



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration

National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

October 6, 2014

Agenda B-2: NMFS Management Report

Status of Actions Report online

Status of Actions report is provided in **Attachment 1** and is updated daily at:
<http://alaskafisheries.noaa.gov/sustainablefisheries/status/amendments.pdf>.

Progress on Rulemaking

Highlights on progress since the June 2014 meeting include:

- Final Rule to revise hired skipper provisions
Effective December 1, 2014: <http://www.alaskafisheries.noaa.gov/frules/79fr43679.pdf>
- Final rule for Amendment 105 to the BSAI FMP – Flatfish specifications flexibility
Effective October 23, 2014: <http://www.alaskafisheries.noaa.gov/frules/79fr56671.pdf>
- Final rule for Amendment 106 to the BSAI FMP – AFA vessel replacement
Effective October 14, 2014: <http://www.alaskafisheries.noaa.gov/frules/79fr54590.pdf>
- Notice of availability and proposed rule for Amendment 96 to the GOA FMP – Halibut/sablefish IFQ – allows CQEs to buy small blocks of QS
Notice of Availability – July 25, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr43377.pdf>
Proposed Rule – August 7, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr46237.pdf>



- Notice of availability and proposed rule for Amendment 97 to the GOA FMP – Chinook salmon PSC limits for non-pollock trawl in the Central and Western GOA
Notice of Availability – June 5, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr32525.pdf>
Proposed Rule – June 25, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr35971.pdf>
- Notice of availability and proposed rule for Amendment 43 to the King and Tanner Crab FMP & Amendment 103 to the BSAI FMP – Pribilof Islands blue king crab rebuilding and area closures
Notice of Availability – August 21, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr32525.pdf>
Proposed Rule – August 29, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr35971.pdf>
- Notice of availability and proposed rule for Amendment 107 to the BSAI FMP – Establishing transit areas through Walrus protection areas at Round Island and Cape Pierce in Northern Bristol Bay
Notice of Availability – September 24, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr57041.pdf>
Proposed Rule – October 3, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr37486.pdf>
- Proposed Rule to revise Steller sea lion protection measures.
Proposed Rule – July 1, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr37486.pdf>
- Proposed Rule for At-sea scale regulatory amendments.
Proposed Rule – July 31, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr44372.pdf>
- Proposed Rule for GOA trawl Economic Data Collection Report.
Proposed Rule – August 11, 2014.
<http://www.alaskafisheries.noaa.gov/prules/79fr46758.pdf>
- And... additional progress on rulemaking (see **Attachment 1**). Note that Attachment 1 provides a year-end overview of regulatory measures implemented or in progress during Fiscal Year 2014. Progress since June 2014 is noted in red bolded text.

Consultation with the Council on Changes from Proposed to Final Rules

NMFS is in the process of preparing several final rules that will likely publish between the October and December Council meetings. These include the final rules to implement Amendments 43/103, Amendment 96, Amendment 97, the At-sea Scale Regulatory Amendments, Federal Fisheries Permit and Federal Processor Permit Revisions, GOA Trawl EDR, and Steller Sea Lion Protection Measures (see Attachment 1 for more detail). Consistent with past practice and our requirements under section 304(b)(3) of the Magnuson-Stevens Act, we are consulting with the Council before publishing final rules that may make revisions to the proposed regulations. NMFS has not identified any substantive changes that would be made between the proposed and final regulations for these rules. We note that these rules are still under review, and we will consult with the Council if there are substantive changes.

Litigation

Decision in Observer Program Lawsuit

On August 6, the Federal district court in Alaska issued a decision in litigation challenging the restructured Gulf of Alaska groundfish and halibut fishery observer program. The court upheld the final rule, finding that the new program instituted significant improvements that should be allowed to stand. The court, however, found that NMFS violated the Magnuson-Stevens Act, the National Environmental Policy Act (NEPA) and the Administrative Procedure Act (APA) by failing to consider whether data collected by observers would be reliable in the face of significant observer cost increases. The court ordered NMFS to prepare a supplemental environmental assessment that analyzes when observer data ceases to be reliable, or of high quality, because the rate of observer coverage is too low.

Decision in Challenge to Salmon FMP

On September 5, 2014, the Federal district court in Alaska issued a decision in NMFS's favor on the litigation challenging the agency's approval of Amendment 12 to the Fishery Management Plan for the Salmon Fisheries in the EEZ off Alaska. The court found that Amendment 12's deferral of salmon fishery management authority to the State was permissible under the Magnuson-Stevens Act, that the environmental assessment adequately examined the impacts of Amendment 12, and that NMFS was not required to supplement the analysis when it declared a commercial fishery disaster for Cook Inlet Chinook salmon. We are waiting to see if Plaintiffs decide to appeal the decision.

