

North Pacific Fishery Management Council

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Approved

Date



06 08 00

ADVISORY PANEL MINUTES February 7-10, 2000 Anchorage Hilton Hotel, Anchorage, AK

Advisory Panel members in attendance:

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

C-4 License Limitation Program - Pacific cod species/area endorsements: Initial Review

The AP recommends the Council release the EA/RIR/IRFA for proposed amendment 67 for public review with the following revisions:

1. Include revised grandfather provision language (as presented in Feb. 3, 2000 letter from Mundt Mac Gregor.)
2. Provide more detailed discussion on where LLP qualified vessels without P.cod catch history may fish - specifically the Bering Sea state waters and in State and Federal waters in the Gulf of Alaska.
3. Provide further discussion on bait issue - would vessels using bait for their crab fishery need a P.cod endorsement.
4. Include an explicit discussion on impacts of IR/IU
5. Add a histogram with amounts of pounds of P.cod by vessel for each sector by year or group of years
6. Add option:
 - a. To exempt vessels under 60' from any P. cod endorsements
 - b. That would allow the Council to use different qualifying criteria for catcher vessels under 60' and over 60'
7. Clarify that the 32' exemption from LLP continues
8. Provide number of boats qualifying for LLP
9. Add suboption which allows jig landings to apply to pot catcher vessel minimum landing requirements

10. Define when combining catch histories would be allowed at the general LLP level
 - replacement vessel - catch history before then
 - purchase complete license to get an area endorsement
 - vessel with no LLP and a catch history could buy LLP package and use catch history
 Further provide place holder in order to make explicit decisions on above
11. Add option that would require CDQ partners to be:
 1. LLP Qualified
 2. LLP qualified with P. cod endorsement
 3. Exempt from LLP

Motion passed 17/0

C-1 Halibut Charterboat GHL: Final action on GHL and management measures

The Advisory Panel recommends the Council adopt the following Halibut Charter GHL and management measures:

Issue 5 – Moratorium

- Option 1 – Area wide moratorium in 2C and 3A with the provision to allow LAMPS, upon implementation, to supercede provisions of the area wide moratorium.

The criteria for an area-wide halibut charter moratorium are:

Years of participation

- Option 3: 1 of 3 (1995-97), plus 1998 logbook or, in place of the 1998 logbook, use the combination of IPHC and CFEC licenses for all years 95-97 plus 1999 logbook

Owner vs Vessel

- Option 1: owner/operator or lessee (the individual who has the license and fills out logbook) of the charter vessel/business that fished during the eligibility period (based on an individual's participation and not the vessel's activity)

Evidence of participation

- mandatory:
 - IPHC license (for all years)
 - CFEC number (for all years)
 - 1998 logbook

Vessel upgrade

- Option 1: license designation limited to 6-pack, if currently a 6-pack, and inspected vessel owner limited to current inspected certification (held at number of people, not vessel size)

Transfers

will be allowed within an area

Duration for review

- Option 1: tied to the duration of the GHL

Motion passed 15/1/1.

Issue 1—Basis for GHL

- Option 1—Set GHL equal to 12.76% in 2C and 15.61 % in 3A. This percentage would be annually converted into numbers of fish based on the previous year’s average weight of charter halibut harvest for each area.

