

North Pacific Fishery Management Council

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November 30, 2007

DRAFT AGENDA
185th Plenary Session
North Pacific Fishery Management Council
December 5-11, 2007
Hilton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council will meet December 5-11, 2007 at the Hilton Hotel, 500 West 3rd Avenue, Aleutian Room, Anchorage, AK. Other meetings to be held during the week are:

Committee/Panel

Advisory Panel
Scientific and Statistical Committee
Enforcement Committee
Ecosystem Committee
ADF&G Halibut Charter Data Work Session

Beginning

Dec 3-8, Mon – 8:00am - Dillingham/Katmai
Dec 3-5, Mon – 8:00am - Birch/Willow
Dec 4, Tue - 9am - 12pm - Iliamna Room
~~Dec 4, Tue - 1pm - 4pm - Iliamna Room [cancelled]~~
Dec 4, Tue - 5:30pm - Dillingham/Katmai

All meetings are open to the public, except executive sessions of the Council. Other committee and workgroup meetings may be scheduled on short notice during the week, and will be posted at the hotel.

INFORMATION FOR PERSONS WISHING TO PROVIDE PUBLIC COMMENTS

Sign-up sheets are available at the registration table for those wishing to provide public comments on a specific agenda item. Sign-up must be completed **before** public comment begins on that agenda item. Additional names are generally not accepted **after** public comment has begun.

Submission of Written Comments. Written comments and materials to be included in Council meeting notebooks must be received at the Council office by **5:00 pm (Alaska Time) on November 28, 2007**. Written and oral comments should include a statement of the source and date of information provided as well as a brief description of the background and interests of the person(s) submitting the statement. Comments can be sent by mail or fax—please **do not** submit comments by e-mail. **It is the submitter's responsibility to provide an adequate number of copies of comments after the deadline.** Materials provided **during** the meeting for distribution to Council members should be provided to the Council secretary. A minimum of **25** copies is needed to ensure that Council members, the executive director, NOAA General Counsel, appropriate staff, and the official meeting record each receive a copy. If copies are to be made available for the Advisory Panel (**28**), Scientific and Statistical Committee (**18**), or the public after the pre-meeting deadline, they must also be provided by the submitter.

**FOR THOSE WISHING TO TESTIFY BEFORE THE
ADVISORY PANEL**

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP **must** sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. **The AP may not take public testimony on items for which they will not be making recommendations to the Council.**

**FOR THOSE WISHING TO TESTIFY BEFORE THE
SCIENTIFIC AND STATISTICAL COMMITTEE**

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. In addition, the SSC will designate a time, normally at the beginning of the afternoon session on the first day of the SSC meeting, when members of the public will have the opportunity to present testimony on any agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC, and **presentations lasting more than ten minutes will require prior approval from the Chair.**

COMMONLY USED ACRONYMS

ABC	Acceptable Biological Catch	mt	Metric tons
AP	Advisory Panel	NMFS	National Marine Fisheries Service
ADFG	Alaska Dept. of Fish and Game	NOAA	National Oceanic & Atmospheric Adm.
BSAI	Bering Sea and Aleutian Islands	NPFMC	North Pacific Fishery Management Council
CDQ	Community Development Quota	OY	Optimum Yield
CVOA	Catcher Vessel Operational Area	POP	Pacific ocean perch
EAM	Ecosystem Approach to Management	PSC	Prohibited Species Catch
EA/RIR	Environmental Assessment/Regulatory Impact Review	SAFE	Stock Assessment and Fishery Evaluation Document
EEZ	Exclusive Economic Zone	SSC	Scientific and Statistical Committee
EFH	Essential Fish Habitat	SSL	Steller Sea Lion
ESA	Endangered Species Act	TAC	Total Allowable Catch
FEP	Fishery Ecosystem Plan	USFWS	United States Fish & Wildlife Service
FMP	Fishery Management Plan	VIP	Vessel Incentive Program
GHL	Guideline Harvest Level		
GOA	Gulf of Alaska		
HAPC	Habitat Areas of Particular Concern		
IFQ	Individual Fishing Quota		
IPHC	International Pacific Halibut Commission		
IRFA	Initial Regulatory Flexibility Analysis		
IRIU	Improved Retention/Improved Utilization		
ITAC	Initial Total Allowable Catch		
LAMP	Local Area Management Plan		
LLP	License Limitation Program		
MSFCMA	Magnuson-Stevens Fishery Conservation and Management Act		
MMPA	Marine Mammal Protection Act		
MRA	Maximum Retainable Amount		
MSY	Maximum Sustainable Yield		

November 30, 2007

**DRAFT AGENDA
185th Plenary Session
North Pacific Fishery Management Council
December 5-11, 2007**

	<u>Estimated Hours</u>
A. CALL MEETING TO ORDER	•
(a) Approval of Agenda	
(b) Approval of Minutes	
 B. REPORTS	 (6 hrs)
B-1 Executive Director's Report	
B-2 NMFS Management Report (including update on National Bycatch Report, update on 2C GHL rulemaking, report on crab loan program, report on constructive loss issues, RAM Division report on crab program)	
B-3 USCG Report	
B-4 ADF&G Report (including a report on BOF actions, subsistence halibut survey)	
B-5 USFWS Report	
B-6 Protected Species Report (including 2007 SSL survey results, IWG seabird deterrence EFP, update on SSL Recovery Plan/BiOp/EIS schedule)	
 C. NEW OR CONTINUING BUSINESS	
C-1 <u>Charter Halibut Management</u>	(6 hrs)
(a) Committee report on longterm solutions and allocation/reallocation.	
(b) Review progress on Charter Halibut Allocation/Reallocation and provide direction/refine alternative as necessary.	
C-2 <u>BSAI Crab Issues</u>	(10 hrs)
(a) Preliminary review of BSAI 'C' Share active participation.	
(b) Final action on BSAI Crab 'C' share 90/10 exemption.	
(c) Final action on BSAI Crab custom processing.	
(d) Final action on BSAI Crab post-delivery transfers.	
(e) Review workplan on BSAI Crab 3 year review, and Problem Statement for A/B share amendment package; action as necessary.	
C-3 <u>GOA Groundfish Issues</u>	(8 hrs)
(a) Progress report on GOA P. cod sector split, direction as necessary.	
(b) Review discussion paper on GOA sideboards; action as necessary.	
(c) Final action on GOA pollock trip limit.	
(d) Final action on CGOA rockfish post-delivery transfers.	
C-4 <u>LLP Trawl Recency</u>	(6 hrs)
Initial review of EA/RIR/IRFA on alternatives to address modifications to LLP requirements	
C-5 <u>Amendment 80</u>	(2 hrs)
Initial review of Amendment 80 post-delivery transfers and rollovers.	
C-6 <u>Observer Program</u>	(2 hrs)
Initial review of Observer Program regulation package.	
C-7 <u>AFA Permit Application</u>	(2 hrs)
Receive public comment and formulate Council recommendation on Adak Fisheries application for an unrestricted AFA inshore processor permit.	

D. FISHERY MANAGEMENT PLANS

- D-1 Groundfish Management (8 hrs)
 - (a) BSAI salmon bycatch: EFP, Workgroup report, review NOI & alternatives.
 - (b) Discussion paper on VMS exemption for dinglebar gear.
 - (c) Review discussion paper 'Other Species'; Non-target Committee Report.
 - (d) Final action on BSAI groundfish specifications and SAFE reports.
 - (e) Final action on GOA groundfish specifications and SAFE reports.
 - (f) Draft SIR on specification EIS, action as necessary.
 - (g) Review discussion paper on GOA salmon and crab bycatch.

- D-2 Crab Overfishing Definitions (1 hr)
 - (a) Final action on BSAI crab overfishing definitions.

- D-3 Ecosystem Issues (1 hr)
 - (a) Update on outreach efforts for Arctic FMP
 - (b) ~~Report from Ecosystem Committee on AI-FEP Implementation~~ [postponed until February 2008]
 - (c) Alaska Regional Collaborative Team report.

- D-4 Staff Tasking (4 hrs)
 - (a) Review Committees and tasking, and take action as necessary.
 - (b) Review broader (PSEIS) community outreach plan and actions pursuant to the NMFS Policy on stakeholder participation stemming from GAO report.

- D-4 Other Business

Total Agenda Hours: 56 hours

DECEMBER 2007

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 SSC/AP Anchorage	4 SSC/AP	5 SSC/AP Council	6 AP/Council	7 AP/Council	8 AP/Council
9 Council	10 Council Young Fishermen's Summit thru 12th - Anch	11 Council Crab Interagency Research Mtg thru 13 th - Anch	12	13	14	15
16	17	18 Marine Fisheries Advisory Cmte thru 20 th - St. Pete Beach, FL	19	20	21	22
23	24	25 <i>Christmas</i>	26	27	28	29
30	31					

JANUARY 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 <i>New Year's Day</i>	2	3	4	5
6 SSLMC thru 8th - AFSC, Seattle	7	8 Interim CCC/NOAA workshop thru 10th - DC	9 BOF Chignik Finfish thru 12 th - Anch	10	11	12
13	14 <i>Martin Luther King Day</i> BOF Kodiak Finfish thru 18 th - Kodiak	15 IPHC mtg thru 18th - Portland	16	17	18	19
20	21 AK Marine Science Symposium thru 23rd - Capt Cook, Anch	22	23	24 NPFMC/NMFS Staff mtg thru 25 th - Juneau	25	26
27	28	29	30	31 SW Economic Summit & SWAMC mtg thru Feb 1 st - Capt Cook, Anch		

FEBRUARY 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 BOF Upper Cook Inlet Finfish thru 12 th – Anch	2
3	4 SSC/AP – Seattle Marriott Renaissance 15 th Western Groundfish Conf thru 8 th – Santa Cruz, CA	5 SSC/AP	6 SSC/AP Council	7 AP/Council	8 AP/Council	9 AP/Council
10 Council	11 Council Alaska Forum on the Environment thru 15 th – Anch	12 Council	13	14 Marine Debris in Alaska thru 15 th – Marriott, Anch	15	16
17	18 <i>President's Day</i>	19	20 Scallop PT thru 21 st – where? (T)	21	22	23
24 Boston Seafood Show thru 26 th	25	26	27	28	29	