Challenge to Halibut and Sablefish Individual Fishing Quota Program Hired Master Rule

On August 27, 2014, Fairweather Fishing, Inc. and an individual filed a lawsuit in Federal district court in Seattle challenging NMFS's final rule amending the hired master provisions of the Individual Fishing Quota Program for the halibut and sablefish fisheries off the coast of Alaska. The complaint alleges that the final rule and amended regulations are unlawful because they violate the Magnuson-Stevens Act, the Northern Pacific Halibut Act of 1982, the Rehabilitation Act of 1973, the U.S. Constitution, and the APA. The complaint alleges the final rule excludes otherwise qualified individuals with a disability from participating in the IFQ Program in violation of the Rehabilitation Act of 1973. The Plaintiffs also allege the final rule retroactively applies a control date that deprives Plaintiffs of property interests protected by the

Fifth Amendment of the U.S. Constitution. NMFS and the Department of Justice are preparing the answer and the administrative record for filing with the court.

Supplemental Environmental Assessment on Restructured Observer Program

The Court's ruling on the Observer Program requires NMFS to prepare a supplemental EA (SEA) that addresses the question of when data being gathered by the Observer Program ceases to be reliable, or of high quality, because the rate of observer coverage is too low. The SEA will address the issues raised in the court order with regard to costs, coverage levels, and data quality for all fleets in the partial coverage category.

Schedule for SEA major milestones:

- May 8, 2015, NMFS releases draft SEA to the public.
- May 2015, the Council's Observer Advisory Committee (OAC) review of draft SEA.
- June 1–9, 2015, Council review of draft SEA and 2014 Observer Program Annual Report.
- Incorporate Council and public comments and release final SEA by October 2015.

This schedule will

- allow for analysis of 2 years of data under the new Observer Program (2013, 2014);
- incorporate new cost data from the new 2- to 5-year contract to be issued this fall;
- be considered with the Council review of the 2015 Observer Program Annual Report;
- provide information that may help guide the Council in a subsequent review of the adequacy of fees under the restructures observer program or other regulatory changes that may be appropriate.

Petition for Emergency Rulemaking and Request for Tribal Consultation

On September 16, 2014, the Secretary of Commerce and the Council received a petition for emergency rulemaking from the Tanana Chiefs Conference (TCC) and the Association of Village Council Presidents (AVCP). The petitioners requested emergency regulations to reduce the limit on the amount of Chinook salmon bycatch allowed the Bering Sea pollock fishery from 60,000 Chinook salmon to 20,000 Chinook salmon, and to reduce the performance standard from 47,591 Chinook salmon to 15,000 Chinook salmon for the remainder of 2014. The petitioners also requested that we engage in government-to-government consultation mandated under Executive Order 13175.

The review of petitions for emergency rulemaking are governed by section 305(c) of the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. 1855(c) (Magnuson-Stevens Act), and NMFS's Policy Guidelines for the Use of Emergency Rules (March 31, 2008) ("NOAA Emergency Policy Guidelines"). We promulgate emergency regulations only in extremely urgent, special circumstances where substantial harm to or disruption of the resource, fishery, or community would occur in the time it would take to follow the standard rulemaking process. We must consider whether circumstances warrant forgoing consultation with the Council, advance notice, public comment, and deliberative consideration of the impacts on all

participates in the fishery. NMFS is reviewing the petition and will issue a decision as soon as the review process is complete.

We have contacted TCC and AVCP offering government-to-government consultation with them on the petition prior to making a decision. While we recognize the importance of Chinook salmon to the people of Western Alaska, we note that the 2014 Bering Sea pollock fishery is essentially completed for the year. Therefore, the specific regulations requested in the petition would have very little impact on total Chinook salmon bycatch in the 2014 Bering Sea pollock fishery even if NMFS determines the criteria for an emergency rule are met.

Chinook salmon bycatch in the Bering Sea pollock fishery through September 30, 2014, was 14,978 Chinook salmon. As of that date, 1,238,898 metric tons (mt) of the 1,241,880 mt of total allowable catch (TAC) for the Bering Sea pollock fishery has been harvested. Only 2,982 mt, or less than 0.2 percent of the available TAC for the Bering Sea pollock fishery remains for harvest. Therefore, we believe very little additional Chinook salmon bycatch will occur between now and when the Bering Sea pollock fishery closes by regulation on October 31, 2014.

