

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
September 29 – October 4, 2008
Anchorage Sheraton Hotel

Approved _____

Date _____

The following members were present for all or part of the meeting:

Joe Childers

Tim Evers

John Moller

Mark Cooper

Bob Gunderson

Rex Murphy

Craig Cross

Jan Jacobs

Ed Poulsen

John Crowley

Simon Kinneen

Michelle Ridgway

Julianne Curry

Chuck McCallum

Beth Stewart

Jerry Downing

Mike Martin

Lori Swanson

Tom Enlow

Matt Moir

Bob Jacobson was absent.

The AP unanimously elected Lori Swanson as Co-Vice Chair, to serve in cooperation with Joe Childers, and approved the minutes of their previous meeting.

C-1 Charter Halibut

2C 3A Halibut Catch Sharing Plan

The AP notes that the purpose of the proposed action is to reflect the intent to prevent charter harvest from exceeding annual catch limits by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy. **Additions are in bold, and deleted parts are shown with a strikeout.**

“The purpose of the proposed action is to create a catch sharing plan that establishes: 1) a clear allocation between charter and setline sectors with sector accountability; 2) a responsive management system with proactive accountability measures to prevent annual catch limit overages; 3) a mechanism for limited transfer of quota share between sectors.”

~~The purpose of the proposed action is to (1) create a catch sharing plan that would set an initial allocation between the charter halibut and commercial longline halibut sectors, and tighten the timeline between occurrence of an overage and a management response; and (2) design a program to compensate the commercial sector for any future reallocations, above the level set at initial allocation. Along with restrictive control measures that were considered by the Council separately from these proposed actions, because the GHL has been exceeded in Area 2C and Area 3A each year since its implementation in 2004, the proposed sector allocations are intended to stop the *de facto* reallocation from the commercial sector to the charter sector. Over the past 11 years, charter halibut harvests have grown at an annualized rate of 6.8 percent in Area 2C, and 4.1 percent in Area 3A. The number of active vessels, the total number of clients, the average number of clients per trip, and the average numbers of trips per vessel, are all at their highest level in the recorded data period of 1998 through 2006. The number of clients per trip (which is one of the best measures of upward pressure on demand) has increased steadily in recent years. This increase indicates that the number of clients is rising faster than the number of trips, and likely indicates healthy demand for the services provided by the charter sector.~~

Part 1—Elements and options

Element 1: Initial allocation

The AP recommends a fixed percentage tied to abundance. Specifically,

Option 1(a) - fixed percentage based on existing GHs for area 2c and 3A

2C 13.1% 3A 14.0%

Element 2 – Annual regulatory cycle

The AP recommends the Council clarify its intent to prevent charter harvest from exceeded annual catch limits by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy.

The initial charter allocation would be a common harvest pool for all charter limited entry permit holders. It would not close the fishery when the charter allocation is exceeded. **Instead, the Council's intent is to implement management measures that prevent charter allocation overages. The Council will annually evaluate the efficacy of existing management measures, taking into account the projected CEY and the projected charter harvest for the following year as well as any overages from past years. The Council will rely on the best available information and most timely management system to manage the charter sector to its annual catch limit.** ~~Instead, the allocation would be linked to an annual regulatory analysis of management measures (delayed feedback loop) that take into account the projected CEY for the following year and any overages by the charter industry in the past year(s). This system would work best if there is not a time lag between the overage year and the year of implementation of new regulations. The Council will not revisit or readjust the sector split. An allocation overage would trigger the regulatory process automatically, in contrast with current GH management. Any underages would accrue to the benefit of the halibut biomass and would not be reallocated or paid forward.~~

Element 3 – Management toolbox

The AP recommends removing the language regarding the delayed feed back loop from this paragraph.

Tier 1 measures will be utilized by the Council to try to manage the charter common pool for a season of historic length and a two-fish daily harvest limit. Tier 2 measures will be utilized if Tier 1 measures are inadequate to constrain harvest by the charter common pool to its allocation. ~~Due to the delayed feedback loop in implementation of management measures,~~ Management measures will, in general, be more restrictive to ensure that the charter sector allocation is not exceeded. In providing predictability and stability for the charter sector, it is likely that charter fish may be left in the water.

Element 4 – Timeline

Consistent with the AP's intent that the charter allocation be managed to prevent allocation overages by relying on the best available information, the most timely and accurate catch accounting system, and the most responsive management strategy, We recommend all scenarios under this element be **DELETED**.