MARCH 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18 N. Aleutian Basin Energy & Fisheries Wkshop thru 19 th – TBD	19	20 ComFish thru 22 nd – Kodiak	21	22
23	24	25	26	27	28	29
30	31 SSC/AP Anch Hilton					

APRIL 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 SSC/AP	2 SSC/AP Council	3 AP/Council	4 AP/Council	5 AP/Council
6 Council	7 Council	8 Council	9	10	11	12
13	14 NPRB Science Panel thru 18 th – Anch	15	16	17	18	19
20	21	22 European Seafood Expo thru 24 th – Brussels	23	24	25	26
27	28	29	30 NPRB thru 1 st – Anch			

MAY 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1	2	3
4	5 Annual CCC & NOAA mtg thru 9 th – St. Thomas VI	6 Crab Plan Team thru 8 th – Seattle	7	8	9	10
11	12	13	14	15	16	17
18	19 International Symposium on Climate Change thru 23 rd – Gijon, Spain	20	21	22	23	24
25	26 <i>Memorial Day</i>	27	28	29	30	31

JUNE 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 SSC/AP – Kodiak	3 SSC/AP	4 SSC/AP Council	5 AP/Council	6 AP/Council	7 AP/Council
8 Council	9 Council	10 Council	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

JULY 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4 <i>Independence Day</i>	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

AUGUST 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18 AFS annual mtg thru 22 nd - Ottawa, ON	19	20	21	22	23
24	25	26	27	28	29	30
31						

SEPTEMBER 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16 Crab Plan Team mtg thru 18 th - Anch (T)	17	18	19	20
21	22	23	24 NPRB thru 25 th - Anch	25	26	27
28	29 SSC/AP - Anch Sheraton	30 SSC/AP				

OCTOBER 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 SSC/AP Council	2 AP/Council	3 AP/Council	4 AP/Council
5 Council	6 Council	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

NOVEMBER 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

DECEMBER 2008

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2	3	4	5	6
7	8 SSC/AP - Anch Hilton	9 SSC/AP	10 SSC/AP Council	11 AP/Council	12 AP/Council	13 AP/Council
14 Council	15 Council	16 Council	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

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Certified: Halet Benday
Date: 11/14/07

DRAFT REPORT of the SCIENTIFIC AND STATISTICAL COMMITTEE to the NORTH PACIFIC FISHERY MANAGEMENT COUNCIL October 1-3, 2007

The SSC met during October 1-3, 2007 at the Hilton Hotel, Anchorage, Alaska. Members present were:

Pat Livingston, Chair
NOAA Fisheries—AFSC

Keith Criddle, Vice Chair
University of Alaska Fairbanks

Bill Clark
International Pacific Halibut Commission

Anne Hollowed
NOAA Fisheries—AFSC

George Hunt
University of Washington

Lew Queirolo
NMFS—Alaska Region

Seth Macinko
University of Rhode Island

Franz Mueter
SigmaPlus Consulting

Farron Wallace
Washington Dept of Fish and Wildlife

Doug Woodby
Alaska Department of Fish and Game

Members absent were:

Sue Hills
University of Alaska Fairbanks

Gordon Kruse
University of Alaska Fairbanks

Terry Quinn II
University of Alaska Fairbanks

C-1 (a) & (e) ADF&G 2006 Charter Harvest Estimates and Estimation Procedures

Scott Meyer (ADF&G) presented (1) a staff report on the 2006 final estimates for charter halibut harvests in Area 2C and in Area 3A, and (2) a discussion paper on procedures for estimation of recreational catch of halibut, DSR, and sharks. Mike Jaenicke (ADF&G) provided answers to questions about the Area 2C creel surveys. Public testimony was provided by Dan Hull (Cordova District Fishermen United), Dan Falvey (Alaska Longline Fisheries Association), Donald Westland (Silver King Charters, Ketchikan), and Rick Bierman (Juneau Charter Boat Operators Association).

Estimation procedures are rules for generating estimates. The statistician's problem is to select an estimation procedure that provides good estimates, estimates that are often close to the true value. Nevertheless, good estimation procedures often lead to estimates that are incorrect. The charter harvest projections are based on simple 5-year linear trends in charter harvests. Recent discrepancies between the projections and estimates based on the Statewide Harvest Survey (SWHS) have ranged from -22.6% to +17.7% for Area 2C and -13.8% to +24.4% in Area 3A. The SWHS has received extensive review and is considered to be among the best in the U.S. Nevertheless, it is important to recognize that the estimates

based on the SWHS are uncertain. The uncertainty associated with SWHS estimates is represented by the standard errors (se) of the estimates. The 95% confidence intervals associated with the 2006 SWHS estimates are the point estimates, plus or minus the product of 1.96 and the standard errors of the estimates:

	Current Estimate (Milbs)	SE	standard deviations	~95% LB	~95% UB	GHL	2006 Projection
2C	1.804	0.089	1.96	1.628	1.979	1.432	2.029
3A	3.664	0.108	1.96	3.451	3.876	3.650	3.948

Based on these estimates of the confidence intervals, there is less than a 2.5% probability that the 2006 level of charter harvests in Area 2C was less than 1.628 million lbs. Because the Area 2C GHL (1.432 million lbs) is less than 1.628 million lbs, there is less than a 2.5% probability that the Area 2C GHL was not exceeded in 2006. In contrast, because the Area 3A GHL is above the lower bound of the 95% confidence interval, the possibility that the GHL was not exceeded cannot be rejected at the 95% confidence level. Although the 2006 projections exceed the upper bound of the 95% confidence intervals in both Area 2C and 3A, the recent range of deviations between the projections and the SWHS estimates overlap for both areas.

The SSC is pleased to note that the analysts evaluated the use of exponentially weighted smoothing (EWS) as an alternative to 5-year linear trends as estimators for developing projections of charter harvests. The results of EWS are similar to the results of the simple 5-year linear trends. Providing confidence intervals for estimates and projections would help notify the public of uncertainty associated with the projections.

The precision and accuracy of catch estimates and projections are limited by the quality of information currently collected. The SSC notes that the data collection program is evolving and that improvements may be required to meet management objectives in the future. In particular, the SSC notes that biological sampling of sharks in the SE is minimal and additional sampling is warranted. **The use of improved in-season assessments to narrow the confidence interval on this information and to reduce time lags should be considered.**

C-1(b) 3A GHL

Jane DiCosimo (NPFMC) and Jonathan King (Northern Economics) presented an overview of the initial review draft EA/RIR/IRFA for implementing GHL measures in the halibut charter fishery in IPHC Regulatory Area 3A. There was no public testimony on this agenda item.

This draft analysis was patterned after the analysis included in the Area 2C GHL amendment package, which was approved. The current draft analysis relied on the 2006 charter harvest projections, because the 2006 SWHS estimates were not available until after the draft analysis had been completed. As noted in section C-1 (a and e), above, although the 2006 SWHS estimate exceeds the GHL, it is considerably smaller than the 2006 projection. The analysts have indicated that the SWHS estimates will be incorporated into a revision of the draft initial review EA/RIR/IRFA. **The SSC approves the document for release for public review, but makes the following recommendations regarding improvements before its release.**

In addition to changes associated with incorporation of the 2006 SWHS estimates, **the analysis could benefit from addressing, to the extent practicable, the following specific issues:**

1. Confidence intervals should be added to figure (1) and figure (8).

2. The analysis should address the likely differential responses of resident and nonresident anglers to action options.
3. Table 10 should be expanded to include an analysis of Alternative 1.
4. The analysis should include a discussion of the effect of the alternatives on the capitalized value of commercial QS.
5. The analysis should include a discussion, to the extent that data permit, of the residency of owners, operators, and crew in the commercial and charter fisheries.
6. The analysis should include an explicit discussion of the expected enforcement costs for each option.

C-1(c) Charter Halibut Allocation

Jane DiCosimo (NPFMC), Darrell Brannan (NPFMC), and Jonathan King (Northern Economics) presented an overview of the preliminary review draft EA/RIR/IRFA for setting an initial allocation between charter and commercial sectors in the halibut fishery and to allow for “compensated reallocation” between sectors in IPHC Regulatory Areas 2C and 3A. Public testimony was provided by Kathy Hansen (SE Alaska Fisheries Alliance and United Fishermen of Alaska), Donald Westland (Silver King Charters, Ketchikan), Larry McQuarrie (Sportsman’s Cove Lodge, Prince of Wales Island), Dan Falvey (Alaska Longline Fisheries Association), and Rick Bierman (Juneau Charter Boat Operators Association).

At the outset, the analysts characterized this document as a preliminary draft that requires further specification from the Council before the analysis can be completed. **The SSC concurs that the current draft EA/RIR/IRFA is incomplete and should not be released for public review, because it does not provide sufficient detail for the public to frame informed opinions about the impact of the alternatives.** For example: (1) the mechanism for determining the amount of IFQ that would “need” to be reallocated from the commercial fishery to the charter fishery has not been defined; (2) the mechanism for determining the magnitude of compensation, if any, to IFQ holders for transfers of halibut “needed” for the charter fishery has not been specified; (3) the mechanism for determining whose IFQs would be reduced to support charter “needs” has not been defined; (4) the mechanism for enforcing a GHL has not been identified; (5) the tax implications of the pro-rata payment for transfers of IFQ versus transfers of QS have not been discussed; and (6) the mechanism for transferring funds collected from charter operators through regional, State, and Federal entities and on to commercial fishermen have not been identified.

In addition, it should be noted that the analysis does not provide quantitative estimates or confidence intervals for the magnitude of net national benefits or to determine the regional economic impacts generated under the alternatives and it is unlikely that a revised analysis will be able to definitively identify an optimal allocation. A complete characterization of net national benefits affected by this action would require consideration of the contribution to national welfare of all commercial removals (i.e., charter, halibut longline, other fixed gear fisheries, and trawl). Such an analysis exceeds reasonable expectations for the present action. More to the question at hand, selecting an allocation to maximize net national benefits would require detailed information on operation and capital costs in the charter and commercial sectors as well as detailed information about the ex-vessel demand for IFQ halibut, angler willingness-to-pay for charter trips, as well as the ‘input value’ of halibut bycatch in the production of other fishery production. Acquiring such information would be expensive and time consuming. Because changes in the demand or supply functions in the commercial fishery, changes in the willingness to pay or cost of participating in the charter sport fishery, and changes in ocean productivity affect the optimal

sustainable yield and the optimal allocation of the optimal sustainable yield, any initially optimal allocation may be suboptimal in subsequent periods. Consequently, to maximize net benefits, allocations need to be modified whenever the economic or biological conditions change. Although theoretically possible, the knowledge and control needed to maximize overall net benefit through political-regulatory management regimes is overwhelming and such systems have consistently failed to sustain overall net economic benefits. When allocations are determined in a political process, interest groups have an incentive to overstate the marginal value of additional shares. The resultant allocations cannot be expected to maximize overall net economic benefits. An integrated commercial-sport quota market-based management regime would shift the allocation decision from the management arena into the market place. However, the mere act of adopting an integrated commercial-sport quota market will not, by itself, ensure that overall net benefits are maximized. The use-shares must be defined in a way that causes the value of consumer and angler surpluses to be expressed in the market price for use shares and the market is allowed to efficiently apportion shares to their highest and best use.

