

North Pacific Fishery Management Council

Richard B. Lauber, Chairman
Clarence G. Pautzke, Executive Director

605 West 4th Avenue
Anchorage, Alaska 99501



Mailing Address: P.O. Box 103136
Anchorage, Alaska 99510

Telephone: (907) 271-2809
FAX (907) 271-2817

DRAFT
ADVISORY PANEL MINUTES
September 22-25, 1991
ANCHORAGE, AK

Certified John Woodruff
Date 12-5-91

The Advisory Panel for the North Pacific Fishery Management Council met on September 22-25, 1991, at the Anchorage Hilton Hotel. Members in attendance were:

George Anderson
David Fraser
David Little
Perfenia Pletnikoff
Harold Sparck
John Woodruff

John Bruce
Edwin Fuglvog
Loretta Lure
John Roos
Beth Stewart
Robert Wurm

Alvin Burch
Kevin Kaldestad
Pete Maloney
Jay Skordahl
Dave Woodruff
Lyle Yeck

Minutes for the June 1991 meeting were approved.

C-1 MARINE MAMMALS

The Advisory Panel heard several reports from staff and scientists on the Draft Legislative Environmental Impact Statement (DLEIS), Amendments 20/25 and Stellar sea lions. The AP also had public testimony on these issues.

Relative to the DLEIS, the AP considered two letters in their packet;

- a) from the Pacific Fisheries Management Council
- b) from the National Fisheries Institute.

The AP recommends the Council endorse the concerns brought out in these letters as the basis of their comment to National Marine Fisheries Service (NMFS) on the DLEIS. This recommendation from the AP is unanimous.

The main concern members of the AP have regarding the DLEIS is:

- the lack of information available on many marine mammal species and the impacts of the action being taken on it (the AP wants to have some facts rather than panic into some action that doesn't make scientific sense).

Relative to Amendments 20 and 25, the Advisory Panel makes the following recommendation to the Council:

1. The effort dividing line in the Gulf of Alaska (GOA) be at 159°W, rather than 154°W and that the annual quota be distributed based on biomass.
2. The rollover of unused quarterly quota in the GOA be a maximum of 50%.
3. In the Bering Sea (BS) and GOA, the 10 mile no-trawl zone around sea lion rookeries continue.
4. These regulations should sunset in 2 years time. (December 31, 1993)
5. A Council sub-committee of industry and government should be formed to meet and report to the Council family on a regular basis. This committee should follow up on the efficiency of these actions relative to sea lions and on data gathering efforts so that our subsequent actions are based more on actual scientific data.

These recommendations are made unanimously by the AP. AP members feel there is a gun to their heads and this requires that some action be taken. Members of the AP are not at all convinced that these actions will have significant impact in terms of helping sea lion populations recover.

The AP also recommends the inclusion of the following alternative for discussion prior to Council decision on this amendment: In the Aleutian Islands (540), a 60 mile no-trawl zone be implemented from October 1st to April 30th. Further, a line should be established at 177°W to divide annual quotas based on biomass distribution.

Further to this recommendation and following up discussions with NMFS in an AP subgroup, we need to figure out what NMFS needs in terms of funding to find out what is causing the sea lion decline. The fact is that the Council will make decisions based on very little or no information that have dramatic impact on certain fisheries.

C-2 NORTH PACIFIC FISHERIES RESEARCH PLAN

The AP heard staff and National Marine Fisheries Service (NMFS) reports, and public testimony. Following this discussion, the AP recommends the Council send this "research plan" (fee program) back to the Data Committee which should address the following concerns:

1. The goals and objectives of the new observer program should be explicitly stated.
2. There should be adequate funding from the fee gathering program to accomplish the goals of the observer program.
3. There should be a well thought through plan for overlapping and meshing the existing observer program and new plan. AP members were concerned observer coverage might lapse for some period of time.
4. There should be a clear idea of the cost of collecting the fees under the Research Plan.
5. There should be a well developed plan for how discards are going to be counted if fees will be paid on them.
6. The cost of the crab observer program and how it would be meshed with the groundfish program needs to be more clearly laid out; will crab fees apply only to the crab fisheries?
7. The oversight committee should be expanded to represent crab catcher/processors and pot fishermen.

It should be clearly noted that the AP is still in favor of a fee collection system that could effectively replace the existing system - where certain individual vessel owners have to pay their own way. However, the AP doesn't want the current program to lapse until a well developed/designed plan is available to replace it.