~~Example Scenario 1: four year feedback loop~~

~~Charter fishery ends 2007~~

~~October 2008: Council receives ADF&G report on final charter halibut harvest estimates for 2007. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.~~

~~December 2008: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.~~

~~January 2009: IPHC adopts combined catch limits for 2009.~~

~~February 2009: Council takes final action on year 2010.~~

~~Winter 2009: NMFS publishes the rule that would be in effect for 2010.~~

Example Scenario 2: three year feedback loop

~~Charter fishery, with in season monitoring, ends 2007~~

~~October 2007: Council receives ADF&G report on charter halibut harvest estimates for 2007. The report would likely be based on projections of the current year logbook data. Some data will still be in the process of being entered, so the data will be considered preliminary. If the ADF&G report indicates that an allocation overage occurred in 2007, the Council would initiate the analysis of management measures necessary to restrict charter halibut harvests to its allocations.~~

~~December 2007: Council reviews staff analysis (possibly in the form of a supplement) that updates the previous year's analysis with final 2007 harvest estimates.~~

~~January 2008: IPHC adopts combined catch limits for 2008.~~

~~February 2008: Council takes final action on management measures that would be implemented in year 2009~~

~~Winter 2008: NMFS publishes the rule that would be in effect for 2009~~

Element 5 – Supplemental, individual use of commercial IFQ

The AP recommends that the Council include all provisions in the motion.

- A. 3. No more than 400 fish may be leased per LEP
 - Suboption. LEPs w/endorsement for more than 6 clients may not lease more than 600 fish.
- E. 2. Unused GAF may revert back to pounds of IFQ and be subject to the underage
 - Provisions applicable to their underlying commercial QS.
 - Option a: automatically on October 1 of each year.**

There was general consensus among the AP members on the following clarification:

If an IFQ holder chooses to lease to a CQE, then the same limitations apply as if they were leasing to an individual charter operator – 1500 lbs or 10% whichever is greater – the 100% has no application here. With regard to CQE leasing: any quota which a CQE holds, regardless of its origin, could be leased up to 100% to eligible residents of the CQE community. For example, a CQE may hold quota share derived from purchase, lease from another qualified CQE, or leased from an individual, and then lease out up to 100% of the quota it holds.

Element 6 – Catch accounting system

The AP recommends adding the word verified in part 1.

1. The current Statewide Harvest Survey and/or Verified logbook data would be used to determine the annual harvest.
2. A catch accounting system will need to be developed for the GAF fish landed in the charter industry.
3. As part of data collection, recommend the collection of length measurements when supplemental IFQs are leased for use and compare to the annual average length to make sure that accurate removable poundage is accounted for and to allow length measurement information gathered to be used in the formulation of the average weight used in the conversion of IFQs to GAF.

Motion passed 15/3.

(c) 3A Charter Halibut GHL

The AP maintains that resource conservation and sustainable management depends on preventing catch limit and GHL overages. To prevent future overages in 3A, the AP recommends implementation of options 2 and 6 (32”).

In addition, the AP recommends the revision of the analysis to reflect the conservation impacts of catch limit and GHL overages, as well as the impacts of overages on other sectors.

Motion passed 15/2/1.

C-2 (a) Crab SAFE

The AP recommends the Council approve the SAFE and OFLs. *Motion passed 18/0.*

C-2 (b) St. George Protection Measures

The AP recommends the Council take no action regarding this issue. *Motion passed 15/0.*

C-2 (c) Crab Program 3 year review

The Council’s Problem Statement in April identified many concerns regarding the implementation and operation of the Crab Rationalization Program. Since that problem statement was passed, Council staff has completed thorough and complete reviews of the program. The 18 month review and the 3 year review have addressed the concerns raised in the Council’s problem statement. Those reviews provide important results from the first three years of the program.