Finally, we note that the Council is scheduled to review an initial draft analysis of alternatives to revise salmon bycatch management in the Bering Sea pollock fishery at its December 2014 meeting. Council review facilitates the development of fishery conservation and management measures through an open, public process that provides the opportunity for input from all affected parties.

Halibut PSC and Decksorting

NMFS and the industry have met to discuss a project to test deck sorting of halibut that would use flow scale and/or electronic monitoring to track discards onboard trawl catcher/processor vessels in the BSAI (i.e., the Amendment 80 sector). Over the summer of 2014, industry tested a new chute camera system and flow scale as a “proof of concept” using available halibut PSC allocations to the Amendment 80 sector). This initial test showed progress, but additional testing is required. NMFS and the industry have discussed conducting additional testing under an Experimental Fishing Permit (EFP) in 2015. These preliminary discussions have focused on the scope, potential approaches, operational issues, and study design of a prospective EFP.

Because deck sorting approaches will require additional testing before in can be effectively considered, analyzed, and implemented through rule making, the Council should consider focusing its action on halibut bycatch measures in the BSAI (scheduled for initial review in February 2015) on measures to reduce halibut prohibited species catch (PSC) limits. We will provide additional updates to the Council on our progress at future meetings.

Overview of Guided Angler Definition Regulations

In February 2014, the Council recommended aligning Federal regulations with State regulations regarding the term “sport fishing guide services” for Pacific halibut by removing the requirement from the Federal definition that the charter vessel guide be on board the same vessel as the charter vessel angler. NMFS has prepared a proposed rule that is currently in review with

NOAA General Counsel. Publication is expected during Fall 2014, with the expectation that the final rule, if approved, will be effective before the 2015 recreational fishing season.

The proposed rule would revise charter halibut regulations in International Pacific Halibut Commission (IPHC) regulatory areas 2C (Southeast Alaska) and 3A (Southcentral Alaska) to:

- remove the requirement that a charter vessel guide be on board the same vessel as an angler to provide sport fishing guide services, consistent with the Council's recommendation;
- clarify that all sport fishing for halibut in which anglers receive assistance from a compensated guide would be managed under charter fishery regulations and all harvest would accrue toward charter allocations; and
- make additional minor changes to regulations for the charter halibut limited access program and catch sharing plan to maintain consistency with the revised definition of "sport fishing guide services."

If the proposed regulatory revisions are approved, NMFS would recommend several revisions to the IPHC annual management measures. These revisions would ensure consistent application of IPHC and Federal regulations to the charter halibut fisheries and facilitate enforcement of regulations when halibut have been filleted on board a charter vessel.

NMFS prepared the proposed rule in coordination with staff from the Alaska Department of Fish and Game, NOAA Office of Law Enforcement, and NOAA General Counsel. Staff reached consensus on all proposed regulatory revisions with one exception: when no charter vessel guide is on board the vessel with the charter vessel anglers, NMFS proposes to hold the operator of the angler vessel and the charter vessel guide jointly or severally responsible for having a valid charter halibut permit and an Alaska Department of Fish and Game logbook on board the vessel with the anglers. The proposed rule describes that the operator of the angler vessel may be a charter vessel angler.

NMFS is proposing this provision because the charter halibut permit and the Alaska Department of Fish and Game logbook are critical enforcement tools used to verify when anglers are on a charter vessel fishing trip and subject to charter halibut limited access program, catch sharing plan, and charter harvest restrictions. If the charter vessel guide is not in the vicinity of the charter angler vessel, an enforcement agent must be able to identify the person responsible for ensuring that a valid charter halibut permit and the logbook are on the vessel to authorize that charter vessel fishing trip.

The Alaska Department of Fish and Game does not support the proposed provision to potentially hold the operator of the vessel responsible for having a valid charter halibut permit and an Alaska Department of Fish and Game logbook on board the vessel with the anglers. Department staff recommended that NMFS should hold the charter vessel guide solely responsible for ensuring that a valid charter halibut permit and a logbook are on board the vessel with the anglers.

The proposed rule describes that enforcement of this proposed provision would depend on the circumstances of a fishing trip. Enforcement agents would evaluate the specific circumstances to determine whether to hold the charter vessel operator and the charter vessel guide jointly or severally responsible for compliance with the requirement. NMFS is specifically requesting public on this provision of the proposed rule. In spite of the lack of agreement on this specific provision, neither State of Alaska or NMFS staff identified this as a reason to delay the proposed rule.