Motion passes 13/3

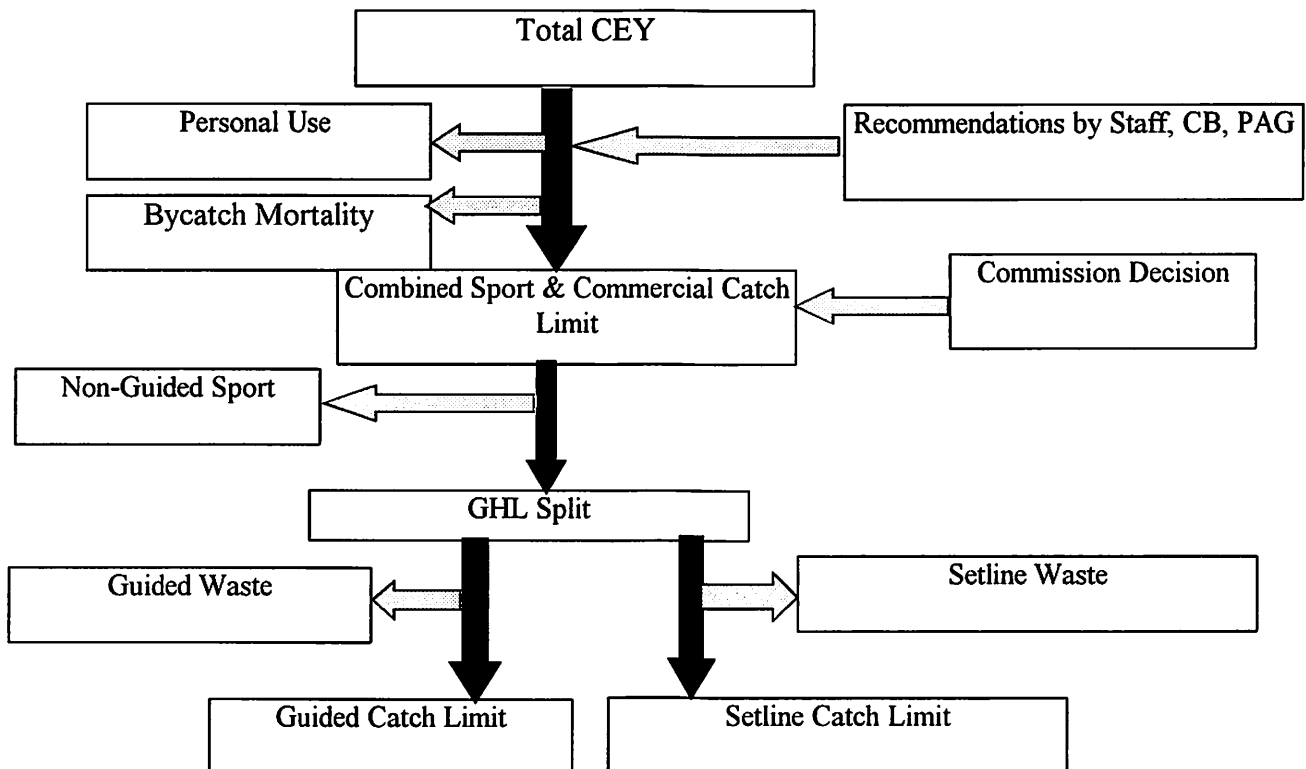
A motion to set GHL equal to the average of 1995 and 1998 percentages failed 6/9/3.

Issue 2—Management Measures

- Apply management measures as identified in the attached revised Figures 6.7 and 6.8 of the supplemental analysis
- Prohibit harvest by skipper and crew immediately. *Passed 19/0.*
- 0-20% reduction measures would be implemented in the season following the overage.
- In years of 20%+ overage, the 0-20% measures would be implemented in the following season, and additional measures implemented one year later to allow for verification of guided sport catch.
- Establish an annual framework process to review and adjust the management measures which would be implemented in the event of an overage.

Issue 3—Varying halibut abundance

- Option 1—The GHL percentage varies on an annual basis with area halibut abundance.
- Apply this percentage to the CEY setting process as outlined below



Issue 4—GHL or Allocation

- Option1 - Under a GHL and the current IPHC setline quota formula, halibut unharvested by the charter fleet in one year are rolled into the commercial setline quota the following year

Issue 6—IFQ Program

- The AP recommends the Council fast track development of an addition to the Halibut IFQ program which incorporates the guided sport fishery. The AP further requests the council appoint a workgroup consisting of industry members, NMFS, Council and ADF&G staff to refine and develop elements and options for this IFQ program. A discussion paper summarizing the results of the work group should be brought back to the Council at the April meeting for further action.

Motion passed 13/3.

REVISED Figure 6.7. Management measure matrix for reducing harvest in Area 2C.

HARVEST REDUCTION REQUIRED	MANAGEMENT TOOL	
< 10%	TRIP LIMIT*	<10%
10 - 20%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 6 FISH	18%
TOTAL		<28%
20 – 30%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 6 FISH	18%
	REDUCE BAG LIMIT TO ONE FISH/DAY IN AUGUST	12%
	TOTAL	
30 – 40%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 4 FISH	39%
TOTAL		<49%
> 40%	TRIP LIMIT*	<10%
	ONE FISH/DAY BAG LIMIT FOR ENTIRE SEASON	40%
TOTAL		<50%

Implementation of management tools to achieve harvest reductions from 0 – 20% could take place the season following the overage.

