

MEMORANDUM

TO: Council, SSC and AP Members
FROM: Clarence G. Pautzke
Executive Director
DATE: January 27, 1997
SUBJECT: Gulf of Alaska Groundfish Issues

ESTIMATED TIME
5 HOURS

ACTION REQUIRED

- (a) Summary of BOF/Council consultation related to groundfish
- (b) Review discussion paper for rolling closures during sablefish longline survey

BACKGROUND

(a) BOF/Council consultation related to groundfish

On February 4, 1997, the Alaska Board of Fisheries and Council will meet in joint session to discuss management of groundfish in State and Federal waters. The Council has been concerned with the development of new State-initiated fisheries in the Gulf, particularly for Pacific cod. At a joint committee meeting of the Board and Council on January 19, 1997, a draft joint protocol was prepared for the Board and Council to review at their February 4, 1997 joint session (item D-2(a)). Additional materials are in the separate briefing book prepared for the joint meeting.

(b) Rolling closures for sablefish longline survey

At the December 1996 meeting, the Council initiated an analysis to examine a rolling closure to trawl and longline vessels during the spring sablefish longline survey. The IFQ Industry Implementation Team has recommended the Council consider rolling closures for the last several years. The Team has been concerned since the IFQ program was initiated that fishing effort during the sablefish longline survey under an extended IFQ season may significantly impact survey results. Efforts to minimize fishery interactions by a two-year program of voluntary compliance to avoid survey stations has not been entirely successful. Since the effects on the survey cannot be scientifically quantified and recent stock assessments indicate a continuing downward trend in stock abundance, the Team recommended that the Council initiate an analysis of rolling closures to longline and trawl vessels during the sablefish survey. The Team suggested that the trawl fleet be consulted in the preparation of the analysis.

NMFS staff has prepared a discussion paper of alternative closure scenarios under Agenda D-2(b).

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JOINT PROTOCOL

BETWEEN

NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)
ANCHORAGE, ALASKA

and

ALASKA BOARD OF FISHERIES (BOF)
JUNEAU, ALASKA

ON

MANAGEMENT OF FISHERIES
OFF ALASKA

Recognizing that NPFMC has a legal responsibility for reviewing and recommending to the Secretary of Commerce measures for the conservation and management of the fisheries of the Arctic Ocean, Bering Sea, and Pacific Ocean seaward of Alaska, with particular emphasis on the consistency of those measures with the National Standards of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act); and

Recognizing that the State of Alaska has a legal responsibility for conservation and management of fisheries within State waters; and further, that the State system centers around BOF policy, regulations, and procedures which provide for extensive public input; is sufficiently structured to ensure annual revisions; is flexible enough to accommodate resource and resource utilization emergencies; and is understood and familiar to the users of North Pacific fisheries resources; and

Recognizing that many of the fish populations in the Gulf of Alaska and the Bering Sea and Aleutian Islands migrate freely between or spend some of the year in both Federal and State waters; and

Recognizing that State and Federal governmental agencies are limited in fiscal resources, and that the optimal use of these monies for North Pacific fisheries management, research, and enforcement occurs through a clear definition of agency roles and division of responsibilities.

Therefore, NPFMC and BOF enter into this Joint Protocol to achieve coordinated, compatible, and sustainable management of fisheries within each organization's jurisdiction in the Gulf of Alaska and the Bering Sea and Aleutians.

I. Applicable Fisheries

This Joint Protocol applies to all fisheries off Alaska of mutual concern.

II. Duration of the Agreement

This agreement shall be reviewed by both NPFMC and the BOF and revised as necessary.

III. NPFMC and BOF shall undertake the following activities:

- A. NPFMC and BOF shall jointly agree upon and implement an annual management cycle that provides for coordinated, compatible, and sustainable fisheries management in State and Federal waters. Management measures shall be consistent with the national standards of the Magnuson-Stevens Act, with the laws of the State of Alaska, and with all other applicable laws. ** intent will be "as appropriate" Resp. Laws to Resp. bodies*
- B. With regard to groundfish, the annual management cycle shall have the following elements:

- 1. The NPFMC and BOF will endeavor to coordinate their proposal schedules to the greatest extent practicable.
- 2. The NPFMC will provide the BOF with the latest stock assessment information shortly after the NPFMC's September meeting, noting any special management or conservation concerns with individual groundfish fisheries. The NPFMC will also review fisheries management proposals that it receives that could have *impacts* on State programs and forward such proposals to the BOF for consideration at an appropriate BOF meeting. The NPFMC will provide all available information concerning such proposals and will identify particular issues that should be analyzed before taking final action.

