until early summer. Pribilofs may be promoting groundfish activity, pending the outcome of the inshore-offshore decision.

at the December meeting. NMFS staff stated that analysis of this item would be fairly complex and require a plan amendment.

11 Gear modifications

Industry is doing some work on modifying gear and AFSC and IPHC have a joint project underway using television cameras to observe trawl performance. The Committee recommended a low priority because this information will not be available by the September deadline.

17 Retention of halibut

Discussion centered around the amount and species of fish returned to the sea in the groundfish fisheries, the concept of full utilization of all fish captured vs. minimizing PSCs and what legal aspects are present with regards to retention. NOAA General Counsel clarified that the IPHC has the authority to determine which gear groups and fisheries can retain halibut. The Committee ranked this item low due to the lack of Council authority and other considerations.

19 Floating crab caps in GOA/BSAI

The Committee gave a low priority ranking to this item.

12 Apportion PSC by Area

The BSAI and GOA already allow PSC by area, and this may be less necessary if the incentive program is effective.

16 Change Halibut Accounting Regarding Use of Mortality

This proposal would allow for accounting of BSAI halibut bycatch mortality in a manner currently employed for the GOA. A frameworked plan amendment could be developed over the summer that, if implemented, would allow for specification of halibut mortality rates during the Council September - December specification process, based on available observer data.

22 Modify/limit Rocksole Fishery

The Committee discussed the intent of this proposal and if, in fact, it is a full utilization issue. If so, it could be included in a amendment package addressing the full utilization issue at a later date. In addition, the DAP rocksole fishery has halibut and crab PSC that could be reviewed during the development of the SAFE document. A season delay will be analyzed under item 27, "Review of PSC Allowances by Fisheries" or as a season change by regulatory amendment.

6 Check-in/out

NMFS will cover this item in the recordkeeping/reporting requirements package.

**DRAFT Summary of Council Teleconference
on
Council Priorities for Bycatch Amendment 19/24 Analysis**

July 3, 1991, 1:00 pm ADT

The following Council members or alternates participated in the conference call:

Rick Lauber, Chairman	Bob Alverson, Vice Chair
Larry Cotter	Bob Mace
Oscar Dyson	Joe Blum (and Mark Pedersen)
Steve Pennoyer	Ron Hegge
Clem Tillion (for Carl Rosier)	Wally Pereyra
Joe Kyle	Henry Mitchell

Council, NMFS, and ADF&G staff were also involved in the conference at the various locations, along with members of the public.

Larry Cotter summarized the current activities of the Ad Hoc Bycatch Committee. The Committee considered the 26 bycatch proposals in Attachment 1 and recommended those shown in Attachment 2 for analysis as Amendment 19/24. In addition, the Bycatch Committee recommended to the Council that NMFS replace the PINs with vessel names when reporting vessel bycatch rates. The Committee will meet on July 25 by teleconference to receive a status report from ADF&G on the ongoing analysis of chinook bycatch data.

The Council took public testimony from Doug Gordon, Dave Benson, Thorn Smith, Steve Hughes, George Anderson, Arni Thomson, and Bob Trumble.

After public testimony, discussion focused on which alternatives to include for analysis and the amount of staff available to conduct the analysis.

Larry Cotter moved to include for analysis items 23, 13B, 13C, 13D, 1, 9, 4D, 3, 4F, 20, and 16 from Attachment 1, and authority to allocate halibut PSC between inshore and offshore components of industry. The motion was seconded by Clem Tillion. The Council discussed priorities and the need to move toward an individual vessel incentive program. There also was a motion, later withdrawn, that would have deleted 13D, 4D, 3, and inshore/offshore halibut PSC.

Then Bob Mace moved, and Oscar Dyson seconded, a substitute motion to include the following items for analysis for amendment 19/24:

- 1 Enhance hotspot authority and extend it to the GOA;
- 9 Improve the current incentive program;
- 20 Delay GOA Rockfish opening date to July 1 or July 15; and,
- 4F Delay all opening dates for BSAI/GOA to: Jan. 15, Feb. 1 and July 15.

Bob Alverson recommended including in 4F, an option to maintain the start of the fixed gear season as January 1. Mr. Mace accepted this suggestion as a friendly amendment to his substitute motion.

Steve Pennoyer moved to amend the substitute motion by adding 13D, and measures to prohibit all trawling for species in the "Other Fishery" category when the bycatch allowance is reached, and to assign a separate bycatch allowance for Pacific cod and bottom trawl pollock. Larry Cotter seconded this amendment. It passed by a vote of 8 to 3.

Bob Alverson moved, and Larry Cotter seconded, an amendment to the substitute motion to place on the September Council meeting agenda, possible regulatory or emergency action on proposals 20 and 4F, independent of the remaining bycatch proposals. This was later withdrawn after Bob Mace accepted Steve Pennoyer's friendly amendment to structure the staff workload to include analysis of items 20 and 4F, or if possible, start analysis of a regulatory amendment for these items now.

