

MEMORANDUM

TO: Council, SSC and AP Members  
FROM: Chris Oliver *Chris*  
Executive Director  
DATE: September 24, 2012  
SUBJECT: Staff Tasking

ESTIMATED TIME  
2 HOURS

**ACTION REQUIRED**

Review tasking and committees and provide direction.

**BACKGROUND**

Committees and Tasking

The list of Council committees is attached as Item D-2(a). Item D-2(b) is the three meeting outlook and Item D-2(c) provides a summary of current projects and tasking. An updated work plan for implementing the programmatic groundfish management policy is attached as Item D-2(d). The Council may wish to discuss priorities for completing ongoing projects, as well as any new tasks assigned during the course of this meeting.

Item D-2 Supplemental is a letter requesting the Council to amend the IFQ regulations to include chiropractic physicians in the list of medical practitioners relative to medical transfers under the IFQ program.

## NPFMC Committees & Workgroups

(Revised September 24, 2012)

### Council/Board of Fisheries Joint Protocol Committee

<p>Updated: 3/19/2012</p> <p>Staff: Jane DiCosimo</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><u>Council:</u></td> <td style="width: 50%; border: none;"><u>Board:</u></td> </tr> <tr> <td style="border: none;">Dave Benson</td> <td style="border: none;">John Jensen</td> </tr> <tr> <td style="border: none;">Ed Dersham</td> <td style="border: none;">Mike Smith</td> </tr> <tr> <td style="border: none;">Eric Olson</td> <td style="border: none;">Sue Jeffrey</td> </tr> </table>	<u>Council:</u>	<u>Board:</u>	Dave Benson	John Jensen	Ed Dersham	Mike Smith	Eric Olson	Sue Jeffrey
<u>Council:</u>	<u>Board:</u>								
Dave Benson	John Jensen								
Ed Dersham	Mike Smith								
Eric Olson	Sue Jeffrey								

### Council Coordination Committee

[Designated and renamed by Magnuson Act reauthorization April 2007]

<p>Appointed: 4/05 Updated: 9/24/12</p> <p>Staff: Chris Oliver</p>	<p><b><u>CFMC:</u></b> C: Carlos Farchette ED: Miguel Rolón</p> <p><b><u>GMFMC:</u></b> C: Doug Boyd ED: Steve Bortone</p> <p><b><u>MAFMC:</u></b> C: Richard Robins ED: Chris Moore</p> <p><b><u>NEFMC:</u></b> C: Rip Cunningham ED: Paul Howard</p>	<p><b><u>NPFMC:</u></b> C: Eric Olson ED: Chris Oliver</p> <p><b><u>PFMC:</u></b> C: Dan Wolford ED: Don McIsaac</p> <p><b><u>SAFMC:</u></b> C: David Cupka ED: Bob Mahood</p> <p><b><u>WPFMC:</u></b> C: Manuel Deunas ED: Kitty Simonds</p>
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### Council Executive/Finance Committee

<p>Updated: 8/10/07</p> <p><u>Status:</u> Meet as necessary</p> <p>Staff: Chris Oliver/Dave Witherell/Gail Bendixen</p>	<p>Eric Olson (Chair) Jim Balsiger (NMFS) Dave Hanson (PSMFC) Cora Campbell (ADFG) Roy Hyder (ODFW) Bill Tweit (WDFW)</p>
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### Bering Sea Crab Advisory Committee

<p>Appointed 4/25/07</p> <p>Revised 11/15/07</p> <p>Staff: Mark Fina</p>	<p>Sam Cotten (Chair) Jerry Bongen Steve Branson Florence Colburn Linda Freed Dave Hambleton Phil Hanson Tim Henkel</p>	<p>Lenny Herzog Kevin Kaldestad Frank Kelty John Moller Rob Rogers Simeon Swetzof Ernest Weiss</p>
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**NPFMC Committees & Workgroups**  
(Revised September 24, 2012)

**Bering Sea Salmon Bycatch Workgroup**

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

Appointed: 12/07 Updated: 2/9/09  Staff: Mark Fina	John Henderschedt (Chair) Bruce Berg Michael Catsi Dave Colpo Paula Cullenberg	Brett Reasor Glenn Reed Ed Richardson Mike Szymanski Gale Vick
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**Charter Management Implementation Committee**

Appointed: 6/11  Staff: Jane DiCosimo	Ed Dersham (Chair) Gary Ault Seth Bone Ken Dole Tim Evers	Kent Huff Stan Malcolm Andy Mezirow Richard Yamada
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**Crab Interim Action Committee**

[Required under BSAI Crab FMP]

Jim Balsiger, NMFS Cora Campbell, ADF&G Phil Anderson, WDF
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**Ecosystem Committee**

Updated: 10/22/07  <u>Status</u> : Active  Staff: Diana Evans	Stephanie Madsen (Chair) Jim Ayers Dave Benton Doug DeMaster Dave Fluharty John Iani Jon Kurland
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**NPFMC Committees & Workgroups**  
(Revised September 24, 2012)

