North Pacific Fishery Management Council

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Advisory Panel
MINUTES

December 2-3,6-8, 2021 via webconference

The Advisory Panel met Thursday, December 2, through Wednesday, December 8, 2021, in a virtual teleconference. The following members were present for all or part of the meetings (absent members are ~~stricken~~):

Christiansen, Ruth (Co-VC)	Kavanaugh, Julie	Scoblic, John
Drobnica, Angel (Chair)	Lowenberg, Craig	Upton, Matt (Co-Vice Chair)
Gruver, John	Mann, Heather	Velsko, Erik
Gudmundsson, Gretar	O'Donnell, Paddy	Wilson, Marissa
Johnson, Jim	O'Neil, Megan	Wilt, Sinclair
Johnson, Mellisa	Peterson, Joel	Zagorski, Suzie
Kauffman, Jeff	Ritchie, Brian	

The AP approved the minutes from the October 2021 meeting.

C1 Charter Halibut

The AP recommends the Council adopt the following Recommended Management Measures for 2022

For Area 2C:

1. A reverse slot with an upper limit fixed at O80, and a lower limit decreased until the allocation is reached, but no lower than U40; Yield of 0.814 Mlb (rounds to status quo 0.81) (Table 6, page 26 in ADF&G analysis of proposed harvest regulations for 2022)
2. If the allocation is insufficient to maintain at least a U40 on the lower limit, add Monday closures starting September 19th and work consecutively toward the beginning of the season until a lower limit of U40 is reached; Yield of 0.689 Mlb (Table 9, page 31)
3. If a lower limit of U40 can't be reached after closing all Mondays, add an annual limit of 4-fish (Yield of 0.679 Mlb; Table 12, page 40), progressing to an annual limit of 3-fish, as necessary to meet the allocation (Yield of 0.648 Mlb; Table 13, page 44); if possible, use any unused allocation to increase the lower limit above U40 until the allocation is reached
4. If the allocation is not reached by closing all Mondays and a 3-fish annual limit, allow the lower limit to drop until the allocation is reached; Yield of 0.583 Mlb at U37O80 (Table 13, page 44)

If an annual limit is adopted in Area 2C, implement a requirement for charter anglers to record, immediately upon retaining a halibut, the date, location (IPHC area), and species (halibut) on their harvest record, consistent with the past reporting requirement in Area 3A.

For Area 3A:

- A two-fish daily bag limit
- One halibut of any size and a maximum size for one of the two fish is 28 inches
- One trip per CHP per day

- One trip on which halibut is harvested per vessel per day
- Prohibition on halibut charter fishing on Wednesdays, all year
- Adjust Tuesday closures according to Table 16 and Table 17 on page 52 and 53 in ADF&G

analysis of proposed harvest regulations for 2022 to bring the projected harvest within the Area 3A allocation.

For example, in combination with the other proposed measures:

- 4 Tuesdays closed would result in a yield of 2.034 Mlb (see Table 17, page 52)
- 8 Tuesdays closed would result in a yield of 1.928 Mlb (see Table 17, page 52)

For Area 3A, it is unnecessary to include a requirement to record retained halibut on the back of the license or harvest record card as an enforcement mechanism because an annual limit is not recommended for 2022.

Motion passed 20-0

Rationale:

- *Recommendations for Areas 2C and 3A are consistent with those recommended by the Charter Halibut Committee.*
- *The 2C Committee members selected harvest measures and their order of application to keep the Area 2C guided recreational fishery within their allocation. As harvest measures impact different business operations differently, the order of harvest measures reflects the Committee's best attempt to spread the impacts equitably among the many areas and business models in Area 2C. Area 2C Committee members highlighted that this is likely to be a particularly challenging year for their 2C operations, especially if the IPHC adopts the Area 2C charter allocation resulting from the interim management procedure's reference TCEY (0.60 Mlb). It was noted that without any adjustments the IPHC International agreement to assign a fixed allocation percentage in Area 2B could potentially impact the 2C reverse slot limit by 3 critical inches.*
- *For Area 3A, Committee members acknowledged management measures would need to be similar to those implemented in pre-pandemic conditions, as the overages in 2021 demonstrated a rebound in angler effort. Measures were chosen to maintain consistency with previous regulations adopted. It was suggested that 28 inches would be the smallest acceptable size for the second fish and that while day-of-the-week closures limited halibut opportunities for operations, this negative impact was relatively equitable across operations in Area 3A. Thus, the Committee recommended adjusting the numbers of Tuesday closures as needed to fit the projected yield under the adopted catch limits. If the resulting allocation is outside of the range considered, Committee members confirmed they recommend managers use Table 16 and Table 17 to continue to adjust the numbers of closed Tuesdays accordingly.*

C2 Halibut ABM

Motion 1

~~The Advisory Panel recommends the Council select Alternative 4 as the Preferred Alternative at Final Action.~~

~~**Alternative 1**: No Action~~

~~**Alternative 2:** A 3X2 look-up table with PSC limits that range from current PSC limit to 20% below current limit. PSC limit is determined annually based on the most recent survey values from the most recent year available.~~

		~~**EBS shelf trawl survey index (t)**~~	
		~~**Low < 150,000**~~	~~**High ≥ 150,000**~~
~~**IPHC setline survey index in Area 4ABCDE (WPUE)**~~	~~**High ≥ 11,000**~~	~~1,571 mt (10% below current)~~	~~1,745 mt (current limit)~~
	~~**Medium 8,000 – 10,999**~~	~~1,483 mt (15% below current)~~	~~1,571 mt (10% below current)~~
	~~**Low < 8,000**~~	~~1,396 mt (20% below current)~~	~~1,483 mt (15% below current)~~

~~**Alternative 3**: A 4X2 look-up table with PSC limits that range from 15% above current PSC limit to 30% below current limit. PSC limit is determined annually based on the most recent survey values from the most recent year available.~~

		~~**EBS shelf trawl survey index (t)**~~	
		~~**Low < 150,000**~~	~~**High ≥ 150,000**~~
~~**IPHC setline survey index in Area 4ABCDE (WPUE)**~~	~~**High ≥ 11,000**~~	~~1,745 mt (current limit)~~	~~2,007 mt (15% above current)~~
	~~**Medium 8,000 – 10,999**~~	~~1,396 mt (20% below current)~~	~~1,745 mt (current limit)~~
	~~**Low 6,000-7,999**~~	~~1,309 mt (25% below current)~~	~~1,396 mt (20% below current)~~
	~~**Very Low < 6,000**~~	~~1,222 mt (30% below current)~~	~~1,309 mt (25% below current)~~

Alternative 4 PPA: A 4X2 look-up table with PSC limits that range from current PSC limit to 45% below current limit. PSC limit is determined annually based on the most recent survey values.

		EBS shelf trawl survey index (t)	
		Low < 150,000	**High ≥ 150,000**
IPHC setline survey index in Area 4ABCDE (WPUE)	**High ≥ 11,000**	1,396 mt (20% below current)	1,745 mt (current limit)
	Medium 8,000 – 10,999	1,222 mt (30% below current)	1,396 mt (20% below current)
	Low 6,000-7,999	1,047 mt (40% below current)	1,222 mt (30% below current)
	Very Low < 6,000	960 mt (45% below current)	1,047 mt (40% below current)

Options (May apply to all action alternatives):

Option 1: PSC limit is determined using a 3-year rolling average of survey index values instead of the most recent survey value.

Option 2: In the first year of implementation, the PSC limit varies no more than (suboptions i: 10% or ii: 15%) per year from the status quo limit (1,745 mt).

Option 3: Establish an annual limit of (suboptions: i: 80% or ii: 90%) of the PSC limit generated by the look-up table. In 3 of 7 years, the A80 sector may exceed the annual limit up to the PSC limit generated by the look-up table. If the A80 sector has exceeded the annual limit in 3 of the past 7 years, then (suboptions: 80% or 90%) of the PSC limit generated by the look-up table the annual limit is a hard cap for the following year.