Ron Hegge offered a friendly amendment to the substitute motion that analysts use a range of 0.004 salmon/mt to the present fleet average in analyzing proposals related to salmon bycatch. By consensus, the Council agreed with this suggestion.

The substitute motion, as amended, passed on a vote of 8 to 3.

Larry Cotter then moved that the Council request the State of Alaska to commence analysis of Proposal 3, a closure of all trawling east of 140°W. The motion carried on a vote of 6 to 5.

Before the close of the teleconference, it was noted that although salmon bycatch caps and time/area closures were not part of this amendment package, ADF&G would continue its analysis of salmon bycatch data in preparation for the Bycatch Committee' teleconference scheduled for July 25.

The above Council actions are summarized in the attached press release.

Ad Hoc Bycatch Committee Amendment Proposal Ranking

Con.	Bio.	Committee Priority	
0	0.3	High	1 Hotspot Authority in GOA (and revised hotspot authority in BSAI).
0	0.1	Deleted	2 Require all groundfish harvests to be weighed or measured volumetrically. Suboption 1: could differ by sector, for example, weigh onshore, volumetrics at sea. Suboption 2: Require all groundfish to be quantified by the most accurate method possible.
1	1	High	3 Close trawling in Eastern GOA east of 140W.
		Deleted	4 Review effectiveness of all Time/Season/area closures, including:
		Extended Cycle	A) Close Seward Gully to sablefish and Pacific cod longlining to save halibut bycatch. B) Depth restrictions on sablefish longlining in GOA to protect halibut • include seasonal depth restrictions.
0.5	0.3	Extended Cycle	C) Time/area closure of the Unimak Pass area.
0.5	0.3	Extended Cycle	D) Close bottom trawling around the Pribilof Islands to protect king crab.
1	1	Extended Cycle	E) Year round closure of Zone 1 to bottom trawling.
			F) Delay season opening dates
0.3	1	High	5 Prohibition of night trawling for Pacific cod.
		Deleted	6 Check-in, check-out for specific fisheries.
		Extended Cycle	7 Require real time (COMSAT) communication equipment on vessels.
		Deleted	8 Provide Council the authority to allocate trawl PSC in GOA by fishery. (or "to allocate PSC for all fisheries in GOA by fishery")
			9 Continuation of current Incentive Program.
		Deleted	10 Apportion outstanding quarterly bycatch to any remaining quarter.
		Deleted	11 Gear modifications.
		Deleted	12 Provide authority to apportion PSC by area in GOA and BSAI.
1	1	High	13 Review Halibut PSC cap options: A) Base line/floating caps for halibut in BSAI/GOA. B) Reduce BSAI PSC cap 10% per year (5300mt to 4800mt) C) Reduce BSAI PSC cap of 5300mt to 4500 mt
1	1		D) Establish halibut PSC limit for longliners in BSAI. Options: 500, 1,000 and 1,500 MT.
1	1	High	14 Prohibit longlining 10-14 days before halibut season in GOA to discourage prospecting. Suboption: limit the prohibition to those that have registered to fish halibut
		Extended Cycle	15 Halibut bycatch by gear types:
1+	1+		A) Fixed groundfish gear preference for Pacific cod.
		Regular Cycle	B) Include all gears under the bycatch limits, and preferentially allocate PSC to gears or fisheries that demonstrate the lowest bycatch mortality (IPHC).
		Regular Cycle	
		Deleted	16 Change halibut accounting in BSAI from halibut handled to mortality of halibut discarded.(IPHC)
		Deleted	17 Retention of Halibut.
		Deleted	18 Mortality reduction measures.
		Deleted	19 Floating caps for crab in BSAI/GOA.
0.3	0.3	High	20 GOA rockfish options: delay opening date (to July 15).
		Extended Cycle	21 Review BS herring savings area.
0.5	0.3	Amended	22 Modify/limit rocksole fishery in BS. Combine rocksole with YFSol/oth flats and delay fishery until May 1.
1	2	High	23 Controls on salmon bycatch. ADF&G time/area closure and season opening delay. Analysis for BSAI and, if Time Allows, for GOA.
		Deleted	24 Require vessels to register for midwater or bottom trawling.
		Deleted	25 Prohibit all trawling for a species if bottom trawling for that species is closed.
		Deleted	26 Prohibit trawling in the GOA by vessels with hb greater than ____.

