

Executive Director's Report

20th Anniversary Celebration

This meeting we are celebrating twenty years under the Magnuson Act. Our Council's first meeting was October 5-8, 1976, and we are on our 125th plenary session. The doors will open at 6:15 p.m. in the Alaska Room. Almost 300 people will be there, plus an orchestra to get us "in the mood." It will be a sit-down dinner, with special presentations. I hope you will enjoy it.

Salmon Plan Withdrawal

We finally received word from Rollie Schmitt that NMFS will withdraw the proposed rule that was published to repeal our salmon plan. The Magnuson-Stevens Act amendments now require a three-quarters vote by the Council before the Secretary can act, but we have been informed that the Secretary is treating that provision as advisory, not mandatory. Nonetheless, Rollie has withdrawn the proposed repeal, and that issue seems to have been laid to rest unless the Council decides to initiate further action. Rollie's letter is under B-1(a).

Meeting Schedule for 1997

Here is our meeting schedule for 1997:

Week of	February 3	Anchorage
	April 14	Anchorage
	June 16	Kodiak
	September 22	Seattle
	December 8	Anchorage

Dutch Harbor in 1998?

Item B-1(b) is a letter from the City of Unalaska inviting us to meet there again, as we did in June 1995. More and more, Sitka and other coastal towns are occupied with other activities, and it is becoming more difficult to find room for the Council family. Unalaska showed great hospitality and we may want to look into meeting there in June 1998 when we would otherwise be in Sitka. We are working with representatives to cut costs.

Joint Council-Board Meeting

In February we are scheduled to meet with the Alaska Board of Fisheries on groundfish and crab. We will start at 8:30 a.m. on Tuesday, February 4, 1997, at the Anchorage Westward Hilton. An agenda you saw in September has been changed to push groundfish management in State waters to the front (B-1(c)). Please let me know if you have other suggestions. Also, please be aware that we have scheduled a teleconference with the Board of Fisheries for this Friday morning to discuss their actions in October and air concerns. Letters relating to the issues may be found under agenda item D-1(a).

Halibut Subsistence Activities

Staffs of several agencies met in Juneau on November 27, 1996, to get a feel for what can be done to address halibut access by natives to feed their families. A report of that meeting is attached as B-1(d). As you will see, we are in a very formative state on this issue. Once a subsistence committee is established, we will meet with them to receive suggestions on how to resolve their access needs. A more developed report with specific solutions will be available at our February meeting.

TINRO Biologist Invited to Meeting

We have invited a stock assessment scientist from the Pacific Research Fisheries Center (TINRO Centre) in Vladivostok to present us with information on pollock stocks on the western side of the Bering Sea. Dr. Mikhail Stepanenko will be talking with the SC first and then come to speak with us. This is part of our ongoing effort to develop a better understanding of how fisheries management and quota setting work on the western side of the Bering Sea.

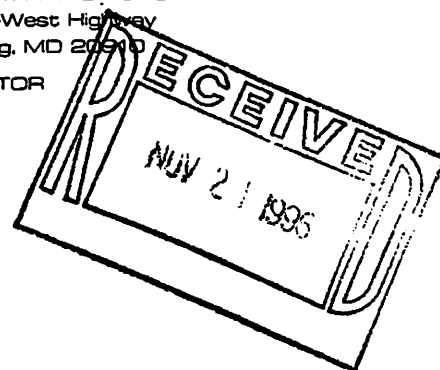
Travel Claims

Please submit your travel claim for this meeting as soon as possible so that our end-of-the year reports can be completed in a timely manner.



