



Advisory Panel MINUTES

December 3-7, Anchorage, AK

The Advisory Panel met Tuesday, December 3, through Saturday, December 7, 2019, at the Hilton Hotel in Anchorage, Alaska. The following members were present for all or part of the meetings (absent members are ~~stricken~~):

Christiansen, Ruth	Kauffman, Jeff	Stevens, Ben
Cochran, Kurt	Kwachka, Alexis	Upton, Matt (Co-Vice Chair)
Donich, Daniel	Lowenberg, Craig	Vanderhoeven, Anne
Drobnic, Angel (Co-VC)	Victoria O'Connell	Velsko, Erik
Gruver, John	O'Connor, Jamie	Weiss, Ernie (Chair)
Gudmundsson, Gretar	O'Donnell, Paddy	Wilt, Sinclair
Hayden, Natasha	Peterson, Joel	
Johnson, Jim	Scoblic, John	

The AP approved the Minutes from the October 2019 meeting.

C1 BSAI Groundfish Specs

AP Motion 1

The AP has reviewed the BSAI Ecosystem Status and BSAI SAFE reports and recommends the Council approve these reports.

Motion passed 19-0

AP Motion 2

The AP recommends the Council approve the TAC specifications presented by the Industry Groundfish Coalition in the attached Table 1, **except with no increase for the 2020 TAC for the BSAI sablefish stock and to hold the TAC at 1489 MT for the Bering Sea and 2008 MT for the Aleutian Islands.**

Amendment passed 12-7

Motion as amended passed 12-7

Rationale in support:

- *The SAFE chapter explains how large year-classes of sablefish have failed to materialize in the past and most recently the 2014-year class size estimate has been downgraded by more than half since the 2017 stock assessment.*
- *The lack of large fish apparent in the directed fishery and survey data indicate that the sablefish stock is heavily dependent on a young stock of fish, and it was discussed in the SSC that the sablefish stock can be carried by a handful of large recruitment events as we are now seeing. Ensuring that these year classes reach spawning maturity is paramount to the future health of the stock.*

- *There is an economic benefit for all user groups of sablefish in allowing the young stock to grow to a more marketable size.*
- *Spawning biomass of sablefish is still at B33% which is below the target goal of B40% as evidenced by the stock assessment author.*
- *Directed fishery CPUE for sablefish is very low and the model did not adequately capture this as there was a large lack of fit to fishery CPUE and trawl survey data.*
- *Public comments supported no increase in sablefish TAC from 2019 levels.*

Rationale in opposition:

- *Biological/stock concerns (including all sources of mortality) for sablefish are incorporated into and addressed under the species stock assessment and therefore reflected in the ABC level established by the SSC for 2020. Recognizing that there are some biological/stock uncertainties that are not incorporated into the stock assessment, the SSC established a buffer on the maximum permissible ABC as a precaution against those uncertainties. The established 2020 ABC represents the best available biological science for the sablefish stock. TAC amounts are not established to address biological/stock concerns. TAC amounts are meant to reflect any economic/social considerations of the directed and/or bycatch fisheries (this approach was reiterated by the Council at their October 2018 meeting) while achieving OY.*
- *Establishing an artificially low TAC amount for sablefish is not the appropriate vehicle for addressing concerns stemming from the recent increase in sablefish bycatch. Bycatch concerns are more appropriately addressed via other management tools. An artificially low TAC amount will not eliminate sablefish catches by the trawl sector, but it will force an unnecessary increase in discards, which negatively impacts the economic benefits to that sector thereby negatively affecting the overall OY available to be achieved from the stock.*
- *Advocating for a lower sablefish TAC based on conservation (stock) concerns while also requesting to be able to discard small (high grade) sablefish, focusing effort on the larger fish of the population (both the PT and SSC noted the hollowing out older age classes as a concern), under a separate agenda item is contradictory. Additionally, advocating for a lower sablefish TAC in order to keep fish in the water (to benefit future population) while also stating concerns with the directed fishery not being able to achieve their total available catch (thereby leaving larger fish in the water) is also contradictory. Artificially lower TACs in AK will not help sablefish prices to increase because the stock is caught all along the coast.*
- *The amended TAC sheet is not reflective of the collaborative work and consensus achieved from the various groundfish sectors whose shared goal is to achieve the greatest optimum yield (under the constraint of the 2 million mt cap) for the fisheries they represent. The change to the sablefish TAC doesn't total the 2 million mt cap, so OY for the BSAI groundfish fisheries is not achieved.*

Table 1 AP recommended total allowable catch amounts for Groundfish in the Bering Sea/Aleutian Islands (metric tons) for 2020-2021.

12/3/2019 12:33 PM

Species	Area	2019				Catch as of 11/2/2019	2020			2021		
		OFL	ABC	TAC			OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	3,914,000	2,163,000	1,397,000	1,406,063	4,085,000	2,043,000	1,425,000	3,385,000	1,767,000	1,450,000	
	AI	64,240	52,887	19,000	1,592	66,973	55,120	19,000	70,970	58,384	19,000	
	Bogoslof	183,080	137,310	75	8	183,080	137,310	75	183,080	137,310	75	
Pacific cod	BS	216,000	181,000	166,475	148,142	191,386	155,873	141,799	125,734	102,975	92,633	
	AI	27,400	20,600	14,214	12,954	27,400	20,600	13,796	27,400	20,600	13,796	
Sablefish	AK-Wide					50,481			64,765			
	BS	3,221	1,489	1,489	3,202	n/a	2,174	1,489	n/a	2,865	2,865	
	AI	4,350	2,008	2,008	662	n/a	2,952	2,008	n/a	3,891	2,500	
Yellowfin sole	BSAI	290,000	263,200	154,000	122,309	287,307	260,918	151,000	287,943	261,497	168,900	
Greenland turbot	BSAI	11,362	9,658	5,294	2,855	11,319	9,625	5,300	10,006	8,510	5,376	
	BS	n/a	8,431	5,125	2,681	n/a	8,403	5,125	n/a	7,429	5,125	
	AI	n/a	1,227	169	174	n/a	1,222	175	n/a	1,080	251	
Arrowtooth flounder	BSAI	82,939	70,673	8,000	9,591	84,057	71,618	10,000	86,647	73,804	10,000	
Kamchatka flounder	BSAI	10,965	9,260	5,000	4,494	11,495	9,708	6,800	11,472	9,688	7,000	
Northern rock sole	BSAI	122,000	118,900	47,100	25,497	157,300	153,300	47,100	236,800	230,700	49,000	
Flathead sole	BSAI	80,918	66,625	14,500	15,062	82,810	68,134	19,500	86,432	71,079	24,000	
Alaska plaice	BSAI	39,880	33,600	18,000	15,812	37,600	31,600	17,000	36,500	30,700	20,000	
Other flatfish	BSAI	21,824	16,368	6,500	3,756	21,824	16,368	4,000	21,824	16,368	5,000	
Pacific Ocean perch	BSAI	61,067	50,594	44,069	41,653	58,956	48,846	42,875	56,589	46,885	42,036	
	BS	n/a	14,675	14,675	13,178	n/a	14,168	14,168	n/a	13,600	13,600	
	EAI	n/a	11,459	11,009	10,324	n/a	11,063	10,613	n/a	10,619	10,619	
	CAI	n/a	8,435	8,385	8,263	n/a	8,144	8,094	n/a	7,817	7,817	
	WAI	n/a	16,025	10,000	9,888	n/a	15,471	10,000	n/a	14,849	10,000	
Northern rockfish	BSAI	15,507	12,664	6,500	9,057	19,751	16,243	10,000	19,070	15,683	10,000	
Blackspotted/Rougheye Rockfish	BSAI	676	555	279	387	861	708	349	1,090	899	424	
	EBS/EAI	n/a	351	75	82	n/a	444	85	n/a	560	85	
	CAI/WAI	n/a	204	204	305	n/a	264	264	n/a	339	339	
Shortraker rockfish	BSAI	722	541	358	355	722	541	375	722	541	375	
Other rockfish	BSAI	1,793	1,344	663	1,254	1,793	1,344	1,088	1,793	1,344	1,088	
	BS	n/a	956	275	685	n/a	956	700	n/a	956	700	
	AI	n/a	388	388	569	n/a	388	388	n/a	388	388	
Atka mackerel	BSAI	79,200	68,500	57,951	56,563	81,200	70,100	59,305	74,800	64,400	54,482	
	EAI/BS	n/a	23,970	23,970	22,802	n/a	24,535	24,535	n/a	22,540	22,540	
	CAI	n/a	14,390	14,390	14,320	n/a	14,721	14,721	n/a	13,524	13,524	
	WAI	n/a	30,140	19,591	19,441	n/a	30,844	20,049	n/a	28,336	18,418	
Skates	BSAI	51,152	42,714	26,000	17,873	49,792	41,543	16,000	48,289	40,248	16,000	
Sculpins	BSAI	53,201	39,995	5,000	5,300	67,817	50,863	5,000	67,817	50,863	5,000	
Sharks	BSAI	689	517	125	141	689	517	150	689	517	150	
Octopuses	BSAI	4,769	3,576	400	244	4,769	3,576	275	4,769	3,576	300	
Total	BSAI	5,340,955	3,367,578	2,000,000	1,904,826	5,584,382	3,272,581	1,999,284	4,910,201	3,020,326	2,000,000	

Sources: 2019 OFLs, ABCs, and TACs are from harvest specifications adopted by the Council in December 2018; 2019 catches through October 2, 2019 from AKR

AP Motion 3

The AP recommends the Council set flatfish flexibility reserves in Table 7 (provided in the Action Memo for Agenda item C1) to maximize the ABC reserves and recommends the approval of Tables 8 through 13 as provided in the Action Memo for Agenda item C1.