Option 4 (mutually exclusive with Options 2 and 3): PSC unused in one year may roll to the following year to increase the PSC limit generated by the lookup table up to 20%. Any PSC savings in excess of 20% would stay in the water.

Motion failed 9-11

Rationale in Opposition:

- *As stated in the Purpose and Need, this action is a balance between achieving optimum yield in the Bering Sea Amendment 80 fisheries under National Standard 1 and reducing bycatch to the extent practicable under National Standard 9. Selecting Alternative 4 would not be balancing the National Standards. The DEIS analysis is clear that there is at most a de minimis conservation benefit and no benefit to the halibut spawning stock biomass from this action and as such, there is no guarantee of a benefit to future directed halibut fisheries from this action. In contrast, the DEIS analysis is clear that there will be negative economic impacts to the Amendment 80 sector*

from each of the action alternatives. All of the information contained in the analysis is the best available science available to the Council, which is also a requirement of National Standard 2 under the MSA. This extensive analytical package has been an iterative process and is the culmination of many years of work, including significant SSC, Council, and public input throughout. While disagreement with the conclusions in the analysis have been expressed, that does not mean the findings are inaccurate.

- *One of the primary drivers of this action is the desire to better match halibut PSC with the abundance of halibut such that a static PSC cap does not become a larger proportion of the halibut available to the directed fishery. By linking halibut PSC limits to stock abundance, each of the action alternatives appears to achieve this goal, but in reality there's a negative correlation between the abundance of halibut reflected in the indices and halibut encountered in the Amendment 80 fisheries. When the indices suggest halibut is lower, the Am80 sector can have more trouble avoiding halibut thus making this approach impracticable. It is the scale of the tradeoffs encompassing the costs to the Amendment 80 sector vs. the benefit to the directed fishery and Area 4CDE that differentiates each of the action alternatives. The DEIS is able to hindcast the cost of PSC reductions under the alternatives to the Am80 fleet. These results, combined with written and oral testimony and the conclusion in the analysis that all PSC reduction tools (e.g., excluders and decksorting) are currently being maximized, mean that Alternative 4 is too aggressive of an approach (costs are not balanced by the benefits).*
- *Although halibut PSC limits for the CDQ sector will remain unchanged under any alternative, this action could have negative downstream effects on the ability to fully harvest and lease CDQ quota as nearly every group relies on partners from the impacted Am80 sector to harvest their multi-species CDQ allocation. Potential costs and benefits to the CDQ sector as a whole resulting from the action alternatives are difficult to quantify and vary by group depending on a number of factors including, investments in the BSAI groundfish fisheries, the group's allocation portfolio and local fishery participation that has both economic and cultural importance to the residents of the region. Revenue generated through CDQ participation in the BSAI federal fisheries-both through royalties from the harvest of their CDQ allocations and investments in fishing operations enables the program to carry out its overall mission of providing economic development to Western Alaska communities. The diverse range of regionally specific programs provided by each group often supports local small boat fishermen and fishing operations in some of Alaska's most remote and high-cost regions. While the revenue generated from federal fisheries is critical to the ongoing success of the CDQ program, it is not the only consideration when balancing the tradeoffs of regulatory action. Each CDQ group represents Western Alaska communities that face unique challenges and considerations, and make decisions based on their continued ability to offer support to all of the communities they represent. One group in the CDQ sector also has equity investment in an Am80 company with a large dependency on flatfish that could be negatively impacted under some action alternatives.*
- *While some AP members expressed concern that Alternative 4 was not supported by the findings of the analysis, they did support changes to halibut bycatch management and meaningful reductions in order to protect fishing opportunities for the directed fleet during low levels of abundance. Alternatives other than 4 exist that could still achieve significant bycatch reductions and are more defensible.*
- *It is recognized that under the IPHC SPR approach, PSC and subsistence use is removed from the total allowable halibut harvest prior to directed catch levels being distributed to each of the regulatory areas. Only the IPHC can make determinations on annual catch limits for halibut in the directed fisheries. As such the impact of halibut PSC reductions under this action on catch limits for commercial halibut fisheries is dependent on IPHC policy and management decisions. IPHC decisions for area-specific TCEY's are made considering a totality of biological and economic information and they may differ from the IPHC's stated harvest policy and target*

fishing rate. This was done without harm to the stock in those years when the survey results suggested the Area 4CDE biomass could only support a relatively small directed fishery as the IPHC increased the 4CDE share relative to other areas to ensure a substantial fishery. Additionally, suggestions that a 1 pound reduction in PSC will result in a 1 pound or more increase to the directed fishery ignore many of the dynamics of the coastwide halibut stock including recruitment, sex and size ratio of the population, and migration. IPHC analysis states that no simple conversion rate exists for translating mortality among fisheries that differ appreciably when operating on a stock with dynamic biology.

- *Regarding the coastwide halibut population, analysts stated that the current population is closer to the historical normal biomass and that high recruitments from the early 1900s and 1987 are outliers. The halibut stock is not overfished (recent biomass at 33%) and according to the IPHC the stock is at a level expected for long term conservation. The high biomass in the early 2000s was due to an unprecedented high spawning event. As such, it needs to be recognized that returning to previous high catch levels will likely not be attainable over the long-term. Further, drastic reductions in directed fishery catch levels that occurred beginning in 2013 were primarily driven by the decrease in halibut SSB (30% decrease) that resulted from the IPHC fixing the retrospective bias in the halibut stock assessment. While PSC did go up in 2013 & 2014, it was not as big a driver as the 30% drop in biomass. The major drivers of availability of halibut to Area 4CDE are management decisions from the IPHC, which are impacted by negotiations with Canada and distribution of catch limits across management areas, as well as prohibiting directed removals of the U32 halibut, since huge numbers of U32 male halibut are failing to grow to the 032 size threshold. IPHC changes to these and a variety of other factors that are outside of the Council's purview, could negate the small benefits this action may have.*
- *The DEIS analysis states that this action results in a negative net benefit to the nation. Given the expected cost increases to the Amendment 80 sector and the differing impacts and magnitude of impacts to producers and suppliers of both the Amendment 80 sector and the directed halibut fishery, producer surplus is expected to be negative because the expected catch reductions in the Amendment 80 sector are not offset by equivalent catch increases in the directed halibut fisheries. Any alternative recommended under this action must be able to explain how the hardships imposed on the Amendment 80 fleet are outweighed by the potential benefits received by the directed halibut fishery. Alternative 4 does not do that. NEPA requires alternatives that meet the purpose and need statement. It is understood and appreciated that the directed fishery, and especially Area 4CDE, desire more halibut to support viable fishermen and communities. However, this guarantee falls outside the scope of this action and Council purview while coming at a tremendous cost ($100 million dollar revenue loss to the Am80 sector, including lost jobs for minority populations and ripple effects to support businesses, for approximately 46,000 lbs more halibut to St. Paul). The Council doesn't manage the directed fishery, where policy changes within the IPHC could negate even the minor benefits this action could have to shift 026 mortality to be available for harvest in Area 4CDE.*
- *Even if non-directed halibut bycatch is zero, it is unlikely that there will be conservation benefit due to the halibut potentially being reallocated into the directed halibut fisheries. The directed fisheries target larger halibut of which a higher percentage are females, thus having potential to affect the SSB. IPHC analysis states that the largest component of mortality has been the directed commercial fishery, comprising approximately two-thirds of the total in recent decades and showing the largest effect on SSB when removed. Given this lack of surety for positively affecting the future of directed halibut fisheries, it is unclear what will happen in the future, after action is taken and implemented, when more halibut is not immediately and readily available to the directed fishery and Area 4CDE.*