UNITED STATES DEPARTMENT OF
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
1335 East-West Highway
Silver Spring, MD 20910
THE DIRECTOR

NOV 13 1996



Mr. Richard B. Lauber
Chairman
North Pacific Fishery Management Council
605 W. 4th Avenue
Anchorage, Alaska 99510

Dear Chairman Lauber:

This is to inform you that the National Marine Fisheries Service intends to withdraw the proposed rules published in March 1996 that would have withdrawn approval of the Secretary of Commerce (Secretary) for Fishery Management Plans (FMPs) governing the Atlantic bluefish fishery (61 FR 13810, March 28, 1996), the spiny lobster fishery of the Gulf of Mexico and South Atlantic (61 FR 12055, March 25, 1996), the stone crab fishery of the Gulf of Mexico (61 FR 12056, March 25, 1996), the northern anchovy fishery (61 FR 13148, March 26, 1996), and the salmon fisheries off the coast of Alaska (61 FR 13149, March 26, 1996), and their implementing regulations.

NMFS proposed the elimination of the five FMPs, consistent with the President's Reinvention Initiative, to reduce the volume of Federal regulations for those fisheries that NMFS believed could be managed effectively by non-Federal entities, such as the states or the Atlantic States Marine Fisheries Commission. The recently signed Sustainable Fisheries Act contains a section (section 109(i)) that states that the Secretary may repeal or revoke an FMP for a fishery under the authority of a Council only if the Council approves the repeal or revocation by a three-quarters majority of the voting members of the Council. However, in his October 11, 1996, signing statement, the President said that the Secretary is to treat this provision as advisory, not mandatory.

Given your Council's opposition to the proposed repeal of the High Seas Salmon FMP, I have decided to withdraw the proposed rule that would have withdrawn Secretarial approval of that FMP. The implementing regulations for the FMP, which now appear in 50 CFR part 674, will need to be incorporated into the consolidated Alaska fishery regulations in 50 CFR part 679 through future rulemaking.

Sincerely,

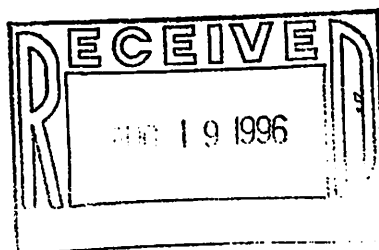
Rolland A. Schmitten

THE ASSISTANT ADMINISTRATOR
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CITY OF UNALASKA

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August 13, 1996

Mr. Richard B. Lauber, Chairman
Mr. Clarence G. Pautzke, Executive Director
North Pacific Fisheries Management Council
605 West 4th Ave. Suite 306
Anchorage, Alaska 99501-2252

RE: NPFMC tentative 1996-1999 meeting schedule

Dear Mr. ^{Rick}Lauber and Mr. ^{Clarence}Pautzke,

I am writing to express opinions shared by our community and myself with regards to the North Pacific Fisheries Management Council's tentative 1996 through 1999 meeting schedule.

We believe that the City of Unalaska should be given some consideration for a meeting during the 1996 through 1999 time frame. As the number one commercial fishing port in the nation, home of the majority of the shoreside groundfish industry in Alaska, the main base of operations for the offshore groundfish industry that works in the North Pacific, we strongly believe that at least one meeting should be held here.

The North Pacific Fisheries Management Council is responsible for decisions that are very important to the residents of Unalaska. The economy of Unalaska, which is 100% dependent on a seafood industry that has invested hundreds of millions of dollars in Unalaska and the local businesses that support the fishing industry in Unalaska all depend on decisions made by the NPFMC.

Mr. Richard B. Lauber
Mr. Clarence G. Pautzke
August 13, 1996
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A review of the NPFMC's tentative four year meeting schedule shows four meetings scheduled in Gulf of Alaska communities; two in Sitka, and two in Kodiak. With Unalaska's importance to the seafood industry, not just in Alaska but in the nation, we believe we should have been considered as a meeting site when the meeting schedule was developed.

I realize that costs and budget plays a major role in where you hold meetings, but I feel Unalaska's importance to the fishing industry and the effect the decisions of the North Pacific Fisheries Management Council has on our community should outweigh any added cost that might be incurred by having a meeting in Unalaska at least once during the next three years.

