

# North Pacific Fishery Management Council

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April 15, 1999

## DRAFT AGENDA

**138th Plenary Session  
North Pacific Fishery Management Council  
April 21-26, 1999  
Hilton Hotel  
Anchorage, Alaska**

The North Pacific Fishery Management Council will meet April 21-26, 1999, beginning at 8:00 a.m. on the 21st, at the Anchorage Hilton Hotel. Other meetings to be held during the week are:

<u>Committee/Panel</u>	<u>Beginning</u>
Advisory Panel	8:00 a.m., Mon., Apr. 19 (Dillingham/Katmai Rm)
Scientific and Statistical Committee	9:30 a.m., Mon., Apr. 19 (King Salmon Room)
Enforcement/IFQ Committee (Weighmaster Prgm)	6:00 p.m., Tue., Apr. 20 (King Salmon Room)
Enforcement Committee (Pelagic Trawl)	6:00 p.m., Wed., Apr. 21 (Dillingham/Katmai Rm)
GOA Co-op Committee	Immediately after Council adjourns, Thurs., Apr. 22 (TBA)
Council Magnuson-Stevens Act Reauthorization Committee	7:00 p.m., Thurs., April 22, 1999 (TBA)

All meetings will be held at the hotel. All meetings except Council executive sessions are open to the public. Other committee and workgroup meetings may be scheduled on short notice during the week.

## **INFORMATION FOR PERSONS WISHING TO PROVIDE PUBLIC COMMENTS**

Sign-up sheets are available at the registration table for those wishing to provide public comments on a specific agenda item. Sign-up must be completed before public comment begins on that agenda item. Additional names are generally not accepted after public comment has begun.

Submission of Written Comments. Any written comments and materials to be included in Council meeting materials must be received at the Council office by 5:00 p.m. (AST) on Wednesday, April 14, 1999. Written and oral comments should include a statement of the source and date of information provided as well as a brief description of the background and interests of the person(s) submitting the statement. Comments can be sent by mail or fax--please do not submit comments by e-mail. **Material received after the deadline may not be included in meeting notebooks for this meeting. It is the submitter's responsibility to provide an adequate number of copies of comments after the deadline.** Materials provided during the meeting for distribution to Council members should be provided to the Council secretary. A minimum of 18 copies is needed to ensure that Council members, the executive director, NOAA General Counsel and the official meeting record each receive a copy. If copies are to be made available for the Advisory Panel (23), Scientific and Statistical Committee (13), staff (10) or the public (50) after the pre-meeting deadline, they must also be provided by the submitter.

## FOR THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP **must** sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. The AP may not take public testimony on items for which they will not be making recommendations to the Council.

## FOR THOSE WISHING TO TESTIFY BEFORE THE SCIENTIFIC AND STATISTICAL COMMITTEE

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. In addition, the SSC will designate a time, normally at the beginning of the afternoon session on the first day of the SSC meeting, when members of the public will have the opportunity to present testimony on any agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC, and presentations lasting more than ten minutes will require prior approval from the Chair.

## COMMONLY USED ACRONYMS

<b>ABC</b>	Acceptable Biological Catch	<b>MSFCMA</b>	Magnuson-Stevens Fishery Conservation and Management Act
<b>AP</b>	Advisory Panel	<b>MMPA</b>	Marine Mammal Protection Act
<b>ADF&amp;G</b>	Alaska Dept. of Fish and Game	<b>MRB</b>	Maximum Retainable Bycatch
<b>BSAI</b>	Bering Sea and Aleutian Islands	<b>MSY</b>	Maximum Sustainable Yield
<b>CDQ</b>	Community Development Quota	<b>mt</b>	Metric tons
<b>CRP</b>	Comprehensive Rationalization Program	<b>NMFS</b>	National Marine Fisheries Service
<b>CVOA</b>	Catcher Vessel Operational Area	<b>NOAA</b>	National Oceanic & Atmospheric Adm.
<b>EA/RIR</b>	Environmental Assessment/Regulatory Impact Review	<b>NPFMC</b>	North Pacific Fishery Management Council
<b>EEZ</b>	Exclusive Economic Zone	<b>OY</b>	Optimum Yield
<b>EFH</b>	Essential Fish Habitat	<b>POP</b>	Pacific ocean perch
<b>FMP</b>	Fishery Management Plan	<b>PSC</b>	Prohibited Species Catch
<b>GOA</b>	Gulf of Alaska	<b>SAFE</b>	Stock Assessment and Fishery Evaluation Document
<b>HAPC</b>	Habitat Areas of Particular Concern	<b>SSC</b>	Scientific and Statistical Committee
<b>IBQ</b>	Individual Bycatch Quota	<b>TAC</b>	Total Allowable Catch
<b>IFQ</b>	Individual Fishing Quota	<b>VBA</b>	Vessel Bycatch Accounting
<b>IPHC</b>	International Pacific Halibut Commission	<b>VIP</b>	Vessel Incentive Program
<b>IRFA</b>	Initial Regulatory Flexibility Analysis		
<b>IRIU</b>	Improved Retention/Improved Utilization		
<b>ITAC</b>	Initial Total Allowable Catch		

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**Hilton Hotel**  
**Anchorage, Alaska**

	<u>Estimated Hours</u>
<b>A. CALL MEETING TO ORDER</b>	
(a) Approval of Agenda	•
(b) Approval of Minutes of Previous Meetings	•
<b>B. REPORTS</b>	
B-1 Executive Director's Report	•
B-2 State Fisheries Report by ADF&G	•
B-3 NMFS Management Report	•
B-4 Enforcement and Surveillance Reports	•
B-5 Vessel Monitoring Systems - Report on National System	•
B-6 IPHC Report	(3 hours for A/B items)
<b>C. NEW OR CONTINUING BUSINESS</b>	
C-1 <u>Halibut Charter GHJ</u> Review discussion paper.	(4 hours)
C-2 <u>Steller Sea Lions</u> (a) Report on Federal and State research activities. (b) Amendment package: initial review.	(8 hours)
C-3 <u>American Fisheries Act</u> (a) Amendment package: initial review. (b) Omnibus amendments to conform with AFA: initial review.	(12 hours)
C-4 <u>Crab LLP Eligibility</u> Consider revising October 1998 action.	(2 hours)
C-5 <u>Ecosystem-based Management</u> (a) NMFS Ecosystem Principles Advisory Panel report. (b) Sustainable fisheries management: Council discussion. (c) Progress report on developing Habitat Areas of Particular Concern (HAPC).	(2 hours)
C-6 <u>Seabird Protection</u> (a) Amendment: final action. (b) Net debris: Council discussion. (c) EFP(s) for bird avoidance measures.	(3 hours)
C-7 <u>Fishery Monitoring Programs</u> IFQ Weighmaster Program: Committee report and Council action as necessary.	(1 hour)

C-8 Magnuson-Stevens Act Reauthorization (1 hour)  
Initial discussion of potential reauthorization issues.

C-9 MS-CDQ Program Issues (2 hours)  
(a) Receive status report on eligible communities.  
(b) Comment on the analysis to reduce observer coverage on longline catcher vessels ≥ 60 ft.  
(c) Review analysis to reduce CDQ observer coverage at shore plants.  
(d) Review analysis for AFA omnibus amendments to the MS-CDQ program.  
(e) Comment on proposed regulatory changes to the State-managed CDQ program.  
(f) Receive status report and CDQ Implementation Committee report on staff tasking of amendments.

C-10 NMFS Budget [No information in notebooks] (1 hour)  
Discuss budget priorities and regional funding allocations.

