

MINUTES

**125th Plenary Session
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
December 11-15, 1996**

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North Pacific Fishery Management Council

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Date April 19, 1997

MINUTES

**125th Plenary Session
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December 11-15, 1996
Hilton Hotel
Anchorage, Alaska**

The North Pacific Fishery Management Council met December 11-15, 1996 at the Hilton Hotel in Anchorage, Alaska. The Advisory Panel met December 9-13, and the Scientific and Statistical Committee met September 9-12 at the same location. The following members of the Council, staff, SSC and AP attended the meetings.

Council

Richard Lauber, Chairman
Morris Barker for Bern Shanks
RADM Riutta/CAPT Vince O'Shea
Linda Behnken
David Fluharty
Dave Hanson
Bob Mace for R. Rosen

Walter Pereyra, Vice Chair
Kevin O'Leary
Steve Pennoyer
Everett Robinson-Wilson
H. Robin Samuelsen, Jr.
Dave Benton
Clem Tillion

NPFMC Staff

Clarence Pautzke, Executive Director
Darrell Brannan
Jane DiCosimo
Marcus Hartley
David Witherell

Chris Oliver, Deputy Director
Helen Allen
Gail Bendixen
Linda Roberts

Support Staff

Lisa Lindeman, NOAA-GCAK
Ron Berg, NMFS-AKR
Earl Krygier, ADFG
Steve Meyer, NMFS Enforcement
Seth Macinko, ADFG
Ken Griffin, ADFG
Lew Queirolo, NMFS-AFSC
Loh-lee Low, NMFS-AFSC
Sandra Lowe, NMFS-AFSC
Kim Rivera, NMFS-AKR
Mike Sigler, NMFS-AFSC
Jeff Fujioka, NMFS-AFSC

Bill Karp, NMFS-AFSC
Sue Salvesson, NMFS-AKR
Jay Ginter, NMFS-AKR
Richard Merrick, NMFS-AKR
John Lepore, NMFS-AKR
Nick Hindman, NMFS-AKR
Kaja Brix, NMFS-AKR
Tamra Faris, NMFS-AKR
Andy Grossman, NMFS-AKR
Andy Smoker, NMFS-AKR
Tom Pearson, NMFS-AKR

Scientific and Statistical Committee

Keith Criddle, Chair
Jim Balsiger
Doug Eggers
Sue Hills
Doug Larson
Rich Marasco

Jack Tagart, Vice Chair
Terry Quinn
Phil Rigby
Al Tyler
Hal Weeks

Advisory Panel

John Bruce, Chair
Ragnar Alstrom
Dave Benson
Al Burch
Bruce Cotton
Craig Cross
Dan Falvey
Kris Fanning

Stephanie Madsen, Vice Chair
Dave Fraser
Arne Fuglvog
Justine Gundersen
Scott Highleyman
Spike Jones
John Lewis

Hazel Nelson
Dean Paddock
John Roos
John Sevier
Robert Wurm
Lyle Yeck
Grant Yutzenka

Other Attendees

The following people signed the attendance register:

Steve Hughes
Arni Thomson
Paul Duffy
Joe Plesha
Joe Kyle
Denise Fredette
Lennie Gorsuch
Ron Dearborn

Diane Lauber
Thorn Smith
Shari Gross
Dorothy Childers
Ellen Lockyer
Karl Ohls
Chris Blackburn
Jean Dranguelin

Lt. Peter DeCola
Bob Mikol
David Wilson
Bill Jacobsen
Steve Toomey
Vince Curry
Stanley Senner
Joe Sullivan

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Gordon Blue
Vivian Mendenhall
Bryce Morgan
Lorraine Cordova
Mike Atterberry
Michael Lake
Freddie Christiansen
Jack Crowley
Richard Sharpe
Eric Hollis
Sinclair Wilt
Steve Davis
Ole Mathisen
Eric Cox
Tom Okey
Brian Bigler
Steve Joner
Chandler Johnson

Michelle Johnson
Alan Pedersen
Donald Ludwig
John Iani
Greg Baker
Terry Shaff
Kris Norosz
Rick Koso
Debby Swenson
Janet Smoker
Melanie Gundersen
Fred Yeck
Erin Bishop
Stan Daif
Mick Stevens
Jerry Bennett
Walt Wrede
Michael Brooks

John Henderschedt
Steve Grabacki
John Gauvin
Brent Paine
Bill Arterburn
Edwin Glotfelty
Gleyn Bledsoe
Charlie Trowbridge
Cindy Hartmann
Jeff Stephan
Dick Tremaine
Douglas Pohl
Wilbur McGlachan
Ruel Holmberg, Sr.
Arthur Holmberg
Jerry Brennan
Mark Kandianis
Teresa Kandianis
Jude Henzler

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

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

Chairman Rick Lauber called the meeting to order at 8:10 a.m. on Wednesday, December 11, 1996.

Agenda. The agenda was approved with minor changes in scheduling.

Minutes. Minutes of the June 1996 meeting were approved as submitted.

B. REPORTS

Written reports included: Executive Director's Report (Agenda item B-1), Domestic Fisheries Report by Alaska Department of Fish and Game (Agenda item B-2), National Marine Fisheries Report on groundfish fisheries, current amendments, and regulations in progress (Agenda item B-3), Enforcement Reports by the United States Coast Guard and National Marine Fisheries Service (Agenda item B-4), and a summary report on the 1996 sablefish and halibut IFQ season (Agenda item B-5). The Council also received special reports on Bering Sea/Aleutian Islands pollock from Vidar Weststad of the Alaska Fisheries Science Center, and pollock resources in Russia from Dr. Stepanenko of the TINRO Centre, Pacific Research Fisheries Centre in Vladivostok. Steve Hoag of the International Pacific Halibut Commission reported on stock assessment improvements and IPHC staff proposals for regulatory changes for the 1997 halibut fisheries.

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 a "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 Memo (e.g., C-1(a), etc.) 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. Next will be a section for **discussion and motions** on the subject. Finally, there will be a brief **summary** of actions taken, unless there is only one action and it is self-explanatory.

C. NEW OR CONTINUING BUSINESS

C-1 Seabird Protection

ACTION REQUIRED

Possible emergency action and/or regulatory amendment to protect short-tailed albatross.

BACKGROUND

Short-tailed albatross are on the endangered species list, and their incidental take in groundfish fisheries is strictly limited. The allowable take in the early 1990s was set at two albatrosses based on a July 3, 1989 Biological Opinion, and then reduced by the USFWS to "not more than one" by amendment on February 7, 1995.

On July 25, 1995, NMFS distributed a press release urging hook-and-line fishermen to avoid takes of short-tailed albatross in the groundfish fisheries. Nonetheless, in August and September 1995, takes of short-tailed albatross were reported in the sablefish longline fisheries because the lines had not been adequately weighted to assure rapid descent of the baited hooks. NMFS promptly distributed a second press release again urging industry to avoid albatrosses. Other communications also were sent to heighten awareness of the incidental take and the need to be much more careful in the fisheries.

On January 24, 1996 a third press release went out to industry urging them to avoid albatrosses. Shortly thereafter, on February 7, 1996, NMFS requested an increase in take to four birds, and reinitiation of consultation with USFWS. NMFS noted that the estimated population of short-tailed albatrosses had increased from 400 in 1989 to 750 in 1994. In June, USFWS responded that the allowed take was two birds and requested an extension of the consultation to April 1, 1997.

At our September 1996 Council meeting, we received a letter from Steve Pennoyer confirming that two short-tailed albatross were taken in the 1995 IFQ sablefish fishery. Since then, NMFS and USFWS have reinitiated consultation on the 1997 groundfish specifications, but that will not be completed until sometime in the first half of 1997. NMFS anticipates that the take of short-tailed albatross will not exceed two birds in 1997.

In the meantime, on November 1, 1996, the Council received a letter from industry (item C-1(a)) requesting emergency action by the Council to impose regulations requiring the longline fleet to use various avoidance measures when birds are around. We have placed this request on the December agenda in anticipation that the measures will be acted on promptly by NMFS for earliest implementation in 1997. A summary of the alternatives is attached as item C-1(b). The draft analysis prepared by NMFS to accompany this regulatory amendment is included as (item C-1(c)).

Report of the Advisory Panel

The AP recommended the Council adopt Alternative 2, Option 2, with the following clarifications:

1. The offal discharge provision be clarified as applying only during retrieval.
2. These measures be required at all times when baited hooks are being set.
3. Any birds brought aboard alive would be released alive.

The AP also recommended that the regulatory amendment be expedited in order to have regulations in effect by March 15, 1997, or earlier, and that a letter be sent to the IPHC requesting implementation of similar regulations for the halibut fishery.

The AP also suggested that the Council request the appropriate agencies review the number of takes allowed, taking into consideration state water and state-managed fisheries, halibut fisheries, increased awareness and reporting, extrapolation of data, and the impact of foreign fisheries.

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

DISCUSSION/ACTION

NMFS staff provided a draft analysis of alternatives for the Council to consider.

Steve Pennoyer moved to approve the following measures:

- (1) Baited hooks must sink as soon as possible after they are put in the water. This could be accomplished by the use of weighted groundlines or thawed bait.**
- (2) The dumping of offal shall be avoided to the extent practicable while gear is being set or hauled; if discharge of offal is unavoidable, the discharge must take place aft of the hauling station or on the opposite side of the vessel to that where gear is set or hauled.**
- (3) Every effort shall be made to ensure that birds brought aboard alive are released alive and that wherever possible, hooks are removed without jeopardizing the life of the bird.**

In addition, one or more of the following measures shall be employed at all times when baited hooks are being set:

- (1) A buoy, board, stick, broom, or other like device shall be towed behind the vessel at a distance appropriate to prevent birds from taking baited hooks. Multiple devices may be employed; or,**
- (2) A streamer line designed to effectively discourage birds from settling on baits during deployment of gear, shall be towed; or ,**
- (3) Gear shall be set only at night (between the times of nautical twilight), and only the minimum vessel's lights necessary for safety shall be used; or**
- (4) Baited hooks shall be deployed under water using the lining tube designed and manufactured for such a purpose; or,**
- (5) With the approval of the Regional Administrator, other experimental seabird avoidance devices may be substituted for those listed above.**

The required measures to reduce the incidental mortality of seabirds would be applicable to vessels using hook-and-line gear in both the GOA and BSAI directed groundfish fisheries. Rulemaking to require

seabird avoidance measures would be initiated separately for the groundfish fisheries and the halibut fishery to provide the IPHC an opportunity to review the proposed measures.

The motion was seconded and carried without objection.

Linda Behnken expressed concern that applying the requirements to smaller vessels such as skiffs in the halibut fishery, may have some safety ramifications. Steve Pennoyer said they will discuss those concerns at the IPHC meeting to solicit further input and if there are problems to be addressed, he will bring them back to the Council for consideration. A supplemental analysis that will examine an exemption from seabird avoidance measures for vessels less than 26 ft. will be scheduled for final action in April 1997.

SUMMARY

The Council approved gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds in the directed groundfish fisheries of the Gulf of Alaska and Bering Sea/Aleutian Islands. After consideration of the issue by the IPHC, the Council will also initiate similar regulations for the halibut fisheries.

C-2 Observer Program

ACTION REQUIRED

Receive status report on modified pay-as-you-go observer program and related issues.

BACKGROUND

Last April the Council withheld final action on the proposed modified pay-as-you-go observer program until costs could be estimated better. The Council rolled over the existing program through the end of 1997, or until replaced by a long-term program. The plan amendments necessary to extend coverage through 1997 were submitted to Secretarial review on June 27, 1996, and were approved on October 4.

At this current meeting, only a status report was scheduled. NMFS has requested that the Council delay substantive discussion and further action until April 1997 to allow them time to resolve several pending issues in developing the modified pay-as-you-go program (C-2(a)). NMFS also anticipates that we will need to consider a regulatory amendment in April to extend the interim program beyond 1997.

Report of the Advisory Panel

The AP reiterated their recommendation from September 1996 when they encouraged the Observer Advisory Committee to revisit the fee-based observer program. The AP believes that the intent of the observer program should be re-examined with emphasis on present observer duties, i.e., data collection versus compliance and enforcement.

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

DISCUSSION/ACTION

The Council received a staff report from NMFS reporting on progress in resolving the issues surrounding further development of the groundfish observer program.

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Linda Behnken moved to approve the AP recommendation to re-examine a fee-based observer program, including emphasis on present observer duties, i.e., data collection versus compliance. The motion was seconded by Kevin O'Leary and carried without objection. [Robin Samuelsen abstained because he was absent for the discussion, and Wally Pereyra and Clem Tillion were absent for the vote.]

Linda Behnken clarified that other options, including those mentioned in the AP's minority report, should also be taken under consideration and discussed by the Observer Advisory Committee.