- *With a 40% reduction in the halibut PSC level, the Amendment 80 sector will shut down on halibut every year going forward (functionally a static cap). Identifying the definition of practicability under a lower cap based on Am80 halibut usage in 2020/2021 ignores the impacts of Covid, which shutdown everything from NMFS surveys to huge parts of the fleet. In 2021, the Am80 fleet harvested approximately 40,000 mt less fish than in the past, the lowest during the history of the catch share program. 2019 more realistically reflects what should be expected in the future for halibut encounters in a warming Bering Sea.*

<u>Rationale in Favor:</u>

- *This action has received a large number of recent comment letters in favor of meaningful action under Alternative 4. Alternative 4 best addresses conservation sharing (promotes equity) at low levels of abundance. Halibut is more than money to the people of Pribilofs, Savoonga and other mostly indigenous communities in the BSAI; it is a way of life and culture. The Alaska Native people from the Pribilofs and elsewhere identify as fishermen and is where they derive their sense of dignity, self-worth, and confidence. The indigenous people of St. Paul and other halibut dependent communities have been depending on this resource for millennia and will continue to depend on it. Alternative 4 is the only one that can restore a reasonable level of equitable use of the halibut resource and protect the interests of indigenous fishermen in the BSAI.*
- *The Council manages all fisheries on the basis of abundance for purposes of conservation. The halibut population is currently at B33. At B30 the IPHC will adjust their harvest strategy downward. Mortality of U26 fish can have an impact on coastwide halibut stocks over time, as supported by the IPHC's peer reviewed study (Stewart et al., 2012), which calculates a yield gain ratio of 1:1.4. Conservation of halibut through the meaningful reduction PSC reductions under Alternative 4 is necessary to help the population avoid falling below B30 and to help bring PSC management more in line with management of its other fisheries.*
- *Over the past two decades, halibut stocks have declined substantially and halibut spawning stock biomass has remained at low levels for more than 10 years. Under these low abundance conditions, PSC mortality in the BSAI has substantially reduced the amount of halibut available to the directed fishery. These reduced harvest opportunities have resulted in a significant contraction of the directed fishery and corresponding economic, social, and cultural losses to halibut fishermen, halibut-dependent communities, and Alaska Natives throughout the BSAI. Halibut bycatch is not just a Bering Sea issue. It impacts every commercial and recreational halibut fishery across Alaska's coastline. Every pound of bycatch comes from the TCEY in one area or another.*
- *Adoption of Alternative 4 will enhance and further conservation of the halibut resource. Reducing U26 mortality, particularly in the important nursery areas of Area 4CDE, will enhance coastwide halibut stocks in future years. IPHC research finds that growth in biomass of those smaller and younger fish will outpace natural mortality as they age and enter the exploitable part of the stock, resulting in a net gain in stock biomass and benefiting all user groups across all regulatory areas. Alternative 4 will allow all users of the resource to share the burdens of low abundance and the rewards of higher abundance. Alternative 4 will result in increased harvest opportunities for the directed fishery, thus helping to ensure the continued participation of halibut dependent communities in the halibut fishery, consistent with National Standard 8. It will also address the excessive share of halibut that has been allocated to Amendment 80 as PSC, consistent with National Standard 4.*
- *From 2010 to 2013 there was an average of 313 vessels fishing halibut in Area 4. Beginning in 2013, as halibut abundance declined, PSC in Amendment 80 fisheries became a larger proportion of total halibut removals in the BSAI, particularly in 4CDE.The directed halibut fishery in 4CDE was nearly preempted in 4 of 8 years - 2013, 2014, 2015, and 2020 when*

abundance was declining, and bycatch was increasing. During these years halibut stakeholders went to the IPHC to request adequate fishing opportunities while PSC reductions were being sought via the Council.

- *The reduced PSC limits adopted in 2015 have not remedied the inequitable disproportionate impacts of halibut PSC, particularly in Area 4CDE. Since the PSC limits were reduced in 2015, PSC mortality in Area 4CDE has removed more than double the amount of halibut by weight than the directed fishery. Amendment 80 has successfully adapted to the limits adopted in 2015; it has achieved the reduced PSC limits in every single year and have not once been constrained. The PSC limits in Alternative 4 are reasonable and practicable. Had Alternative 4 been in place during the five-year period from 2016 to 2020, its PSC limits would have exceeded Amendment 80's average annual PSC use in 40% of the years, and the maximum required reduction would have been only 19% (249 mt) below Amendment 80's average annual PSC use. This is consistent with the blanket 25% reduction recently imposed on the cod trawl CV sector.*
- *Efforts and bycatch reductions achieved by the Amendment 80 are recognized and noted. The reductions in halibut PSC and PSC mortality achieved following adoption of the current PSC limit in 2015 demonstrate that it is practicable to achieve PSC limits well below current levels. The reduced PSC limits in Alternative 4 may be achievable using existing technologies and avoidance behaviors. The DEIS identifies tools to reduce halibut encounters and mortality that are not being fully utilized, including information sharing and avoidance behaviors within the cooperative and the full implementation of halibut excluder devices.*
- *Alternatives 1, 2 and 3 fail to satisfy the purpose and need for the action and are not consistent with the National Standards. During the current low abundance period, Alternatives 1, 2, and 3 would require only marginal reductions from Amendment 80's average annual PSC use during the period from 2016 and 2020. Thus, each of these Alternatives fails to require that bycatch and bycatch mortality be minimized to the extent practicable as required by National Standard 9. Alternatives 1, 2, and 3, which do not require meaningful reduction in PSC and PSC mortality, are thus inconsistent with National Standards 4 and 8 because they fail ensure the fair and equitable distribution of fishing privileges among United States fishermen, allow for participants in the Amendment 80 sector to acquire an excessive share of halibut fishing privileges, and fail to ensure continued participation in the directed halibut fishery.*
- *The economic models in the DEIS rely on past fishing behavior to estimate future impacts, but this approach has its limitations. For example, the economic models use of haul data from 2010 to 2014—before implementation of the reduced PSC limits in 2016 when PSC use was markedly higher—substantially inflates the modeled revenue effects because it fails to account for changes in fishing behavior adopted by Amendment 80 to comply with the lower PSC limits. Further, the DEIS expressly recognizes that lower PSC limits will result in changes to Amendment 80 behavior to mitigate or eliminate the revenue effects resulting from those lower limits. The DEIS acknowledges, however, that the economic models used to compare potential revenue effects do not account for these adaptations, which may result in the revenue effects shown in the DEIS being overstated.*
- *Under NS1, the Council may consider ecological, social and economic factors when determining OY. To this end, the MSA allows decision makers to incorporate more than what can be easily quantified such as culture and deep connection to place when determining OY and net benefits to the Nation. Net benefits to the Nation are calculated by summing all producer and consumer surplus that occurs in the US economy. Both costs and benefits are defined broadly, from the Nation's perspective, to include all surpluses that accrue to direct and indirect participants in the fishery as well as to other members of society. The groups considered include those persons who harvest or process fish affected by the action, those who provide support services to the harvesting and processing sectors of the fishing industry affected by the action, consumers of the*

halibut and A80 fishery products (and any other substitute species whose producer or consumer surplus changes as a direct result of the action), and members of society that are non-consumptive users of halibut that value the resource.