C-3 SABLEFISH

After hearing a staff report on the preferred alternative and the progress report from the Ad Hoc IFQ Technical Committee, as well as public testimony, the AP makes several recommendations to the Council regarding the sablefish longline fishery IFQ program.

1. The AP recommends the Council withhold approval of any IFQ program until an adequate system for monitoring and enforcing the program is developed. This includes an explicit method of funding this monitor/enforcement program and this funding mechanism should be in place prior to implementation of an IFQ system.
2. The AP recommends the Council ask the two sablefish IFQ work groups to pursue the issues listed in the progress report of 9/12/91 and report back to the Council in December. These work groups should develop specific language relative to the progress report recommendations that can be reviewed.

These two recommendations are the AP's primary input to the Council on how it should deal with the sablefish IFQ issue at this meeting. These passed by a 15-2 vote.

Further recommendations from the AP:

3. The AP recommends the Council adopt a crew member pool as part of the IFQ system and that it follow the North Pacific Fisheries Protection Association's plan (Attachment A). This crew member pool concept should be taken up by the two committees and incorporated into the plan for December meeting.
 - This passed by a 10-8 vote
4. The AP recommends the Council require any QS/IFQ owner to be on board the vessel when his/her QS/IFQ are being fished. This recommendation is for catcher and freezer boats.
 - This passed by a 10-7 vote
5. The AP recommends the Council develop an amendment package of traditional management tools designed to address the problems in the sablefish fishery and that potential sablefish quota share holders be surveyed as to their views on the two alternatives. (IFQ vs traditional)
 - This passed by an 11-7 vote
6. The AP recommends to the Council that it require an applicant for quota share to designate the category he/she wants to fish in if he has both processing styles in the qualifying years.
 - This passed by a 10-6 vote
7. The AP recommends to the Council that a complete socioeconomic impact study be developed once the preferred alternative is established.
 - This passed by an 11-6 vote


 THE NORTH PACIFIC FISHERIES PROTECTION ASSOCIATION

6610 Fremont Avenue North Seattle, WA 98103 (206)781-0336

2/7A

- Needs to be a way of establishing who gets the IFQ's.
- CREWMAN HAS to do the work and pay the fee

SECTION 5. CREW MEMBER POOL

1. There shall be established for a term of 12 years from the date of implementation of this rule a Crewmembers' Pool of IFQs ("The Pool").
2. The pool shall be funded by initial and annual allocation of 10% of the Gulf of Alaska TAC for the fishery

plus

10% of all transfers of IFQs.
3. Crewmembers (defined as individuals who have been licensed as crew in a given fishery) shall, upon application, receive a portion of said pool IFQs for his or her use or transfer upon demonstrating qualification for such share and payment of a nominal transfer fee.
4. Qualification of a crewmember to receive such pool share IFQs shall be primarily determined by the total number of years said crewmember has been licensed in the applicable fishery.
5. To the extent that other qualifications for access to said shares are established by law, rule or regulation, no such additional qualifications shall be weighted for more than 25% of the overall qualification and prioritization of right of access to such crewmember pool IFQs.

In no instance shall any individual be qualified or entitled to receive more than 1/2 of 1% of the IFQ pool in any one year.

-OR-

In no instance shall any individual crew member who has become a vessel owner in the applicable fishery be eligible to draw from the crewmember pool after one full year from the date the individual has entered the fishery as a vessel owner.

-OR-

In no instance shall any individual draw more than a total of 12 of 1% of the IFQ pool for more than 4 consecutive years.

-OR-

Some other provision to put some limit on any individual accumulating shares from the Pool.

MINORITY REPORT

During its consideration of the sablefish IFQ question, the AP voted twice on a motion to advise the Council to cease and desist altogether from development of a sablefish IFQ system - to abandon the approach permanently.

The votes were 8-8 and 9-9. Thus, the motion failed. We are making this report to let you know that fully half of the AP is firmly opposed to the IFQ approach.

Robert Wurm
David Woodruff
Alvin Burch
Perfenia Pletnikoff
John Roos
John Bruce
Harold Sparck

C-4(a,b) HALIBUT IFQ'S

The AP spent some time in trying to develop its preferred alternative and its recommendation to the Council relative to the whole halibut IFQ package. However, time constraints from the Council process prevented the AP from completing the task and the AP makes the following statement to the Council related to halibut IFQ's:

The fact that we, the AP, haven't completed our work is a reflection of the serious concerns the AP has in regards to halibut IFQ systems.

In leaving this issue, the AP had hoped to revisit it later in its meeting to finish designing its preferred alternative. Because our time was used on other agenda tops, this did not happen.