**Enforcement Committee**

Updated: 7/03	Roy Hyder (Chair) Nicole Kimball, ADF&G Lisa Lindeman/Garland Walker, NOAA-GC Martin Loefflad, NMFS Sherrie Meyers/Ken Hansen, NMFS-Enforcement Glenn Merrill, NMFS Phillip Thorne/Anthony Kenne, USCG Jon Streigel, AK F&W Protection
<u>Status</u> : Active	
Staff: Jon McCracken	

**Golden King Crab Arbitration Workgroup**

Appointed: 1/12	Larry Cotter Duncan Fields (Chair) Mark Johanson Joe Sullivan	Brett Reasor Dick Tremaine Greg White
Staff: Mark Fina		

**Halibut Charter Stakeholder Committee**

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

**IFQ Committee**

Reconstituted: 7/31/03 Updated: 2/17/12	Bob Alverson Rick Berns Julianne Curry Tim Henkel Dan Hull (Chair) Jeff Kauffman	Don Lane Dave Little Kris Norosz Paul Peyton Jeff Stephan Phil Wyman
Staff: Jane DiCosimo		

**Non-Target Species Committee**

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

**NPFMC Committees & Workgroups**  
(Revised September 24, 2012)

**Observer Advisory Committee**

Reconstituted: 1/20/11 Updated: 2/12 Status: Active  Staff: Chris Oliver/ Diana Evans	Bob Alverson Jerry Bongen Julie Bonney Kenny Down Dan Falvey Kathy Hansen Dan Hull (Chair) Michael Lake	Todd Loomis Paul MacGregor Brent Paine David Polushkin Joe Rehfuss Darren Stewart Ann Vanderhoeven
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**Pacific Northwest Crab Industry Advisory Committee**

Appointed: 12/10 Revised: 5/12  Staff: Diana Stram	Keith Colburn Lance Farr (Chair) Kevin Kaldestad Garry Loncon Steve Minor Gary Painter Kirk Peterson	Rob Rogers (Vice Chair) Vic Sheibert Dale Schwarzmiller Gary Stewart Tom Suryan Elizabeth Wiley Arni Thomson, Secretary (non-voting)
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**Rural Outreach Committee**

Appointed: 6/09  Staff: Steve MacLean	Eric Olson (Chair) Paula Cullenberg Duncan Field Tim Andrew Tom Okleasik Ole Olsen Pete Probasco
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**Steller Sea Lion Mitigation Committee**

Appointed: 4/12 Updated: 5/12  [formerly SSL RPA Committee; renamed February 2002]  Staff: Steve MacLean Advisor: Dan Hennen	Larry Cotter (Chair) Kenny Down Dave Fraser John Gauvin Todd Loomis Gerry Merrigan Alvin Osterback Rudy Tsukada	Jon Warrenchuk Ernie Weiss
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**DRAFT NPFMC THREE-MEETING OUTLOOK - updated 9/24/12**

October 1-9, 2012 Anchorage, AK	December 3-11, 2012 Anchorage, AK	February 4-12, 2013 Portland, OR
SSL EIS scoping SSL EIS analytical approach: <b>SSC review</b> Observer Deployment Plan: <b>OAC report; action as necessary</b> Charter Halibut: <b>Review Methodology for 2013 limits (SSC only)</b> Halibut CSP: <b>Final Action</b>  CGOA trawl PSC tools: <b>feedback; goals and objectives</b>  VMS Use and Requirements: <b>Expanded Discussion Paper</b>  BSAI Crab ROFR: <b>Initial Review</b> BSAI Crab active participation requirements: <b>Initial Review</b> BSAI Crab Cooperative Provisions for Crew : <b>Discussion paper</b> BSAI Crab Binding Arbitration - GKC: <b>Workgroup report</b> Binding Arbitration Issues (lengthy season, publishing decisions, IPQ Initiation): <b>Discussion Paper</b> BSAI Crab EDR: <b>Review forms and draft regulations</b> Am 80 vessel replacement with AFA vessels: <b>Discussion Paper</b> AFA Vessel Replacement GOA Sideboards: <b>Initial Review</b> FLL Vessel Replacement (MLOA adjustment): <b>Final Action</b>  Groundfish Harvest Specifications: <b>Adopt proposed specifications</b>  BSAI Crab SAFE: <b>Final OFL/ABC specifications for 6 stocks</b> BSAI Tanner Crab rebuilding plan: <b>Revise Alternatives</b>  BS Habitat Conservation Area Boundary: <b>Review</b> Northern Bering Sea Research: <b>Discussion paper</b>	AI Risk Assessment: <b>Report (T)</b> SSL EIS: <b>Identify Alternatives for Analysis</b>  Charter Halibut: <b>Recommendations for 2013</b> Definition of Fishing Guide: Discussion Paper Retention of 4A halibut in BSAI sablefish pots: <b>Disc. paper (T)</b> Halibut/Sablefish IFQ Leasing prohibition: <b>NMFS Disc. paper (T)</b> BSAI Chum Salmon Bycatch: <b>Initial Review</b> GOA Chinook Bycatch All Trawl Fisheries: <b>Initial Review (T)</b>  BSAI Crab ROFR: <b>Final Action</b> BSAI Crab active participation requirements: <b>Final Action</b>  HAPC - Skate sites: <b>Final Action</b> EFH Consultations: <b>Report</b>  AFA Vessel Replacement GOA Sideboards: <b>Final Action</b>  Groundfish Harvest Specifications: <b>Adopt Final specifications</b>  BSAI Tanner Crab rebuilding plan: <b>Initial Review (T)</b>  PSEIS/SIR: <b>Progress Report</b>  Research/EFP Catch: <b>Discussion paper (T)</b>  GOA pollock EFP: <b>Review (T)</b>	Round Island Transit: <b>Initial Review (T)</b>  Grenadier management: <b>Initial Review (T)</b>  Greenland Turbot allocation: <b>Initial Review (T)</b> H/S IFQ Disc papers (GOA sablefish pots, unharvested halibut, sablefish A-share caps) (T)  GOA Chinook Bycatch All Trawl Fisheries: <b>Final Action (T)</b>  CQE small block restrictions: <b>Discussion Paper (T)</b>  Crab bycatch limits in BSAI groundfish fisheries: <b>Disc paper</b>  BBRKC spawning area/fishery effects: <b>Updated Discussion paper</b>  GOA P cod sideboards for FLL: <b>Initial Review (T)</b>  BSAI Flatfish Specification Flexibility: <b>Initial Review (T)</b>  BSAI Tanner Crab rebuilding plan: <b>Final Action (T)</b>  <hr/> ITEMS BELOW FOR FUTURE MEETINGS Crab PSC numbers to weight: <b>Discussion paper</b>  BS Canyons: Updated AFSC report; Fishing activities and management <b>discussion paper</b> MPA Nominations: Discuss and consider nominations