- *The directed fishery in Area 4 has contracted substantially and is at continual risk of being preempted. This results in significant uncertainty that precludes investments required for a sustainable and viable directed fishery. Environmental justice considerations support adoption of Alternative 4. The directed halibut fishery provides critically needed income and economic opportunity to Alaska Natives and halibut-dependent communities that face extraordinary challenges and obstacles to prosperity, resulting from their isolated location in remote areas, limited opportunities for economic development, and the effects of historical discrimination against their predominantly Alaska Native residents. These disproportionate burdens threaten both the culture and the livelihoods of historically disadvantaged halibut-dependent communities across Alaska. Adoption of Alternative 4, which requires meaningful reductions in PSC limits at low abundance, would help to address these inequities and ensure continued participation in the directed fishery and access to subsistence halibut, which is dependent upon an active commercial fishery. Area 4CDE fishermen have combined subsistence and commercial fishing, thereby creating entangled livelihoods and economies. Most of the subsistence halibut coming into BSAI villages does so via commercial vessels and gear. Fishermen in the BSAI region often serve subsistence networks in their local community. Economic opportunities provided through participation in the directed fishery allows for those relations to continue. Section 7.2.6.3 of the DEIS, on the Cultural Importance of Halibut and Halibut Fishing, describes the significance of fishing opportunities, and lack thereof, beyond monetary impacts; however, this is insufficiently incorporated into cost-benefit analyses in the DEIS.*
- *The AP heard from representatives of Tribes and members of the public that NOAA did not adequately engage Tribes within Area 4CDE communities in Tribal Consultation. Analysis guided and informed by Tribes is necessary when considering these fishery resources are "trust resources" Tribes depend on. Per the Council on Environmental Quality, NS4, and other guidance, these fishery trust resources are managed with heightened consideration for impacts on Native peoples. As a result, this analysis is not inclusive of the best available science, which would have included LTK meaningfully in the DEIS and SIA. It is important that CDQ entities with financial interests in the trawl sector not be conflated with LTK. Without such information, the DEIS is limited in its economic discussion, which does not incorporate non-monetized values such as generational sociocultural values, many of which are closely associated with the redistribution of subsistence foods.*
- *Arguments against PSC levels that constrain the Am80 fleet have been presented in terms of food security in other populations. Food security is described in terms of food accessibility. Of particular importance to subsistence communities is the production of food, in this case halibut, in addition to (but not limited to) other activities such as distribution and consumption. Absent authentic consideration of the potential loss of these cultural values in the DEIS and SIA, a lack of meaningful PSC reductions compounds the inequity of intergenerational impacts of resource deprivation. Additionally, Seattle is not a community comparably situated to the BSAI communities, and A-80 vessel owners do not meet the criteria for a disadvantaged Environmental Justice Community.*
- *Halibut bycatch is not just a Bering Sea issue. It impacts every commercial and recreational halibut fishery across Alaska's coastline, coastal communities, and many small boat family operations. Every pound of bycatch comes from the TCEY in one area or another. Among alternatives, Alternative 4 is expected to provide the largest benefit to the halibut resource and directed users from across the range of the halibut stock.*

Motion 2:

~~The AP recommends the Council select Alternative 3, Option 3 (90%) as the Preferred Alternative for final action. The annual threshold should be evaluated based on a rolling 3-year average. The annual limit will not be retained as a hard cap in subsequent years unless triggered again following an annual limit being exceeded. A program review will be conducted 3 years after implementation.~~

~~Translation of Alternative 3 PSC limits with Option 3 PS values in grey (90%) Yellow highlight denotes current abundance levels.~~

		~~*EBS shelf trawl survey index (mt)*~~	
		~~Low < 150,000~~	~~High ≥ 150,000~~
		~~Performance Standard (90%)~~	~~Performance Standard (90%)~~
~~*IPHC setline survey index in Area 4ABCDE (WPUE)*~~	~~High ≥ 11,000~~	~~1,745 (Current)~~	~~2,007 (+15%)~~
	~~Performance Standard~~	~~1,571 (-10%)~~	~~1,806 (+3%)~~
	~~Medium 8,000 - 10,999~~	~~1,396 (-20%)~~	~~1,745 (Current)~~
	~~Performance Standard~~	~~1,256 (-28%)~~	~~1,571 (-10%)~~
	~~Low 6,000 – 7,999~~	~~1,309 (-25%)~~	~~1,396 (-20%)~~
	~~Performance Standard~~	~~1,178 (-32%)~~	~~1,256 (-28%)~~
	~~Very Low < 6,000~~	~~1,222 (-30%)~~	~~1,309 (-25%)~~
	~~Performance Standard~~	~~1,100 (-37%)~~	~~1,178 (-32%)~~

Motion 2 failed 6-14

Rationale in Opposition:

- *A portion of the AP felt that while a compromise position between Alternatives 1 and 4 is appreciated and should always be the goal, the DEIS shows that Alternative 3 with a performance standard will still result in significant economic harm to the Amendment 80 sector without the balance in positive tradeoffs for the directed halibut fisheries. Under 'low-low or very low-low' conditions, the PSC reductions outlined under Alternative 3 with a performance standard are too similar to those under Alternative 4.*
- *The Am80 sector is currently constrained by halibut PSC limits. There is a significant cost to avoiding halibut with all the tools that the fleet employs including loss of target species, increased inefficiency, higher carbon footprint, and costs related to fuel use and moving away from halibut. Current avoidance tools are maximized. Similar to Alternative 4, these constraints and costs will be exacerbated under Alternative 3 with a performance standard. Halibut interactions with trawl gear change over time and are extremely dynamic. As such, a performance standard must be set at a level that actually provides incentives to the fleet; a performance standard that is set too low will only serve as a defacto hard cap and result in the fleet racing to that cap.*
- *Others on the AP felt that current PSC limits are not constraining and actual PSC use is lower than what Alternative 3 would require. Alternative 3 with performance standards and a 3-year rolling average of use fails to lower the PSC cap from status quo (1745 mt) in many years when looked at retrospectively over the past 22 years, including the years of 2013, 2014, 2015 when the directed fishery was nearly shut down. The 90% performance standard from the Alternative 3 limits do not ensure that actual PSC use will decrease. Combining the performance standard with Alternative 3 does not guarantee any actual reductions in bycatch at low abundance levels or commensurate benefits to the directed fishery. While it would establish an annual limit below what Alternative 3 would otherwise provide, it allows Amendment 80 to exceed that annual limit in 3 out of every 7 years. Amendment 80 could continue to take halibut up to the higher Alternative 3 limits, which frequently requires zero reduction from the status quo, even under low-abundance conditions.*
- *The concept of using a three-year averaging of use has not been analyzed and its potential impacts are not clearly understood. The 3-year averaging of use, as proposed, could provide even more flexibility for the A80 sector, likely at the expense of the directed fishery in some years.*
- *While the PSC limits are comparable, the impact of Alternative 3 with a performance standard versus Alternative 4 is quite different. Because Alt. 3 as proposed allows the A80 fleet to exceed the performance standard "annual limit" for three years with no in-season action to curtail A80 harvest or bycatch, the directed fishery could be preempted for three or more years to buffer the resource against high bycatch levels. While benefits may accrue during years of low bycatch or when the annual limit acts as a cap, the performance standard allows the continued risk of directed fishery preemption and all the associated cultural, social and economic stress to continue, including the loss of investments into directed fishery.*
- *Alternative 3 with a performance standard does not meet the primary purpose of this action, which is to allow for a directed fishery at times of low halibut abundance.*

Rationale in Favor:

- *Despite significant bycatch improvement (reductions) from the Amendment 80 sector over the past decade, there are still some prevalent and real challenges being faced by directed halibut fisheries, particularly in Area 4CDE, and action is needed. Alternative 3 with a performance standard is a compromise between Alternative 1 and Alternative 4. It attempts to better balance*

conservation and equity concerns raised by the directed fishery and halibut dependent communities with the flexibility needed by the Amendment 80 sector to prosecute their fisheries. It is intended to provide meaningful reductions and is better supported by the analysis than Alternative 4.

