

# North Pacific Fishery Management Council

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Approved John Bruce

Date 02 08 00

## ADVISORY PANEL MINUTES December 6-9, 1999 Anchorage Hilton Hotel, Anchorage, AK

### Advisory Panel members in attendance:

Alstrom, Ragnar	Gundersen, Justine
Benson, Dave	Jones, Spike
Blott, Tim	Jordan, Melody
Bruce, John (Chair)	Kandianis, Teresa
Burch, Alvin	Madsen, Stephanie (Vice-Chair)
Cross, Craig	Nelson, Hazel
Falvey, Dan	Ogden, Doug
Fanning, Kris	Stephan, Jeff
Fuglvog, Arne	Ward, Robert
Fraser, Dave	Yeck, Lyle
Ganey, Steve	

### C-1 American Fisheries Act

#### **Emergency Rule #1: Single Geographic Location Requirement**

The Advisory Panel recommends the Council request that National Marine Fisheries Service modify the language regarding the single geographic location in the AFA Emergency Rule to allow shoreside floating processors the opportunity to change locations once each year. The intent would be to mirror the inshore/offshore rule on single geographic location. This rule mandates that a floating processor must remain in the same location where it begins processing at the start of each year.

Motion passed 18-0.

#### **Emergency Rule #2: Calculation of Groundfish and Prohibited Species Catch Sideboards**

##### **1700 MT Exemption**

The Advisory Panel ultimately voted to recommend to the Council that there be no exemptions for either Bering Sea Cod or in the Gulf of Alaska, as approved in June or any alternatives presented at this meeting.

Motion passed 12-7-1.

In keeping with Council policy, below are listed the motions that failed by a close margin:

1. *Bering Sea Cod. For an AFA catcher vessel to be eligible for the 1700mt exemption, it would have to meet the following additional prerequisites:*
  - a. *Be less than 125 feet in length*
  - b. *The catcher vessel had a minimum of 30 cod landings in the directed fishery for Bering Sea cod over the period of 1995, 1996, and 1997*
  
2. *Gulf of Alaska. For an AFA catcher vessel to be eligible for the 1700 mt exemption, it would have to meet the following additional prerequisites:*
  - a. *Be less than 125 feet in length*
  - b. *The catcher vessel had a minimum of 40 groundfish landings in the Gulf of Alaska over the period of 1995, 1996, and 1997*
  
3. *Catcher vessels that meet the requirements of being an exempt vessel shall be treated by NMFS, in those fisheries to which the exemption applies, as a non-AFA vessel. The catch history of the exempt vessel (in the fishery to which the exemption applies) will not be included within the AFA cap for that fishery and the harvest of the exempt vessel will not be counted against the AFA cap. The AP further requests the opportunity to review this action in one year.*

*A motion to amend the above motion to delete exemptions in the Gulf of Alaska failed 9/10.  
The original motion failed 8/11.*

*Two attempts were made to reduce the Gulf of Alaska threshold:*

- *1200 mt (failed 3/15)*
- *750 mt (failed 5/14)*

#### **679.61 Inshore Pollock Co-operatives**

The Advisory Panel recommends the Council substitute the following language:

“(4) provisions that require co-operative members to comply with the ‘traditional harvest level’ restrictions of Section 211 (c) (1) (a) of the Act, as the same may be implemented by the Council and National Marine Fisheries Service from time to time.”

In addition, the text above would substituted for the relevant operative language of Section 679.6 (c)(4), mothership and catcher/processor cooperatives.

Motion passed 18-0.

The Advisory Panel also requests the Council or NMFS provide a supplemental analysis between now and February to examine implementing sideboards based on retained catch or total catch for all sectors with particular reference to how it would impact the amount of sideboard available for directed fisheries and impacts on regulatory discards. The AP requests this information in order for the Council to comment with full information on the AFA proposed rule at the February meeting.

Motion passed 12/2/4.

**C-2 Essential Fish Habitat**

The AP recommends the Council request an extended comment period on the EFA interim final rule. Motion passed 20/0.