AI - Aleutian Islands  
 AFA - American Fisheries Act  
 BiOp - Biological Opinion  
 BSAI - Bering Sea and Aleutian Islands  
 BKC - Blue King Crab  
 BOF - Board of Fisheries  
 CQE - Community Quota Entity  
 CDQ - Community Development Quota  
 EDR - Economic Data Reporting  
 EFH - Essential Fish Habitat  
 EFP - Exempted Fishing Permit  
 EIS - Environmental Impact Statement  
 FLL - Freezer longliners  
 GOA - Gulf of Alaska

GKC - Golden King Crab  
 GHV - Guideline Harvest Level  
 HAPC - Habitat Areas of Particular Concern  
 IFQ - Individual Fishing Quota  
 IBQ - Individual Bycatch Quota  
 MPA - Marine Protected Area  
 PSEIS - Programmatic Supplemental Impact Statement  
 PSC - Prohibited Species Catch  
 RKC - Red King Crab  
 ROFR - Right of First Refusal  
 SSC - Scientific and Statistical Committee  
 SAFE - Stock Assessment and Fishery Evaluation  
 SSL - Steller Sea Lion  
 TAC - Total Allowable Catch

**Future Meeting Dates and Locations**  
 October 1-9, 2012 - Hilton Hotel, Anchorage  
 December 3-11, 2012 - Anchorage  
 February 4-12, 2013, Portland  
 April 1-9, 2013, Anchorage  
 June 3-11, 2013, Juneau  
 September 30-Oct 8, 2013 Anchorage  
 December 9-17, 2013, Anchorage

(T) Tentatively scheduled

# NPFMC/NMFS Action

AGENDA D-2(c)  
October 2012

Updated 9/27/12

Action	Status	Staffing	2012		2013										
			Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug	Sept
<b>Blue = Post Council Action, Rulemaking</b>															
BSAI crab C-shares	Preparation of rulemaking package	NMFS 80% Council 20%													
Litigation workload	Ongoing	NMFS 90% Council 10%													
Am 80 vessel replacement	Proposed and Final Rule	NMFS 90% Council 10%													
12 month 20% halibut sablefish QS	Proposed and Final Rule	NMFS 100% Council 0%													
Tanner crab bycatch in the GOA; Trawl Sweep mods.	Preparation of rulemaking package	NMFS 90% Council 10%													
BSAI Arrowtooth Flounder MRAs	Proposed and Final Rule	NMFS 90% Council 10%													
Observer Program restructuring	Proposed and Final Rule	NMFS 90% Council 10%													
BSAI Crab Emerg relief	Proposed and Final Rule	NMFS 90% Council 10%													
CQE changes: communities, Use caps, 3A D class, 4B	Proposed and Final Rule	NMFS 90% Council 10%													
Salmon FMP Revisions	Proposed and Final Rule	NMFS 90% Council 10%													
Halibut/sablefish Hired Skipper	Proposed and Final Rule	NMFS 90% Council 10%													
BSAI Crab IFQ/IPQ application	Proposed and Final Rule	NMFS 90% Council 10%													
GOA Halibut PSC Reductions	Proposed and Final Rule	NMFS 90% Council 10%													
BSAI Crab EDR	Proposed and Final Rule	NMFS 90% Council 10%													
Pribilof BKC Rebuilding	Preparation of rulemaking package	NMFS 90% Council 10%													