(Note: The word "impacts" in paragraph 2 and the words "mutual concern" in paragraph 3 still need working definitions and criteria. Also, the BOF and NPFMC will need to determine if each body will be responsible for identifying proposals that may be of interest to the other body, or will this be a joint effort tasked to the joint committee identified in paragraph C below?)

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- 3. The BOF at its fall meeting will review groundfish proposals. Those proposals identified as being of *mutual concern* to both the BOF and NPFMC, will be forwarded to the NPFMC for consideration at its December meeting. The BOF will provide any information available concerning the proposals, and will identify particular issues that should be analysed before taking final action.
- 4. In December the NPFMC will review stock assessments, set acceptable biological catch and harvest limits, consider proposals and other information received from the BOF, and task staff with developing a discussion paper on potential impacts of the proposals if adopted.
- 5. Final action by the BOF will occur at their next groundfish meeting following the February joint meeting with the NPFMC. After a BOF final decision, the BOF shall adopt findings explaining the basis for the regulation. This provision shall not apply to emergency regulations, however, justification should be provided to the NPFMC in a timely manner, not less than ten days after the emergency action.
- C. A joint NPFMC-BOF committee, not to exceed three members from each body, will be formed and meet in January and at other times as necessary to review available analyses, proposals, and any other matters of mutual concern, and to provide recommendations to the joint NPFMC and BOF.
- D. The NPFMC and BOF will meet jointly in Anchorage each February to consider proposals, committee recommendations, the analysis, and any other issues of mutual concern. All interested persons and agencies shall have the opportunity to submit comments to the NPFMC and BOF at these meetings on proposals identified as being of mutual concern, and other matters as appropriate.
- E. NPFMC and BOF shall encourage ADF&G and NMFS, in carrying out their responsibilities, to consult actively with each other, with NPFMC and BOF, and other agencies as appropriate, in order to prevent

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duplication of research, management, and enforcement effort and to make optimum use of the resources available for management of the fisheries.

- F. The intent of this protocol is to provide long term cooperative, compatible management systems that maintain the sustainability of the fisheries resources in State and Federal waters.

Approved:

For the North Pacific Fishery Management Council

For the Alaska Board of Fisheries

Council Chairman

Board of Fisheries Chairman

Date

Date



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

AGENDA D-2(b)
FEBRUARY 1997

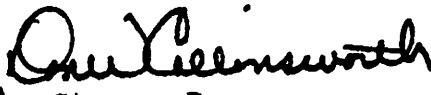
January 24, 1997

Mr. Richard B. Lauber
Chairman, North Pacific
Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, Alaska 99501-2252

Dear Rick:

At the December meeting the Council passed a motion for NMFS to prepare an EA/RIR for a rolling fishery closure around the sablefish longline survey. The EA/RIR is in the process of being drafted. In the meantime, NMFS has prepared a draft discussion paper outlining a proposed rolling closure for the annual sablefish survey. The draft discussion paper, including a table and map of an example rolling closure, is enclosed to facilitate discussion of this proposed action, scheduled as Item D-2(b) on the Draft Agenda for the February Council meeting.

Sincerely,


Steven Pennoyer
Administrator, Alaska Region

Enclosure



Discussion: Proposed rolling closure around sablefish longline survey

Problem:

A sablefish longline survey is conducted annually in the Gulf of Alaska and in alternate years in the Aleutian Islands and Bering Sea. The survey is the primary data source used to recommend the sablefish ABC. The derby seasons before IFQ implementation in 1995 closed weeks ahead of most of the survey. The eight-month IFQ fishery overlaps the survey. The rockfish trawl fishery also may interact with the survey.

Fishing nearby survey stations may lower survey catch rates. To avoid this bias, NMFS requested that sablefish fishermen voluntarily avoid survey areas during and shortly before they were surveyed. Several means were used to notify fishermen including letters to all sablefish IFQ holders and several trawl representatives, SSB radio broadcasts of the current survey area and an article in the Alaska Fishermen's Journal.

Some members of two gear groups, trawlers and catcher longliners, fished near survey stations in 1995. Trawling encounters were much less in 1996 due to a survey schedule change and industry cooperation. Although several trawlers fished nearby survey stations in 1996, their retrieval positions usually were shallower or between stations. In contrast, catcher longliner encounters recurred in 1996. This was a particular problem off Baranof and Chichagof Islands both years. It appears that a voluntary closure is not working for catcher longliners and that a regulatory closure is necessary. Encounters with freezer longliners occurred in the Aleutian and Western areas in 1996, but not 1995; the encounters in 1996 may be due to the earlier survey schedule and no direct communication between NMFS and this industry group about the longline survey. These freezer longliners apparently had recently finished their turbot season and were taking ITQ sablefish.