Preliminary Report on use of Guided Angler Fish

We are providing a preliminary report on the use of guided angler fish (GAF) in the charter halibut fishery. Approximately 41,000 pounds of GAF were transferred to over 40 charter halibut permit holders operating in Areas 2C and 3A. See Attachment 2 for additional details.

Tuna in North Pacific Waters

Several U.S. fishermen have landed tuna (primarily albacore tuna) harvested from Federal waters off Alaska this year. It is not clear if harvest trends observed this year are likely to continue in future years. However, reports from fishermen indicate that more tuna have been observed in waters off Alaska this year than previously. Given these trends, we have suggested that the Alaska Department of Fish and Game include tuna species codes (currently available but not published) in forthcoming species code lists to facilitate improved reporting of tuna harvests. NMFS has also received interest from U.S. fishermen wishing to fish for albacore tuna in Canadian waters under the auspices of the Treaty Between the Governments of Canada and the United States of America on Pacific Coast Albacore Tuna Vessels and Port Privileges (Pacific Albacore Treaty). Additional detail on the Pacific Albacore Treaty and contacts with West Coast Region staff who oversee tuna management is available through NMFS West Coast Region at: http://www.westcoast.fisheries.noaa.gov/fisheries/migratory_species?us_canada_albacore_treaty.html

Staffing Changes

Mary (Grady) Wunderlich and Sarah Ellgen, left our Ecosystem and Bycatch Branch in September and have joined Melanie Brown in the Pacific Islands Region, Sustainable Fisheries Division (what's so great about Hawai'i anyway?). Mary and Sarah were with us for nearly four years. We will greatly miss the professionalism and expertise they brought to Sustainable Fisheries. We are happy to welcome three new staff to Sustainable Fisheries since June.

Cathy Tide joined our staff as a Fishery Management Specialist in a new position in Jennifer Mondragon's Catch Accounting and Data Quality branch. Cathy has a Master's degree in Plant Physiology from Washington State University. She comes to us from the Alaska Dept. of Fish and Game. Previously, she worked as a Research Analyst at the Commercial Fisheries Entry Commission. Cathy has worked with us extensively over the years and brings excellent knowledge and experience with commercial fisheries in Alaska and a huge enthusiasm for managing and analyzing fisheries catch data.

Dr. Anne Marie Eich joined our staff as a Fishery Management Specialist in our Ecosystem and Bycatch Branch to work on fishery policy and regulatory issues. Anne Marie has a Ph.D. in Biology from the University of Alabama at Birmingham. Her dissertation research was on sea turtles in Mexico. Anne Marie comes to us from the Southeast Regional Office, Sustainable Fisheries Division in St. Petersburg, Florida. While there, Anne Marie worked in the Southeast Region preparing FMP amendments and rulemaking, in-season management, and conducting outreach. Anne Marie brings extensive analytical and rule making expertise to our staff.

Brandee Gerke is rejoining Sustainable Fisheries to fill the role of the Ecosystem and Bycatch Branch Supervisor vacated by Melanie Brown. Brandee has a Master's in Fisheries Science from University of Alaska, Fairbanks. Brandee brings with her nearly 15 years of experience with NMFS in the Alaska and Pacific Islands Regions. Brandee has a wealth of experience in North Pacific fisheries, marine mammals, the ESA, the MMPA, and all of the other important acronyms we deal with. Brandee has a long history of leading, developing, and coordinating many complex and controversial projects, most recently the 2014 Steller sea lion Biological Opinion. We will miss Brandee as our partner in Protected Resources, but look forward to her expertise on our leadership team in Sustainable Fisheries.

SF currently has 7 positions to backfill. This represents about 25% of our total staff positions. We will work to continue to backfill other positions as soon as possible, pending approval, staffing challenges with our Workforce Management Office, and funding.

Inseason Management Report

Mary Furuness will provide the Inseason Management Report (see B-2 Supplemental).

Habitat Update

Jeanne Hanson from the Habitat and Conservation Division will provide an update on National Fish Habitat Partnerships in Alaska

Preliminary Report on 2014 Bering Sea Camera Drop Survey

Chris Rooper (Alaska Fisheries Science Center) will provide an overview about the recently completed comprehensive camera survey targeting corals on the eastern Bering Sea outer shelf and slope. The survey was conducted between August 9 and September 5. This research was requested by the Council in response to concerns about the distribution of potentially vulnerable coral habitat in Bering Sea canyons.