AGENDA D-2(c)  
JUNE 2012







Action	Status	Staffing	2012		2013									
			Sep	Oct	Nov	Dec	Jan	Feb	Mar	April	May	June	July	Aug
<b>Purple=Potential new project</b>														
BSAI crab control rules and uncertainty	Ongoing evaluation	NMFS 33% ADF&G 33% Council 34%												
BSAI Crab PSC to Weight	Discussion paper in future	NMFS 70% Council 30%												
Bering Sea Canyons	Discussion paper in June 2013	NMFS 80% Council 20%												
AI processing sideboards	unscheduled	NMFS 10% Council 90%												
BSAI Crab 5-year review changes	Discussion paper/ workgroup report	NMFS 20% Council 80%												

# Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority	Specific priority actions	Related to mgmt objective:	Status (updated 9-26-12)	2012		2013				
				Oct	Dec	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 2008; BSAI skates TAC breakout in 2009. ecosystem component created in 2010 ACL II discussion paper under preparation							
	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	report from non-target species committee in Dec 09 Grenadier management initial review in Feb 2012							
Preserve Food Web	a. encourage and participate in development of key ecosystem indicators	10	Ecosystem SAFE presented annually GOA indicator synthesis for 2012; EBS and AI indicator syntheses developed in 2010, 2011							
	b. Reconcile procedures to account for uncertainty and ecosystem considerations in establishing harvest limits, for rockfish and other species	11	ACL II discussion paper under preparation							
	c. develop pilot Fishery Ecosystem Plan for the AI	13	FEP and brochure published 2007; AI ecosystem assessment developed in 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 BS Chinook bycatch EIS. Kodiak Tanner crab closures (2010); GOA pollock Chinook PSC limits (2011); GOA halibut PSC limit reduction (2012) Discussion paper on GOA bycatch tools Oct 2012 GOA Chinook non-pollock PSC limits - init rev Dec 12 BS chum initial review Dec 2012							
	b. explore mortality rate-based approaches to setting PSC limits in GOA and BSAI fisheries	20	partially addressed in BS Chinook bycatch EIS discussion paper on BSAI crab bycatch limits in Feb 2013							
	c. consider new management strategies to reduce incidental rockfish bycatch and discards	17	partially addressed in rockfish program							
	d. develop statistically rigorous approaches to estimating bycatch in line with national initiatives	14, 19	National Bycatch Report revised in 2011 restructured observer program to be implemented in 2013							
	e. encourage research programs to evaluate population estimates for non-target species	16	Included in 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 limits for BS Chinook adopted Apr 09. initial review chum bycatch analysis in Dec 2012							
	g. assess impact of management measures on regulatory discards and consider measures to reduce where practicable	17	partially addressed by arrowtooth MRA analyses (GOA - 2007. BSAI - 2010)							

# Groundfish Workplan

Priority actions revised in February 2007, status updated to current

General Priority	Specific priority actions	Related to mgmt objective:	Status (updated 9-26-12)	2012		2013					
				Oct	Dec	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 implemented by Secretarial action for Jan 2011 SSL EIS initiated, review of alts in Dec 2012								
	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	monitoring through the Protected Species Report								
	d. adaptively manage seabird avoidance measures program	22	seabird avoidance measures in 4E in 2008								
Reduce and Avoid Impacts to Habitat	a. evaluate effectiveness of existing closures	26	partially addressed in Bristol Bay red king crab discussion paper in Feb 2013								
	b. consider Bering Sea EFH mitigation measures	27	BS habitat closures in 2007. BS flatfish trawl sweep mods required in 2009. EFH 5-year review/omnibus amds approved Apr 2011 Bristol Bay red king crab discussion paper in Feb 2013 Northern BS Research Plan white paper in Oct 2012								
	c. consider call for HAPC proposals on 3-year cycle	27	HAPC cycle changed to 3 years. adopted Apr 2011 HAPC skate nurseries final action in Dec 2012								
	d. request NMFS to develop and implement a research design on the effects of trawling in previously untrawled areas	27	Included in research priorities, adopted in June 2007 Partially addressed in NBSRA research plan (white paper in Oct 2012)								
Promote Equitable and Efficient Use	a. explore eliminating latent licenses in BSAI and GOA	32	Trawl LLP recency in 2008; GOA fixed gear latent licenses in 2009								
	b. consider sector allocations in GOA fisheries	32, 34	GOA Pcod sector allocations in 2009; GOA rockfish program renewed in 2010 GOA comprehensive tools discussion paper in Oct 2012								
Increase Alaska Native & Community Consultation	a. Develop a protocol or strategy for improving the Alaska Native and community consultation process	37	protocol approved in 2008								
	b. Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions	37	outreach plans for BSAI salmon bycatch actions Council Outreach Committee meets periodically								
Improve Data Quality, Monitoring and Enforcement	a. expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	improvements adopted in 2008. restructuring approved in 2010 Review annual deployment plan in Oct Review annual observer deployment performance in June Develop electronic monitoring through 2013 NMFS pilot								
	b. explore development programs for economic data collection that aggregate data	40	partially addressed in BS Chinook bycatch in 2009, also Amd 80								
	c. modify VMS to incorporate new technology and system providers	41	VMS exemption for dinglebar Jun 08 Comprehensive VMS discussion paper in Oct 2012								



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
Silver Spring, MD 20910

AGENDA D-2  
Supplemental  
OCTOBER 2012

RECEIVED

AUG 20 2012

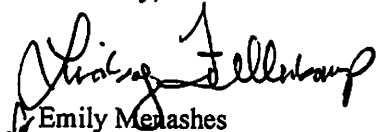
AUG 17 2012

Mr. Chris Oliver  
Executive Director  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Street  
Anchorage, AK 99501

Dear Mr. Oliver:

Enclosed is a letter from Dr. Keith Overland regarding his request for the inclusion of chiropractic physicians in the list of medical practitioners whose certification meets the requirements of the Fixed Gear Individual Fishing Quota Program. I am forwarding it to you for consideration by the North Pacific Fishery Management Council. I have also enclosed a copy of our response to Dr. Overland.