While development of a model of the determinants of angler demand for sportfishing trips (by demographic category, residency, region, type of charter operation, costs of licenses and halibut stamp surcharges, etc.) would be desirable, development of such a model is beyond the scope of this analysis. Nevertheless, because projections of charter catches are needed for management and for comparison of management alternatives, a forecasting rule must be selected. It is reasonable to assume that past SWHS estimates of charter catches provide information about future catches, however because past SWHS estimates have varied considerably, there will be substantial uncertainty about the projections and uncertainty about optimal rules for deriving projections from past SWHS estimates. In the absence of a behavioral model, there are many ways to use the information embodied in the 30 SWHS estimates. The possible forecasting rules range from weighting each past observation as equally likely, to ignoring all but the most recent observation. For short-term forecasts, locally-linear time trends such as the 5-year trends currently used for charter catch projections are often used. In general, forecasts should not extend beyond 20% to 50% of length of observations used to generate the forecasts. That is, 10-year forecasts should be based on trends estimated over at least 20 to 50 years of observations. Because there are only 30 annual SWHS estimates of charter catches, all 30 observations should be used in generating 10-year forecasts. The SSC suggests that the analysts consider one or more of the following models:

1. Random walk model: Time series that follow a random walk, or a random walk with drift, are inherently unpredictable (although the range of possible variation can be simulated for fixed forecast horizons). The annual SWHS estimates should be examined with a test for unit roots to determine whether it is possible to reject the hypothesis that the history of charter catches can be characterized by a random walk or a random walk with drift. If the observations fail the unit root test, strong consideration should be given to basing the projections on a random walk or random walk with drift model.
2. Globally linear trend model: Linear regression with adjustment to account for heteroskedasticity (differences in the annual SWHS coefficients of variation). This model would reduce the influence of high variance estimates.
3. Weighted globally linear trend model: The above model could be further adjusted by weighting the observations by the inverse of the lag length from the present. This model would reduce the influence of the earliest observations in the data series.
4. ARIMA model: ARIMA models are often useful for generating forecasts that incorporate the influence of past observations with data-determined weighting on the window of observations that influence forecasts. An advantage of ARIMA models is that they allow for dynamic responses that can be nonlinear.

5. Exponentially weighted smoothing (EWS) model: EWS is a procedure for estimating locally-linear trends where the most recent observations are most influential, and where the data are used to determine the weights. The EWS model could also include adjustment for heteroskedasticity.

For all of the above, it would be helpful to provide upper and lower confidence bounds to characterize the degree of uncertainty associated with the projections of growth. However, the SSC recognizes that there is a great deal of year-to-year variability in SWHS estimates of harvest and the processes influencing future changes in non-commercial harvest of halibut are not well-known. Thus, the suggested analyses may not improve the projections currently provided in the document.

C-1(d) Charter Halibut Discard Mortality

Scott Meyer (ADF&G) presented a discussion paper on halibut discard mortality in recreational fisheries in IPHC Areas 2C and 3A. Public testimony was provided by Rex Murphy (Alaska Charter Association) and Donald Westland (Silver King Charters, Ketchikan).

The SSC applauds ADF&G's efforts to include discard mortalities in the estimation of total halibut mortality in the recreational fishery. The analyst provided reasonable estimates of discard mortalities for different gear types, based on existing literature. While there are many sources of uncertainty and potential biases, results suggest that discard mortality is likely a small fraction of total harvest.

A major source of uncertainty in the estimation is the average weight of discarded fish relative to retained fish. To obtain an estimate, the analyst assumed size-selective retention that favored larger fish (i.e. lower retention rates for smaller fish) and followed a logistic function. With some strong assumptions, bounds for average size were obtained based on a single year of size composition data (retained catch) and an estimate of the total number of fish landed.

To reduce uncertainty in the estimates, the SSC encourages ADF&G to conduct small-scale studies on handling mortality and on the size composition of released fish in different sectors.

C-3(c) Initial review of BSAI Crab "C" shares 90/10 exemption

Mark Fina (NPFMC) presented an overview of the initial review draft RIR/IRFA for extending the exemption of C shares from processor share and regional landing requirements. Public testimony was provided by Tim Hinkle (Deep Sea Fisherman's Union).

The SSC notes that two years of experience with C-share use may not be sufficient to support conclusions as to how this program will perform over time. Further development of the analytical package depends upon selection of a preferred alternative by the Council. The analysis or action memo should include an explanation for why an EA was not prepared as a component of this analysis. **The SSC supports the release of this initial analysis for public review.**

C-3(d) Initial review of BSAI crab custom processing

Mark Fina (NPFMC) presented an overview of the initial review draft RIR/IRFA for a provision exempting certain custom processing from use caps on processor shares. Public testimony was provided by Dave Fraser (Adak Fisheries).

The SSC appreciates the efforts made by the analysts to be responsive to SSC comments, offered during the SSC meeting in February, 2007. The analysis or action memo should include an explanation for why

an EA was not prepared as a component of this analysis. **The SSC supports release of this draft for public review.**

C-3(e) Initial review of BSAI crab post-delivery transfers

Mark Fina (NPFMC) presented an overview of the initial review draft RIR/IRFA for an action allowing post-delivery transfer of shares to cover catch overages. There was no public testimony on this agenda item.

The analysis or action memo should include an explanation for why an EA was not prepared as a component of this analysis. **The SSC supports release of this draft RIR/IRFA for public review.**

C-4(a) Preliminary review of GOA Pacific cod sector split

Jeannie Heltzel (NPFMC) presented an overview of the preliminary draft EA/RIR/IRFA for allocations of Pacific cod among sectors in the western and central Gulf of Alaska. There was no public testimony on this agenda item.

The SSC appreciates the opportunity to learn about the analysis at an early stage. The SSC notes that some of the potential sectors appear to involve very small numbers of participants and wonders whether confidentiality issues will preclude meaningful analysis. The SSC suggested that the analysts consider adding residency information into future iterations of the analysis.

The SSC notes that although the EA includes a brief discussion of potential impacts on seabirds, it does not explicitly address the role that alternative choices of the qualifying years would have on impacts to seabirds.

C-4(d) Initial review CGOA rockfish post-delivery transfers

Mark Fina (NPFMC) presented an overview of the initial review draft RIR/IRFA for an action allowing post-delivery transfer of shares to cover catch overages. There was no public testimony on this agenda item.

While the SSC did not have specific questions or concerns with the analysis itself, the SSC does request that a short explanation be provided as to why there is no accompanying EA. **The SSC recommends that the analysis be released for public review.**

C-5 LLP Trawl Recency

Jim Richardson (NPFMC) presented an overview of the initial review draft EA/RIR/IRFA for groundfish license limitation for BSAI trawl catcher vessels and GOA trawl catcher vessels and catcher processors. Public testimony was provided by Julie Bonney (Alaska Groundfish Databank).

Staff noted that several tables in the draft analysis include incorrect numbers, other tables are missing from the draft analysis, and additional discussion will be added to the analysis; thus, it is unclear if the current draft analysis is representative of the document that would be released for public review.

The SSC notes that, while the analysis suggests that there might be costs and that there might be benefits associated with these alternatives, it does not provide estimates of the costs or benefits and, thus, the

analysis does not provide information that would support differentiating the alternatives on the basis of quantitative estimates of net national benefits, regional economic impacts, or differences in net benefits that accrue to the various sectors included or excluded under the alternatives.

The SSC does not presently support public release of this analysis and would appreciate an opportunity to review the completed document, reflecting all the proposed corrections and additions, prior to release.

C-7 Social and Economic Data Collection

Ron Felthoven (NMFS AFSC) presented an overview of a discussion paper characterizing data to include in a comprehensive social and economic data collection program for fisheries in and off Alaska. Public testimony was provided by Tim Hinkle (Deep Sea Fisherman's Union).

Collection of comprehensive social and economic data is a necessary basis for elevating the quality and rigor of analyses undertaken in support of contemplated management actions. For example, our June 2007 report notes:

The need for the development and continued maintenance of basic economic and social information databases on the fisheries and fisheries dependent communities of GOA and BSAI is made ever more pressing as the Council continues to adopt actions that are intended to improve the long term net benefits derived from fisheries. This information is required for establishing a baseline to be used in identifying stakeholders to be included in the distribution of dedicated access privileges (e.g., harvesting quotas and processing quotas), a baseline to be used for projecting the likely consequences of alternative management measures, and as a baseline for retrospective analysis of management actions that have been taken.

While the analytical rigor and quality of information applied to stock assessments has evolved from crude back-of-the-envelope estimates employed at the onset of Council management, to the sophisticated state-of-the-art assessments that characterize our current stock assessments, the rigor of economic and social analyses has not evolved in a similar fashion. This is not a fault of the analysts or an expression of the inherent analytic limitations of the disciplines. The fault lies with a failure to collect basic information, information that is typically available for other industry sectors, such as agriculture.

For example, over the past two decades, lack of data on crew participation in the fisheries off Alaska has precluded serious consideration of crew impacts in various Council actions. The SSC notes that the Council formally requested the collection of data on crew participation in 1995 (as a general provision of the LLP programs). *Whether* crew should be included in any particular allocation scheme is a policy decision for the Council to make, however, such a decision cannot be empirically informed until a data collection program on crew participation is initiated.