**C-3 Halibut Charterboat Management**

The AP recommends the Guideline harvest level (GHL) analysis be released for public review with the following changes:

*Chapter 1*

- Add to list of management measures
  - A prohibition on charter skippers and crew-fishing and retention;
  - Possession limits reduction
  - Prohibitions on using downriggers
- Add a provision to manage the GHL based on a 3-5 year weighted and regular rolling average
- Eliminate the option of closing the charter fishery in-season once the GHL is reached
- Tie the GHL as an allocation and the sportfish banking reserve together as an option

*Chapter 2*

- Add information on rod hours to catch a halibut for charter and non-charter anglers for past 6 years

*Chapter 3*

- Review in more depth existing information from 1997 GHL analysis, the Glacier Bay analysis, and other sources of baseline data for area 2C
- Add to figure 3.20 area 2C and 3A specific halibut harvests by sector, rather than by state-wide
- Reference preliminary data on 1999 charter harvest by area and commercial ex-vessel price information
- Add description of taxes each sector pays and the effect of these taxes on social structures in communities
- Provide a summary table which clarifies how the economic components presented are being used and what comparable components are for the other sector. For example:

Component, figure or table	Data Source	Caveats	Relevance in evaluating economic impacts (economic activity, impact, or net benefit)	Relevance in evaluating social impacts	Relevance in evaluating alternatives	Comparable data in analysis for other sectors (longline, charter, clients, consumers)

- add current IPHC staff recommendations to update the biomass projections and the 2000 quota recommendations

*Chapter 4*

- Add comparable economic multipliers for commercial sector
- Expand QS net benefit discussion to include estimates of rents and impacts of status quo on value of QS
- Either refine the participation rate model to differentiate between catch and catch and release fish or eliminate from analysis

## *Chapter 6*

- Expand alternative 1 to reflect the impact of status quo on new entrants ability to meet existing loans
- Consider the effect of status quo on the process of developing LAMPs, moratoriums, and other efforts to address the problem statement
- Add discussion on the effect of setting GHIL as a fixed number of fish given the current high abundance and age composition of halibut stocks
- Reconcile estimates of participation impacts associated with bag limit reductions with current catch and release behavior
- Review effects of bag limit management in other fisheries including catch and release fisheries
- Provide information on the SE AK king salmon and ling cod sport fishery which shows:
  - Frequency and lead time associated with bag limit changes
  - ADF&G's expected effectiveness of bag limit changes at reducing harvest
  - # of clients using charter over past 6 years, and in season changes pre and post bag limit changes
- Summarize in a table the management measures identified and their relative ability to constrain harvests to the GHIL and to address issues identified in the problem statement
- Include a discussion about the ability of the charter industry to harvest the GHIL in times of reduced biomass

Motion passed 18/0

### **C-4 Steller Sea Lions**

The AP recommends the Council request NMFS to provide a public presentation on the ongoing and planned research projects.

Additionally, the AP requests NMFS provide a status report on the process for Section 7 consultation efforts with federally recognized tribes.

Motion passed 14/0.

### **C-5 Pacific Cod LLP**

The Advisory Panel recommends the Council not proceed with an additional option separating out the P.cod pot catcher/processors from pot cod catcher vessels to its cod species/ gear endorsement analysis. Motion passed 9/8.

Additionally, the AP recommends the Council initiate a trailing analysis separating P.cod pot catcher processors from pot cod catcher vessels on a separate track from LLP.

Motion passed 13/3/1.

### **Grandfather Provisions:**

The AP recommends the Council incorporate potential grandfather provisions in the LLP analysis to be brought back in February.

Motion passed 16/0/1.