1. There have been no Search and Rescue missions, no loss of life, or vessels since implementation;
2. The condition and health of the crab resources have dramatically improved. There are longer pot soak times; fewer pot lifts; and reduced handling mortality due to extreme weather. These factors may be contributing to the health of the resource;
3. Significant reductions in environmental impacts due to efficient uses of harvesting and processing capacity;
4. Some crab dependent communities are again receiving their historic share of crab landings;
5. There have been only five price arbitrations out of more than 700 price negotiations between harvesters and processors with low cost and minimum disruption to the prosecution of the fishery
6. Significant and transparent information regarding the wholesale marketing and sales information for all crab species harvested under the program;
7. The harvest sector which was grossly over-capitalized and on the brink of economic disaster has been restored to stability;
8. The processing sector, which saw the loss of several dozen participants in the years leading up to the program, has been stabilized and there are new processing entities for the first time since 1992; and
9. The industry is now operating with professional crew enjoying stable and high paying jobs.

The AP believes the crab program is achieving most of its objectives and that many of the major changes identified in the Council’s April Motion would de-stabilize the harvesting, processing, and community sectors and are not necessary based on the findings from the Council’s 18 month and 3 year reviews. The AP further believes that the Council has effectively utilized its Crab Advisory Committee to address real

issues arising from the implementation of the program. Therefore, the AP supports the committee and moves the Council, as a substitute for its April Motion, to direct the committee to:

1. Identify elements and options for resolving crew issues by working with the harvesting, processing, and community sectors and the Deep Sea Fishermen's Union to
 - a. Refine the "hinkel proposal's" potential re-designation of IFQ shares to crew and specifically look at a range of allocation and how to phase it in and bring back to the Council at its February meeting with recommendations;
 - b. Analyze the potential for a private contractual proposal to increase crew participation and ownership in the crab program.
2. To work with the holders of Western Aleutian Golden King Crab IFQ and IPQ to identify any required changes in the program necessary to solve any real problems occurring in that fishery.

Regarding ROFRs, the AP moves that the Council initiate action including the purpose and needs statement regarding needed changes to the community right of first refusal provisions in the crab management program:

1. removing the lapse of the right after three consecutive years of IPQ use outside the committee;
2. extending the short period of time in the current program allowed for responding to and exercising the ROFR;
3. not allowing the ROFR to lapse even if the entity opts out of the ROFR; and
4. developing possible funding options for communities to allow them to exercise their ROFRs.

Motion passed 15/4.

The minority maintains that it is premature to assert that the Crab Rationalization Program fully meets its original objectives, conservation goals or community protection needs. Rather than support the Council's April motion, we recommend that analysis of the 90/10 split continue, while additional analysis on crew shares, WAG issues, and ROFRs be initiated. Signed: Beth Stewart, Michelle Ridgway, Chuck McCallum, and John Moller.

The AP recommends the addition to Henkel's proposal included in the action memo:

Option 2, i,

a. A pro rata reduction in "non-participating" ownership QS pool. ("non-participating" is defined as QS ownership that no longer have a vessel participating or a captain/crewmember participating in an Alaska Federal Fishery.) *Motion passed 19/0.*

The AP recommends the Council direct that the EDR data not be used for analysis for Council or academic purposes until the metadata is reviewed. *Motion passed 19/0.*

C-2 (g) Crab Regional Delivery Emergency Relief

The AP recommends the Council send forward for analysis the purpose and needs statement, and the following alternatives and options:

Method of defining the exemption and compensations:

Option 2: The exemption shall be generally defined in regulation. To receive an exemption, however, an IFQ holder the holder of matched IPQ, and the entity holding (or formerly holding) the right of first refusal for the IPQ shall have entered a contract that defining conditions under which an exemption will be granted and the terms of any compensation that:

Suboption 2: defines any compensation that may be exchanged by the IFQ holder, IPQ holder, and the community entity holding (or formerly holding) the right of first refusal on the IPQ on using the exemption

Administration:

Option 2: The exemption shall be administered through submission of an affidavit by the holder of the IFQ for which the exemption is applied. An affidavit attesting to the satisfaction of requisite conditions for the exemption shall constitute conclusive evidence of qualification for the exemption.

Qualifying circumstance: An unavoidable circumstance that prevents the delivery or processing of crab in a region as required by regionally designated IFQ and matched IPQ will qualify for the exemption from regional landing requirements. To qualify for the exemption a circumstance must: a) be unavoidable, b) be unique to the IFQ and/or IPQ holder, c) be unforeseen or reasonably unforeseeable, and d) have actually occurred.¹

Option: Additional specificity of the exemption and its term may be included in any contract between the IFQ holder, the holder of matched IPQ and the entity holding (or formerly holding) a right of first refusal on the matched IPQ.

