

MINUTES

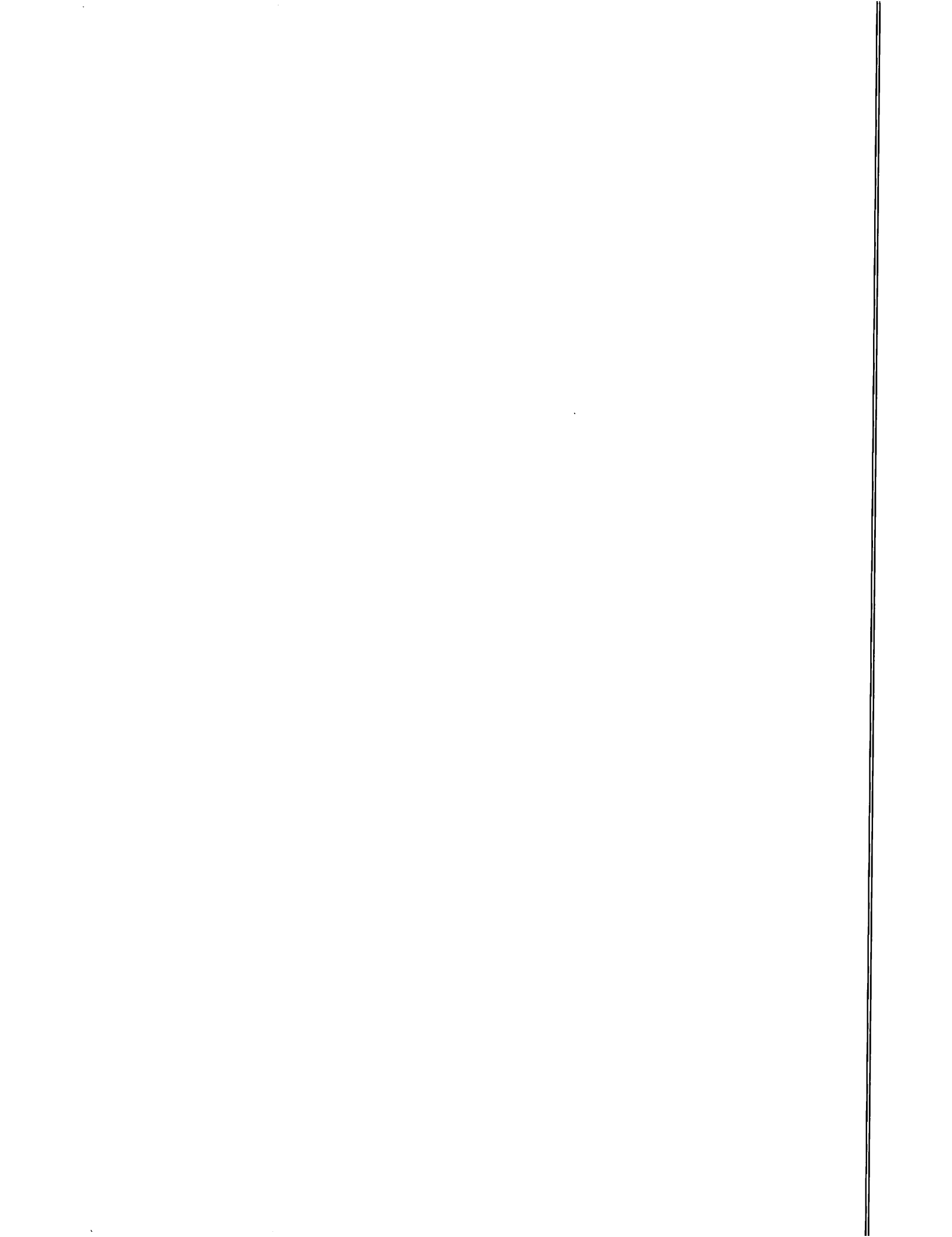
**147th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
DECEMBER 6-11, 2000
Anchorage, Alaska**

TABLE OF CONTENTS

A.	CALL TO ORDER/APPROVAL OF AGENDA/MINUTES OF PREVIOUS MEETING(S) . .	3
B.	REPORTS	3
C.	NEW OR CONTINUING BUSINESS	4
	C-1 Halibut Subsistence Review	4
	C-2 BSAI Crab Rationalization	6
	C-3 EFH/HAPC Stakeholder Process	7
	C-4 Halibut Charter IFQ Program	8
	C-5 Steller Sea Lion Issues	11
	C-6 American Fisheries Act	14
	C-7 CDQ Oversight	16
D.	GROUND FISH MANAGEMENT	17
	D-1(a) BSAI SAFE & 2001 Catch Specifications	17
	D-1(b) GOA 2001 SAFE and Groundfish Specifications	23
	D-1(c) BSAI Pacific Cod Pot Gear Allocations	27
	D-2 Staff Tasking	30
E.	PUBLIC COMMENTS	33
F.	AP APPOINTMENTS	33
G.	ADJOURNMENT	33

APPENDICES:

- I List of Persons Giving Public Comment
- II Minutes of the Scientific and Statistical Committee
- III Minutes of the Advisory Panel
- IV Final BSAI Groundfish Specifications for 2001
- V Final GOA Groundfish Specifications for 2001



North Pacific Fishery Management Council

David Benton, Chairman
Chris Oliver, Acting Executive Director

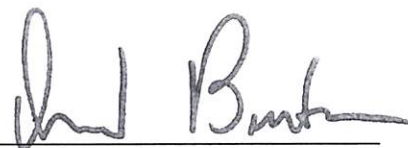


605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Telephone: (907) 271-2809

Fax: (907) 271-2817

Visit our website: <http://www.fakr.noaa.gov/npfmc>

Certified 
David Benton, Chairman

Date April 11, 2001

MINUTES

**147th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
December 6-11, 2000
Anchorage, Alaska**

The North Pacific Fishery Management Council met December 6-11, 2000 at the Hilton Hotel in Anchorage, Alaska. The Scientific and Statistical Committee met December 4-7, and the Advisory Panel met December 4-8, at the same location. The following members of the Council, staff, SSC and AP attended the meetings.

Council

David Benton, Chairman
Dennis Austin for Jeff Koenings
Jim Balsiger
RADM T. Barrett/CAPT V. O'Shea
Linda Behnken
John Bundy
Anthony DeGange for David Allen

Bob Mace (Vice Chair) for J. Greer
Kevin Duffy for Frank Rue
David Fluharty
Dave Hanson
Kevin O'Leary
Robert Penney (Dec. 9-10)
H. Robin Samuelsen, Jr.
Stetson Tinkham (Dec. 6)

NPFMC Staff

Chris Oliver, Acting Executive Director
Cathy Coon
Jane DiCosimo
Elaine Dinneford
Chuck Hamel
Nicole Kimball

Diane Provost
Maria Tsu
David Witherell
Helen Allen
Gail Bendixen
Maria Shawback

**MINUTES
NPFMC MEETING
DECEMBER 2000**

Support Staff

Lisa Lindeman, NOAA-GCAK
Lauren Smoker, NOAA-GCAK
Sue Salveson, NMFS-AKR
Earl Krygier, ADFG
Kent Lind, NMFS-AKR
Jay Ginter, NMFS-AKR
Rob Bentz, ADFG
Herman Savvikko, ADFG

Jeff Bush, DCED
Bryce Edgemon, DCED
Jessie Gharrett, NMFS-RAM Division
Allen Bingham, ADFG
Loh-lee Low, AFSC
Bill Donaldson, ADFG
Jeff Passer, NMFS-Enforcement
Mike Sigler, AFSC
Jim Ianelli, AFSC

Scientific and Statistical Committee

Richard Marasco, Chair
Steve Berkeley
Keith Criddle
Doug Eggers
Steve Hare
Sue Hills

Jack Tagart, Vice Chair
Jeff Hartman
Dan Kimura
Doug Larson
Terry Quinn
Al Tyler

Advisory Panel

John Bruce Chairman
Ragnar Alstrom
Dave Benson
Dave Boisseau
Al Burch
Craig Cross
Dan Falvey

Kris Fanning
Stephanie Madsen, Vice Chair
Arne Fuglveg
Dave Fraser
Spike Jones
Melody Jordan
Teresa Kandianis

Hazel Nelson
Doug Ogden
Michelle Ridgway
Jeff Steele
Jeff Stephan
Bob Ward
Lyle Yeck

Other Attendees

The following people signed the attendance register:

John Iani
Simeon Swetozof, Jr.
Steve Hughes
Frank Kelty
Vern Hall
Cam Chi
Greg Baker
Joe Kyle
Tammy Shellikoff
Karen Wood DiBari
Heather Mcarty
CDR Richard J. Preston
Brent Paine
Linda Kozak
Jeff Stephan
Bill Jacobson

George Ramos
Bill Sullivan
Bruce Gabrys
Phillip Lestenkof
Joe Gillas
Janet Smoker
Ole Mathisen
Dan Oliver
Thorn Smith
Margie Bauman
Glenn Reed
Ken Roemhildt
Sinclair Wilt
Mike Szymanski
Chris Arnim
Tom Rueter

Steve Grabacki
Russell Pritchett
Chris Blackburn
Craig Cross
Marcus Alden
Beth Stewart
Arni Thomson
Al Burch
Rob Zuanich
Robert Kehoe
Doug Ward
Axel Kopun
Andy Shangin
Glenn Suydam
Steve Aarvik
Margaret Hall

Mike McCune
Donna Parker
Aloys Kopun, Jr.
Arlene Kopun
Chris Wheeler
Shirley Marquardt
Charle Bureese
Omar Allinsen
John R. Mercurief, Sr.
Gary Johnson
Rick Kosa
Jody Seitz
Joe Plesha
Patience Mercurief
Simon Kinneen
Joe Sullivan

A list of those who provided public comment during the meeting is found in Appendix I to these minutes.

A. CALL TO ORDER/APPROVAL OF AGENDA/MINUTES OF PREVIOUS MEETING(S)

Chairman David Benton called the meeting to order at approximately 8:05 a.m. on Wednesday, December 6, 2000. Bob Penney was only able to attend December 9 and 10 because of a family emergency.

Agenda. The agenda was approved as submitted after Council members set a time certain to discuss Staff Tasking.

Minutes of September 2000 Meeting: The minutes of the September 2000 meeting were approved as submitted.

B. REPORTS

Chris Oliver gave the Executive Director's report (B-1), and the Council received reports on State fisheries issues (B-2), NMFS fisheries management (B-3), and NMFS and Coast Guard enforcement and surveillance reports (B-4), and a report from the NMFS-RAM Division on the IFQ Cost Recovery Program. The Council also received a report on the status of sea otter from the U.S. Fish & Wildlife Service, a report from the International Pacific Halibut Commission on halibut discard mortality rates and setting of halibut quotas. Bill Hines (NMFS-AKR) reported on marine research funds available to address fishery management and marine mammal issues.