December Council Action

At the December meeting the Council passed a motion to have an EA/RIR (environmental assessment/regulatory impact review) prepared for a rolling fishery closure around the sablefish longline survey. This action was recommended by the IFQ Implementation Team and a number of longline groups, as well as a number of individual longline fishermen. It is believed the intention of the action was for this closure to apply to all gear types.

Longline groups called for the closure because of continued lack of cooperation of a few longliners. Trawl groups have cooperated to avoid survey stations, primarily by fishing shallower and between stations, but we cannot be certain that such fishing does not affect survey catch rates. A rolling closure may significantly affect the trawl fishery, which, unlike the nearly year-around flexibility of the IFQ sablefish fishery, is subject to several factors (short seasons, multiple species, different gear/area groups, etc.) which can result in domino effects, some of which will be unforeseen.

Options

1. Status Quo

2. 1988 rolling closure

- a. Simple area specifications (see NMFS Example Closure for discussion)
- b. Alternative time/area specifications

Example Closure

The attached table and map are an example for discussion which NMFS feels would be sufficient to prevent bias to the survey. The closed areas extend along latitude or longitude lines throughout federal waters and are large to simplify enforcement. Closing an entire area may not be necessary as the survey primarily is conducted on the slope, particularly if a critical fishing area can be adequately defined and left open to fishing without affecting the survey. NMFS wants industry advice on time/area closures that will minimize trawl fishery impacts and maintain survey integrity. Contact Jeff Fujiocka (Ph: 907-789-6026, Fax: 907-789-6094, e-mail: Jeff.Fujiocka@noaa.gov) or Mike Sigler (Ph: 907-789-6037, Fax: 907-789-6094, e-mail: Mike.Sigler@noaa.gov).

Area	Position	Dates
Western Gulf	164°00'W - 159°00'W	May 15-26
Western Gulf	170°00'W - 164°00'W	May 21-31
Bering	170°00'W - 167°00'W	May 25 - Jun 4
Bering	South of 53°50'N	June 1 - June 14
Bering	59°00'N - 56°00'N	June 9 - June 19
Bering	56°00'N - 55°00'N	June 12 - June 29
Central Gulf	159°00'W - 154°30'W	June 21 - Jul 5
Central Gulf	159°30'W - 150°00'W	June 29 - Jul 20
Central Gulf	150°00'W - 147°00'W	Jul 11 - Jul 25
West Yakutat	147°00'W - 143°00'W	Jul 17 - Aug 2
West Yakutat	143°00'W - 140°00'W	Jul 23 - Aug 5
East Yakutat	140°00'W - 137°00'W	Jul 26 - Aug 11
East Yakutat	137°00'W - 56°30'W	Aug 3 - Aug 21
East Yakutat	56°30'W - 54°00'W	