Requirement to attempt to mitigate:

Option 1 and Option 2

Option 1: To receive an exemption the IFQ holder and the holder of matched IPQ shall have exerted all reasonable efforts to avoid the need for the exemption, which may include attempting to arrange delivery to other processing facilities in the designated region unaffected by the unavoidable circumstance, attempting to arrange for the use of IFQ (and IPQ, if needed) not requiring delivery in the affected region, and delaying fishing.

Option 2: An IFQ holder will not be granted an exemption, if the IFQ holder holds any unused Class B IFQ, C share IFQ, or Class A IFQ that may be delivered outside of the affected region.

Compensation:

Option 2: Compensation shall be as agreed by the holder of IFQ, the holder of matched IPQ, and the entity holding the right of first refusal on the matched IPQ.

Motion passed 19/0.

C(3)a Final Action on GOA sideboards for BSAI crab vessels.

The AP recommends the following choices for final action:

Action I: Exempted Vessel Status of GOA Pacific Cod

Option 2.4: Exempt non-AFA crab vessels from the GOA Pacific cod sideboards if the vessel's Bering Sea opilio catch history is less than 750,000 pounds over the period 1996 - 2000 and the vessel has landed more than 680 mt of GOA Pacific cod over the period 1996 - 2000. The total Bering Sea *C. opilio* catch history includes both qualified and unqualified catch history pounds from non-AFA crab vessels. *Passes 17/0/2*

Action II: Exempted Vessel Status of GOA Pollock

Option 2.3 - 20 pollock deliveries from 1996 - 2000.

Passes 17/0/2

¹ These criteria are taken from the exemption to 'cooling off' provision landing requirements that applied on a community basis to some IPQ in the first two years of the program (see 50 CFR 680.42(b)(4)(ii)).

Action III: Proposed Exemption from B Season Pacific Cod Sideboard Limit after November 1

Alternative 1: No changes to B season Pacific cod sideboard limit

Motion passed 19/0

C(3)b Final Action on sideboards for the GOA rockfish fishery.

The AP recommends that the Council adopt Alternative 4 for final action:

Alternative 4: Amend the CGOA rockfish pilot program to remove the provision that requires certain catcher processors to stand down from participating in directed BSAI groundfish fisheries for a period in July.

Motion passed 17/0.

C(3)c Initial Review of sideboards for Amendment 80 PSC

The AP recommends that the document not be released for public review

Motion passed 19/0.

The AP recommends that the Council take no further action on this item

Motion passed 11/8.

Minority Report

The minority of the AP believes that there is the potential for the accounting system for halibut in the Amendment 80 CP sector in the GOA 3rd quarter deep water fisheries to limit the ability of that sector to access the sideboards approved under Amendment 80. The current problem statement may not clearly address this issue, making it difficult to develop appropriate alternatives. The minority recommends that the Council request staff to revise the analysis to further explore options to account for catch by CPs in the limited access sector of the Rockfish Pilot Program from the halibut which was set aside for that program, including a regulatory modification to allow this to occur. Signed: Lori Swanson, Craig Cross, Tom Enlow, Jan Jacobs, Chuck McCallum, Rex Murphy, Ed Poulsen, John Crowley, and Beth Stewart.

C(3)d Discussion paper on GOA sideboards for AFA CVs

The AP recommends that the Council take no further action on this item

Motion passed 14/5.

C-4 (a) BSAI Non-Chinook Salmon Bycatch

The AP recommends that the Council request staff proceed with the development of an initial review draft analysis on Non Chinook Salmon Bycatch Reduction Measures in the BSAI Pollock Trawl Fisheries.

Recommended draft purpose and need as well as draft alternatives, elements and options are as follows:

AP DRAFT PURPOSE AND NEED STATEMENT

An effective approach to minimizing non-chinook salmon bycatch in the Bering Sea pollock trawl fishery is needed. Current information suggests these harvests include stocks from Asia, Alaska, Yukon, British Columbia, and lower-48 origin. Non-chinook salmon (primarily made up of chum salmon) harvested as bycatch in the Bering Sea pollock trawl fishery serve an important role in Alaska subsistence fisheries. However, in response to low salmon runs, the State of Alaska has been forced to close or greatly reduce

some commercial and subsistence fisheries in Western Alaska. At times, Bering Sea bycatch may have contributed to observed low returns in these river systems.

