# North Pacific Fishery Management Council

John G. Peterson, 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:

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# ADVISORY PANEL MINUTES Anchorage, Alaska

September 26-28, 1988

The Advisory Panel of the North Pacific Fishery Management Council met on September 26-28, 1988 in the Anchorage Sheraton Hotel. The following members were present:

Nancy Munro, Chair	Edwin Fuglvog	Ron Peterson
Arne Aadland	Pete Granger	Jon Rowley
Terry Baker	Ron Hegge	Richard White
Al Burch	Pete Isleib	Dave Woodruff
John Crowley	Rick Lauber	John Woodruff
Mark Earnest	Dan O'Hara	Fred Zharoff

Members not present were Lamar Cotten and Barry Fisher.

The minutes of the June 20-22, 1988 Advisory Panel meeting were approved as read.

The AP voted unanimously to elect John Woodruff as Vice Chair.

John Crowley was introduced to the Advisory Panel. Mr. Crowley was appointed by the Council as an interim AP member for the September and December 1988 meetings to replace Bob Alverson who was appointed to the Council in June.

# C-2 <u>Halibut Management</u>

The AP heard a presentation on the management team and Halibut RAAG's review of halibut allocation proposals. The AP concurred with the grouping of those proposals into five categories and made the following recommendations:

1. <u>Limited access</u> - The AP voted to follow the Halibut RAAG recommendations. The majority of the AP acknowledges an urgency in the current management of the fishery and recommends that the Council begin gathering information from the industry (via questionnaires and/or workshops) on their interests and ideas on limited access. The motion carried 7 to 5. A minority report is included as Attachment 1.

- 2. <u>Gear limitation</u> The AP voted to accept the Halibut RAAG recommendation that the Council refer these proposals to the IPHC. The motion carried unanimously.
- 3. <u>Landing restrictions</u> The AP is very concerned about the quality of halibut being delivered from the derby openings and recommends that the Council do "as much as possible" to have landing laws established. The AP recommends that the Council pursue this issue with the State of Alaska (ADEC, Legislature, etc.). The motion carried unanimously.
- 4. Short openings in Area 4B Contrary to the Halibut RAAG, the AP recognizes this as an allocative proposal, given that existing regulations require vessel clearances and hold inspections for boats not landing their entire annual catch in Area 4B. The AP recommends that the Council forward this proposal for analysis and public review during the current cycle. The motion carried unanimously.
- 5. <u>Trip limits in Area 4C</u> The AP voted to accept the Halibut RAAG recommendation that the Council forward this proposal for analysis and public review. The motion carried unanimously.

# C-3 Sablefish Management

The AP heard the staff report and extensive public testimony about different management systems for sablefish.

The AP voted on two motions:

- 1. To recommend that the Council adopt a license limitation system. That motion failed 7 to 11.
- 2. To recommend that the Council continue with open access. That motion tied 9 to 9.

The AP then conducted an informal tally with each member choosing their first, second, and third alternatives. If a member could support only one alternative, they would state that sole alternative. The purpose of this tally was to see if we would reach consensus around any one alternative. The tally indicated that 7 of 18 AP members consider open access their first and only choice. Nine members chose one of the other options as their first choice. IQs and license systems were more popular than the multi-species longline system.

#### D-3 Gulf of Alaska Groundfish FMP

## Amendment 17a - Sablefish Season Dates

The AP recommends the Council maintain a single season for the sablefish fishery. The motion carried 14 to 1.

The AP heard public testimony and discussed several points in reaching this decision.

- 1. Bycatch of halibut The original idea behind the split season was to reduce bycatch of halibut during the spring. Although the staff analysis indicates that the bycatch of halibut declines between the spring and fall, the staff described the data as inconclusive since it is based largely on the foreign fishery which is difficult to calibrate to the current domestic fishery. Furthermore, if the sablefish season was split, it appears some fishermen would target on Pacific cod in the spring and thereby increase halibut bycatch.
- 2. Quality The AP heard conflicting testimony from industry on the relative quality of sablefish in the spring versus the fall. Some observers reported that flesh quality, or the amount of meat per fish frame, was better in the fall, others disagreed.
- 3. Safety Industry testimony confirmed the staff analysis that weather is worse in the fall and many fishermen expressed their concern about safety with a fall fishery.