Motion passed 19-0

Rationale:

- *The ABSC comment letter submitted under agenda item E1 Staff Tasking was referenced during deliberations, noting the crabbers concerns regarding the perceived disparity between PSC limits and the directed fisheries.*

TABLE 7–PROPOSED 2020 AND 2021 ABC SURPLUS, ABC RESERVES, COMMUNITY DEVELOPMENT QUOTA (CDQ) ABC RESERVES, AND AMENDMENT 80 ABC RESERVES IN THE BSAI FOR FLATHEAD SOLE, ROCK SOLE, AND YELLOWFIN SOLE IN METRIC TONS

Sector	Flathead sole	Rock sole	Yellowfin sole
ABC	68,448	143,700	257,800
TAC	14,500	57,100	166,425
ABC surplus	53,948	86,600	91,375
ABC reserve	53,948	86,600	91,375
CDQ ABC reserve	5,772	9,266	9,777
Amendment 80 ABC reserve	48,176	77,334	81,598

TABLE 8–PROPOSED 2020 AND 2021 APPORTIONMENT OF PROHIBITED SPECIES CATCH ALLOWANCES TO NON-TRAWL GEAR, THE CDQ PROGRAM, AMENDMENT 80, AND THE BSAI TRAWL LIMITED ACCESS SECTORS

PSC species and area ¹	Total PSC	Non-trawl PSC	CDQ PSQ reserve ²	Trawl PSC remaining after CDQ PSQ	Amendment 80 sector ³	BSAI trawl limited access sector
Halibut mortality (mt) BSAI	3,515	710	315	n/a	1,745	745
Herring (mt) BSAI	2,532	n/a	n/a	n/a	n/a	n/a
Red king crab (animals) Zone 1	97,000	n/a	10,379	86,621	43,293	26,489
<i>C. opilio</i> (animals) COBLZ	8,580,898	n/a	918,156	7,662,742	3,766,238	2,462,805
<i>C. bairdi</i> crab (animals) Zone 1	980,000	n/a	104,860	875,140	368,521	411,228
<i>C. bairdi</i> crab (animals) Zone 2	2,970,000	n/a	317,790	2,652,210	627,778	1,241,500

¹ Refer to § 679.2 for definitions of zones.

² The PSQ reserve for crab species is 10.7 percent of each crab PSC limit.

³ The Amendment 80 program reduced apportionment of the trawl PSC limits for crab below the total PSC limit. These reductions are not apportioned to other gear types or sectors.

TABLE 9-PROPOSED 2020 AND 2021 HERRING AND RED KING CRAB SAVINGS SUBAREA PROHIBITED SPECIES CATCH ALLOWANCES FOR ALL TRAWL SECTORS

Fishery categories	Herring (mt) BSAI	Red king crab (animals) Zone 1
Yellowfin sole	110	n/a
Rock sole/flathead sole/other flatfish ¹	54	n/a
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	7	n/a
Rockfish	7	n/a
Pacific cod	13	n/a
Midwater trawl pollock	2,299	n/a
Pollock/Atka mackerel/other species ²⁻³	42	n/a
Red king crab savings subarea non-pelagic trawl gear ⁴	n/a	24,250
Total trawl PSC	2,532	97,000

¹“Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

²Pollock other than midwater trawl pollock, Atka mackerel, and “other species” fishery category.

³“Other species” for PSC monitoring includes skates, sculpins, sharks, and octopuses.

⁴In October 2019, the Council recommended that the red king crab bycatch limit for non-pelagic trawl fisheries within the RKCSS be limited to 25 percent of the red king crab PSC allowance (see § 679.21(e)(3)(ii)(B)(2)).

Note: Species apportionments may not total precisely due to rounding.

TABLE 10–PROPOSED 2020 AND 2021 PROHIBITED SPECIES BYCATCH ALLOWANCES FOR THE BSAI TRAWL LIMITED ACCESS SECTOR

BSAI trawl limited access sector fisheries	Prohibited species and area ¹				
	Halibut mortality (mt) BSAI	Red king crab (animals) Zone 1	<i>C. opilio</i> (animals) COBLZ	<i>C. bairdi</i> (animals)	
				Zone 1	Zone 2
Yellowfin sole	150	23,338	2,321,656	346,228	1,185,500
Rock sole/flathead sole/other flatfish ²	-	-	-	-	-
Greenland turbot/arrowtooth flounder/Kamchatka flounder/sablefish	-	-	-	-	-
Rockfish April 15-December 31	4	-	3,835	-	1,000
Pacific cod	391	2,954	98,959	60,000	49,999
Pollock/Atka mackerel/other species ³	200	197	38,356	5,000	5,000
Total BSAI trawl limited access sector PSC	745	26,489	2,462,805	411,228	1,241,500

¹ Refer to § 679.2 for definitions of areas.

² “Other flatfish” for PSC monitoring includes all flatfish species, except for halibut (a prohibited species), Alaska plaice, arrowtooth flounder, flathead sole, Greenland turbot, Kamchatka flounder, rock sole, and yellowfin sole.

³ “Other species” for PSC monitoring includes skates, sculpins, sharks, and octopuses.

Note: Species apportionments may not total precisely due to rounding.

TABLE 11–PROPOSED 2020 AND 2021 HALIBUT PROHIBITED SPECIES BYCATCH ALLOWANCES FOR NON-TRAWL FISHERIES

Halibut mortality (mt) BSAI				
Non-trawl fisheries	Seasons	Catcher/processor	Catcher vessel	All Non-Trawl
Pacific cod	Annual Pacific cod	648	13	n/a
	January 1-June 10	388	9	n/a
	June 10-August 15	162	2	n/a
	August 15-December 31	98	2	n/a
Non-Pacific cod non-trawl-Total	May 1-December 31	n/a	n/a	49
Groundfish pot and jig	n/a	n/a	n/a	Exempt
Sablefish hook-and-line	n/a	n/a	n/a	Exempt
Total for all non-trawl PSC	n/a	n/a	n/a	710

TABLE 12–PROPOSED 2020 AND 2021 PACIFIC HALIBUT DISCARD MORTALITY RATES (DMR) FOR THE BSAI

Gear	Sector	Halibut discard mortality rate (percent)
Pelagic trawl	All	100
Non-pelagic trawl	Mothership and catcher/processor	75
Non-pelagic trawl	Catcher vessel	58
Hook-and-line	Catcher vessel	9
Hook-and-line	Catcher/processor	9
Pot	All	27

TABLE 13–BERING SEA AND ALEUTIAN ISLANDS PACIFIC COD ABC, GH, AND MAXIMUM TAC FOR 2020 AND 2021

	Aleutian Islands	Bering Sea
2020		
ABC	20,600	155,873
GH ¹	6,804 ²	14,074
MaxTAC	13,796 ³	141,799
2021		
ABC	20,600	102,975
GH	6,804*	10,343
MaxTAC	13,796 ³	92,633

¹GH in the Bering Sea includes 9% for the pot gear fishery and an addition 45 tons for the jig gear fishery. GH in the Aleutian Islands is 35% of ABC in 2020, expected to increase to 39% of ABC in 2021.

²GH in the Aleutian Islands is capped at 6,804 t, (15,000,000 pounds). Without the cap the GH would be 7,210 t in 2020 and 8,034 in 2021

³MaxTAC in the Aleutian Islands is ABC – 6,804 t (GH cap)

AP Motion 4

The AP Recommends that given potential spatial management concerns raised at the SSC with regards to sablefish conservation, that the Council initiates step 2 (below) of the spatial management policy for review and discussion prior to the 2020 specifications process.

“With input from the agency, the public, and its advisory bodies, the Council (and NMFS) should identify the economic, social, and management implications and potential options for management response to these findings and identify the suite of tools that could be used to achieve conservation and management goals.”

Motion passed 13-6

Rationale in support:

- *In October 2013, the Council adopted a policy that established a framework for determining spatial management (i.e., subarea allocations of annual harvest specifications (OFL, ABC, and/or TAC) of stocks and stock assemblages for groundfish, crabs and scallops.*
- *The SSC expected management measures to hold catch to ABC, and that regional OFL was not intended to serve as a directed fishery or bycatch management tool. However, surpassing these limits has potential implications for stock conservation, particularly given the uncertainty surrounding year class strength, differential maturity curves, and climate change impacts.*
- *Identifying potential management tools to respond to mortality levels above the ABC is necessary and staff indicated the spatial management policy may be used to evaluate management tools.*

Rationale in opposition:

- *Sub-area ABCs for the coastwide sablefish stock are a management tool that fall under the Council’s Spatial Management Policy. Additionally, NMFS, industry, its advisory bodies, and the Council are all actively communicating and working to address the issue of increased sablefish bycatch by the trawl sector under a changing ecosystem. Concerns were first raised at the Council’s October 2019 meeting. At that time, the Council requested the trawl sector come to this meeting and provide them with their plans to minimize sablefish bycatch in 2020. These plans represent another tool that the Council is actively employing as a first step in understanding the implications of increased numbers of young sablefish on the trawl sector as they relate to sub-area ABCs for the stock. Achieving this first step will assist NMFS, industry, its advisory bodies, and the Council with developing appropriate long-term management tools in the future, if deemed warranted. This important first step should not be eclipsed or sidetracked by separate steps initiated under the Council’s Spatial Management Policy.*

C2 GOA Groundfish Specs

AP Motion 1

The AP recommends the Council set the 2020 and 2021 final annual and seasonal Pacific halibut PSC limits and apportionments in the Gulf of Alaska as shown in the handout (tables 14 – 16).