- *The proposed PSC limits under Alternative 3 with a performance standard will be constraining on the Amendment 80 sector in some years, but it provides the chance at establishing a successful ABM program that meets the needs of directed fishers and of Amendment 80 participants given the significant concerns expressed by many public testifiers about the impact of halibut PSC mortality on the directed fishery.*
- *The effect of the Option 3 performance standard/annual limit on top of Alternative 3 essentially results in a 32% reduction at current levels from the status quo PSC limits as shown in the modified lookup table (the yellow highlight is where we are at a current abundance), which is a significant reduction to halibut PSC. Alternative 3 on its own represents a 25% decrease from status quo at current levels of abundance while Alternative 4 represents a 40% reduction so this proposal falls in the middle. This proposal would have constrained the fleet in 2 of the past 5 years as opposed to Alternative 4, which would have been constraining in 4 of the past 5 years. Inclusion of a performance standard incentivizes avoidance of PSC whereas a hard PSC cap (without a performance standard) may create tendencies for the Am80 sector to fish right up to the PSC cap, especially under lower limits. The performance standard/annual limit would function as a de facto lower secondary cap in most years while allowing some flexibility for mortality to fall between the lower annual limit and the hard cap if the Am80 fleet needs it, until 3 out of any 7 years that annual limit is exceeded, at which point that lower annual limit becomes the hard cap for one year. While concerns have been expressed by the A80 sector that the performance standard will only work if they are able to achieve them, having a performance standard is more advantageous than just a lower harder cap that exists with Alternative 4. Additionally, the inclusion of Option 3 aligns with the Purpose and Need language that the "Council is considering a program that links the Amendment 80 sector PSC limit to halibut abundance and provides* ***incentives for the fleet to minimize halibut mortality at all times****."*
- *Including the rolling average is necessary to make the performance function properly. Staff indicated that without a rolling average, Option 3 could result in unintended negative incentives to avoid bycatch in situations where the annual limit is close to or likely to be exceeded and that additional mechanisms such as a rolling average should be considered to incentivize the fleet not to consume the remaining 10 percent buffer between the annual limit and the actual PSC cap. The overall PSC mortality in any one year remains relevant to bycatch avoidance actions that could impact the next year and provide incentive to continue to reduce bycatch to the extent practicable under any situation of a single year overage.*
- *The compromise achieved under this motion better weighs the perceived risks and effects of each of the alternatives and better balances the national standards as they apply to this action. While many people have noted deficiencies in the DEIS both through written and public comment, an analysis does not need to be perfect to be informative. The gleaning of information in an action like this is incredibly complicated. The analysts were transparent and identified areas of uncertainties and appropriately caveated their conclusions throughout the analysis. Their work and methodologies have been thoroughly vetted through the SSC in a highly iterative process. Given the significant management change under this action, it is imperative that a program review be included as part of the program.*

C3 BSAI Groundfish Specs

The AP has reviewed the 2021 Ecosystem Report for the EBS and AI. The AP greatly appreciates the work put into this report each year and, in the future, would like to receive as detailed report as the schedule will allow.

The AP recommends the Council approve the 2021 BSAI Stock Assessment and Fishery Evaluation (SAFE) Report.

The AP recommends the Council approve the final 2022 and 2023 BSAI groundfish specifications for OFLs and ABCs as recommended by the SSC, and the TACs as shown in the attached Table 1 (attached). Note that the Bering Sea and Aleutian Island Pacific Cod TACs have been adjusted for the State Water cod fisheries.

The AP recommends the Council approve Table 7A and 7B, the 2022 (Table 7A) and 2023 (Table 7B) ABC Flatfish Reserves (below).

The AP recommends the Council approve the 2022 and 2023 PSC limits and apportionments as assigned to their respective target fisheries as provided in Tables 8, 9, 10, and 11 (below).

The AP recommends the Council approve the updated halibut discard mortality rates for 2022 and 2023 as shown in table 12 (below).

TABLE 7A–PROPOSED 2022 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]			
Sector	Flathead sole	Rock sole	Yellowfin sole
ABC	64,288	206,896	354,014
TAC	35,500	66,000	250,000
ABC surplus	28,788	140,896	104,014
ABC reserve	28,788	140,896	104,014
CDQ ABC reserve	3,080	15,076	11,129
Amendment 80 ABC reserve	25,708	125,820	92,885

TABLE 7B–PROPOSED 2023 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE

[Amounts are in metric tons]			
Sector	Flathead sole	Rock sole	Yellowfin sole
ABC	65,988	271,199	326,235
TAC	25,500	55,000	230,000
ABC surplus	40,488	216,199	96,235
ABC reserve	40,488	216,199	96,235
CDQ ABC reserve	4,332	23,133	10,297
Amendment 80 ABC reserve	36,156	193,066	85,938

TABLE 8–PROPOSED 2022 AND 2023 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area[1]	Total PSC	Non-trawl PSC	CDQ PSQ reserve[2]	Trawl PSC remaining after CDQ PSQ	Amendment 80 sector[3]	BSAI trawl limited access sector	BSAI PSC limits not allocated[2]
Halibut mortality (mt) BSAI	3,515	710	315	n/a	1,745	745	n/a
Herring (mt) BSAI	3,819	n/a	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	32,000	n/a	3,424	28,576	14,282	8,739	5,555
C. opilio (animals) COBLZ	4,350,000	n/a	465,450	3,884,550	1,909,256	1,248,494	726,799
C. bairdi crab (animals) Zone 1	830,000	n/a	88,810	741,190	312,115	348,285	80,790
C. bairdi crab (animals) Zone 2	2,520,000	n/a	269,640	2,250,360	532,660	1,053,394	664,306

TABLE 9-PROPOSED 2022 AND 2023 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	222	n/a
Rock sole/flathead sole/Alaska plaice/other flatfish [1]	110	n/a
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	11	n/a
Rockfish	11	n/a
Pacific cod	20	n/a
Midwater trawl pollock	3,400	n/a
Pollock/Atka mackerel/other species[2,3]	45	n/a
2022 Red king crab savings subarea non-pelagic trawl gear[4]	n/a	-
2023 Red king crab savings subarea non-pelagic trawl gear[5]	n/a	8,000
Total trawl PSC	3,819	32,000

TABLE 10–PROPOSED 2022 AND 2023 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR

BSAI trawl limited access sector fisheries	Prohibited species and area[1]				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	*C. opilio* (animals) COBLZ	*C. bairdi* (animals)	
				Zone 1	Zone 2
Yellowfin sole	215	7,700	1,192,179	293,234	1,005,879
Rock sole/flathead sole/other flatfish[2]	-	-	-	-	-
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	-	-	-	-	-
Rockfish April 15-December 31	5	-	1,006	-	849
Pacific cod	350	975	50,281	50,816	42,424
Pollock/Atka mackerel/other species[3]	175	65	5,028	4,235	4,243
Total BSAI trawl limited access sector PSC	745	8,739	1,248,494	348,285	1,053,394

TABLE 11–PROPOSED 2022 AND 2023 HALIBUT PROHIBITED SPECIES BYCATCH ALLOWANCES FOR NON-TRAWL FISHERIES

Halibut mortality (mt) BSAI				
Non-trawl fisheries	Seasons	Catcher/processor	Catcher vessel	All Non-Trawl
Pacific cod	Annual Pacific cod	648	13	661
	January 1-June 10	388	9	n/a
	June 10-August 15	162	2	n/a
	August 15-December 31	98	2	n/a
Non-Pacific cod non-trawl-Total	May 1-December 31	n/a	n/a	49
Groundfish pot and jig	n/a	n/a	n/a	Exempt
Sablefish hook-and-line	n/a	n/a	n/a	Exempt
Total for all non-trawl PSC	n/a	n/a	n/a	710

TABLE 12–PROPOSED 2022 AND 2023 PACIFIC HALIBUT DISCARD MORTALITY RATES (DMR) FOR THE BSAI

Gear	Sector	Halibut discard mortality rate (percent)
Pelagic trawl	All	100
Non-pelagic trawl	Mothership and catcher/processor	84
Non-pelagic trawl	Catcher vessel	62
Hook-and-line	Catcher vessel	10
Hook-and-line	Catcher/processor	10
Pot	All	33

Table 1. AP recommended TAC with SSC specified OFL, ABC for Groundfish in the Bering Sea/Aleutian Islands (metric tons) for 2022-2023