DISCUSSIONS/ACTION RESULTING FROM REPORTS

Executive Director's Report. Council members were advised that Doug Larson will not continue on the SSC; an Executive Session was scheduled later in the week to discuss SSC appointments. As a result, staff was directed to request nominations for the SSC in the December Council newsletter.

Dennis Austin asked whether the Council had received any feedback on comments submitted to NMFS on the annual "Status of Stocks" publication. Staff advised that no response has been received as a result of Council comments submitted either this year or last. Mr. Austin suggested a follow-up letter to Asst. Administrator Dalton.

Regarding the issue of marine debris mentioned in the Executive Director's report, Linda Behnken stressed that the Council needs to continue to monitor this issue. She volunteered to help in any way necessary, including helping to develop proposals.

Marine Research. Council members voted to set up a Council committee to monitor research projects and to set research priorities relating to fishery management issues.

FORMAT FOR COUNCIL MEETING MINUTES

Each agenda item requiring Council action will begin with a copy of the original "Action Memo" from the Council meeting notebook. This will provide an "historical" background leading up to the current action. This section will be set in a different type than the actual minutes. Any attachments referred to in the Action

**MINUTES
NPFMC MEETING
DECEMBER 2000**

Memo will not be attached to the minutes, but will be part of the meeting record and available from the Council office on request. Following the Action Memo will be the **reports** of the Scientific and Statistical Committee, Advisory panel, and any other relevant committee or workgroup on the subject. Last will be a section describing Council **Discussion and Action**, if any.

C. NEW OR CONTINUING BUSINESS

C-1 Halibut Subsistence Review

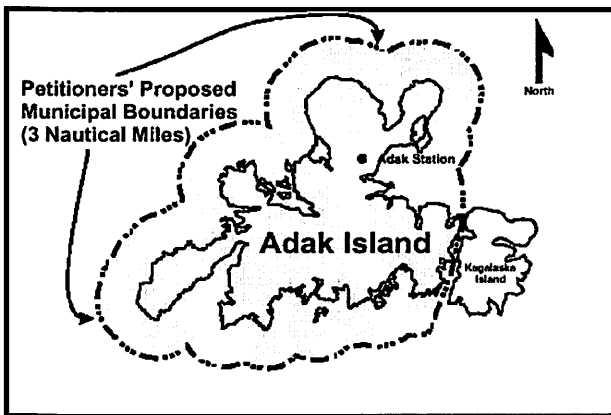
ACTION REQUIRED

Reconsideration of Adak as an eligible community for halibut subsistence.

BACKGROUND

In October 2000, the Council included Adak on its list (Revised Table 5.4, Alaska Rural Places with Subsistence Uses of Halibut) of rural communities determined to be eligible for halibut subsistence. Its inclusion was based on public testimony describing the past forced evacuation of the Aleut people from Adak Island during World War II and its recent repatriation. The full October 2000 final halibut subsistence motion is under Item C-1(a).

The Council identified that its policy for adding communities to its list (Revised Table 5.4) would be to seek a customary and traditional (C&T) use finding from either the Board of Fisheries (BOF) or Federal Subsistence Board (FSB). Table 5.4. was generated by ADF&G staff by cross-referencing the criteria for identifying halibut C&T use approved by the BOF with the State's 'rural' standard and the known range of Pacific halibut. Shishmaref and Diomedede were added to the original draft of Table 5.4 after public testimony during the Halibut Subsistence Committee Meeting. Staff made a special point of identifying this change to the Council, which concurred with the addition.



Representatives of Adak similarly requested to be added to the list of eligible communities during public testimony at final Council action in October. The necessary information was not readily available for staff to determine whether Adak met the BOF halibut C&T use and rural criteria during final deliberation. After considerable debate, the Council decided to include Adak in its definition of halibut subsistence.

A subsequent Council motion failed that would have removed Adak from the list because it had not been identified previously to be a rural community eligible for halibut C&T use (subsistence). Additional rural communities may seek eligibility in the near future, and the concern was expressed that a direct petition to the Council circumvented the process for adding communities, as identified by the Council as part of its action.

The Council subsequently placed this issue on its December Council agenda for reconsideration. At issue is its stated policy of requiring additional communities to first petition either the BOF or FSB before petitioning the Council. Other aspects of the subsistence motion adopted by the Council in October 2000 have not been placed on the agenda and can not be reconsidered at this time.

Since final action, staff has determined that Adak meets the BOF halibut C&T criteria and was inadvertently not included in Table 5.4 (5 AAC 01.366 and 5 AAC 01.350). The BOF also has found that Adak is a rural place. Further, Adak is not listed as one of the nonsubsistence areas in state regulation (5 AAC 99.015).

5 AAC 01.366. CUSTOMARY AND TRADITIONAL SUBSISTENCE USES OF FISH STOCKS. The Alaska Board of Fisheries (board) finds that halibut and all other finfish in the Aleutian Islands Area and the waters surrounding the Pribilof Islands are customarily and traditionally taken or used for subsistence.

5 AAC 01.350. DESCRIPTION OF THE ALEUTIAN ISLANDS AREA. The Aleutian Islands Area includes all waters of Alaska west of the longitude of the tip of Cape Sarichef, east of 172 degrees East longitude, and south of 54 degrees 36 minutes North latitude.

In contrast with the BOF findings, the FSB has found that Adak is a non-rural place (Federal Register, June 30, 2000, 36 CFR Part 242; 50 CFR Part 100, Subpart C, __.23). This finding was probably made when Adak was a military station. As discussed during final action in October 2000, Adak is currently in a transitional period. The military base has closed and the Aleutian Island Native corporation is attempting to reestablish Adak as an Aleut community with an economy including commercial fishing, commercial fish processing, and subsistence hunting and fishing. The BOF's recognition of a subsistence use of halibut is consistent with the direction that Adak appears to be headed as a community. The FSB likely would consider changing its non-rural finding for Adak sometime in the future, if the community petitions for the change.

In summary,

- Adak should have been included in the Revised Table 5.4 because it meets the BOF criteria for a halibut C&T use finding. The Council's inclusion of Adak in its final action for defining halibut subsistence corrected this omission.
- The Council may wish to clarify its policy of requiring a finding of halibut C&T use from the BOF since the BOF has not made individual community C&T findings since 1989. The Council may wish to require a letter from either the ADF&G Subsistence Division or BOF Support staff certifying that a petitioning community meets the criteria for identifying halibut C&T use approved by the BOF with the State's 'rural' standard and the known range of Pacific halibut before it will consider including additional communities for halibut subsistence.
- The Council may wish to reconsider its policy of requiring a finding of halibut C&T use from the FSB since using such a determination for additional communities appears to contradict the Council's decision to adopt the list that matched the BOF criteria for rural and halibut C&T use. For instance, Kenai Peninsula residents could currently petition the FSB for a halibut C&T finding and apply to the Council for inclusion in the proposed subsistence fishery.

The Scientific and Statistical Committee did not address this agenda issue at this meeting.

Report of the Advisory Panel

The AP reaffirmed its recommendations from the October meeting relative to the inclusion of Adak as a rural community eligible for halibut subsistence. The AP also asked that the Council request clarification from the Board of fisheries on the process used for determining a customary and traditional (C&T) finding.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

DISCUSSION/ACTION

Ed Dersham, Alaska Board of Fisheries, advised the Council that the Board has agreed to the Council's request that the Board review proposed regulations for gear, daily limits, reporting requirements, and C&T designations and provide recommendations for proposed changes. The Board will likely discuss this at their March 2001 meeting, review staff reports, and set up public meeting schedules on these issues. Mr. Dersham also said the Board will need to consider budget considerations relative to these new tasks.

Because the staff clarified that Adak already qualifies as an eligible community for halibut subsistence, **Robin Samuelsen moved that the Council take no action on this issue.** The motion was seconded by Linda Behnken and carried without objection. [Bob Penney was absent.]

The Council also discussed and clarified their intent with regard to the motion approved in October regarding eligibility. The policy for a community seeking eligibility for halibut subsistence use would be to first apply to the Alaska Board of Fisheries for a finding of "customary and traditional use" under the Board's criteria for such a finding before applying to the Council.

C-2 BSAI Crab Rationalization

ACTION REQUIRED

Discuss and provide direction as appropriate.

BACKGROUND

In October the Council voted to formally establish a Crab Rationalization Committee within the Council process. We solicited nominations in our October newsletter, and expect Chairman Benton to appoint that Committee following this Council meeting, after we have a chance to see what actions may come out of Congress which could affect the scope and direction of that Committee. As you will see under Staff Tasking, I have crab rationalization as a major project in the 'potential new projects' list, anticipating development of some type of rationalization program by the Council. What form that takes, and the timing, may depend on Congressional action relative to the moratorium on IFQs. A Congressionally legislated buyback program, or other actions, could also affect the form and timing of that process.

The Scientific and Statistical Committee did not address this agenda issue at this meeting.

Report of the Advisory Panel

The AP concurred with the process outlined by the Council in October to move forward with the appointment of a crab rationalization committee. The AP requested that the appointments represent a broad cross-section of stakeholders and that they be made as soon as possible.

DISCUSSION/ACTION

Linda Behnken moved that the committee be appointed as soon as possible and that the Council commit to working on a crab rationalization program, with a preliminary report by the April Council meeting. The motion was seconded by Kevin O'Leary and carried without objection. [Bob Penney was absent.]

Chairman Benton said he would finalize the committee appointments during the week following the Council meeting. The charge of the committee would be to develop elements and options for an analysis for a crab rationalization program. Ms. Behnken recommended that the committee consider the recommendations from the National Academy of Science (NAS) with regard to a national policy on IFQs and the criteria that would have to be addressed under any such program. If time permits, staff should provide the committee with a brief review of the the recommendations of the NAS.

Dennis Austin moved to direct the chair to send a letter to the Secretary of Commerce, with copies to the appropriate Congressional representatives, indicating that if Congress judges it necessary to extend the IFQ moratorium, that extension, in the case of crab rationalization, should not exceed 10 months. The motion was seconded, and failed, 6 to 4, with Austin, Balsiger, Bundy, and Mace voting yes. [Mr. Penney was absent.]

C-3 EFH/HAPC Stakeholder Process

ACTION REQUIRED

Receive status report on the HAPC stakeholder process.

BACKGROUND

Habitat areas of particular concern (HAPC) are those areas of special importance that may require additional protection from adverse effects. Part one of the HAPC amendment package was finalized for action in April 2000, and applies to both the Bering Sea and Gulf of Alaska groundfish FMPs. The amendment added corals and sponges to the prohibited species category. The action split prohibited species into two types, the first will continue to allow no retention and includes halibut, salmon, and crab species and the second type would include only corals and sponges. These HAPC prohibited species would allow retention for personal use, but sale, barter, and trade would be prohibited.

The second part of the HAPC initiative is to develop a more comprehensive and iterative approach for future HAPC identification and habitat protection involving researchers, stakeholders and management agencies. A draft discussion paper, "The Stakeholder Process and Identification of Habitat Areas of Particular Concern," was prepared by staff and discussed at the last Council meeting. Copies of the discussion paper have been distributed and the paper is also available on our website.