During public comment, Arni Thomson of the Alaska Crab Coalition requested that the Council add to their agenda for the joint meeting with the Board of Fisheries in February a discussion of the State's observer program. Dave Benton indicated he would make staff available during the meeting to discuss the program.

SUMMARY

The Council directed staff and the Observer Advisory Committee to re-examine a fee-based observer program as well as other options recommended by the Advisory Panel. The Committee will meet in March and report to the Council at their April 1997 meeting. Staff clarified that they would be bringing back a broad perspective assessment of various potential program structures, as opposed to a specific EA/RIR analysis of any single program structure.

C-3 Research Priorities

ACTION REQUIRED

Final review of research priorities for submission to NMFS.

BACKGROUND

In November the plan teams recommended the research priorities as listed in item C-3(a). After receiving any comments from NMFS and the SSC at this meeting, the Council needs to forward the priorities to NOAA for use in preparation of its annual budget.

Report of the Scientific and Statistical Committee

The SSC did not have adequate time to address this agenda subject and advised the Council they would cover it fully at the February meeting.

The Advisory Panel did not address this agenda subject.

DISCUSSION/ACTION

The Council deferred action on this subject until February when they will receive recommendations from the SSC.

C-4 BSAI Opilio PSC Caps

ACTION REQUIRED

Final action on PSC limits for Bering Sea Snow Crab.

BACKGROUND

Final Review of Opilio Crab PSC Limits

In September, the Council approved the agreement negotiated by affected industry groups regarding PSC limits for C. bairdi Tanner crab taken in BSAI trawl fisheries. Under Amendment 41, PSC limits for bairdi in Zones 1 and 2 will be based on total abundance of bairdi crab as indicated by the NMFS trawl survey. Based on 1996 abundance (185 million crabs), the PSC limit for C. bairdi in 1997 will be 750,000 crabs in Zone 1 and 2,100,000 crab in Zone 2. Crab bycatch accrued from January 1 until publication of the final rule (expected by April 1997) will be applied to revised bycatch limits established for specified fisheries.

The Council did not make any recommendations regarding PSC limits for snow crabs at the September meeting. Rather, the Council requested that the committee meet again and attempt to negotiate an agreement for opilio. The committee members are listed below:

Dave Hanson, Moderator
Vince Curry
Kris Fanning
Dave Fraser

Teresa Kandianis
Brent Paine
Gordon Blue

The Committee met on November 6-7, and agreed upon acceptable PSC limits for C. opilio snow crabs taken incidentally in trawl fisheries. The terms of the negotiated agreement are included as Item C-4(a). The negotiated PSC limits are based on total abundance of C. opilio crab as indicated by the NMFS trawl survey. Based on 1996 abundance (5.4 billion crabs), the PSC limit for C. opilio in 1997 would be 6,147,000 crabs in the Snow Crab Bycatch Limitation Zone (SCBLZ) under the negotiated agreement. Note that in item C-4(b), NMFS requests a change in configuration of the SCBLZ to conform to reporting areas.

At this meeting, the Council is scheduled to take final action on PSC limits for snow crab. An executive summary from the EA/RIR is included as Item C-4(c). In June, the AP recommended adoption of Alternative 1, status quo, for snow crab. The crab plan team recommended a PSC limit for snow crab of 11 million crab in Zone 2.

Amendment 41 PSC limits adopted for bairdi Tanner crab.		
<u>Zone</u>	<u>Abundance</u>	<u>PSC Limit</u>
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
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

A summary of snow crab bycatch in groundfish fisheries is provided in the table below.

Snow crab bycatch in the 1992-1996 BSAI groundfish fisheries, by zone (all gears/targets). Preliminary 1996 data through 10/96.				
	<u>Zone 1</u>	<u>Zone 2</u>	<u>Other areas</u>	<u>Total</u>
1992	104,844	11,996,347	5,561,358	17,662,549
1993	40,611	8,922,155	5,797,956	14,760,722
1994	<u>25,334</u>	<u>11,424,057</u>	<u>1,032,736</u>	<u>12,482,127</u>
92-94 Ave	56,930	10,780,853	4,130,683	14,968,466
1995	94,307	4,338,013	963,469	5,395,789
1996	267,145	2,747,141	127,187	3,141,473

Report of the Advisory Panel

The AP recommended the Council adopt the recommendations of the crab negotiating committee, effective January 1, 1998. For 1997, the same agreement would be in effect with the following changes:

1. All areas of 514, 521, and 523 bycatch will be included in the total PSC count, and
2. floating bycatch percentage of abundance cap will be increased by 10% for 1997 only.

The AP further recommended the Council retain the ability to apportion the opilio PSC cap among the same fisheries as for the other crab PSCs for 1998. The cap would not be apportioned among fisheries in 1997.

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

DISCUSSION/ACTION

The Council received a staff report on the industry negotiations and a copy of the agreement reached.

Bob Mace moved to adopt the recommendations of the negotiating committee as provided in agenda item C-4(a) in the briefing book, and incorporating recommendations of the Advisory Panel. The motion was seconded and carried without objection.

Industry Negotiated Agreement:

On November 7, 1996 the following agreement was reached by the negotiating committee on PSC caps for C. opilio in the Bering Sea trawl fisheries.

PSC caps for C. Opilio

The PSC limit for snow crab (*C. opilio*) as indicated by the NMFS annual bottom trawl survey. The PSC cap will be set at 0.1133% of the total Bering Sea abundance, with a minimum PSC of 4.5 million snow crabs and a maximum PSC of 13 million snow crabs. Snow crab taken within the "Snow Crab Bycatch Limitation Zone (SCBLZ) would accrue towards the PSC limits established for individual trawl fisheries. Upon attainment of a snow crab PSC limit apportioned to a particular trawl target fishery, that fishery would be prohibited from fishing within the SCBLZ.

Note that the agreement would yield a snow crab PSC limit of 6,147,000 snow crab for 1997. This number is 0.1133% of the total 1996 NMFS survey abundance of 5,424,886,000 snow crab (both sexes, all size groups).

Coordinates of the Snow Crab Bycatch Limitation Zone, as agreed upon by the negotiating Committee:

<u>North latitude</u>	<u>West longitude</u>
56°30'	Donut Hole
56°30'	165°00'
58°00'	165°00'
59°30'	170°00'
US-Russia Line	170°00'

Caveats and Recommendations:

1. If Area 517 bycatch exceeds 500,000 snow crab in any one year, the Council should consider moving the southern boundary of the snow crab bycatch limitation zone from 56°30' to 56°00'.
2. These snow crab PSC limits will be subject to a 5-year review.

Industry Support:

All parties here below signed will support this agreement at the North Pacific Fishery Management Council meeting through Secretarial review and approval. The Committee strongly recommends that the NPFMC approve this agreement without change. Any substantive change from this agreement releases the parties from supporting said agreement.

The agreement was signed by committee members Kris Fanning, Brent Paine, Vince Curry, Teresa Kandianis, Dave Fraser, and Gordon Blue.

SUMMARY

The Council approved the agreement negotiated by affected industry groups regarding PSC limits for C. opilio snow crab taken in BSAI trawl fisheries. Under proposed Amendment 40, PSC limits for snow crab will be based on total abundance of opilio crab as indicated by the NMFS standard trawl survey. For 1998 and thereafter, the snow crab PSC cap will be 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. Snow crab taken within the "Snow Crab Bycatch Limitation Zone" (SCBLZ) would accrue towards the PSC limits established for individual trawl fisheries. Upon attainment of a snow crab PSC limit apportioned to a particular trawl target fishery, that fishery would be prohibited from fishing within the SCBLZ. For 1997 only, all snow crab bycatch in areas 513, 514, 521, 523, and 524 will accrue to the PSC limit, and the PSC limit will be increased by 10%. Based on 1996 survey abundance (5,425 million crabs), the 1997 snow crab PSC limit will be 6,760,000 crabs. Snow crab bycatch accrued from January 1 until publication of the final rule (expected by July) will apply to all fisheries that take snow crab in 1997.

C-5 Improved Retention/Improved Utilization

ACTION REQUIRED

- (a) Receive report from IR/IU Committee
- (b) Review and define Gulf of Alaska IR/IU parameters
- (c) Review options paper for 'limited processing allowance for catcher vessels' and provide direction

BACKGROUND

- (a) Committee Report

The Council's IR/IU Committee met on November 14 in Seattle to discuss VIP program revisions, general IR/IU implementation issues, and specific elements and options for a GOA program (to be implemented concurrently with the already approved BSAI program). The majority of the Committee's time was spent on issues related to the VIP program. The Committee report is contained under Item C-5(a)(1) and will be presented by Committee Chair Joe Kyle.

(b) Gulf of Alaska IR/IU program

As is reflected in the Committee report, the parameters for the GOA IR/IU analysis have the potential to be very straightforward, basically mirroring what was done for the BSAI, though the problem statement for the GOA may be different and could be clarified. We just need Council direction at this meeting to confirm the specifics for the GOA analysis, so that it may be completed for initial review in April, with a final decision scheduled for June 1997. Item C-5(b)(1) is a table showing major species discard levels in the GOA. Item C-5(b)(2) is a Draft Problem Statement for Council consideration.

(c) Limited processing allowance for catcher vessels

Part of the Council's June 1995 action on the groundfish and crab license limitation program was to create catcher vessel (CV) and catcher/processor (CP) license designations. A proposal to allow limited processing allowances for CVs was not included as part of the license program, though the Council directed that the proposal be considered as part of the IR/IU initiative. We need some feedback from the Council on a few specifics in order to complete an analysis of this proposal. In the original set of IR/IU alternatives approved by the Council, the following three options were identified:

- Option 1:** Allow processing of bycatch amounts of any groundfish species up to the directed fishing standards.
- Option 2:** Allow processing of targeted levels of species for which 'restricted market opportunities' exist.
- Option 3:** Allow processing of up to 5 mt round weight per day of any species for vessels under 60' and up to 18 mt round weight per day for vessels greater than 60' (the Council also requested that we examine a range of potential tonnages, up to and beyond 18 mt per day).

The IR/IU Committee discussed this issue briefly at their spring 1996 meeting (see Committee minutes from June of 1996) and advised that the analysis should focus on Option 3, which provides for a specific quantity of processing to be allowed. This was due largely to difficulties in estimating potential volumes of processing associated with Option 1 and Option 2. These are discussed in the attached paper (Item C-5(c)(1)), particularly the difficulty associated with defining when 'restricted market opportunities' exist. The attached paper discusses the following specific examples of this difficulty:

- * The existence of a 'market' at any given point in time may be wholly in the eye of the beholder - would it require that some price is offered for the product? Would it be based on some minimum price offer for the species in question?
- * If a given species is being purchased at any plant, located anywhere in the State, would that mean that a market exists, regardless of where the catcher vessel traditionally delivers its catch?
- * Even if the above questions were answered and defined, markets for fish change from week to week, and from year to year - if markets become available in the future, would a catcher vessel then be precluded from processing that species, even though significant economic investments had been made?

It has been suggested that current discards could be used as a proxy for defining 'when no market exists'. To illustrate the difficulties in this approach, some preliminary numbers were aggregated on 1994 and 1995 discards from two perspectives: (1) fish which were reported harvested but not retained, when no poundages of that species were retained by anyone in that week; i.e., a proxy for 'no market must have existed', and (2) total discards of species associated with onshore deliveries by week. The amounts of fish are minimal, over the year, for weeks when no retention of that species was

observed (when 'no market existed'). For example, the total amount of all species in the BSAI in 1995 (including pollock and cod) under this definition is only 760 mt, some of which is regulatory induced in any case. If we only look at CVs over 60', there are 271 which qualify in the BSAI, but which will receive a CV only designation (from the License Limitation data set). This calculates to 2.8 mt per vessel *for the entire year*.

When we examined all discards from onshore delivery vessels in 1995, the total amounts increase considerably, but are still nowhere near the 18 mt per day suggested in the proposal. In this instance we have excluded pollock and Pacific cod, under the assumption that these species have markets and will be required to be retained and delivered. The total amount of discards reported of all other species in 1995 (associated with all vessels in this sector) was 10,500 mt. Using this more liberal definition of 'non-marketable' results in 39 mt per vessel *for the year*. The current proposal is for up to 18 mt per vessel *per day*. These examples are offered simply to illustrate that discards cannot be viewed as a useful proxy for 'non-marketability'.

A final, and perhaps important consideration relative to both Option 1 and Option 2 above is that any allowance for processing by CVs will likely create incentives for targeting those species. With the investment in processing equipment, and the economic incentives to process fish instead of discard them, vessels may now target those species, resulting in increases in catch, and processing, of those species relative to historical discard estimate, and bycatch rates, used for analysis. This incentive could result in a transfer of fish from target to non-target fisheries, and perhaps from onshore to at-sea processing.

