UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
P.O. Box 21668
Juneau, Alaska 99802-1668

October 2, 2017

Agenda B-2: NMFS Management Report

Status of Actions Report online

Updated daily at: https://alaskafisheries.noaa.gov/sites/default/files/reports/amendments.pdf

Progress on Rulemaking

Highlights on progress since the June 2017 meeting include:

- Final rule implementing Amendments 114 to the FMP for Bering Sea/Aleutian Islands groundfish (BSAI), and 104 to the FMP for Gulf of Alaska groundfish (GOA) Electronic Monitoring (EM)

- Proposed rule implementing Amendment 48 to the FMP for Bering Sea and Aleutian Islands king and Tanner crab (KTC) Community Development Quota (CDQ) Ownership Attribution

See Attachment 1 for additional detail.

Inseason Management Report

See Attachment 2 for additional detail

Halibut Deck Sorting Regulatory Process

NMFS will develop an analysis of a regulatory amendment to implement monitoring and enforcement provisions to allow halibut deck sorting on non-pollock trawl catcher/processors, including those acting as motherships. Experiments conducted under Exempted Fishing Permits (EFPs) have tested procedures to improve halibut viability by sorting on deck, conducting viability sampling, and discarding halibut from the deck of non-pollock trawl catcher/processors. The data collected during EFP fishing shows that the practice of deck sorting halibut can improve the viability and therefore lower the total halibut mortality estimate of the halibut encountered by the vessel. This reduction in halibut mortality benefits the trawl fleet by reducing the amount of halibut that accrues toward PSC limits. Halibut deck sorting may also benefit the directed halibut fishery by returning halibut to the water in better condition thus reducing mortality of discarded halibut and potentially increasing halibut biomass. **See Attachment 3 for additional detail.**

Development of the analysis will continue through the remainder of 2017 and early 2018 in consultation with the affected industry and the Council. NMFS intends to present an update to the Council in April 2018 followed by a detailed analysis in June or October 2018. NMFS will analyze the no action alternative against an alternative that would allow voluntary deck sorting in the non-pollock fisheries in the BSAI or the BSAI and the GOA. NMFS will continue to engage with the Council as necessary or as requested thereafter. The goal is to finalize the analysis and publish a proposed rule in 2018, and publish a final rule in 2019, with implementation by January 2020.

BSAI Trawl Limited Access Sector Yellowfin Sole

In June 2017, the Council adopted Amendment 116 to Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area (BSAI) to limit access for trawl catcher vessels targeting BSAI TLAS yellowfin sole and delivering that catch to offshore processors. During Council deliberations and in the EA/RIR prepared for Amendment 116, the Council used the term "vessels" as the entity that would be limited by Amendment 116. In February 2017, the Council clarified that eligibility to participate in the offshore BSAI TLAS yellowfin sole directed fishery as a catcher vessel would be limited by an endorsement on the limited license program (LLP) license assigned to that vessel. The EA/RIR has been revised to make clear the Council's intent to limit access through LLP endorsements rather than specifying the eligible vessels. In this case, the maximum number of potentially eligible vessels corresponds with the number of eligible LLP licenses, 8 LLP licenses, identified in the EA/RIR.

North Pacific Fisheries Commission

NMFS staff participated in the 3rd Annual Meeting of the North Pacific Fisheries Commission. In 2017, Congress passed, and the President signed the "Ensuring Access to Pacific Fisheries Act," (Public Law 114-327), which implements the Convention. The Act specifies that the United States will be represented at NPFC by five U.S. Commissioners — two appointed by the President who are Federal employees, and each of the chairpersons (or their designee) of the North Pacific, Pacific, and Western Pacific Fishery Management Councils. The five U.S. Commissioners have not been appointed yet. The NMFS Alaska Region (Glenn Merrill) serves as an alternate delegate for NOAA and head of the U.S. delegation.

A summary of the North Pacific Fisheries Commission meeting is provided in **Attachment 4**.