In June, the Council directed staff to prepare meeting materials on corals and sponges for an initial set of stakeholder meetings this fall. The purpose of the meetings will be information exchange on gorgonian corals. The meetings will be held in Sitka, Yakutat, and a location representing the Western Aleutians. Staff recently presented a paper summarizing the why's and how's of protecting gorgonian corals off Alaska, and a copy of that paper is available on our website.

Council staff is currently setting meeting dates for early January for Sitka and Yakutat.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

Neither the Scientific and Statistical Committee nor the Advisory Panel commented on this agenda issue at this meeting.

DISCUSSION/ACTION

The Council received a brief report on staff efforts to arrange stakeholder meetings. There was no discussion on this issue.

C-4 Halibut Charter IFQ Program

ACTION REQUIRED

- (a) Review ADF&G Sport Fish Division corrected halibut data.
- (b) Review staff discussion paper on the community set-aside of initial charter IFQ allocation.

BACKGROUND

ADF&G Sport Fish Division corrected halibut data

At final action in February 2000, the Council adopted guideline harvest levels (GHLs) for halibut harvested from charter vessels in IPHC Areas 2C and 3A. The GHLs were based on charter harvest estimates for 1995-99. Preliminary harvest estimates for 1995-98 were from the ADF&G Sport Fish Division's Statewide Harvest Survey (SWHS). The estimates used during the GHL analysis for 1999 charter harvests summarized in these tables were not SWHS estimates, but were interim projected values.

In October 2000, ADF&G Sport Fish Division staff reported to the Council that errors had been discovered in the SWHS estimates for the years 1995-98. The errors for the years 1996-98 have now been identified and corrected. The 1995 estimates could not be corrected because the original data files were damaged and could not be reconstructed. The corrected estimates for 1996-98 were released on November 6 (Item C-4(a)(1)).

Table 1 depicts the GHL calculation using the corrected data. The bolded selections in the highlighted rows mark the new GHL percentages for each area, using the average of the 1995-99 combined commercial quota and charter harvests as specified by the Council's final action in February 2000. The two rejected options from the GHL analysis are included, as the average of the 1998-99 combined commercial quota and charter harvests is a current option in the suite of charter IFQ alternatives.

Table 2 contains the data as it was presented during final action and the revised GHLs using the corrected data. In Area 2C, the corrected charter harvest estimates (in pounds) increased by 27% and 21% above the original estimates for 1996 and 1997, and decreased 10% below the original estimates for 1998. Non-charter harvest estimates followed a similar pattern. In Area 3A, corrected charter harvest estimates decreased below the original estimates for all three years: 2% in 1996, 3% in 1997, and 8% in 1998. Non-charter harvest estimates also decreased in all three years.

In Area 2C, the old harvest estimates used to calculate the GHL for each year fall outside of the 95% confidence interval for the corrected estimates, while this is only true in Area 3A for 1998 and 1999. However, these harvest changes do not imply large changes in the resulting GHL calculation and the revised GHL percentages for each area still remain within the range of percentages under the options before the Council in February 2000. The 1995-99 GHL calculation for Area 2C rose less than ½ percentage point from 12.68% to 13.05%. In Area 3A, it dropped less than 1 percentage point, from 14.94% to 14.11%. Therefore the Council may choose to evaluate whether the revised GHL percentages warrant revision of the Council's GHL preferred alternative.

ADF&G Sport Fish Division staff will present a detailed account of the errors discovered in the SWHS harvest estimate procedures and how they corrected these errors to the Scientific and Statistical Committee at this meeting (Item C-4(a)(2)). They will also present the methodologies used in the creel survey and port sampling programs Area 2C and 3A to determine average weights of halibut harvested at various ports.

Community set-aside

The halibut charter IFQ analysis is scheduled for initial review and final action at the February and April 2001 Council meetings, respectively. At its October 2000 meeting, the Council included an option within the halibut charter IFQ analysis to set-aside 1-2½ percent of the combined halibut charter and commercial quota in Areas 2C and 3A for Gulf of Alaska coastal communities. Staff will separate the analysis of the set-aside option into a distinct Issue 11, allowing the set-aside to be treated as a stand alone issue for Council consideration. The Regulatory impact review will address the interaction between the community set-aside and the overall charter IFQ program.

As adopted for analysis by the Council, the final action decision in April is whether to:

Set-aside 1-2½ percent of the combined commercial/charter TAC for Gulf of Alaska communities:

- Option A. Equal pounds from the commercial and charter sectors.
- Option B. Proportional amount based on the split between the commercial and charter sectors.
- Option C. 100 percent of the pounds taken out of the charter sector.

The analysis will also address the social and economic consequences of creating community-based quota shares for the proposed eligible communities. A separate, more detailed analysis of which communities to include and how the quota shares will be allocated and administered will be initiated separately as a trailing amendment should the Council choose to create a set-aside.

Council staff will present a discussion paper briefly addressing some of the issues in the community set-aside proposal and the proposed economic analysis (Item C-4(b)). The discussion paper is divided into two parts. Part I outlines some of the fundamental concepts of the community set-aside program, as described in the proposal developed by the Gulf of Alaska Coastal Communities Coalition. Because of the considerable impact some of the specific features of the Coalition's proposal have on the three major decision points for the Council, staff is requesting Council clarification on or concurrence with several of these key features in order to proceed with the analysis. Part II of this paper provides an overview of the framework for considering the economic and social implications, including net benefit and distributional effects, of the community set-aside. Staff is requesting SSC review of the proposed analytical framework outlined in Part II.

Report of the Scientific and Statistical Committee

With respect to the revised initial Statewide Harvest Survey (SWHS) estimates of catch, harvest, and effort, the SSC concluded that the State's revisions, methods and corrections represent a reasonable approach for improving those estimates. With regard to the proposed community set-aside program, the SSC stressed that it is critical that a clear problem statement be adopted to help guide the staff analysis of the issue. Please see the SSC Minutes (Appendix II to these minutes) for additional comments on a proposed community set-aside program.

Report of the Advisory Panel

**MINUTES
NPFMC MEETING
DECEMBER 2000**

The AP recommended the Council submit comments to NMFS recommending the use of the corrected data for the GHIL analysis. The AP also recommended that the halibut charter IFQ analysis be based only on the corrected data. The AP offered several points of clarification for the charter IFQ analysis as well as a problem statement. Please see the AP Minutes (Appendix III to these minutes) for detailed recommendations.

DISCUSSION/ACTION

Linda Behnken moved the AP motion with respect to the corrected halibut data for the GHIL analysis. The Council will send a letter to NMFS stating that the corrected data should be used, and that Council staff will provide corrected tables. The motion was seconded and carried without objection.

During discussion, Council members directed Council staff to work with NMFS to determine the best way to relay the corrected GHIL data to the Secretary.

Linda Behnken moved the following problem statement:

National Standard 8 of the Magnuson-Stevens Act directs that "conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of over fishing and rebuilding of over fished stocks), take into account the importance of fishery resources to fishing communities in order to (a) provide for the sustained participation of such communities, and (b) to the extent practicable, minimize adverse economic impacts in such communities." Although the halibut IFQ program was developed under the Halibut Act which does not require consistency with all of the Magnuson-Stevens' national standards, the Council believes Congress clearly intended that Council consider the impacts of all its management measures, including halibut management regulations, on fisheries-dependent communities. The current halibut and sablefish IFQ management structure, despite its many benefits, was not designed to provide transferrable quota shares to halibut charter fishermen to provide community development opportunities. As the Council considers modifying the current IFQ management structure to include quota share allocations to halibut charter fisheries, adverse economic impacts on fisheries-dependent coastal communities in the Gulf of Alaska may occur in communities when receiving insufficient initial quota share, and may further limit economic development opportunities in halibut charter businesses for residents of these communities. In pursuing a community set-aside, the Council seeks to: (a) remove an economic barrier for residents of underdeveloped communities to participate in the halibut charter industry; (b) provide for sustained participation in the charter industry; (c) increase geographical diversity of charter operations; (d) reduce the potential for localized depletion; and (e) foster economic development and stability in these communities.

The motion was seconded and carried without objection.

Linda Behnken moved to approve the AP's recommendations/clarifications for the analysis of the following points with regard to a set-aside:

- A. Individuals within communities would have limited, annual rights to use set aside quota.**
- B. Individuals within qualifying communities granted quota share could not lease or transfer quota share among communities or individuals as the ownership of the quota shares is retained by the government in trust for residents of eligible communities.**

- C. Any set aside quota not obligated by a certain date would “roll back” into the general commercial/charter quota pool for the upcoming season.

The motion was seconded and carried without objection.

Linda Behnken moved to approve the AP recommendation that a phase-in of the set-aside be considered, in addition to a pre-season rollover as described in the Coalition request. The motion was seconded and carried without objection.

Linda Behnken moved to direct staff to analyze a range of 1% to 2.5% of the combined commercial/charter halibut TAC. The motion was seconded and carried without objection after a friendly amendment to change the lower range to .5%.

Linda Behnken moved to add the communities of Wrangell, Halibut Cove, and Tyonek to the list of eligible communities. The motion was seconded and carried without objection. Ms. Behnken stressed that the Council needs to be flexible at this time and may make revisions after an initial draft analysis is available for review.

Linda Behnken moved to include options for a sunset, as follows: (a) no sunset; (b) 5 years; and (c) 10 years. The motion was seconded and carried without objection.

Linda Behnken moved to include in the analysis a qualitative discussion of other opportunities that might be available and meet the goals of helping communities overcome economic barriers to entry into the halibut charter IFQ fishery. The motion was seconded and carried without objection.

Linda Behnken moved that the staff include in the economic analysis a discussion of the administrative costs of the program in contrast to an analysis of the breakeven point of halibut charter business relative to the amount of allocation that may be made available. The motion was seconded and carried without objection.

Linda Behnken moved that the staff also take into consideration the comments provided by the SSC. The motion was seconded and carried without objection.

C-5 Steller Sea Lion Issues

ACTION REQUIRED

Review BiOp and associated Steller sea lion protective measures and take action as appropriate.

BACKGROUND

On January 25, 2000, the Court ruled that the biological opinion for the 1999 BSAI and GOA Groundfish TAC specifications was arbitrary and capricious as it failed to conduct a sufficiently comprehensive examination of the overall effects of the groundfish fisheries on listed species and designated critical habitat.

At this meeting, the Council will review the revised comprehensive Biological Opinion and recommend additional measures to alleviate possible competitive interactions between the groundfish fisheries and listed species. The Biological Opinion may contain reasonable and prudent

**MINUTES
NPFMC MEETING
DECEMBER 2000**

alternatives (RPAs) to mitigate these impacts. Management measures, if adopted, may need to be implemented by emergency rule.