Motion passed 20-0

Table 14. Proposed 2020 and 2021 Pacific Halibut PSC Limits, Allowances, and Apportionments (Values are in metric tons)

Trawl gear			Hook-and-line gear ¹				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20 - April 1	30.5	519	January 1 - June 10	86	221	January 1 - December 31	9
April 1 - July 1	20	341	June 10 - September 1	2	5		
July 1 - August 1	27	462	September 1 - December 31	12	31		
August 1 - October 1	7.5	128					
October 1 - December 31	15	256					
Total		1,706			257		9

¹ The Pacific halibut prohibited species catch (PSC) limit for hook-and-line gear is allocated to the demersal shelf rockfish (DSR) fishery and fisheries other than DSR. The Council recommended and NMFS proposes that the hook-and-line sablefish fishery, and the pot and jig gear groundfish fisheries, be exempt from halibut PSC limits.

Table 15. Proposed 2020 and 2021 Seasonal Apportionments of the Pacific Halibut PSC Limit Apportioned Between the Trawl Gear Shallow-Water and Deep-Water Species Fisheries (Values are in metric tons)

Season	Shallow-water	Deep-water ¹	Total
January 20 - April 1	384	135	519
April 1 - July 1	85	256	341
July 1 - August 1	121	341	462
August 1 - October 1	53	75	128
Subtotal, January 20 - October 1	643	807	1,450
October 1 - December 31 ²			256
Total			1,706

¹ Vessels participating in cooperatives in the Rockfish Program will receive 191 mt of the third season (July 1 through August 1) deep-water species fishery halibut PSC apportionment.

² There is no apportionment between trawl shallow-water and deep-water species fisheries during the fifth season (October 1 through December 31).

Table 16. Proposed 2020 and 2021 Apportionments of the “Other hook-and-line fisheries” Halibut PSC Allowance Between the Hook-and-Line Gear Catcher Vessel and Catcher/Processor Sectors (Values are in metric tons)

“Other than DSR” allowance	Hook-and-line sector	Sector annual amount	Season	Seasonal percentage	Sector seasonal amount
257	Catcher Vessel	144	January 1 - June 10	86	124
			June 10 - September 1	2	3
			September 1 - December 31	12	17
	Catcher/Processor	113	January 1 - June 10	86	97
			June 10 - September 1	2	2
			September 1 - December 31	12	14

Table 17. Proposed 2020 and 2021 Discard Mortality Rates for Vessels Fishing in the Gulf of Alaska (Values are percent of halibut assumed to be dead)

Gear	Sector	Groundfish fishery	Halibut discard mortality rate (percent)
Pelagic trawl	Catcher vessel	All	100
	Catcher/processor	All	100
Non-pelagic trawl	Catcher vessel	Rockfish Program	52
	Catcher vessel	All others	68
	Mothership and catcher/processor	All	75
Hook-and-line	Catcher/processor	All	11
	Catcher vessel	All	13
Pot	Catcher vessel and catcher/processor	All	0

AP Motion 2

The AP recommends the Council adopt the final 2020 and 2021 halibut discard mortality rates (DMRs) for the Gulf of Alaska as shown in Table 17 of the action memo.

Motion passed 20-0

AP Motion 3

The AP recommends the Council adopt the final 2020 and 2021 Gulf of Alaska groundfish specifications for OFLs and ABCs as recommended by the SSC and set TACs as shown in the handout. The TACs for both Gulf of Alaska Pacific cod and Pollock have been adjusted to account for the State water GHLL fisheries. The Gulf of Alaska Pacific cod adjustments are shown in table 2 of the action memo noting that final 2021 amounts would be the same as what is listed for 2020 due to the recommended change by the SSC for the cod ABC in 2021. ¹The AP recommends the Council approve a ²~~15%~~ 25% increase from 2019 TAC for the 2020 TAC for the GOA sablefish stock. GOA sablefish TAC would be set at ²~~13307~~ 14463.75 MT with respective area apportionments: W ²~~1818~~ 1976.25 MT, C ²~~5955~~ 6477.5 MT, WYAK ²~~2102~~ 2285 MT and SEO ²~~3432~~ 3730 MT.

Amendment² to change 15% to 25% (and respective quantities) passed 12-8

Amendment¹ passed 12-8

Motion as amended passed 12-8

Rationale:

- *A 25% increase to sablefish represents the plan team author's recommendation and is supported by the stock assessment model, which allows for a 49% buffer for uncertainty from the maximum permissible ABC. It is also a compromise from the SSC's higher recommendation of 46%, which also represents a conservative stair-stepped recommendation well below the maximum permissible ABC.*
- *Some fixed gear stakeholders expressed support for a 25% increase during public testimony, referencing the success of pot fishing and reduced impacts of whale depredation.*
- *50% of the 2014 sablefish year class are contributing to the spawning stock this year with more fish contributing each season.*
- *A scientifically supported quota increase will help the trawl industry minimize discards of sablefish early in the year and will help the rockfish program operate efficiently, without an overly constraining hard cap that is not reflective of high levels of sablefish abundance. Allowing vessels in the rockfish program to operate efficiently without the unnecessary risk of being shut down due to an artificially low TAC will allow for continued economic benefits to reach plants and communities in the GOA at a time when economic benefits from other fisheries such as P.cod will be significantly reduced.*
- *As we continue to witness increased variability due to shifting ecosystem and ocean conditions, interannual stability is increasingly discussed as an important fisheries management objective. The motion, as amended, represents a reasonable increase over last year's quota that will minimize large or spiky market and operational impacts.*

Minority Report

A minority of the AP could not support the adoption of the AP's proposed TAC sheet, as amended, due to concerns about sablefish quota increases and the status of pacific cod. There are many concerning signals that persist in the sablefish fishery that suggest a need for a more conservative approach to setting TAC below ABC. Spawning biomass is still at B33%, which is below the target goal of B40 and sablefish is one of only two stocks in the GOA below the B target. The SAFE document explains how large year-classes of sablefish have failed to materialize in the past and most recently the 2014-year class size estimate has been downgraded by more than half since the 2017 stock assessment. The lack of large fish apparent in the directed fishery and survey data indicate that the sablefish stock is heavily dependent on a young stock of fish, and it was discussed in the SSC that the sablefish stock can be carried by a handful of large recruitment events as we are now seeing. Ensuring that these year classes reach spawning maturity is paramount to the future health of the sablefish stock. Additionally, the directed fishery CPUE is very low and the model did not adequately capture this as there was a large lack of fit to fishery CPUE and GOA trawl survey data. There is also little evidence of large young year classes appearing in GOA. Public comment did not support TAC=ABC and much of the directed fleet supported no increase. There is an economic benefit for all user groups in allowing the young sablefish stock to grow to a more marketable size; given their low M and longevity, it is possible to "bank" fish until they have time to grow.

Emphasis needs to be placed on understanding fish population swings in warming events and more funding for research is the only way to understand these changes. This should remain a top priority for decision-makers and industry.

With all gear groups closed to directed p.Cod fishing in the GOA, incidental catch becomes a big issue. It is problematic that the low fixed gear allocation in the GOA is automatically rolled over to incidental catch in the trawl fishery and that there is no mechanism for leaving this fish in the water or for controlling incidental catch up to the ABC. This is occurring while fixed-gear groups have no fishing opportunity. Focusing the pacific cod resource completely on incidental catch has also created a losing scenario for some processors that rely more on local labor and fixed gear boats, and an economic opportunity for processors that have a more automated-model and possess disproportionately high access to trawl catch. This will create long term consequences for the processing landscape in GOA communities.

Additionally, it is important to note that the state must be very cautious about opening a GHL fishery in the context of no directed federal cod fishery. If the assessment model is wrong, an overfishing status could be triggered because of a state fishery. MSC decertification is also a real threat and is something that all stakeholders should be concerned about.

Signed: Alexis Kwachka, Victoria O'Connell, Jim Johnson, Erik Velsko, Natasha Hayden, Jeff Kauffman and Jamie O'Connor

Table 2. GOA TAC and GHL Considerations for State Waters Pacific Cod

Proposed 2020 Gulf of Alaska Pacific cod ABCs, TACs and State Guideline Harvest Levels (GHLs) in metric tons.

Specifications	Western	Central	Eastern	Total
ABC	4,942	8,458	1,221	14,621
State GHL	1,483	2,115	305	3,902
(%)	30%	25%	25%	25-30
Federal TAC	3,459	6,344	916	10,719

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Table 1. AP recommended OFLs and ABCs and AP recommended TACs for Groundfish in the Gulf of Alaska (metric tons) for 2020-2021.