#### D. FISHERY MANAGEMENT PLANS

D-1 Groundfish Management (8 hours)  
(a) Report on Board of Fisheries/NPFMC Joint Committee meeting.  
(b) SR/RE /Thornyhead MRB reduction: initial review.  
(c) Cook Inlet Non-pelagic trawl ban: initial review.  
(d) HMAP/VBA: review any proposals received.  
(e) Shark management: initial review.  
(f) Allocation of BS/AI Pacific cod between freezer longliners and other fixed gear: Council direction.  
(g) Discussion/direction to staff on analysis of on species endorsements under the Groundfish LLP.  
(h) Review EFP to assess sampling for species composition.

D-2 Crab Management (2 hours)  
(a) Review Board of Fisheries actions concerning crab fishing seasons and new stand-down requirements.  
(b) Bairdi rebuilding program: initial review.

#### E. PUBLIC COMMENTS

#### F. CHAIRMAN'S REMARKS AND ADJOURNMENT

Total Agenda Hours: 49

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**TIME SUMMARY**

Total agenda hours	49.0 hours
Lunches - 6 days (1 hr ea)	6.0 hours
Breaks (3/day, 15 min ea x 6 days)	<u>4.5 hours</u>
Total estimated hours required:	59.5 hours

Meeting as follows:  
Wed. - Mon - 8am-5:30pm = 9.5 hours x 6 =

Total hours available:	57.0 hours
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Date: 4/13/99

## MINUTES Scientific and Statistical Committee February 1-2, 1999

The Scientific and Statistical Committee of the North Pacific Fishery Management Council met February 1-2, 1999 at the Anchorage Hilton Hotel in Anchorage, AK. All members were present except Steve Klosiewski and Richard Marasco:

Jack Tagart, Vice-Chair  
Steve Hare  
Doug Larson  
Al Tyler

Keith Criddle  
Sue Hills  
Seth Macinko  
Harold Weeks

Doug Eggers  
Dan Kimura (Alt.)  
Terry Quinn

### C-1 STELLER SEA LIONS

This agenda item was presented by Tim Ragen and Kent Lind (both of NMFS-AKR). Public testimony was presented by Chris Blackburn (AGDB), Ben Ellis (Alaska Sea Life Center - Seward), Ed Richardson (ASPA) and Dave Fraser (High Seas Catcher Boat Cooperative).

The pace of this issue continues to make it difficult for the SSC to provide constructive advice. A draft environmental assessment was not provided to the SSC. It would have been helpful to have written materials outlining new alternatives to be considered in the new emergency action and the post-1999 permanent action. An outline of the analytical framework for the EA/RIR to be presented in April would also have facilitated SSC, AP and Council discussions.

The factors that have led to the decline in Steller sea lions are poorly understood, and it is unclear whether proposed management measures will have any effect on sea lion recovery. The SSC urges caution in enacting fishery management measures, and that careful review and deliberation of alternatives be allowed to occur.

The principal emphasis now is on preparation of an EA/RIR for both the emergency rules governing the pollock fishery in 1999, and subsequent rule-making to govern the fishery in 2000 and beyond. Setting alternatives for this analysis is critical for the Council to understand the choices before it, and to effectively use the analysts' time and efforts. It is essential to articulate the characteristics that will allow an alternative to avoid a jeopardy opinion. Developing alternatives that meet the conservation need and that provide realistic constraints on the fishery hinges on a clear understanding of what will meet the goal of avoiding jeopardy. The discussion to date has focused on dispersing the fishery in space and time. This implies that there is some threshold of "local" exploitation (space and time) that is too much. This threshold needs definition.

Once a suite of alternatives are defined, the EA/RIR needs to address the following elements:

(1) It is important for the EA/RIR to set forward testable hypotheses and the monitoring and analytic needs to evaluate proposed measures. The SSC has previously made detailed suggestions regarding these measures in its April, June and November 1998 minutes. Arguments that support the adoption of measures that constrain fishing activities are contingent on the hypothesis that commercial fishing decreases the effectiveness of sea lion foraging. As in the past the SSC recommends that future management be based on an experimental design that provides information about the interactions of fisheries and Steller sea lions.

The SSC received an update on the overall research efforts planned to address the Steller sea lion situation. Although the SSC is encouraged by the workshops to be convened next week and by the prospect for revising and updating the Steller Sea Lion Recovery Plan, it is important that future research conducted by NMFS and other entities directly address fundamental hypotheses regarding fishery/sea lion interactions. One useful study mentioned in public testimony is a local depletion study, in which surveys would be conducted prior to and after a fishery to test the hypothesis that a significant portion of the pollock population was removed in an area. Further SSC comments on Steller sea lion research are given in our minutes under Research Priorities.

(2) A discussion of the designation of critical habitat is needed. The SSC suggests it is time to investigate whether a redefinition of critical habitat is needed. Such an investigation should incorporate recent information from NMFS and other scientific studies.

(3) Although there is no requirement that the Section 7 consultation address the effect of implementation of these measures on industry, communities, or other management objectives, these are required considerations in the context of an EA/RIR. The EA/RIR should include information on the effect that the measures will have on prohibited species bycatch, changes in the size/age distribution of catch and consequent effects on stock dynamics, gear conflicts, and economic impacts. Implementation of conservation measures consistent with the RPAs may have unintended consequences. For example, trip limits in the Gulf of Alaska might increase discarding and redistribution of effort from the CVOA could result in increased bycatch of chum salmon and bairdi Tanner crab.

(4) The SSC believes that the NMFS proposal for spatial reapportionment of the B and C seasons should be altered. Eastern Bering Sea pollock undergo significant seasonal feeding and spawning migrations. A large portion of the spawning occurs at the outer shelf and offshore area of the southeastern Bering Sea in close association with the CH/CVOA. This observation is based on a number of synoptic hydroacoustic surveys of the eastern Bering Sea during the spawning period, the distribution of eggs and larvae from synoptic surveys of EBS, and the location of the A season catch. Following spawning, pollock move on to the shelf and by the time of the annual bottom trawl survey are dispersed throughout the shelf feeding areas. Thus, the NMFS bottom trawl surveys occur when the portion of the EBS pollock stock outside of CH/CVOA is the greatest. Pollock then migrate into CH/CVOA areas in late summer. Therefore, using the spatial distribution of pollock based on the NMFS surveys as a surrogate for the spatial distribution of pollock during the B/C season is erroneous.

The rationale for, and consequences of, spatial reapportionment of B and C season pollock fishing each year must be made explicit. Any reapportionment should reflect the fact that the fraction of pollock in the water column is significant and variable from year to year, and is surveyed hydro-acoustically only every three years. The SSC has often endorsed the principle of distributing removals of a resource in accord with the corresponding distribution of biomass (e.g., Atka mackerel). This is consistent with the RPAs presented in December. Because the SSC does not believe the distribution of biomass inferred from NMFS trawl and hydroacoustic surveys reflects B and C seasonal biomass distributions, the SSC suggests the following five alternatives be considered in the EA/RIR:

(a) a 50/50% split inside and outside the CH/CVOA

(b) the allocation proposed by the Council at its December 1998 meeting (either of these schemes reduce the percentage of removals within the CH/CVOA).

(c) a return to the percentages that occurred prior to recent increases in the harvest proportion taken in the CVOA;

(d) a distribution based on an analysis of commercial fishery catch and effort data (probably with increased weighting toward the more recent period and with standardization for catchability differences among vessels and effects of regulations). While this option may require substantial time for analysis and may need the assumption that catch or CPUE is proportional to biomass, there is assuredly information in commercial fishery data that should be examined.

(e) a distribution based on real-time surveys (trawl and hydroacoustic) just prior to the B and C seasons. Implementation of this option will be difficult due to design considerations, necessary resources, and timing constraints.