Sincerely,

  
Emily Melashes  
Deputy Director  
Office of Sustainable Fisheries

Enclosures

Samuel D. Rauch III  
Acting Assistant Administrator for Fisheries  
National Oceanic and Atmospheric Administration  
National Marine Fisheries Service

Dear Mr. Rauch:

The American Chiropractic Association (ACA) is a professional society composed of doctors of chiropractic (DC) whose goal is to promote the highest standards of ethics and essential patient care, contributing to the health and wellbeing of millions of patients. The ACA is the largest association in America representing the chiropractic profession. I write today regarding the emergency medical transfer provision of the Fixed Gear Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program.

As you know, the purpose of the emergency medical transfer provision at 50 CFR § 679.42(d) authorizes leases of CV IFQ to accommodate medical conditions of individual Quota Share (QS) holders or of their immediate family members, which preclude the QS holder from participating in the IFQ fishery for which (s)he holds the IFQ.

50 CFR § 679.42(d) reads,

"In the event of a medical condition affecting a QS holder or an immediate family member of a QS holder that prevents the QS holder from being able to participate in the halibut or sablefish IFQ fisheries, a medical transfer may be approved for the IFQ derived from the QS held by the person affected by the medical condition."

Per 50 CFR § 679.42(d)(iii)(F), to apply for an emergency medical transfer,

"A written declaration from a licensed medical doctor, advanced nurse practitioner, or primary community health aide as those persons are defined in § 679.2."

The declaration must include,

"A concise description of the medical condition affecting the applicant or applicant's family member including verification that the applicant is unable to participate in the IFQ fishery for which he or she holds IFQ permits during the IFQ season because of the medical condition and, for an affected family member, a description of the care required" 50 CFR § 679.42(d)(iii)(F)(2).

ACA seeks to expand the list of eligible health care providers as defined by § 679.2 to include doctors of chiropractic as they are ideally suited to provide the examination and written declaration required to receive an emergency medical transfer.

Doctors of chiropractic (DCs) are the third largest primary health care profession and well trained portal of entry primary care providers. DCs, like other primary health care doctors, study subjects related to evaluating and caring for patients as well as completion of a minimum of a one-year clinic-based program dealing with front line patient care. In total, the curriculum includes a minimum of 4,200 hours of classroom, laboratory and clinical experience.

Doctors of chiropractic perform a wide range of services (e.g., evaluation and management services, chiropractic manipulative treatment, physical medicine and rehabilitation services, diagnostic imaging and testing, laboratory and other diagnostic testing/procedures, prevention and wellness services), and are educated and licensed in all 50 states as primary care providers trained to evaluate, diagnose, and deliver evidence supported care or refer patients when appropriate. This is supported by the Council on Chiropractic Education Standards, recognized by the U. S. Department of Education for 40 years.

Recognizing the high-level of training, competency and range of services doctors of chiropractic provide, their proven ability to work closely with allopathic providers in hospitals and clinics to build comprehensive, coordinated and collaborative health care for the patient, and the recognition received by Congress and CMS, DCs have been included in numerous federal programs:

- Within the U.S. Department of Health and Human Services, doctors of chiropractic are Medicare physicians, as defined under Section 1861(r) of the Social Security Act (42 U.S.C. § 1395x(r)(5));
- Within the U.S. Department of Transportation, doctors of chiropractic are eligible medical examiners as defined by the Federal Motor Carrier Safety Administration's National Registry of Certified Medical Examiners (49 CFR § 390.5);
- Within the U.S. Department of Veterans Affairs doctors of chiropractic provide physician services per Public Laws 107-135 and 108-170;
- Within the U.S. Department of Defense doctors of chiropractic provide physician services to active duty military worldwide through the U.S. Department of Defense TRICARE program as stipulated by Section 702 of Public Law 106-398, the "Floyd Spence National Defense Authorization Act," and finally
- Doctors of chiropractic participate in the Indian Health Service (IHS) under Section 4(n) of the Indian Health Care Improvement Act (IHCA), Public Law (P.L.) 94-437, and are considered to be level 1 priority providers under IHS Contract Health Services.

Considering that doctors of chiropractic are well trained primary care physicians and highly qualified to provide the services required to diagnose a medical condition affecting an applicant for an emergency medical transfer within the Fixed Gear Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program we sincerely request that the U.S. Department of Commerce amend 50 CFR § 679.2 to include doctors of chiropractic as health care professionals eligible to participate in the emergency medical transfer provision of the Fixed Gear Pacific Halibut and Sablefish Individual Fishing Quota (IFQ) Program.