C-4(b,c) HALIBUT STOCK STATUS & PROPOSALS

Halibut Plan Amendments:

- The AP recommends the Council have proposal #6 analyzed and developed so that a final decision on it can be made by January, 1992.

This is the only recommendation made by the AP in regards to the proposed halibut amendments.

D-1 GROUND FISH SPECIFICATIONS - GOA

The AP heard a staff and agency (NMFS, IPhC) report for 1992. After discussion, the AP makes the following recommendations to the Council.

1. The SAFE report should be approved for public review.
2. The attached table (Attachment C) of TAC's should be sent out with the SAFE for public comment. The AP notes that in any specie/species group where ABC and the overfishing definition are the same, the TAC will be set at a lower value than ABC to prevent the overfishing definition from closing other fisheries in 1992.
3. DAP apportionments in the GOA should be equal to TAC.
4. The 1992 PSC limits and apportionments sent out for public comments should be the same as those used in 1991; both by gear type and time.

The AP recognizes that the SAFE is a preliminary document and that by the December meeting it could change significantly. It also recognizes that during the public report process, the Council family will get a much better idea of 1992 industry plans.

GULF OF ALASKA GROUNDFISH

1992 Plan Team, SSC, and AP recommendations and apportionments (metric tons)

24-Sep-91

ATTACHMENT C

Species	Area	1991			Plan Team	SSC	Advisory Panel	
		ABC	TAC	Catch**	ABC - 1992	ABC - 1992	TAC	DAP
Pollock	W/C	100,000	100,000	69,776	93,000	93,000	93,000	93,000
	Shelikof *	0	0	n/a	0	0	0	0
	E	3,400	3,400	3,542	3,400	3,400	3,400	3,400
	Total	103,400	103,400	73,318	96,400	96,400	96,400	96,400
Pacific Cod	W	30,000	30,000	28,654	22,400	22,400	22,400	22,400
	C	45,000	45,000	39,674	42,100	42,100	42,100	42,100
	E	2,900	2,900	182	3,400	3,400	2,900	2,900
	Total	77,900	77,900	68,510	67,900	67,900	67,400	67,400
Flatfish, Deep	W	2,000	2,000	1,072	3,287	3,287	2,000	2,000
	C	38,900	35,000	6,401	38,219	38,219	35,000	35,000
	E	9,600	3,000	123	4,913	4,913	3,000	3,000
	Total	50,500	40,000	7,596	46,419	46,419	40,000	40,000
Flathead sole	W	12600	2000	99	12,584	12,584	2,000	2,000
	C	32,700	5,000	400	31,988	31,988	5,000	5,000
	E	5,000	3,000	1	3,710	3,710	3,000	3,000
	Total	50,300	10,000	500	48,282	48,282	10,000	10,000
Flatfish, Shallow	W	48,800	3,000	1,391	27,481	27,481	3,000	3,000
	C	22,200	7,000	2,253	21,262	21,262	7,000	7,000
	E	3,000	2,000	3	1,741	1,741	1,741	1,741
	Total	74,000	12,000	3,647	50,484	50,484	11,741	11,741
Arrowtooth	W	40,800	5,000	1,583	38,881	38,881	5,000	5,000
	C	272,100	10,000	8,935	253,325	253,325	10,000	10,000
	E	27,200	5,000	289	11,683	11,683	5,000	5,000
	Total	340,100	20,000	10,807	303,889	303,889	20,000	20,000
Sablefish	W	2,925	2,925	1,690	2,925	2,925	2,925	2,925
	C	10,575	10,575	10,100	10,575	10,575	10,575	10,575
	W. Yakutat	4,050	4,050	3,481	4,050	4,050	4,050	4,050
	E. Yak./S.E. Out.	4,950	4,950	4,725	4,950	4,950	4,950	4,950
Total	22,500	22,500	19,996	22,500	22,500	22,500	22,500	
Pacific Ocean Perch	W	1,624	1,624	993	3,248	1,625	1,624	1,624
	C	1,798	1,798	2,533	3,596	1,800	1,798	1,798
	E	2,378	2,378	1,846	4,756	2,375	2,375	2,375
	Total	5,800	5,800	5,372	11,600	5,800	5,797	5,797
Shortraker/Rougheye	W	100	100	68	100	100	100	100
	C	1,320	1,320	836	1,320	1,320	1,320	1,320
	E	580	580	402	580	580	580	580
	Total	2,000	2,000	1,306	2,000	2,000	2,000	2,000
Other Slope	W	1,212	1,212	322	1,212	1,212	1,212	1,212
	C	5,454	5,454	3,976	5,454	5,454	5,454	5,454
	E	3,434	3,434	409	3,434	3,434	3,434	3,434
	Total	10,100	10,100	4,707	10,100	10,100	10,100	10,100
Rockfish (Pelagic Shelf)	W	800	800	26	1,500	1,500	800	800
	C	3,100	3,100	810	5,500	5,500	3,100	3,100
	E	900	900	214	1,600	1,600	900	900
	Total	4,800	4,800	1,050	8,600	8,600	4,800	4,800
Rockfish (Demersal Shelf)	S.E. Out.	0	425	330	0	434	425	425
Thornyhead	G W	1,798	1,398	851	980	1,798	1,398	1,398
Other Species	G W	0	14,266	1,434	0	0	14,831	14,831
GULF OF ALASKA TOTAL		743,198	324,589	199,424	669,154	664,606	307,392	307,392