### **C-3 EA/RIR FOR THE SEABIRD AVOIDANCE MEASURES TO REDUCED BYCATCH OF SHORT-TAILED ALBATROSS**

The SSC received a presentation from Kim Rivera of NMFS Protected Resources Division, Juneau, Alaska. Public testimony supported the position that proper weighting of lines was the most economical, effective measure to minimize the bycatch of birds. The draft EA/RIR was not provided to the SSC in advance. Consequently, the SSC did not receive the draft and cannot comment on its suitability for public review. Public testimony was provided by Carl Vido, Steven Vindal, and Bob Alverson of Fishing Vessel Owners Association. The purpose of the draft EA/RIR is to provide reasonable and prudent measures to protect the short-tailed albatross.

The short-tailed albatross is an endangered species, so rare that only average of one bird is estimated to taken annually. However, two birds were taken in the Pacific cod longline fishery in 1998, and current regulations allow a take of only 4 birds over a two year period before a further Section 7 consultation would be required. As further background, the worldwide population of short-tailed albatross is approximately 1,100 and is believed to be increasing at a rate of 6% per year.

The seabird issue is an ESA problem, but it does not involve a jeopardy finding. The SSC is pleased to note that the problem associated with short-tailed albatross and longline fisheries is clearly defined, the timetable for taking action reasonable, provisions have been made for experimentation, and concern expressed for minimizing the cost to industry is included.

However, some significant shortcomings were also noted: there is no estimation of reduction in risk of bycatch for options under Alternative 2, and there is limited discussion of costs. Because bycatch is so small, estimation of the total take of short-tailed albatross is problematic. Uncertainty exists on how the known take of albatross should be expanded to the unobserved portion of the fishery. The SSC would like to see a frequency distribution of seabird bycatches. It has been noted in other longline fisheries (e.g. New Zealand) that the distribution of seabird bycatches tends to be highly clustered, with a high proportion of the bycatch taken in a small number of hauls.

Because of the extremely small numbers in the bycatch of short-tailed albatross and because little quantitative information is available concerning the efficacy of proposed measures, it is unlikely that meaningful estimates of bycatch reduction can be made.

#### **C-5(a) HALIBUT CHARTER GHL**

Jane DiCosimo provided the SSC with an overview of a discussion paper that will lead to the development of an EA/RIR for a GHL and moratorium for halibut charters. In addition to issues raised in the discussion paper, the SSC suggests that the analysis address the following:

- (1) The tradeoff between profits earned by charter operators and net benefits obtained by charter customers. For example, while an appropriately specified moratorium may conserve or increase profits for charter operators, it may constrain or reduce the net benefits obtained by charter customers.
- (2) The distribution of risk associated with alternative specifications of the GHL. For example, if the charter fishery is allocated a fixed tonnage or number of halibut rather than a fixed percentage of the TAC, the commercial fishery will absorb reductions (increases) in the TAC.
- (3) The sensitivity of exvessel demand (elasticity) for halibut and the sensitivity of demand (elasticity) for halibut charters.
- (4) Differences in the regional economic impacts of commercial and charter fishing.

#### **C-6 ECOSYSTEM MANAGEMENT**

Dave Witherell presented this agenda item. The report of the NMFS Ecosystem Principles Advisory Board is in the final drafting state and is not available for discussion. The Council's ecosystem committee met on January 21-22, 1999. Four principal topics of discussion were:

- (1) the effects of environmental change on fisheries,
- (2) the effects of fishing gear on habitat,
- (3) time-area closure management, and
- (4) recommendations of the Ecosystem Principles Advisory Board.

The SSC continues to support and encourage the work of the Council's ecosystem committee as an avenue to work toward sustainable fisheries and a better understanding of ecosystem dynamics. We concur with the committee's recommendations.

#### **C-7 SOCIAL AND ECONOMIC DATA**

The SSC received a progress report from Darrell Brannan. The SSC notes that due to time constraints, the committee report was not reviewed by the entire committee and should be regarded as a draft. It is important that data elements on economic and social aspects of the fisheries that are not currently available or not available in a useful form, begin to be routinely collected, maintained, and made accessible. The report and the working group's deliberations, represent a useful step toward enhancing social and economic data resources. While these data will ultimately support improved assessments of the status quo magnitude and distribution of net benefits and predictions of how these benefits may change in response to various



management decisions, the SSC wishes to caution that this is a long-lived process analogous to development of the data now routinely collected to support stock assessment models. Moreover, the data collection initiatives explored by the Social and Economic Data Committee are not comprehensive. Specifically, while data generated by the operating cost surveys and the proposed changes to COAR and Fish Ticket reporting requirements will contribute to improved estimates of current net economic benefits, additional information (e.g., cold-storage holdings and other inventories, export and import volumes and prices), would be necessary for modeling exvessel and wholesale product price formation processes.

Similarly, while the fishery atlas will help to describe present and past social and economic context of the fishery, it is unlikely to serve as the basis for predictive models of the social and economic consequences of various management actions. Additional data priorities are identified under Research Priorities (Section D). The SSC is particularly supportive of the Committee's recommendation in favor of the establishment of an instrument for gathering information about participation by fishing crew and processing employees.

## C-8 RESEARCH PRIORITIES

The SSC updated the list of research priorities from last year by incorporating Plan Team recommendations and its own new thoughts. The SSC emphasizes that this list is not inclusive of all needed research nor is it prioritized; rather it represents a compilation of research ideas recognized by the SSC as deserving attention by NMFS, ADF&G, IPHC, other agencies, and institutions of higher learning. The SSC wants to emphasize the new importance of sea lion and pollock related research in C.9.

### A. Critical Assessment Problems

1. **Rockfish:** There is a general need for better assessment data, particularly investigation of stock structure and biological variables.
  - a) *Supplement triennial trawl survey biomass estimates with estimates of biomass or indices of biomass obtained from alternative survey designs.*
  - b) *Obtain age and length samples from the commercial fishery, especially for Pacific ocean perch, northern rockfish, and dusky rockfish.*
  - c) *Increase capacity for production ageing of rockfish so that age information from surveys and the fishery can be included in stock assessments in a timely manner.*
2. **Walleye pollock:** There is a continuing need for research on stock structure as it relates to assessment. There is a critical need for a tagging study to focus on stock interactions. We continue to emphasize the need for age-structured assessments of recognized stock units. As the Bering Sea pollock population has declined, the forecasts of future pollock recruitment have undergone greater scrutiny. Research on alternative forecasting methods is needed

The SSC believes that the magnitude of the catch, size and age structure of the EBS stock harvested in the Russian zone in the vicinity of the transboundary area is needed. It may be necessary to consider fishing removals from the Russian zone and their impact on EBS pollock mortality in the estimates of ABC and TAC.

Assessment of the status of the Gulf of Alaska resource is critically dependent upon results of resource surveys. Currently, these surveys are conducted every three years. Various ways of supplementing the triennial survey data should be evaluated. The relationship between fish in Prince William Sound to those in the Gulf of Alaska needs to be elucidated.

3. **Crab research:** Research should be expanded on handling mortality, stock structure and life history parameters.
4. **Age- and length-structured assessments:** These assessments integrate several data sources using some weighting scheme. Little research has gone into evaluation of different weighting schemes, although the weight can have a large effect on the assessment results. Research is needed on which weighting schemes are robust to uncertainties among the different data sources. Age structured assessments depend upon age determination techniques and ongoing age validation is needed.

Correct model specification is critical to stock assessment. Further research is needed on model performance in terms of bias and variability. In particular, computer simulations, sensitivity studies, and retrospective analyses are needed. As models become more complex in terms of parameters, error structure, and data sources, there is a greater need to understand how well they perform.