		2021			Catch as of	2022			2023		
Species	**Area**	**OFL**	**ABC**	**TAC**	**11/6/2021**	**OFL**	**ABC**	**TAC**	**OFL**	**ABC**	**TAC**
Pollock	EBS	2,594,000	1,626,000	1,375,000	1,373,712	1,469,000	1,111,000	1,111,000	1,704,000	1,289,000	1,289,000
	AI	61,856	51,241	19,000	1,635	61,264	50,752	19,000	61,379	50,825	19,000
	Bogoslof	113,479	85,109	250	50	113,479	85,109	250	113,479	85,109	250
Pacific cod	BS	147,949	123,805	111,380	105,537	183,012	153,383	136,466	180,909	151,709	133,459
	AI	27,400	20,600	13,796	7,023	27,400	20,600	13,796	27,400	20,600	13,796
Sablefish	BSAI/GOA	60,426	29,558			40,432	34,521	11,727	42,520	36,318	14,315
	BS	n/a	3,396	3,396	3,961		5,264	5,264		6,529	6,529
	AI	n/a	4,717	4,717	1,425		6,463	6,463		7,786	7,786
Yellowfin sole	BSAI	341,571	313,477	200,000	104,669	377,071	354,014	250,000	347,483	326,235	230,000
Greenland turbot	BSAI	8,568	7,326	6,025	1,586	7,687	6,572	6,572	6,698	5,724	5,724
	BS	n/a	6,176	5,125	1,129		5,540	5,540		4,825	4,825
	AI	n/a	1,150	900	457		1,032	1,032		899	899
Arrowtooth flounder	BSAI	90,873	77,349	15,000	8,286	94,445	80,389	20,000	97,944	83,389	20,000
Kamchatka flounder	BSAI	10,630	8,982	8,982	6,561	10,903	9,214	9,214	11,115	9,393	9,393
Northern rock sole	BSAI	145,180	140,306	54,500	13,898	214,084	206,896	66,000	280,621	271,199	55,000
Flathead sole	BSAI	75,863	62,567	25,000	9,898	77,967	64,288	35,500	80,034	65,988	25,500
Alaska plaice	BSAI	37,924	31,657	24,500	15,653	39,305	32,697	29,221	39,685	32,998	29,082
Other flatfish	BSAI	22,919	17,189	6,500	2,510	22,919	17,189	10,000	22,919	17,189	10,000
Pacific Ocean perch	BSAI	44,376	37,173	35,899	32,112	42,605	35,688	35,385	40,977	34,322	33,952
	BS	n/a	10,782	10,782	8,679		10,352	10,352		9,956	9,956
	EAI	n/a	8,419	8,419	7,442		8,083	8,083		7,774	7,774
	CAI	n/a	6,198	6,198	5,885		5,950	5,950		5,722	5,722
	WAI	n/a	11,774	10,500	10,107		11,303	11,000		10,870	10,500
Northern rockfish	BSAI	18,917	15,557	13,000	6,045	23,420	19,217	17,000	22,594	18,538	17,000
Blackspotted/Rougheye Rockfish	BSAI	576	482	482	513	598	503	503	615	517	517
	EBS/EAI	n/a	313	313	211		326	326		334	334
	CAI/WAI	n/a	169	169	302		177	177		183	183
Shortraker rockfish	BSAI	722	541	500	521	722	541	541	722	541	541
Other rockfish	BSAI	1,751	1,313	916	900	1,751	1,313	1,144	1,751	1,313	1,313
	BS	n/a	919	522	332	n/a	919	750	n/a	919	919
	AI	n/a	394	394	568	n/a	394	394	n/a	394	394
Atka mackerel	BSAI	85,580	73,590	62,257	58,571	91,870	78,510	66,481	84,440	71,990	60,958
	EAI/BS	n/a	25,760	25,760	22,598		27,260	27,260		25,000	25,000
	CAI	n/a	15,450	15,450	15,272		16,880	16,880		15,470	15,470
	WAI	n/a	32,380	21,047	20,701		34,370	22,341		31,520	20,488
Skates	BSAI	49,297	41,257	18,000	18,729	47,790	39,958	30,000	46,475	38,824	30,000
Sharks	BSAI	689	517	200	354	689	517	500	689	517	500
Octopuses	BSAI	4,769	3,576	700	161	4,769	3,576	700	4,769	3,576	700
Total	BSAI	3,945,315	2,747,727	2,000,000	1,774,309	2,953,182	2,406,447	1,871,000	3,219,218	2,615,814	2,000,000

Sources: 2021 OFLs and ABCs are from harvest specifications adopted by the Council in December 2020, 2021 catches through November 6, 2021 from AKR Catch Accounting.

Motion passed 18-1

Rationale:

- *The included TAC sheet represents a negotiated consensus position amongst each of the directly affected sectors in the BSAI groundfish fisheries. Both herring and red king crab PSC levels in Table 8 reflect the most recent biomass and abundance information for those species. Halibut PSC apportionments in Table 10 for the TLAS sector reflect an increase to Pacific cod (over 2021) to accommodate the significant increase in the BSAI Pacific cod ABC and TAC for 2022.*
- *For sablefish, the TAC is set to ABC in all BSAI regulatory areas. This is responsive to the majority of public comment, acknowledges improved model performance, and reflects Plan Team consensus that they are not concerned with the amount of fishing pressure on coastwide sablefish. Per the stock assessment, survey abundance and biomass indices continued to increase in 2021. The longline survey abundance index increased by 9% in 2021 following a 32% increase in 2020. The biennial trawl survey biomass index has increased nearly five-fold since 2013, with a 40% increase from 2019 to 2021. The data and model indicate strong year classes from 2014, 2016, 2017, and 2018. Based on the strength of these recent year classes, biomass estimates have more than doubled from a time series low of 215,000 t in 2015 to 553,000 t in 2021, exceeding the highs of the mid-1980s. Spawning biomass is also increasing but more gradually since many of these year classes are immature. The 2021 SSB was estimated to be 36% of the B100% value. Spawning biomass is projected to increase to B44% in 2022 and B51% in 2023.*
- *Despite some of the positive signals outlined above, it was also noted that the sablefish stock is still below B40 when stock assessments authors have said for the last three years it will be above B40 the following year, and this has yet to happen. Additionally, the 2014-2018 year classes comprise 50% of total SSB in 2022, and the current HCR's don't recognize the importance of a well distributed age composition.*
- *Some members of the AP noted that the Plan Team and sablefish stock assessment suggested that a capped management procedure for sablefish could maximize long-term harvest and could help to prevent long-term cyclical declines as the resource transitions between high and low recruitment regimes. Since sablefish are a long-lived species and have episodic/sporadic recruitment events, exploring use of a maximum (capped) ABC, as compared to a maximum yearly catch strategy, may be beneficial to management of the sablefish stock.*
- *Other members of the AP also noted concerns with the level of the crab PSC limits(given the status of BSAI opilio and red king crab stocks and directed crab fisheries) as well as concerns with application of the Risk Table (recognizing that it is an evolving and developing tool).*

C4 GOA Groundfish Specs

The AP recommends that the Council approve the 2021 Gulf of Alaska SAFE report.

The AP recommends that the Council approve the final 2022 and 2023 Gulf of Alaska groundfish specifications for OFLs and ABCs as recommended by the SSC, and the TACs as shown in the attached table 1.

The TACs for both GOA Pacific cod and pollock have been adjusted to account for the State water Guideline Harvest Level fisheries. The GOA Pacific cod adjustments are shown in revised table 2.

The AP recommends that the Council set the final 2022 and 2023 Pacific halibut PSC limits, allowances and apportionments in the GOA as shown in tables 14 – 16 below.

The AP recommends the Council approve the updated halibut discard mortality rates for 2022 and 2023 as shown in table 17.

Table 2. GOA TAC and GHL Considerations for State Waters Pacific Cod (TACs are preliminary and based on SSC recommendations for Pacific cod ABCs)

Final 2022 Gulf of Alaska Pacific cod ABCs, TACs and State Guideline Harvest Levels (GHLs) in metric tons.