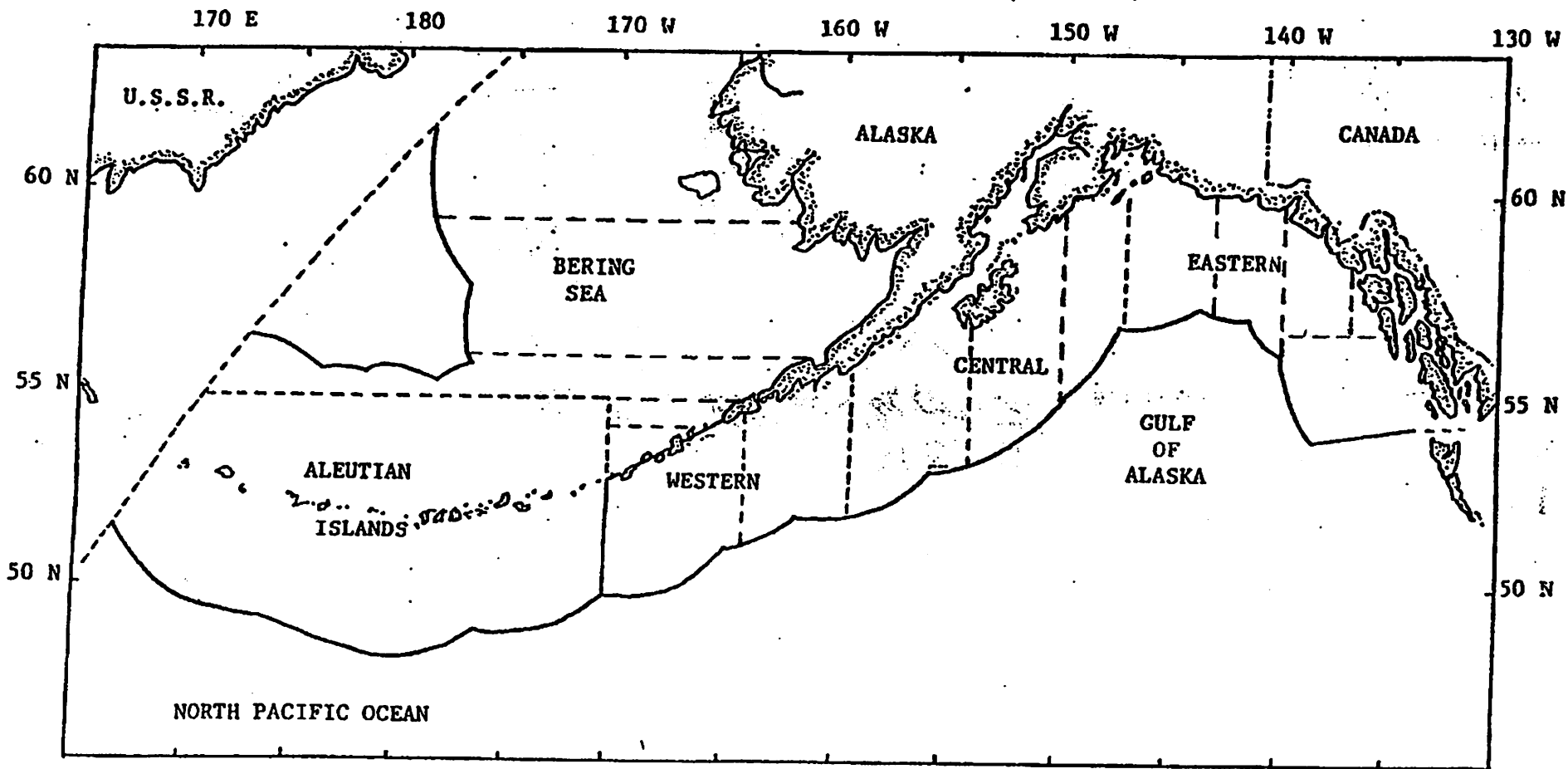


Fig. 1 Major regulatory areas of the Bering Sea and Aleutian Islands Groundfish and Gulf of Alaska Groundfish FMP's.

**Comparison of Council and Board Annual Groundfish Cycles
1997 - 1998**

<u>1997</u>	<u>Council</u>	<u>Board</u>
April		Board deadline for proposals is April 10
June	Solicit proposals in newsletter following June 18-22 Council meeting in Kodiak	
August	Deadline for proposals: August 15. (47 were received in 1996.) Plan teams meet August 25-29 to rank proposals and prepare preliminary stock assessment documents (SAFEs).	
September	Council meets September 24-28 in Seattle. Reviews proposals and selects those to be analyzed. (In 1996, this review was postponed until December.) Council highlights those proposals that should be brought to the Board's attention. Council also approves preliminary SAFEs for public review.	
October		Board holds work session October 21-23 in Girdwood. Receives Council staff briefing on management activities, proposals, and stock assessments, and also may hold Board-Council committee meeting to inform each other of activities. Board also highlights those proposals that should be brought to the Council's attention.
November	Public review of initial harvest specifications. Teams meet to update SAFEs. Analysts begin to lay out proposal alternatives and analysis.	Board meets November 4-14 in King Salmon on Bristol Bay finfish.

December Council meets December 10-14 in Anchorage and makes final decision on harvest levels. Council also discusses proposals and other information forwarded by Board and directs staff to develop impact information by February meeting.

1998

January Council-Board committee meets to consider cross-jurisdictional issues and highlighted proposals. Board meets January 6-19 in Anchorage on Alaska Pen & Aleutian Islands finfish.

February Council meets with Board on February 2-3 and then continues alone on February 4-8 in Anchorage. Amendment analysis continues. Board meets with Council on February 2-3 in Anchorage and then continues alone on February 4-15 on statewide finfish regulations.

March Advance review of analyses by SSC and AP. Final Board decisions become effective for 1998 season. Their approved findings are forwarded to the Council.

April Council meets April 22-26 in Anchorage and reviews analyses. Approves for public review.

May Public review of amendment packages.

June Council meets June 17-21 in Dutch Harbor and considers final approval of amendments.

July + Amendment packages sent to Secretary for review. Intent is to have effective at the beginning of the coming year, thus completing the amendment cycle of about 18 months from call for proposals.

1999

January

Final Council decisions from June
take effect for 1999 if all goes
according to schedule.