ATTACHMENT 2

**Ad Hoc Bycatch Committee's Recommendations for Analysis
for Amendment 19/24**

ITEM	GROUPING	Area	Econ.	Bio.
	<u>Administrative-Technical</u>			
1	Enhance Hotspot Authority & Extend to GOA • Redefine and specify triggering criteria	Both	0	0.5
9	Improve Current Incentive Program, include: • MW Pollock Fishery to Address Compliance Problems with Pelagic Gear Definition • Salmon in the GOA Rockfish and BSAI MW Pollock Fisheries		0	0.3
			1	1
	<u>Time/Area Closures</u>			
5	Prohibit Night Trawling for Pacific Cod	Both	0.3	1
20	Delay GOA Rockfish Opening to July 1 and July 15	GOA	0.5	0.2
4F	Delay Opening Dates For BS/GOA: Jan 15., Feb. 1 & July 15		1	1
	<u>E. Gulf Closure</u>			
3	Close All Trawling East of 140W	GOA	1	1
	<u>Halibut Bycatch Measures</u>			
13A	Base Line/Floating Caps for Halibut in BSAI/GOA	Both	1	1
13B	Reduce BSAI PSC Cap 10% per Year for 5 Years			
13C	Reduce BSAI PSC Cap of 5,300 to 4,500 MT			
13D	Establish Halibut PSC Cap for Longliners in BSAI. • Options: 500, 1,000 & 1,500 MT	13D	1	1
	<u>Salmon Bycatch</u>			
23	ADF&G Time/Area Closure and season Opening Delay Analysis for BSAI and, if Time Allows, for GOA	Both	1	2
	<u>Bycatch Allowances</u>			
	Review PSC Allowances by Fisheries • Combine Rocksole with YFSol/oth flats and Delay Fishery until May 1 • Specify Separate Bycatch Allowances for Pacific Cod/Bottom Pollock • Prohibit all Trawling for Species in "Other Fishery" Category When Bycatch Allowance is Reached	Both	0.6	0.6
TOTAL Staff Time Required (# persons/6 weeks)			7.4	9.6
Staff Code:				
1.0 = one person, 6 weeks, 0.6 = 4 weeks, 0.5 = 3 weeks, 0.3 = 2 weeks, 0.1 = 1 week				

FISHERIES CONSERVATION ACTION GROUP
41685 Redoubt Circle
Homer, Alaska 99603
Drew Scalzi, Agent

DATE: June 25, 1991
TO: NPFMC MEMBERS
FROM: Kris Norosz, President
RE: FCAG RECOMMENDATIONS FOR NPFMC PRIORITIES ON
TASKING OF WORKLOAD FOR BYCATCH ANALYSIS IN
1991 AND IMPLEMENTATION JANUARY 1, 1992

The following recommendations were developed by the members of the Fisheries Conservation Action Group following the meeting of the NPFMC Bycatch Committee and reflect an analysis of the current priorities the Council is working with.

RECOMMENDATIONS:

1. Develop a plan amendment to reduce salmon bycatch in the trawl fisheries of the BS/AI and GOA, to include time and area closures, rates and overall caps with apportionments to individual fisheries, if necessary. (A goal of .004 Chinook salmon per metric ton of groundfish is suggested.)

In the GOA, priority attention is also directed to reviewing delay of the opening of the rockfish fishery until July 15th to minimize salmon bycatch.

2. Develop an out of cycle plan amendment to prohibit trawling in that portion of the the Eastern GOA, east of 140 degrees W. longitude.

3. Develop a plan amendment to create a fixed gear preference for Pacific cod in the BS/AI to reduce the bycatch of Prohibited species.

4. Eliminate the roe rock sole fishery, but allow retention of rock sole in the yellowfin sole/other flatfish fishery and delay the opening until May first.

5. Complete the plan amendment before the NPFMC for implementation of the Bering Sea Herring Savings Area in its present configuration by July first. During 1992, review the 1991 herring bycatch data relative to the need for possible expansion of the boundaries of the Savings Area.

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9. Improve the Current Incentive Program.

NMFS suggested including the MW pollock fishery to address compliance problems with the pelagic gear definition. The Committee suggested analysis of including salmon as a PSC under the Incentive Program in the GOA rockfish and BSAI MW pollock fisheries.

5. Prohibit Night Trawling for Pacific Cod.

There was discussion as to whether two weeks of economic analysis was adequate for an issue that might have large economic impacts on certain sectors of the trawl fleet, namely those vessels who have to operate day and night.

20. Delay GOA Rockfish Opening to July 1 or July 15.

The Committee ranked this item as high and noted that substantially reduced salmon and halibut bycatches should occur if this fishery is delayed.

4F. Delay Opening Date of BSAI/GOA fisheries: Jan. 1, Feb. 1, Feb 15.

NMFS stated that this option could be done as a regulatory amendment. The intent is to analyze the effect this action would have on reducing salmon and halibut bycatches.

3. Close All Trawling East of 140W.

The Committee was unclear about what the ramifications of this proposal are, including if it was a demersal shelf rockfish conservation issue, and ecological issue or perhaps a gear allocation issue. Two members, Mark Pedersen and Wally Parayra, objected to the suggestion that this item be considered as a high priority.