Short-tailed Albatross Takes and Seabird Deterrent Efforts

Steve Maclean will provide an overview of the take of two ESA-listed Short-tailed Albatross and ongoing efforts to deter seabirds from interacting with fishing gear under his B-6 Report. Additional detail is at: <http://alaskafisheries.noaa.gov/protectedresources/seabirds/newsitems.htm>

Attachment 1: Status of Actions

FMP Amendment Status	Lead Council and SF Staff	Date of Council Final Action	Start Regional Review	Received by GCAK	Transmittal Date of Action to NMFS HQ for Review	Proposed FMP Amendment Notice of Availability Published in Federal Register	Proposed Rule Published in Federal Register	Final Rule or Notice of Approval Published in Federal Register
Amendment 31 (KTC) – C – Share Active Participation and CR application deadline modification	Fina Palmigiano	April 2008	PR: 08/22/11	PR: 09/13/11				
Amendment 43 (KTC) and Amendment 103 (BSAI) Pribilof blue king crab rebuilding Decision Date: November 19, 2014	Stram Eich	June 2012	PR: 03/25/13	PR: 04/08/13	PR: 08/15/14	August 21, 2014 79 FR 49487 EOC: 10/20/14	August 29, 2014 79 FR 51520 EOC: 09/29/14	
Amendment 44 (KTC) BSAI Crab ROFR	Marrinan Palmigiano	October 2014	-- Combined with ROFR Revisions --					
Amendment 45 (KTC) GOA Pacific Cod non-AFA crab sideboards FLL	McCracken Kelly	June 2013	PR: 05/23/14	PR: 05/29/14				
Amendment 89 (GOA) - Tanner crab area closures around Kodiak and trawl sweep modifications Approved: August 26, 2013	McCracken Ellgen	October 2010	PR: 09/14/12 FR: 09/27/13	PR: 09/24/12 FR: 10/17/13	PR: 05/28/13 FR:	June 3, 2013 78 FR 33040 EOC: 08/02/13	June 17, 2013 78FR 36150 EOC: 07/17/13	January 16, 2014 79 FR 2794 Effective: 02/18/14
Amendment 95 (GOA) – Halibut PSC management in the GOA Approved: November 27, 2013	DiCosimo Davis	June 2012	PR: 04/24/13	PR: 04/29/13	PR: 08/22/13	August 29, 2013 78 FR 53419 EOC: 10/28/13	September 17, 2013 78 FR 57106 EOC: 10/17/13	February 20, 2014 79 FR 9625 Effective: 03/24/14
Amendment 96 (GOA) – Ability for CQE to buy small blocks of QS Decision Date: October 23, 2014	Cunningham Murphy	April 2013	PR: 03/05/14 FR: 09/29/14	PR: 03/06/14 FR: 09/30/14	PR: 07/22/14	July 25, 2014 79 FR 43377 EOC: 09/23/14	August 7, 2014 79 FR 46237 EOC: 09/08/14	