These are some of the primary reasons that the analysis will be unable to deal, quantitatively, with the criterion of 'marketability' in the context of this proposal. We would be able to provide 'upper bound' estimates of the potential amount of processing which might occur under this proposal, based simply on the number of catcher vessels multiplied by mt of groundfish per day for which processing may be allowed. In this case, we would still need guidance on which species the Council intends to be considered for this processing allowance. Since pollock and cod are required to be retained and delivered, can we assume that these species are not to be included in the list for processing upgrade allowances? Can we assume that in five years yellowfin sole and rock sole will also be excluded from that allowance?

From an analytical perspective, we will have difficulty determining, quantitatively, (1) how many vessels would take advantage of this allowance, (2) whether those vessels would process up to the maximum allowed for each species, (3) whether the allowances would represent a *transfer* of processing activity (from onshore to offshore), as opposed to *additional* processing capacity (simply utilizing fish which would otherwise be wasted), and (5) what the costs and benefits are of that increased processing potential.

We can provide the Council with an analysis containing upper bound estimates of the additional processing capacity implied by this proposal - given the number of vessels which could potentially take advantage of the processing allowance (including under 60' vessels - GOA and BSAI combined), and assuming the lower bound 5 mt/day allowance, the additional at-sea processing capacity could be substantial, as much as 11,000 mt *per day* at the extreme. As another example, if we only look at vessels greater than 60', but use the 18 mt/day limit, the potential is still about 7,000 mt/day, for GOA and BSAI vessels combined. The actual amounts would depend on species for inclusion and a number of other factors mentioned in Dr. Queirolo's discussion paper. Clarification on the following issues will greatly facilitate the analysis:

1. The species for which CV processing will be allowed, and whether the mt allowed would differ between species and/or seasons.

2. **Whether the primary intent of the proposal is to allow for value added processing by the CV sector, or to simply reduce the amount of fish which is currently discarded, regardless of the reason for discarding.**
3. **Whether the proposal is intended to apply to the BSAI crab fisheries, in addition to groundfish fisheries (the BSAI crab fisheries will present its own unique set of issues, for which we would likely request further guidance from the Council in February).**

There were no AP or SSC reports on this agenda item.

DISCUSSION/ACTION

The Council received a report from the IR/IU Committee and approved the Committee's recommendations for (see Appendix II to these minutes) further work on the initiative. A draft problem statement also was submitted for Council consideration.

Linda Behnken moved to approve the draft problem statement for the IR/IU analysis, as follows:

The objective of the Council in undertaking improved retention and utilization regulations for Gulf of Alaska groundfish fisheries centers on the same basic concern that motivated an IR/IU program in the BSAI groundfish fisheries - that is, economic discards of groundfish catch at unacceptably high levels. An IR/IU program for the GOA would be expected to "provide incentives for fishermen to avoid unwanted catch, increase utilization of fish that are taken, and reduce overall discards of whole fish," consistent with current Magnuson-Stevens Act provisions.

In addition, the Council recognizes the potential risk of preemption of certain existing GOA groundfish fisheries which could occur in response to economic incentives displacing capacity and effort from BSAI IR/IU fisheries. This risk can be minimized if substantially equivalent IR/IU regulations are simultaneously implemented for the GOA.

The motion carried without objection. (Council members Pereyra, Tillion and Samuelsen were not present for the vote.)

With regard to the proposal to allow limited processing allowances for CVs, the Council reviewed a discussion paper provided by staff and, taking into consideration other tasking priorities, moved to delay further analysis at this time.

David Benton moved to take no further action at this time on limited processing upgrades, deferring the issue to some time in the future for further consideration. The motion was seconded by Robin Samuelsen.

Morris Barker offered a substitute motion to put the issue on the agenda for discussion in September 1997. The motion was seconded and carried without objection.

SUMMARY

The Council approved the recommendations of the industry Improved Retention/Improved Utilization Committee for further work on a Gulf of Alaska IR/IU program and approved a problem statement to guide the analysis. The program will basically mirror the BSAI program. The Council deferred further work on the issue of allowing limited processing for catcher vessels and placed the issue on the September 1997 Council meeting agenda.

C-6 Scallop Management

ACTION REQUIRED

- (a) Review status of moratorium.
- (b) Discuss potential follow-up actions.

BACKGROUND

In June 1995, the Council approved an amendment package that established management measures to replace an interim closure of Federal waters off Alaska to scallop fishing. This package also included a 3-year vessel moratorium with qualifying criteria whereby vessels that had made at least one landing in any year from 1991 through 1993, or during any 4 years from 1980 through 1990 would qualify. ADF&G fish ticket data and CFEC records indicate that a total of 18 vessels would qualify to fish for scallops.

Amendment 1: In April 1996, the Council agreed to remove the moratorium from the Amendment 1 package to not delay opening of a fishery in 1996. The final rule implementing Amendment 1 was published on July 23, 1996, and scallop fishing resumed in most registration areas on August 1. A summary of scallop biology, management, and the fishery is attached as Item C-6(a).

Amendment 2: The vessel moratorium is proposed as Amendment 2. The moratorium package was submitted to the Secretary of Commerce on November 8, 1996, and the proposed rule should be published shortly. NMFS staff will be on hand to discuss the proposed rule for Amendment 2.

Amendment 3: NMFS has prepared a proposal for Amendment 3, which would delegate scallop management responsibilities to the State of Alaska (Item C-6(b)). Under the Magnuson-Stevens Act, the State of Alaska may now regulate vessels not registered with the State if they are operating in the EEZ. As such, one option the Council may consider is to delegate management authority to the State (this would require a 3/4 majority vote of the Council).

In September 1996, a proposal for a license limitation system was submitted by the Kodiak Fish Company (Item C-6(c)). At this meeting, the Council needs to discuss the next steps for scallop management and tasking.

Neither the SSC nor the AP addressed this agenda item.

DISCUSSION/ACTION

The Council received a brief progress report on the proposed 3-year vessel moratorium for the scallop fishery; the amendment has been published in the Federal Register; the deadline for comments is February 3, 1997. Now that the State of Alaska is able to regulate vessels fishing in the EEZ even though they are not registered with the State, the Council discussed two earlier proposals (Kodiak Fish Co., August 1996; and NMFS, November 1996) to delegate management of the scallop fishery to the State of Alaska.

David Benton moved to proceed with an analysis of the proposal to delegate management of the scallop fishery to the State of Alaska. The motion was seconded by Linda Behnken and carried without objection. (Tillion, Pereyra, and Samuelsen had left the meeting.)

Mr. Benton indicated the State is willing to work with NMFS on preparing the analysis.

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Under the Staff Tasking agenda item (D-4), the Council also approved analysis of a proposal for a license limitation program for the scallop fishery.

SUMMARY

The Council approved analysis of two amendments to the Scallop FMP: (1) delegation of management authority to the State of Alaska; and (2) a license limitation program for the scallop fishery.

C-7 Committee Memberships

ACTION REQUIRED

Approve memberships of the Advisory Panel (AP) and Scientific and Statistical Committee (SSC).

BACKGROUND

The AP Nominating Committee has been functioning as a “Committee of the Whole” for the last few years. Committee appointments will be taken up in Executive Session on Friday of this week. Terms for both the AP and SSC are one year.

Scientific and Statistical Committee

All members have indicated a willingness to continue for the coming year. A list of current SSC members is under item C-7(a). The U.S. Fish & Wildlife Service has nominated Dr. Steve Klosiewski for SSC membership.

Advisory Panel

All members of the Advisory Panel except one have indicated a willingness to be reappointed for another year. Item C-7(b) contains a matrix of current AP members and one for new applicants.

A packet containing resumes and other information on committee appointments was mailed to Council members on November 27.

DISCUSSION/ACTION

The Council approved the following appointments to the Scientific and Statistical Committee and Advisory Panel for 1997:

Scientific and Statistical Committee

Jim Balsiger—Alaska Fisheries Science Center, NMFS
Keith Criddle—UAF, Dept of Economics
Douglas Eggers—ADF&G, Juneau
Susan Hills—UAF, School of Fisheries & Science
*Steve Klosiewski, U.S. Fish & Wildlife
Douglas Larson—UC Davis, Dept Agricultural Economics
**Seth Macinko, Alaska Department of Fish & Game
Richard Marasco—Alaska Fisheries Science Center, NMFS
Marc Miller—UW, School of Marine Affairs
Terrence Quinn II—UA, Juneau Center for Ocean Sciences
Jack Tagart—DFW, Fish Mgmt., Marine Resources Div.

Albert Tyler—UAF, School of Fisheries & Ocean Sciences
Hal Weeks—Oregon , Dept of Fish & Wildlife

*Dr. Klosiewski was added to the current panel, bringing the total membership to 13.

**Seth Macinko will replace Phil Rigby on the panel; Rigby will serve as an alternate for Doug Eggers.

Advisory Panel

Ragnar Alstrom	Commercial Fisherman
Dave Benson	Tyson Seafoods Group
John Bruce	Deep Sea Fishermen's Union
Al Burch	Alaska Dragger's Association
Bruce Cotton	Long John Silvers, Inc.
Craig Cross	Commercial Fisherman
Dan Falvey	Alaska Longline Fishermen's Association
Kris Fanning	Commercial Crab Fisherman
David Fraser	Commercial Fisherman
Arne Fuglvog	Commercial Fisherman
Steve Ganey	Alaska Marine Conservation Council
Justine Gundersen	Commercial/Subsistence Fisher
Spike Jones	Commercial Fisherman
John Lewis	Sportfishing Representative
Stephanie Madsen	Aleutian Seafood Processors Assn
Hazel Nelson	Bristol Bay Economic Development Corp.
Dean Paddock	Bristol Bay Driftnetter's Association
John Roos	Pacific Seafood Processors Association
Jeff Stephan	United Fishermen's Marketing Association
Teresa Turk	Association of Professional Observers
Robert Wurm	Kodiak Vessel Owners Association
Lyle Yeck	Commercial Fisherman
Grant Yutrzenka	UNISEA

One additional seat was added to the Advisory Panel, bringing total membership to 23.

D. FISHERY MANAGEMENT PLANS

D-1 Final Groundfish Specifications for 1997

(a) Review Alaska Board of Fisheries groundfish management actions.

ACTION REQUIRED

Review of Board of Fisheries action to initiate state water fisheries for Pacific cod in the GOA.

BACKGROUND

The Council and Alaska Board of Fisheries (BOF) are scheduled to meet on Friday, December 13 at 8 a.m. via telephone conference to discuss state groundfish management. The BOF initiated state water fisheries for Pacific cod in the GOA at its meeting in October 1996. The details of the management plan approved by the BOF are attached as Item D-1(a)(1). The BOF action sets the state Pacific cod fishery at 15% of the federal TAC for the Western and Central Gulf and 25% of the Eastern Gulf TAC for 1997. The Central Gulf fishery will be apportioned: Cook Inlet 15%, Kodiak 50%, and Chignik 35%. The state Western and Central Gulf fisheries will increase to 20% in 1998 and 25% in 1999, if state landings meet the harvest guideline in the previous year (Item D-1(a)(2)). The state fisheries would commence two weeks after the federal fishery was closed. Item D-1(a)(3) depicts the fishery management areas affected by this action. The above table depicts the effects of reducing the federal TAC by the state guideline harvest level by area.

Proposed ABC, TAC* and State guideline harvest level (mt) for Gulf Pacific cod in 1997.

Quota	Western	Central	Eastern	Total
*ABC/TAC	28,500	51,400	1,600	81,500
BOF GHL	4,275	7,710	400	12,385
Remaining TAC	24,225	43,690	1,200	69,115
	Cook Inlet	1,157		
	Kodiak	3,855		
	<u>Chignik</u>	<u>2,699</u>		
		7,710		

When notified at their September 1996 meeting by ADF&G staff that the BOF was considering industry proposals for state groundfish fisheries, the Council noted that they would be meeting jointly with the BOF in February 1997, and that any final actions should be discussed at that time. The NMFS Regional Director, in a letter dated October 28, 1996, informed the BOF that the joint meeting in February 1997 should occur to discuss management of this and other groundfish fisheries before implementation of any significant changes to management of cod, such as state waters quotas (Item D-1(a)(4)).

Item D-1(a)(5) contains tables that summarize the percentage of cod taken in state waters since 1989, the breakdown of landings by gear type (from both state and combined state/federal waters), and by vessel size category for 1993-95 (from both state and combined state/federal waters). While state water harvests have totaled an average of 20% of the federal TAC since 1993, the BOF proposal would allocate an additional 15-25% of the TAC for state water harvest by jig and pot gear. Limitation to those gear types would avoid halibut PSC limits (pot gear is exempt). Pursuant to the BOF action, 35-45% of the total cod TAC could be taken from state waters.