With the success of the June 1995 meetings that were held in Unalaska, we have proven that we can host a successful meeting and meet all the needs of the NPFMC family. In the twelve years that I have attended NPFMC meetings in Alaska, Washington, and Oregon, I have not seen the NPFMC family treated better than they were in Unalaska last June.

I can assure you that if the NPFMC decides to hold a meeting in Unalaska in the future, the community will work with the your staff to keep airfare and hotel expenses down to accommodate your budget.

In conclusion, I would ask that consideration be given to holding one meeting in Unalaska or consider Unalaska as an alternate site when finalizing the 1996-1999 meeting schedule.

Thank you for your consideration and I look forward to hearing from you. If you have any questions, please call me at (907)581-1211.

Sincerely,



Frank V. Kelty
Mayor

cc: NPFMC Members
Unalaska City Council

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DRAFT

Agenda

**Joint Meeting of the
Alaska Board of Fisheries
and the
North Pacific Fishery Management Council**

**Tuesday, February 4, 1997
Anchorage Westward Hilton
Anchorage, Alaska**

1. Introduction.
2. Discussion of State's Groundfish Management Plan.
3. Public comment on groundfish Issues.
4. Council Advisory Committee Reports.
 - a. Crab Plan Team Report.
 - b. PNCLAC Report.
5. 1997 Board of Fisheries Category 2 Proposals.
 - a. Adak Pot Limit:
 - b. Bristol Bay red king crab size reduction.
 - c. Other Bristol Bay red king crab management options.
- 6 Update on State's Observer Plan.
7. Public comment on crab Issues.

**REPORT
INTERAGENCY STAFF MEETING ON HALIBUT SUBSISTENCE
NOVEMBER 26, 1996**

An interagency staff meeting was held in Juneau, Alaska on Tuesday, November 26, 1996, to discuss potential regulatory changes affecting halibut subsistence. Steve Pennoyer, Ron Berg, Jay Ginter, Phil Smith, and John Lepore (NMFS), Lisa Lindeman, Jon Pollard, and Bob Babson (NOAA GC), Steve Meyer (NMFS Enforcement), Steve Hoag (IPHC), Dave Benton, Earl Krygier, Seth Macinko, Doug Vincent-Lang, Bob Wolfe, Mary Pete, Bob Schroeder, and Rob Bentz (ADFG), Bonnie Harris and Laura Bottger (ADOL), Ken Thompson (USFS), and Clarence Pautzke and Jane DiCosimo (NPFMC) were in attendance. Previously prepared reports and memos from NPFMC, NMFS, IPHC, and ADF&G were distributed as background for the meeting. The meeting agenda is attached to the minutes.

Jane DiCosimo provided background as to the purpose and goal of the staff meeting. In September 1996, the Council designated a halibut subsistence working group yet to be appointed to advise the Council on management of subsistence halibut harvests. The staff meeting was scheduled to identify and describe the policy and legal aspects of subsistence uses of halibut for the Council and its working group. Ms. DiCosimo reviewed: (1) recent federal and state enforcement actions in Western Alaska and Southeast coastal communities for violations of federal regulations from halibut subsistence harvests, (2) resultant meetings to discuss enforcement sponsored by the Coastal Villages Fisheries Cooperative in Bethel with Western Alaska coastal villagers and NMFS and Council staff in August 1996 and in Anchorage with statewide representatives of coastal villagers and ADFG and Council staff, and (3) written requests to the Council by native councils for recognition of subsistence rights for halibut.

Agency staff presented the following topics related to halibut subsistence for discussion: (1) applicable federal law (Northern Pacific Halibut Act, Magnuson-Stevens Act, Alaska State Constitution, ANILCA, Ninth Circuit Court decision); (2) current enforcement efforts in coastal communities and effects of IFQ and CDQ regulations; (3) current federal and state fishing regulations for harvesting halibut; (4) deduction of estimated halibut subsistence takes prior to setting commercial quotas by IPHC; (5) recognition and legalization of established fishing practices for halibut by native communities; (6) state definitions of sport, personal use, and subsistence harvests; (7) application of subsistence rights by racial preference (i.e., Native Alaskan vs. all residents) in any Alaskan community or by economy/rural community (any legal resident in eligible rural community); (8) customary trade or barter of halibut that would allow sale of subsistence halibut; (9) the lack of biological issues related to subsistence harvests; (10) possible IPHC conservation closures due to localized depletion from combined commercial, charter, recreational, and subsistence harvests in local communities; (11) applicability of Migratory Bird Act/Department of Interior experience with subsistence hunting rights.