5. **Life history information, e.g., growth and maturity data, is incomplete for a number of stocks.** This information is essential for determination of ABC, OFL and preferred fishing mortality rates. Maturity data are lacking for: Pacific cod, Dover sole, other flatfish, sablefish, and many species of rockfish. Life history and distributional patterns of Greenland turbot are lacking. To better understand sablefish recruitment variability, additional information on the geographical distributional and movement of juvenile sablefish is needed.
6. **Identification of the origin of chum and chinook salmon stocks captured incidentally in the groundfish fisheries is needed.** The chum salmon stocks in particular are recognized as a mixture of Asian and North American origin. Resolution of stock origin is important in the consideration of bycatch management.
7. **There is need for information about stock structure and movement of walleye pollock, Atka mackerel, Pacific cod, POP, and other rockfish.**
8. **Further research is needed about management strategies that provide for conservation of aquatic resources.** Topics that need attention include: which measure of biomass should be used in biomass-based adjustment of ABC and OFL; what measure of average recruitment to use in  $B_{40\%}$ ; the effect of seasonality in spawning, recruitment, and harvest on optimal harvest rate; adaptive management schemes which are designed to provide understanding of multispecies interactions and spatial population dynamics. One objective is to develop multispecies analysis of stocks.
9. **Presentation of uncertainty in stock assessments is often lacking or incomplete.** Further research is needed into which methods are most appropriate for capturing uncertainty in the status of populations.
10. **Management measures such as time-area closures and other restrictions are frequently imposed, but rarely rescinded.** Studies are needed to evaluate the effectiveness of management measures on conserving populations, achieving management goals and assessing other ecosystem effects.

## **B. Stock survey concerns**

- 1. Conservation of aquatic resources in the North Pacific is critically dependent on a consistent time series of trawl, hydroacoustic, and longline surveys. The continuity of these series must remain one of the highest priorities of NMFS and the Council. Data analysis should be expanded to include non-target, non-FMP species.**
- 2. Explore ways for inaugurating or improving surveys to assess rockfish (including nearshore pelagics), pollock, squid and Atka mackerel.**
- 3. Expand bottom trawl surveys in the Gulf of Alaska and Bering Sea to include slope areas that encompass the population range of Greenland turbot, rockfish, thornyheads, and sablefish.**
- 4. Conduct surveys of the Aleutian Islands management area to assist in the assessment of groundfish stocks found in this region.**
- 5. Improve surveys for Bering Sea crab complementary to the existing Bering Sea crab/groundfish survey (e.g. Norton Sound, Pribilof Islands, St. Matthew Island, and Bristol Bay).**
- 6. Direct observation (e.g. submersible and dive surveys) offers unique opportunities to directly examine gear performance, fish behavior in the proximity of gear, gear related habitat impacts, and differences of fish density between trawlable and nontrawlable habitat.**
- 7. There is a continuing need to perform gear calibration and fish observation studies to validate indices of abundance (e.g. fishing longline and trawl gear side-by-side, and fishing different baits on longline gear over the same stations).**
- 8. Within the EEZ are seamounts that are unsampled for groundfish, halibut, and crab abundance. Surveys that sample these seamounts may improve estimates of total abundance in the EEZ, particularly for sablefish and rockfish stocks.**
- 9. Data from annual ADF&G crab surveys should be examined and their usefulness for assessing groundfish abundance in near-shore areas should be evaluated. Dialogue between ADF&G and NMFS assessment scientists regarding ways of gaining more useful groundfish data from this survey should be encouraged.**

## **C. Expanded Ecosystem Studies**

- 1. Because of the importance of marine mammal and seabird considerations in fisheries management, further studies are needed on interactions among fisheries, marine mammals, and seabird populations. In particular relationships among oceanographic conditions, conditions and animal condition and health should be explored. Research should be done on sources of age-specific fish mortality.**
- 2. Effort is needed on status of stocks and distribution of forage fishes, such as capelin, eulachon, and sand lance. Forage fish are an important part of the ecosystem, yet little is known about these stocks. The Lowell-Wakefield Symposium (October 1996) presented current research on forage fishes.**

3. **Studies of the effects of harvesting and processing activities on the ecosystem and habitat should be instituted. For example, studies contrasting species diversity and abundance in the red king crab savings area with that in adjacent regions.**
4. **Trophic dynamics research should be undertaken on the relationships among critical species, e.g., Pacific cod and its prey (including shrimp and crabs). The feasibility of constructing multispecies models using ongoing collection of gut contents data should be investigated.**
5. **Groups of species in the rockfish and flatfish families are now managed as "species complexes." Research should be expanded on the question of biological linkages among the components of "species complexes" that justify this management approach. Further, are there other, unidentified groups of species that are ecologically related and could be managed as a unit?**
6. **Studies are needed to identify essential habitat for groundfish and forage fish species in the Gulf of Alaska and Bering Sea. This identification is required by the MSFCMA and would benefit from field studies conducted across a matrix of spatial temporal, and life history stages. Mapping of nearshore and shelf habitat should be continued for FMP species.**
7. **Expand studies of distribution, abundance, and productivity of seabird populations and ensure that data are collected in ways that provide for rigorous analyses of seabird/marine mammal/oceanographic/fisheries interactions. The majority of data on seabirds in Alaska was collected during the 1970s (through OCSEAP); the quantity of data collected afterwards has been insufficient to adequately examine these interactions.**
8. **Multivariate statistical analysis of the time series of annual survey data may identify which species regularly occur in assemblages. Mapping these assemblages through space and time may reveal changes in the distribution and abundance of the species of the Eastern Bering Sea. These mappings and trajectories may be applicable to adaptive management approaches suggested for exploring ecosystem concerns. Although related analyses were started by NMFS in the late 1970's, they have not been conducted in recent years. Recent advances in spatial statistics may prove fruitful tools for re-examining these existing data.**
9. **Uncertainty about the relationship between the Steller sea lion population and groundfish fisheries has taken an elevated significance. With this uncertainty as to the extent of factors affecting Steller sea lions, it is critically important to investigate the effects of mitigation measures on the sea lions, the fisheries, and the ecosystem. The monitoring must be based on an experimental design that provides information about the interaction of fisheries and Steller sea lions. Five questions are central to future work:**
  - (a) **What is the distribution of fish in relation to areas used for fishing, and what are the seasonal changes?**
  - (b) **What is the distribution of fish in fishing areas before and after fishing?**
  - (c) **How do Steller sea lions use pollock in relations to pollock distributions?**
  - (d) **How does the Steller sea lion's pollock feeding habits influence sea lion population dynamics?**
  - (e) **Does the fishery effect Steller sea lions in other ways (e.g., behavioral disturbance)?**

#### **D. Social and economic research**

**There is a critical need for the development and continued maintenance of basic social and economic information databases on the fisheries and fisheries dependent communities of GOA and BS/AI. This information is required for establishing a baseline to be used in the evaluation of the impacts of alternative management measures.**

- 1. There is a need to develop a cross section-time series of data on:**
  - a) Exvessel and wholesale prices (information is needed on actual transactions and sources of variability).**
  - b) Inventories and exports (greater detail on product form, volume, and transactions prices).**
  - c) Cost of variable inputs to fishing**
  - d) Patterns of ownership in fishing and processing operations (concentration, vertical integration, foreign participation).**
  - e) Employment and earnings for crew and skippers**
  - f) Patterns of employment/unemployment, earnings, transfer payments in fishery dependent communities, and**
  - g) The location where goods and services are purchased.**
  
- 2. There is a need for economic analyses of:**
  - a) The demand for fisheries products (exvessel, wholesale, international, and retail markets)**
  - b) Production functions for catch and processing**
  - c) Regional models of economic activity in fishery dependent communities,**
  - d) An assessment of the cumulative efficiency and equity consequences of management actions that apply time/area closures**
  - e) An assessment of the consequences of the halibut/sablefish IFQ program (changes in product markets, characteristics of quota share markets, changes in distribution of ownership, changes in crew compensation, etc.)**
  - f) Estimates of the net economic benefits of recreation and subsistence harvests, and,**
  - g) And improved representation of fleet behavioral response to alternative fishing opportunities to provide better prediction of how fishing effort will shift in response to time/area closures.**
  