The proposed data collection program is substantially scaled-back from previous proposals and represents a pragmatic compromise, focusing on the most critically important data that will assist most in Council analyses. While collection of the data described in the discussion paper will not resolve all of the information deficiencies that limit economic and social impact analyses of management actions, as the depth and breadth of cross-sectional and time series data available to analysts grows, there will be substantial improvements in empirical estimates of benefits and costs, their temporal and geographic distribution, and the net benefits that may be expected to accompany each of the alternative management mechanisms considered by the Council. Data proposed for inclusion in the comprehensive database will support, inter alia, pre- and post-implementation empirical estimates of: net benefits under alternative management actions; regional economic impacts under alternative management actions; costs and benefits of alternative management actions by sector; social impacts of alternative management actions by

community and for crew; and, the consistency or divergence between outcomes and stated management objectives.

D-1(b) Initial review WGOA pollock trip limit

Jim Richardson (NPFMC) presented an overview of the initial review draft RIR/IRFA. An EA has not been prepared for this analysis; staff intends to request a categorical exclusion, under NEPA, precluding the need for preparation of an EA. There was no public testimony on this agenda item.

The SSC supports release of the draft for public review.

D-1(c) Groundfish Specifications

Diana Stram (NPFMC) presented the plan team recommendations on the preliminary 2008-2009 groundfish specifications. Public testimony was provided by Dan Falvey (Alaska Longline Fisherman Association) related to the weighting of fishery data and survey data in the apportionment of sablefish.

The SSC concurs with the preliminary groundfish specifications suggested by the plan teams. The public should be aware that these preliminary numbers will be revised in December.

D-1(d) Review of new stock assessment models

Pacific cod

Grant Thompson (NMFS AFSC) reported on the Pacific cod workshop held in April 2007 and a discussion paper entitled "An exploration of alternative models of the Bering Sea Pacific cod stock." Public testimony was provided by Mark Maunder (Freezer Longliner Coalition).

The 2006 assessment, done with the Stock Synthesis 2 assessment package, was the first to estimate the "catchability" coefficient from the Bering Sea trawl survey data, previously fixed at 1. Other features of this assessment were fixed natural mortality (0.37), double normal (in place of the previous double logistic) selectivity functions, and influential prior distributions on some parameters.

An external review and independent model estimates derived after the September 2006 plan team meeting resulted in a number of recommended changes to the assessment and a quick revision of the assessment shortly before the December 2006 Council meeting. In view of the numerous questions about the assessment and uncertainty about the biomass estimate, the SSC recommended that NMFS hold a public workshop to examine the assessment and explore alternative models. This workshop was held in April 2007. A number of alternative models were fitted in advance of the workshop, and additional models were fitted during the course of the workshop. At the end of the workshop, participants suggested a number of other possibilities for the assessment team to consider.

AFSC assessment scientists investigated these alternative models during the summer and presented a range of four possible model fits at the September 2007 plan team meeting. In all of these models, natural mortality (M) and trawl survey catchability were estimated, January-May commercial trawl selectivity was forced to be monotonic, other selectivities were modeled as double normals, with annually varying ascending limbs; all priors were uniform. The four alternative models differed in respect of beginning year (1976 or 1982), influence of commercial trawl and longline CPUE, variation of natural mortality with age after age 8, influence of age data, and data weighting (in one model the data were iteratively reweighted). Predictably, each of the models achieved better fits to some data types and worse fits to others.

The age reading data were ignored in one model because of some apparent inconsistencies between the progression of trawl survey length frequency modes and the mean length at ages 1-4 shown by the age readings. Observed survey length frequencies and those predicted by a model fitted to the age data were presented. The model predictions generally failed to match the height of the observed modes among smaller fish, lending some support to suspicions about the accuracy of age readings of younger fish.

At this point, none of the models fit all the data well, and there are substantial differences in estimated abundance among the models. The SSC is impressed with the talent and effort being applied to this assessment, and we see progress in identifying a suite of model configurations for eventual selection of a preferred assessment. The assessment scientists raised a number of specific questions about the data and the model configuration. The SSC suggests that the analysts consider the following in some of the models brought forward in December:

- (i) -One or more model fits in which the value of natural mortality (M) is fixed. We are skeptical of model estimates of M , including the previous fixed value $M=0.37$. Purely for purposes of comparison we would like to see one fit with $M=0.37$. We would suggest that the author investigate the possibility of choosing a different fixed value based on life history theory (i.e., the value of M for which the observed growth and maturity schedules are optimal).
- (ii) Plots of the empirical length-at-age distributions calculated by keying out the survey length distributions using the length-stratified survey age readings. These empirical length-at-age frequencies must sum to the observed survey length frequencies, including the strong modes that the model fits fail to predict. This exercise may reveal differences between the empirical and estimated length-at-age distributions that will shed some light on the apparent inconsistencies between the age and length data.

Another suggestion to the assessment scientists to help resolve the aging issue (not a request to do this for December) is that they examine residual plots of age conditioned on length by year for clues of where the model fits the data well and where it does not.

Skates

Olav Ormseth (NMFS AFSC) presented a new age-structured Stock Synthesis 2 model for Alaska skates. The SSC commends the author for clear presentation on a new stock assessment and for considerable effort to develop an age-structured model for skates. There was no public testimony on this agenda item.

The base model started in 1992, used length-based selectivity, and incorporated the EBS shelf survey biomass and a level of equilibrium catch equal to the 1992 catch. The authors also explored an alternative model that was started in 1958, incorporating the entire historical catch record. The early catch estimates were based on the 1997-2006 species composition, which raises questions about how consistent these proportions are over time, particularly when extrapolating back in time, e.g., could the fairly dramatic increase in biomass in the 1980s be attributed to changes in species composition, changes in spatial distribution, or both?

The SSC encourages further development of the age-structured model and recommends that the authors consider the following issues in future updates to the model:

1. Run several alternative models that look at plausible lower and upper bounds of historical catch.
2. Examine any historical evidence for changes in species composition that may have occurred during the time of rapid increase, as well as the evidence for movement of skates onto the shelf over time, which may imply that a larger proportion of the population was unavailable to the survey in the early 1980s.

3. Examine and show the observed level of variability in species composition in both the catch and the survey over time for the years where data are broken down by species.
4. If possible, incorporate an alternative growth model into SS2 that may improve the model fit to the available length-at-age data.
5. Examine potential problems with aging of older fish (i.e. do they all accumulate in a large size class without further growth and without depositing growth rings in vertebrae).
6. Include a discussion of trophic relationships and other ecosystem relationships for Alaska skate (ecosystem considerations, similar to other assessments), with attention to the main prey and predators (based on available diet data) and including evidence for predation on adult skate.
7. The base model is not responsive to the recent increase in the trawl survey biomass, apparent since 2001, and further evaluation of possible misspecification should be made.
8. Consider using an average recruitment level, rather than trying to fit a Beverton-Holt model that appears to fit poorly and has issues with strong autocorrelation in the residuals.
9. Fix Fig A5 to clarify the ages represented on the x-axis.

D-1(f) Management of Other Species

Scott Miller (NMFS AKR) gave an overview of a discussion paper on the implications of a proposed amendment to set overfishing and allowable biological catch specifications for the other species assemblages in the BSAI and GOA. At the current time, 5 alternatives are under consideration. The discussion paper provided plots of monthly cumulative catch by fishery and sector, and the spatial distribution of other species catch. The analysts expect that the action will trigger a regulatory amendment and will require an EA/RIR/IRFA. The analysts plan to develop a fishery activity model for target fisheries. The effort would include an analysis of temporal and spatial distributions of fisheries on a 5 km grid. This would allow the ability to assess what types of management measures (quotas, time and area closures, or gear restrictions) that would be most effective at maintaining catch at a biologically acceptable level and to evaluate revenue at risk, mitigation of revenue at risk, and operational implications.

Jane DiCosimo (NPFMC) provided background information on the larger effort to manage non-target species. At the current time, rule making on the feasibility of distinguishing between target and non-target management is uncertain. The NPFMC is recommending moving forward with the other species breakout as an interim step. **The NPFMC anticipates that future rule making would propose species specific management measures for every non-target species.** Council staff also noted that grenadiers are currently considered to be of "no management concern" and, therefore, asked the SSC to comment on whether Alternative 5 should be included in the amendment package.

There was no public testimony on this agenda item.

The SSC agrees with the NPFMC plan to proceed with an interim measure to break the other species complex into its component species complexes. This effort, and its associated analysis, should provide useful insight into the potential implications of proposed species specific management of non-target management. **The SSC does not recommend dropping Alternative 5 on adding grenadier to the specification process from the amendment package.** In the GOA, where incidental catch is approximately 40% of a potential ABC, it is premature to drop this species group from the analysis.

Furthermore, inclusion of grenadier in the analysis would provide useful insight into the implications of management of a non-target species group.

The SSC agrees that the proposed work plan for development of the EA/RIR/IRFA is reasonable. **However, additional detail would be required for the SSC to provide more specific comments and suggestions.** Analysts should include an analysis of prospective markets for these species, and the anticipated rate of developing markets. The analysis should also include an analysis of the impacts of the proposed species breakout on existing target fisheries and markets.

The SSC recommends that future discussion papers differentiate between bycatch (i.e., incidental groundfish catch that is discarded), versus incidental catch (i.e., which is, by definition, retained). The SSC notes that the label "management concern" is a value judgment. This label appears to be linked to whether recent observed catches of a group approached the group ABC or OFL. The SSC recommends that this criterion be more clearly defined. The SSC notes that, for example, 41 species of sculpins were identified in the Eastern Bering Sea (EBS) and 22 species in the Aleutian Islands (AI) region. Thus, the analysis will need to point out that the assessment of concern applies only at the group level, and that species level impacts might still be incurred in this management system.

D-2 (a,b) Salmon Bycatch Workgroup Report/Refine problem statement and alternatives

Diana Stram (NPFMC) presented a report from the Salmon Bycatch Workgroup, pointing to the need for SSC comments on analytical methodologies proposed to address the bycatch issue. Jim Ianelli (NMFS, AFSC) reported on his recent efforts to develop a method to estimate the impact on salmon run sizes in western Alaskan rivers, due to bycatch in the BSAI pollock trawl fishery. Jim Ianelli also reported on work by Alan Haynie (NMFS, AFSC) to model the optimal design for BSAI pollock fishery closures to effectively reduce salmon bycatch. Cathy Coon (Council staff) presented a series of maps showing potential GIS approaches to establishing closed areas based on bycatch rate-based or threshold criteria. Public testimony was provided by Becca Robbins Gisclair (Yukon River Drainage Fisheries Association).