Specifications	Western	Central	Eastern	Total
ABC	9,942	19,752	3,117	32,811
State GHL	2,983	4,938	779	8,700
(%)	30%	25%	25%	25-30%
Federal TAC	6,959	14,814	2,338	24,111

Note: The Federal TAC is only for Federal fisheries. It does not include the State GHL within it.

Final 2023 Gulf of Alaska Pacific cod ABCs, TACs and State Guideline Harvest Levels (GHLs) in metric tons.

Specifications	Western	Central	Eastern	Total
ABC	8,699	17,282	2,727	28,708
State GHL	2,610	4,321	682	7,612
(%)	30%	25%	25%	25-30
Federal TAC	6,089	12,962	2,045	21,096

Note: The Federal TAC is only for Federal fisheries. It does not include the State GHL within it.

Table 14--Final 2022 and 2023 Pacific Halibut PSC Limits, Allowances, and Apportionments (Values are in metric tons)

Trawl gear			Hook-and-line gear1				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
Jan 20 - April 1	30.5	519	Jan 1 - June 10	86	221	Jan 1 - Dec 31	9
April 1 - July 1	20	341	June 10 -Sept 1	2	5		
July 1 - August 1	27	462	Sept 1 - Dec 31	12	31		
August 1 - Oct 1	7.5	128					
Oct 1 - Dec 31	15	256					
Total		1,706			257		9

1 The Pacific halibut prohibited species catch (PSC) limit for hook-and-line gear is allocated to the demersal shelf rockfish (DSR) fishery and fisheries other than DSR. The Council recommended and NMFS proposes that the hook-and-line sablefish fishery, and the pot and jig gear groundfish fisheries, be exempt from halibut PSC limits.

Table 15--Final 2022 and 2023 Seasonal Apportionments of the Pacific Halibut PSC Limit Apportioned Between the Trawl Gear Shallow-Water and Deep-Water Species Fisheries (Values are in metric tons)

Season	Shallow-water	Deep-water1	Total
January 20 - April 1	384	135	519
April 1 - July 1	85	256	341
July 1 - August 1	121	341	462
August 1 - October 1	53	75	128
Subtotal, January 20 - October [1]	643	807	1,450
October 1 - December 31[2]			256
Total			1,706

1 Vessels participating in cooperatives in the Rockfish Program will receive 191 mt of the third season (July 1 through August 1) deep-water species fishery halibut PSC apportionment.

2 There is no apportionment between trawl shallow-water and deep-water species fisheries during the fifth season (October 1 through December 31).

Table 16--Final 2022 and 2023 Apportionments of the "Other hook-and-line fisheries" Halibut PSC Allowance Between the Hook-and-Line Gear Catcher Vessel and Catcher/Processor Sectors (Values are in metric tons)

"Other than DSR" allowance	Hook-and- line sector	Sector annual amount	Season	Seasonal percentage	Sector seasonal amount
257	Catcher Vessel	150	January 1 - June 10	86	129
			June 10 - Sept 1	2	3
			Sept 1 - Dec 31	12	18
	Catcher/ Processor	107	January 1 - June 10	86	92
			June 10 - Sept 1	2	2
			Sept 1 - Dec 31	12	13

Table 17--Final 2022 and 2023 Discard Mortality Rates for Vessels Fishing in the Gulf of Alaska (Values are percent of halibut assumed to be dead)

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pelagic trawl	Catcher vessel	All	100
	Catcher/processor	All	100
Non-pelagic trawl	Catcher vessel	Rockfish Program	66
	Catcher vessel	All others	69
	Mothership and catcher/processor	All	83
Hook-and-line	Catcher/processor	All	15
	Catcher vessel	All	12
Pot	Catcher vessel and catcher/processor	All	29

Table 1. SSC recommended OFLs and ABCs and AP recommended TACs for Groundfish in the Gulf of Alaska (metric tons) for 2022 and 2023.