13A. Consider Base line/Floating Caps for Halibut PSC in BSAI.

The Committee discussed the possible advantages and difficulties of using a floating halibut cap. A floating cap allows for consideration of the status of the halibut stock as it fluctuates over time. However the Committee questioned how a base amount of halibut would be established. The IPHC stated that this is a fairly complex issue and 6 weeks of analysis might not be enough time to conduct proper analysis of 13 A-C, particularly economic analysis and impacts of the change, given the amount of work for other issues. Note this could only be done for the BSAI as index for halibut abundance in GOA occurs every three years.

13B. Reduce BSAI Halibut PSC Cap 10% Per Year for 5 Years.

Bycatch of Pacific halibut has dramatically increased over the past four or six years, as the fully domestic fishery has replaced the foreign and JV fisheries. This proposal would reverse the trend, and move in a gradual manner back toward performance previously achieved.

13C. Reduce BSAI Halibut PSC Cap of 5300 MT to 4500 MT.

Same rationale as 13B.

15C. Establish Halibut PSC Cap for Longliners in BSAI: 500, 1000, 1500 MT.

One option discussed would be to analyze a PSC cap of either 500, 1,000 or 1,500 metric tons for the longline gear group which would be taken from the existing halibut PSC amount in the BSAI. If the cap was greater than the needs of this gear group, then the surplus could be given to the other gear group through a process similar to allocation between TALFF, JVP and DAP. NMFS staff stated that analysis of this idea would be difficult. Wally Pereyra stated this action is in fact a

reduction in trawl halibut PSC limits and an effort to allocate Pacific cod to the longline fishery, and objected to the high priority ranking proposed for this item.

23. Salmon Bycatch. Establish Time/Area Closures. Season Opening Delays for BSAI and Possibly GOA.

The Committee received a report from ADF&G presenting their work to date on analysis of 1980 to 1989 Foreign and JV observer data. ADF&G will complete analysis of BSAI by the end of July. They stated that analysis of the GOA data probably would not be completed by this time. The Committee discussed various factors to consider when analyzing this data, including: time/area closures, Chinook PSC cap/rates, type of gear, time of day, horse power and depth of tow. It also considered analyzing the effects of including salmon in the Incentive Program. After much discussion the Committee suggested that factors for analysis should focus primarily on time/area closures and season opening delays for BSAI, and if possible the same analysis for the GOA. ADF&G stated that the analysis to date did not include a review of possible impacts resulting from implementation of an option, and suggested that possible refinement of alternatives be an option as analysis of the data reaches completion. Therefore the Committee decided to hold a meeting in Juneau on July 25 to give staff additional guidance during the impact review portion of the analysis.

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- C. Prohibit all trawling for species in "Other Fishery" category when bycatch allowance is reached to allow for greater control of PSC in these fisheries.

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4B Depth restrictions on sablefish longlining in GOA to protect halibut.

The IPHC is compiling information on these issues which will not be ready until autumn.

4C Unimak Pass Closure

This could be addressed if necessary under an enhanced hotspot authority for the Regional Director and improved Incentive Program. IPHC is developing additional data on this issue. Two members, Ron Hegge and Wally Parayra, objected to the suggestion that this item be placed on an extended cycle.

4D Pribilof Island Trawl Closure to Protect King Crab

King crab are already protected by a PSC cap and zonal closures. Tow-by-tow data will not be available for 1990 until early summer. Pribilofs may be promoting groundfish activity, pending the outcome of the inshore-offshore decision.

4E Close Zone 1 to Bottom Trawling

This could be addressed if necessary under an enhanced hotspot authority for the Regional Director and improved incentive program.

7 COMSAT

NMFS will study the feasibility of this communications package over winter and extend incentives for vessels to comply voluntarily for 1992. The software for this program would not be in place by the winter of 1992. NMFS could possibly implement regulations for this proposal by 1993.

14 Prohibit Halibut Prospecting

IPHC regulations 16 (7,8) restrict halibut fishermen from using setline gear 72 hours before a halibut opening. The Committee suggested recommending to the IPHC an extension of this restriction to 10 days.

15A/B Fixed Groundfish Gear Preference

The Committee discussed the possible allocative aspects of these proposals and questioned whether the Planning Committee was better suited to address a gear preference issue. This could be highly allocative and would require considerable economic analysis. It was suggested this could be considered a stand-alone amendment for 1992.

21 BS Herring Savings Area

Information presented by ADF&G at the June 3-4 Bycatch Committee meeting questions whether the area should be changed. This program is quite new and would benefit from a full year of observer data before changes are made. ADFG is examining data but will not be ready for this summer's analysis.

IV. Proposals Deferred until 1992

The Bycatch Committee ranked the following seven proposals as low priority. Therefore, it recommends deferring further activity on these proposals until 1992 at the earliest.