Implementation of management tools to achieve harvest reductions above 20% could take place one year following the overage to give charter industry more time to adjust.

* TRIP LIMIT = One daily bag limit per vessel @ capacity per 24 hr. period

REVISED Figure 6.8. Management measure matrix for reducing harvest in Area 3A.

HARVEST REDUCTION REQUIRED	MANAGEMENT TOOL	
< 10%	TRIP LIMIT*	<10%
10 – 20%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 7 FISH	10%
	TOTAL	<20%
20 – 30%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 4 FISH	25%
	TOTAL	<35%
30 – 40%	TRIP LIMIT*	<10%
	ANNUAL LIMIT OF 4 FISH	25%
	REDUCE BAG LIMIT TO ONE FISH/DAY IN AUGUST	8%
	TOTAL	<43%
> 40%	TRIP LIMIT*	<10%
	ONE FISH/DAY BAG LIMIT FOR ENTIRE SEASON	45%
	TOTAL	<55%

Implementation of management tools to achieve harvest reductions from 0 – 20% could take place the season following the overage.

Implementation of management tools to achieve harvest reductions above 20% could take place one year following the overage to give charter industry more time to adjust.

* TRIP LIMIT = One daily bag limit per vessel @ capacity per 24 hr. period

C-2 Steller Sea Lions

The AP recommends the Council approve the EA for a Regulatory Amendment to Permit an investigation of the effect of commercial fishing on Walleye pollock for the groundfish fishery of the Gulf of Alaska. Motion passed 17/0.

The AP further recommends the Council request NMFS to provide an annual update on results of the investigation.

The AP also requests the Council ask NMFS to conduct a thorough review of the method used in the Shelikof Strait to set the 2000 TAC by the October meeting. Motion passed 18/0.

C-3 American Fisheries Act

Groundfish Processing Sideboard Excessive Share Caps - BSAI pollock processing

The AP recommends the Council request further analysis of the issues listed below, with the understanding that the document will be available for initial review in April with as many of the suggested changes as possible.

1. Further analysis and discussion of the expected effects of each of the alternative processing caps on the following:
 - a. ex-vessel prices and value
 - b. sector competition under aggregate caps (*i.e. the impacts on AFA catcher processors of being included in sector aggregate or "pooled" processing sideboards with other AFA processors*).
 - c. IR/IU requirements
 - d. AFA and non-AFA processors,
 - e. Efficiency
 - f. Product types and markets

The AP also recommends inclusion of:

1. A problem statement and how each alternative addresses the problem.
2. Discussion of the status quo alternative (*i.e. Department of Justice anti-trust limitations*).
3. A definition of "excessive barrier" (*i.e. consideration of recent sale of Northern Victor and American Seafoods*).
4. Further discussion of the "sliding historical period" (*page 47 of the AFA processor sideboard analysis*).
5. A description of past custom processing activity, including possible definitions and discussion of the impacts under alternatives if prohibited.
6. List of non-AFA processors and the BSAI species currently processed by those processors.
7. Further discussion of possible decision points on the "grandfather clause."
8. An option of not imposing additional processing sideboards, beyond those specifically included in the AFA, on the AFA-eligible catcher/processors.
9. A discussion of the impact to catcher vessels of implementing processing caps (*i.e. P.cod history of catcher vessels delivered to catcher processors removed from fishery*).

Motion passed 11/8

A motion to separate the excessive share issue and processing sideboards into separate documents failed 9/11.

Comments on the Proposed Rule for 2000

The AP, recognizing that under the BSAI King and Tanner crab FMP the State of Alaska has primary in-season management for crab fisheries, recommends the Council request NMFS and ADF&G develop a management program to manage crab processing sideboards in the aggregate as the Council has recommended.

Motion passed 19/0.

The AP would like to reiterate its recommendations made to the Council in December 1998 and again in June 1999 that catcher processor sideboards be calculated based on the total harvest formula that is specified in the American Fisheries Act.

The AP also reiterates the recommendations that it made to the Council that catcher vessel sideboards be calculated based on the total catch rather than retained catch.

Motion passed 12/6.