Species	Area	2021 OFL	2021 ABC	2021 TAC	Catch 11/6/2021	2022 OFL	2022 ABC	2022 TAC	2023 OFL	2023 ABC	2023 TAC
Pollock	State GHL	n/a	2,643	n/a		n/a	3,327	n/a	n/a	3,298	n/a
	W (610)	n/a	18,477	18,477	18,112	n/a	23,714	23,714	n/a	23,506	23,506
	C (620)	n/a	54,870	54,870	52,432	n/a	69,250	69,250	n/a	68,642	68,642
	C (630)	n/a	24,320	24,320	23,079	n/a	30,068	30,068	n/a	29,803	29,803
	WYAK	n/a	5,412	5,412	5,145	n/a	6,722	6,722	n/a	6,663	6,663
	Subtotal	123,455	105,722	103,079	98,768	154,983	133,081	129,754	153,097	131,912	128,614
	EYAK/SEO	13,531	10,148	10,148	1	15,150	11,363	11,363	15,150	11,363	11,363
	Total	136,986	115,870	113,227	98,769	170,133	144,444	141,117	168,247	143,275	139,977
Pacific Cod	W	n/a	7,986	5,590	3,792	n/a	9,942	6,959	n/a	8,699	6,089
	C	n/a	13,656	10,242	8,258	n/a	19,752	14,814	n/a	17,282	12,962
	E	n/a	1,985	1,489	222	n/a	3,117	2,338	n/a	2,727	2,045
	Total	28,977	23,627	17,321	12,272	39,555	32,811	24,111	34,673	28,708	21,096
Sablefish	W	n/a	3,224	2,428	1,763	n/a	3,727	3,727	n/a	3,951	3,951
	C	n/a	9,527	8,056	6,551	n/a	9,965	9,965	n/a	9,495	9,495
	WYAK	n/a	3,451	2,929	2,188	n/a	3,437	3,437	n/a	3,159	3,159
	SEO	n/a	5,273	4,579	3,613	n/a	5,665	5,665	n/a	5,398	5,398
	GOA Total[1]	n/a	21,475	17,992	14,115	n/a	22,794	22,794	n/a	22,003	22,003
Alaska-wide OFL and ABC[2]	AK Total	60,426	29,588	n/a		40,432	34,521	n/a	42,520	36,318	n/a
Shallow-water Flatfish	W	n/a	24,151	13,250	26	n/a	21,256	13,250	n/a	22,464	13,250
	C	n/a	28,082	28,082	1,654	n/a	25,305	25,305	n/a	26,743	27,361
	WYAK	n/a	2,808	2,808	1	n/a	2,531	2,531	n/a	2,674	2,674
	EYAK/SEO	n/a	1,123	1,123	1	n/a	1,518	1,518	n/a	1,605	1,605
	Total	68,841	56,164	45,263	1,682	62,273	50,610	42,604	65,676	53,486	44,890
Deep-water Flatfish	W	n/a	225	225	1	n/a	256	256	n/a	256	256
	C	n/a	1,914	1,914	79	n/a	2,139	2,139	n/a	2,105	2,105
	WYAK	n/a	2,068	2,068	5	n/a	1,431	1,431	n/a	1,408	1,408
	EYAK/SEO	n/a	1,719	1,719	4	n/a	2,082	2,082	n/a	2,049	2,049
	Total	7,040	5,926	5,926	89	7,026	5,908	5,908	6,920	5,818	5,818
Rex Sole	W	n/a	3,013	3,013	14	n/a	2,981	2,981	n/a	3,222	3,222
	C	n/a	8,912	8,912	269	n/a	12,076	12,076	n/a	13,054	13,054
	WYAK	n/a	1,206	1,206	2	n/a	1,361	1,361	n/a	1,439	1,439
	EYAK/SEO	n/a	2,285	2,285	-	n/a	2,723	2,723	n/a	2,879	2,879
	Total	18,779	15,416	15,416	285	23,302	19,141	19,141	25,049	20,594	20,594
Arrowtooth Flounder	W	n/a	32,377	14,500	332	n/a	33,658	14,500	n/a	33,214	14,500
	C	n/a	69,072	69,072	9,114	n/a	68,394	68,394	n/a	67,493	67,493
	WYAK	n/a	8,380	6,900	47	n/a	6,707	6,707	n/a	6,619	6,619
	EYAK/SEO	n/a	17,141	6,900	24	n/a	11,020	6,900	n/a	10,875	6,900
	Total	151,723	126,970	97,372	9,517	143,100	119,779	96,501	141,231	118,201	95,512
Flathead Sole	W	n/a	14,209	8,650	106	n/a	14,755	8,650	n/a	14,708	8,650
	C	n/a	20,826	15,400	555	n/a	22,033	15,400	n/a	21,962	15,400
	WYAK	n/a	2,427	2,427	-	n/a	1,511	1,511	n/a	1,506	1,506
	EYAK/SEO	n/a	1,915	1,915	-	n/a	1,876	1,876	n/a	1,870	1,870
	Total	47,982	39,377	28,392	661	48,928	40,175	27,437	48,757	40,046	27,426
Pacific ocean perch	W	n/a	1,643	1,643	1,654	n/a	2,602	2,602	n/a	2,523	2,523
	C	n/a	27,429	27,429	24,809	n/a	30,806	30,806	n/a	29,869	29,869
	WYAK	n/a	1,705	1,705	1,663	n/a	1,409	1,409	n/a	1,366	1,366
	W/C/WYAK	36,563	30,777	30,777	28,126	41,470	34,817	34,817	40,211	33,758	33,758
	SEO	6,414	5,400	5,400	-	4,110	3,451	3,451	3,985	3,346	3,346
	Total	42,977	36,177	36,177	28,126	45,580	38,268	38,268	44,196	37,104	37,104
Northern Rockfish	W	n/a	2,023	2,023	708	n/a	1,944	1,944	n/a	1,859	1,859
	C	n/a	3,334	3,334	1,670	n/a	3,202	3,202	n/a	3,061	3,061
	E	n/a	1	-	-	n/a	-	-	n/a	-	-
	Total	6,396	5,358	5,357	2,378	6,143	5,146	5,146	5,874	4,920	4,920
Shortraker Rockfish	W	n/a	52	52	5	n/a	51	51	n/a	51	51
	C	n/a	284	284	197	n/a	280	280	n/a	280	280
	E	n/a	372	372	273	n/a	374	374	n/a	374	374
	Total	944	708	708	475	940	705	705	940	705	705
Dusky Rockfish	W	n/a	270	270	146	n/a	269	269	n/a	259	259
	C	n/a	4,548	4,548	2,748	n/a	4,534	4,534	n/a	4,373	4,373
	WYAK	n/a	468	468	30	n/a	427	427	n/a	412	412
	EYAK/SEO	n/a	103	103	-	n/a	142	142	n/a	137	137
	Total	8,655	5,389	5,389	2,924	8,614	5,372	5,372	8,146	5,181	5,181
Rougheye and Blackspotted Rockfish	W	n/a	168	168	21	n/a	184	184	n/a	182	182
	C	n/a	456	456	175	n/a	235	235	n/a	234	234
	E	n/a	588	588	185	n/a	369	369	n/a	365	365
	Total	1,456	1,212	1,212	381	947	788	788	937	781	781
Demersal shelf rockfish	Total	405	257	257	105	579	365	365	579	365	365
Thornyhead Rockfish	W	n/a	352	352	42	n/a	352	352	n/a	352	352
	C	n/a	910	910	99	n/a	910	910	n/a	910	910
	E	n/a	691	691	133	n/a	691	691	n/a	691	691
	Total	2,604	1,953	1,953	274	2,604	1,953	1,953	2,604	1,953	1,953
Other Rockfish	W/C	n/a	940	940	1,060	n/a	940	940	n/a	940	940
	WYAK	n/a	369	369	119	n/a	370	370	n/a	370	370
	EYAK/SEO	n/a	2,744	300	40	n/a	2,744	300	n/a	2,744	300
	Total	5,320	4,053	1,609	1,219	5,320	4,054	1,610	5,320	4,054	1,610
Atka mackerel	Total	6,200	4,700	3,000	940	6,200	4,700	3,000	6,200	4,700	3,000
Big Skate	W	n/a	758	758	142	n/a	591	591	n/a	591	591
	C	n/a	1,560	1,560	752	n/a	1,482	1,482	n/a	1,482	1,482
	E	n/a	890	890	193	n/a	794	794	n/a	794	794
	Total	4,278	3,208	3,208	1,087	3,822	2,867	2,867	3,822	2,867	2,867
Longnose Skate	W	n/a	158	158	26	n/a	151	151	n/a	151	151
	C	n/a	1,875	1,875	447	n/a	2,044	2,044	n/a	2,044	2,044
	E	n/a	554	554	417	n/a	517	517	n/a	517	517
	Total	3,449	2,587	2,587	890	3,616	2,712	2,712	3,616	2,712	2,712
Other Skates	GOA-wide	1,166	875	875	632	1,311	984	984	1,311	984	984
Sharks	GOA-wide	5,006	3,755	3,755	1,639	5,006	3,755	3,755	5,006	3,755	3,755
Octopuses	GOA-wide	1,307	980	980	51	1,307	980	980	1,307	980	980
TOTAL		610,917	484,150	407,976	178,511	626,738	520,038	448,118	622,931	517,507	444,233

Sources: 2021 OFLs, ABCs, and TACs, as well as 2022 OFLs and ABCs, are from harvest specifications adopted by the Council in December 2020. 2021 catches through November 6, 2021 from AKR Catch Accounting.

1 The sablefish ABC total for the GOA is **not** included in the grand total.

2 The Alaska-wide sablefish OFL and ABC **are** included in the grand total.

Motion passed 20-0

Rationale:

- *The recommended TACs presented in the table reflect GOA groundfish industry recommendations. Some species TACs are set below the ABC recommendations. These species include flatfish species complexes in some regulatory areas, other rockfish in SE, and Atka Mackerel GOA wide.*
- *For sablefish, the TAC is set to ABC in all GOA regulatory areas. This is responsive to the majority of public comment, acknowledges improved model performance, and reflects Plan Team consensus that they are not concerned with the amount of fishing pressure on coastwide sablefish. Per the stock assessment, survey abundance and biomass indices continued to increase in 2021. The longline survey abundance index increased by 9% in 2021 following a 32% increase in 2020. The biennial trawl survey biomass index has increased nearly five-fold since 2013, with a 40% increase from 2019 to 2021. The data and model indicate strong year classes from 2014, 2016, 2017, and 2018. Based on the strength of these recent year classes, biomass estimates have more than doubled from a time series low of 215,000 t in 2015 to 553,000 t in 2021, exceeding the highs of the mid-1980s. Spawning biomass is also increasing but more gradually since many of these year classes are immature. The 2021 SSB was estimated to be 36% of the B100% value. Spawning biomass is projected to increase to B44% in 2022 and B51% in 2023.*
- *Despite some of the positive signals outlined above, it was also noted that the sablefish stock is still below B40 when stock assessments authors have said for the last three years it will be above B40 the following year, and this has yet to happen. Additionally, the 2014-2018 year classes comprise 50% of total SSB in 2022, and the current HCR's don't recognize the importance of a well distributed age composition.*
- *From a trawl perspective, the fleet needs the additional revenue from sablefish since economics within the sector are currently not good: low GOA Pacific cod TACs, limited/no flatfish markets for the shoreside sector, and poor ex-vessel pricing for headed and gutted products due to Covid impacts and tariffs with China. For fixed gear, vessel harvests caps prevent individual businesses that are more efficient from catching more sablefish; therefore, setting TAC to ABC gives these businesses greater opportunity to harvest more and increase revenue.*