Species	Area	2019				2020		2021			
		OFL	ABC	TAC	Catch 11/2/2019	OFL	ABC	2020 TAC	OFL	ABC	2021 TAC
Pollock	State GH	n/a	3,396	-	-	n/a	2,712	-	n/a	2,797	-
	W (610)	n/a	24,875	24,875	21,867	n/a	19,175	19,175	n/a	19,775	19,775
	C (620)	n/a	67,388	67,388	64,079	n/a	54,456	54,456	n/a	56,159	56,159
	C (630)	n/a	34,443	34,443	24,461	n/a	26,597	26,597	n/a	27,429	27,429
	WYAK	n/a	5,748	5,748	6,612	n/a	5,554	5,554	n/a	5,728	5,728
	Subtotal		194,230	135,850	132,454	117,019	140,674	108,944	105,782	149,988	111,888
	EYAK/SEO	11,697	8,773	8,773	-	13,531	10,148	10,148	10,148	13,531	10,148
	Total	205,927	144,623	141,227	117,019	154,205	118,642	115,930	163,519	122,036	119,239
Pacific Cod	W	n/a	7,633	5,343	5,017	n/a	4,942	3,459	n/a	4,942	3,459
	C	n/a	7,667	5,750	5,705	n/a	8,458	6,344	n/a	8,458	6,344
	E	n/a	1,700	1,275	187	n/a	1,221	916	n/a	1,221	916
	Total		23,669	17,000	12,368	10,909	17,719	14,621	10,719	30,099	14,621
Sablefish	W	n/a	1,581	1,581	1,438	n/a	2,278	1,942	n/a	3,003	3,003
	C	n/a	5,178	5,178	5,970	n/a	7,560	6,445	n/a	9,963	9,963
	WYAK	n/a	1,828	1,828	1,774	n/a	2,521	2,343	n/a	3,323	3,323
	SEO	n/a	2,984	2,984	3,037	n/a	4,524	3,663	n/a	5,963	5,963
	Total (OFL AK wide, TAC GOA wide)		25,227	11,571	11,571	12,219	50,481	16,883	14,393	64,765	22,252
Shallow-Water Flatfish	W	n/a	25,620	13,250	72	n/a	23,849	13,250	n/a	24,256	13,250
	C	n/a	25,731	25,731	2,303	n/a	27,732	27,732	n/a	28,205	28,205
	WYAK	n/a	2,279	2,279	1	n/a	2,773	2,773	n/a	2,820	2,820
	EYAK/SEO	n/a	1,957	1,957	1	n/a	1,109	1,109	n/a	1,128	1,128
	Total	68,309	55,587	43,217	2,377	68,010	55,463	44,864	69,129	56,409	45,403
Deep-Water Flatfish	W	n/a	416	416	2	n/a	226	226	n/a	225	225
	C	n/a	3,443	3,443	92	n/a	1,948	1,948	n/a	1,914	1,914
	WYAK	n/a	3,280	3,280	8	n/a	2,105	2,105	n/a	2,068	2,068
	EYAK/SEO	n/a	2,362	2,362	4	n/a	1,751	1,751	n/a	1,719	1,719
	Total	11,434	9,501	9,501	106	7,163	6,030	6,030	7,040	5,926	5,926
Rex Sole	W	n/a	2,951	2,951	74	n/a	2,901	2,901	n/a	3,013	3,013
	C	n/a	8,357	8,357	1,447	n/a	8,579	8,579	n/a	8,912	8,912
	WYAK	n/a	1,657	1,657	2	n/a	1,174	1,174	n/a	1,206	1,206
	EYAK/SEO	n/a	1,727	1,727	-	n/a	2,224	2,224	n/a	2,285	2,285
	Total	17,889	14,692	14,692	1,523	18,127	14,878	14,878	18,779	15,416	15,416
Arrowtooth Flounder	W	n/a	35,994	14,500	683	n/a	31,455	14,500	n/a	30,545	14,500
	C	n/a	70,995	70,995	22,840	n/a	68,669	68,669	n/a	66,683	66,683
	WYAK	n/a	15,911	6,900	85	n/a	10,242	6,900	n/a	9,946	6,900
	EYAK/SEO	n/a	22,941	6,900	24	n/a	17,694	6,900	n/a	17,183	6,900
	Total	174,598	145,841	99,295	23,632	153,017	128,060	96,969	148,597	124,357	94,983
Flathead Sole	W	n/a	13,234	8,650	210	n/a	13,783	8,650	n/a	14,191	8,650
	C	n/a	21,109	15,400	2,343	n/a	20,201	15,400	n/a	20,799	15,400
	WYAK	n/a	2,016	2,016	-	n/a	2,354	2,354	n/a	2,424	2,424
	EYAK/SEO	n/a	423	423	-	n/a	1,858	1,858	n/a	1,912	1,912
	Total	44,865	36,782	26,489	2,553	46,572	38,196	28,262	47,919	39,326	28,386
Pacific ocean perch	W	n/a	3,227	3,227	3,145	n/a	1,437	1,437	n/a	1,379	1,379
	C	n/a	19,646	19,646	18,114	n/a	23,678	23,678	n/a	22,727	22,727
	WYAK	n/a	3,296	3,296	3,288	n/a	1,470	1,470	n/a	1,410	1,410
	W/C/WYAK	31,113	26,169	26,169	24,547	31,567	26,585	26,585	30,297	25,516	25,516
	SEO	2,838	2,386	2,386	-	5,525	4,653	4,653	5,303	4,467	4,467
	Total	33,951	28,555	28,555	24,547	37,092	31,238	31,238	35,600	29,983	29,983
Northern Rockfish	W	n/a	1,190	1,190	819	n/a	1,133	1,133	n/a	1,079	1,079
	C	n/a	3,338	3,338	1,790	n/a	3,178	3,178	n/a	3,027	3,027
	E	n/a	1	-	-	n/a	1	-	n/a	1	1
	Total		5,402	4,529	4,528	2,609	5,143	4,312	4,311	4,898	4,107
Shortraker Rockfish	W	n/a	44	44	55	n/a	52	52	n/a	52	52
	C	n/a	305	305	226	n/a	284	284	n/a	284	284
	E	n/a	514	514	391	n/a	372	372	n/a	372	372
	Total		1,151	863	672	762	944	708	708	944	708
Dusky Rockfish	W	n/a	781	781	198	n/a	776	776	n/a	759	759
	C	n/a	2,764	2,764	2,071	n/a	2,746	2,746	n/a	2,688	2,688
	WYAK	n/a	95	95	93	n/a	115	115	n/a	113	113
	EYAK/SEO	n/a	60	60	3	n/a	39	39	n/a	38	38
	Total	4,521	3,700	3,700	2,365	4,492	3,676	3,676	4,396	3,598	3,598
Rougheye and Blackspotted Rockfish	W	n/a	174	174	78	n/a	168	168	n/a	169	169
	C	n/a	550	550	433	n/a	455	455	n/a	455	455
	E	n/a	704	704	208	n/a	586	586	n/a	587	587
	Total		1,715	1,428	1,428	719	1,452	1,209	1,209	1,455	1,211
Demersal shelf rockfish	Total	411	261	261	140	375	238	238	375	238	238
Thornyhead Rockfish	W	n/a	326	326	124	n/a	326	326	n/a	326	326
	C	n/a	911	911	375	n/a	911	911	n/a	911	911
	E	n/a	779	779	265	n/a	779	779	n/a	779	779
	Total		2,688	2,016	2,016	764	2,688	2,016	2,016	2,688	2,016
Other Rockfish	W/C	n/a	1,737	1,737	684	n/a	940	940	n/a	940	940
	WYAK	n/a	368	368	180	n/a	369	369	n/a	369	369
	EYAK/SEO	n/a	3,489	3,489	50	n/a	2,744	2,744	n/a	2,744	2,744
	Total		7,356	5,594	5,594	914	5,320	4,053	4,053	5,320	4,053
Atka mackerel	Total	6,200	4,700	3,000	1,254	6,200	4,700	3,000	6,200	4,700	3,000
Big Skate	W	n/a	504	504	114	n/a	758	758	n/a	758	758
	C	n/a	1,774	1,774	977	n/a	1,560	1,560	n/a	1,560	1,560
	E	n/a	570	570	101	n/a	890	890	n/a	890	890
	Total		3,797	2,848	2,848	1,192	4,278	3,208	3,208	4,278	3,208
Longnose Skate	W	n/a	149	149	59	n/a	158	158	n/a	158	158
	C	n/a	2,804	2,804	616	n/a	1,875	1,875	n/a	1,875	1,875
	E	n/a	619	619	308	n/a	554	554	n/a	554	554
	Total		4,763	3,572	3,572	983	3,449	2,587	2,587	3,449	2,587
Other Skates	GOA-wide	1,845	1,384	1,384	867	1,166	875	875	1,166	875	875
Sculpins	GOA-wide	6,958	5,301	5,301	574	6,932	5,199	5,199	6,932	5,199	5,199
Sharks	GOA-wide	10,913	8,184	8,184	1,728	10,913	8,184	8,184	10,913	8,184	8,184
Squids	GOA-wide	-	-	-	-	-	-	-	-	-	-
Octopuses	GOA-wide	1,300	975	975	316	1,307	980	980	1,307	980	980
TOTAL		664,889	509,507	430,569	209,982	607,120	465,956	403,527	639,768	471,990	412,271

Sources: 2018 OFLs, ABCs, and TACs are from harvest specifications adopted by the Council in December 2017; 2019 OFLs, ABCs, and TACs are from the harvest specifications adopted by the Council in December 2018, 2018 catches through December 31, 2018 and 2019 catches through November 2, 2019 from AKR Catch Accounting.

* The SSC has requested that the OFL listed represents Alaska-wide OFL.