2 Weight/Volume Measurement of Harvest

The Committee felt there is a need for such a proposal, however the time necessary to conduct a proper analysis is greater than what is available to meet the September deadline. NMFS will study feasibility over the winter and may extend incentives for vessels to do this voluntarily in 1992. Possibly have regulations for 1993.

4A Close Seward Gully to sablefish and Pacific cod longlining to protect halibut

The data for this proposal will not be available in time for inclusion in a 1991 bycatch amendment.

8 Authority to allocate trawl PSC by fishery in GOA

This proposal could be implemented in the September - December amendment process.

10 Apportion unused quarterly PSC to any remaining quarter

The Committee recommended a low priority because of the allocating nature of this item. A more appropriate time to decide on apportioning any remaining bycatch would be before the full Council

at the December meeting. NMFS staff stated that analysis of this item would be fairly complex and require a plan amendment.

11 Gear modifications

Industry is doing some work on modifying gear and AFSC and IPHC have a joint project underway using television cameras to observe trawl performance. The Committee recommended a low priority because this information will not be available by the September deadline.

17 Retention of halibut

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6 Check-in/out

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ATTACHMENT 2

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			1	1
<u>Time/Area Closures</u>				
5	Prohibit Night Trawling for Pacific Cod	Both	0.3	1
20	Delay GOA Rockfish Opening to July 1 and July 15	GOA	0.5	0.2
4F	Delay Opening Dates For BS/GOA: Jan 15., Feb. 1 & July 15		1	1
<u>E. Gulf Closure</u>				
3	Close All Trawling East of 140W	GOA	1	1
<u>Halibut Bycatch Measures</u>				
13A	Base Line/Floating Caps for Halibut in BSAI/GOA	Both	1	1
13B	Reduce BSAI PSC Cap 10% per Year for 5 Years			
13C	Reduce BSAI PSC Cap of 5,300 to 4,500 MT			
13D	Establish Halibut PSC Cap for Longliners in BSAI. • Options: 500, 1,000 & 1,500 MT	13D	1	1
<u>Salmon Bycatch</u>				
23	ADF&G Time/Area Closure and season Opening Delay Analysis for BSAI and, if Time Allows, for GOA	Both	1	2
<u>Bycatch Allowances</u>				
	Review PSC Allowances by Fisheries • Combine Rocksole with YFSol/oth flats and Delay Fishery until May 1 • Specify Separate Bycatch Allowances for Pacific Cod/Bottom Pollock • Prohibit all Trawling for Species in "Other Fishery" Category When Bycatch Allowance is Reached	Both	0.6	0.6
TOTAL Staff Time Required (# persons/6 weeks)			7.4	9.6
Staff Code:				
1.0 = one person, 6 weeks, 0.6 = 4 weeks, 0.5 = 3 weeks, 0.3 = 2 weeks, 0.1 = 1 week				

TALKING POINTS FOR CANADIAN REPRESENTATION
TO THE NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL
ON THE HALIBUT BYCATCH REDUCTION PROCESS
JUNE 24-28, 1991, ANCHORAGE, ALASKA

THANK YOU FOR GIVING ME THIS OPPORTUNITY TO
SPEAK TO YOU AGAIN ABOUT THE QUESTION OF HALIBUT BYCATCH
MORTALITY.

SINCE I SPOKE TO YOU LAST SEPTEMBER, THERE HAVE
BEEN IMPORTANT DEVELOPMENTS THAT GIVE US GOOD REASON TO BELIEVE
THAT A SOLUTION TO THIS PROBLEM CAN BE WITHIN OUR REACH IN THE
NEAR FUTURE.

ONE OF THESE DEVELOPMENTS IS THE RESOLUTION ON
HALIBUT BYCATCH REDUCTION, WHICH THE INTERNATIONAL PACIFIC
HALIBUT COMMISSION ADOPTED AT ITS ANNUAL MEETING IN VANCOUVER
LAST JANUARY.

CANADA IS A STRONG SUPPORTER OF THIS RESOLUTION
AND ITS PROCESS OF CONSIDERING WAYS TO REDUCE BYCATCH. WE ARE
GLAD THAT THE UNITED STATES IS ALSO FULLY INVOLVED AND HIGHLY
SUPPORTIVE.

THIS RESOLUTION IS CLEARLY AN IMPORTANT STEP
FORWARD. THROUGH IT, THE NEED TO REDUCE HALIBUT BYCATCHES HAS
BEEN RECOGNIZED AS A TOP PRIORITY FOR THE COMMISSION AND FOR THE

TWO PARTIES- CANADA AND THE UNITED STATES - WHICH CONSTITUTE THE COMMISSION.