Due to the lack of data on this issue, the AP encourages the Council to either conduct a new survey or adapt the current longline survey to provide time-sensitive data on halibut bycatch in the sablefish fishery and on sablefish quality and yield. The motion carried unanimously.

#### Resource Assessment Document

The AP recommends that the Council send the Plan Team's recommendations for 1989 ABCs out for public review. The AP declined to recommend preliminary TACs since the underlying ABCs are subject to change between now and the December meeting. The motion carried unanimously.

# D-4 Bering Sea/Aleutian Islands Groundfish FMP

#### Amendment 12a - Bycatch Controls

The AP examined the four options for bycatch controls outlined in the EA/RIR and found each of them unacceptable. After industry testimony and much discussion the AP agreed on the framework of a solution for the 1989 and possibly 1990 seasons. The main points of the framework (see Attachment 2) are:

- 1. Establish a framework procedure for setting bycatch.
- 2. Aggregate the trawl fisheries into DAP and JVP trawl for 1989.
- 3. Direct NMFS to design a bycatch system which could account for more specific target fisheries and report to the Council at the June 1989 meeting.

- 4. Keep the crab and halibut protection zone closed (160° to 162° W., south of 58° N.), except for the Port Moller 25 fathom exemption for DAP Pacific cod trawling.
- 5. Divide the bycatch limit of halibut or crab between DAP and JVP based on their apportionment of TAC.
- 6. (a) Close Zones 1 and 2 when the bycatch limit of <u>C. bairdi</u> is caught.
  - (b) Close Zone 1 when the bycatch limit of red king crab is caught.
- 7. Direct the Regional Director to use discretionary authority to allow specific "clean" trawl fisheries to continue fishing in closed areas, except for the crab and halibut protection zone.

## The motion carried unanimously.

The AP then voted on specific levels of bycatch for the following crab species:

C. bairdi 456,000 animals in Zone 1 1,858,000 animals in Zone 2

Red king crab 135,000 animals

These numbers were calculated by comparing the crab population estimates for 1985 and 1988 and applying the factor of population change to the bycatch limits agreed on in Amendment 10. The motion carried 11-5.

The AP voted separately on the following halibut bycatch limit:

Halibut 3,500 mt

When 50% of the halibut bycatch limit is reached in any one area, that area will be closed.

The halibut bycatch limit was set by comparing the historic bycatch up to 1986 which was reported at 2,600 mt, the preliminary estimate of 1987 bycatch which is 3,000 mt, and the Bycatch Committee negotiated amount of 3,900 mt. The closure decision is based on the even distribution of halibut through the zones and conservation. The motion carried 9 to 6.

Minority Report on Amendment 12a - Bycatch Controls. The AP majority generated its recommendations for crab bycatch numbers by comparing the estimates of crab populations in 1985 and 1988. A factor which represents the change in crab population was then applied to the Amendment 10 bycatch limits. We think that is a mistake since the Amendment 10 bycatch numbers were based solely on the needs of the joint venture yellowfin sole and "other flatfish" fisheries. In 1988 many other DAP fisheries may require crab bycatch and it seems pointless to base these numbers on ancient joint venture only needs.

We agree with the concept promoted by the Bycatch Committee that bycatch limits should fluctuate as a percentage of the bycatch species biomass. Although we do not recommend any particular percentage, we note that the scientists have labeled the 1% figure as biologically insignificant and impossible to measure.

Finally, we would like to register our concerns with the micro management bycatch system advocated by the Ad Hoc Bycatch Committee. We believe that the implementation of this system will require time, talent, and money to be dedicated to tracking "paper fish". As a result of this experience, will we increase our understanding of the resource? No. Will we reduce waste? We doubt it. Will we increase efficiency? No. All we really accomplish is setting up an elaborate accounting system which, without observers, will be based on numerous untestable assumptions. Frankly, we believe the money should be spent on research which would improve our understanding of the fisheries.

Signed by: Nancy Munro, Al Burch, Pete Grange, and Arne Aadland.