Conservation concerns acknowledged by the Council during the development of the Salmon Savings Areas have not been resolved. Hard caps, area closures, and/or other measures may be needed to reduce salmon bycatch to the extent practicable under National Standard 9 of the MSA. We recognize the MSA requires use of the best scientific information available. The Council intends to develop an adaptive management approach, which incorporates new and better information as it becomes available. Non-chinook salmon bycatch must be minimized to address the Council’s concerns for those living in rural areas who depend on local fisheries for their sustenance and livelihood and to contribute towards efforts to reduce bycatch of Yukon River salmon under the U.S./Canada Yukon River Agreement obligations.

Alternatives and options

NON-CHINOOK SALMON (CHUM)

Alternative 1: Status Quo (non-Chinook)

Alternative 2: Hard Cap (non-Chinook)

Component 1: Hard Cap Formulation

Option 1: Range of numbers for hard cap formulation

Range of suboptions for hard cap for non-Chinook with breakout for CDQ allocation (10.7%) and remainder for non-CDQ fleet

Sub Option	Non-Chinook	CDQ	Non-CDQ
i)	58,176	6,225	51,951
ii)	76,252	8,159	68,093
iii)	147,204	15,751	131,453
iv)	203,080	21,730	181,350
v)	220,614	23,606	197,008
vi)	347,984	37,234	310,750
vii)	488,045	52,221	435,824

Component 2: Sector Allocation

Divide the final cap by sectors based on:

Option 1) 10% of the cap to the CDQ sector, and the remaining allocated as follows: 50% inshore CV fleet; 10% for the mothership fleet; and 40% for the offshore CP fleet.

Option 2) Historical average of percent bycatch by sector based on:

- a) 3 year (2004-2006) average CDQ 1%; inshore CV fleet 86%; mothership fleet 2%; offshore CP fleet 11%.
- b) 5 year (2002-2006) average: CDQ 2%; inshore CV fleet 84%; mothership fleet 3%; offshore CP fleet 11%.
- c) 10 year (1997-2006) average: CDQ 2%; inshore CV fleet 82%; mothership fleet 4%; offshore CP fleet 12%.

Component 3: Sector Transfer

Option 1) Transfer salmon bycatch among sectors (industry initiated)

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

- a) 50%

- b) 70%
- c) 90%

Option 2) NMFS will rollover unused salmon bycatch to other sectors still fishing based on the proportion of pollock remaining for harvest.

The above options are mutually exclusive.

Component 4: Cooperative provisions
Cooperative transfer options

When a salmon coop cap is reached, the coop must stop fishing for pollock and may:

Option 1) Lease their remaining pollock to another coop (inter-cooperative transfer) within their sector for that year (or similar method to allow pollock harvest with individual coop accountability.

Option 2) Transfer salmon bycatch from other inshore cooperatives.

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

- a) 50%
- b) 70%
- c) 90%

Alternative 3 -4: Triggered closures (non-Chinook)

Component 1: Trigger Cap Formulation

The trigger cap amount will be within the range of hard caps established under Alternative 2.

Component 2: Sector Allocation

Sector allocations are equivalent to those under consideration for hard caps.

Component 3: Sector Transfer

Option 1) Transfer salmon bycatch among sectors (industry initiated)

Suboption: Limit transfers to the following percentage of salmon that is available to the transferring entity at the time of transfer:

- a) 50%
- b) 70%
- c) 90%

Option 2) NMFS will rollover unused salmon bycatch to other sectors and other cooperatives still fishing based on the proportion of pollock remaining for harvest.

The above options are mutually exclusive.

Component 4: Area options

Option 1: Areas (note all B season closures for non-Chinook)

Option 1a) Small closure

Suboption: Periodic adjustments to areas based on updated bycatch information.

Motion passed 18/0.

C-4 (b) BSAI Chinook Salmon Bycatch

The AP received a report from staff and a presentation from one industry group on progress in developing an ICA to meet the requirements outlined in the Council's June 2008 motion. The AP took no action.

C-5 Arctic FMP

The AP would like to note that Michelle Longo Eder, Commissioner, US Arctic Research Commission gave a presentation to the AP and noted that the Commission will continue to work with NPRB, Council, and NOAA to support necessary funding for research for the Arctic FMP.