The GOA Plan Team reviewed biological and fisheries data for Gulf Pacific cod to determine the effects of state water fisheries on the stock during its November 1996 meeting. The Team felt that internal water harvests should not affect federal TACs (they were counted against the Eastern Gulf TAC in 1995 and 1996). The Team does recommend that separately managed harvests from state coastal waters fisheries be counted against federal TACs since cod is recognized as a single stock and is assessed in the NMFS GOA trawl survey. The Team believes that it would be much better to have a biological basis for recommending an allocation between the state and federal fisheries, but recognizes that given

the migratory nature of this species and the limited available information, such recommendations would be tenuous. The Team recommends that ADF&G examine their annual groundfish (and crab) surveys to determine cod distribution and that ADF&G and NMFS staff collaborate so that future federal and state cod surveys would be comparable.

As shown in the tables in Item D-1(a)(5), the harvest of Pacific cod in state waters has increased in recent years. The catch in state waters for 1994-96 has comprised over 20% of the total harvest from the Western and Central areas. The highest harvests have occurred near Kodiak, Sand Point, and King Cove. For 1989-96, Kodiak produced 72% of the state water Central Gulf harvest, while Cook Inlet and Chignik produced 19% and 8%. State water Western Gulf harvests have been primarily taken south of the Alaska Peninsula with 81%; the Eastern Aleutian Islands produced the remaining 19%. For 1993-96, pot gear provided an average of 8% of Western area, 26% of Central area, and 50% of Eastern area harvests. A total of 55 mt of cod was harvested by jigs in the directed fishery; an additional 1,160 mt were harvested by jigs as bycatch in other groundfish fisheries.

Trawls, longlines, and pots have been the principal gears harvesting cod. Trawls have harvested the most, although pots increased to 24% of Gulfwide landings in 1995. Pot gear has harvested more than half of Central Gulf landings in state waters since 1990, increasing to over 70% in the last few years.

The 1996 GOA Pacific cod fishery opened to fixed gear on January 1 and trawl gear on January 20. TAC specifications totaled 18,500 mt for the Western area, 42,900 mt for the Central area, and 3,250 mt for the Eastern area. Inshore processors were allocated 90% of the TAC (16,650 mt, 38,610 mt, and 2,925 mt by area). Halibut bycatch rates were moderate for hook-and-line and trawl gear. Halibut PSC limits did not affect fishing time for these gear types, rather, closures were due to TAC attainment. The Western area closed to all gear types for the inshore sector on March 3; the offshore sector closed on March 9. In the Central area, the offshore sector closed on March 13; the inshore sector closed on March 18. A summary of closures since 1993 is listed below.

FEDERAL GROUND FISH CLOSURES OFF THE GULF OF ALASKA BY AREA FOR 1993-96.

Inshore	WESTERN		CENTRAL			EASTERN
	status	close	status	close	open	close
93	B	9-Mar	B	24-Mar		1-Jan
94	B	8-Mar	B	16-Mar	9-Apr	1-Jan
			P	9-Apr		
95	B	17-Mar	B	22-Mar		1-Jan
	P	30-Mar	B	11-Oct	7-Nov	1-Jan
			P	29-Nov		1-Jan
96	B	3-Mar	B	18-Mar		1-Jan
	P	5-May	P	5-May		1-Jan
Offshore						
93	B	1-Jan	B	1-Jan		1-Jan
94	B	1-Jan	B	1-Jan		1-Jan
95	B	7-Mar	B	13-Mar	1-Jun	1-Jan
	P	5-May				
96	B	9-Mar	B	13-Mar		1-Jan
	P	5-May	P	5-May		1-Jan

B = bycatch; P = prohibited

At the time of the 1996 closures, NMFS estimated that sufficient TAC remained to cover bycatch caught in other groundfish and halibut fisheries. After processor reports were examined, NMFS determined that the target Pacific cod fishery had exceeded ABC. The status of the fishery then changed from bycatch only to prohibited species on May 5. This action required that all harvested Pacific cod be discarded. As of November 9, 1996, approximately 900 mt have been harvested above the Western area inshore allocation and 50 mt above the offshore allocation. For the Central area, 3,500 mt were landed in excess of the inshore allocation and 1,100 mt above the offshore allocation. The Eastern area inshore allocation was underharvested by 900 m; the offshore allocation underharvested TAC by 320 mt. The fishery in the Western and Central areas exceeded ABC by a total of 5,500 mt. Incorporating the Eastern area underharvest lowers the excess to 3,100 mt. In summary, the cod fishery is currently fully utilized.

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The numbers of vessels harvesting cod in all waters are listed in Table 1 (Item D-1(e)(5)). Overall, 45% of the harvest was taken during 1993-95 by vessels ≤ 60 ft (Table 17). Smaller vessels predominate near the Shumagin Islands. In state waters, the 1993-95 harvest by smaller vessels for all gears was 70% (Table 18). Pot fishing was more prevalent near Kodiak Island, especially with smaller vessels. Western/Central harvests taken by smaller pot vessels were 56% overall (Table 17) and 66% in state waters (Table 18). Longline vessels accounted for 11% of the total 1993-95 harvest in the Western/Central area (Tables 5 and 6), with smaller vessels predominating near Kodiak and the outer Kenai Peninsula. Trawls accounted for about 66% of the Gulfwide 1993-95 harvest (Table 4), and 30% in state waters (Tables 5 and 6). Small trawlers predominate in this fishery, particularly near the Shumagins. Jig gear landed very little; nearly all vessels were < 61 ft.

The following table shows the harvest rate by gear for 1995 and 1996 at the middle and end of the fishing quarter. Harvests rates generally peaked at the end of the fishing period for trawl, hook-and-line and pot gear.

Western	as of	Trawl			H&L			Pots			Fishery closed
		mt	weeks	mt/week	mt	weeks	mt/week	mt	weeks	mt/week	
1996	3-Feb	1,864	2	932	1,417	5	283	1,305	5	261	3-Mar
	2-Mar	10,274	6	1,712	3,815	9	424	1,611	9	179	3-Mar
1995	4-Feb	872	2	436	7,365	5	1,473	1,442	5	288	17-Mar
	11-Mar	5,218	7	745	5,015	10	502	1,873	10	187	17-Mar
	4-Apr	10,763	8	1,345	5,377	11	488	2,164	11	197	17-Mar
Central 1996	3-Feb	439	2	220	1,197	5	239	3,867	5	773	18-Mar
	2-Mar	3,727	6	621	2,453	9	273	6,618	9	735	18-Mar
	16-Mar	14,515	8	1,814	4,953	11	450	9,152	11	832	18-Mar
1995	4-Feb	623	2	312	1,249	5	250	4,047	5	809	22-Mar
	11-Mar	11,494	7	1,642	3,932	10	393	9,293	10	929	22-Mar
	16-Mar	17,749	8	2,219	4,415	11	401	12,086	11	1,099	22-Mar

Sablefish In September 1996, the Council requested information on state water sablefish fisheries. In his letter to the Council, Commissioner Rue indicated his intent to continue managing the state water fisheries for sablefish in the North Gulf District and Aleutian Islands (west of Scotch Cap Light) (Item D-1(a)(1)). Non-IFQ harvests in the state Aleutian Island fishery totaled 165,750 lb in 1995 and 203,850 lb in 1996.

ADF&G has argued that the state fishery is harvesting surplus fish since the TAC has not been fully harvested by the IFQ fishery in 1995 and 1996. However, unharvested amounts of sablefish have declined over the two-year history of the IFQ fishery and were expected to have been lower in 1996 if not for a recent decision by the NMFS Regional Director to not approve an extended season for the sablefish IFQ fishery in

“Aleutian Islands” Sablefish Summary

	1995	1996
Non-IFQ	165,750	203,850
IFQ	106,550	90,550
Total harvest	272,300 lb	294,400 lb
% Non-IFQ	61%	69%
% IFQ	39%	31%
Non-IFQ deliveries	30	28
IFQ deliveries	30	20
Total	60	48
Non-IFQ fishermen	8	6

the Aleutian Islands. IFQ fishermen were not notified that this fishery would not be allowed in the first quarter of 1997 until two weeks prior to the end of the IFQ season. Despite the aforementioned action, unharvested AI sablefish declined from over 990,000 lb in 1995 to 419,000 lb in 1996. Over all areas, unharvested sablefish declined from 4.7 million lb to 2.1 million lb. For perspective, the non-IFQ open access sablefish fishery harvested a very small amount of fish, relative to the overall federal quota (i.e., <10 % of the total 1996 unharvested IFQ pounds and <50% of the unharvested 1996 AI IFQ).

Sablefish IFQ landings for 1995 and 1996 (through Nov 13, 1996).

1995 <u>Area</u>	Vessel <u>Landings</u>	Total Catch <u>Pounds</u>	Allocation <u>Pounds</u>	Remaining <u>Pounds</u>	Percent <u>Remaining</u>
SE	1,015	12,003,184	12,996,900	993,716	8
WY	434	7,993,170	8,586,917	593,747	7
CG	863	14,072,590	15,167,648	1,095,058	7
WG	187	3,950,818	4,585,568	634,750	14
AI	100	1,917,783	2,910,072	992,289	34
<u>BS</u>	<u>107</u>	<u>998,319</u>	<u>1,410,944</u>	<u>412,625</u>	<u>29</u>
Total	2,706	40,935,864	45,658,049	4,722,185	10
1996					
SE	913	9,823,345	10,346,188	522,843	5
WY	344	6,096,858	6,366,885	270,027	4
CG	746	11,818,813	12,169,392	350,579	3
WG	164	3,585,286	3,880,096	294,810	8
AI	84	1,168,272	1,587,312	419,040	26
<u>BS</u>	<u>116</u>	<u>703,905</u>	<u>970,024</u>	<u>266,119</u>	<u>27</u>

Report of the Scientific and Statistical Committee

The SSC noted that GOA Pacific cod is assessed as a single stock and they believe that all harvests of Pacific cod, including those in State waters, should count against the GOA Pacific cod ABC. Although ideally catches would be spatially and temporally allocated in proportion to the actual distribution of biomass, data limitations and the migratory nature of the species make it impossible to design such an allocation at this time. The new fishery in State waters may take place at different times, in different locations, and with different gear than the fisheries that have generated data included in the assessment model. Therefore, on-deck sampling will be very important, as well as monitoring catch and bycatch and gathering other biological and fishery information.

Report of the Advisory Panel

The AP recommended that removals in the State Pacific cod fisheries for 1997 be counted against the federal groundfish ABCs and that the Council petition the Board of Fisheries to revisit their decision to allow a Pacific cod fishery in State waters. The AP suggested a committee of several Council and Board members be formed to work on joint management concerns. Please see the AP Minutes (Appendix III to these minutes) for specific suggestions of issues to be addressed by the Committee.

DISCUSSION/ACTION

The Council spoke with members of the Alaska Board of Fisheries (Board) by teleconference on Friday, December 13, regarding action taken by the BOF to initiate state water fisheries for Pacific cod in the GOA. The Council stressed the necessity for coordination between the Board and the Council when making management decisions that could impact fisheries under the other's jurisdiction. The Council and Board agreed to form a small

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committee with representatives from the Council and Board to meet sometime in January to discuss issues of concern. The Council will meet jointly with the Board on February 4. ADF&G, the Council, and NMFS will provide staff support for the committee. Chairman Lauber stressed that only Council members will have the authority to speak for the Council.

(b) GOA Pelagic Shelf Rockfish Amendment.

ACTION REQUIRED

Final review of Amendment 46 to revise management authority of pelagic shelf rockfish.

BACKGROUND

The Council is scheduled to take final action on a plan amendment to revise the management authority of the pelagic shelf rockfish assemblage (PSR). The public review draft of Amendment 46 to GOA FMP was distributed on November 27, 1996. The revised draft incorporates changes recommended by the Council at their September 1996 meeting, final ABC recommendations by the GOA Plan Team, and recommendations for management by ADF&G and the Plan Team.

The EA/RIR analyzes two management issues for Gulf of Alaska PSR. The first issue for the Council to decide is whether to separate PSR into a nearshore component (black and blue rockfishes) and an offshore component (dusky, widow, and yellowtail rockfishes). The Plan Team has recommended that separate Acceptable Biological Catches (ABCs) and Total Allowable Catches (TACs) be assigned for these two groups to enhance the attainment of optimum yield to the fishery and management efforts to monitor the harvest of PSR species. Separating the assemblage into two components can be resolved by the Council in the final specification process and does not require further analysis or action by the Secretary (Alternative 2). The Plan Team has recommended an ABC of 4,880 mt for the offshore component and 600 mt for the nearshore component for 1997, should the Council choose Alternative 2 or 3 as its preferred alternative.

Alternatives 3 and 4 address the issue of management authority of the nearshore component of PSR, which does require a plan amendment. Alternative 3 would delegate management authority of the nearshore component to the State of Alaska through the Alaska Department of Fish and Game (ADF&G) while retaining this component within the FMP. Management authority under ADF&G would likely result in enhanced stock assessment methodology for the nearshore PSR component, which is currently inadequately sampled by the trawl survey. ADF&G has informed the Council that they will not accept Alternative 3, but are recommending Alternative 4 (Item D-1(b)(1)).