- 3. Research pertinent to assessment of the social impacts of actions contemplated by the Council include:**
  - a) Fishery/Community Linkages: Field research aimed at capturing the full array of linkages between fisheries and social and economic life in fishery dependent communities.**
  - b) Social Assessments: Selected community and industry assessments should be conducted to establish baseline conditions underlying social problems identified by the Council and the Advisory Panel. As appropriate, these projects can be extended to generate time series information.**
  - c) Social Impacts: Social impact and policy research should be conducted regarding the identification and potential effects of alternative management actions.**

- d) **Develop better methods for determining the social costs and benefits of management actions (e.g. through the use of non-market valuation techniques).**

**E. Bycatch problems**

1. **Research on gear modification and other methods for reducing bycatch should be expanded.**
2. **A better quantification of discard mortality rates is needed, especially for halibut and crab.**
3. **Data on size/age and sex of crabs taken as bycatch are needed to assess impacts.**
4. **Comprehensive evaluations are needed of single and multiple time/area closures and other bycatch management measures.**
5. **Develop better methods for assessing the social costs of bycatch.**
6. **Identify sources of variability in actual and estimated bycatch rates.**
7. **Collect bycatch information in the directed halibut fisheries using observer coverage. Current logbook information is inadequate to quantify this bycatch.**

**F. Fishery Monitoring**

1. **Inseason management and stock assessment are critically dependent on catch estimates. There is a need to conduct ongoing analyses of the accuracy and precision of catch estimates in all fisheries. An analysis of the utility of fishery logbook information should be conducted. In particular, determine if it is possible to gain insight into fleet performance from such information. Examine feasibility for developing a representative CPUE index and determine if it is proportional to stock size**
2. **Evaluate sampling procedures used by observers and various catch estimation procedures.**
3. **Development of catch and bycatch sampling procedures for individual vessel accountability programs.**

**D-1(c) CHINOOK BYCATCH PSC**

**Dave Ackley, ADF&G, presented the EA/RIR for the proposed amendment to minimize chinook salmon bycatch in groundfish trawl fisheries of the Bering Sea and Aleutian Islands. Public testimony was provided by Dan Albrecht, Dorothy Childers, Joe Sullivan, and Jennifer Chris. The Council is scheduled to take final action on the amendment at this meeting. Current regulations include a prohibition on trawling in designated chinook salmon savings areas (CHSSA) upon attainment of an estimated catch of 48,000 chinook prior to April 15. No restrictions on bycatch are in place after April 15.**

**Among alternatives proposed in the amendment are activation of a prohibition on trawling in the CHSSA at any time in the calendar year after the 48,000 fish cap is reached, reduction of the cap from 48,000 to 36,000 fish with trawl closures triggered upon attainment of cap prior to April 15; seasonal allocation of the cap, change in the accounting year for the cap, and annual closure of specific "hot spots".**

In October 1998, the SSC recommended amending the draft EA/RIR to accommodate 3 issues: (1) expression of returns of chinook salmon to rivers of origin as adult equivalents; (2) illustration of the impacts of proposed alternatives with respect to bycatch within Steller sea lion critical habitat; and (3) a discussion of the changes in expected fishing effort resulting from proposed alternatives. All items requested are provided in the current document. The SSC reiterates a comment it has provided on this issue in the past: Because chinook salmon bycatch levels are historically low relative to the directed catch (commercial and subsistence) the proposed bycatch management measures are largely allocative among the competing fisheries. Proposed alternatives variably distribute the conservation burden for the chinook stocks between the groundfish and directed salmon fisheries.

While the current document offers a thorough evaluation of where and when chinook salmon bycatch occurs, and the differences in anticipated catch as a consequence of the proposed alternatives, the consideration of the costs and benefits associated with the alternatives is limited.

This is some question whether the data analyzed in the EA/RIR are realistically predictive of outcomes expected in the upcoming groundfish fishery given the very substantial changes in management resulting from the recent AFA, and management measures related to the Steller sea lion biological opinion. Regardless, the EA/RIR does attempt to provide qualitative insight on the direction and type of impact resulting from these actions. The SSC notes that data on the river of origin of chinook salmon bycatch is dated, and we don't know if more timely data would change the inference on this topic. We also note that there is continued controversy with respect to the accuracy of chinook salmon bycatch estimates.

Chinook salmon bycatch estimates are known to have low precision and are potentially biased. The magnitude and direction of the bias is undetermined. Industry suspects overestimation of bycatch from the implementation of basket sampling, while NMFS observer program personnel suspect underestimates of chinook bycatch from whole haul counts that are dependent on industry assistance to set aside salmon bycatch prior to counting. Some effort should be made to resolve this question. Additionally, the SSC requests that NMFS report on the consistency of salmon bycatch sampling methods over the history of the Bering Sea groundfish fisheries.

In spite of these concerns, the SSC believes the data reflect the trend and spatial pattern of salmon bycatch in Bering Sea groundfish fisheries. The spatial and temporal patterns have been very consistent in the foreign, JV and domestic groundfish fisheries.

#### **D-3 BSAI CRAB FMP**

The SSC heard a report from Dave Witherell on the Status of the C. bairdi rebuilding plan and looks forward to seeing the analyses to be developed for the April meeting.

#### **D-4 REVIEW OVERFISHING DEFINITION FOR THE SALMON FMP**

The SSC reviewed the revised overfishing definition developed for the Salmon FMP. The definition under Alternative 2 (preferred) applies to chinook salmon (Tier 1) and coho salmon (Tier 2,3) explored by the southeast Alaska troll fishery. The definitions reflect the overfishing policies of the State of Alaska, and the Pacific Salmon Commission (PSC) and are consistent with the Magnuson-Stevens Act's National Standard 1.

The SSC notes that the mortality rates under Tier 1 are accumulated from 1997 (the year the PSC letter of agreement was implemented) until the most recent time. Over time these rates would become insensitive to

catches exceeding management targets. The SSC recommends that the rates be accumulated only over the previous T years, where T is the average life span of the chinook salmon stocks exploited.

## **ABC/OFL DISCUSSION**

Grant Thompson (AFSC) gave a thorough overview of recent events concerning ABC/OFL determinations. Passage of the MSFCMA in 1996 led to the Council's redefinition of overfishing and the development of Amendments 56/56 to the BSAI and GOA FMPs. Following the advice of the Plan Teams, SSC and AP, the Council approved Alternative 2; approval from DOC came just last week.

The Council's alternative does not follow NMFS Guidelines exactly. In particular, a minimum stock size threshold allowing rebuilding to a target level within a given number of years was not in the alternative. It is unclear at this point what the difference means for the annual ABC/OFL process.

Dr. Thompson also distributed a revised version of his paper presenting his vision of how to optimize the elusive harvest control rules. The SSC continues to support his and others' work on improving the basis for determinations of ABC and OFL.

### Election of Officers

Dr. Richard Marasco was unanimously re-elected as chair and Dr. Jack Tagart was re-elected vice chair of the SSC.



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## ADVISORY PANEL MINUTES FEBRUARY 1-4, 1999 ANCHORAGE, ALASKA

Advisory Panel members in attendance:

Acuna, Erika	Gundersen, Justine
Alstrom, Ragnar	Jones, Spike
Benson, Dave	Jordan, Melody
Blott, Tim	Kandianis, Teressa
Bruce, John (Chair)	Lewis, John
Burch, Alvin	Madsen, Stephanie (Vice-Chair)
Cross, Craig	Nelson, Hazel
Falvey, Dan	Stephan, Jeff
Fanning, Kris	Ward, Robert
Fraser, Dave	Yeck, Lyle
Fuglvog, Arne	Yutzenka, Grant
Ganey, Steve	

The Advisory Panel (AP) unanimously approved their December 1998 meeting minutes.