#### Resource Assessment Document

The AP recommends that the Plan Team's recommendations for ABCs be sent out for public review. The AP declined to recommend TACs at this time recognizing that the data in the RAD may change between now and the December meeting. The AP also recommends that the Council send out the PSC limits in the RAD for public review, but expressed concern over the small numbers, particularly for sablefish and POP. The motion carried unanimously.

## Emergency Request to Address Sablefish Bycatch Issues

The AP recommends that the Council take emergency action to change the definition of "directed fishing" for sablefish in the Bering Sea/Aleutian Islands from 20% to 4%. The AP believes the Council should take emergency action due to the conservation concern indicated by the reduced ABC. The motion carried 11 to 2.

Major points of the discussion included:

#### Pro:

- 1. The directed fishery closed early in 1988 due to anticipated bycatch needs in the Bering Sea.
- 2. Other target fisheries do not require 20% bycatch of sablefish.
- 3. Even at 4%, the bycatch of sablefish in other groundfish fisheries may severely limit the target fishery for sablefish.

#### Con:

1. The small amount of sablefish available in the Bering Sea should not be expected to support a target fishery, but is needed to prosecute other groundfish fisheries.

2. Some fisheries (e.g., for greenland turbot) may require more than 4% sablefish bycatch.

The AP recommends that the Council not take emergency action on the allocation portion of this request. The AP recommends that the proposed allocation of the directed fishery by gear type be reviewed in the regular amendment cycle. The motion carried 10 to 2.

MINORITY REPORT
ADVISORY PANEL - NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

Agenda C-2 - Halibut Management Category 1 - Limited Access

If implemented, the Advisory Panel's recommendation that preliminary or exploratory consideration be given to limited entry in the halibut fishery will squander needless amounts of time and energy to try to address problems that could better be solved by other means.

When halibut limited entry was first discussed, approximately 1,000 licenses had been issued in the fishery. There are now approximately 4,000. The level of participation has grown to the point that a limited entry scheme would serve no purpose in controlling participation and would be almost impossible to implement.

We feel continued formal discussion of halibut limited entry will only waste the time and funds of the industry, the management council, and the council's staff. This time and expense could be spent much more wisely addressing the other important issues that confront our industry.

The problems of halibut quality and conservation -- which are used as a justification for continued consideration of limited entry -- could better be solved by regulations pertaining to landing restrictions and gear limitation.

We remind the council that sablefish limited entry has been in the process for over two years, and it is not over yet. We urge the council to drop this matter before time and money is committed to an issue that has been and will remain very controversial and emotional. We reiterate that time, money and energy should only be spent on confronting the other issues pertaining to the EEZ.

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### AP Consensus Framework

The AP recommends to the Council that they establish a framework procedure for setting bycatch in the Bering Sea and Aleutian Islands. For 1989 the target fisheries affected by this bycatch framework will be aggregated as DAP and JVP trawl. The AP recommends that the Council direct NMFS to design a bycatch system during 1989 which could account for more specific target fisheries as in the Ad Hoc Bycatch Committee proposal. The AP requests that NMFS report to the Council on their progress with this system at the June 1989 Council meeting so that the Council can approve action for 1990 and beyond.

During 1989 bycatch limits will be specified	d in the regulations:
f	or <u>C</u> . <u>bairdi</u>
f	for red king crab
f	for halibut
proportion to their division of TAC. If a fi will be closed. The bycatch limit for red king crab will be a in proportion to their division of TAC. If	ortioned to the JVP and DAP trawl fisheries in ishery reaches the bycatch limit, Zones 1 and 2 apportioned to the JVP and DAP trawl fisheries a fishery reaches the bycatch limit, Zone 1 will
	rtioned to the JVP and DAP trawl fisheries in If a fishery reaches the bycatch limit,
	to 162° W., south of 58° N.) will remain closed,

The AP recommends that the Council direct the NMFS Regional Director to exercise discretionary authority to allow specific trawl fisheries (such as directed fishing for mid-water pollock or POP) which have not encountered significant bycatch to continue fishing in a closed area, except for the crab and halibut protection zone.