Alternative 4 would withdraw black and blue rockfishes from the GOA FMP entirely. ADF&G would assume management authority of these species in the absence of federal management. State management would not be tied to the federal definition of ABC and overfishing levels for black and blue rockfishes, stocks that are essentially unassessed. ADF&G endorses Alternative 4 and has informed the Council it would manage the black rockfish resource on a regional basis. Nearshore rockfish management plans would be prepared by ADF&G staff for the three Gulf of Alaska management areas and reviewed by the Alaska Board of Fisheries. ADF&G would manage this fishery under the current 68 mt guideline harvest level for rockfish in the Central Gulf, with vessel trip limits.

The Plan Team has also recommended Alternative 4. The Team has recommended separation of PSR into two components since 1991 to prevent overfishing of black rockfish that are harvested under an ABC and TAC derived from biomass estimates of dusky rockfish in the NMFS trawl survey. They have identified ADF&G as the best agency for in-season management of very small area TAC apportionments. Also, ADF&G would not be required to comply with new Federal guidelines for unassessed populations when setting a state harvest guideline. These restrictions: (1) limit the developing black rockfish jig fishery to the average of 75% of the truncated time series of commercial landings and (2) create a Gulf-wide overfishing level that cannot be adequately monitored by in-season

management either by NMFS or ADF&G because of the low area TACs resulting from it (as low as 170 mt in the Western and Eastern Gulf for nearshore PSR species).

The EA/RIR includes the following alternatives:

Alternative 1: No action.

Alternative 2: Separate the Pelagic Shelf Rockfish Assemblage into two complexes: (1) nearshore PSR (black and blue rockfishes) and (2) offshore PSR (dusky, widow, and yellowtail rockfishes).

Alternative 3: Separate the Pelagic Shelf Rockfish Assemblage into two complexes: (1) nearshore PSR (black and blue rockfishes) and (2) offshore PSR (dusky, widow, and yellowtail rockfishes), and transfer management authority of nearshore PSR in both State and Federal waters to the State of Alaska.

Alternative 4: Remove black and blue rockfishes from the Gulf of Alaska FMP. The State of Alaska would assume management of those species.

Report of the Advisory Panel

The Advisory Panel recommended the Council adopt alternative 4: Remove black and blue rockfishes from the Gulf of Alaska FMP. The State of Alaska would assume management of those species.

The SSC did not address this agenda item.

DISCUSSION/ACTION

After discussing recent groundfish actions taken by the Alaska Board of Fisheries, Robin Samuelsen moved to defer action on this amendment until after the Council meets jointly with the Board in February. The motion was seconded and carried with Dave Benton objecting.

(c,d) **GOA SAFE and Final 1997 Groundfish and Bycatch Specifications**

ACTION REQUIRED

(c) **Approval of Final 1997 Stock Assessment and Fishery Evaluation (SAFE) report for GOA groundfish fisheries for 1997.**

(d) **Approval of final GOA groundfish specifications for 1997:**

- 1. Acceptable Biological Catch (ABC) and Annual Total Allowable Catch (TAC)**
- 2. PSC Limits for halibut by gear**
- 3. Halibut discard mortality rates and stock assessment report.**

BACKGROUND

At this meeting, the Council is scheduled to approve the 1997 Final SAFE report and specify final groundfish quotas and bycatch allowances for the Gulf of Alaska for the 1997 fishing year. Within the specification process for 1997, the Council may choose to set separate ABCs and TACs for the nearshore and offshore components of pelagic shelf rockfish, as described under Agenda D-1(b). The Council will also approve halibut discard mortality rates for 1997.

(c) Approve GOA SAFE Document for Public Review

The Gulf of Alaska (GOA) Groundfish Plan Team met November 18-21, 1996 in Seattle to prepare the final 1996 SAFE report distributed on November 27, 1996. The final SAFE report contains the Plan Team's recommendations for ABCs for all groundfish species covered under the FMP and halibut bycatch for establishing PSC apportionments. Tables 1, 2, and 3 from the SAFE summary chapter (Items D-1(c)(1), D-1(c)(2), and D-1(c)(3)) list the 1996 ABCs, TACs, and catches through November 9, 1996, and the Plan Team's recommended 1997 ABCs and corresponding overfishing levels for each of the species or species complexes. None of the Plan Team's recommended ABCs exceeds its corresponding overfishing level. Minutes from the Joint GOA/BSAI Team Meeting are included under Item D-1(c)(4). Minutes from the GOA Plan Team meeting will be provided as a supplemental item during the meeting.

(d) Initial ABCs, TACs, and Apportionments for the 1997 GOA Fisheries

Tables 1 - 3 compare the 1996 and recommended 1997 ABCs, overfishing levels, and stock status of 16 GOA groundfish management groups. The Plan Team's recommended ABCs for 1997 total 495,410 mt. The sum of 1996 ABCs is 475,170 mt and TACs were set at 260,207 mt. Groundfish catch through November 9, 1996 totaled 199,992 mt, or 77% of allowable landings. The SSC and AP recommendations will be provided to the Council during the week of the Council meeting.

The results of the 1996 NMFS trawl survey were incorporated into all stock assessments except for sablefish and demersal shelf rockfish (DSR), which are assessed from longline surveys. The 1996 assessments indicated significant increases in ABCs since last year for pollock (from 54,810 to 79,980 mt), Pacific cod (from 65,000 to 81,500 mt), and Pacific ocean perch (POP) (from 8,060 to 12,990 mt). Thornyheads also increased from 1,560 to 1,700 mt. The 1996 assessment indicated slight to moderate declines for all species of flatfish and rockfish, except for POP. DSR were unassessed in 1996 and Atka mackerel biomass estimates were determined to be unreliable, so 1996 ABCs were rolled over for both species.

For sablefish, the Plan Team recommended a rollover of the combined 1996 GOA and BSAI ABC (19,600 mt), using the 1996 longline survey biomass apportionments for each area. The Team decided that the $F_{40\%}$ adjusted ABC was too high given the declining trend in abundance and lack of recent recruitment. This decision resulted in a slight decrease in the 1997 GOA ABC (from 17,080 to 16,560 mt). The Team recommendation differed from that of the stock assessment authors. While the authors also decided that the $F_{40\%}$ adjusted ABCs were too optimistic, they calculated a range of ABCs between 16,800 to 17,600 mt, based on equilibrium adjusted values in 3-year increments. The authors recommended a combined area ABC of 17,200 mt based on the mid-point of the range and a 1997 ABC of 14,525 mt for the Gulf.

Initial PSC Limits for Halibut

The PSC limits for halibut in the Gulf of Alaska are set by gear type and may be apportioned seasonally over the fishing year. In recommending seasonal allocations, the Council will consider its objective to promote harvest of as much of the groundfish optimum yield as possible with a given amount of halibut PSC.

During 1996, halibut PSC mortality applied only to the bottom trawl fisheries and to the hook-and-line fisheries. The sablefish hook-and-line fishery, the pot fishery (primarily Pacific cod), and the midwater trawl fishery (primarily pollock) have all been exempted from bycatch-related closures. The following halibut PSC apportionments were approved by the Council for 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	

Beginning in 1994, PSC limits for trawl gear were further apportioned by specific fishery. The Council may apportion PSC limits by fishery during the annual specification process. Apportionments of the overall cap may be made to a 'shallow water complex' and a 'deep water complex.' Species in the shallow water complex are: pollock, Pacific cod, shallow water flatfish, Atka mackerel, and other species. Deep water complex species include: deep water flatfish, rockfish, flathead sole, sablefish, and arrowtooth flounder. The following apportionments were made for 1996:

<u>Quarter</u>	<u>Shallow water Complex</u>	<u>Deep water Complex</u>	<u>Total</u>
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

Halibut Discard Mortality Rates

Pacific halibut bycatch discard mortality rates in the Alaskan groundfish fisheries are routinely estimated from viability data collected by NMFS observers. These data are analyzed by staff of the International Pacific Halibut Commission (IPHC) and the National Marine Fisheries Service (NMFS), which results in recommendations to the Council for managing halibut bycatch in the upcoming season.

The Teams requested that IPHC provide additional information on the number of vessels observed, hauls sampled, and sampled fish and reexamine the recommended rates for the 1995 GOA hook-and-line rockfish fishery and 1992 BSAI sablefish pot fishery. Table 5 of Attachment 2 lists the revised IPHC recommendations for setting discard mortality rates for the 1997 fishery.

Report of the Scientific and Statistical Committee

The SSC agreed with the Plan Team's recommendations for Gulf of Alaska ABCs and OFLs, with the exception of pelagic shelf rockfish, where the SSC agreed with the calculation of the ABC, but did not agree with the Plan Team's apportionment method. The SSC stressed that they remain unconvinced that the Prince William Sound pollock fishery exploits a resource that is independent of the assessed GOA pollock population and recommended that the State's anticipated 1997 fishery GHl of 2,050 mt be applied against the total GOA ABC. They also stressed that they believe that the sum of all Pacific cod removals, including those from the directed halibut fishery, Prince William Sound, and State waters, should be less than ABC. The SSC expressed concern with the overage that occurred in this fishery in 1996. With regard to sablefish, the SSC underscored that future ABCs are expected to decline and that it is important that all biological removals be accounted for, including catches within State waters. With regard to Atka mackerel, the SSC supported the plan team's suggestion that the Gulf of Alaska and Bering Sea and Aleutian Islands Atka mackerel assessments be combined in future years. See the SSC Minutes for more specific comments on the 1997 stock assessments and ABCs/OFLs (Appendix IV to these minutes).

Report of the Advisory Panel

The AP recommended approval of the 1997 Stock Assessment and Fishery Evaluation (SAFE) report for the Gulf of Alaska groundfish fisheries and recommended adoption of the SSC's ABCs and set the TACs equal to ABC, with the following exceptions:

Pacific cod: The AP recommends the TAC be set at ABC less 15% in the western and central Gulf. In the eastern Gulf, the TAC would be ABC less 25%.

Flathead sole: The AP recommends the TAC be set at the 1996 TAC for the western and central Gulf.

Shallow flats: The AP recommends the TAC be set at the 1996 TAC for the western, central and eastern Gulf.

Arrowtooth: The AP recommends the TAC be set at the 1996 TAC for western, central and eastern Gulf.

Other slope rockfish: The AP recommends the TAC be set at 1,500 mt for the eastern Gulf.

PSC Limits for Halibut

The AP recommends the Council adopt hook and line, trawl gear seasonal apportionments and the trawl shallow and deep water apportionments as follows:

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	Shallow water	Deep water	Total
	<u>Complex</u>	<u>Complex</u>	
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

The AP also recommended the Council ask NMFS and ADF&G review the halibut bycatch in the DSR fishery for accuracy.

Halibut Discard Mortality Rates

The AP recommended the Council adopt Table 5 of the IPHC report as presented for 1997(see Appendix V to these minutes).

DISCUSSION/ACTION

Bob Mace moved (1) to approve the Gulf of Alaska ABCs for 1997 as recommended by the SSC, (2) the TACs as recommended by the AP (see Appendix III to these minutes), with the exception of Atka mackerel, which would be set at 1,000 mt, and Pacific cod which would be taken up in a separate motion; (3) the PSCs for halibut for hook and line and trawl fisheries, by quarter, as outlined on page 2 of the Agenda D-1(d) action memo (see Appendix VI and (4) the halibut discard mortality rates as recommended by the IPHC (see Appendix V). The motion was seconded by Robin Samuelsen.

By friendly amendment, the Council directed that Other slope rockfish would be managed to allow bycatch only; no directed fishery.

Linda Behnken moved to amend to establish a 20% buffer between the ABC and TAC for Pacific ocean perch (the TAC would be set at 20% below the ABC) for rebuilding purposes. By friendly amendment the TAC for the Eastern GOA was changed to 2,366 mt, the same as for 1996. The motion was seconded and carried 6 to 5, with Barker, Fluharty, Mace, Berg and Pereyra voting against. (Krygier was voting for Benton; Berg voting for Pennoyer)

The main motion, as amended, carried without objection.

After the teleconference with the Board of Fisheries, the Council took up the issue of Pacific cod.

Linda Behnken moved to set the GOA Pacific cod TAC equal to the ABC, less the State and internal waters TAC recently established by the Board of Fisheries, and to urge the Department of Fish and Game to work closely with NMFS so that NMFS can evaluate and release, by October 1, the portion of uncaught TAC that is not likely to be taken by the State-managed fisheries. The motion was seconded by Clem Tillion, but later withdrawn.

Ms. Behnken stated that because the Board of Fisheries has taken a percentage of the quota and put it in State waters, that the Council should deduct that amount off the TAC until it is determined whether the State-waters quota will be taken.

Before the main motion was withdrawn, Wally Pereyra moved a substitute motion to set the TAC equal to the ABC as recommended by the SSC. The motion was seconded by Kevin O'Leary and failed, 9-2, with Pereyra and O'Leary voting in favor.

