

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

Certified

John Bruce

Date

12/8/94

ADVISORY PANEL MINUTES SEPTEMBER 27 - OCTOBER 1, 1994 SEATTLE, WASHINGTON

Advisory Panel members in attendance:

Bruce, John (Chair)
Benson, Dave
Burch, Al
Cotton, Bruce
Drage, Steve
Falvey, Dan
Jones, Spike
Kaldestad, Kevin
Little, David
Madsen, Stephanie
Maloney, Pete

Nelson, Hazel
Ogden, Doug
Paddock, Dean
Pagels, Penny
Pfundt, Bryon
Roos, John
Sevier, John
Sparck, Harold
Stevens, Mick
Stewart, Beth (Vice Chair)
Wurm, Robert

C-1 Moratorium

The AP spent several hours on this agenda item. We began building our recommendation with a motion to resubmit a modified moratorium for fast track review and implementation. It will help the Council understand the AP recommendation best if we report each amendment separately.

1. The AP voted unanimously to remove halibut and sablefish from the moratorium since both fisheries have now come under an IFQ program.
2. The AP voted unanimously to replace the moratorium appeals process with the appeals process incorporated in the halibut/sablefish IFQ program found at CFR 676.25.
3. A motion to retain the February 9, 1992, moratorium eligibility cut-off date carried 15/2.
4. A motion to change the beginning eligibility date from January 1, 1980 to January 1, 1988. The motion carried 13/8.

The effect of these two amendments is to change the moratorium eligibility dates to January 1, 1988 through February 9, 1992.

5. A motion to restrict crossovers between crab and groundfish fisheries to those vessels with fishing history during the qualification period in both crab and groundfish carried 11/10.
6. A motion to have the analysis of these amendments brought back for Council and AP review in December carried 13/8.

The amended main motion carried 16/5.

Changing the moratorium date and the rules for crossover generated the concern that led to passage of the December review date. These changes were viewed as major and deserving of further public testimony by those in favor.

Minority Report — C-1 Moratorium

The below signed AP members desire that these recommended modifications to the moratorium be forwarded directly to the Secretary for fast-track implementation. We opposed the 13-8 vote to delay final Council action on the moratorium until December 1994.

During AP deliberations, Council and Region staff informed the panel that all of these specific modifications were fast-track "do-able" and sufficiently analyzed within existing documents presented and considered by the Council family. The AP and Council have previously heard public opinion and deliberated these matters sufficiently. These modifications are consistent with the Secretary's recommendation to produce a package which establishes a fleet closer to the "current participation levels . . . "

Additional staff time spent preparing further documents will only detract from staff focus on other high priority responsibilities.

Signed:

Mick Stevens
Dave Benson
Bryon Pfundt
Kevin Kaldestad
David Little

C-3 Sablefish and Halibut IFQs

The Advisory Panel focused on four topics under this agenda item.

1. Exempting CDQ compensation quota share from Sitka block rule;
2. Implementing an NMFS central registry for IFQ titles and liens;
3. Providing for consideration of hardship cases, and
4. Changing criteria for crew member eligibility certificates.

1. Regarding CDQ compensation quota share, the AP recommends that the Council initiate a plan amendment that would exempt CDQ compensation quota share from the provisions of the block rule. Alternatives to be analyzed include:

- a. temporary exemption (i.e., 1 year) to allow consolidation and then apply the block rule;
- b. permanent exemption from the block rule;
- c. exemption from the vessel size category rule, but not from the freezer/catcher boat restriction.

This motion carried 18/2.

2. Regarding a central registry for quota share titles and liens, the AP urges the Council to request in the strongest possible language that the Washington D.C. NMFS office fast track implementation of a registry for titles and liens. In addition, the Council should request receipt of a detailed status report from NMFS on this item within 30 days. This motion passed unanimously.

3. Regarding hardship provisions, the AP rejected a motion (4/15) to provide hardship exemption for fishermen in the 4E halibut fishery. Subsequently, the AP voted (18/1) to recommend that the Council make no changes in the plan to accommodate hardship claims.

4. Finally, the AP considered a motion to recommend that the Council waive the historic participation requirements for residents of CDQ eligible villages for purposes of obtaining IFQ crew member eligibility. The motion failed 6/9.

C-4 Research Plan

The AP continues to be concerned with details included in the Research Plan that have not been addressed by the OOC including:

1. Costs that will be incurred to accommodate systems for record keeping.
 - a. Fish ticket prices vs standard prices.
 - b. First year vessels under 60' vs vessels over 60'.
 - c. Vessels inside state waters vs outside waters.
 - d. Fish used in meal vs fish that isn't.
2. The AP recommends that a committee of affected parties (shore-based processors), Council staff, NMFS staff and state of Alaska meet as soon as possible to identify solutions and develop implementation plans that result in no or minimal delays in implementation. Motion passes, no opposition.

The AP recommends that the Council adopt the 2% assessment recommended by OOC for 1995. Motion passes, no opposition.

The AP recommends that the Council adopt the standard exvessel prices for groundfish, shellfish, and halibut found in the September 27, 1994, C-4 report with the following changes to the prices found in the table on page 13 of the report. Motion passes 10/4.