* W/C Pollock includes 6,250 mt from Shelikof

** Catch through August 18, 1991

*** Equal to overfishing level

D-1 GROUND FISH SPECIFICATIONS - BS/AI

The AP also heard staff and agency reports and makes the following unanimous recommendations:

1. The SAFE report should be approved for public comment.
2. The attached Table 2 (Attachment D) of the TAC's should be sent out with the SAFE for public comment. The AP again raises the caveat that species where the ABC has been set equal to the definition of overfishing, the TAC when finally set should be lower to prevent closing other directed fishing.
3. DAP apportionments should be equal to TAC.
4. For public comment purposes, the roe pollock season should be the same percentage as 1991. (34% of total TAC to the roe season)
5. Pollock TAC's should not be separated by gear type.
6. The 1992 PSC apportionments sent out for public comment should be the same as the initial apportionments in 1991.

The AP again recognizes the SAFE will be updated prior to the December meeting with new data and that industry plans and needs will be more clear.

D-2 GROUND FISH MANAGEMENT MEASURES FOR 1992

The Draft Amendment Package

The AP heard staff and NMFS reports on the draft AE/RIR for amendments 19/24. After discussion, it unanimously recommends the Council approve the draft document for public comment with these revisions:

1. Relative to the GOA rockfish closure, reduce the directed fishing standards by trawlers and longliners to no more than 5% for shelf fisheries and 15% for slope fisheries. This recommendation includes thornyheads and is meant to reduce the incentive to catch the high value rockfish species during the "closure" period while still allowing for "normal" bycatch so rockfish don't have to be discarded.
2. Relative to changing the fisheries categories for PSC allowances, create another alternative with 5 fisheries groups as follows:
 - a) greenland turbot/arrowtooth
 - b) rock sole/other flatfish
 - c) Pacific cod
 - d) yellowfin sole
 - e) other fishery

The AP thinks this alternative may be more desirable if it's workable for resource managers as well as the industry since it separates a lower value species with high volume (yellowfin sole) from higher value species (rock sole, flathead) that tend to have higher bycatch. If the separation

is workable, the yellowfin sole fishery would not be preempted by high bycatches during the roe rock sole fishing or scratchy fishing.

3. Flesh out the ability of NMFS to make preseason use of the inseason authority that currently exists to make seasonal hot spot closures.

The AP thinks that certain hot spots can be historically identified and that NMFS should have the ability to close these prior to a season beginning. Relative to emergency actions to be taken for 1992 groundfish:

1. The AP makes this unanimous recommendation:

The Council should direct NMFS to extend the emergency rule reducing Pacific cod bycatch to 7% in pelagic trawling.

2. Regarding opening dates for 1992 in the GOA and BS/AI, a sub-group of the AP, interested industry, and resource managers met to discuss this issue. The AP then took up their report and after discussion, makes this unanimous recommendation to the Council; that the groundfish opening for 1992 in GOA and BS/AI be delayed for trawling until January 20, 1992; that the moratorium cut-off date of January 15, 1992 be extended an additional 20 days for trawlers; and that in the GOA, the rockfish (including thomyheads) fishery be delayed for all gear types except jigging machines until July 1st. Included as a prerequisite for the GOA rockfish closure is redefinition of the directed fishery standards for all species relative to rockfish such that maximum bycatch during the closed period would be 5% for shelf species and 15% for slope species.

The AP makes this recommendation based on chinook salmon bycatch rates and to allow more time for sea lion protection measures to be implemented. It also clearly recognizes that a full airing of this issue will be given in the amendment 19/24 process and this proposed measure will be for only 1992.