Linda Behnken moved to approve the AP's recommendation for GOA Pacific cod TAC for 1997, with the additional recommendation that any remaining TAC be released by October 1. The motion was seconded and carried, 10 to 1, with Fluharty voting against.

There was some discussion as to how the Federal quota would actually be determined, using the AP's recommendation, and whether the full 25% would be taken out of the Eastern regulatory area, which is already a small number. Ron Berg explained that NMFS has a separate statistical area for Prince William Sound (PWS) and will monitor the catch through weekly production reports. It is a policy call whether the TAC would come off the Eastern or Central area. From a biological point of view, NMFS doesn't feel there is a difference for a species like cod. His suggestion would be to take the PWS cod catch off the Central area's TAC.

Dave Benton moved that the ten concerns listed by the Advisory Panel be discussed with the Board of Fisheries during the planned joint committee meeting. The motion was seconded by Steve Pennoyer and carried without objection.

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Those ten concerns were:

1. crab rebuilding efforts/bycatch and handling mortality in the cod pot fishery,
2. efforts to reduce overcapitalization,
3. localized depletion,
4. impacts on sea lions,
5. lack of at-sea monitoring/observer coverage,
6. enforcement difficulties,
7. unaccounted mortality of halibut bycatch in the jig fisheries,
8. displacement of historical users of a fully exploited species,
9. inability to achieve OY if the state cod quota is not fully harvested, and
10. concern of small boat operators to allow an entry level P. cod fishery.

(e,f) **BSAI Final SAFE and 1997 Groundfish and Bycatch Specifications**

ACTION REQUIRED

(e) **Review 1997 BSAI Final Stock Assessment and Fishery Evaluation (SAFE) document.**

(f) **Approve final BSAI groundfish specifications for 1997:**

1. **Acceptable Biological Catch (ABC) and annual Total Allowable Catch (TAC)**
2. **Division of the pollock ITAC into the January 1-April 15 ('A' Season) and September 1-December 31 ('B' Season) allowances;**
3. **Seasonal apportionment of the fixed gear Pacific cod TAC; and**
4. **Bycatch allowances, and seasonal apportionments of Pacific halibut, red king crab, Tanner crab, and herring to target fishery (PSC) categories.**

BACKGROUND

At this meeting, the Council recommends groundfish and bycatch specifications as listed above. These final specifications will be used for management of the 1997 groundfish fisheries.

(e) **BSAI SAFE Document**

The groundfish plan teams met in Seattle November 18-22, to prepare the final SAFE documents provided at this meeting. This SAFE forms the basis for final groundfish specifications for the 1997 fishing year, and contains the plan team's estimates of biomass and ABCs for BSAI groundfish species, and information to guide the Council in establishing PSC apportionments. The attached tables from the SAFE list the plan team's recommended 1997 ABCs and corresponding overfishing levels for each of the species or species complexes. Draft minutes of the team meeting are also attached (Item D-1(e)(1)).

(f) **Final ABCs, TACs, and Apportionments**

Attached as Item D-1(f)(1) are Tables 6 - 8 from the SAFE summary chapter indicating ABCs and biomass levels. The team's sum of recommended ABCs for 1997 is 2,551,865 mt. Overall, the status of the stocks continues to appear relatively favorable, although in some cases biomass is expected to decline because recruitment is below average.

Adopt seasonal allowances for pollock.

The FMP requires the Council to apportion pollock in the BSAI between the roe (January 1 - April 15) and non-roe (September 1 - December 31) seasons. For the 1991 and 1992 fisheries, the Council recommended a 40/60 percent split between the roe and non-roe seasons, and a 45/55 percent split for the 1993-1996 pollock fishery. In recommending seasonal allowances of the BSAI pollock TAC, the Council will need to consider the following factors as outlined in the FMP:

1. Estimated monthly catch and effort.
2. Expected changes in harvesting and processing capacity.
3. Current estimates of and expected changes in pollock biomass, and conditions of other fish and marine mammal stocks.
4. Potential impacts of seasonal fishing on pollock stocks, marine mammals, and other fish stocks.
5. The need to obtain fishery-related data throughout the year.
6. Effects on operating costs and gross revenue.
7. The need to spread fishing effort over the year.
8. Potential allocative effects among users and indirect effects on coastal communities.
9. Other biological and socioeconomic information.

The Council also may set a limit on the amount of pollock that may be taken in the bottom trawl pollock fishery to control the bycatch of crab and halibut (Amendment 16a). However, for the past 6 years, the Council has not recommended a specific apportionment between pelagic and bottom gears, noting that additional pollock harvests with non-pelagic trawl gear likely would be constrained by halibut bycatch. In recommending apportionment of pollock between gears, the Council would need to consider PSC limits, projected bycatch, costs, and other factors consistent with goals of the FMP (675.24).

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 the Council to base its decision 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.

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 1996 fisheries, the Council recommended that 79% of the fixed gear's allocation be released during the first trimester (January 1 - April 30), 18% for the second trimester (May 1 - August 31), and 3% for the third trimester.

Adopt bycatch allowances of Pacific halibut, red king crab, Tanner crab (*C. bairdi*), and herring, and seasonal allowances.

Halibut PSCs

For the Trawl Fisheries: Amendment 21 established a 3,775 mt limit on halibut mortality for trawl gear. This limit can be apportioned to the following trawl fishery categories:

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."

Note that under Amendment 46, the trawl halibut PSC mortality cap for Pacific cod will be no greater than 1,600 mt.

For Fixed Gear Fisheries: A 900 mt non-trawl gear halibut mortality can be apportioned to the following fishery categories:

1. Pacific cod;
2. Other non-trawl (includes hook-and-line sablefish, rockfish and jig gear); and
3. Groundfish pot (recommended exempt for 1996).

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(f)(2) is a table indicating 1996 PSC allocations and seasonal apportionments for the trawl and non-trawl fisheries. Item D-1(f)(3) is a current summary of PSC bycatch accounting for the 1997 BSAI fisheries.

Crab PSCs

In June 1996, the Council approved a staircase procedure for determining PSC limits for red king crab taken in Zone 1 trawl fisheries. Amendment 37, recently approved by the Secretary, specifies PSC limits based on abundance of Bristol Bay red king crab as shown in the adjacent table. Given NMFS and ADF&G's 1996 abundance estimate for Bristol Bay red king crab, a Zone 1 PSC limit will be established at 100,000 red king crabs for 1997.

Amendment 37 PSC limits for Zone 1 red king crab.		
<u>Abundance</u>	<u>PSC Limit</u>	
Below threshold or 14.5 million lbs of effective spawning biomass (ESB)	35,000 crabs	
Above threshold, but below 55 million lbs of ESB	100,000 crabs	
Above 55 million lbs of ESB	200,000 crabs	

In September, the Council approved the agreement negotiated by affected industry groups regarding PSC limits for *C. bairdi* Tanner crab taken in BSAI trawl fisheries. Under Amendment 41, PSC limits for *bairdi* in Zones 1 and 2 will be based on total abundance of *bairdi* crab as indicated by the NMFS trawl survey. Based on 1996 abundance (185 million crabs), the PSC limit for *C. bairdi* in 1997 will be 750,000 crabs in Zone 1 and 2,100,000 crabs in Zone 2. Crab bycatch accrued from January 1 until

Amendment 41 PSC limits adopted for bairdi Tanner crab.		
<u>Zone</u>	<u>Abundance</u>	<u>PSC Limit</u>
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
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

publication of the final rule (expected by April 1997) will be applied to revised bycatch limits established for specified fisheries.

The Council is scheduled to take final action on C. opilio snow crab PSC limits at this meeting. Any recommendations regarding PSC limits for snow crabs would be implemented during the 1997 fishing year.

Herring PSCs

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. The Alaska Department of Fish and Game will supply its forecast for 1997 herring biomass at the Council meeting. The PSC limit is set at 1 percent of the biomass in metric tons. A revised herring assessment should be available by meeting time.

Seasonal Apportionment of PSC

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:

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.

NOTE: Additional information on PSC limits and apportionments is presented in BSAI SAFE Appendix C.

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

Report of the Scientific and Statistical Committee

The SSC concurred with all of the Plan Team's ABC recommendations, with two exceptions: (1) for pollock in the Bogoslof area, the SSC recommended an ABC of 32,100 mt; and (2) for Greenland turbot, the SSC recommended an ABC of 12,350. For specific comments on all species, please see the SSC Minutes (Appendix IV to these minutes). In their written report the SSC also provided comments and suggestions to the Plan Team on general issues for the SAFE document and for the SAFE ecosystems chapter.

Report of the Advisory Panel

The AP recommended the Council approve the 1997 Stock Assessment and Fishery Evaluation (SAFE) report for the Bering Sea/Aleutian Islands (BSAI).

The AP recommended the Council approve the SSC's ABCs and set TACs at the ABC levels except for:

Pollock: Bogoslof pollock TAC be set at 1,000 mt - bycatch only, and the pollock A/B season split remain at 45/55.

Pacific cod: TAC be set at 270,000 mt.

Yellowfin sole: TAC be set at 230,000 mt.

Greenland turbot: TAC be set at 9,000 mt.

Arrowtooth: TAC be set at 20,760 mt.

Rocksole: TAC be set at 97,185 mt.

Flathead sole: TAC be set at 43,500 mt.

Other flatfish: TAC be set at 50,750 mt.

Sablefish: TAC be set at last year's TAC: BS at 1,100 mt and AI at 1,200 mt.

The AP recommended the Council request the cooperation of trawl companies who fish in the Russian zone (western Bering Sea) pollock fishery to share their catch information and biological data to NMFS and the Alaska Fishery Science Center.

Fixed Gear TAC and PSC

The AP recommended the following seasonal apportionment for fixed gear Pacific cod TAC:

1st	85,000 mt	73%
2nd	26,500 mt	23%
3rd	5,545 mt	4%

Reserves: Reserves of 20,655 mt to be apportioned as above, 77% to first and third trimesters, 23% to second trimester.

Rollovers: Excess cod TAC rolls from first to third trimester.

The AP recommended the following 1997 longline halibut PSC apportionments:

BSAI Halibut PSC

Seasonal Apportionment BSAI Cod Halibut PSC

Cod	840 mt	1st	495 mt
Turbot	60 mt	2nd	40 mt
Total	900 mt	3rd	305 mt
		Total	840 mt

Rollover: Excess halibut PSC rolls from the first to the third trimester.

1997 Trawl PSC Apportionments

The AP recommended adoption of the industry-proposed PSC apportionment chart, with the following changes:

1. Herring: will be set at 1,579 mt and apportioned among fisheries the same as in 1996.
2. Rocksole: king crab PSC split:

Inside 56° - 56°10'	26,250 animals
Outside	48,750 animals
3. Previous action requested no apportionment for opilio cap for 1997.

The AP additionally recommended the Council request NMFS to prepare to use hot spot authority for the cod trawl fishery during the April/May period for halibut in the Horseshoe area.

DISCUSSION/ACTION

Bob Mace moved to adopt the 1997 BSAI SAFE and approve the AP's recommendations for 1997 TACS, that the pollock TAC be split 45%/55% between the A and B seasons, respectively, and that the Council adopt the AP's recommendations for the BSAI trawl fisheries PSC apportionments and seasonal allowances, including footnotes listed with each recommended table (See Appendix III to these minutes). The motion was seconded by Steve Pennoyer and carried without objection (Tillion was out of the room for the vote).

The Council discussed concerns expressed in a minority report from several AP members regarding the TAC for pollock in the Bering Sea/Aleutian Islands. Members signing the minority report suggested a more conservative catch level to take into account Russian harvests of the eastern Bering Sea stock in the Navarin Basin, poor recruitment information, an increased concentration of pollock catch in the eastern Bering Sea, and increasing reliance on a single year class in the pollock fisheries. Several Council members expressed similar concerns and stressed the need for scientists to concentrate more attention on the eastern Bering Sea and the need to develop a cooperative liaison with Russian scientists and fishery managers to obtain current stock information on which to base future decisions.

Kevin O'Leary moved to set the halibut mortality rate for the BSAI Pacific cod longline fishery for the first trimester at 11.5%. After 1996 data have been reviewed, the Council will consider whether changes are necessary for the remainder of 1997. The motion was seconded by Dave Fluharty and carried without objection. (Tillion was out of the room for the vote.) It was clarified that any revised rate later in the year would not be retroactive.

SUMMARY

The Council adopted final groundfish specifications for the 1997 Bering Sea and Aleutian Islands groundfish fisheries, including ABCs, TACs, PSCs, and apportionments (see Appendix VII to these minutes). The Council remains concerned about the status of the Eastern Bering Sea pollock stock and may reduce allowable catches in the future.

D-2 Amendments - Final Action

ACTION REQUIRED

- (a) Final review of standard deductions for "slime and ice."
- (b) Final review of electronic reporting requirements.