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Amendment 97 (GOA) Chinook PSC management measures for non-pollock fisheries trawl Approved: August 26, 2013	Cunningham Hartman	December 2013	PR: 03/06/14 FR: 09/17/14	PR: 03/07/14 FR: 09/23/14	PR: 05/30/14	June 5, 2014 79 FR 32525 EOC: 08/04/14	June 25, 2014 79 FR 35971 EOC: 07/25/14	
Amendment 99 (BSAI) – Freezer longline MLOA adjustment Approved: December 27, 2013	Evans Kelly	October 2012	PR: 05/17/13 FR: 12/05/13	PR: 07/15/13 FR: 12/09/13	PR: 09/24/13 FR: 12/13/13	September 30, 2013 78 FR 59908 EOC: 11/29/13	October 25, 2013 78 FR 63951 EOC: 11/25/13	January 6, 2014 79 FR 603 Effective: 02/06/14
Amendments 100 (BSAI) and 91 (GOA) Management of Grenadiers Approved: August 04, 2014	DiCosimo Harrington	February 2014	PR: 04/01/14	PR: 04/01/14	PR: 04/29/14	May 5, 2014 79 FR 25558 EOC: 07/07/14	May 14, 2014 79 FR 27557 EOC: 06/13/14	
Amendment 102 (BSAI) – CQE program in area 4B and area 4B “Fish Up” Approved: January 29, 2014	DiCosimo Murphy	April 2012	PR: 03/19/13 FR: 01/4/14	PR: 05/10/13 FR: 01/10/14	PR: 10/28/13 FR: 01/27/14	November 1, 2013 78 FR 65602 EOC: 12/31/13	November 14, 2013 78 FR 68390 EOC: 12/16/13	February 14, 2014 79 FR 8870 Effective: 03/17/14
Amendment 104 (BSAI) HAPC skate sites – FMP only	Witherell Olson/Kelly	February 2013	FMP: 07/28/14	FMP: 07/29/14	FMP: 10/01/14			
Amendment 105 (BSAI) Flatfish specifications flexibility Approved: September 11, 2014	Evans Kelly	April 2013	PR: 01/31/14 FR:08/20/14	PR: 02/07/14 FR:08/23/14	PR: 06/09/14 FR: 09/09/14	June 13, 2014 79 FR 33889 EOC: 08/12/14	June 30, 2014 79 FR 36102 EOC: 7/30/14	September 23, 2014 79 FR 56671 Effective 10/23/14
Amendment 106 (BSAI) AFA vessel replacement Approved: September 2, 2014	McCracken McKeen	April 2013	PR: 11/13/13 FR: 08/19/14	PR: 11/20/13 FR: 08/21/14	PR: 05/28/14 FR: 8/29/14	June 3, 2014 79 FR 31914 EOC: 08/04/14	June 18, 2014 79 FR 34696 EOC: 08/04/14	September 12, 2014 79 FR 54590 Effective 10/14/14

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Amendment 107 (BSAI) Establishing transit areas through walrus protection areas (Round Island) Decision Date: December 24, 2014	MacLean Eich	April 2014	PR: 07/15/14	PR: 07/21/14	PR: 09/18/14	September 24, 2014 79 FR 57041 EOC: 11/24/14	October 3, 2014 79 FR 58222 EOC: 11/03/14	

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Regulatory Amendment Status	Lead Council and SF Staff	Date of Council Final Action	Start Regional Review	Received by GCAK	Transmittal Date of Action to NMFS HQ for Review	Proposed Rule Published in <i>Federal Register</i>	Final Rule Published in <i>Federal Register</i>
At-sea scales regulatory amendments	Watson	NMFS initiated	PR: 03/13/14 FR: 09/16/14	PR: 03/20/14 FR: 09/23/14	PR: 07/08/14	July 31, 2014 79 FR 44372 EOC: 09/02/14	
BSAI 2014-2015 harvest specifications	DiCosimo Whitney	October 2013	PR: 10/24/13 FR: 01/03/14	PR: 11/15/13 FR: 01/16/14	PR: 11/27/13 FR: 02/14/14	December 10, 2013 78 FR 74063 EOC: 01/09/14	March 4, 2014 79 FR 12108 Effective: 03/04/14
Cost recovery for AFA, Amendment 80, Rockfish program, and CDQ program	Brannan Palmigiano	NMFS initiated -MSA Mandate-	PR: 08/22/14	PR: 08/29/14			
Federal fisheries permit and Federal processor permit revisions	Bearden	NMFS initiated	PR: 05/30/13 FR: 08/05/14	PR: 06/25/13 FR: 08/19/14	PR: 03/31/14 FR: 10/01/14	April 18, 2014 79 FR 21882 EOC: 05/19/14	
GOA 2014-2015 harvest specifications	Stram Davis	October 2013	PR: 10/24/13 FR: 01/15/14	PR: 11/15/13 FR: 01/16/14	PR: 11/26/13 FR: 02/21/14	December 10, 2013 78 FR 74079 EOC: 01/09/14	March 6, 2014 79 FR 12890 Effective: 03/06/14
GOA trawl data collection (EDR)	Brannan Hartman	October 2013	PR: 06/02/14 FR: 09/30/14	PR: 06/09/14 FR: 10/06/14	PR: 07/21/14	Aug 11, 2014 79 FR 46758 EOC: 09/10/14	
Halibut annual management measures	DiCosimo Scheurer	December 2013	FR: 02/21/14	FR: 02/21/14	FR: 02/27/14	February 6, 2014 79 FR 7156 EOC: 02/21/14	March 12, 2014 79 FR 13906 Effective: 03/07/14
Halibut catch sharing plan	DiCosimo Scheurer	October 2012	PR: 03/28/13 FR: 10/22/13	PR: 04/25/13 FR: 10/22/13	PR: 06/08/13 FR: 11/15/13	June 28, 2013 78 FR 39122 EOC: 8/26/13	December 12, 2013 78 FR 75844 Effective: 01/13/14
Halibut IFQ – Establish new minimum vessel ownership criteria for using hired skipper of 12 months and 20% interest	DiCosimo McKeen	December 2007	PR: 01/20/12 FR: 05/14/13	PR: 02/03/12 FR: 05/16/13	PR: 10/12/12 FR: 01/29/14	October 31, 2012 77 FR 65843 EOC: 11/30/12	February 24, 2014 79 FR 99958 Effective: 03/23/15
Halibut/sablefish IFQ - revise hired skipper provisions	DiCosimo Murphy	April 2011	PR: 10/19/12 FR: 08/08/13	PR: 10/31/12 FR: 08/09/13	PR: 03/19/13 FR: 06/27/14	April 26, 2013 78 FR 24707 EOC: 05/28/13	July 28, 2014 79 FR 43679 Effective: 12/1/2014
Remove requirement for vessel name on fishing gear marker buoys	NA Camacho	NMFS initiated	PR: 10/25/13 FR: 02/28/14	PR: 10/29/13 FR: 02/28/14	PR: 12/17/13 FR: 03/21/14	January 3, 2014 79 FR 381 EOC: 02/03/14	April 3, 2014 79 FR 18655 Effective: 05/05/14
Revise definition of sport fishing guide services	DiCosimo Scheurer	February 2014	PR: 08/15/14	PR: 09/02/14			