C-7 Research Priorities

The AP would like to highlight the following research priorities for Council consideration:

1. Crab research: Research should be expanded on handling mortality, stock structure and life history parameters.
2. Management measures such as time-area closures and other restrictions are frequently imposed, but rarely rescinded. Studies are needed to evaluate the effectiveness of management measures on conserving populations, achieving management goals and assessing other ecosystem effects.
3. Uncertainty about the relationship between the Steller sea lion population and groundfish fisheries has taken an elevated significance. With this uncertainty as to the extent of factors affecting Steller sea lions, it is critically important to investigate the effects of mitigation measures on the sea lions, the fisheries, and the ecosystem. The monitoring must be based on an experimental design that provides information about the interaction of fisheries and Steller sea lions. Five questions are central to future work:
 - (a) What is the distribution of fish in relation to areas used for fishing, and what are the seasonal changes?
 - (b) What is the distribution of fish in fishing areas before and after fishing?
 - (c) How do Steller sea lions use pollock in relation to pollock distribution?
 - (d) How does the Steller sea lion's pollock feeding habits influence sea lion population dynamics?
 - (e) Does the fishery effect Steller sea lions in other ways (e.g., behavioral disturbance)?

The motion passed without objection.

D-1 Habitat Areas of Particular Concern

The AP recommends the EA/RIR be revised to focus the public review on current proposals for specific HAPC areas and the management actions under Option 1 and 2. The AP further recommends the addition of:

1. A problem statement
2. A suboption explicitly prohibiting commercial sale of corals
3. A description of areas of importance where fishing is not occurring
4. A description of area where fishing is occurring but no data is available
5. A description of Habitat losses which have already occurred
6. An expanded discussion of differential impacts associated with fishing practices. This discussion should include long line survey and scallop observer data and identify separate thresholds for different gear types
7. A discussion of the effectiveness of current closed areas on habitat protection

These should be incorporated as time permits and the revised document released for public review and final action in June.

With respect to other issues raised in the analysis, the AP recommends the following be initiated:

1. A stakeholder process inclusive of local advisory panels, local regional fishermen of all gear types, environmental interests, and agency staff to develop specific boundaries and management objectives for the proposed fishery closures using the best available information.
2. Develop criteria for defining HAPC types against which HAPC proposals can be evaluated.
3. Management objectives associated with protecting the HAPC types.

Motion passed without objection.

D-2 Staff Tasking

The AP recommends the following suggested prioritization for staff tasking:

HIGHEST PRIORITY

1. Programmatic SEIS/FMP Updates
1. October report to Congress on AFA
1. Additional analysis of current AFA measures
1. Crab rebuilding amendments
1. EFH/HAPC
1. Observer program rollover (and ATLAS requirements)

HIGHER PRIORITY: April scheduled actions

2. Revisions to LLP Pacific cod species/gear endorsements
2. Additional analysis of processor sideboards and excessive share caps
2. Halibut Charter IFQ discussion paper
2. Inshore co-op structure (EA/RIR/IRFA for Dooley-Hall)
2. Halibut Subsistence Regulatory Amendment

HIGH PRIORITY NEW TASKS:

(first) 3. The AP, recognizing the problem of overcapitalization in our fisheries and the need to continue down the path of rationalization, recommends the Council move forward with problem statements on the GOA and Crab rationalization committees (GOA and crab co-op committees). Additionally, request staff to proceed with refinements to catch history database and move forward with a proposal addressing confidentiality of data at both the State and Federal levels.
Motion passed 17/0.

(second) 3. The AP recommends the Council initiate an analysis of the following alternatives for the IFQ halibut fisheries in Area 3B, 4A and 4B:

Alternative 1: Status quo.

Alternative 2: Block program:

- Option 1: Increase number of blocks from 2 to 4
- Option 2: Unblock all quota shares >20,000 lb
- Option 3: Allow quota shares >20,000 lb to be divided into smaller blocks

Alternative 3: Quota share categories:

- Option 1. Allow D category quota shares to be fished as C category shares.
- Option 2: Allow D category shares to be fished as C or B category quota shares
- Option 3: Combine B, C, and D category quota shares
- Option 4: Combine C and D category quota shares

Alternative 4: Sunset hired skipper provisions of initial recipients in all areas. (Motion passed 9/5)

Motion passed 17/0