D-2 VESSEL INCENTIVE PROGRAM

The AP recommends the Council set the incentive program rates at the 1991 standard rate {left hand column, D-2(e)(1)}.

These rates will be reviewed and finalized in December. At that time, we should have some numbers for the 4th Quarter 1991 actuals as well as explanation for some of the extremely high actual numbers for 1991 (BS/AI Pacific cod 3rd Quarter, GOA rockfish 1st/2nd Quarter).

D-2 PRE-REGISTRATION

The AP is not in favor of implementing an emergency rule for pre-registration for 1992 because it has several questions about how it would work and how effective it would be. However, the AP unanimously recommends that the Council direct NMFS to prepare a regulatory amendment regarding pre-registration. The AP suggests that NMFS seek industry input on how such a program might work most efficiently for the whole industry.

TABLE 2 BERING SEA/ALEUTIAN ISLANDS GROUND FISH

Preliminary 1992 SSC recommended ABC, AP recommended TAC and apportionments (mt)

Species	Area	1991			Plan Team	Seasons	SSC	Advisory Panel	
		ABC	TAC	Catch/a	ABC		ABC	TAC	DAP
Pollock	EBS	1,676,000	1,300,000	1,280,184	1,421,000	Roe (1/1-4/15)	1,421,000	1,300,000 b/	1,300,000
	AI	101,460	85,000	78,245	75,900	Non-Roe (6/1-12/31)			
	518	0	0	0	138,000	Roe (1/1-4/15)	75,900	75,900	75,900
						Non-Roe (6/1-12/31)			
						Roe (1/1-4/15)	0 - 102,000	0	0
						Non-Roe (6/1-12/31)			
Pacific cod		229,000	229,000	153,695	225,000		225,000	225,000 *	225,000
Yellowfin sole		250,600	135,000	74038	277,000		372,000	148,125	148,125
Greenland turbot		7,000	7,000	6937	7,000		7,000	7,000	7,000
Arrowtooth flounder		116,400	20,000	11986	116,400		116,400	20,000	20,000
Rock sole		246,500	90,000	43167	246,500		246,500	90,000	90,000
Other flatfish		219,700	64,675	25508	219,700		219,700	64,675	64,675
Sablefish	EBS	3,100	3,100	1018	3,100		3,100	3,100	3,100
	AI	3,200	3,200	1682	3,200		3,200	3,200	3,200
POP complex									
True POP	EBS	4,570	4,570	4,289	6,400		4,500 - 6,400	4,570 *	4,570
Other POP complex	EBS	1,670	1,670	492	0		1,800	1,670 *	1,670
Sharp/Northern	EBS	0	0	0	1,400		0	0	0
Short/Rougheye	EBS	0	0	0	400		0	0	0
True POP	AI	10,775	10,775	2183	16,900		10,600 - 16,900	10,775 *	10,775
Other POP complex	AI			349			0	0	0
Sharp/Northern	AI	3,440	3,440		4,000		4,000	3,440 *	3,440
Short/Rougheye	AI	1,245	1,245		1,400		1,400	1,245 *	1,245
Other rockfish	EBS	400	400	364	400		400	400 *	400
	AI	925	925	425	900		900	900 *	900
Atka mackerel		24,000	24,000	24,816	24,400		24,000	24,000	24,000
Squid		3,800	1,000	1,302	3,600		3,600	1,000	1,000
Other species		28,700	15,000	14,281	27,100		27,100	15,000	15,000
BS/AI TOTAL		2,932,485	2,000,000	1,724,961	2,819,700		2,870,100 - 2,878,300	2,000,000	2,000,000

a/ DAP catch data through September 9, 1991.
 b/ Roe Season = 40% of ITAC (442,000 mt)

*TAC = Overfishing Definition

RRS/MINUTES

10

SEPT91

ATTACHMENT D

D-3 PLAN AMENDMENT ADVISORY GROUP (PAAG) REPORT

After a report from staff and NMFS on the PAAG report, Plan Team report and Bycatch Committee, the AP discussed the plan amendments and makes the following recommendation by a 9-4 vote:

- The Council should adopt the PAAG report and proceed with the amendment package as recommended therein.

The majority of the AP concurs with the PAAG in allowing the Plan Team the opportunity to develop a more comprehensive amendment package for the four general priorities given them by the PAAG. The AP recognizes the default position (Alternative 2) in the event the Plan Team doesn't develop the package by January. Furthermore, the AP understands that very little will be done to actually develop the amendment package until January anyway.