Discussion of the above issues provided an increased understanding of the different agency perspectives on possible management alternatives for halibut subsistence for the Council's consideration in 1997 and will aid staff in their preparation of materials for the Council and its halibut subsistence working group. On the whole, staff ended their meeting with the following conclusions.

- NMFS and IPHC regulations never intended to limit the subsistence use of halibut by Native Alaskans;
- IPHC and NMFS subsistence regulations would need to conform;
- ANILCA does not apply to halibut harvests by Native Alaskans;
- Council is not compelled by federal law to grant subsistence rights for halibut;
- Council may elect to grant subsistence rights to only Native Alaskans;
- resulting halibut subsistence regulations should be simple and straightforward;
- village economies also include non-natives;
- subsistence harvests are included under state personal use harvests;

- subsistence take allowance should not result in significant increase in harvest, if additional user groups are not included i.e., communities have a natural limit of consumption of resource;
- working group would assist in identifying mechanism for identifying qualified subsistence users, areas, and gear;
- commingling of commercial and subsistence harvests occurs in coastal communities;
- may need funding for monitoring/reporting/surveys of halibut subsistence takes;
- all Alaskan communities are classified as “native” under Marine Mammal Protection Act;
- DOI experience with the Migratory Bird Act may prove illustrative to the Council and working group.

The staff from the participating agencies recommends that the Council and its working group consider regulations that would identify the legal gear, areas, and users of subsistence halibut, and more specifically to resolve enforcement issues in Western Alaska, allow retention of undersized halibut in IPHC Regulatory Area 4E.

COMMISSIONERS:

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GREGG BEST
COMOX, B.C.
BRIAN VAN DORP
RICHMOND, B.C.
RALPH G. HOARD
SEATTLE, WA
KRIS NOROSZ
PETERSBURG, AK
STEVEN PENNOYER
JUNEAU, AK

INTERNATIONAL PACIFIC HALIBUT COMMISSION

ESTABLISHED BY A CONVENTION BETWEEN CANADA
AND THE UNITED STATES OF AMERICA

B-1
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Preliminary Staff Regulatory Proposals: 1997

by

International Pacific Halibut Commission Staff
December 11, 1996

Stock Assessment Improvements

Last year the IPHC staff alerted the industry that methods for estimating biomass and recruitment needed to be changed, and that revised estimates could indicate higher biomass levels and perhaps higher catch limits in 1997. The staff continued to work on a new method of estimating biomass during 1996 and reviewed the rate of exploitation that should be used to set catch limits. Significant progress was made during 1996, and although more work needs to be done, the staff is confident that the new method is an improvement over the previous method. Further, the staff is confident that the biomass and recruitment of halibut are higher than previously indicated.

The new estimates of biomass and recruitment also required us to reexamine the exploitation rate used to compute constant exploitation yield (CEY), because harvest rates depend on the relationship between biomass levels and future levels of recruitment. Under the new method, harvest rates must also be reduced due to bycatch mortality of halibut below the legal size limit (32 inches). An initial analysis indicates that the rate of exploitation that is applied to the new biomass estimates needs to be reduced from the 30% that was previously recommended. We recommend an interim rate of 20%, but even with this reduced exploitation rate an increase in catch limits appears justified.