The AP appreciates the outstanding efforts made by staff to develop a progressive and sophisticated analysis on Arctic Fishery Management. However, the AP recommends the Council delay sending out the document for Public Review until staff addresses the SSCs comments. This document should come back to the Council at the February 2009 meeting.

Motion passed 16/1.

C-7 Groundfish Specifications

The AP recommends the Council adopt the proposed GOA specs for 2009-2010 OFLs and ABCs as noted in the action memo C-7 (b) (3).

Set the 2009 and 2010 GOA proposed specifications where TAC is equal to ABC for all stocks with the following exceptions:

The Pcod TAC is reduced according to the action memo (page 2) to account for the apportionment to the State waters fishery in 2009 and 2010.

Roll over the 2008 TAC for 2009 and 2010 for:

- a. Shallow water flatfish and flathead sole in the Central and Western GOA
- b. Arrowtooth flounder for all areas
- c. Other slope rockfish in the EYAK/SEO
- d. GOA Atka mackerel
- e. GOA other species

Motion passed 16/0

Additionally, the AP recommends the Council adopt the proposed GOA halibut PSC apportionments, annually and seasonally, for 2009-2010 as noted in the action memo C-7 (b) (4).

Motion passed 14/0

The AP recommends the Council adopt the BSAI OFL, ABC and TAC recommendations for 2009-2010 as included in the attached sheet. *Motion passed 14/1/1.*

Further, the AP recommends the Council adopt 8A, 8B and 8C – Apportionments of PSC allowances in the BSAI.

The AP recommends the council adopt the halibut discard mortality rates as noted in table 9 of the action memo. Further, the AP recommends that the Council change the release date for halibut apportioned to the BSAI rockfish fishery to April 15. *Motion passed 14/1.*

D-2 Miscellaneous Groundfish issues**(b) BSAI Fixed Gear Parallel fisheries**

The AP recommends the Council proceed with analysis on the proposed problem statement and elements and options with the following additions:

- Extend Option 1 to apply to vessels that hold either LLPs *or* FFPs.
- Discuss appropriate time period for surrendering Federal permits.
- Revise Option 3 to state that IFQ permit holders would not be eligible to fish their IFQ on board any CP that fishes in the BSAI Pacific cod parallel waters fishery during a given calendar year or other time period specified by the Council.

Motion passed 17/0

The AP would like to state that while there may be some value in this action, there are much bigger issues regarding parallel fisheries that the Council should identify and devote resources to. *Motion passed 17/0.*

(c) BS Bottom trawl sweep requirements

The AP recommends that the purpose and need statement reflect that the Council intends to evaluate potential gear modification measures for non-pelagic trawl gear used to target flatfish. Research has suggested that these modifications may allow efficient harvest operations while reducing the impact of trawl sweeps on the seafloor. Further, the flatfish industry has identified an area east of St Matthews Island (now referred to as the 'wedge'), now closed as part of the Northern Bering Sea Research Area, as important to the fishery due to industry report of high concentrations of flatfish and low concentrations of other bycatch species. Therefore, the Council will consider exempting the flatfish fishery from the closure of that portion of the Northern Bering Sea Research Area, or removing that portion from the NBSRA. This action is needed to ensure fishers can efficiently harvest flatfish as flatfish stocks are likely to shift locations in the Bering Sea.

Motion passed 15/0.

The AP notes that there may be a discrepancy on the position of the Eastern border of the St. Matthew's Habitat Conservation Area and the Western border of the 'wedge.' The AP recommends that Council direct staff to review these boundaries with regard to the Council intent at the time of final action. *Motion passed 15/0.*

The AP recommends that the Council endorse the inclusion of a housekeeping change to the FMP as part of the proposed amendment. *Motion passed 15/0.*

The AP recommends that the Council direct industry to work with NMFS Enforcement personnel to address practicable enforcement of the regulations associated with this action. *Motion passed 15/0.*

(d) Pcod area split

The AP recommends that the staff develop this issue for initial review. The AP would like this amendment to be scheduled for final action along with the BS/AI cod split for the 2010 year. Further, AP recommends that the Council establish a BSAI cod split allocation committee and charge that committee with creating allocation neutral proposals for fishing under a BSAI cod split. *Motion passed 15/0/1.*

(e) Amendment 80 vessel replacement

The AP recommends that the Council direct staff to develop an analysis of recommended changes to FMP text and regulatory language to address lost vessels in the Amendment 80 program.

Motion passed 15/0.