Report of the Scientific and Statistical Committee

The SSC could not provide a scientific review of the 600-page Biological Opinion in the available time, but indicated a willingness to provide a thorough review by the February 2001 meeting if the Council desires. The SSC did provide extensive general comments regarding the BiOp. Please see the SSC Minutes (Appendix II to these minutes) for detailed comments. Some of the comments and recommendations were:

- The SSC notes that the federally managed commercial fishery may overlap with Steller sea lions but the extent of any competitive interaction is unresolved, therefore the effect of the proposed RPAs is also unknown.
- The SSC welcomed the inclusion of a monitoring program in the BiOp, but suggested the program be thoroughly peer-reviewed and possibly modified by the Council and its advisory bodies, as well as other review bodies such as the National Academy of Sciences.
- The SSC strongly believes that NMFS should not alter the definition of ABCs in the FMPs, as it has proposed. Rather, the NMFS adjustment should be viewed as a TAC adjustment to account for uncertainty about Steller sea lions and social concerns about the ecosystem. If and when a solid scientific basis can be found for adjusting catch levels to provide ecosystem protections, then the adjustment can be made at the ABC level.
- Given the level of scrutiny this document is likely to encounter, the SSC urged the authors to make every effort to carefully document data sources, simulations, and statistical tests used as a basis for the findings and conclusions.
- The BiOp includes very little information about potential losses to fishers or fishery dependent communities. This information will be required for the analyses prepared to support emergency actions and plan amendments, and the SSC urged that development of cost-impact estimates should be undertaken as soon as possible.

Report of the Advisory Panel

The AP made several findings regarding the Biological Opinion and the process used to develop it. Please see the AP Minutes (Appendix III to these minutes) for specific comments.

The AP recommended the following:

- (1) That the biological opinion and RPAs be subject to a full and proper review by the Scientific and Statistical Committee, the Advisory Panel and the Council, revised as appropriate, and implemented as an amendment or amendments to BSAI and GOA fishery management plans through the administrative process set up under the Magnuson-Stevens Act to allow for full review and public comment;
- (2) that the Council recommend to the Secretary that the 2001 Bering Sea/Aleutian Islands and Gulf of Alaska groundfish fisheries be managed in accordance with the regulations promulgated for the 2000

fisheries prior to the August court injunction and prior to this biological opinion, until such time as the new RPAs have been approved as FMP amendments; and

- (3) that the Council recommend total allowable catch levels for the 2001 BSAI and GOA groundfish fisheries consistent with TAC-setting principles used in 2000, as refined by the Council over the past two decades to conserve the fishery resources and protect the North Pacific marine ecosystem.

DISCUSSION AND ACTION

Bob Mace moved the recommendations of the Advisory Panel. The motion was seconded by Robin Samuelsen.

Jim Balsiger said he did not think that NMFS has the option of opening the fisheries under the 2000 fishery regulations. The current BiOp states that the RPAs would result in no jeopardy; there is no such finding for last year's fisheries.

Linda Behnken moved to amend to establish a committee to develop proposals for RPAs and an experimental design that satisfies ESA mandates and that is consistent with Magnuson-Stevens Act standards. The motion was accepted as friendly.

The committee would be tasked with developing RPAs the goal of mitigating negative impacts on the fisheries to the greatest extent possible. The committee should commence work immediately and bring an initial report to the Council in April, meeting thereafter as needed, with final recommendations to the Council no later than the December 2001 Council meeting.

Kevin Duffy moved a substitute motion:

- A. That the Council not adopt the NMFS RPAs outlined in the current biological opinion.**
- B. Call for a Council review of the present RPAs in the current biological opinion with 1999 pollock and Atka mackerel RPAs, and RPA options in the 2000 draft EA for Pacific cod, to determine the potential benefits to recovery of SSLs versus the costs to the groundfish fishing industry.**
- C. That the Council contract with an independent consultant to peer review the BiOp and experimental design. The peer review should also include a subset of SSC members.**
- D. Establish a committee to develop a proposal for RPAs and an experimental design that satisfies ESA mandates and is consistent, to the extent possible, with Magnuson-Stevens Act standards.**

The Committee should be of a workable size, and include representatives from NMFS, the State, the SSC, Council, industry, and conservation community.

In developing the experimental design, the committee would be tasked with testing the fisheries impacts hypothesis, and the differential impacts of various gear types.

The Committee should begin work ASAP, bringing an initial report back to the Council in April and thereafter as needed, with final recommendations to be presented to the Council, SSC, and AP, no later than December 2001.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

The motion was seconded and carried, 10 to 1 (Balsiger voting against), after several editorial changes and friendly amendments. The final motion, as approved, is as follows:

A. That the Council not adopt the conclusions of the BiOp of 11/30/2000 with regard to Steller sea lions or the RPAs contained therein.

B. Call for a Council review and analysis of the proposed RPAs in the current biological opinion compared to the 1999 pollock and Atka mackerel RPAs, and RPA options in the 2000 draft EA for Pacific cod, to determine the potential benefits to recovery of SSLs versus the costs to the groundfish fishing industry.

C. That the Council conduct an independent peer review of the BiOp and experimental design and to evaluate other possible explanations for the decline of Steller sea lions and the ability of Steller sea lions to recover. The peer review should include independent scientists and a subset of SSC members.

D. Establish a committee to develop a proposal for RPAs and an experimental design that satisfies ESA mandates and is consistent, to the extent possible, with Magnuson-Stevens Act standards.

The Committee should be of a workable size, and include representatives from NMFS, the State, the SSC, Council, industry, and conservation community.

In developing the experimental design, the committee would be tasked with testing the fisheries impacts hypothesis, and the differential impacts of various gear types.

The Committee should begin work ASAP, bringing an initial report back to the Council in April and thereafter as needed, with final recommendations to be presented to the Council, SSC and AP, no later than December 2001.

E. The Council announces its commitment to disregard 2001 catch history in any future rationalization plan, and

F. The Council requests NMFS to:

- 1. clarify coordinates of closed areas; and**
- 2. allow vessels to participate in State Pacific cod fishery without surrendering Federal groundfish permits.**

C-6 American Fisheries Act

ACTION REQUIRED

- (a) Review draft co-op performance reports and co-op agreements.**
- (b) Report from industry on Pacific cod sideboard issues.**

BACKGROUND

Co-op performance reports for 2000 and agreements for 2001

December 1 was the deadline for co-ops to submit their draft, end-of-year performance reports to the Council. We have copied and distributed those reports to you this week. Rather than eight or nine separate presentations from each of the co-ops, we decided that the Council would benefit from a consolidated report from some of the industry representatives, which describes generally what information is in these reports, what information is not in the reports, and what additional work they anticipate between now and February. I have had numerous contacts with various individuals regarding the contents of these reports and the Council's expectations. Based on initial discussions, I wrote a letter on October 12 (Item C-6(a)), which provided my best guidance to the drafters of these reports. I indicated that we did expect separate reports from each of the inshore and mothership co-ops, along with a companion report summarizing any inter-co-op agreements. Regarding the specific contents of those reports, I attached the letter I sent last year to the offshore co-ops which summarized the requirements of the AFA, the requests which had previously been made to NMFS, and additional requests of the Council from October 1999. In summary, I said we wanted essentially the same level of information and detail from the inshore/mothership co-ops, recognizing that this is a draft version and that the Council would provide additional feedback at this meeting.

Since that initial letter I received additional inquiries from the drafters on a couple of specific issues. For example, I agreed that the draft reports need not provide vessel-by-vessel catch of all non-pollock species; rather, there would be vessel-by-vessel catch and bycatch data for each of the target fisheries, and co-op level information for the other species. This was simply to cut down on the number of tables in each document that, in our judgement, did not add much relevant information.

On a bigger issue, it was pointed out to me that the inshore/mothership co-ops themselves do not have access to processor level information, such as product forms and product recovery rates (PRRs), nor does it make sense to expect such information from the co-ops. It seems that the Council needs to express their expectations in this regard, and perhaps request that such information be provided directly by the processors, or otherwise coordinated within the co-op reports. This would also be the time for the Council to provide any other feedback to the co-ops regarding the contents of their final performance reports due by February, as well as the format of those reports (thinking of consistency and comparability).

Regarding co-op agreements for the upcoming season, those are also due at this time (though for offshore co-ops I believe the deadline is still technically '30 days prior to the start of fishing'). In my discussions with industry members, their intent is to simply provide the Council with any changes from the previous agreements, rather than reiterate all of the provisions. That seemed reasonable to me and we should have copies of those available by the time we get to this agenda item. Although major changes are not expected, I know they have been working up to the last minute because of one major, new aspect to those agreements. That will be co-op and inter-co-op provisions relating to chum salmon, chinook salmon, and herring bycatch caps. The co-op representatives made a commitment last September to provide such a plan to the Council to address concerns over salmon bycatch in the trawl fisheries. We have this issue specifically under Staff Tasking, but could hear their report on this issue at this time.

Pacific cod sideboards

Over this past year the Council has heard from a group of three non-AFA, Pacific cod trawl fishermen who feel disadvantaged by additional early season effort in the cod fisheries by AFA vessels. Although overall sideboards are in place, the timing of this additional effort appears to be the problem. The Council has reserved any action to address this issue pending a possible industry solution between the AFA co-ops and those three vessels. In September we scheduled further discussion of this issue for November or December, anticipating that we would have taken final action on the proposed suite of Pacific cod measures related to Steller sea lion protection (which could very well have affected the nature of the industry discussions or resolved the issue).

**MINUTES
NPFMC MEETING
DECEMBER 2000**

Given how the SSL issue has evolved, with the comprehensive Biop now determining specific measures for the cod fisheries, I understand negotiations on this issue have been put on hold. Representatives from these groups, or the Council, may now be in a better position to determine the appropriate course of action.

The SSC did not address this agenda issue at this meeting.

Report of the Advisory Panel

The AP received the presentations on the preliminary co-op performance reports and agreements and applauded the timely and detailed nature of the reports. There were no recommendations made on this agenda issue.

DISCUSSION/ACTION

During discussion, Council members made the following requests:

- Robin Samuelsen requested that NMFS provide a report on the percentage of catch that will be taken inside and outside chum salmon savings areas. Sue Salvesson responded that they would provide whatever information they can once they know under what regulations the 2001 fisheries will take place.
- Bob Mace suggested that the Acting Executive Director work with the co-ops in developing a standardized format for future annual reports.
- The Acting Executive Director will write to inshore AFA processors requesting processor-level information, such as product forms and product recovery rates. A copy of the request will be sent to NMFS.

With regard to public comment received from AFA catcher vessel representatives and some non-AFA cod fishermen regarding additional early season effort in the cod trawl fisheries, Council members urged the involved sectors to continue to try to develop an industry-based solution. The subject will be placed on the February agenda when the Council may initiate action to resolve the issue if necessary. Related to this, the Council requested that NOAA General Counsel comment on the issue with regard to the assertion that the Council is compelled to take action under the AFA. Council member Dennis Austin also requested an assessment of the extent of the problem, or whether one still exists at this time. Additionally, industry participants were strongly urged to provide any proposals to the Advisory Panel in February before coming before the Council.