### C-1 Steller Sea Lions

The AP recommends the council initiate an analysis with the following options:

#### GOA - Emergency Rule

1. Extend all provisions in the current emergency rule pertaining to the GOA except for
  - a. reduce tender trip limit to 136 mt
  - b. Since the pollock opening dates are not synchronous between the GOA and BSAI, the AP recommends including an option for exclusive registration between the western/central GOA and BSAI in order that catcher vessels are restricted from fishing in both BSAI and western/central GOA during the equivalent seasons.

#### GOA - Permanent Rulemaking

1. Tender trip limit of 136 mt.
2. Seasonal exclusive registration between western, central GOA and BSAI (see b. above).
3. Analysis of the current regulatory changes.
4. Re-examine Shelikof Strait critical foraging area based on data supplied by public testimony.
5. Discussion of extending the harvester co-op provisions of AFA to the GOA.
6. Discussion of safety issues and needs of sea lions before implementing additional haul-out closure areas.

The AP further requests a peer review of the current program. Motion carried unanimously (22/0).

### BSAI SPATIAL

- A. Include current Emergency Rule as an alternative.

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## B. Distribution between

- Option 1: CH and non-CH
- Option 2: CH and non-CH with non-CH split east/west of 170°
- Option 3: CH and non-CH with non-CH split north/south of 57°
- Option 4: CH and non-CH, with:
  - a. 10-mile buffer around CH
  - b. 20-mile buffer around CH

Sub-option: Range value on each side of particular line plus or minus 20%.

C. Consider repeal of Pribilof Trawl Closure except for rookery area, for mid-water pollock fisheries only and require vessels document that their nets are off bottom. (Motion requiring vessel to document net position carried 11/10/1.)

D. Review decision and justification for expansion of CH to include all CVOA.

## BSAI TEMPORAL

### A. A/B season split within the ranges(s):

- 1. 40-60
- 2. 50-50

### B. A1/A2 split within the range(s):

- 1. 25-15 

applies to 40-60
------------------
- 2. 30-10
- 3. 30-20 

applies to 50-50
------------------
- 4. 25-25

(A motion to increase stand-down period to one month between A1 and A2 failed 9/10/1.)

### C. B Season start date

- 1. June 1
  - a. with differential application by sector keyed to co-op.
- 2. Combine B/C season with early start date, and with cap on monthly catch. No month to exceed 20-30% of annual harvest.

### D. Aleutians

- 1. Re-open with CH circles as listed in RPAs
- 2. Re-open with area TAC splits between 541, 542, 543.

### E. Rollovers.

- 1. Repeal restriction that doesn't allow harvest of uncaught CH fish.

Further, the AP requests:

- 1. Review time series of bottom trawl surveys for inter-annual variation.
- 2. Review time series of acoustic surveys for inter-annual variation
- 3. Correlate findings of acoustic and bottom trawl surveys in years when both surveys were conducted to evaluate consistency on distribution.

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4. Review foreign, JV and DAP harvest patterns by month with reference to CPUE and total catch compared to survey distribution.
5. Review portion of commercial catch taken outside survey area.
6. Review areas in CVOA/CH that are not currently being surveyed.

Additionally, the AP requests the Council form a committee of fishing and environmental industry representatives, and NMFS to develop a new survey specifically aimed at distribution. Motion carried 17/5.

The AP would like the Council to continue to evaluate the hypothesis that Steller sea lions are food-limited by the lack of pollock. The AP would like to highlight particular attention to the alternative hypothesis on the role killer whales have played in their decline as received in public testimony, and the AP encourages the use of local knowledge of indigenous people, communities and fishermen. Motion carried 18/0/3.

### C-2 American Fisheries Act (AFA)

#### C-2(a) 1999 Co-op Agreements

The AP recommends the Council request that NMFS prepare a preliminary report on the 1999 co-ops for the October 1999 Council meeting and a final report for the February 2000 meeting. The report should specifically assess:

1. The effectiveness of pollock co-ops in reducing bycatch (all species).
2. The effectiveness of management measures to protect other fisheries from adverse impacts caused by the AFA or pollock co-ops.
3. A discussion of how transfers within co-ops may affect issues 1 and 2 above.
4. Utilization and recovery rates by species and product categories.
5. Method of monitoring and enforcement.

The report should include the most specific catch and bycatch information available on an individual vessel level to help the co-op and the Council realize the public disclosure requirements for such information envisioned in section 210(a)(1)(A) of the AFA. Motion carried unanimously (17/0).

*(Note: the following recommendations follow the format from Section 7, pages 2 and 3.)*

#### C-2(d) 2000 Amendment Package (alternatives and options)

The AP recommends the Council amend the analysis as follows:

##### *Section 6*

1. Include a review of vessel specific PSC rates in addition to average PSC bycatch ratio for the 20 +9 AFA catcher/processors relative to non-AFA vessels

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2. Add to Table 6.9 a fourth column which illustrates a retrospective analysis of PSC needs of the 20 + 9 AFA catcher/processors using a performance-based pelagic definition. Motion carried 21/0.

### Section 7

#### A. Crab Sideboards

1. Add participation definition as follows: "participation in a co-op is defined as any use of a vessel's catch history by a co-op, whether by direct harvest, lease, sale or stacking of quota." Motion carried 21/0.
2. Amend Alternative 5 to read:

Measures which would restrict pollock co-op vessels to their:

- Option a. Aggregate traditional harvest including a restriction to the percentage of crab harvest in all species between 1995, 96, and 97.
- Option b. Average catch history 1995, 96, and 97 on a species-by-species and vessel-by-vessel basis.

This alternative would apply to either 208 eligible vessels, or only vessels in a co-op (as with Alternatives 1-4).

3. Add sub-option to all five options: Prohibit any vessel participating in an AFA co-op from a lease, transfer, or sale of any license limitation program (LLP) permit. Motion carried 15/2/4.
4. Add sub-option to 1 and 2 to allow crossovers for vessels with crab landings in each of the last three years (1995, 96, 97). Motion carried 20/1.

#### B. Add new section, Scallop Sideboards, with the following options:

1. Participation in a co-op is defined as any use of a vessel's catch history by a co-op, whether by direct harvest, lease, sale, or stacking of quota.
2. Measures which would restrict pollock co-op vessels to their aggregate traditional harvest in the scallop fishery in the years 1995, 96, and 97.

- Sub-option:
  - a. Based on percentage of GHL
  - b. Based on percentage of catch
    - 1. Statewide
    - 2. By management area
  - c. Based on percentage of PSC cap.

Motion carried unanimously (21/0).

#### C. Groundfish Sideboards (BSAI)

1. Add new section: Assigning PSC Caps for Co-op Catcher Vessels in Non-Pollock Fisheries. Rates based on catch history ratios (1995, 1996) rather than VIP rates.
  - a. A review of vessel specific PSC rates for eligible vessels, compared to non-eligible vessels.
  - b. Average bycatch rates of eligible vessels, compared to non-eligible vessels.

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- c. A retrospective analysis of PSC needs for eligible vessels using a performance-based pelagic pollock definition. Motion carried unanimously (21/0).
2. Include discussion paper establishing chinook PSC sideboard for co-op pools in pollock based on final Council action on chinook bycatch caps.
3. Add option under When the CV Restrictions Should Apply:  
AFA qualified pollock catcher vessels, that during pollock A season historically had a majority of their catch in pollock, would be limited prior to March 1 of each year to the collective share of the cod fishery that these same vessels collectively harvested historically (1995, 96, 97) prior to March 1.
  1. Apply and monitor by vessel class and sector
  2. Apply and monitor by individual co-op.(This would effectively subdivide the P. cod cap between AFA vessels that harvested mostly pollock during the A season and those that did not). Motion carried unanimously (22/0).
4. To Whom Restrictions Apply: delete "to all Section 208 eligible vessels" (i.e., would apply only when in co-op). Motion carried unanimously (17/0).
5. Add new section: Compensation.