AP Motion 4

The AP recommends the Council approve the Gulf of Alaska Groundfish Stock Assessment and Fishery Evaluation (SAFE) report.

Motion passed 20-0

AP Motion 5

The AP recommends the council ask the assessment author to do a decision analysis when they propose a reduction from the max ABC. The decision analysis should be on max ABC and the Proposed reduction, ~~eliminate the risk table scoring system~~, also describe and discuss how uncertainties and their unquantifiable risk are not already captured.

Amendment passed 14-6

Motion as amended passed 18-2

Rationale:

- *Clarity and transparency via a more refined qualitative explanation of the factors that go into recommendations to reduce ABC below the maximum permissible, including the multiple layers of uncertainty, is important to increase stakeholder understanding and help inform the TAC setting process.*

Rationale in opposition to Amendment:

- *The main purpose of the risk table is clearly articulated and details stock-specific concerns (potentially positive and negative) that fall outside the stock assessment/harvest control rules to help to fully inform any decisions related to a potential reduction in the maximum permissible ABC. A subjective numerical scoring system without an understanding of what a particular score means is not informative for decision-making while also suggesting the risk table is meant to be prescriptive in nature rather than informing.*
- *A decision analysis could calculate projections under the maxABC and the recommended buffer in order for scientists and stakeholders to see what the added benefit or risk to the spawning biomass would be at the differing ABC levels.*

Rationale in opposition to amended Main motion:

- *Stock assessment authors already describe the reasons for recommending an ABC below max ABC. By requiring them to only use model outputs to justify lowering ABC takes away any historical knowledge or intuition of the author and in this rapidly changing climate that is not precautionary. The current system, where the author can recommend something below max ABC is helpful to understanding stock status.*

AP Motion 6

The AP recommends the CIE review Gulf Pacific Ocean Perch in April of 2020, and the terms of reference for the CIE need to prioritize fixing the models' performance and exploring the VAST model. The model should be revised before the September Plan Team meeting to move forward with the new ABC for the November Plan Team and 2021 Specs.

Motion passed 20-0

Rationale:

- *The POP survey showed twice the POP biomass than the model; a CIE review of POP was recommended by the SSC and is important to model performance in time for use in next year's specification process*

AP Motion 7

The AP recommends NMFS prioritize an additional GOA trawl survey with a particular focus on the Pacific cod and black cod for 2020.

Motion passed 20-0

Rationale:

- *The emergency survey for cod is important for all groups, particularly in the context of rapidly changing ocean conditions and the stock being so close to an overfished status*

C3 Charter Halibut

AP Motion

The AP recommends the following recommendation for the 2020 Guided Sport Halibut season in Area 2C and 3A.

In Area 2C – A progression of management measures in the following order:

1. A reverse slot with an upper limit fixed at O80, and a lower limit raised until the allocation is reached, but no lower than U40;
2. If the allocation is insufficient to maintain at least a U40 on the lower limit, add Wednesday closures beginning on September 9th and work consecutively toward the beginning of the season until a lower limit of U40 is reached;
3. If a lower limit of U40 can't be reached after closing all Wednesdays, add a 4-fish annual limit in addition to closing all Wednesdays, and use any unused allocation to increase the lower limit above U40 until the allocation is reached;
4. If a lower limit of U40 can't be reached by closing all Wednesdays and adding a 4-fish annual limit, reduce the annual limit to 3 fish in addition to closing all Wednesdays, and use any unused allocation to increase the lower limit above U40 until the allocation is reached.

In Area 3A – Limit the charter harvest to the status quo TCEY (within 2%). Maintain status quo management measures, except with the addition of:

1. Closures of Tuesdays throughout the year
2. Include second fish of 26 inches or less

The AP supports the Charter Halibut Committee's Request for ADFG to analyze a wider range of management options and be allowed to make a recommendation based on that analysis in the form of a publicly noticed teleconference prior to the Council's January 2020 meeting and the IPHC's 2020 annual meeting.

Motion passed 17-0

Rationale:

- *As noted by the Charter Halibut Committee, Area 2C representatives support a reverse slot limit with day closures and annual bag limits, added as necessary to maintain at least a 40" maximum size on the low end of the slot. The Committee felt that 40" was the most fair to all business models in view of historical participation, and that progressing from the reverse slot limit to day closures to annual limits (in that order) was the most equitable way to distribute reductions across business models.*
- *For Area 3A, the analysis revealed that none of the options defined in October would result in meeting the reference level of halibut removals that was specified at the IPHC interim meeting in November. All analyzed options for management measures are projected to result in more removals than the range of TCEY levels that are probable to be selected for the area at the IPHC annual meeting in February 2020. As a result of this unprecedented situation, the Committee has made both a recommendation and a request.*

C4 BSAI Parallel Waters

AP Motion

The AP recommends the Council move the Limit Access by all Federally Permitted Vessels to the BSAI Pacific Cod Parallel State Waters Fishery paper to final action with Alternative 2 as the preferred alternative.

Motion passed 19-0

Rationale:

- *Moving analysis to final action is important to address concerns about increased participation in the parallel fishery by vessels without an FFP and/or LLP license having an impact on historical participants in the BSAI Pacific cod fishery, and aligns management of parallel fisheries with the GOA.*

C5 Crab Partial Deliveries

AP Motion

The Advisory Panel recommends the Council adopt Alternative 2 for final action. The suite of alternatives and options are listed below with the preferred alternative indicated in **bold**.

Alternative 1 (No Action): Status quo is maintained. Vessels are prohibited from resuming fishing for CR crab on board a vessel once a landing has commenced and until all CR crab are landed, unless fishing in the Western Aleutian Islands golden king crab fishery.

Alternative 2: Remove the prohibition on resuming fishing for CR crab on board a vessel once a landing has commenced and until all CR crab are landed. This will allow vessels to make partial deliveries of CR crab and then continue fishing before fully offloading all harvested crab.

Option: In the event of a partial offload within a fishing trip, only entire tank crab contents may be offloaded. (Any tank started for offload must be fully offloaded.)

Motion passed 18-0

Rationale:

- *This issue was brought to the Council as an industry request through PNCIAC and has wide stakeholder support.*
- *The original prohibition on partial deliveries was initially included in the crab rationalization program to alleviate certain enforcement concerns that have since proven unwarranted. However, it is important to note that the prohibition simplifies data collection for ADF&G.*
- *The Office of Law Enforcement (OLE) supports removing this prohibition.*
- *Industry stakeholders have acknowledged ADF&G's concerns regarding spatial harvest data, have recognized that removing partial delivery prohibitions may require an adjustment of some data protocols and expressed a willingness to work with the agency on options to address these concerns. However, industry expects little to no change in the resolution of catch by statistical area given that multiple statistical areas may currently be fished on a trip.*
- *The Council's analysis provides a good explanation of the importance and benefits of this action for harvesters in increased operational flexibility and notes minimal impacts to processors or communities from potential shifts in B or C share landings. Additionally, B and C shares, the smallest portion of quota, were expressly intended to be free to move to any processor to provide harvesters some marginal flexibility to negotiate among processors.*
- *Live crab markets may develop regardless of this action. Any potential development of live crab markets is not expected to substantially increase the use of this provision, rather delivery of crab for live markets could become part of regular offloads designated for cooked and frozen whole or sections of crab, which are the predominant product forms.*
- *It is expected that partial deliveries would be used rarely and only in special circumstances, such as when delivering to multiple processors, fishing North and South quota on the same trip, or to reduce risk in certain weather conditions. The Western Aleutian Islands golden king crab fishery was provided an exemption starting in 2016 to allow partial deliveries. To date, it has been used once.*
- *Given that CR fisheries have full monitoring and catch accounting, Alt 2 would allow partial deliveries in all BSAI Crab Rationalization Program fisheries. This action would serve to remove an unnecessary restriction, create consistency in crab fisheries management, provide for operational flexibility, improve economic efficiency and potentially increase safety.*
- *Responsive to public testimony.*

C6 SMBKC Rebuild

AP Motion

The Advisory Panel recommends the Council select Alternative 2/Option 2 as the preliminary preferred alternative to move forward for public review and final action. The summary of the alternatives and options are listed below with the preliminary preferred alternative indicated in bold.

Alternative 1: No Action

Alternative 2: Set target rebuilding time frame (TTARGET) for the number of years necessary to rebuild the stock to the BMSY level at a probability $\geq 50\%$. The stock will be considered “rebuilt” once it reaches BMSY. No additional restrictions on bycatch of SMBKC in other fisheries.

Option 1: No directed fishing until the stock is rebuilt.

Option 2: Allow the directed fishery to open based on the state harvest strategy while the stock is rebuilding.

