

# North Pacific Fishery Management Council

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Certified by: John Bruce  
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## ADVISORY PANEL MINUTES FEBRUARY 3-5, 1997 ANCHORAGE, ALASKA

Advisory Panel members in attendance:

Alstrom, Ragnar	Jones, Spike
Bruce, John (Chair)	Lewis, John
Benson, Dave	Madsen, Stephanie (Vice-Chair)
Burch, Alvin	Nelson, Hazel
Cotton, Bruce	Paddock, Dean
Cross, Craig	Roos, John
Falvey, Dan	Stephan, Jeff
Fanning, Kris	Turk, Teresa
Fraser, Dave	Yeck, Lyle
Fuglvog, Arne	Yutzenka, Grant
Gundersen, Justine	
Ganey, Steve	

Advisory Panel member, Rob Wurm, was absent. The AP unanimously approved the December 1996 meeting minutes.

### C-1 Halibut Issues

#### *(b) Area 4 Catch Sharing Plan*

The AP recommends the Council initiate a regulatory amendment to remove areas 4A and 4B from the Council's catch sharing plan. The motion carries unanimously (20/0).

#### *(c) Seabird Avoidance*

The AP requests the Council advise NMFS that any proposed bird avoidance regulation published in the Federal Register must contain all of the avoidance elements approved by the Council in the regulatory text, not in the preamble. If the proposed regulations sent to NMFS in Washington D.C. do not contain all of the elements in the regulatory text, they must be returned to the region for redrafting. Under no circumstance are such proposed regulations to be published in the Federal Register.

The AP also requests the Council initiate regulations requiring seabird avoidance measures in the halibut fishery. Motion carries unanimously (20/0).

*(d) Halibut Subsistence*

The AP recommends the Council initiate a regulatory amendment to allow subsistence harvest of halibut consistent with the recommendations of the Halibut Subsistence Committee. Further, we would like to highlight the need for analysis to contain detailed definitions of:

1. barter
2. non-commercial
3. low-monetary values
4. customary and traditional

Additionally, the AP requests the following options be included in the analysis:

1. Subsistence harvest will be required to use seabird avoidance measures when applicable gear is used.
2. Establishment of a range for a daily bag limit per person of:

(a) 5 - 20 fish.

Motion carries 16/2/1 abstention.

(b) 21 - 50 fish.

Motion carries 9/6.

**C-2 Halibut Charterboat Management**

The AP recommends the EA/RIR on Halibut Charterboat Management **not** be sent out for public review at this time. We recommend the following elements and additional alternative be incorporated and the analysis returned to the Council for initial review in April.

*Elements:*

1. Evaluation of the changes in non-guided catches of halibut and the potential impacts of guided and commercial catches on non-guided anglers as identified in the problem statement.
2. An additional model run using a 10-year average (adjusted using the current methodology) of the TACs in lieu of the IPHC's future projections.
3. A review of recreational fisheries managed under a cap and the experience of those fisheries with measures designed to extend seasons.
4. Inclusion of economic multipliers to evaluate the economic impact of commercial fishing beyond exvessel price to the end-user level.
5. Expand the discussion (as much as possible) of how the alternatives relate to Executive Order 12962 "Recreational Fisheries Considerations."

*Alternative:*

1. Include in Alternative 2 a detailed logbook or other data gathering plan, such as fish tickets, for the guided halibut fishery managed by IPHC or NMFS.

Motion carries 19/0.

The AP further recommends the Council initiate a process to facilitate development and implementation of local area halibut management plans. Motion carries 12/2/1.

### **C-3 Magnuson-Stevens Act Mandates**

The AP recommends the Council request a legal determination from NOAA General Counsel regarding the applicability of LASAF fees under a VBA program. Motion carries unanimously.

### **D-2(b) Rolling Closures at Sablefish Survey Sites**

Based on public testimony and the understanding that the possible implementation in 1998 would not be affected, the AP moved to table their recommendation until the April meeting. Motion carries 16/3/1.