C-7 CDQ Oversight

ACTION REQUIRED

- (a) Discuss the 2001-2002 MS-CDQ allocations.**
- (b) Discuss H.R. 5565.**
- (c) Discuss draft analysis of the State of Alaska's proposed revisions to the CDQ administrative regulations.**
- (d) Discuss committee structure.**

BACKGROUND

2001-2002 allocations

The Council concurred with the State's 2001-2002 allocation recommendations at its October 2000 meeting. NMFS received the State's recommendations on October 16, 2000. On October 31, 2000, NMFS received a letter from the Aleutian Pribilof Island Community Development Association (APICDA), requesting that it disapprove all of the State's recommended allocations due to concerns about the State's allocation process and questions about NMFS's role in the process (Item C-7(a)). On November 14, 2000, NMFS requested additional written information from the State about the reasons for their allocation recommendations. NMFS will update the Council on the status of the 2001-2002 allocations and issues raised in APICDA's letter.

H.R. 5565

On October 26, 2000, Congressman Don Young introduced H.R. 5565 to amend Section 305(i) of the MSA (the Alaska and Western Pacific Community Development Quota Programs) (Item C-7(b)). NMFS staff will provide information about the changes that these amendments would make to the CDQ Program.

Proposed administrative regulation changes

No additional work has been done on analysis of the State's proposed administrative regulation changes since the October Council meeting due to staff work on the above issues. However, resolution of the issues raised in review of the 2001-2002 CDQ allocations will help further define the oversight responsibilities of the State and NMFS. This information is needed to proceed with the draft analysis and initial review will be rescheduled next year. The list of alternatives is attached under (Item C-7(c)).

Committees

The Council had expressed interest in reviewing the membership of the CDQ Implementation Committee (Item C-7(d)) and possibly forming an additional policy committee, pending the revised analysis. This can also be scheduled for next year, or considered in light of the status of the issues described above.

Neither the SSC nor AP addressed this agenda issue.

DISCUSSION/ACTION

Linda Behnken moved to appoint a committee to review the CDQ program, including recommendations of the National Academy of Sciences, and the respective roles of NMFS and the State of Alaska in the oversight of the program. The motion was seconded and carried without objection. [Bob Penney was absent.]

The committee will report to the Council no later than June 2001. The committee will be disbanded at that time unless the Council has additional tasks for the committee.

D. GROUND FISH MANAGEMENT

D-1(a) BSAI SAFE & 2001 Catch Specifications

**MINUTES
NPFMC MEETING
DECEMBER 2000**

ACTION REQUIRED

- (a) Review 2001 BSAI EA and Final Stock Assessment and Fishery Evaluation (SAFE) report.
- (b) Approve final BSAI groundfish specifications for 2001:
 - 1. Acceptable Biological Catch (ABC), and annual Total Allowable Catch (TAC);
 - 2. Seasonal apportionment of the fixed gear Pacific cod TAC; and
 - 3. Bycatch allowances, and seasonal apportionments of Pacific halibut, red king crab, Tanner crab, opilio crab, and herring to target fishery (PSC) categories.

BACKGROUND

At this meeting, the Council makes final recommendations on groundfish and bycatch specifications as listed above. These final specifications will be used for management of the 2001 groundfish fisheries.

(a) BSAI SAFE Document

The groundfish Plan Teams met in Seattle November 6-9 to prepare the final SAFE documents provided for this meeting. This SAFE forms the basis for groundfish specifications for the 2001 fishing year. Note that there are three sections to the SAFE report: a stock assessment section, a fishery evaluation section ("economic SAFE"), and an ecosystems considerations section. These three sections, together with the GOA SAFE, are incorporated into the Environmental Assessment for the 2001 groundfish total allowable catch specifications.

(b) ABCs, TACs, and Apportionments

At this meeting, the Council will establish final catch specifications for the 2001 fisheries. SSC and AP recommendations will be provided to the Council during the meeting. Attached as Item D-1(a)(1) are Tables 4 - 6 from the SAFE summary chapter indicating ABCs and biomass levels. The Plan Team's sum of recommended ABCs for 2001 is 2,959,385 mt. Overall, the status of the stocks continues to appear relatively favorable, although in some cases biomass has declined due to below average recruitment.

Other final specifications include making the seasonal apportionment of the fixed gear Pacific cod TAC, and establishing bycatch allowances and seasonal apportionments of Pacific halibut, red king crab, Tanner crab, opilio crab, and herring to target fishery (PSC) categories.

Adopt Seasonal Apportionments of the Pacific Cod TAC Allocated to Fixed Gear

Amendment 24 regulations allow seasonal apportionment of the Pacific cod TAC allocated to vessels using hook-and-line or pot gear. Seasonal apportionments will be divided among trimesters and established through the annual specifications process. In recommending seasonal apportionments, regulations require

Seasonal apportionments can be based on the following information:

- 1. Seasonal distribution of Pacific cod relative to PSC distribution;
- 2. Expected variations in PSC bycatch rates in the Pacific cod fishery throughout the fishing year; and
- 3. Economic effects of any seasonal apportionment of Pacific cod on the hook-and-line and pot gear fisheries.

the Council to base its decision on factors listed in the adjacent box.

Under Amendment 46, two percent of the TAC is reserved for jig gear, 51 percent for fixed gear, and 47 percent for trawl gear. The trawl apportionment will be split between catcher vessels and catcher processors 50/50. Any unused TAC from the jig gear quota will become available to fixed gear on September 15.

For the 2000 fisheries, the Council recommended that 65,000 mt of the fixed gear's allocation be released during the first trimester (January 1 - April 30), 0 mt be released for the second trimester (May 1 - August 31), and 26,048 mt for the third trimester. Actual catch for the fixed gear sector was 59,948 mt in the first trimester, 447 mt in the second trimester, and 28,004 mt in the third trimester.

Adopt bycatch allowances of Pacific halibut, crab, and herring

Halibut

For the Trawl Fisheries: A 3,675 mt limit on halibut mortality has been established for trawl gear. This limit can be apportioned to the trawl fishery categories as shown in the adjacent box. Note that under Amendment 46, the trawl halibut PSC mortality cap for Pacific cod will be no greater than 1,600 mt.

Categories used for prohibited species catch (PSC) apportionment in trawl fisheries.

1. Greenland turbot, arrowtooth flounder and sablefish;
2. rock sole and "other flatfish;"
3. yellowfin sole;
4. rockfish;
5. Pacific cod; and,
6. pollock, Atka mackerel and "other species."

For Fixed Gear Fisheries: A 900 mt non-trawl gear halibut mortality can be apportioned to the fishery categories listed in the adjacent box. Note that under Amendment 46, the hook-and-line halibut PSC mortality cap for Pacific cod will be no greater than 900 mt. Item D-1(a)(2) is a table indicating this past year's PSC allocations and seasonal apportionments for the trawl and non-trawl fisheries. Item D-1(a)(3) is a current summary of PSC bycatch accounting for BSAI fisheries.

Categories used for PSC apportionment in non-trawl fisheries.

1. Pacific cod;
2. Other non-trawl (longline sablefish and rockfish, and jig gear)
3. Groundfish pot (exempt in recent years)

MINUTES
NPFMC MEETING
DECEMBER 2000

Crab

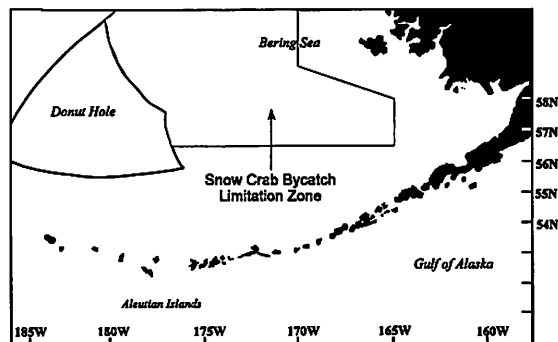
Prescribed bottom trawl fisheries in specific areas are closed when prohibited species catch (PSC) limits of C. bairdi Tanner crab, C. opilio crab, and red king crab are taken. Amendment 37 established a stairstep procedure for determining PSC limits for red king crab taken in Zone 1 trawl fisheries. PSC limits are based on abundance of Bristol Bay red king crab as shown in the adjacent table. Given NMFS and ADF&G's 2000 abundance estimate for Bristol Bay red king crab, a Zone 1 PSC limit will be established at 100,000 red king crabs for 2000. This will be further reduced by 3,000 crabs with adoption of Amendment 57, so the total red king crab PSC limit in 2001 will be 97,000 crabs. The regulations also specify that up to 35% of the PSC apportioned to the rock sole fishery can be used in the 56° - 56°10' strip of the Red King Crab Savings Area..

PSC limits for red king crab and C. bairdi Tanner crab.

Species	Zone	Crab Abundance	PSC Limit
Red King Crab	Zone 1	Below threshold or 14.5 million lbs of effective spawning biomass (ESB)	35,000
		Above threshold, but below 55 million lbs of ESB	100,000
		Above 55 million lbs of ESB	200,000
Tanner Crab	Zone 1	0-150 million crabs	0.5% of abundance
		150-270 million crabs	750,000
		270-400 million crabs	850,000
		over 400 million crabs	1,000,000
Tanner Crab	Zone 2	0-175 million crabs	1.2% of abundance
		175-290 million crabs	2,100,000
		290-400 million crabs	2,550,000
		over 400 million crabs	3,000,000

Amendment 41 established stairstep PSC limits for Tanner crab. Given 2000 survey abundance of 219 million Tanner crab, and the 50,000 crab reduction as part of Amendment 57, the 2001 C. bairdi PSC limits will be established at 730,000 Tanner crabs in Zone 1 and 2,070,000 Tanner crabs in Zone 2.

Under Amendment 40, PSC limits for snow crab (C. opilio) are based on total abundance of opilio crab as indicated by the NMFS standard trawl survey. The snow crab PSC cap is set at 0.1133% of the Bering Sea snow crab abundance index, with a minimum PSC of 4.5 million snow crab and a maximum of 13 million snow crab. Amendment 57 included a provision to reduce the PSC limit for snow crab by an additional 150,000 crabs. Snow crab taken within the "C. Opilio Bycatch Limitation Zone" accrue towards the PSC limits established for individual trawl fisheries. The 2000 survey indicated a total population of 3.2 billion crabs. Therefore, the 2001 snow crab PSC limit will be established at 4,350,000 crabs.



Location of the C. opilio bycatch limitation zone.

Herring

Amendment 16a established an overall herring PSC bycatch cap of 1 percent of the EBS biomass of herring. This cap is to be apportioned to the same six PSC fishery categories listed above, plus a seventh group, mid-water pollock. Last year, the Alaska Department of Fish and Game forecasted the 2000 herring biomass at 185,300 mt. The 2000 PSC limit was set at 1 percent of the biomass in metric tons, or 1,853 mt. At this meeting, ADF&G staff will provide a herring biomass projection for 2001, from which the 2001 herring PSC limit will be established.