Motion passed 19-0

Rationale:

- *SMBKC was declared overfished in 2018, triggering the federal requirement under the Magnuson-Stevens Act for a rebuilding plan to recover the stock back to more sustainable levels (i.e., B_{MSY}).*
- *Ironically, SMBKC did not become overfished from directed fishing which has been closed since 2016 (closed 8 out of 14 years since rationalization) but is most likely due to environmental conditions.*
- *Also unusual in this case is that the stock in 2019 (1 year later) is above levels that would have triggered an “overfished” designation.*
- *Regardless, the federal requirement stands and a rebuilding plan must be developed.*
- *Of the Alternatives developed, Alternative 1 (no action) is not a legal option and is used solely as a hypothetical scenario for comparison to Alternative 2. Alternative 1 (no action) is used to estimate rebuilding times if fishing mortality fully achieved ABC calculations in each rebuilding year.*
- *Alternative 2 would establish a rebuilding plan that would have greater than a 50% probability of rebuilding the SMBKC stock to B_{MSY} within a timeframe based on MSA’s NSI Guidelines. Under the Guidelines, rebuilding should be achieved in less than 10 years. If, however, the “biology of the stock, other environmental conditions, or management measures under an international agreement to which the U.S. participates, dictate otherwise” rebuilding can take more than 10 years.*
- *Alternative 2 would not impose additional restrictions on bycatch of SMBKC in other fisheries. The analyses indicated that rebuilding time is insensitive to average recent bycatch and only minimally affected by bycatch mortality at maximum historical levels.*
- *Alternative 2 does include options for the directed fishery to either prohibit directed fishery harvest throughout rebuilding (Alternative 2 / Option 1) or allow direct harvest during rebuilding under conditions consistent with the State of Alaska’s harvest strategy as currently described in State regulations (Alternative 2 / Option 2).*

- *The projected time to rebuild SMBKC is between 14.5 and 28.5 years with Alt 2/Opt 1 estimated at 14.5 and Alt 2/Opt 2 at 25.5 years.*
- *Alt 2/Opt 2 was selected because it rebuilds within the required time frame and would allow limited directed fishing if the state of Alaska's harvest strategy (itself a conservative, conservation-based management approach) indicates the stock is at levels to support sustainable directed harvest.*
- *Responsive to public testimony.*

C7 CGOA Rockfish

AP Motion

The AP recommends that the Council select alternative 2 as the Preliminary Preferred Alternative (PPA) and select the following elements and options (bold):

[†]Element 1: Modify regulations at 679.80 (a) (2) to specify the duration of the program.

[†]Option 1: Remove the sunset.

Option 2: Replace with new sunset date (10-20 years).

Element 2: Reallocate unharvested RP Pacific cod from onshore cooperatives to limited access fisheries after the RP fisheries close on November 15th as per present reallocation regulations. Under the current reallocation regulations, the Regional Administrator would consider a reallocation of the projected unused allocation from the RP to the CV sector first, then to the combined CV and CP pot sector, and then to all other CP sectors, taking into account the capability of a sector, as determined by the Regional Administrator, to harvest the remaining Pacific Cod TAC.

Element 3: Exempt crab program sideboard limits for vessels when fishing in the RP.

Element 4: Require annual NMFS cost recovery reports in regulations.

Element 5: Clarify regulations at 679.5 (r) (10) to specify that only shoreside processors receiving RP Cooperative Quota (CQ) must submit the Rockfish Ex-vessel Volume and Value Report.

Element 6 & 7 combined: Modifications to Annual Rockfish Cooperative Report Requirements.

Option 1: Modify language in 679.5 (r) (6) (iii) (B) to require RP cooperatives to report catch by the CGOA reporting area and Revise 679.5 (r) (6) (iii) (D) – to replace “any action” with “any civil action”.

Option 2: Remove the regulations requiring that an annual RP cooperative report be submitted to NMFS and have the Council rely only on requests that the RP cooperatives voluntarily provide annual reports to the Council.

Element 8: Revise 679.81 (f) (4) (i) (D) (3) to remove requirements for a Fishing Plan to be submitted with a cooperative application for CQ.

Element 9: Revise 679.84 (f) (1) to exempt shoreside processors under the RP from the requirement to provide an observer work station and observer communication described at 679.28 (g) (7) (vii) and (viii).

Element 10: Provide the Regional Administrator the flexibility to reallocate unused CGOA ICAs for POP, northern rockfish and dusky rockfish to the RP cooperatives based on their respective initial allocation taking into account the capability of each sector, as determined by the Regional Administrator, to harvest the remaining ICAs.

Element 11: Clarify regulations regarding accounting for inseason use caps when catcher/processor (CP) quota share (QS) is transferred for use by the CV sector where any CP quota share transferred to the CV sector does not count to any of the use caps for the CV sector (cooperative cap, harvesting cap, processing caps, and ownership/use cap).

Element 12: Modify Cooperative Check-in Notice Times from 48 hours to 24 hours.

²New Element 13: Remove CP rockfish program sideboard limits in the Western Gulf of Alaska (WGOA) rockfish fisheries.

²New Element 14: Modify regulations at 679.23 (h) (1) by removing the 3-day stand down for CVs that fish for groundfish in the BSAI while Pollock or Pacific cod is open to directed fishing in the BSAI from the GOA stand down if they check into the Rockfish Program and fish in the CGOA Rockfish Program.

Amendment¹ to remove bold from Element 1 Option 1 failed 9-10

Amendment² to remove bold from Element 13 & 14 passed 10-9

Motion as amended passed 18-1

Rationale for Amended Main Motion:

- *The rockfish program has increased flexibility and vessel accountability and improved PSC avoidance and safety at sea.*
- *Many of the identified elements are minor tweaks to the program and provide clarifying direction requested from the agency*
- *Public testimony supported advancement of the program and referenced its benefits and successes*
- *Removing a sunset date from the program is appropriate; the program is successful and it's important to provide stability for participants for fisheries' investments. The program will remain subject to LAPP five year reviews and any necessary modifications can be made at that time.*
- *The additional element 13 to remove CP rockfish program sideboards will not negatively impact other stakeholders because of the additional layer of A80 sideboards. Non-rockfish catcher vessels will continue to have access to WGOA rockfish as in the past.*

Rationale for Amendment 2:

- *It is prudent to wait for some amount of analysis and public notice before choosing elements for a PPA*
- *It is unusual to recommend new un-analyzed elements for a PPA.*
- *Waiting for the next iteration of the analysis for those new elements to be analyzed before adding to the PPA will likely not slow down the regulatory process.*

Minority Report:

The minority of the AP believes that retaining a sunset date is a critical element in the rockfish program and has contributed to its success. The sunset provides a backdrop for analysis and collaboration that is important to maintain the fishery as developed and should remain when the program is renewed. This mechanism allows us to look into the program as a whole every couple of decades, instead of piecemealing without incentive to compromise. A sunset motivates participants to collaborate to improve the program and to be inclusive of all parties. The minority believes that a 15-20 year sunset provides enough security for business planning and lending purposes. Additionally, a sunset puts the public and participants on notice that this is a public resource, the use of which is reviewed and renewed as appropriate.

Signed: Alexis Kwachka, Jamie O'Connor, Erik Velsko and Victoria O'Connell

C8 Unguided Halibut

AP Motion

The AP recommends the Council move the analysis forward as a Public Review Draft with the following Preliminary Preferred Alternative (PPA) highlighted in **bold**:

Alternative 1: No Action (Status quo)

Alternative 2: Require registration for ~~non-guided vessel~~ unguided rental vessels

Require registration for ~~non-unguided~~ motor vessels that operate in IPHC Areas 2C and 3A that are used to retain recreationally harvested halibut and that are rented for compensation. This registration would apply to all vessels used to provide access to the halibut resource for compensation, including but not limited to unguided rental boats, mother ships, bare boat charters, fishing clubs, time shares and all other means whereby compensation is exchanged for access to the halibut resource.

Element 1: Apply the registration requirements:

Suboption 1: IPHC Regulatory Area 2C and 3A

Suboption 2: Only IPHC Regulatory Area 2C

Element 2: Require ~~non-unguided~~ rental vessel registration be renewed:

Suboption 1: ~~Annually renewal~~

Suboption 2: Every 3 years

Suboption 3: Every 5 years

New Element 3: Require accounting of halibut harvest and effort by anglers using rental boats or businesses providing rental boats for halibut harvest.

Alternative 3: Align bag and size limits between charter anglers and anglers on ~~non-unguided~~ rental vessels

~~Apply the same daily bag limit or size limit to anglers~~ Unguided anglers on rental vessels shall comply with the same daily bag and size limits that apply to charter anglers under the Catch Sharing Plan.

Suboption: Provide an exemption to aligning bag and size limits to MWR vessels

Motion passed 17-0

Rationale:

- *This motion reflects the overall recommendations of the Charter Halibut Committee, which received an overview of the initial review analysis from staff earlier this week. Questions asked by the Committee addressed the lack of information available on the demographic makeup of the rental boat customer base and the inability to draw conclusions about whether and to what extent the expansion of unguided rental boat catch could impact other sectors. The Committee supported moving forward with Alternative 2. Members noted that a registration requirement will enable the gathering of information that is necessary to manage unguided rental boat use from an informed perspective. The Committee also noted that it is difficult to know whether to include Area 3A without knowing the extent of unguided rental activity on an area basis.*
- *The Committee did not support moving forward with Alternative 3 at the present time because it is premature to complicate management of recreational halibut when the extent of the impact that unguided rental boat catch is having and where it is occurring is not yet known and felt that*

subjecting a new user group (unguided rental boat anglers) to a new set of regulations would further fracture the recreational angling sector to address an activity that may or may not be a problem or might only be a problem in certain areas.

- *The new Element 3 is intended to better align the action with the Purpose and Need Statement of the action. There is a need to account for harvest and effort by rental boats in order to provide the necessary data that will help inform whether or not further regulation is warranted*

D2 Sablefish Discards

AP Motion

The AP recommends the Council initiate an analysis of an amendment to the Sablefish IFQ Program to allow the careful release of small sablefish with a suite of alternatives and options including, but not limited to:

Alternative 1: Status Quo

Alternative 2: Allow voluntary careful release of sablefish in the IFQ fishery

Element 1: DMRs

Apply a DMR to discarded sablefish of:

- a. 5%
- b. 12%
- c. 16%
- d. 20%

Sub-option: Select different DMRs for pot gear and hook and line gear

Element 2: Catch Accounting

Option 1: Sablefish discards will be estimated in-season using observer and EM data. A discard mortality limit will be set annually as part of the specifications process. The fishery will be managed for full retention once the discard limit is estimated to be attained.