The issue of salmon bycatch in the pollock trawl fishery has been before the SSC numerous times in recent years, and we convened a salmon bycatch workshop in April of this year. At that meeting, the Council established a salmon bycatch workgroup (SBW), which met most recently in August. The current suite of alternatives before the Council includes just two, the status quo and an alternative with 4 elements:

1. Hard caps,
2. Fixed area closures,
3. Triggered area closures, and
4. A modified PSC accounting period,

with various options under the first 3 elements.

The SSC agrees that the newly developed "adult equivalency" modeling approach is promising and highly responsive to our suggestions made in April for approaches that might be possible for estimating bycatch impacts on returns to western Alaskan rivers. The preliminary form of the model shows considerable promise to provide these estimates, and moreover, offers the possibility of selecting a bycatch limit based on probabilistic statements of estimated run size impacts. Also, the sensitivity analysis of effects of uncertainty in run sizes, survival rates, river of origin assignments, and inter-annual variability in run size provides useful insight into the importance of those factors in the analysis and its outcomes. **We encourage further development of this model, to include greater realism regarding age of returning salmon,** with the anticipation that the model will be available for development of analytical results, once the critical parameters, including the proportional assignments to river systems, are more precisely estimated.

The SSC reviewed Alan Haynie's approach for identifying optimal area closures to reduce salmon bycatch. This modeling approach uses a computationally intensive analysis of a large number of area closure possibilities in an effort to simultaneously optimize pollock catch, while minimizing salmon bycatch. We provide the following comments in regards to the fundamental assumption of reallocating vessel effort from closed areas to open areas in proportion to other effort (page 2 of the D-2(b)(4) report). First, it is unclear if effort is being reallocated in proportion to other effort, or to anticipated catch, as given in the report's example (also on page 2 of the report). Also, we recommend that the analysts consider the potential for increasing salmon bycatch if effort is redistributed to areas with lower pollock catch rates, which would require increased efforts to achieve desired pollock catch levels, particularly if the reallocated effort is added to existing high effort, as the model assumes. We encourage enhancing the model to include realistic considerations for vessel/skipper behavior in selecting where vessels relocate following closures.

In regards to Alan Haynie's model, as well as the approach presented by Cathy Coon, we **suggest inclusion of spatial data on river of origin, if and when the data become available, would be a useful enhancement.** The cost-benefit approach presented by Cathy Coon might also be enhanced by increased temporal resolution, such as monthly distributions of salmon and pollock catch rates.

Finally, the SSC reiterates our concern that the goals for the salmon bycatch issue should be clearly specified. Our understanding is that the MSA requires reduction of bycatch, and that reducing bycatch rates may not be an adequate measure of success.

D-2(c) Salmon Excluder EFP Report

A presentation was made by John Gauvin (MCA Foundation) on recent field testing results of salmon excluder devices for pollock trawls. The SSC considers this collaborative work on gear technology as producing potentially valuable contributions to reducing salmon bycatch. The SSC encourages further work in this research area. We recommend that this research effort include repeated experiments in different years to examine the impact of changing environmental conditions.

D-3 (a) Crab Plan Team Report and Crab SAFE

Diana Stram (NPFMC) presented the crab plan team report and the 2007 crab SAFE, including a brief summary of the status of annually surveyed stocks. No public testimony was received.

The plan team and the authors have been very responsive to previous SSC comments and the organization of the SAFE has greatly improved over time. In particular, the SSC appreciated inclusion of an Executive Summary with concise summaries of stock status. In addition, the SSC recommends adding a section at the beginning of the document that summarizes assessment author's responses to previous Plan Team and SSC comments. The Plan Team may also want to further streamline the document by structuring it along the lines of the groundfish SAFEs (Summary of Plan Team recommendations followed by individual assessments), which would facilitate the SSC review.

Diana Stram pointed out several concerns raised by the Plan Team regarding inconsistencies in the estimation (by weight) of crab bycatch for making OFL determinations. These issues need to be resolved if and when Amendment 24 (Revised Overfishing Definitions) is adopted and **the SSC urges the Plan Team to start working on these and other implementation issues, as soon as possible.**

Regarding the stock assessments for snow crab and Bristol Bay red king crab, a number of concerns were raised by the stock assessment authors and by the plan team that should be addressed by the authors in future assessments. Specifically, there are serious concerns about high fishing mortalities on the southern

portion of the snow crab stock, which may exacerbate observed northward shifts in their distribution. The SSC recommends an analysis of the potential consequences of this high fishing mortality and of options for apportioning catch spatially. A second issue of concern is the presence of disturbing trends in the residuals of the fit to size frequency data, which may be a result of uncertainty in the practice of using shell condition as a proxy for shell age. We anticipate that these and other issues will be addressed in a requested CIE review of the snow crab assessment and the SSC looks forward to receiving a report on the review. **The SSC approves the BSAI crab SAFE.**

D-3(b) Crab overfishing definitions

The SSC received a summary of the revised initial review draft of the crab overfishing environmental assessment from Diana Stram (NPFMC). No public testimony was received.

The Committee had reviewed the last draft in June and, while approving the technical analysis, had requested that the document be reorganized and revised in a number of ways so as to better explain the effect of the new definition on crab harvests. The Crab Plan Team and the analysts have done an excellent job. New tables and figures in the present version clearly show the differences in overfishing levels between the old and new definitions, and the effect that the new definitions would have had on retained catch in the major fisheries in recent years.

The Team noted in its report that the new definition, if adopted, would entail a number of implementation issues, including the assignment of responsibilities for assessments, OFL determinations, and tabulation of catch. **The SSC agrees with the team that the agencies need to begin planning for implementation well in advance of adoption. The SSC recommends that this initial review draft be released for public review.**

ADVISORY PANEL MINUTES
North Pacific Fishery Management Council
October 1-6, 2007 Hilton Hotel, Anchorage, Alaska

Approved _____

Date _____

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

Lisa Butzner	John Henderschedt	Mike Martin
Joe Childers	Jan Jacobs	Matt Moir
Craig Cross	Bob Jacobson	John Moller
Julianne Curry	Simon Kinneen	Ed Poulsen
Tom Enlow	Kent Leslie	Michelle Ridgway
Bob Gunderson	Tina McNamee	Lori Swanson

C-1 (a) 3A GHL Measures

The AP recommends the Council:

1. Table action on 3A GHL measures and request that ADF&G report on final 2007 charter halibut harvests in October 2008 and schedule final action for October or December, 2008.
2. Request the Council ask the State of Alaska to keep their current restrictions on skipper and crew and line limits in place during the 2008 season in area 3A.

The above recommendations will preserve the ability of the Council to recommend management restrictions for the 2009 season if needed, based on a updated analysis. With this delay, the Council will also be able to see the benefit of the crew and skipper restrictions put into place during the 2007 season by the State of Alaska.
Motion passed 16/1.

C-1 (c) ALLOCATION - Action 1

The AP recommends the following changes to Action 1 - Allocation
(bold and underlined) = new language added to existing list of alternatives)

Action 1. Establish an allocation to the halibut charter sector that includes sector accountability.

Element 1. Allocation

Option 1: Fixed percentage of combined charter harvest and commercial catch limit for reference period. **The initial allocation would be defined as the percentage that will be a portion of the fishery CEY rounded to two decimal places.**

	Area 2C	Area 3A
a. 125% of the 1995-1999 avg charter harvest (current GHL formula)	13%	14%
b. 125% OF THE 2000-2004 AVG CHARTER HARVEST		
(GHL FORMULA UPDATED THRU 2004)	16%	15%
c. 125% of the 2001-2005 avg charter harvest (GHL formula updated thru 2005)	17%	15%
d. Current GHL as percent of 2004	12%	13%
e. 2004 CHARTER HARVEST	14%	13%
f. 2005 charter harvest	15%	13%

Option 2: **FIXED POUNDS, WITH STAIR STEP UP AND STEP DOWN LINKED TO TOTAL HALIBUT BIOMASS fishery CEY. CEY determined BY IPHC.**

	Area 2C	Area 3A
a. 125% of the 1995-1999 avg charter harvest (current GHL)	1.4 Milb	3.7 Milb
b. 125% of the 2000-2004 avg charter harvest (GHL updated thru 2004)	1.7 Milb	4.0 Milb

c. 125% of the 2001-2005 avg charter harvest (GHL updated thru 2005) 1.9 Milb 4.1Milb

Element 2. Management of "hard" allocation

Option 1: In-season management by NMFS (close season when cap is reached)

Option 2. Catch Sharing Plan (WA & OR example) with IPHC publishing management measures annually

Option 3. State Delegation (inseason management or preseason management as in King Salmon Management Plan)

Suboption: Divide the charter allocation into 3 or 4 separate sub-seasons

Motion passed 16/1.

Action 2 - Compensated Reallocation between Commercial and Charter Sectors in Areas 2C and 3A
(bold and underlined = new language)

Problem Statement

The absence of a hard allocation between the longline and the charter halibut sectors has resulted in conflicts between sectors and tensions in coastal communities dependent on the halibut resource. Unless a mechanism for transfer between sectors is established, the existing environment of instability and conflict will continue. The Council seeks to address this instability while balancing the needs of all who depend on the halibut resource for food, sport, or livelihood.

Action 2. Compensated Reallocation between Commercial and Charter Sectors in Areas 2C and 3A

Alternative 1. **Common Pool Management**

Alternative 1 implements measures to allow compensated reallocation between the commercial sector and the charter sector using a common pool management regime.