AS YOU ARE AWARE, IT CALLS FOR THE CONVENING OF A SPECIAL SESSION OF THE COMMISSION TO ADVISE ON THE ADEQUACY OF CURRENT HALIBUT BYCATCH CONTROL AND REDUCTION MEASURES, AND TO MAKE RECOMMENDATIONS TO OUR TWO GOVERNMENTS ON ADDITIONAL AND CONCRETE MEASURES FOR THE REDUCTION OF HALIBUT BYCATCH MORTALITY. THE SPECIAL SESSION WILL BE HELD NEXT MONTH IN SEATTLE, FROM JULY 22 TO JULY 24.

CANADA ALSO IS PLEASED WITH THE SPIRIT OF COOPERATION DEMONSTRATED IN THE CANADA/USA WORKING GROUP WHICH HAS BEEN ASKED BY THE COMMISSIONERS TO PREPARE PROPOSALS FOR THEIR CONSIDERATION AT THE SPECIAL SESSION NEXT MONTH.

CANADA IS LOOKING FORWARD TO THE SPECIAL SESSION OF THE COMMISSION. FOR CANADA, IT IS IMPORTANT THAT THIS SESSION COMES UP WITH A PLAN OF ACTION THAT WILL EFFECTIVELY ADDRESS WITHOUT ANY FURTHER DELAY THE BYCATCH PROBLEM. THIS PLAN SHOULD INCORPORATE SPECIFIC MEASURES AIMED AT SUBSTANTIALLY REDUCING HALIBUT BYCATCHES NOW. THE TASK OF REDUCING BYCATCHES MUST BEGIN THIS YEAR. IT CANNOT BE POSTPONED TO ANOTHER YEAR.

AS YOU ARE FULLY AWARE, CANADA HAS BEEN URGING THE UNITED STATES TO REDUCE ITS HALIBUT BYCATCHES BY 50 PERCENT.

ONLY MAJOR REDUCTIONS IN BYCATCH MORTALITY BY U.S. FISHERIES WILL ADDRESS THIS PROBLEM.

IN ADDITION, BEGINNING IN MAY 1991, CANADA HAS IMPLEMENTED AN INDIVIDUAL VESSEL QUOTA (IVQ) PROGRAM IN ITS HALIBUT FISHERY WHICH WE BELIEVE WILL HELP IMPROVE CONSERVATION AND IMPROVE THIS FISHERY IN CANADA.

I KNOW THAT AN EQUIVALENT APPROACH IS UNDER ACTIVE CONSIDERATION BY THE COUNCIL. I WANT TO TAKE THIS OPPORTUNITY TO PASS ON TO YOU ON AN INVITATION TO MEET WITH CANADIAN FISHERIES MANAGERS TO DISCUSS OUR EXPERIENCE IN THE IMPLEMENTATION OF THE IVQ PROGRAMME IN CANADA.

CANADA IS CONVINCED THAT SUBSTANTIAL REDUCTIONS IN HALIBUT BYCATCHES ARE ESSENTIAL FOR THE CONTINUED VIABILITY OF THE HALIBUT FISHERY ON THE WEST COAST. WE BELIEVE THAT THESE REDUCTIONS ARE NOW POSSIBLE AND FEASIBLE. THE TIME TO ACT IS NOW.

CANADA IS CONFIDENT THAT WE WILL BE ABLE TO WORK TOGETHER TO IMPROVE THE CONSERVATION AND MANAGEMENT REGIME FOR THE HALIBUT RESOURCE. WE BELIEVE WE CAN TACKLE THE BYCATCH MORTALITY PROBLEM WITH THE SAME COOPERATIVE SPIRIT OUR TWO COUNTRIES HAVE BEEN JOINTLY MANAGING THIS RESOURCE SINCE 1923 IN THE CONTEXT OF THE INTERNATIONAL PACIFIC HALIBUT COMMISSION.

WE CONTINUE TO BELIEVE THAT THIS IS A REASONABLE GOAL.

AS I INDICATED TO YOU LAST SEPTEMBER, CANADA IS CONVINCED THAT THE COUNCIL IS A KEY PLAYER IN THE BYCATCH REDUCTION PROCESS AND CAN DO MUCH THROUGH ITS BYCATCH PLAN TO ADDRESS IN A VERY SIGNIFICANT WAY THIS IMPORTANT PROBLEM.

THE MEASURES PUT IN PLACE BY THE UNITED STATES TO DATE TO DEAL WITH THE HALIBUT BYCATCH PROBLEM IN ALASKAN WATERS ARE A GOOD START. HOWEVER THEY DO NOT REDUCE BYCATCHES AND, THEREFORE, REMAIN INSUFFICIENT TO DEAL WITH THE MAGNITUDE OF THE PROBLEM. I THINK THAT YOU ALL RECOGNIZE THAT AND THIS IS WHY YOU ARE SPENDING A SIGNIFICANT AMOUNT OF TIME AND EFFORT TO SEARCH FOR APPROPRIATE SOLUTIONS.