The increase in estimated biomass under the new method can be attributed to three factors: (1) Halibut size at age information is better represented in the population model. Growth has declined and the new method more appropriately accounts for the availability of young halibut to capture by setline gear; the estimated abundance of young halibut has increased accordingly, (2) Bycatch mortality of legal-sized halibut (32 inches or greater) is now included in the assessment along with other removals such as commercial and sport; this causes the estimated biomass to increase to account for the increase in removals, and (3) Catch rates from IPHC setline surveys are included in the analysis; these data support trends observed in the commercial fishery that the halibut population has increased.

The old method not only underestimated the exploitable biomass of halibut in recent years, but the catch limits that were set were lower than they might have been if we had realized that biomass was being underestimated. The estimated exploitation rate using the new method varies with area but the total for all areas combined has ranged from 10% to 16% since 1980. This low rate of exploitation plus above average recruitment of juvenile halibut during the 1980s allowed halibut abundance to increase beyond historically normal levels. The 1987 year class of halibut, although small in

individual size, appears to be very abundant. The strength of this year class has increased current estimates of abundance and suggests that halibut biomass is likely to stay high for the next several years. It is doubtful, however, that the current level of halibut abundance can be sustained indefinitely, and a decline in halibut biomass is likely over the longer term as harvest levels increase and recruitment declines.

Catch Limit Recommendations

The staff continues to caution the industry that the new assessment method needs further testing and that additional research surveys are needed to confirm trends in abundance and the relative distribution of halibut among regulatory areas. We therefore recommend a precautionary approach to setting catch limits in 1997. The staff recommendations for each area reflect not only the results from the new assessment, but also a judgment of the relative precision of the assessment among areas and other information not included in the assessment.

We are proposing to cover all areas with our stock assessment surveys for, at least, the next five years to extend our knowledge of stock trend and distribution. As these data are included into the new stock assessment we expect uncertainty will decrease.

The quotas that the staff recommends are not uniform proportions of the new estimates, but include all ancillary information from each area and reflect the different levels of uncertainty in the assessments in each area.

Estimates of the 20% constant exploitation yield (CEY), the 1996 catch limits, and staff recommendations for 1997 catch limits are provided below. The staff considers these recommendations to be conservative and this precautionary approach will allow the staff time to fully explore technical aspects of the new model while not putting the stock in jeopardy of overfishing. We further note that the staff would not object if the fishing industry recommends lower catch limits than those proposed by the staff in order to provide for greater stability in the level of harvest.

IPHC Staff Recommendations for 1997 Catch Limits (millions of pounds)

Regulatory Area	Estimated Setline CEY	1996 Catch Limit	1997 Staff Proposal
2A*	0.93	0.52	0.7
2B	15.99	9.52	12.5
2C	11.41	9.00	10.0
3A	33.55	20.00	25.0
3B	11.49	3.70	9.0
4A	8.34	1.95	3.0
4B	8.98	2.31	3.2
4C-E	7.97	1.66	2.8
Total	98.66	48.66	66.2

* Includes sport, tribal, and commercial fishery.

Additional comments on catch limits for each regulatory area are provided below:

Area 2A: The 1995 stock assessment survey indicates that 7% of the combined Area 2A-2B biomass is in 2A. This was used in the Area 2A biomass calculation, but is higher than the 4.5% to 5.5% that has been estimated historically. Future recommendations will be based on the average from successive surveys.

Area 2B: The fishery CPUE and the stock assessment survey CPUE have increased over the past ten years, while the previous assessment model showed a decline in the biomass. The new model estimates are in line with the CPUE data and support a modest increase in catch limits.

Area 2C: While the Area 2B estimate of biomass has increased, Area 2C has remained fairly stable in recent times. Nevertheless, the higher biomass estimates suggest that a slight increase in the catch limit is acceptable.

Area 3A: The new assessment shows considerably more biomass in this area than previously thought. We believe this is accurate, but being cautious with the new assessment, we recommend a moderate increase in catch limit.