As provided by Section 213(c)(3) of AFA, the AP recommends the following change to Section 210(b)(1)(B) to allow a catcher vessel with catch history based on deliveries to catcher processors that is otherwise lost under AFA to bring that catch history to the inshore sector cooperative while sharing the burden among all members of the inshore sector.

*"... the Secretary shall allow only such catcher vessels (and catcher vessels whose owners voluntarily participate pursuant to paragraph (2)) to harvest the aggregate percentage of the directed fishing allowance under Section 206(b)(1) in the year in which the fishery cooperative will be in effect that is equivalent to the aggregate total amount of pollock harvested by such catcher vessels (and by such catcher vessels whose owners voluntarily participate pursuant to paragraph (2)) in the directed pollock fishery for processing by the inshore component, together with the amount harvested by such vessels for processing by catcher/processors in the offshore component during 1995, 1996 and 1997, relative to the aggregate total amount of pollock harvested in the directed pollock fishery for processing by the inshore component together with the aggregate total amount harvested by all catcher vessels (excluding those eligible under 208(b)) for processing by catcher/processors in the offshore component during such years and shall prevent such catcher vessels (and catcher vessels whose owners voluntarily participate pursuant to paragraph (2)) from harvesting in the aggregate in excess of such percentage of such directed fishing allowance."*

The analysis should breakout the 37 vessels by:

- a. deliveries of 250 tons
- b. deliveries of 500 tons
- c. deliveries of over 1,000 tons

(Vessels that do not meet these harvest requirements may not be eligible for compensation in the inshore sector.) Motion carried unanimously (22/0)

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## Determination of "Traditional Harvest Level"

6. Delete sub-option to: Utilize "best 2 of 3 years"
7. Add: Pollock - initiate qualitative discussion on ability for Secretary to use the best 2 out of 3 years to determine overall denominator for total pollock pool and numerator for each co-op/ Motion carried unanimously (20/0).

## **D. Add new section: Additional Gulf of Alaska Sideboards**

1. Apply the following sideboards only to AFA eligible catcher vessels participating in a co-op.
2. Any non-pollock catch limitations for AFA co-op vessels are caps not quotas or allocations.
3. Co-op catch history consists of the years 1995, 96 and 97. Fishery is released seasonally by quarter proportionally to when caught during qualifying years.
4. Gulf of Alaska flatfish sideboards to be halibut bycatch driven. Historic target catch should be multiplied by the average halibut bycatch rate and current mortality rate to determine the halibut mortality available to AFA vessels. These amounts should be separated between deepwater and shallow water complexes.
5. Non flatfish Gulf of Alaska target fishery  
Target catch of each non-flatfish species available to AFA pollock co-op vessels should be limited to the average catch, by target species, based on the average catch history.  
Motion carried unanimously (22/0).

## *Section 8*

In order to further the analysis mandated by the AFA, the AP recommends the following:

1. Analysis should evaluate impacts at both the facility and corporate level throughout the BSAI and GOA.
2. Processing efforts information should aggregate the mothership, offshore and inshore sectors.
3. Crab sideboard limits should include all Council alternatives.
4. Excessive share caps should
  - a. Use the 10% ownership rule
  - b. Provide grandfather options for existing processors in excess of the 17.5% share
  - c. Be applied by species groups (cod, flatfish, mackerel, rockfish, crab, sablefish, halibut) and FMP areas (BSAI and GOA).

The AP recommends, given the continued difficulty with confidentiality, that until resolved, excessive share caps for all species except pollock be dealt with on a separate track. Motion carried 20/1/1.

## Confidential Catch & Bycatch

As described in NMFS' January 28, 1999, discussion paper, the AP recommends the Council request NMFS to begin to develop the regulatory infrastructure to provide disclosure of:

1. Vessel identification

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2. Harvest amounts by species including prohibited species and harvest rates of species.

Further, the AP recommends the Council initiate analysis to consider use of a dual form of fish tickets to be used by NMFS and ADF&G that would not fall under the State of Alaska's confidentiality regulations. Motion carried unanimously (22/0).

The AP recommends the Council request ADF&G initiate efforts to change AS 16.05.815 to allow for the release of confidential data as provided by Section 210(a)(1)(B) and Section 211(d) of the AFA. Motion carried unanimously (22/0).

The AP recommends the Council urge NMFS to make testing of its new system to capture catch delivery information from shoreline operation a top priority for implementation this summer. The AP further recommends the Council write a letter to Senator Stevens highlighting NMFS's need to budget additional staff and resources to improve our catch and bycatch reporting systems in order to aid the Council's ability to comply with the bycatch reduction mandates the Senator authored in the Magnuson-Stevens Act. Motion carried unanimously (22/0).

### General

The AP recommends the Council request staff to initiate a discussion paper examining alternatives to specific sideboards that would allow vessels in any federal fishery, applicable to both BSAI and GOA, to form co-ops with a:

1. Threshold percentage of participants.
2. Threshold percentage of catch history (1995, 96, 97).

Motion carried unanimously (22/0).

### C-3 Seabird Protection

The AP recommends the Council release for public review the EA/RIR on seabird avoidance measures with the addition of:

1. A more detailed description of the type of devices which would meet the "towed buoy bag" requirement.
2. Expand Section 1.4.1 to include more detailed description of the size of the vessels, gear types and setting techniques including those used in each of the listed fisheries.
3. Add a sub-option to all alternatives to apply the measure to specific gear types and vessel size.
4. Include information on the IPHC bird avoidance study, information on seabird interaction during IPHC charters and survey data from IPHC longline surveys.

Motion carried unanimously (23/0).

### C-5 Halibut Charter GHL

The AP requests the Council move forward with the Halibut Charter GHL analysis with the following revised list of alternatives and options:

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## AP REVISED LIST OF GHL ALTERNATIVES FOR ANALYSIS

**Alternative 1: Status quo. Do not develop regulations to implement a halibut Guideline Harvest Level.**

**Alternative 2: Convert the GHL to an allocation.**

The guided sport halibut fishery would be allocated 12.76% of the combined commercial and guided sport halibut quota in area 2C, and 15.61% in Area 3A. The commercial fishery would be allocated 87.24% and 84.39% of the combined quota in Areas 2A and 3C, respectively. Under a GHL as an allocation, the guided sport fishery would close when that sector reached its allocation.

Option A: Area-wide moratorium

Sub-option: Prohibit new charter licenses upon attainment of the GHL

Option B: Local moratorium

**Alternative 3. Convert the GHL to an allocation range. (ADF&G proposal)**

The allocation range will have an upper and lower limit and would be a fixed amount expressed in numbers of halibut. The allocation range would be set by IPHC Areas 2C and 3A. Some or all of the management measures listed below would be implemented up to 2 years after attainment of the GHL (1 year if data is available), but prior to January 1 for industry stability. If the guided sport halibut harvest exceeds the upper limit of the range in a year, the guided sport fishery would be restricted to reduce the harvest back within the allocation range using management actions listed below. If the guided sport halibut harvest is restricted and the harvest is reduced below the lower limit of the range guided sport fishery management measures would be liberalized to increase the harvest back within the allocation range.

- line limits
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve

Option A: The upper limit of the allocation range would be set at 125% of the 1995 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1995 guided sport halibut harvest.