IN THIS REGARD, I WOULD LIKE TO DRAW YOUR ATTENTION TO THE PROPOSALS ADVANCED THIS YEAR BY THE STAFF OF THE IPHC. THEY MERIT YOUR FULL CONSIDERATION AS THEY PROVIDE A REASONABLE APPROACH TO ACHIEVE SIGNIFICANT HALIBUT BYCATCH REDUCTION.

CANADA HAS BEGUN TO ADDRESS ITS SMALLER HALIBUT BYCATCH PROBLEM AS WELL. A PILOT OBSERVER PROGRAM IN THE CANADIAN GROUND FISH FISHERIES WILL BE ESTABLISHED THIS YEAR. MANAGERS IN CONSULTATION WITH IND. REPS WILL BE EVALUATING OPTIONS TO REDUCE HALIBUT BYCATCH MORTALITY IN CANADA. HOWEVER, THE COUNCIL MUST RECOGNIZE THAT 92% OF THE BYCATCH PROBLEM OCCURS IN U.S. WATERS.

FROM: STOCK MARKET 310

TO:

51307

JUL 1, 1991

2:42PM P.01

907 271 2817

To: NPFMC
From: David Fraser
Re: Bycatch Amendment

Dear Clarence

I would like to begin these comments by repeating a long standing invitation to the chair of the bycatch committee in particular and the council in general to come out and spend some time in the fleet. As the one member of the steering committee of the industry's bycatch program to actually spend time fishing, I find myself in the position of having to explain, defend, and justify the council's bycatch management system (or lack thereof).

I would like to see the council get a first hand look at real world application of their regulations and hear the industry's frustration and confusion as to what real goals might be behind the regs.

As I attempted to point out in my oral comments a rate based incentive system only addresses symptoms, and like the "para-pelagic" trawl definition is as likely to stimulate perverse behaviour as

responses such as:

- (a) jumping between fisheries
- (b) manipulating catch composition
- (c) maximizing catch of unwanted species to dilute the per ton rate
- (d) manipulation of when vessels take observers in the 30% class
- (e) hindrance of development of size selective gear.

There is surprisingly broad acceptance of the idea of a quantity based bycatch system among working fishermen. Certainly the initial allocation will be controversial, but if bycatch amounts are transferable in season efficient reallocation will result. This allows for those who wish to continue using the bycatch issue a political pork barrel to do so while still providing an environment where fishermen will maximize ground fish catch while minimizing bycatch which is the legitimate goal of professional fish managers.

I have submitted via the bycatch committee a straw man allocation formula. Alternatives include allocating to Western Alaska communities, to an observer funding foundation, to crabbers and longliners or to the chairman of the bycatch committee, as long as the market

FROM: STOCK MARKET 310

TO:

51307

JUL 1, 1991

2:44PM P.03

3

is allowed to function to override the initial political distribution.

If the council sincerely wishes to address the waste issue this approach lends itself to mandatory retention, which would in fact facilitate enforcement and accounting while removing any profit from failing to minimize PSC catch.

Aside from developing an "incentive" program that is fishery wide and truly functional, the only other actions within the list of by catch proposals worth consideration are:

1. reappraisal of fishery opening dates, with an eye to synchronous opening where ever possible.
2. weighing or volumetric determination requirements to monitor total catch (a necessary component of any incentive program)
3. a cap for fixed gear or halibut in BSAI

Thanks for considering these comments

David Fraser



P.O. 771

Patterson Wash.

June 20, 1991

Mr. Steven Pennoyer
Director of the Alaska Region
National Marine Fisheries Service, NOAA
P.O. Box 21668
Juneau, Alaska 99802-1668

RE: Halibut Bycatch - Bering Sea / Aleutian Is.

Proposal: Restrict bottom trawling in that area of Unimak Pass bordered on the east by 165 degrees west and bordered on the west by 166 degrees west and south of 55 degrees north.

Reason: Between 40 to 50 percent of the 1991 halibut PSC allocated to the 'other' fishery has been taken in this area in the first 4 months of 1991. To eliminate or in some way restrict this "hot spot" would extend the cod fishing season to allow more take of the TAC.

Speaking as Captain of the F/T Ocean Enterprise, I have to admit that this proposal was a difficult one to make. The Unimak Pass area has traditionally offered some of the best cod fishing available in the Bering Sea at certain times of the year. Unfortunately, it also has the worst halibut bycatch for bottom trawlers. This became painfully obvious in the early part of this year when we tried to fish the edge from Akutan north to the horseshoe and were getting over 5 percent small (1 kg. ave.) halibut. Facing stiff fines for exceeding the NMFS guideline of 1.3 percent halibut, we chose to cease fishing and search elsewhere for equally good cod fishing with less bycatch. It was unsettling to see a large fleet of shoreside vessels working this area day after day, knowing the amount of halibut they were catching and the fact that they required only 30 percent observer coverage (or none at all). We had hoped to see the Regional Director exercise his "hot spot" authority to close this area before too much halibut had been taken.