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Steller sea lion protection measures	MacLean Harrington	October 2013	PR: 05/02/14 FR: 09/30/14	PR: 05/08/14	PR: 06/05/14	July 1, 2014 79 FR 37486 EOC: 08/15/14	

Attachment 2: Guided Angler Fish Program Preliminary 2014 Report

Prepared by Julie Scheurer and Alexander Kotlarov
NOAA Fisheries, Alaska Region

In 2014, NMFS implemented the guided angler fish (GAF) program to authorize limited annual transfers of commercial halibut IFQ as GAF to qualified charter halibut permit holders for harvest by charter vessel anglers in International Pacific Halibut Commission Regulatory Areas 2C (Southeast Alaska) and 3A (South Central Alaska). Using GAF, qualified charter halibut permit holders may offer charter vessel anglers the opportunity to retain halibut up to the limit for unguided anglers when the charter management measure in place limits charter vessel anglers to a more restrictive harvest limit.

For 2014, charter vessel anglers in Area 2C are limited to one halibut per day that is less than or equal to 44 inches or greater than or equal to 76 inches total length. In Area 3A, charter vessel anglers are allowed to keep two fish per day, one of which must be less than or equal to 29 inches total length. Using GAF, charter vessel anglers may harvest up to two halibut of any size per day.

As of September 15, 2014, NMFS Restricted Access Management Program processed 111 transfers totaling 41,152 lb of IFQ to 43 different charter halibut permit holders. These transfers allowed the harvest of up to 2,027 additional halibut as GAF by charter vessel anglers (Table 1). Overall, nearly 20% of all GAF transfers were “self-transfers,” i.e., the same person held both the IFQ and the charter halibut permit and transferred the IFQ to himself (Table 1). In Area 3A, 47% of all transfers were self-transfers, while only 14% were self-transfers in Area 2C.

GAF participants are given the option of self-reporting cost information for GAF transfers. Of the transfers for which price information was reported, and excluding self-reported prices for self-transfers, lease prices averaged \$5.62/lb in Area 2C and \$5.01/lb in Area 3A (weighted averages). The overall weighted average price per pound of IFQ leased was \$5.46.

Charter vessel anglers had harvested 1,067 GAF (53%) by mid-September, mostly in Area 2C (Table 2). The high percentage of self-transfers in Area 3A may partially explain why a lower proportion of GAF were harvested in Area 3A. The GAF/IFQ holder would still have an opportunity to harvest those pounds in the commercial fishery after the automatic return date. Unused GAF will be automatically returned to the IFQ account from which it originated on or around October 23, 2014. Three voluntary returns of GAF to IFQ were processed in September. Six voluntary return applications were denied because they arrived after the August 31 deadline.