ACA looks forward to your prompt response. If you should have any questions, please feel free to contact Jack Dusik, ACA Director of Federal Government Relations, at (703) 812-0242. Thank you.

Sincerely,



Keith Overland, DC, CCSR, FICC  
President, American Chiropractic Association

Cc: National Oceanic and Atmospheric Administration  
National Marine Fisheries Service

AUG 15 2012



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
1315 East-West Highway  
Silver Spring, Maryland 20910

THE DIRECTOR

Dr. Keith Overland  
President  
American Chiropractic Association  
1701 Clarendon Blvd.  
Arlington, VA 22209

Dear Dr. Overland:

Thank you for your letter regarding inclusion of chiropractic physicians in the list of medical practitioners whose certification meets the requirements of the Fixed Gear Individual Fishing Quota (IFQ) Program.

This program is administered by NOAA's National Marine Fisheries Service, Alaska Region. The medical leasing provision was developed and recommended to the Secretary of Commerce by the North Pacific Fishery Management Council. I have forwarded your letter to the Council for their consideration, and have provided their contact information here for your reference:

North Pacific Fishery Management Council  
605 West 4<sup>th</sup>, Suite 306  
Anchorage, AK 99501-2252  
(907) 271-2809  
Fax: (907) 271-2817

If you have any further questions about implementation of the IFQ medical transfer provision, please contact Jessica Gharrett, NMFS Alaska Regional Office, at (907) 586-7461.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Rauch III", written over a horizontal line.

Samuel D. Rauch III  
Deputy Assistant Administrator  
for Regulatory Programs,  
performing the functions and duties of the  
Assistant Administrator for Fisheries





**REVISE COMMUNITY QUOTA ENTITY REGULATIONS TO ALLOW PURCHASE OF ALL BLOCK SIZES OF HALIBUT AND SABLEFISH QUOTA SHARES**

WHEREAS, the Koniag-KANA roundtable is the Kodiak area Regional Summit working cooperatively to understand and solve issues for ANCSA corporations and tribal entities in the Kodiak region; and

WHEREAS, commercial fishing has been essential to Kodiak's native peoples since the Russian occupation; and

WHEREAS, commercial fishing access and opportunities, particularly for entry level fishermen, in and around Kodiak have declined substantially over the past 30 years; and

WHEREAS, the decline in fishing access and opportunity has been particularly acute in Kodiak's 6 rural communities; and

WHEREAS, the North Pacific Fisheries Management Council created the Community Quota Entity Program that enables qualifying communities to purchase and hold Federal fishing quota shares and permits; and

WHEREAS, all 6 of Kodiak's rural communities qualify for the Community Quota Entity Program and the only two active CQE's are in the Kodiak region; and

WHEREAS, the regulations developed for the Community Quota Entity Program limit the size of the blocks of quota that can be purchased by the CQE and prohibit purchase of smaller quota blocks; and

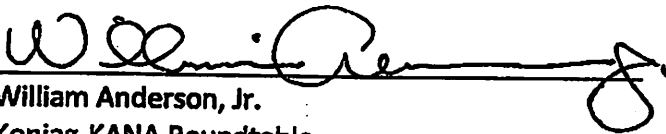
WHEREAS, limiting the size of block purchases for the Community Quota Entity is contrary to the purposes of the CQE program and has resulted in locally held halibut quota being sold outside the community; and

WHEREAS, any locally held quota sold outside the community is very difficult to replace;

THEREFORE, be it resolved that the North Pacific Fisheries Management Council revise the Community Quota Entity regulations so that Community Quota Entities can purchase ALL block sizes of halibut and sablefish quota shares; and

BE IT FURTHER RESOLVED that the North Pacific Fisheries Management Council continues to develop fishery regulations that encourage and support successful Community Quota Entities in the Gulf of Alaska and the Kodiak region.

IN WITNESS WHEREOF, I have executed my name as a representative of the Koniag-KANA Roundtable this 20<sup>th</sup> day of September, 2012.



William Anderson, Jr.  
Koniag-KANA Roundtable

Submitted by: Koniag-KANA Roundtable  
194 Alimaq Drive  
Kodiak, Alaska 99615  
(907) 486-2530

To: Whom it may concern, & North Pacific Fisheries Management Council:

Date: September 24, 2012

Request: We the undersigned request that you submit our proposal;

**PROPOSAL # 1000 King Salmon By Catch**

for review and consideration for full discussion at the October 2012 Anchorage Alaska meetings agenda. We feel this issue has to be addressed now and to not be delayed for anytime in the future; as it will be too late for the said fish (Chinook salmon). Further action needs to be taken immediately as we know that this has been revised but we feel your action isn't enough and it needs to be readdressed immediately. We feel through numbers and facts that a total by catch in the Bering Sea & Gulf of total 85,000 fish totally unacceptable. These by catch numbers reflect lost spawning numbers from every river in Alaska. Respectfully we ask for an agenda time & date at the October 2012 meetings.

The governor has already declared a "disaster" for the state's fishing. Receiving monies is not going to solve the problem of fish not being allowed to reach their prospective river. The disaster is stated, now one of the problems causing the disaster needs to be addressed immediately: By catch of Chinook salmon.