This experience was recently verified when I did some calculations based on the cumulative catch data made available by the NMFS electronic bulletin board in Juneau. Using the data for the week ending 5/26, some interesting results surfaced. Shore based vessels took 30 percent of the annual secondary halibut PSC for 15 percent of the annual cod TAC in the Unimak Pass/Horseshoe area. The halibut bycatch rate for shore based vessels in area 519 was 6.3 percent. Mother ship operations took 10 percent of the annual cod TAC for 20 percent of the annual secondary halibut PSC for this same area. Combined, this represents half of the entire 1991 allotment of halibut bycatch in the 'other' fishery category which is comprised of cod and pollock.

Please keep in mind that this represents basically 12 weeks of fishing since bottom trawl cod fishing closed in zone 1 and 2H on March 10 and reopened from April 1 to April 22 before closing again until the third quarter. With roughly 93 percent of the halibut PSC for the entire year already taken in this fishery, it looks like we'll have only a week of cod fishing when it reopens July 1. After that it will remain closed for the remainder of the year to trawlers. The fixed gear group (longline and pot) will be the lucky ones left to harvest what they can of the valuable cod resource since they operate under no PSC restrictions at all in the Bering Sea.

Since the Government seems unable to make the commitment to an all inclusive individual vessel accountability program for bycatch control in the North Pacific, then it seems we will have to struggle along with the band-aid approach. In the realm of time/area restrictions, closing or in some way restricting the proposed area to bottom trawling would be a big band-aid for a fleet struggling to make ends meet. I would hope that the NPFMC, NFMS and the Secretary of Commerce can provide us with the comprehensive bycatch management plan that we were promised a year ago instead of the multitude of current regulations which only confuse the captains and disrupt fishing operations. In the meantime, this proposal will help buy a little more fishing time for the cod and pollock bottom trawlers. Thank you for your consideration of this proposal.

Sincerely,

David Benson

As a postscript, I would also bring to your attention the fact that the offshore catcher/processors took 12.7 per cent of the halibut PSC in areas 515, 517 and 519 combined for the same time frame. For area 515 and 519 together, only 2.4 per cent of the halibut PSC was taken by the catcher/processors.

PUBLIC TESTIMONY: D-2, BYCATCH AMENDMENTS

June 30, 1991

Mr. Chairman, members of the Council, my name is Linda Behnken; I am representing the Alaska Longline Fishermen's Association (ALFA). I wish to testify on the importance of prioritizing for analysis this summer an out-of-cycle Groundfish Plan Amendment to prohibit trawling east of 140 degrees West Longitude.

The requested Plan Amendment is supported by the state of Alaska, (through H.R. 40, a joint House/Senate Resolution), 15 Southeast coastal communities, 6 Southeast Fish and Game Advisory Panels, numerous sport and commercial fishing organizations, conservation groups, and several thousand individuals who signed the petition requesting that the Council prohibit trawling east of 140 degrees.

Since we testified at length on this issue at the April Council meeting, I will only briefly reiterate our concerns today.

We are requesting the Plan Amendment for the following reasons:

1. The area east of 140 degrees has a century long tradition as a hook and line zone.
2. The fisheries east of 140 are fully utilized by the hook and line fleet.
3. The Southeast coastal communities are dependent on the traditional fisheries.
4. Trawl bycatch of these fully utilized species, which include salmon, halibut, sablefish and rockfish, threaten the health of the resource and the socioeconomic health of the coastal communities.
5. Trawl vessels operating east of 140 degrees target Pacific ocean perch, a species that was over-exploited by the foreign trawl fleet during the 1960s and still has not recovered. The rockfish trawl fishery has recently been identified as one of the "dirties" fisheries in the GOA, having unacceptably high bycatch rates. The rockfish trawl fleet's bycatch of rougheyeye/shorttraker and demersal shelf rockfish could preempt the traditional longline fisheries.
6. The physical and biological characteristics of the area, which include a narrow shelf and rocky substrata rich in sponges and corals, make it unique and extremely vulnerable to trawl impact.

To remind you: there are currently **no** shore based trawlers operating in the Southeast Outside/East Yakutat area. Trawl effort east of 140 is currently

limited to factory vessels prosecuting the slope rockfish fisheries. In other words, a few highly mobile factory trawlers are threatening to preempt the local small-boat hook and line fleet, undermine the socioeconomic health of the Southeast coastal communities, and damage the marine ecosystem on which both the local fishermen and the coastal communities depend.

In summary, for both socioeconomic and conservation reasons, it is critical that the analysis necessary for the out-of-cycle Plan Amendment to prohibit trawling east of 140 degrees be conducted this summer so that a permanent solution can be in place by early next year. ALFA, and the Southeast region as a whole, respectfully requests that this issue be treated as a top priority.

Thank you for your time and consideration.

Sincerely,

Linda Behnken

Linda Behnken