Seasonal Apportionment of bycatch limits

The Council may also seasonally apportion the bycatch allowances. Regulations require that seasonal apportionments of bycatch allowances be based on the following types of information listed in the adjacent box. Additional information on PSC limits and apportionments is presented in a BSAI SAFE Appendix.

Staff will present a worksheet with SSC and AP recommendations for ABCs, TACs, PSC and seasonal apportionments when the Council addresses this action item.

Factors to be considered for seasonal apportionment of bycatch allowances.

1. Seasonal distribution of prohibited species;
2. Seasonal distribution of target groundfish species relative to prohibited species distribution;
3. Expected prohibited species bycatch needs on a seasonal basis relevant to change in prohibited species biomass and expected catches of target groundfish species;
4. Expected variations in bycatch rates throughout the fishing year;
5. Expected changes in directed groundfish fishing seasons;
6. Expected start of fishing efforts; and
7. Economic effects of establishing seasonal prohibited species apportionments on segments of the target groundfish industry.

Report of the Scientific and Statistical Committee

The SSC concurred with Plan Team recommendations of ABC for all species, except Bogoslof pollock, Atka mackerel, and Other Species. With regard to pollock in the Bogoslof area, the SSC followed previous recommendations to reduce fishing mortality based on the ratio of current biomass to a target biomass of about 2 million mt, thus recommending an ABC of 8,470 mt for Bogoslof pollock. In the case of Atka mackerel, the SSC recommended using the same scenario as in the previous year, using the rate of $F_{52\%}$, resulting in an ABC of 69,000 mt. For Other Species, the SSC continued its 'stairstep' process for this species [$ABC = 1999\ ABC + 3/10$ times the difference between $Max\ ABC_{2001}$], resulting in an ABC of 33,600 mt. Please see the SSC Minutes (Appendix II to these minutes) for additional comments on the species, the SAFE document, and the Ecosystem Chapter.

Report of the Advisory Panel

The AP recommended the Council adopt the ABCs recommended by the SSC, and that the 2001 TACs be set equal to the ABC for all species except:

	<u>AP Recommendation</u>
EBS Pollock	1,400,000 mt
AI Pollock	2,000 mt
Bogoslof Pollock	1,000 mt
Yellowfin Sole	113,000 mt
Arrowtooth Flounder	22,015 mt
Rock Sole	75,000 mt
Flathead Sole	40,000 mt
Other Flatfish	28,000 mt
Other Species	26,500 mt

Additionally, the AP recommended the Council take no action for 2001 to allow additional pollock processors. The AP also recommended the Council request NMFS to manage the three species of rockfish on a bycatch-only basis and that additional information be brought back during the next cycle on bycatch occurrence and retention of these species

**MINUTES
NPFMC MEETING
DECEMBER 2000**

during the 2001 fisheries. The AP also made recommendations for BSAI trawl and non-trawl PSC allowances, contained in the AP Minutes (Appendix III to these minutes).

With regard to an industry initiative regarding the proposed August 1 opening date for the BSAI cod longline "C-D" season, the AP feel the longliners have the technical ability to avoid seabirds, and recommended the Council send a letter to the North Pacific Longline Association expressing its determination that all freezer longliners should install double tori lines with tori line davits before August 1, 2001.

DISCUSSION/ACTION

Bob Mace moved to adopt the recommendations of the Advisory panel, including the ABCs recommended by the SSC, the trawl and non-trawl PSC apportionments, and the halibut discard mortality rates contained in the AP Minutes of 12/9/00. The motion was seconded by Robin Samuelsen.

Linda Behnken moved to amend to request NMFS to distribute the red rockfish quota between the Bering Sea and Aleutian Islands areas for the non-CDQ fisheries, as recommended by the Plan Team. The motion was seconded by Bob Penney and carried, 6 to 5, with Austin, Bundy, Duffy, Fluharty and Mace voting against (Salveson voting for Balsiger).

It was pointed out that the AP minutes refer to approval of the environmental assessment for the groundfish TACs although there is no EA at this time because it is being prepared in association with the sea lion biological opinion. The reference to the EA was removed from the motion by friendly amendment.

With regard to the increase in the pollock TAC, it was pointed out that the pollock biomass in the Bering Sea has increased by approximately three million metric tons and according to the Biological Opinion, the total consumption by Steller sea lions in the Bering Sea and Gulf of Alaska is a total of 400,000 metric tons.

The main motion, as amended, carried unanimously.

Bob Mace moved to forward the trawl industry's recommendations for 2001 catch specifications and PSC apportionments to NMFS for their consideration if and when the RPAs are adopted. The motion was seconded by Linda Behnken and carried, 9 to 2, with Behnken and Benton voting against (Salveson voting for Balsiger).

Kevin O'Leary moved to forward the recommendations of the North Pacific Longline Association (NPLA) with regard to tori lines and an August 1 opening date, and the non-trawl halibut PSC bycatch allowances recommended if the RPAs are implemented. The motion was seconded by Linda Behnken and carried unanimously (Salveson voting for Balsiger).

A motion to reconsider the main motion to approve the 2001 BSAI groundfish specifications was made by Kevin O'Leary, seconded by Linda Behnken, and carried, with one objection (Mace).

Kevin O'Leary moved to amend the main motion, to include provisions for rollover of Pacific cod in the BSAI hook and line fishery under a non-RPA scenario, as recommended by the NPLA. The amendment carried without objection; the main motion also carried without objection.

Tables showing the Council's final action on BSAI groundfish specifications and PSC allowances are attached as Appendix IV to these minutes.

D-1(b) GOA 2001 SAFE and Groundfish Specifications

ACTION REQUIRED

- (a) Review 2001 GOA Stock Assessment and Fishery Evaluation (SAFE) document.
- (b) Approve final GOA groundfish and bycatch specifications for 2001.
- (c) Approve halibut discard mortality rates.

BACKGROUND

At this meeting, the Council sets final recommendations for groundfish and bycatch specifications. The final SAFE report, groundfish OFLs, ABCs and TACs, bycatch apportionments, and halibut discard mortality rates need to be approved. These final specifications will be used for managing the 2001 groundfish fisheries and will supercede the Council's preliminary specifications upon implementation.

(a) GOA SAFE Document

The groundfish Plan Teams met in Seattle during the week of November 6-9 to prepare the final SAFE documents provided at this meeting. During Summer 2000, all of the stock assessment authors were tasked with contributing to the programmatic groundfish SEIS while also preparing the stock assessments. As a result, numerous planned revisions to the various assessments did not occur. For some assessments, this included the addition of 2000 catch data, age composition data, and new age-structured models. Plan Team review of the assessments was also affected for many species. For instance, the pollock and Atka mackerel assessments were distributed during the Plan Team meeting and only a preliminary assessment for Pacific cod is included in this SAFE report. No new assessment will be prepared for thornyheads or "other species" this year; the 1999 assessments should be examined for the methodology that supported the 2001 thornyhead OFL and ABC projections and for determining TAC species apportionment for "other species." However, sufficient data and analyses were available to provide adequate evaluation of trends in stocks for which full assessments could not be conducted.

This SAFE report forms the basis for final groundfish specifications for the 2001 fishing year. The final GOA SAFE contains the Plan Team's estimates of biomass, OFLs, and ABCs for all groundfish species covered under the FMP and information concerning PSC bycatch to provide guidance to the Council in establishing PSC apportionments. The attached tables from the SAFE report lists the Plan Team's recommended 2001 ABCs and corresponding OFLs for each species or species complex. Items D-1(b)(1) and (2) contain the minutes of the GOA Plan Team meeting and Joint BSAI and GOA Plan Team Meeting.

(b) Final ABCs and TACs

At this meeting, the Gulf of Alaska Groundfish Plan Team, SSC, and AP will provide recommendations on ABCs and TACs to the Council. The Council will recommend final catch specifications for the 2001 fisheries. Tables 1-4 from the SAFE summary chapter listing groundfish OFLs and ABCs are attached as Item D-1(b)(3). The Plan Team's sum of recommended ABCs for 2001 is 447,710 mt, only slightly down from the 2000 ABC of 451,000 mt.

Overall, the status of GOA stocks continues to be relatively favorable. The abundances of Pacific cod, northern rockfish, thornyhead, and arrowtooth flounder are above target stock size. The abundances of pollock, Pacific ocean perch, and sablefish are below target stock size. The status of the remaining species is unknown.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

The Plan Team recommended an ABC of 105,810 mt for pollock, up slightly from 100,000 mt in 2000. It recommended a lower ABC of 67,800 mt, continuing a decline for Pacific cod, compared to 76,400 mt in 2000 and 84,400 mt in 1999. ABC recommendations for flatfish were the same as in 2000, except for a slight increase for arrowtooth flounder. Rockfish ABCs were also only slightly different than in 2000. The sablefish recommended ABC dropped to 12,800 mt from 13,400 mt in 2000. As of late November, catches totaled approximately 71% of the 2000 TAC.

TAC considerations for State waters Pacific cod fishery

Beginning in 1997, the Council has reduced the GOA Pacific cod TAC to account for removals from the State P. cod fisheries. It has continued to lower the TACs by area as the State fishery increased. In December 1998, the Council reduced the Central area TAC due to the automatic increase in the Kodiak and Chignik subarea GHLs and the Western area TAC due to an increase in the South Alaska Peninsula GHL. In 1999, the 2000 TACs were lowered due to increases in the South Alaska Peninsula and Kodiak GHLs. No State water P. cod GHLs are expected to increase in 2001. The State GHLs may be no more than 25% of the Federal TAC. Using the Plan Team's recommended ABCs for 2001, the federal TAC for P. cod would be adjusted as listed at right (assuming no additional modifications are approved under Agenda C-5).

Proposed 2001 Gulf Pacific cod ABCs, TACs, and State guideline harvest levels (mt).				
Specifications	Western	Central	Eastern	Total
ABC	24,400	38,650	4,750	67,800
BOF GHL	6,100	8,400	1,190	15,690
(%)	25	21.75	25	23.1
TAC	18,300	30,250	3,560	52,110
	Cook Inlet	870	2.25%	
	Kodiak	4,830	12.50%	
	<u>Chignik</u>	<u>2,700</u>	<u>7.00%</u>	
	Central	8,400	21.75%	

TAC considerations for sablefish

Since the Southeast Alaska trawl ban was implemented, the Council has reapportioned 5% of the combined Eastern GOA sablefish TAC to trawl gear in the West Yakutat District. Under the ABC derived from using both survey and fishery data (12,840 mt), this could be achieved by reapportioning 180 mt from the SEO ABC to the West Yakutat ABC. This would result in ABCs of 2,010 mt in the Western GOA, 5,410 mt in the Central GOA, 2,055 in the WY District (1,785 mt allocated to hook-and-line gear and 270 mt allocated to trawl gear for bycatch), and 3,365 mt in the SEO District (3,365 mt allocated to HAL gear and 0 mt allocated to trawl gear).