Area 3B: This area poses a dilemma. The stock assessment survey and the CPUE and habitat estimates indicate that the biomass should be approximately 60% of Area 3A. However, current estimates of biomass in Area 3B indicates about 30% of the biomass in Area 3A. This may be due, in part, to the fishery not covering all fishing grounds in this area. The stock assessment for this area is less certain than Area 3A, but we do feel strongly that there are more halibut in this area than previously estimated. The recommended catch limit is 2-1/2 times higher than in 1996 and 36% of the proposed Area 3A catch limit.

Area 4: This area lacks stock assessment survey information. The biomass estimate is the most unreliable of all the areas. Including the adult bycatch into the new assessment has increased the biomass considerably. While we believe the catch limit should be increased, we advise caution until we conduct a series of stock assessment surveys that can be incorporated into the assessment.

Fishing Periods

Individual quota fisheries will be in effect for all areas except Area 2A. The staff is still in favor of a winter closure from November through March to reduce the interception of fish that move between regulatory areas during spawning migrations. However, we have no evidence that any significant interceptions occurred during the 1996 fishing season, which ran from March 15 through November 15. The staff will not object to a similar season in 1997 if this is what the industry prefers.

In Area 2A, the staff recommends fishing periods similar to those in effect in 1996: a series of 10-hour periods, with fishing period limits to be sure that the catch limit is not exceeded. The size of the fishing period limit will be determined later when more information is available on fleet size.

Area 4 Management

The North Pacific Fishery Management Council has in effect a catch sharing plan which calls for allocating the Area 4 catch limit among subareas using the same percentage that was in effect last year as long as the total catch limit is not increased. These percentages are: 4A-33%, 4B-39%, 4C-13%, 4D-13%, 4E-2%. In the event that the total Area 4 catch limit is increased, the first 80,000 pounds would be allocated to Area 4E.

The staff recognizes that allocation regimes are important in Area 4 and that some of the subareas were created primarily for allocation reasons. However, we continue to support the management policy of setting catch limits in proportion to biomass in Areas 4A, 4B and a combined Area 4C, 4D, and 4E. Our best estimate of the relative biomass in these three areas is very similar to that in the Council's catch sharing plan: 33.0% in 4A, 35.5% in 4B, and 31.5% in 4C-E.

Proposed Changes To The IPHC Regulations

The staff makes the following recommendations for changes to the commercial fishery regulations.

1. **Logbook data collection:** In 1996, the IPHC and NMFS staffs worked towards a goal of having a joint logbook for the 1997 fishery. The reason for having a joint-logbook program was to decrease fishers. Currently, IPHC regulations require logbook information be recorded by all vessels with overall length of 26 feet or greater, and NMFS regulations require vessels 60 feet and greater to record log information in a NMFS issued logbook. Therefore, vessels 60 and over have two requirements. The collection of accurate fishing log information from all fishers is essential to the IPHC's stock assessment. NMFS may not support a joint-logbook program. In that event, IPHC staff will recommend an official IPHC logbook be required for all Alaskan commercial halibut vessels. Implementation of this official logbook may have to be delayed until 1998. We would appreciate the opportunity to discuss options on logbooks with NMFS and the Halibut Conference Board at the IPHC Annual Meeting.
2. **Licensing:** The staff recommends that IPHC commercial licenses in Alaska be discontinued in 1997. The address information for vessel owners will be obtained from the Commercial Fisheries Entry Commission database. The licensing of commercial vessels in Area 2A and all recreational charter vessels would continue indefinitely.
3. **Fishing multiple regulatory areas:** We recommend that vessels be allowed to fish multiple regulatory areas as long as fish are separated by regulatory area aboard the vessel, and if an observer is aboard when required by NMFS. There was some confusion in 1996 if the Bering Sea regulatory areas could be fished during the same trip with other regulatory areas. We would like to discuss this issue further with NMFS Enforcement and the Halibut Conference Board at the Annual Meeting.
4. **Receipt and Possession of Halibut:** Reword regulations from 'must accept and weigh all halibut' to 'must weigh and record all halibut'. NOAA General Counsel suggested that the wording be changed, as there is some concern that 'accept' means it is legal to buy and sell fish over a fishing period limit in Area 2A.