Element 1: Holder of Quota Share, Method of Funding and Revenue Stream

~~Element 1.1: METHOD OF FUNDING~~

~~A. FEDERAL COMMON POOL~~

~~option 1. LOAN~~

~~option 2. BUYOUT PROGRAM~~

B. State of Alaska Common Pool

~~option 1. LOAN~~

~~option 2 bonding (funding source) Charter sportfishing license surcharge (revenue source)~~

Option 3. business license fee/surcharge or limited entry permit holder

suboption 1. fee is based on number of clients

suboption 2. fee is based on number of fish

C. Regional Non-Profit Association Common Pool

~~option 1. loan (funding source)~~

~~Self assessment fee (revenue source)~~

Element 1.2: Revenue Stream

~~A. Federal Common Pool~~

~~option 1. halibut charter stamp~~

~~option 2. moratorium permit fee~~

~~option 3. self-assessment fee~~

~~suboption 1. fee is based on number of clients~~

~~suboption 2. fee is based on number of fish~~

~~B. State of Alaska Common Pool~~

- ~~option 1. charter stamp~~
- ~~option 2. sportfishing license surcharge~~
- ~~option 3. business license fee/surcharge or limited entry permit holder~~

~~suboption 1. fee is based on number of clients~~

~~suboption 2. fee is based on number of fish~~

~~C. Regional Non-Profit Association Common Pool~~

- ~~option 1. self-assessment~~

~~Suboption 1. fee is based on number of clients~~

~~Suboption 2. fee is based on number of fish~~

Revenue streams will be for a defined period and end after the loan or bond is paid off, i.e. continuous open-ended revenue streams are to be avoided.

Element 2: Restrictions on transferability of commercial quota share by charter sector, with grandfather clause to exempt current participants in excess of proposed limits

Element 2.1: Limits on transferability

The percentages are based on the combined commercial and charter catch limit. A percentage of the combined commercial and charter catch limit will be available for transfer between sectors.

Option 1: 10 percent

Option 2: 15 percent

Option 3: 20 percent

Option 4: 25 percent

Element 2.2: Limits on QS purchase

A. entities purchasing for a common pool:

Option 1. limited annually to a percentage (30-50%) of the average amount of QS transferred during the previous five years.

Option 2. Restrictions on vessel class sizes/blocked and unblocked/ blocks above and below sweep-up levels to leave entry size blocks available for the commercial market and to leave some larger blocks available for an individual trying to increase their poundage.

Option 3. No limits

(These options are not intended to be mutually exclusive.)

Element 2.3: Limits on IFQ leasing

A. The common pool may only lease 0-15% of holdings back to the commercial sector.

Alternative 2. **Individual Ownership Management**

Alternative 2 implements measures to allow compensated reallocation between the commercial sector and the charter sector using an individual ownership management regime. A moratorium permit would be required unless the moratorium is not in place, in which case a Guided Sportfish Business License would be required instead.

Element 1: Holder of Quota Share, Method of Funding and Revenue Stream

Element 1.1: Method of Funding

option 1. loan programs

option 2. private funding

Element 1.2: Revenue Stream

Revenue streams will come from private sources.

Element 2: Restrictions on transferability of commercial quota share by charter sector, with grandfather clause to exempt current participants in excess of proposed limits

Element 2.1: Limits on transferability

The percentages are based on the combined commercial and charter catch limit. A percentage of the combined commercial and charter catch limit will be available for transfer between sectors.

- Option 1: 10 percent
- Option 2: 15 percent
- Option 3: 20 percent
- Option 4: 25 percent

Element 2.2: Limits on **QS** purchase

A. Individuals are subject to the current ownership cap and block restrictions associated with commercial quota share

Element 2.3: Limits on **IFQ** leasing

A. Individual charter operators:

Option 1. an individual may not hold or control more than the amount equal to the current setline ownership cap converted to the number of fish in each area (currently 1% of the setline catch limit in 2C or ½% in 3A)

Option 2. an individual may not hold or control more than 2,000, 5,000, or 7,500 10,000 fish.
(Note: examine this as a percentage of the catch limit once allocations are established.)

Option 3. charter operators may lease up to 10% of their QS back to commercial sector

B. Individual commercial fishermen:

i. Commercial fishermen ~~who do not hold a sport fishing guide business license and/or moratorium permit~~ may lease up to 10% of their annual IFQs for use as GAF¹ on an individual basis, or to a common pool.

ii. Commercial fishermen who hold QS and a sport fishing guide business license and a halibut moratorium license may convert all or a portion of their commercial QS to GAF on a yearly basis if they own and fish it themselves on their own vessel. Commercial and charter fishing may not be conducted from the same vessel during the same day.

Implementation Issues

AP agrees that the implementation issues should be in the analytical portion of the analysis. It is also helpful to have this list of implementation issues as part of the motion elements to let the public who just looks at the motion to understand some of the basis and assumptions that form the backbone of the programs.

1. These qualifying entities may purchase commercial QS and request NMFS to issue annual IFQs generated by these shares as Guided Angler Fish (GAF*). *Affects the Private Pool Only and common pool.*
2. Qualified entities harvesting GAF while participating in the guided sport halibut fishery are exempt from landing and use restrictions associated with commercial IFQ fishery, but subject to the landing and use provisions detailed below. *Affects both the Private Pool and Common Pool.*

¹ * GAF = Guided Angler Fish (This is used only as a charter unit of measurement for commercial quota share converted to charter use and is not indicative) of a particular long term solution.)

** indicates changes made by the AP to the Halibut Stakeholder recommendations

3. GAF would be issued in numbers of fish. The conversion between annual IFQ and GAF would be based on average weight of halibut landed in each region's charter halibut fishery (2C or 3A) during the previous year as determined by ADF&G. The long-term plan may require further conversion to some other form (e.g., angler days). *Affects both the Private Pool and Common Pool.*
4. Subleasing of GAF would be prohibited. *Affects the Private Pool Only.*
5. GAF holders may request NMFS convert unused GAF into IFQ pounds for harvest in compliance with commercial fishing regulations provided the GAF holder qualifies under the commercial IFQ regulations. *Affects the Private Pool Only*
6. Unused GAF may revert back to pounds of IFQ at the end of the year and be subject to the underage provisions applicable to their underlying commercial QS. *Affects both the Private Pool and Common Pool.*
7. All compensated reallocation would be voluntary based using willing seller and willing buyer.
~~[Option: A pro-rata reduction with compensation. A pro-rata reduction would not decrease the number of QS held by an individual; rather, it would decrease the size of the total commercial pool from which IFQs are annually calculated. The effect would be similar to how a decrease in abundance affects annual calculation of IFQs, except that quota share holders would be compensated for the resultant poundage reduction of their IFQs.~~
~~Option: exempt category D QS from voluntary and involuntary pro-rata reduction with compensation~~
Affects both the Private Pool and Common Pool.]
8. Guided angler fish derived from commercial QS may not be sold into commerce, i.e., all sport regulations remain in effect. *Affects both the Private Pool and Common Pool.*
9. Guided angler fish derived from commercial QS may not be used to harvest fish in excess of the non-guided sport bag limit on any given day. *Affects both the Private Pool and Common Pool.*
10. There needs to be a link between the charter business operators and the cost of increasing the charter pool. If the charter business operators do not experience the cost of increasing the charter pool, there will not be a feedback loop to balance the market system. *Affects both Common Pool Only.*

Motion passed 15/2

The AP recommends keeping actions 1 and 2 of agenda item C1 linked. Without a mechanism for charter operators to obtain additional QS or IFQ through a compensated reallocation mechanism, significant adverse impacts would occur in the charter segment of the industry. These actions should be taken concurrently.

Motion passed 17/0.

Additionally, the AP makes the following recommendations/clarifications in response to staff questions on Compensated Reallocation Analysis:

Overarching Issues

1. Recommend restructuring alternatives as follows (see Kathy Hansen's document)
2. Recommend using existing date ranges and note that 2006 data fall within the percentages derived from the existing date ranges.
3. Recommend continuing to use GHL as baseline for analysis of Action 2 alternatives. Additional options will complicate the analysis.
4. Recommend eliminating options as listed above in restructured alternatives.
5. Recommend assembling a task force of agency personnel to identify details of key record keeping, implementation and enforcement issues.

6. Recommend making management approach to allocation an explicit decision point as included in restructured alternatives above.

Allocation Issues:

1. Recommend initial allocations be presented as a range of percentages with the formulas used to provide reference and context for specific points within that range.
2. Recommend using percentages with 2 decimal places
3. see above
4. See 1 above. Formulas should not be hind-cast based on different IPHC models. The decisions that have lead to this point were based on the numbers in effect in each year. Different decisions could have been made if different numbers were in effect. It is inequitable to use hind-cast numbers to govern present allocation decisions. The stairstep up and down provisions would use CEY at time of action.
5. Clarify that step function on a fix poundage option do make it more like a floating percentage.
6. Recommend using 2007 CEY's for analysis. Staff recommendation were not accepted.
7. Recommend that NO uncompensated roll over provision between sectors be developed. This is consistent with how the King Salmon, DSR, and ling cod allocation are managed.
8. Recommend the agency task force should make recommendations on the responsible agency for each of the method of managing the allocation identified above.

Reallocation Issues:

1. Clarify that the under all options in Action 2, the initial allocation for the common pool would NOT be further subdivided to individual limited entry permit holders. The issue of the race for fish and the disposition of the common pool are addressed under the alternatives considered in the long-term solution package.
2. Recommend agency task force determine necessary record keeping and reporting requirements
3. Recommend clarifying that in all options under Action QS remains the same whether it is held in a common pool or by individual charter businesses. The IFQ resulting from that QS can be converted into GAF or commercial Lbs, and would be governed by the use rules appropriate for each form.
4. Recommend Issue 7, pro-rata reallocation be deleted or the State of Alaska needs to provide the necessary details in a time frame that does not delay further action on this program.

Motion passed 17/0.

Given comments received in public comment, the AP strongly supports the Stakeholder Committee's development of individual quotas as an option for a permanent solution. *Motion passed 13/4.*

The minority preferred to remain silent on recommending an individual quota as an option for permanent solution. We believe this is already being addressed in the stakeholder committee and is unnecessary to make a statement at this time. Signed: Tina McNamee, John Henderschedt, Michelle Ridgway, and Lisa Butzner.

C-2 Halibut Subsistence

The AP recommends the alternatives identified in the action memo be adopted for analysis with initial review in 2008. *Motion passed 17/0.*

C-3 (b) BSAI Crab B Shares

The AP recommends the Council endorse and support the Crab Advisory Committee's recommendation on future action, and wishes to emphasize that communities are an important part of the crab discussion and should be included on the advisory committee. *Motion passed 16/2.*

The AP recommends the Council move forward for analysis the regulatory recommendations including the purpose and needs statements as drafted in the Crab Advisory Committee report. Those regulations address

- Market reports and non-binding formulas for fisheries unlikely to open
- Timeline for the golden king crab market report and formula does not allow for data from most recent fishery to be used
- Staleness of the market reports
- Immunity for arbitration organizations, arbitrators, market analysts, and the third party data provider.