BACKGROUND

(a) Standard Deductions for Ice and Slime

The EA/RIR for a regulatory amendment to provide standard deductions for slime and ice for IFQ halibut and sablefish was released for public review in October. Standard deductions are proposed to prevent inaccurate IFQ accounting of harvests caused by the lack of such standards. Current IFQ regulations require that the initial accurate scale weight at the time of landing should be reported. Numerous reports from the fishing industry have pointed to widespread violations of this provision, primarily under the guise of deductions for ice and slime. Deductions varying between 0 - 9 % have been reported.

The proposed action would provide no deduction for washed halibut and sablefish, and a 2% standard deduction for ice and slime for IFQ halibut. This deduction would occur through the use of product codes. If ice and slime are present on landed IFQ halibut, then the product code with the standard deduction would be used; if ice and slime are not present, then the product code without the standard deduction would be used. All IFQ sablefish would be required to be washed at offloading.

The alternatives included in the analysis are:

Alternative 1: No Action--no provision for standard deductions for ice and slime.

Alternative 2: 0% and 2% standard deductions for ice and slime for IFQ halibut and 0% standard deduction for ice and slime for IFQ sablefish.

The IFQ Industry Implementation Team reviewed the EA/RIR at its October 17-18, 1996 meeting. The Team extensively discussed the benefits of standardized deductions for halibut and sablefish and recommended a standard deduction of 0% for slime and ice for both species, with washing to occur at the point of landing for an initial, accurate scale weight. The Team was concerned that allowing both 0 and 2% deductions may result in processors using the higher deduction for initial landing reports. The resulting cumulative increase in pounds of fish harvested to make up the weight attributed to slime and ice may raise a biological concern of exceeding the fixed gear allocation, and possibly the TAC. The Team noted that many processors already wash halibut and sablefish for a 0% deduction, and that remaining processors would be able to comply. Those unable to set up a washing station may be able to adjust the price paid for unwashed product at the point of landing to account for slime and ice. The Team further noted that while a 2% industry standard would be the basis for a deduction for halibut, no industry standard or scientific study would support a similar sablefish deduction. The Team noted two important factors for whatever deduction is chosen: (1) it must be uniform; and (2) it must be enforceable.

- (b) Final review of a regulatory amendment to require groundfish processors to utilize electronic recordkeeping and reporting.

The EA/RIR for a regulatory amendment to require groundfish processors in the Bering Sea, Aleutian Islands, and Gulf of Alaska to utilize an electronic recordkeeping and reporting system for NMFS-required documents was distributed on July 30. In September 1996, the Council delayed final action to require groundfish processors to utilize electronic recordkeeping and reporting. The delay was to allow NMFS staff to hold a second meeting with industry members to refine the hardware and software requirements of the program. NMFS staff met with about 30 industry members in Seattle on October 29. A revised draft of the EA/RIR will be distributed at the Council meeting.

The analysis includes the following two alternatives:

Alternative 1: No Action: This would continue the current system of recordkeeping and reporting in which processors maintain paper logbooks and submit NMFS reports via conventional methods (i.e., fax and telex transmissions).

Alternative 2: Require groundfish processors that are subject to observer coverage to use NMFS-supplied software to electronically record harvest and processing activities on computer equipment. Conventional logbooks and associated NMFS reports would be replaced by electronic versions. At-sea processors would be required to transmit in-season NMFS reports using Inmarsat satellite equipment and shore-based processors would be required to use modems and phone systems. All processors using the electronic reporting system would be required to have a computer-operated printer to make paper copies of electronic logbook pages and transmitted reports at the processing site.

The NMFS electronic reporting system would be implemented in two stages. Phase 1 would consist of electronic versions of the daily production, weekly production, and check-in/check-out reports and would be distributed to the groundfish processing industry for voluntary use in early 1997. Legal implementation of Phase 1 would take place on January 1, 1998. Phase 2 would consist of electronic logbooks, vessel activity reports, and product transfer reports. These will be developed in 1997 and 1998 with full legal implementation in 1999.

At the September Council meeting, the AP recommended that the Council approve Alternative 2, with clarification that modem to modem and Standard C equipment would be allowed. The AP identified additional program areas for discussion at the October meeting with industry.

Report of the Advisory Panel

Standard deductions for IFQ halibut & sablefish ice and slime. The AP recommended adoption of a modified Alternative 2: 0% or 2% standard deduction for slime and ice for both IFQ halibut and IFQ sablefish.

Electronic Reporting Requirements. The AP strongly supports the development of an electronic reporting system and recommended the Council move forward with approval of a framework to require electronic reporting. Electronic reporting of weekly processor and check-in reports would be required of processors in 1998. The AP further recommended that the Council form an Implementation Committee comprised of industry representatives, NMFS, and other agencies including technical experts, to work out the implementation details that remain unresolved between the industry and NMFS. Such implementation details include: software and electronic communication requirements, transfer medium technologies, access to data by home offices, encryption, and file access requirements.

The SSC did not address these agenda topics.

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DISCUSSION/ACTION

(a) Standard deductions for IFQ halibut & sablefish ice and slime

Linda Behnken moved to approve the AP recommendation to create standard deductions for ice and slime for IFQ halibut and sablefish of 0% (washed) or 2% (for ice and slime). The motion was seconded by Robin Samuelsen and carried without objection.

(b) Electronic Reporting Requirements

Ron Berg moved to approve the AP recommendations:

Move forward with approval of a framework to require electronic reporting. Electronic reporting of weekly processor and check-in reports would be required of processors in 1998. The AP further recommended the Council form an Implementation Committee comprised of industry representatives, NMFS, and other agencies including technical experts, to work out the implementation details that remain unresolved between the industry and NMFS. Such implementation details include: software and electronic communication requirements, transfer medium technologies, access to data by home offices, encryption, and file access requirements. The motion was seconded by Linda Behnken and carried without objection. (Council members Pereyra and Tillion had left the meeting.)

Chairman Lauber appointed the following industry members to the industry implementation committee: Craig Cross, Dave Benson, Rob Gudmondson, Dave Fraser, Grant Yutzrenka, and David Pohl. John Gauvin was named Chairman of the Committee. Agency staff members will also be involved, including representatives of ADF&G, the NMFS observer program, and NMFS enforcement.

SUMMARY

The Council approved a regulatory amendment to require groundfish processors in the Bering Sea, Aleutian Islands, and Gulf of Alaska to utilize an electronic record keeping and reporting system for NMFS-required documents. The system would be implemented in two stages. Phase 1 would consist of electronic versions of the daily production, weekly production, and check-in/check out reports and would be distributed to the groundfish processing industry for voluntary use in early 1997. Legal implementation of Phase 1 would take place in 1998. Phase 2 would consist of electronic logbooks, vessel activity reports, and product transfer reports and be fully implemented in 1999.

D-3 Initial Review of Forage Fish Amendment

ACTION REQUIRED

Initial review of amendment to create and manage a forage fish species category.

BACKGROUND

In January 1995, the Council directed staff to prepare an EA/RIR to examine potential impacts of prohibiting a directed fishery on forage fish. Forage fish are an important ecosystem component, and are prey for marine mammals, seabirds, and commercially important fish species. Recent changes in predator abundance have raised concerns that forage fish may require additional protection. Although

an analysis was distributed for review in September, the Council did not address the issue due to time constraints. However, the SSC reviewed the EA/RIR and recommended revisions before sending it out for public review. Their comments were as follows:

"The SSC regards forage fish as a group of great importance and potentially an indicator of ecosystems health and a source of socio-economic interest. In discussing the draft plan the SSC suggested a number of modifications: (a) Reframe the plan to manage the forage fish, rather than provide a blanket prohibition on taking, (b) Clarify the relationship of the plan to ongoing and potential artisanal fisheries, and (c) Consider the species covered in the plan to eliminate those that are exclusively in State waters and those (such as sandfish) that may not be true forage fish."

In the November 27, 1996 Council mailing you received a revised EA/RIR for initial review. An executive summary is attached as Item D-3(a). NMFS staff will be on hand to review the analysis. Two alternatives were examined, along with several options for Alternative 2. The alternatives are as follows:

Alternative 1: Status quo. Catch of forage fish could be retained under either the "other species" category TAC or as a "non-specified species".

Alternative 2: A "forage fish species" category would be established for both the BSAI and GOA groundfish FMPs. There are three options for this alternative.

Option 1: Manage the forage fish species category as for other groundfish with a TAC, ABC, and OFL.

Option 2: Restrict the forage fish species category to a bycatch only fishery.

Option 3: Manage the forage fish species category as a prohibited species with no retention allowed.

Report of the Scientific and Statistical Committee

The SSC concurred with suggestions received from Chris Blackburn, Alaska Groundfish Data Bank, for an additional option to preclude the sale, trade, barter or other commercial use, or use as bait, of forage fish and that the EA/RIR be expanded to include euphausiids, and recommended the scope of the EA/RIR be expanded to include those recommendations, and to additionally include the fish families Gonostomatidae (bristlemouths or lightfish), Stichaeidae (pricklebacks) and Pholidae (gunnells). With the incorporation of those changes the SSC recommends release of the EA/RIR for public review.

Report of the Advisory Panel

The AP recommended the Council release the EA/RIR for public review, especially soliciting comments from the Alaska Board of Fisheries and Alaska Department of Fish & Game. Additionally, the AP recommended adding the following paragraph as Option 4 to Alternative 2:

The sale, barter, trade and other commercial commerce of forage fish as defined in this amendment is prohibited. Also, the processing of forage fish, as defined in this amendment, in a commercial processing facility would be prohibited.

The AP also recommended the Council adopt the SSC's recommendation of labeling on family levels and adding the following families: (1) gunnells, (2) pricklebacks, (3) bristlemouths, and (4) euphausiids.

The AP stressed that they recognize that some forage fish are harvested in subsistence activities and that it is not their intent to negatively impact or prohibit subsistence take of the forage fish in traditional barter and trade.

DISCUSSION/ACTION

Dave Benton moved to approve the Advisory Panel's recommendations with regard to the forage fish amendment. The motion was seconded by Linda Behnken and carried without objection. (Council members Pereyra and Tillion were absent for the vote.) Council members agreed that the amendment would be put on the April 1997 agenda for final consideration.

D-4 Staff Tasking

ACTION REQUIRED

- (a) Review status of current tasking.
- (b) Review Magnuson-Stevens Act tasking.
- (c) Industry Implementation Team report and IFQ tasking
- (d) Review groundfish proposals and task staff accordingly.

BACKGROUND

(a) Current tasking

Item D-4(a)(1) is an updated list of current Council actions including regulatory amendments, plan amendments, reports, and Committee meetings. Based on current Council direction, it looks like the majority of Council staff time between now and April will be devoted to: (1) development of IFQ program amendments initiated at this meeting; (2) finalization of the halibut charter management study, and further development of local-level management options; (3) further development on the issue of halibut subsistence fishery management; (4) completion of an analysis of limited processing allowances for catcher vessels (pending further Council direction); (5) coordination and assistance on observer program development; (6) coordination and assistance on Ecosystem Committee actions; and (7) follow through with Magnuson-Stevens Act amendments.

There are also a few other items which have previously been tasked by the Council, but have remained on the 'back burner' pending other priorities, or Magnuson Act direction. These include the Skipper Licensing Program, Vessel Bycatch Accounts (VBAs), and further work on a BSAI pollock IFQ program. Analysis of the Skipper Licensing Program would have to be completed by April, with final Council action in June, in order to be implemented in 1998, concurrent with the vessel licensing program. A primary hurdle for this analysis has been, and remains, a lack of accessible data tying individual skippers to associated vessels and landings over time. Gleaning this information from log books and individual fish tickets will be both time and labor intensive. One of the provisions of the Council's License Limitation Program was a skipper reporting system which, if implemented, could provide the kinds of information currently lacking.

Where the Council left off on VBAs was with the review of a draft discussion paper by Dr. Joe Terry, and the need to further address potential elements and options for such a program. The current Magnuson-Stevens Act language would also affect the design of a VBA program. Formal analyses of an IFQ program for the BSAI pollock fisheries would consume a majority of staff economists' time for several months. A critical question is timing of further Council development of IFQs. The National Academy of Sciences must develop a draft IFQ policy report by January 1, 1998, and a final report by October 1, 1998. We cannot submit to the Secretary a new IFQ plan until October 1, 2000. Assuming it takes six to eight months to develop draft regulations after the Council makes a final decision, such decision could be scheduled for February 2000 and major development and analysis should occur in 1999, leaving 1997 and 1998 for other issues.

We just need to get direction from the Council on whether and how to proceed with these three issues,

as well as the proposed limited processing allowance for catcher vessels (addressed under C-5), and a few additional items discussed below.