1.	Pacific cod, BSAIO	\$.14
2.	Pacific cod, EGO	.20
3.	Pacific cod, WCGO	.18
4.	Pelagic rockfish, EGO	.25
5.	Rexsole, EGT & WTGT	.15

6.	Rocksole, BSAIO/BSAIT	.30
7.	Sablefish, BSAIO	1.00
8.	Sablefish, EGO/WCGO	1.10
9.	Sharpchin/North WCGT & BSAIT	.104
10.	Shortraker/rougheye, WCGT/BSAIT	.20
11.	Slope rock, EGO & WCGO	.20
12.	Thornyhead, EGO/WCGO	.40
13.	Yellowfin, BSAIOT/BSAIO	.05
14.	Pollock roe, WCGT	.08

Minority Report — C-4

We feel the current price structure by NMFS is much more complicated than is necessary. We would like to see a five tier structure for the at shore processing fleet where only five average prices would prevail. The following would be an example:

Pollock	\$.07
Halibut	1.25
Sablefish	1.10
Bairdi/Opilio/Other Crab	2.00
Red/blue/brown king crab	5.50
All other groundfish	.08

This would better simplify establishing the fee percentage and standard exvessel prices for the 1995 North Pacific Fisheries Observer (Research) Plan.

Signed:

John Sevier
Spike Jones
Al Burch
Dan Falvey

C-5 Comprehensive Rationalization Program (CRP)

The AP recommends that License Limitation documentation presented at this meeting not be sent out for public review at this time. The AP believes that the staff did an admirable job given the large number of alternatives and the short amount of time available. The document is very useful as a tool to narrow options for full analysis which would include socio-economic impact analysis and community profiles.

The AP found several useful suggestions in the comments submitted by mid-water trawlers, and would like the opportunity to consider incorporating all or some of these in the revised document.

The AP believes that the proposed time table for final decision is unrealistic, and asks that Council schedule a day at the beginning of the December and/or January meetings for the AP to pare down the alternatives. We ask that staff be available at that meeting to guide the public through the current document.

It should be understood that AP believes the current document will be useful to the public in helping to pare down alternatives and that the newsletter should encourage the public to request copies.

C-6 Full Utilization and Harvest Priority

The AP notes that the Council's CRP problem statement identifies the reduction of bycatch and discard waste and increased utilization of our fishery resources as primary goals of the CRP planning process. {The AP notes that there are five types of bycatch: PSC, nontarget, commercial, government and economic.} The AP believes that harvest priority (on a vote of 9/5) and full retention/full utilization (on a vote of 11/3) have the potential to address these problems in the interim time period before implementation of a CRP program and will fully integrate with whatever CRP program is ultimately implemented. Therefore, the AP urges the Council to proceed with establishing 2 committees (one for Harvest Priority, and one for Full Retention/Full Utilization) to further develop these programs in order to prepare for an EA/RIR for each program. Under FR/FU, alternatives should include (1) all species, (2) all species for which there is a TAC, (3) PSC. The AP offers the following names for committee membership:

Harvest Priority

Hazel Nelson
Spike Jones
Paul Seaton

Full Retention/Full Utilization

Mick Stevens
Beth Stewart
Harold Sparck

C-7 Inshore/Offshore

The AP recommends that the inshore-offshore amendment be analyzed with the following alternatives:

1. Status quo (that is, do nothing, let the program expire); and
2. Roll-over the program as is.

Furthermore, the AP strongly urges that the Council make this amendment the highest priority. Motion passes 15/3.

D-3 (a, b, e) BSAI SAFE/'95 Specifications

1. BSAI Pollock A/B season: change apportionment to 40/60%,
2. Rollover Pacific cod apportionments for fixed gear,
3. Rollover 1994 PSC caps and apportionments,
4. Rollover bycatch rates and VIP standards, and

The AP also recommends that in preparation for a potential emergency rule on red king crab bycatch that the staff prepare an analysis of potential time and area closures for all fisheries that take red king crab using the Plan Team's recommendations.

Halibut Mortality Rates

The AP recommends that the halibut mortality rates for the Bering Sea and Gulf of Alaska be set equal to the IPHC recommendations found in Table 4 of agenda item D-3(f)(1). Except set the GOA bottom trawl pollock mortality rate as follows: 54% shoreside/81% offshore.

Minority Report — D-3 BSAI SAFE/'95 Specifications

The below signed AP members do not support changing the A season/B season pollock apportionment. From the 1994 45% A season/55% B season apportionment.

The AP received no new information of biological or socio-economic nature which would justify this change. The Plan Team leader stated that biologically there was no significant difference" between either apportionment approach.

In addition, we believe the majority motion promotes inconsistency in the public eye regarding AP procedures and rationales since full debate on this item will not occur until the December Council meeting.

Signed:

Mick Stevens
 David Benson
 Beth Stewart
 Harold Sparck

D-3 GOA SAFE/'95 Specifications

Halibut Mortality Rates

The AP recommends that the halibut mortality rates for the Bering Sea and Gulf of Alaska be set equal to the IPHC recommendations found in Table 4 of agenda item D-3(f)(1). Except set the GOA bottom trawl pollock mortality rate as follows: 54% shoreside/81% offshore.

Halibut Caps - GOA

The AP recommends initiating a regulatory amendment exempting the IFQ sablefish fishery from the halibut cap subject to annual review. Motion passes 9/6.

The AP recommends the Council rollover the remaining hook and line gear PSC limits and apportionments for a total of 300 mt. Further, the AP recommends rolling over the trawl gear PSC limits and apportionments as follows:

Trawl gear		Hook and Line gear	
1st quarter	600 mt (30%)	1st trimester	80 mt (26.7%)
2nd quarter	400 mt (20%)	2nd trimester	200 mt (66.7%)
3rd quarter	600 mt (30%)	3rd trimester	20 mt (6.7%)
4th quarter	400 mt (20%)		
TOTAL	2,000 mt		300 mt

<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 between shallow and deep for the 4th quarter.		

The motion passes, no opposition.

D-4(a) Total Weight Measurement

After a long discussion, the AP was unable to select a preferred alternative. The motion to select Alternative 4, Option A with a phase-in period of 18 months, ended in a 6/6 tie.