### **C-7 Halibut Subsistence**

The AP recommends moving forward with the subsistence halibut analysis as outlined with the following changes:

1. Change option 4 to read as follows:

**Option 4: Customary and traditional trade of subsistence halibut**

Sub-option 1: Customary and traditional trade through monetary exchange shall be limited to an annual maximum of:

1. \$0
2. \$200
3. \$400
4. \$600

Sub-option 2: Customary and traditional trade through non-monetary exchange is allowed with

1. Other Alaska Tribes
  2. Any Alaska rural resident
  3. Any Alaska resident
  4. Anyone
2. Add to option 5 a sub-option of no daily bag limit
  3. Update and revise existing analysis to discuss recent changes in subsistence management , federal policy, relevant court cases, and the roll of other public subsistence management boards.
  4. A discussion of existing co-management arrangements and the applicability of these models to data gathering, LAMPs, catch, monitoring, and enforcement of halibut subsistence.

Motion passed 18-0.

**D-1 (a, b) Bering Sea Groundfish Specifications 2000**

Final BSAI Groundfish Specifications for 2000

a. The AP recommends the Council approve the 2000 BSAI EA and Final Stock Assessment and Fishery Evaluation (SAFE) report.

Motion passed 18-0.

Acceptable Biological Catch (ABC's) and Total Allowable Catch (TAC's)

b. The AP recommends the Council adopt the SSC's ABC's listed in Attachment 1.

Motion passed 18-0.

The AP recommends the Council adopt the SSC's 2000 ABC's as the 2000 TAC's: except for the Aleutian Islands and Bogoslof pollock; yellowfin sole; rocksole; flathead sole; and other flatfish (see attachment 1).

b.2. Seasonal apportionment of the fixed gear Pacific cod TAC

The AP recommends the Council adopt the following TAC apportionment (see attachment 2).

January 1 - April 30	65,000 mt
May 1 - August 31	0 mt (passed 11/9)
September 1 - December 31	26,048 mt

Motion passed 10/6.

*A motion failed 8/11 which would amend the above motion to set apportionments at*

<i>60,000 mt</i>	<i>1st trimester</i>
<i>0mt</i>	<i>2nd trimester</i>
<i>31,048</i>	<i>3rd trimester</i>

The AP recommends the Council adopt the halibut mortality for fixed gear P.cod listed in attachment 2.  
Motion passed 19/0.

b.3. The AP recommends the Council adopt the 2000 BSAI trawl fisheries Prohibited Species Catch as listed in attachment 2.  
Motion passed 19/0

#### **D-1 (c, d, e) Gulf of Alaska Groundfish Specifications for 2000**

c. The AP recommends the Council adopt the 2000 GOA EA and Stock Assessment and Fishery Evaluation (SAFE) document.  
Motion passed 19-0.

#### d. ABC's and TAC's for GOA

The AP recommends the Council adopt the SSC's 2000 ABC's for the GOA. (see attachment 3)  
Motion passed 19/0.

The AP recommends the Council adopt the ABC's as TAC's with adjustments noted on attachment 3 for the flatfish complex, pollock, and Pacific cod.  
Motion passed 17-1.

#### PSC's

The AP recommends the Council adopt the PSC limits for halibut as listed in attached chart for trawl gear and hook and line. Additionally, the AP recommends the Council adopt the trawl apportionments as listed in attachment 4.  
Motion passed 19/0.

#### e. Halibut discard mortality rates

The AP recommends the Council adopt halibut discard mortality rates for BSAI as listed in table 13 and for the Gulf of Alaska as listed in table 14.  
Motion passed 19-0.

Further, the AP recommends the to the Council:

1. The Plan team and SSC standardize their procedures for setting ABC's lower than tier levels would indicate.

Motion passed 19/0.

2. Request NMFS continue to incorporate sablefish fishery catch rates in the assessment. The AP additionally requests the Council recommend to the plan team and SSC work with NMFS to address their concerns about using sablefish fishery catch rate data, including catch rate bias and catchability differences.

Motion passed 19/0.

3. Adopt the Plan team's recommendation to consider placing the "other species" assemblage on bycatch status until an FMP amendment is in place.

Motion passed 8-5.

The AP approved the minutes from the October 1999 meeting. Motion passed unanimously.