The Council previously requested more information on crab bycatch in the pot cod fisheries - a proposal is included in the package of groundfish proposals below (supported by the Council's Crab Plan Team) which recommends analyses of several measures to address bycatch of crab in the pot cod fisheries, including potential PSC caps, closed areas, gear modifications, and seasonal closures to protect molting crab.

Finally, the BSAI inshore/offshore pollock allocations, and CDQs for pollock, expire at the end of 1998 - analyses of a potential replacement program would need to begin around the middle of 1997.

Limited time will be available to work on new groundfish amendment proposals between now and April, but some could be completed for initial review in June, depending on the magnitude of analysis, on Magnuson Act tasking, and on other Council priorities. Further work on the GOA IR/IU package would be conducted primarily by NMFS staff, for initial review in April.

So, the items for which we need specific Council tasking guidance at this meeting are:

- * Skipper Licensing program
- * VBAs
- * Crab bycatch in pot fisheries analyses/amendments
- * Limited processing for catcher vessels

(b) Magnuson-Stevens Act tasking

As we look at the overall tasking picture, it will also be necessary to incorporate directives from the recent Magnuson Act reauthorization. Several different summaries are available regarding these directives, some of which are included in your notebooks. Item D-4(b)(1) is a summary compiled by Council staff; Item D-4(b)(2) is a letter from NMFS which specifically addresses the items for which the Council appears to be directly responsible; Item D-4(b)(3) is the actual language from the Sustainable Fisheries Act for those items tasked to the Council. These items are included for your reference - the major items for Council consideration are summarized below for purposes of the staff report:

1. Describe and identify essential fish habitat for the fisheries within 24 months, based on guidelines that the Secretary of Commerce must establish within six months - this item will likely involve Council staff assistance in the latter part of 1997 and early 1998. Cindy Hartman from NMFS is here to give the Council a brief report on this specific initiative.
2. Submit to SOC a North Pacific Loan Program by October 1, 1997 for small vessel fishermen to purchase IFQs. Establish fee programs for IFQ and CDQ holders (up to 3% of ex-vessel value), and submit to the Secretary, a program to have up to 25% of fees collected used to underwrite small vessel and entry level fishermen (underwrite the North Pacific Loan Program). Development of these fee programs will require considerable staff time in the first half of 1997.
3. Assist in the preparation of a comprehensive report on both the sablefish/halibut IFQ program and the CDQ programs in conjunction with the National Academy of Sciences, to be published for public review by January 1, 1998 and completed by October 1, 1998. Includes Council consultation and conduct of public hearings in each Council region. This effort will likely require considerable assistance of Council staff in the latter half of 1997, and during early 1998.
4. By June 1, 1997, the Council shall submit conservation and management measures to ensure total catch measurement in each fishery under its jurisdiction. Such measures shall ensure the accurate enumeration, at a minimum, of target species, economic discards, and regulatory discards. By January 1, 1998, the Council needs to submit a plan for weighing fish if that is not included already,

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if such weighing is necessary to meet requirements for enumeration of the catch. The first part of this mandate appears to be largely satisfied by existing programs in the North Pacific (observer program and other reporting and monitoring requirements). Regarding the second part, the Council and NMFS have already initiated some weighing requirements, and future requirements are discretionary, policy decisions.

5. By October 1998, the Council shall submit bycatch provisions to create a standardized reporting methodology to assess the amount and type of bycatch in each fishery, and include conservation and management measures to minimize mortality of bycatch and overall bycatch. This provisions appears related to #4 above, and may already be addressed by existing Council/NMFS management and monitoring programs.
6. By October 1, 1998, the Council shall submit a report on the advisability of requiring full retention by fishing vessels and full utilization by U.S. fish processors of economic discards.
7. By January 1998, the North Pacific Council shall submit measures to reduce economic discards on an annual basis for a period of at least four years. The Council's proposed IR/IU programs may address this requirement, though they do not specifically include a four year, step-wise reduction. This will likely be a matter of interpretation.
8. By September 30, 1997, the Council shall develop a description of the institutional structures in Russia pertaining to stock assessment, management, and enforcement for fishery harvests in the Bering Sea, and recommendations for improving coordination between U.S. and Russia for managing and conserving Bering Sea fishery resources of mutual concern.
9. Review and amend FMPs (definitions and regulations, for example) for consistency with the new Act, and revise Council SOPPs to reflect requirements of the Act. This is primarily an administrative exercise requiring minimal overall staff time.

The following additional items are tasked to the SOC, but will likely require some degree of Council assistance:

1. Within two years submit a report on extent to which ecosystem management principles are being utilized by Councils.
2. Establish a central registry system for limited access permits within six months of passage of the bill. This could require considerable Council attention.
3. By October 1997, complete a study of the contribution of bycatch to charitable organizations by commercial fishermen.
4. Develop list of all fisheries and fishing gears used in fisheries for publication in FR.
5. Assist in preparation of vessel registration information management system (PR due by October 1997).

Item D-4(b)(4) is a letter from Rollie Schmitt to the Council emphasizing implementation of the new Magnuson Act amendments as the agency's top priority over the next two years, and urging the Council to make the same commitment. Item D-4(b)(5) summarizes current major items, both Magnuson Act amendments and other Council initiated amendments, and associated timelines over the next 18-24 months.

(c) Sablefish/halibut IFQ program amendments

Pursuant to the Council's newly adopted cycle for considering amendments to the IFQ program, we also need to review proposed amendments and determine which should proceed to analysis. The cycle calls for initial review in April, final action in June, and implementation in the following year. Any amendments forwarded at this meeting would be for implementation in 1998. The Council's IFQ Industry Implementation Team met in October and developed the report to the Council contained under Item D-4(c)(1). The Team is recommending development of seven of the proposed amendments to the program - these are highlighted in the report. Team Chair Jeff Stephan is available to address the Council on the specifics of these items.

Last September the Council discussed the issue of subsistence fishing for halibut, and the fact that such fishing is currently managed under sport fish regulations. The gist of that discussion was that we should probably be developing an explicit category for managing these fisheries, with attendant regulations for those fisheries such as allowable gears types, interactions with halibut CDQ fisheries, etc. The Council suggested the formation of a working group to be appointed by the Council Chairman. Council staff and agency staff have had a preliminary meeting on this issue (report is under B-1), and we are now in the position of rounding out the group suggested by the Council in December. Development of a subsistence category, and attendant regulations, will take staff time and coordination with affected fishermen, and other agencies, over the next several months. It is possible that we could have something in place for 1998.

Revisions to the Council's Area 4 catch sharing plan are also going to be required, though that should not be a big item in terms of staff time.

(d) Review new groundfish proposals and task staff

In September the Council took a preliminary look at the 43 proposals received during this past summer's groundfish amendment cycle (Plan Team summary is under Item D-4(d)(1)). The proposals covered a broad spectrum of issues and areas, though several of the proposals were specific to the GOA pollock and cod fisheries. The Council took no action, but requested that staff develop a more 'thematic' approach to evaluating the proposals. Item D-4(d)(2) attempts to organize the various proposals for Council consideration.

Item D-4(d)(3) contains letters received since our September Council meeting.

The AP and SSC did not address this agenda item.

DISCUSSION/ACTION

Groundfish Amendment Proposals/Tasking

The Council had an extensive report from Council staff on over 40 proposals submitted for groundfish fisheries. As requested by the Council at their September meeting, staff organized the proposals into several categories in order to address proposals specific to an area, fishery, or problem. The Council also received a review of changes to the Magnuson-Stevens Act (Act) which will require extensive work by both NMFS and Council staff. Cindy Hartman of the NMFS Protected Resource Management Division, Alaska Region provided a progress report on identification of essential fish habitat in the Alaska Region as mandated under the Act.

Using the staff's review of the proposals (agenda item D-4(d)(2)--see Appendix VIII to these minutes), as a framework, the Council directed staff as follows:

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- * Begin immediate work on development of the fee program for IFQ/CDQ fisheries, and the attendant North Pacific Loan Program, as mandated by the Act. Scheduled for initial review in June, 1997.
- * Begin analysis for a 2% allocation of the BSAI Atka mackerel quota for use by jig gear in the BSAI. Tentatively scheduled for initial review in April 1997.
- * Forward for further analysis, as time permits, proposals to allow NMFS to require pre-registration for vessels to participate in certain fisheries, and to allow for adjustments in maximum retainable bycatch amounts.

The Council scheduled further discussions of the following amendment subjects:

- * Vessel Bycatch Accounts (VBAs) - the Council has scheduled this issue for discussion at the February 1997 meeting in Anchorage.
- * Bycatch reduction measures - though no specific actions were initiated at this meeting, the Council will schedule this issue for the June 1997 meeting, at which time they will discuss the need for additional bycatch measures, in response to either Magnuson-Stevens Act requirements or Council initiative.
- * Inshore/Offshore and pollock CDQ programs - with these programs to expire at the end of 1998, the Council has scheduled discussions of potential follow-up amendments for the April 1997 meeting.
- * Skipper Licensing program - the Council did not task staff to proceed with an analysis of a skipper licensing program at this time, noting that a proposed skipper reporting system would provide much of the information which is currently lacking or inaccessible. NMFS, ADF&G, and Council staff will be coordinating to develop a reporting system which would provide necessary information for future consideration of this proposal. A progress report is scheduled for April 1997.
- * BSAI pollock B season - the Council indicated their intent to re-examine the pollock B season opening date, and have scheduled that issue for discussion at the December 1997 meeting. Any change in the opening date would be in 1998 - the 1997 opening date is still set for September 1.
- * Gear conflict issues - no specific proposals were forwarded by the Council, but they did request that the general issue be scheduled for further discussions at the June 1997 meeting. NMFS and ADF&G will be developing a discussion paper which documents existing gear storage areas and known instances of gear conflict or gear losses, and assesses whether further Council actions are necessary.
- * GOA pollock and Pacific cod fisheries - though the Council took no specific actions, they did discuss proposals for gear restrictions and trip limits for western GOA pollock, and also discussed proposals for seasonal and gear allocations of GOA Pacific cod. In February staff will provide the Council with additional information on numbers and sizes of vessels, and average deliveries for the western GOA pollock fisheries. The Council refrained from any actions on GOA Pacific cod allocations, pending a joint meeting with the Board of Fisheries which is scheduled for February.

- * Directed fishing standards - proposals for generic changes in directed fishing standards were not forwarded, but the Council has scheduled further discussion of this issue for the September 1997 meeting.
- * Vessel buyback programs - the new Magnuson-Stevens Act allows the Council to establish capacity reduction (vessel buyback) programs. Before the Council initiates any action on such a program, they are requesting the groundfish and crab industry to work out the fundamentals for such a program, and report back to the Council, hopefully at the April 1997 meeting.
- * Crab bycatch in pot cod fisheries - no formal analysis was initiated, with the understanding that more information is necessary to determine whether to pursue specific management restrictions.
- * Observer coverage requirements - proposed changes will be evaluated in the future when the Council takes a broader look at the overall groundfish Observer Program.

IFQ Proposals

The Council approved analysis of several proposals for changes to the sablefish and halibut IFQ program.

Linda Behnken moved to initiate analysis of an amendment defining the corporate ownership of a vessel at 1%, 20%, or 51% for the purpose of hiring a skipper to fish quota share owned by the corporation. The motion was seconded and carried with Pereyra abstaining and Tillion out of the room for the vote.

Kevin O'Leary moved to initiate analysis of an amendment to the regulatory language that allows emergency transfers of quota share to "surviving spouses" to "heirs" to include immediate family members. The motion was seconded and carried with no objection. Council member Tillion was out of the room for the vote.

Kevin O'Leary moved to initiate analysis of an amendment to institute rolling closures for trawl and longline vessels during the sablefish longline survey to minimize the impacts of fishing on the survey's biomass estimates. The motion was seconded and carried with Dave Fluharty voting no and Tillion out of the room for the vote.

Linda Behnken brought up the subject of requiring weighmasters to monitor IFQ landings in order to improve accountability. The Council did not choose to begin an analysis at this time but required that staff provide a discussion paper on the subject, including projected costs and enforcement needs for such a program.

Scallop License Limitation

Council members agreed to pursue analysis of a license limitation program for the scallop fisheries. Dave Benton advised that the Alaska Commercial Fisheries Entry Commission is prepared to perform the analysis and is collecting the necessary data. An initial review is scheduled for September 1997.

SUMMARY

The Council devoted several hours of their meeting to a review of current and ongoing management measures, a review and discussion of recent Magnuson-Stevens Act requirements, and review and discussion of groundfish

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and IFQ program amendments proposed in the 1996 annual cycle. Due to existing Council projects and immediate actions required by the Magnuson Stevens Act, the Council initiated few new amendment analyses at this time.

E. FINANCIAL REPORT

There was no financial report at this meeting.

F. PUBLIC COMMENTS

There were no further public comments.

G. ADJOURNMENT

Chairman Lauber adjourned the meeting at approximately 4:10 p.m. on Sunday, December 15, 1996.