Using only the survey to calculate ABC (12,920 mt), the adjustment would be 165 mt reapportioned from SEO to WY.

Prohibited Species Catch Limits

The following halibut prohibited species catch limits have been in place since 1996.

Trawl gear			Hook and Line		
1st quarter	600 mt	(30%)	1st trimester	250 mt	(86%)
2nd quarter	400 mt	(20%)	2nd trimester	15 mt	(5%)
3rd quarter	600 mt	(30%)	3rd trimester	25 mt	(9%)
4th quarter	400 mt	(20%)	DSR	10 mt	
2,000 mt			300 mt		

Quarter	Trawl apportionments		Total
	Shallow water	Deep water	
	Complex	Complex	
1	500 mt	100 mt	600 mt
2	100 mt	300 mt	400 mt
3	200 mt	400 mt	600 mt
4	No apportionment		400 mt

(c) Halibut Discard Mortality Rates

The GOA and BSAI SAFE reports contain recommendations by IPHC staff for managing halibut bycatch in 2001. Item D-1(b)(4) lists the IPHC recommendations for setting discard mortality rates for the 2001 fishery in the BSAI and GOA. Note the recommendation is to set these rates for the next three years (2001-2003). The CDQ rates would continue to be set annually. Dr. Steven Hare, IPHC staff, will present this report.

In October, the SSC received a report from Gregg Williams of IPHC on the alternative method of estimating halibut discard mortality. The SSC recommended waiting until the Steller sea lion/Pacific cod issue is resolved before moving ahead on this issue because fishing areas, methods, and time frames may change and thus alter the discard mortality rates. The SSC will review the final report at this meeting.

Report of the Scientific and Statistical Committee

The SSC concurred with the Plan Team's recommendations for GOA groundfish ABCs for 2001. Please see the SSC minutes (Appendix II to these minutes) for general comments on the individual species and the SAFE document.

Report of the Advisory Panel

The AP recommended the Council approve the 2001 GOA SAFE, the GOA ABCs as recommended by the SSC, and that the 2001 TACs be set equal to the ABC, with the following exceptions:

	<u>AP Recommendations</u>
Pacific cod (W)	18,300 mt
Pacific cod (C)	30,250 mt
Pacific cod (E)	3,560 mt
Shallow water flatfish (W)	4,500 mt
Shallow water flatfish (C)	12,950 mt
Flathead sole (W)	2,000 mt
Flathead sole (C)	5,000 mt
Arrowtooth (W)	8,000 mt
Arrowtooth (C)	25,000 mt
Arrowtooth (WAYK)	2,500 mt
Arrowtooth (EYAK/SEO)	2,500 mt

Tables containing the AP's recommended PSC catch limits and apportionments for trawl and non-trawl fisheries, and halibut discard mortality rates, are found in the AP Minutes (Appendix III to these minutes).

**MINUTES
NPFMC MEETING
DECEMBER 2000**

The AP expressed some concern with the level of interactions between industry participants and the survey vessel and recommended the Council ask NMFS to analyze satellite telemetry data to detect survey interactions.

DISCUSSION/ACTION

Bob Mace moved to adopt the recommendations of the Advisory Panel regarding the 2001 SAFE, ABCs as recommended by the SSC, and the TACs, PSC rates and apportionments, and halibut discard mortality rates, as recommended by the Advisory Panel in their minutes dated 12/9/00. The motion was seconded by Linda Behnken.

Linda Behnken moved to direct NMFS to designate other slope rockfish as bycatch only as in previous years because the discards are so high in the trawl target species for that complex. The motion was seconded and carried without objection.

Linda Behnken moved to initiate a plan amendment to split the 'other species' category as recommended by the Plan Team and the SSC. The motion was seconded and carried without objection. It was clarified that the timing of such an amendment would be discussed under staff tasking.

Kevin O'Leary moved to forward the recommendations submitted by Chris Blackburn for GOA trawl seasonal halibut caps under a RPA scenario to NMFS for their consideration. The motion was seconded and carried without objection.

Linda Behnken moved to defer to NMFS to reallocate seasonal halibut caps for hook and line fisheries under an RPA scenario. The motion was seconded and carried without objection. Ms. Salveson indicated that NMFS defer mainly to the AP's recommendation to allocate the 300 mt halibut among seasons to the extent that they can, among two seasons instead of three.

Sue Salveson moved that the Council consider under staff tasking an FMP amendment that assesses options to address small CDQ apportionments of rockfish within the CDQ program. The motion was seconded by Dave Fluharty and carried without objection. This action would break out red rockfish between the Bering Sea and Aleutians, but would not break them out for the CDQ fishery because of management concerns.

Kevin O'Leary moved to recommend to the IPHC that the calculation of discard halibut mortality in the BSAI longline cod fishery be performed annually to provide incentive for further halibut bycatch mortality reduction. The motion was seconded and carried without objection. It was pointed out that the Council might also mention to the IPHC the Council's concern over the potential shifts in the groundfish fisheries, as they related to halibut bycatch, because of the measures being implemented to protect Steller sea lions, and suggest to the IPHC that they may want to keep track of the fisheries with that in mind. The maker of the motion was accepted this as a friendly amendment.

The main motion, as amended, carried without objection.

The tables showing the Council's final action of the 2001 GOA groundfish specifications and bycatch allocations are attached as Appendix V to these minutes.

D-1(c) BSAI Pacific Cod Pot Gear Allocations

ACTION REQUIRED

Review and revise the problem statement for Amendment 68.

BACKGROUND

Amendment 68 proposes further apportioning the BSAI Pacific cod pot gear allocation (18.3% of the fixed gear BSAI Pacific cod TAC) among pot catcher/processors and catcher vessels, based on catch histories from 1995-1999. At the time the Council approved BSAI Amendment 64, which split the fixed gear allocation of BSAI Pacific cod between the various components of the fixed gear sector, it acknowledged that a further split of the Pacific cod pot gear TAC among pot catcher/processors and catcher vessels may be necessary to stabilize the recent harvest distribution corresponding to those sectors. However, because the public had not been noticed that this action may take place under Amendment 64, the Council delayed action specific to the pot sector and initiated this follow-up amendment in October 1999.

The EA/RIR/IRFA for Amendment 68 was originally scheduled for initial review at the October 2000 meeting. The SSC was provided an overview of the analysis at the October meeting, but time constraints prevented AP and Council review. SSC concerns that the problem statement does not accurately reflect the concerns being addressed by the recommended action in Amendment 68 prompted the Council to reschedule initial review for February, in order to allow the Council time to review and develop a new problem statement at this meeting. The following is a list of the SSC concerns, as stated in the October minutes:

- (1) The problem statement is borrowed from Amendment 64 that allocated Pacific cod TAC between longline and pot fisheries. As such it does not apply specifically to the recommended action to further allocate TAC within the pot sector. Consequently, a revised problem statement should be developed.
- (2) Because of recent approval and implementation of the LLP program, and pending approval for species specific gear endorsements under the LLP program, and final determination of numbers of vessels qualifying, it is difficult to accurately characterize the fishery status quo. The Council would facilitate that process by expressing their intent as to what constitutes status quo.
- (3) The analysis should be expanded to include two items:
 - (a) description and discussion of spatial/temporal distribution of Pacific cod catch stratified by fleet (Pot CP vs CV),
 - (b) analysis of catch within and outside Steller sea lion critical habitat; and
 - (c) under the proposed alternatives, there should be a discussion of the opportunity/likelihood for development of harvester cooperatives.

The intent of Amendment 68 is to extend the same approach to rationalization and stabilization of the pot cod fleet as was used for the longline fleet in Amendment 64. The analysis for Amendment 68 uses the same options as were considered by the Council for the original fixed gear split (with the addition of 1999 data). The problem statement was also carried over from Amendment 64, and thus reflects the need to stabilize the BSAI Pacific cod fishery for pot and longline fishermen who are substantially dependent on, and have extensive catch histories in, the cod fishery. The Council has not had the opportunity to modify the problem statement since that time. The problem statement

**MINUTES
NPFMC MEETING
DECEMBER 2000**

adopted by the Council for Amendment 64 (and proposed Amendment 68) to the BSAI groundfish FMP is provided below. Revision of this problem statement would satisfy SSC concern (1).

Problem Statement for Amendment 64

The hook-and-line and pot fisheries for Pacific cod in the Bering Sea/Aleutian Islands are fully utilized. Competition for this resource has increased for a variety of reasons, including increased market value of cod products and a declining ABC/TAC.

Longline and pot fishermen who have made significant long-term investments, have long catch histories, and are significantly dependent on the BSAI cod fisheries need protection from others who have little or limited history and wish to increase their participation in the fishery.

This requires prompt action to promote stability in the BSAI fixed gear cod fishery until comprehensive rationalization is completed.

SSC concern (2) requests clarification from the Council on what constitutes status quo under Amendment 68. Both the License Limitation Program and the fixed gear split approved in Amendment 64 had not yet been implemented during the years under consideration in this analysis (1995-1999). The no action alternative, as interpreted in the analysis, would continue the *current* management structure including these amendments, but would allow no further apportionment of the pot sector. The result, under the status quo, is that LLP qualified pot catcher/processors and catcher vessels compete among themselves to harvest as much of their 18.3% fixed gear TAC apportionment as possible.

To further complicate the status quo scenario, recall that Amendment 67, which adds a Pacific cod endorsement requirement for fixed gear vessels fishing BSAI Pacific cod in Federal waters, was adopted by the Council in April 2000. This amendment, if approved by the Secretary, would build on the existing LLP program and further limit the number of fixed gear vessels in each sector according to participation and landings requirements detailed in the Council's preferred alternative for Amendment 67. This amendment has not yet been through Regional review and, upon approval, would not likely be implemented until 2002. Thus, the implications of Amendment 67 are discussed in the status quo section of the analysis, but are not explicitly included as part of the status quo.

The analysis specifies that it is not appropriate in this case to portray the status quo as a static point of departure to compare against the alternatives, but rather a reasonable reference point is necessary to represent current conditions. Thus, the analysis uses the sectoral catch distribution from the 1999 fishing season to represent the baseline, as the most current snapshot of the fishery available.

While it may not be clear from SSC comment (2) above, the intent of the comment was to question using the catch histories from *all* pot vessels that participated in the BSAI Pacific cod fishery during 1995-1999 in determining the sectoral catch distribution under each of the options when a substantial number of those vessels will likely not qualify to fish Pacific cod in the future. The current calculations to determine the distribution among the pot sectors under each option include the catch histories of all the vessels that participated in the BSAI Pacific cod fishery during 1995-1999, regardless of whether, in 2000, they hold an LLP license or appear to qualify for a Pacific cod endorsement should Amendment 67 be approved and implemented. Staff understands that while

these two factors will significantly affect the number of vessels qualifying to fish BSAI Pacific cod using pot gear in the future, they should not affect the options under consideration for this amendment.