Motion passed 18/0.

Additionally, the AP recommends the Council direct the Crab Advisory Committee to address the perceived problems with the A/B share split and the potential effects of changing the A/B share formula. *Motion passed 15/3.*

The minority supports Council staff generating a quantitative assessment of the effects of these A/B share ratios: 80/20, 70/30, 50/50. We feel that an objective evaluation of the effects of these ratios will augment existing qualitative information and provide the public, affected parties and the Council's Crab Committee the opportunity to compare and contrast alternate A/B share scenarios. Signed: Michelle Ridgway, John Moller, and Tina McNamee.

C-3 (c) C share 90/10 exemptions

The AP recommends the Council release the EA/RIR/IRFA for public review and final action in December 2007. *Motion passed 15/0.*

The AP continues to support a federal loan program for purchasing crew shares. The AP recommends the Council take steps necessary to advance development of this loan program as soon as possible. *Motion passed 16/0.*

C-3 (d) Processing Use Cap Exemptions

The AP recommends releasing the EA/RIR/IRFA on processing share use cap exemptions for public review and final action with the following changes:

- Remove or revise the "value at time of landing" tables
- Revise the problem statement so that the last sentence reads "exempting shares in the community of origin from..."
- Add "home rule cities" to option 2 under locations qualified for the exemption
- For Western Aleutians, create 2 suboptions:
 - Exempt western shares only
 - Exempt western shares and undesignated shares harvested in the west

Motion passed 18/0

The AP believes that the Council should consider sideboards in the cod fishery on both the PQS holders and the floating processing vessels that previously processed northern region opilio if they consolidate their IPQ use through custom processing or otherwise. The AP considers the issue important and advises the Council to take any necessary action in time to implement sideboards at the time of implementation or as close to the time of implementation of custom processing share use caps exemption as possible. *Motion passed 18/0.*

Additionally, the AP requests the Council task staff to prepare a discussion paper to examine the issuance of B shares for any IPQ that a PQS holder does not apply for. *Motion passed 17/1.*

C-3 (e) BSAI Crab post delivery transfers

The AP recommends releasing the EA/RIR/IRFA for public review with the following changes:

1. Include "No person shall be permitted to begin a fishing trip, unless the person holds unused IFQ" in both Alternative 2 and Alternative 3.
2. Change language in Alternative 3 from "species" to "allocations."

Further, the AP recommends the Council adopt Alternative 2 as a preliminary preferred alternative, including the suboption that all post-delivery transfers must be completed by the end of the crab fishing year, and all harvesters would be eligible for post-delivery transfers.

Motion passed 18/0.

C-4 (a) Gulf of Alaska Pcod split

The AP recommends that the Council advance the Gulf of Alaska Pacific Cod Sector Split Purpose and Need Statement. *Motion passed 15/1/1*

Additionally, the AP recommends that the Council advance the elements and options with the changes noted in the subsequent motions. *Motion passed 16/0*

The AP recommends that Component 3, Option 2 (All retained catch excluding meal) be deleted. *Motion passed 16/1*

Further, the AP recommends Component 5 read as follows:

Options include 1%, 3%, 5% or 7% of the Western and Central GOA Pacific cod allocations for the jig catcher vessel sector, with a stairstep provision to increase the allocations by

- 1%
- 2%
- 3%

if 100% of the Federal jig allocation and 90% of one of the Central Gulf state waters district GHLS or the Western Gulf state waters GHLS is harvested. Subsequent to the jig allocation increasing by a stairstep up, if the harvest threshold criteria described above are not met, the jig allocation will be stepped down by 1% in the following year.

The jig allocation could be set aside from the A season TAC, the B season TAC, or divided between the A and B season TACs. *Motion passed 16/0.*

C-4 (b) GOA LLP recency

The AP requests that the Council task staff to begin the analytical process and to include the following components and define issues of concern:

Draft Statement of Purpose and Need

Western Gulf and Central Gulf groundfish fisheries are subject to intense competition, particularly in the A season, when fish are aggregated and of highest value. Competition among fixed gear participants in the Western Gulf and Central Gulf fisheries has increased for a variety of reasons, including increased market value of Pacific cod products and a declining ABC/TAC. The possible future entry of latent effort would have detrimental effects on LLP holders that have exhibited participation in, and dependence on, the fixed gear groundfish fisheries. Many fixed gear vessel owners have made significant investments, have long catch histories, and are dependant on WGOA and CGOA groundfish resources. These long-term participants need protection from those who have little or no recent history and who have the ability to increase their participation in the fisheries. The intent of the proposed amendment is to prevent latent fixed gear groundfish

fishing capacity that has not been utilized in recent years, from future entry or re-entry into the fisheries. This requires prompt action to promote stability in the fixed gear sectors of the GOA groundfish fisheries, and is expected to be implemented concurrently with the division of GOA Pacific cod among sectors that is currently under consideration.

Component 1- Area

Western Gulf
Central Gulf (current endorsement includes West Yakutat)

Component 2 - Identify and define Sectors

H&L CP
Option: H&L CP =>125
H&L CP <125
H&L CV
Pot CP
Pot CV
Jig

Component 3 – Qualifying years

00-05
00-06
02-05
02-06

Component 4 – Catch thresholds

Thresholds shall be based on legally retained catch in the aggregate during all of the qualifying years in the Federal and Parallel fisheries (excluding IFQ catches).

- Option 1 – All groundfish 1,3,5 landings
- Option 2 – All directed Pacific Cod 1,3,5 landings (resulting in a Pcod endorsement)
- Option 3 – All groundfish 5,10,25,100 mt
- Option 4 – All directed Pacific Cod 5,10,25,100 mt (resulting in a Pcod endorsement)

Component 5 – Multiple endorsement provisions

Where there are multiple LLPs registered to a single vessel, also known as ‘stacking’ of LLPs, groundfish harvest history will be fully credited to all stacked licenses, each carrying it’s own qualifying endorsements and designations.

Option 1 – CV’s operating with a qualifying catch history in both the “trawl” and the “fixed gear” sectors shall elect annually sector participation.

Option 2 – CV’s operating with a qualifying catch history in both the “trawl” and the “fixed gear” sectors shall have a one time election of sector participation.

Option 3 – CV’s operating with a qualifying catch history in both the “trawl” and “fixed gear” sectors shall be able to elect to participate in both sectors in a single season.

Motion passed 16/0.

C-4 (c) GOA sideboards

The AP recommends that the Council initiate an analysis for a regulatory amendment to exempt CP trawl vessels that participate in the CGOA Rockfish pilot program coop or limited access sectors and also belong to a cooperative in the BSAI fisheries under Amendment 80 from the July stand-down period. *Motion passed 17/0*

The AP recommends that the Council initiate an analysis for a regulatory amendment to add an amount of halibut PSC to the Amendment 80 3rd quarter deep-water halibut PSC sideboard proportionate to the halibut available to the rockfish catcher-processor limited access and opt-out fisheries. *Motion passed 17/0*

The AP recommends the Council initiate an analysis for a regulatory amendment to address crab rationalization sideboards with the following revisions to the options provided in the discussion paper:

Option 2 – Replace “allocation” with “catch history”;

Add – Option 3 – Exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel’s Bering Sea opilio catch history is less than 500,000 lbs and the vessel landed more than 2,500 mt of GOA Pacific cod from 1996-2000.

Motion passed 18/0

The AP wishes to re-affirm that this exemption would apply only to those non-AFA crab vessels/licenses that are eligible to participate in the GOA Pacific cod fishery. *Motion passed 18/0*

The AP recommends the Council task staff with further developing the discussion addressing the Council’s policy that requires vessels to fish their BSAI pollock allocation to maintain their exempted status. *Motion passed 18/0*

C-4 (d) Post delivery transfers in the rockfish pilot program

The AP recommends the Council send out the analysis for public review and final action as modified. *Motion passed 16/0*

Revise alternatives 2 and 3 so that all transfers must be completed by December 31. *Motion passed 16/0.*

Revise alternative 2 so that a vessel must have IQ for all allocated species before initiating a trip. *Motion passed 16/0.*

C-5 BSAI and GOA Trawl LLP Recency Analysis

The AP recommends that the Council task staff to continue work on the analysis and bring it back for initial review in December with several revisions to be addressed in a subsequent motion. *Motion passed 16/1.*

The AP recommends the Council make the following revisions to the analysis:

1. Make AFA exemption a “statement” and not an “option” in the document and address the Council’s concern that it not take an action that would result in an AFA vessel losing access to its AFA pollock allocation.
2. Make a statement excluding Central Gulf of Alaska area endorsements of the LLPs qualified for the rockfish demonstration program from LLP qualification and address the Council’s concern that it not take an action that would result in a CGOA rockfish pilot program vessel losing access to its CGOA RPP allocation.

3. More fully discuss in Section 3.4.2.10 the range of factors that have resulted in AFA vessels not fully harvesting their GOA sideboards.
4. In Component 1, Option 3, modify to extend the qualification period to 2006 for the BSAI only.
5. More fully contrast the effects of Alternative 2 (area-wide) and Alternative 3 (sub-area) application of the threshold.
6. In Table 3, the Alternatives/element cell that describes Component 1, Option 4 needs to be modified to reference the landing requirements described in Alternatives 2 and 3.
7. The AP concurs with most of the SSC comments regarding this analysis, however the AP recognizes that analyzing net benefits of the amendment to entities that neither previously participated nor qualified may be untenable. For this reason, the AP recommends that no further development of the net benefits section be pursued.