Sub-option 1: Reduce the guided sport halibut allocation to a target range of 75-100% of base year amount during times of significant stock decline. This reduction would be IPHC area specific and would occur in any year that the guided sport allocation exceeds a specified percentage of the combined commercial and guided sport TAC. Percentages to be analyzed should include:

- a. 15%
- b. 20%
- c. 25%

Option B: The upper limit of the allocation range would be set at 125% of the 1998 guided sport halibut harvest. The lower limit of the allocation range would be set at 100% of the 1998 guided sport halibut harvest.



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Sub-option 1: Reduce the guided sport halibut allocation to a target range of 75-100% of base year amount during times of significant stock decline. This reduction would be IPHC area specific and would occur in any year that the guided sport allocation exceeds a specified percentage of the combined commercial and guided sport TAC. Percentages to be analyzed should include:

- a. 15%
- b. 20%
- c. 25%

Option C: Moratorium (applies to all of the above)

- a. area-wide
- b. local

Motion carried 20/3.

**Alternative 4. Under a GHL, apply a range of management measures listed below to curtail catch rates of guided anglers once GHL is attained.**

The GHL functions as a cap. Apply management measures up to 2 years after attainment of GHL (1 year if data is available, but prior to January 1 for industry stability).

- line limits
- boat limit
- annual angler limit
- vessel trip limit
- super-exclusive registration
- sport catcher vessel only area
- sportfish reserve
- rod permit

Option A: Area-wide moratorium

Sub-option: Prohibit new charter licenses upon attainment of the GHL

Option B: Local moratorium

**Alternative 5. Moratorium (2C and 3A).**

Moratorium only:

Option A: area-wide

Option B: local

Motion carried 22/1.

The criteria for an area-wide halibut charter moratorium under Alternatives 2, 4, and 5 are:

### Years of participation

- 1995, 1996, and 1997 IPHC licenses and 1998 logbook
- 2 of 3 years (1995-97) plus 1998 logbook
- 1 of 3 (1995-97) plus 1998 logbook
- license or logbook in any one year (1995-98)

### Owner vs Vessel

- owner/operator or lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity)

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- vessel

### Evidence of participation

- mandatory:
  - IPHC license (for all years)
  - CFEC number (for all years)
  - 1998 logbook
- supplementary:
  - Alaska state business license
  - sportfish business registration
  - insurance for passenger for hire
  - ADF&G guide registration
  - enrollment in drug testing program (CFR 46)

### vessel upgrade

- license designation limited to 6-pack, if currently a 6-pack, and inspected vessel owner limited to current inspected certification (held at # of people, not vessel size)
- allow upgrades in Southeast Alaska (certified license can be transferred to similar sized vessel)

### transfers

- yes

### duration for review

- tied to the duration of the GHL
- 3 years
- 5 years (3 years, with option to renew for 2 years)

The AP recommends the analysis include discussion of the feasibility and mechanism available to allow rollover of uncaught IFQ to the guided sport halibut harvest. The analysis should also include a list of the communities in 2C and 3A developing tourism related charter industry businesses, communities with LAMPs in process, and a discussion of the impacts of the five listed alternatives on those communities. Motion carried 22/1.

The AP further recognizes the need to facilitate and move LAMPs forward as quickly as possible and requests the Council respectfully request the Board of Fisheries facilitate and expedite this process. Motion carried unanimously 23/0.

### **D-1(c) Chinook Salmon Bycatch**

The AP recommends the Council require, as part of this action, a sampling regime with an accurate level of estimates as illustrated in the June 1997 report by Jack Turnock and William Karp titled, "Estimation of Salmon Bycatch in the 1995 Pollock Fishery in the BSAI - a comparison of methods based on observer sampling and counts of salmon retained by fishing vessel and processing plant personnel. Motion carried unanimously (20/0).

The AP recommends the Council reduce the chinook salmon bycatch cap incrementally from 41,000 to 29,000 over four years beginning in the year 2000. Accounting for the cap would begin January 1 and continue year-

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round. Non-pollock fisheries would be exempt from the closure and those fisheries' chinook PSC bycatch would not be counted toward the cap.

Additionally, the AP recommends the Council initiate an analysis, for time certain implementation in 2001, to apportion the chinook salmon PSC by:

1. sector
2. individual co-op
3. individual vessel

(The incremental reduction is contingent upon this action to provide the tools necessary for individual accountability.) Motion carried 19/2.

(The motion above was a substitute for a motion for a cap of 36,000. A motion using a trigger of 40,000 failed 11/10.)

Further, the AP recommends the Council delete the two Pribilof blocks from the closure area. The AP also recommends adding block 226 to the closure area (motion carried 13/8). In the event the cap is triggered in the A season, the chinook savings area would close immediately. The closure would be removed at the beginning of the B season, but would be reinitiated September 1 (motion carried 11/10). (The September 1 date replaced the original proposed date of October 1.) The main motion carried 17/4.

### MINORITY REPORT D-1(c) Chinook Salmon Bycatch

The undersigned members of the AP opposed the main motion regarding chinook salmon bycatch because it recommends a radical step from current management measures for salmon bycatch. The AP recommendation changes an A season only closure area and cap to a year-round closure with cap reductions.

We opposed the September 1 date because instituting the closure imposes huge costs to the fleet that are not well quantified in the analysis. Bycatch of chinook salmon clearly occurs in a temporal pattern. Closures in place during low bycatch rates is punitive and not productive. The overlapping effect of regulations protecting Steller sea lions already provides for a large portion of pollock catch to be taken outside the CVOA. A portion of the Chinook Savings Area closure (blocks 226, 227, 228) are already closed August 1 - September under the Chum Salmon Savings Area regulations. We feel an October date would be more appropriate to reinstate the Chinook Closure are because historically that is a period of acceleration of the bycatch rate.

Finally, we would like to underscore our understanding that further reductions to the 41,000 cap is conditional upon implementation of tools to reduce bycatch as outlined in the AP motion. It is our understanding the unanimous vote on estimation recommendations which prefaced all other motions, is required as part of the actions.

Signed:      Stephanie Madsen      Dave Benson  
                 Craig Cross              Dave Fraser (minority vote on the amendment)

## Draft AP Minutes

### D-2 Scallop License Limitation Program (LLP)

The AP recommends the Council adopt:

**Alternative 5**, Holders of either Federal or State moratorium permits that used their moratorium permits to make legal landings of scallops in any one year 1996, 1997, or 1998 (through 10/9/98) would receive a license. The federal or state moratorium qualification period would serve as the historic qualifying period and the years 1996, 1997 and 1998 would serve as the recent qualifying period. Under this alternative, a total of 11 licenses would be issued; one for each vessel. (The above alternative replaced the original motion for Alternative 6 and carried 12/8).

**Option 1C(2)** with language revisions as follows: *No area endorsements. All licenses statewide, but vessel licenses are endorsed for maximum legal gear if that gear was used during the recent or historic qualifying period. Other vessels would be restricted to the maximum legal gear approved for use in the Cook Inlet area.* Motion carried 15/5.

**Option 2C** *Maximum vessel length would be restricted to 120% of the LOA of the vessel on which the permit was used in 1996 or 1997 on or before December 31, 1997. If a permit was used on more than one vessel in 1996 or 1997, maximum LOA would be calculated using the longest vessel.* Motion carried 15/6.

### *Excessive Shares*

The AP further recommends that excessive shares (as defined under the LLP) for the scallop fishery be established as a maximum of 2 scallop licenses that can be held by a person, corporation or other entity. Those persons who exceed this limit in the initial allocation will be allowed to hold the number of licenses for which they initially qualify under a grandfather provision. Ownership will be defined by the 10% rule as defined under the American Fisheries Act (*if any entity owns or controls 10 percent of another entity, they are considered one entity*). Motion carried unanimously (19/0).

Main motion carried unanimously (20/0).