The Council's options are intended to stabilize the *historical* catch distribution among pot catcher/processors and pot catcher vessels. By calculating the catch distribution using only those vessels that may qualify under pending amendments, it would significantly change the intent and result of the Council's action under each of the proposed options. Absent Council re-direction, staff will not recalculate the options, and will continue to base the options on the historical catch of all vessels that participated in the fishery during the years under consideration.

Staff is revising the analysis to address SSC concern (3). The analysis will incorporate a description of the spatial and temporal distribution of Pacific cod catch by pot sector and its relation to Steller sea lion critical habitat. A short discussion of the opportunity for harvester cooperatives in the pot fleet will also be included.

The analysis was originally mailed to you on September 15, in preparation for review at the October meeting. Recall that Amendment 68 is currently scheduled for initial review and final action at the February and April 2001 meetings, respectively, and the only action needed at this meeting is development of a problem statement. The options for splitting the pot gear TAC are provided in the executive summary, attached as Item C-3(b).

The Scientific and Statistical Committee did not address this agenda issue.

Report of the Advisory Panel

The Advisory Panel recommended adoption of the following revised problem statement, and that the Council continue development of the analysis:

Problem Statement for BSAI Amendment 68: The catcher processors and catcher vessel pot fisheries for Pacific cod in the Bering Sea/Aleutian Islands are fully utilized. Competition for this resource has increased for a variety of reasons, including increased market value of cod products and a declining ABC/TAC.

Pot fishermen who have made significant long-term investments, have long catch histories, and are significantly dependent on the BSAI cod fisheries need protection from others who have little or limited history and wish to increase their participation in the fishery.

This requires prompt action to promote stability in the BSAI pot cod fishery until comprehensive rationalization is completed.

DISCUSSION/ACTION

Bob Mace moved to adopt the revised problem statement recommended by the AP, and to direct staff to continue to develop the analysis for initial review in February. The motion was seconded by Dave Fluharty and carried without objection.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

D-2 Staff Tasking

ACTION REQUIRED

- (a) Receive industry and staff reports on salmon bycatch and develop alternatives for analysis as appropriate.**
- (b) Discuss and provide direction on AFA report to Congress.**
- (c) Review other, overall tasking and provide direction.**

BACKGROUND

Salmon Bycatch Issues

This year's returns of chinook and chum salmon to the Yukon, Kuskokwim, and Norton Sound regions were poor. In July, Governor Tony Knowles declared this to be a disaster, and wrote a letter requesting the Council to stop or at least reduce bycatch of chinook and chum salmon. The Governor also asked the Council to require 100% observer coverage on all vessels fishing in the EEZ.

At the September meeting, the Council initiated consideration of measures to further improve bycatch controls for salmon taken incidentally in pollock fisheries. The Council also requested a letter be sent to Governor Knowles informing him of the Council's intention to further address salmon bycatch. The letter described existing management measures to control salmon bycatch, the voluntary program used by the fishing industry to avoid salmon bycatch, and noted the compounding problems of bycatch and measures taken to reduce fishery impacts on Steller sea lions. It also described potential industry based measures, enacted through co-op agreements, which the Council would be considering at this meeting. A copy of the Council's letter is attached as Item D2(a)(1).

At this meeting, the Council may develop alternatives for analysis based on industry proposals and information presented in reports from the Bering Sea pollock cooperatives. Alternatively, such measures may not require regulatory action by the Council if successfully implemented by the co-ops. We expect a draft of interco-op agreements in that regard for Council review this week. Based on discussions at the October meeting, staff has also made an initial examination of salmon bycatch in the Gulf of Alaska, with a discussion paper provided as Item D2(a)(2).

Report to Congress

I reported to you briefly in October regarding the report to Congress which was technically due on October 1, 2000, and our plan to spend this fall and next spring putting together a report which would encompass a year of full AFA implementation. I have spoken to some key Congressional staff about this and they recognize the rationale for postponing that report until sometime next year. In the meantime our staff has begun putting together a first draft of such a report. We expect to continue this work with help from NMFS and utilizing the co-op reports which will be finalized by the February 2001 meeting. We also are coordinating with ADF&G to the extent some of their research projects with AFA funds will lend themselves to information in that report to Congress. In particular is their project to examine the industrial organization of the fisheries and how that is changing under the AFA.

We also have initiated a contract, using some of our AFA funds, with Dr. Michael Downs of KEA Environmental, Inc. to examine the social/community aspects of AFA implementation. I also intend to formally request assistance from the State of Alaska to provide us a report on the impacts to the CDQ program, as prescribed in the Act. I believe that between these various efforts, and those of our own staff, we will be able to compile a comprehensive report that responds to the various requests in the Act. Given the importance of this report, and its potential relevance to future co-ops in other fisheries, I would like to get some input from the Council on how you would like to be involved, in

terms of Council and/or public review prior to submittal to Congress. Perhaps the April meeting would be an appropriate time for some type of review of a draft report, with final submittal by late May.

Existing and potential new tasking

Attached is a spreadsheet that should be familiar to you by now - Item D-2(c)(1). I have shortened it by deleting projects that are complete, or are largely complete (at least in terms of Council and Council staff workload). There are three sections - Existing Projects (which we are currently working on); Previously Tasked Projects (Council has provided direction, but projects are largely not started); and, (3) Potential New Tasking (Includes issues previously discussed by the Council, but not formally tasked to staff). For each project I have estimated the required staff time, where possible, and provided an estimate of available staff time between now and April.

Major work currently envisioned between now and the February Council meeting includes: finishing the halibut charter IFQ/community set-aside analysis (and two Committee meetings to review the draft); continued work on AFA report to Congress; development of RFPs/SOWs for long-term AFA related contacts; HAPC stakeholder process; Observer Program issues and Committee meeting; completion of BSAI pot cod split amendment; finalize subsistence actions for submittal; and, GOA Rationalization Committee and associated preparation for February discussion. With these actions, and pending holidays, I don't believe we can expect any new analyses for February consideration, though you may wish to get started, as possible, on some new projects for further discussion in February, or possible review in April.

There are a few very large projects on the Potential New Tasking list - these include - GOA Rationalization, Crab Rationalization, SSL related measures, and alternatives for the groundfish processing sideboard package (IR/IU adjustments, trawl LLP recency, and other possible alternatives) which you scheduled for discussion in February. Once again for your reference, we have carried forward the 1999 groundfish, crab, and IFQ program proposals under Item D-2(c)(2). I believe February is going to provide a better opportunity for the Council to consider the range of issues and task staff accordingly.

The SSC did not address this agenda issue.

Report of the Advisory Panel

The AP requested the Council direct NMFS to move forward with approval of BSAI Amendment 67 (Pacific cod license limitation amendment), in addition to other actions approved by the Council but not yet implemented.

DISCUSSION/ACTION

Regarding the report to Congress on the implementation of the AFA, Chairman Benton asked staff to prepare a matrix outlining which agencies/individuals would be responsible for the various sections of the report, and the associated timelines.

Committees:

During discussion of committees, the Council agreed to the following:

- The Social & Economic Data Committee will be dormant for several months, partly because of staff considerations.

**MINUTES
NPFMC MEETING
DECEMBER 2000**

- The newly-appointed GOA Rationalization Committee will meet to develop elements and options for analysis by the June meeting. The committee will be disbanded after its final report to the Council. The committee should take into consideration the National Academy of Science report and recommended standards when considering any type of IFQ program. The committee will also be asked to develop a schedule for submission of new proposals for GOA rationalization and advise the Council of their work plan.
- If possible, the BSAI Crab Rationalization Committee will meet prior the February Council meeting and provide a preliminary report to the Council in April. The committee will be disbanded after its final report to the Council.
- All inactive committees will be disbanded at this time.
- A Steller Sea Lion Steering Committee, composed of Council members, will be appointed to coordinate efforts expressed by the Council in its final Steller sea lion motion at this meeting. The committee will work with NMFS and other agencies to get the information and expertise needed. The SSL Steering Committee will be responsible for assembling a small team of independent peer reviewers of national stature; part of that team would be a subset of SSC members. This group would be charged with examining the experimental design contained in the RPAs, and providing the Council with their comments and recommendations that would make it more functional.
- An RPA Committee will be established to respond to the RPAs and the experimental design in a technical, operational, and practical sense to make it more functional.

Additional Staff Tasking:

John Bundy moved to task staff to prepare a discussion paper for February describing the steps necessary to develop and implement a system to collect and disseminate catch and bycatch data vessel-by-vessel in all groundfish fisheries, pursuant to Section 211(d) of the American Fisheries Act. The motion was seconded by Linda Behnken and carried without objection, after the clarification that the motion refers to both the GOA and BSAI, and State as well as Federal waters.

John Bundy moved to task staff to prepare a brief summary of seabird bycatch and halibut mortality statistics for individual freezer longliners in the Bering Sea/Aleutian Islands, identifying the worst vessels, by code, to try to show a pattern for five years. The intent would be to provide information to apply peer pressure on the worst offenders. The motion was seconded by Linda Behnken and carried without objection. Sue Salvesson said they will do the best they can, but may be hampered by confidentiality issues.

Robin Samuelsen moved to initiate a plan amendment to identify options to address chum and chinook salmon bycatch in the Gulf of Alaska groundfish fisheries. The measure could include, but not be limited to, area closures and caps. The motion was seconded by Linda Behnken.

During discussion the maker of the motion agreed to delay initiation of an amendment until after the development of a scoping document. Council and ADF&G staff will work on the document, with input from the public. It was suggested that the scoping document be provided to the Council at the April meeting. The motion, as amended above, carried with Mace objecting.

Linda Behnken moved to task the Crab Plan Team to convene to review and discuss crab bycatch information and provide recommendations for any additional measures needed. The motion was

**MINUTES
NPFMC MEETING
DECEMBER 2000**

seconded by Robin Samuelsen and carried without objection. The Team was asked to meet and provide a report in time for the joint Council/Board of Fisheries meeting in February.

Kevin O'Leary made a motion to include in the halibut charter IFQ analysis the community buy-in proposal. However, the motion was withdrawn after discussion of staff availability and the timeline for the current amendment. Staff was asked to identify and discuss the community IFQ buy-in as a possible alternative to the community set-aside in the current analysis, with the understanding that staff would be assigned to work on the community IFQ buy-in concept as soon as time is available.

E. PUBLIC COMMENTS

There were no additional public comments.

F. AP APPOINTMENTS

The Chairman announced the following appointments to the Advisory Panel for 2001:

Ragnar Alstrom	Dan Falvey	Hazel Nelson
Dave Benson	Lance Farr	Kris Norosz
Dave Boisseau	Duncan Fields	Michelle Ridgway
John Bruce	Dave Fraser	Jeff Steele
Al Burch	Arne Fuglvog	Jeff Stephan
Craig Cross	John Henderschedt	Bob Ward
Kim Dietrich	Spike Jones	Lyle Yeck
Ben Ellis	Stephanie Madsen	

The Panel was increased from 22 to 23 members.

G. ADJOURNMENT

Chairman Benton adjourned the meeting at approximately 12:10 p.m. on Monday, December 11, 2000.