Motion passed 17/0

The AP acknowledges that further delays in implementing the LLP analysis may lead to increased pressure (through latent license participation) on the fully utilized BSAI Pcod stock. Although refinements to the package have been requested for the purpose of developing a solid analysis have been requested, the AP recommends that the Council encourage advancement of this package as soon as possible. *Motion passed 17/0.*

C-6 AM 80 Post delivery transfers

The AP recommends the council task staff to develop an analysis of post –harvest transfers. This analysis should examine the three alternatives included in the action memo with the following revisions as recommended by staff:

1. Change language from “transfer of species” to “transfer of allocation”;
2. Apply a requirement that a harvester must hold CQ at the start of a trip to both Alternative 2 and Alternative

Motion passed 17/0

Amendment 80 allocates six target species and five PSC categories to vessels fishing in the non-AFA trawl catcher-processor sector. Vessels may choose to form cooperatives and combine their allocations, or they may choose to fish in a ‘limited access’ fishery that continues to operate under a ‘race for fish’ within the combined allocations. Given that each allocation represents a cap, it is likely that the limited access fishery will be closed on one species or PSC while leaving significant amount(s) of the other species unharvested. Amendment 80 does not provide a mechanism for this unharvested fish to roll from the limited access fishery to the Amendment 80 cooperatives for harvest. Without this provision, some amount of allocated species may be stranded in the limited access sector. Creating a mechanism to roll this unharvested amount to the Amendment 80 cooperatives prior to the end of the year will facilitate more complete harvest and utilization of these allocations.

The AP recommends that the Council request staff to develop an analysis of a mechanism to allow allocations of target species and PSC that may be unharvested in the Amendment 80 limited access fishery to roll over to the Amendment 80 cooperatives. This rollover is not intended as a means to cover overages within the Amendment 80 co-op sector.

Motion passed 17/0

C-7 Comprehensive economic data collection

The AP recommends the comprehensive socio-economic data collection effort proceed once clear objectives are articulated. Specific data should be collected that address those objectives. Further, the AP recommends the AFSC workgroup being convened include crewmember, community, and industry representation to inform that process. *Motion passed 17/0.*

D-1 (a) GOA Arrowtooth MRA

The AP recommends the Council select as its preferred alternative Alternative 2 that would set the MRAs for incidental catch species relative to arrowtooth flounder as a basis species as per the industry proposal. *Motion passed 12/1/1.*

D-1 (b) Western GOA Pollock Trip Limit

The AP recommends the Council release the EA/RIR/IRFA for public review with the following changes:

Eliminate "Western" in the title and adopt the clarifying language recommended by the enforcement committee:

- A. Limit trawl CV in the GOA pollock fishery to landing no more than 136 MT, through any delivery means, in a calendar day - more 12am -12am [0100-2400]

AND

- B. The cumulative amount of pollock harvested from the GOA and landed by a trawl catcher vessel cannot exceed the daily trip limit of 136 mt times the numbers of calendar days the fishery is open for the respective sub-management areas, i.e. 610, 620, and 630.

Motion passed 14/0.

D-1 (c, d) GOA and BSAI Groundfish Specifications

BSAI

The AP recommends the Council adopt the preliminary BSAI 2008/2009 groundfish harvest specifications, which are the OFLs, and ABCs as recommended by the Plan Teams and SSC and with TACs as noted in the attached table. *Motion passed 13/0*

The AP recommends the Council adopt the preliminary PSC bycatch allowances and seasonal apportionments of halibut and crab for 2008/2009 for the BSAI Trawl limited access sector as noted in the attached table, and herring and red king crab in the RKCSS as noted in Table 7a in the action memo. *Motion passed 13/0*

The AP recommends the Council adopt the 2008 halibut DMR for the CDQ fisheries as noted in the table in the action memo. *Motion passed 13/0.*

The AP recommends the percentage for the jig gear allocation of Atka mackerel be set at 0.5%. *Motion passed 13/0.*

GOA

The AP recommends the Council adopt the proposed specs for 2008-2009 OFLs and ABCs as recommended by the SSC.

The proposed TACs would be set as follows:

Set the 2008 and 2009 GOA proposed specifications where TAC is equal to ABC for stocks with the following exceptions:

1. The Pcod TAC is reduced according to the table in the action memo to account for the apportionment to the State waters fishery in 2008 and 2009.
2. Roll over the 2007 TAC for 2008 and 2009 for:
 - a. Shallow water flatfish and flathead sole in the Central and Western GOA
 - b. Arrowtooth flounder for all areas
 - c. Other slope rockfish in the EYAK/SEO
 - d. GOA Atka mackerel
 - e. GOA other species.

Motion passed 13/0

Additionally, the AP recommends the Council adopt the GOA halibut PSC apportionments, annually and seasonally, for 2006 as indicated in D-1(c, d) should be rolled over for 2008-2009 and that the trawl halibut PSC apportionment be further subdivided between the deep and shallow complex halibut both annually and seasonally as noted in the attached table. *Motion passed 13/0.*

D-1 (e) Seabird Avoidance Measures

The AP recommends the Council direct staff to prepare an analysis based on the discussion paper's draft alternatives including the addition of maps, which clarify the geographic boundaries of the suboptions.

Motion passed 13/0

D-1 (f) Other Species

The AP requests the Council to bifurcate the other species breakout initiative into two separate proposed actions. The first proposed action would amend the GOA groundfish FMP to allow the Council to recommend and overfishing level and allowable biological catch for the GOA and other species assemblage.

Motion passed 13/0

Further, the AP recommends the Council task staff to proceed with the staff-proposed methodology and the "next steps" as recommended by the SSC. *Motion passed 13/0.*

D-2 Bering Sea Salmon bycatch

The AP recommends the Council forward the alternatives for analysis incorporating the recommendations of the Salmon Bycatch Workgroup in its August 29, 2007 minutes. This includes recommendations to:

- Modify descriptions of cap formation alternatives
- Explicitly add the alternatives for new closures that would allow for an exemption for the fleet to these new closures.
- Consider additional rate-based breaks in formulating criteria for identifying closures such that a more defined and consistent range of rate breaks are considered. (e.g. 0.1, 0.2, 0.3, etc.)

Motion passed 12/0

Additionally, the AP recommends striking the last sentence of the draft problem statement and adding the following:

In order to address the possibility that a coop could opt out of the VRHS program or that the Council could determine that the VRHS program does not adequately reduce salmon bycatch, alternatives to the VRHS system and/or the regulatory salmon bycatch program should be analyzed to assess whether they would be more effective in reducing salmon bycatch. *Motion passed 12/0.*

The AP recommends the Council encourage the Salmon bycatch workgroup to continue their efforts as analysis progresses. *Motion passed 12/0.*

D-3 BSAI Crab Management

(a) BSAI Crab SAFE

The AP recommends the Council approve the BSAI Crab SAFE. *Motion passed 16/0.*

(b) Crab Overfishing analysis

The AP recommends the Council release the Crab Overfishing analysis for public review and further recommends that the Council request that NMFS and ADF&G staff work together on implementation issues. *Motion passed 17/0.*

D-4 (a, b) Arctic FMP

The AP recommends the Council support development of a comprehensive fishery management plan and environmental assessment for the Arctic Management region defined in the staff discussion paper (North of Bering Strait at Point Hope). This FMP should accommodate existing fisheries in that region. The AP also supports the proposed outreach plan and recommends that staff consider specific outreach during AFN and other seasonal gatherings of northern region community members. *Motion passed 15/0.*

D-5 Staff Tasking

The AP recommends that the Council request staff to extract and update the tanner crab section of the GOA groundfish rationalization bycatch discussion paper from October 2005. *Motion passed 11/0.*

Throughout coastal Alaska, people have wide-ranging perceptions regarding halibut abundance, particularly in waters adjacent to communities. Whereas we continue to hear about concerns such as “localized depletion”, “excessive harvest intensity”, and other abundance-related issues, the Council has not addressed these relatively fine scaled, or “local” issues. This is due to the fact that the IPHC and therefore the NPFMC manage halibut using very large IPHC areas.

In order to inform future discussions on halibut issues, the AP recommends that the Council request from ADF&G and IPHC any information they may have regarding localized depletion in IPHC areas 2C and 3A. *Motion passed 11/0.*

Approval of Minutes

The AP unanimously approved its June, 2007 minutes.

Public Testimony Sign-Up Sheet

Agenda Item B-Items

	NAME (PLEASE PRINT)	AFFILIATION
1	Anna Van Dyke	SEAK
2	Robert Alverson	FVOA-Seattle
3	PAUL McGregor	At-Sea
4	Kathy Hanson	SEAK Fishermen's Alliance
5	Bon Bremner	SS AK Inter-tribal
6	Tim Henkel	Deep Sea Fishermen's Alliance
7	Earl Canstock	Charter fishing operators
8	Donna Parker	Arctic Storm
9	Linda Brinkman	ALTA
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

**FISHING VESSEL OWNERS' ASSOCIATION
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LATE COMMENT

November 29, 2007

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 W. 4th Ave., Ste 306
Anchorage, AK 99501-2252

RECEIVED
NOV 29 2007

N.P.F.M.C.

RE: B - Reports - Area 2C halibut charter restrictions

Dear Chairman Olson:

We are writing to express our concern with regard to the letter under B - Reports from the National Marine Fisheries Service, inviting the Council to comment on Area 2C charter boat restrictions passed at the Sitka Council meeting. The proposed measures by the Council include a four fish annual catch limit by guided anglers in addition to the harvest restrictions already in place during the 2007 season.

The letter suggests that the restrictions may result in underages of catch by the charter fleet. The basis for this is new preliminary information. It appears to us that ADF&G has several levels of preliminary charter data. They include, "New Preliminary", such as last year's information supporting a 2C GHLL overage of over 40 percent; "Revised Preliminary", which reduced the overage to 30 percent for the Sitka meeting, and a "Sort of Final 2006", which has the overage at 26 percent. The Council took action on the best scientific information available in Sitka. The database from ADF&G is still not final. We interpret the letter from NMFS as making a very strong argument that taking any new actions relative to the June Council recommendations to the Secretary of Commerce would be inappropriate. NMFS points out that we are entering 2008 without final numbers for 2007 and the expectations for 2008 are speculative at best.

NOTE: NMFS qualifiers, "may not have exceeded the GHLL", "harvest likely would fall below", NMFS is unable to be definite in their report to the Council because the charter data is not final.

The facts are that ADF&G reports an increase in the number of charter vessels and charter fares while showing drops in total poundage. The precautionary approach should

be employed especially since NMFS pointed out the speculative nature of the current 2007 and 2008 database.

We recommend that the Council not recommend any changes to their June action. The Council should be aware of the NMFS discussion in their letter of "Constructive Loss" that even minor changes in Council recommendations can result in new rule making requiring more options to analysis. This surely is not needed relative to the action the Council took in Sitka on 2C charter restrictions.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Alverson", with a long horizontal flourish extending to the right.

Robert D. Alverson
Manager

RDA:cmb