NMFS issues GAF in numbers of halibut based on a conversion factor from IFQ pounds. In this first year of the GAF program, the conversion factors were based on the average weight of charter halibut harvested by area in the most recent year without a size limit in effect. The 2014 conversion factors were 26.4 lb IFQ per GAF in Area 2C and 12.8 lb IFQ per GAF in Area 3A. For future years, the conversion factor will be based on the average net weight of GAF harvested by area. The average length of GAF harvested in 2014 is preliminarily estimated at 55 inches in Area 2C and 45 inches in Area 3A (Table 2 and Figure 1). Using the IPHC halibut length weight conversion table, these lengths translate into preliminary estimated average net weights of 67.4

lb. in Area 2C and 38.5 lb. in Area 3A. The 2015 conversion factors will increase in 2015 compared to 2014 -- more pounds of IFQ will be required to produce a GAF in 2015.

Table 1. Summary of IFQ to GAF transfers as of September 15, 2014

IPHC Regulatory Area	IFQ Pounds Transferred	Number of GAF Transferred	Number of Transfers (Permits Issued)	Avg. price per pound	Percentage of self-transfers
2C (Southeast)	29,498	1,117	92	\$ 5.62	14%
3A (South Central)	11,654	910	19	\$ 5.01	47%
Total	41,152	2,027	111	\$ 5.46	20%

Table 2. GAF harvest information, as of September 15, 2014

IPHC Regulatory Area	Number of GAF harvested (% of total)	Average Length in inches (range)	Estimated 2015 conversion factor (net lb.)	2014 Conversion Factor (net lb.)
2C (Southeast)	799 (72%)	55 (20-77)	67.4	26.4
3A (South Central)	268 (29%)	45 (30-75)	38.5	12.8
Total	1067 (53%)			

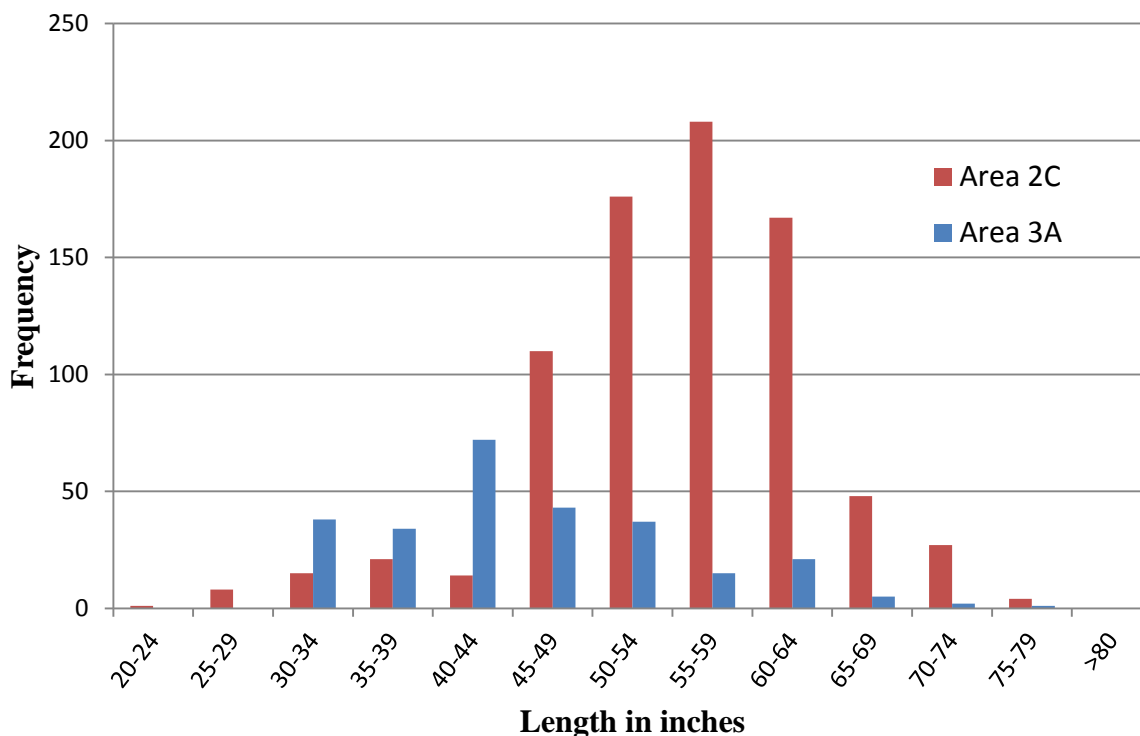


Figure 1. Length frequency histogram of GAF harvested by IPHC regulatory area as of September 15, 2014.