Option 2: Sablefish discards will be estimated pre-season based on AFSC longline survey encounter rates of sub-three pound sablefish with the DMR applied. The resulting estimate will be deducted before IFQ is issued.

¹Element 3. Discard Accounting. ~~²Sablefish IFQ discards will be deducted from the IFQ TAC.~~

²All discard will be deducted from the apportionment for each sector from where the discard mortality occurred.

Amendment² to remove sentence 2 and add sentence 3 passed 10-7

Amendment¹ to add Element 3 passed 10-7

Motion as amended passed 11-6

Rationale:

- *This action is intended to address the careful release of sablefish by fixed fish fisheries in part, because of the above-average recruitment classes and large amounts of juvenile sablefish encountered in the fishery being seen now and the understanding that release mortality of fixed gear caught sablefish is not 100%, the DMR currently assigned to all fisheries.*
- *Allowing sablefish fishermen to release small sablefish will provide a measure of protection to these important incoming year classes and increase the value of the sablefish catch since the price/size differential for sablefish is significant.*

- *Public testimony from both pot and hook-and-line stakeholders indicates that a voluntary approach to carefully releasing sablefish is most appropriate for this action.*
- *Tag recoveries and available studies of sablefish release mortality indicate sablefish have a high survival rate when carefully released (80-88%).*
- *The fixed gear sector feels DMR rates of 100% for carefully released fish are not accurate as evidence by tagging studies, State of Alaska's DMR for state waters black cod fisheries and public testimony.*
- *This motion captures two different options for Council consideration in regards to catch accounting of small sablefish releases.*

Rationale for Amendment 2:

- *The topic of discard mortality accounting was discussed robustly by the AP with some members requesting assignment only to the IFQ fixed gear fishery and others looking for a more holistic approach, similar to management of other fisheries.*
- *Incidental and PSC mortality is an increasing majority of the removals and is responsible for nearly all discard mortality at the current time. In 2020, based on the projected strength of the 2014 year class and a 12% DMR, it is estimated that if longline fisheries released all sablefish they caught under 3 lbs, there would be around 150,000 pounds of total release mortality. In comparison, in the Bering Sea, more than 4 million pounds of dead sablefish were discarded by the trawl sector after reaching its incidental catch allowance in 2019, 365% over the sector TAC. There is no management that reduces trawl bycatch of sablefish in the Bering Sea unless the overfishing level is reached. IFQ fishermen are penalized for all removals above their IFQ allocation. Sablefish discards in the trawl sector are only partially captured in the current year's stock assessment. The majority of discard impacts on the stock from the current year are not captured until the following year's assessment and are therefore not part of the TAC setting process until two years out. Any reduction in future ABCs from these discards would be carried by all users of the resource in this case.*
- *The majority of the AP supported the Council reviewing how discard mortality is addressed in all fisheries catching sablefish, highlighting the inequity in treating the sablefish IFQ fleet differently than the trawl sector in regards to accountability for discard mortality of juvenile sablefish.*

Rationale in opposition:

- *The action under consideration is narrowly focused on a modification to the current regulations to the sablefish IFQ fishery; it is not an action intended to address concerns with the incidental catch of sablefish in BS and GOA trawl fisheries. The trawl fisheries do not have an allocation of sablefish as occurs under the IFQ program, they have an apportionment so the management and accounting of catch in the directed sablefish fishery versus other fisheries that incidentally harvest sablefish is not equivalent.*
- *Recent increases in incidental catches of sablefish in the BS trawl fisheries is the direct result of a unique set of intersecting circumstances: a high abundance of young sablefish combined with encounters of Chinook salmon at a time of the year they have not previously been encountered making efforts to move away from sablefish while also avoiding salmon extremely difficult. The BS trawl fisheries were actively engaged in efforts to address sablefish take throughout 2019 while balancing the need to minimize salmon bycatch, which is the Council's stated priority. Statements implying that there is no accountability in the trawl fisheries are inaccurate: as requested by the Council, the trawl fisheries presented their plans/tools to address sablefish in the upcoming year.*

- *The addition of the original Element 3, specific to the accounting of discards that may occur in the directed sablefish IFQ fishery, was intended to address an outstanding question in the discussion paper and reflective of some public testimony provided. Element 3, as amended, is not appropriate, especially as the Gulf of Alaska trawl is not rationalized and does not have the necessary tools for full accountability. When the sablefish TAC is not set equivalent to ABC (based on the best available science that incorporates all sources of mortality), trawl fisheries are unnecessarily constrained and forced to discard due to the high abundance of sablefish that's being encountered.*
- *Allowing high grading will decrease incentives to harvest selectively initially and the mortality associated with releasing fish should be better understood prior to implementing this regulatory change to the sablefish IFQ. An EFP may be a more appropriate first step at this point.*
- *IFQ fisheries should have any mortality associated with the fishery come off the IFQ to incentivize careful release and to minimize the impact on other stakeholders. For example, in the GOA rockfish program, all sablefish mortality comes off the boat's quota and full retention is required, when the quota is taken the boat is done fishing.*

D3 AI Community

AP Motion

The Advisory Panel recommends that the Council take action to update the Purpose and Need statement and initiate an analysis for Initial Review, with a series of alternatives based on the structure of Amendment 113, including a range of reasonable options for trigger dates, performance threshold amount, and set-aside/limitation amounts, as well as analyzing the status quo. ~~⁴Any cod impacted come off either the 1) BSAI or 2) AI TAC. Explore having it come before CDQ program or GHL fishery.~~

Amendment¹ failed 5-13

Motion passed 10-8

Rationale in support:

- *The Council should update the purpose and need statement for Amendment 113 in a manner that addresses both the Court's concerns and any new developments in the AI Pacific cod stock area and fishery. This should include reference to the current situation's adverse conservation effects, including bycatch, the disproportionate management effects within the AI Pacific cod stock area resulting from the differential timing of cod aggregation between the AI and BS, excess harvesting and processing capacity, and the consequent need for timely interim action while the Council separately works to address un-rationalized elements of the Pacific cod fishery via a longer-term management action.*
- *Considering Adak's dependency on the federal cod fishery and the vulnerability of the community in the absence of protections to allow for its participation in this fishery, the majority of the AP believed it timely and appropriate to begin a standalone AI action as identified as under 3.1 in the discussion paper, and for the Council to prioritize such action. The new analysis should include a range of alternatives that identify a set-aside/limitation amounts as either a fixed or floating % of the CV trawl A season sector allocation.*
- *The majority of the AP maintained a strong reluctance to leave an Aleutian action solely in a larger BSAI package because of the longer time-frame, increased complexity, and uncertainty involved with a larger package. If the larger package is not advanced for some reason, than a regulatory solution for the Aleutian communities could be that much further delayed.*
- *The framework of AM 113 already exists and has been through an extensive decade-long analytical process. Staff acknowledged that implementation of a standalone action could*

potentially occur at least a year earlier than a comprehensive BSAI cod program. It is anticipated that the BS Cod fishery will continue to operate at a compressed pace and every year of protection will be critical to the viability of Adak's processing plant. Initiating a standalone action would not preclude encompassing the Aleutians into a future comprehensive BSAI cod package.

- *The majority of the AP acknowledged that prioritizing an AI action could potentially delay analysis of a comprehensive package. However, felt that the AI and framework of AM 113 would need to be considered under a comprehensive analysis process regardless and that it was appropriate to prioritize the AI considering the vacatur of AM 113 has put Aleutian communities and private sector investments at immediate risk.*

Rationale in opposition:

- *A comprehensive BSAI cod trawl CV LAPP is already under consideration that includes options that benefit the plant on Adak. Prioritizing a non-LAPP process to create an allocation, or de-facto allocation, of cod to the plant on Adak will inevitably slow down the comprehensive LAPP that considers the needs of ALL the BSAI cod CV trawl stakeholders and is unnecessary. If for some reason the BSAI cod CV trawl LAPP were to stop moving forward, the elements dealing with the AI could be pulled out and continue independently.*
- *Amendment 113 impermissibly used national standards to justify an allocation, it doesn't make sense to rush into another attempt to simply redo the regulation instead of using the LAPP structure that is designed to establish allocations that are fair, equitable, and subject to review. The regulatory structure of Amendment 113 can not be repaired by providing new national standard arguments that there's now a conservation benefit and it's not an allocation. Demands that the plant on Adak needs the benefits that Amendment 113 created to be re-established immediately only underscore that it was an impermissible allocation.*
- *Trawl CV's wanting to fish for cod in the AI should have options for where they sell their fish, and not be price takers from only the plant on Adak.*
- *It is difficult to evaluate where the 5,000 mt allocation of cod under Amendment 113 fits into the overall scope of deliveries received by the plant in Adak, especially in light of the 15 million lbs of statewaters cod that the plant can receive along with other fisheries that are also processed. Because of this, it is difficult to evaluate the timing of the multiple options available to the Council to address the concerns and needs of the Adak plant and community. The cod fishery is very different from when Amendment 113 was first developed and the tools of a BSAI LAPP are needed as soon as possible. Further, the language of the motion opens up Amendment 113 to alternatives, elements, and options beyond the scope of the original action. A broader scope would naturally impact the timing of this analytical package, which makes it difficult to know whether it could be done in a more expeditious manner than the comprehensive BSAI LAPP package.*

Failed amendment rationale:

- *Under Amendment 113, all the cod allocated to the plant on Adak came out of the trawl CV cod allocation and put the burden on only that group of stakeholders. Analyzing options to have the cod come off either the BSAI or AI ABC would share the burden of the community benefits to Adak and the plant across all the BSAI cod sectors.*
- *Exploring how cod allocated to Adak from the BSAI cod ABC likely can't come before the CDQ and GHF allocations due to legal constraints as part of a discussion in any forthcoming analysis may support the importance of having the Cod come off the top of the ABC.*

E Staff Tasking

Motion 1

The AP recommends to the Council that they revise crab PSC limits and management measures for Bristol Bay red king crab (BBRKC), bairdi, and opilio to create stronger incentives to minimize bycatch. In particular, when the directed fishery is closed, managers should reduce the impacts on crab to provide more opportunity for the stock to grow to levels to again support a directed fishery.