Please call either Jimmy Hurley or Julie Smith with your answer. Thank you:

Signed:

Jimmy Hurley: Nushagak River: 907-444-1503, 907-464-3356

Julie A Smith: Anchor River: 907-299-3741, 907-235-1044

John Sharrer: Kenai River

Ivan Ivan: Yukon River

Mike Williams: Kuskokwim River

Peter Christopher: Nushagak River

James Roberts: Yukon River

Sergi Chuckwak: Naknek River

Melvin Brown: Naknek River

## **PROPOSAL # 1000 King Salmon By Catch**

### **END CHINOOK SALMON BY CATCH**

September 24, 2012

**Issue:** 1. All trawlers; but Pollock trawlers in particular are killing too many Chinook wild salmon and not allowing enough necessary escapement numbers to get into the rivers to spawn. 2. Subsistence people of Alaska couldn't harvest fish as all rivers were closed because escapement wasn't being fulfilled, while trawlers were still fishing and still are fishing.

**Why Change current policy:** 1- If by catch numbers are not lowered to a specific cap of a total of 20,000 total for the whole state of Alaska including the Gulf of Alaska & the Bering Sea; sustainable spawning numbers will not be reached and the fishery will not survive. 2-The People of Alaska by law own and have first right to these fish and the trawlers are intercepting them before we have a chance to harvest for ourselves or see enough escapement.

**What happens with no change:** 1. The sustainability of the Chinook salmon runs to all rivers on the coast of Alaska will disappear altogether within a few short years. 2. Subsistence people of Alaska will be starving and/or can't afford to buy food in the store. Our way of life is in jeopardy as we rely heavily on subsistence fishing.

**Who will benefit:** All salmon runs, Alaskans, all Alaskan rivers, Alaskan river habitat, our way of life, local economy & tourism.

#### **Demands:**

1. Cut the by catch limit to 20,000 total fish for the whole state in all Alaskan waters. . This includes all fishing areas contained within Alaskan boundaries & all boats that have salmon by catch. Implement a reduction plan over the next 5 years or less starting with a 25% percent reduction beginning in the 2013 spawning season.
  2. There be an honest unbiased "watcher" on each & every trawling boat no matter what size the boat or what they are fishing. The watcher will be accountable for properly documenting catch counts & by catch counts of ALL nets brought in with fish at all times that said boat is fishing. This information should also be backed up with video from said boats. The trawling business shall provide salary for said "watchers" on each boat. "Unbiased" means hiring someone not affiliated with the trawling business or the CDQ programs at all.
  3. The by catch numbers never be allowed to reach highs of 2002 or anything above 20,000 total for the year ever again. If possible it should be lower than 20,000 total after the 5 year readjustment period.
  4. All by catch be processed by trawlers & donated to western native villages at trawlers expense & not be taken out of Alaska to be sold.
- Jimmy Hurley 907-444-1503, 907-464-3356: Julie Smith 907-299-3741

# PUBLIC TESTIMONY SIGN-UP SHEET

Agenda Item: D-2 Staff Tasking

	NAME (PLEASE PRINT)	TESTIFYING ON BEHALF OF:
1	X Julie Smith	#1000 Salmon Bycatch proposal/petition
2	X John Shaver	FISH & People
3	X Paul A Shaduroff	KPFA
4	X RICHARD YAMADA	ACA/SEAGO
5	X Saxon Anderson	AKSC
6	X Sarah Netton	AFEA
7	X George Plettski Koff	Greenpeace
8	X JOE PLESNA	TRIDENT
9	X Art Nelson	BSFA
10	X Sky Starkey	AVCP
11	X Becca Robbins Gisclair	VRDFA
12	X TERRY HAINES	SELF
13	X Ray Ashenfelter	self
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

D-2  
Richard  
Yamada

**Request for Staff Tasking  
Discussion Paper  
Compensated Reallocation Pool Plan  
10/9/12**

Guided anglers face diminishing opportunities for retaining sport caught halibut in Alaska. Area 2C guided anglers have had reductions to their bag limits since 2008. Both Area 2C and 3A guided anglers could face further restrictions pending future management decisions and stock fluctuations. Reductions in guided angler access to halibut have greatly impacted and weakened the economies of Alaska's coastal communities, businesses, and the families they support.

Every year, the transfer of commercial halibut fishing quota shares takes place on the free market between willing buyers and willing sellers through the Alaska halibut IFQ program. The Alaska Charter Association and the Southeast Alaska Guides Organization request the Council to consider an amendment to the existing IFQ program in which a single eligible Recreational Quota Entity (RQE), would be established with the ability to purchase IFQ quota shares to hold for the common use of all guided recreational halibut anglers. The purchased quota shares would be used to supplement guided angler, annual regulatory allocations. This entity would provide a mechanism for the compensated transfer of allocation between the commercial and guided recreational sectors based on a willing buyer and a willing seller and provide a long-term solution to issues of insufficient allocations and uncompensated reallocation.

The purpose of the RQE would be to purchase and hold quota shares to supplement the regulatory guided angler allocation in effect at the time. The amount of IFQ quota that is purchased and held would be an amount sufficient to provide a means for guided anglers in Area 2C to eventually return to their traditional two halibut of any size daily bag limit, while at minimum to allow for a one fish of any size bag limit in times of low abundance, and in Area 3A to maintain their two halibut of any size daily bag limit.

The RQE will be organized as a non-profit organization under the laws of the State of Alaska, with two regional quota share pools. One for IPHC (International Pacific Halibut Commission) regulatory Area 3A and the other for regulatory Area 2C. The board will consist of stakeholders in the recreational halibut fishery in Alaska.

In order to not adversely impact the economies of local communities and to support a viable commercial longline and charter industry, provisions will be provided to limit the amount of annual and total purchases of this RQE. In addition, provisions will be provided to address unharvested annual IFQ and the sale back of quota shares when the RQE determines that guided angler demand can be met with less quota share on a long term basis.

As a new and unique quota share holder in a catch share program, an RQE will be managed to the standards of accountability provided in the commercial longline sector. Data collection, reporting, and the assurances that the RQE's harvest will stay within allocation will be part of the RQE design and function. While not requesting any authority to make harvest measure decisions, this entity would seek involvement in any process available to it in the making of recommendations to the Council for such measures.



*Kenai Peninsula Fishermen's Association*

*Ensuring the Sustainability of Our Fishery Resources*

43961 Kalifornsky Beach Road • Suite F • Soldotna, Alaska 99669-8276  
(907) 262-2492 • Fax: (907) 262-2898 • E Mail: [kpfa@alaska.net](mailto:kpfa@alaska.net)

October 8, 2012

Chairman Eric Olson  
North Pacific Fishery Management Council  
605 West 4<sup>th</sup> Avenue, Suite 306  
Anchorage, AK 99501

Subject: Staff Tasking/Chinook Bycatch/PSC

Chairman Olson,

The Kenai Peninsula Fishermen's Association (KPFA) is here today to continue their repeated request to the Council to address the Gulf of Alaska Prohibited Species Catch (PSC) of Chinook (KS) Salmon in the most expedient manner possible.

The last time we addressed this body we had advised you of the apparent decline of KS stocks to several Cook Inlet (CI) natal waterways. We commented on the six 'stocks of concern' that had already restricted the commercial salmon setnet fisheries. We saw a decline in our overall sockeye harvest proportion due to restrictions for KS conservation drop 11% overall in 2011.

Today, I am saddened to say that as we speak some are asking for an Agenda Change Request (ACR) from the Alaska Department of Fish and Game to list the early Kenai River KS a 'stock of concern'. We may see this list continue to eight or more if this severe trend continues.

What this has meant to our fishery this year is pure devastation. With the acting Secretary of Commerce declaration of a 'fisheries disaster' on September 12, 2012 CI setnet fishermen have now joined the ranks of many within our country of being economically disadvantaged. Statistically this year's total harvest will reflect less than a ten percent average historical catch proportion of sockeye. The real downstream effects have not been felt yet; many we have heard are seeking protection under bankruptcy laws, still others are seeking assistance through our local food bank. The ones that have other means of income, they will survive, the question remains, will our historical fishery?

To understand the magnitude of this devastating 'disaster' consider that not only were the 448 East Side Set Nets (ESSN) fishery shut down on the first day of the regular season, the Kachemak Bay setnetters and the Northern District setnetters also were either closed or severally restricted.

Of the 10,000 plus limited entry salmon permit holders that fish in Alaskan waters, about 4500 of these are classified as set net fishermen. Consider that the Yukon River, the Kuskokwim River are dominated by set net permit holders, you might now be able to contemplate that over three quarters of this states historical salmon set net gillnet fishery is now under the cloud of being a perpetual 'disaster'.

We appreciate the Councils fast track in implementing lower PSC KS limits to the Gulf of Alaska (GOA), in effect this summer 2012. We are concerned in how this system will administer immediate relief to the crisis that Alaskans now have to endure.

We question whether the Council is moving swift enough for the implementation of the step down action plans. I is our hope that we have still some time in which to correct this situation before we drop below critical Sustainable Escapement Thresholds (SET).

If the spawning populations are truly depressed to SET theoretical levels, and this will result in less smolt which in turn will mean less KS in the GOA feeding grounds, does that not mean that there will be even less KS biomass? If the ocean environment is the main reason for declines should we not be considering all anthropogenic factors as stressors to salmon recovery? What if we are so behind the curve that we apparently are within are PSC guidelines but in reality the historical numbers of KS are so depressed in the Gulf from the Alaskan component that we are now just crushing the life out of what is left of a weak stock?

KPFA strongly encourages the NPFMC to address the decline at the next Council meeting in December. To instruct your staff to gather all current known data on the estimated biomass of KS in the GOA waters, to further confer with all other entities to formulate a comprehensive plan on how to address this immense crisis. We know of no reason to continue to place this issue on the 'back shelf'. It is forefront and it will not go away without immediate attention.

Many years ago the Magnuson Stevens Act (MSA) was considered a necessary action to protect our native salmon stocks from extirpation by foreign fleets. I leave you with this question; who protects the salmon from within our own waters?

Thank you,



Paul A. Shadura II  
KPFA / Director  
Special Projects



Julie Smith

To: Whom it may concern, & North Pacific Fisheries Management Council:

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