Given that the bairdi directed fishery is closed and the BBRKC fishery is approaching a conservation threshold that would close that fishery, the AP recommends that the Council asks staff to develop an initial review draft modifying the existing crab PSC formula in regulation at 50 CFR 679.21(e)(1) as soon as possible as a first step, narrow, implementable solution.

Draft Purpose and Need

The current crab PSC management using abundance-based limits and closed areas may not be minimizing bycatch in other fisheries to the extent practicable. This has heightened consequences in cases where the directed crab fisheries are closed or close to closing.

The purpose of this action is to establish strong incentives to minimize bycatch in other fisheries when a directed fishery is closed or approaching a status that would close the directed fishery. The need for this action is to help the stock grow to levels to again support a directed fishery balancing impacts to all of the fisheries and communities that interact with that stock.

Draft Alternatives

Alternative 1 (no action)

Alternative 2 (reduced PSC limits when directed fishery closed)

When no Crab Rationalization Program individual fishing quota (IFQ) is issued in a season (i.e., the directed fishery is closed) for BBRKC, bairdi, or opilio, automatically set the crab PSC limit at the lowest abundance-based level. As described in regulation at 50 CFR 679.21(e)(1), the PSCs would be as follows under this alternative when the directed fishery is closed:

- Bairdi Zone 1 – 0.5 percent of the total abundance minus 20,000 animals
- Bairdi Zone 2 – 1.2 percent of the total abundance minus 30,000 animals
- BBRKC Zone 1 – 32,000 red king crab
- Opilio – 4.350 million animals

The AP requests that the source numbers for the crab abundance estimates used to calculate the PSCs be publicly reported and clearly state whether they are from raw numbers from the NMFS bottom trawl survey or from stock assessment model estimates.

Motion passed 14-4

Rationale:

- *Alaska Bering Sea Crabbers submitted written comment on this agenda item and we heard public testimony on the importance of addressing bycatch of crab in other fisheries, especially when crab fisheries are closed or approaching conservation thresholds.*
- *Public testimony flagged concerns over a mismatch in PSC limits using an example where the directed bairdi fishery is closed and yet the trawl PSC limit is at the highest possible amount. From a management perspective, this does not line up.*

- *The Council has been reviewing PSC limits through various discussion papers and documents for almost 10 years with little progress, starting out with all crab, then focusing more recently on snow crab.*
- *Given the Bairdi fishery did not open this year and red crab is approaching conservation thresholds that could prevent it from opening, these species are a more immediate concern.*
- *This motion would set the PSC limits at the lowest level available in regulation if a directed crab fishery is closed.*
- *The intent of this action is to establish strong incentives to minimize bycatch thereby reducing impacts on the stock so it can more quickly grow to levels to once again support a directed fishery and balance impacts to all of the fisheries and communities that interact with that stock.*
- *Alternative 2 would use the abundance-based limits that already exist in regulation but add a trigger that if a directed crab fishery is closed, the trawl PSC limit would automatically be set at the lowest limit. Tying it to IFQ issuance keeps it within the federal management system and not directly tied to state TAC setting.*
- *The last part of the motion would improve transparency and clarity in the PSC setting process by making the numbers used in the calculation publicly available and clearly stating the source for the numbers whether raw data from the NMFS bottom trawl survey or stock assessment models.*
- *It is recognized and appreciated that the Amendment 80 trawl sector reduced their impacts on crab by raising their trawl sweeps. The directed crab fishery is also actively working to reduce their impacts on crab by working with the Alaska Department of Fish and Game and the Board of Fisheries to change fishing regulations and practices.*
- *Initiating this action is responsive to public testimony.*

Rationale in Opposition:

- *The trawl sectors are trying to avoid multiple sources of bycatch including halibut, salmon, and crab. Beyond bycatch the trawl sectors can be constrained by incidental catches of other species for example cod and sablefish. The intent of the motion seems to be to prioritize avoiding crab bycatch over all other considerations.*
- *Automatically lowering bycatch limits based on whether a crab fishery is closed assumes that the crab bycatch is the reason the crab fishery is not open, and seems punitive.*
- *Determining whether crab bycatch is being avoided to the extent practicable should be considered separately of whether a directed fishery is open.*
- *Trawl sectors have worked on elevated sweeps for their nets to minimize crab mortality and simply lowering the PSC limits doesn't mean that bycatch can be automatically reduced to the extent practicable.*

Motion 2

The AP recommends the Council start a discussion paper looking at the effects of Steller Sea lion rookeries **or haul outs** on the GOA pollock trawl fleet area 610,620,630. The paper should analyze the lack of access to pollock, safety for smaller boats during inclement weather under the race for fish and the reduced ability to avoid salmon bycatch.

Amendment passed 18-0

Motion, as amended, passed 17-1

Rationale:

The AP acknowledged a distinction between rookeries and haulouts under SSL protection measures but did not have readily available information on which to focus for the purposes of a discussion paper. The intent of initiating this paper is to better understand the potential avenues to modify the area and scale of rookeries or haulouts in response to concerns from the fishing industry about safety and Chinook avoidance. The restricted rookery areas around Kodiak's east side during the fall and west side during the winter were specifically mentioned as areas of interest to investigate

Motion 3

The AP recommends that staff develop a list of potential regulatory amendments and fishery issues for the IFQ Committee to address at the April 2020 NPFMC meeting in preparation for the June 2020 GOA Sablefish Pots: 3-Year Review agenda item. These include, but are not limited to:

- Removing pot configuration rules.
- Aligning pot regulations in relation to pot limits and length of time gear can be left on grounds.
- Determine CPUE correlations between hook-and-line and pot gear.
- AIS marking mechanisms and options.
- Incentives to allow small vessel conversion to pot longline gear.
- Exploration of EFPs for DMRs, catch accounting, whale depredation estimates, etc.

Motion passed 18-0

Rationale:

- *The IFQ Committee is comprised of a balanced stakeholder group and it was the intent of the AP to send a list of IFQ issues to the committee to vet for inclusion in the 3-yr IFQ review. However, due to a schedule change, it appears as if the review is now scheduled for the same meeting as the next Committee meeting. The AP desires to initiate potential regulatory amendments on items in the motion under the most appropriate route considering the timing issue that was recently identified.*
- *This motion specifically applies to Amendment 101: Allowable Use of Longline Pot Gear in the Gulf of Alaska Sablefish Individual Fishing Quota Fishery. :*
- *CFR 679.2 applies to authorized fishing gear generally pertaining to tunnel openings. Some stakeholders wish to evaluate the current tunnel opening requirement or potentially eliminating this regulation completely. There is currently no regulation defining what a sablefish pot is, so a regulation specifying tunnels may not be warranted. There has also been concern pertaining to the marking of both ends of a pot string because the amount of room the large diameter line takes up on deck.*

- *CFR 679.42 pertains to pot limits and the length of time gear can be left on the grounds. The general consensus in the pot longline sector is that the requirement in the SEO to bring gear to port upon every IFQ landing is not only a safety issue, but limits the ability of small vessels to participate in the sablefish pot longline fishery. Regarding pot limits, some stakeholders would like to see a standard pot limit across all GOA regulatory areas. Current limits are 300 in WGOA and CGOA and 120 in WYAK and the SEO.*
- *There are some among the pot sector who believe whale depredation might be more easily quantified by comparing CPUEs between hook-and-line and pot. Some boats that have made the conversion to pot fishing are concerned that their IFQ quotas unnecessarily reflect whale depredation when they do not have this issue.*
- *Marking gear with AIS beacons has become illegal under current FCC rules. Both pot longline and hook-and-line fishermen are concerned about regulations that prohibit the use of technology that would help avoid gear conflicts. Alaskan Senators are currently working on a fix for this issue, but as it stands now, there are fines in upwards of \$150k for the use of AIS beacons on fishing gear.*
- *Stakeholders have provided input to the IFQ Committee about costs and barriers to convert from hook-and-line gear to pot gear. A new pot/longline stakeholder group could potentially help explore conversion options.*
- *The IFP committee should discuss the scope of information needs that could be addressed through EFPs. For example, EFPs may need to be explored to properly address: catch accounting, discarding or release of sablefish if regulations are changed, more accurate accounting for whale depredation.*