Endangered Species Act Consultation on effects of the Pacific halibut fisheries in U.S. Convention waters off Alaska on Seabirds

In September 2017, NMFS and the USFWS reinitiated formal ESA consultation on the effects of the Pacific halibut fisheries in U.S. Convention waters off Alaska on short-tailed albatross, the spectacled eider, and the Alaska-breeding population of the Steller's eider due to changes to the Observer Program and increases in short-tailed albatross population abundance since the USFWS completed consultation on the halibut fisheries in 1998. The USFWS expects to complete their biological opinion by early 2018. In the interim, the commercial halibut fisheries' Incidental Take

Statement from the 1998 biological opinion, which authorizes the take of up to two short-tailed albatross in a 2 year period, remains in effect. No takes of short-tailed albatross by the commercial halibut fisheries have been observed since 1987. We will update the Council as this consultation process proceeds.

Seabird Cable Strike Mitigation Workshop

Seabirds congregate around trawlers to feed on offal, putting them at risk of colliding with cables (trawl warps and data cables) that run aft of trawlers. Cable strikes are a known source of seabird mortality, particularly on at-sea factory trawlers. Research projects observing seabird cable strikes have been conducted in the Alaska catcher/processor fleet targeting pollock in the Bering Sea and in the West Coast at-sea hake fishery. Data from both studies indicate that estimated mortalities for cable strikes are greater than observed mortalities collected as part of typical observer duties. To address this issue, NOAA Fisheries will host a 1.5-day workshop on gear modification strategies for reducing seabird bycatch in West Coast trawl (hake) fisheries. The workshop will be held November 7-8, 2017 in Seattle at the NOAA Western Regional Center with a goal of developing mitigation strategies to reduce cable strikes for both West Coast hake and Alaska pollock trawlers. This collaborative workshop will bring together the at-sea processing industry, engineers, biologists and fisheries managers to develop innovative, practical gear-modifications for reducing seabird cable strike mortality. If anyone would like additional information or to attend, please contact Anne Marie Eich (907-586-7172 or annemarie.eich@noaa.gov).

Update on Alaska Groundfish and Halibut Seabird Working Group

The Alaska Groundfish and Halibut Seabird Working Group formed as a result of the 2015 Biological Opinion on effects of the Gulf of Alaska and Bering Sea/Aleutian Islands groundfish fisheries on short-tailed albatross. The working group is tasked with reviewing information for mitigating effects of the groundfish fisheries on short-tailed albatross and other seabirds. The working group held its first in-person meeting in Juneau, Alaska on September 21-22, 2017. Meeting topics included emerging seabird mitigation technologies and a discussion on additional seabird species that could warrant more attention with respect to bycatch in our fisheries. NMFS will update the Council of the working group's resulting recommendations from this meeting in December. Any changes to seabird avoidance regulations are expected to follow the standard Council process. If anyone would like additional information, please contact Anne Marie Eich (907-586-7172 or annemarie.eich@noaa.gov).

Staff Changes

No new staff have joined Sustainable Fisheries since June 2017. Jane Sullivan completed her Alaska Sea Grant Fellowship in early September and has joined ADF&G. Jane was instrumental in substantially improving many aspects of our observer annual deployment process. We miss you already. Jane! We anticipate recruitment actions for new regulatory staff in the next few months, and will keep the Council and public informed as that process unfolds (hopefully soon).

Attachment 1 -- Status of Regulatory Actions

Changes since June 2017 are noted in **Bold Red**
EOC = End of Comment [period]

Action Status	Lead Council, SF, and GCAK Staff	Date of Council Final Action	Start Regional Review	Received by GCAK	Transmittal Date of Action to NMFS HQ for Review	Notice of Availability (FMP) Published in *Federal Register*	Proposed Rule Published in *Federal Register*	Final Rule or Notice of Approval Published in *Federal Register*
FMP Amendments								
Amendments 48 (KTC) Community Development Quota (CDQ) Ownership Attribution	Marrinan Kent Watson	April 2017	PR: 4/26/17 **FR: 9/26/17**	PR: 5/2/17 **FR: 10/2/17**	**PR: 7/28/17**	**Aug. 3, 2017 82 FR 36111 EOC: 10/2/17**	**Aug. 22, 2017 82 FR 39743 EOC: 9/21/17**	
Amendments 114 (BSAI) and 104 (GOA) Electronic Monitoring (EM) **Approved: June 5, 2017**	Evans Harrington/ Watson Meyer	December 2016	PR: 2/7/17 **FR: 6/30/17**	PR: 2/8/17 **FR: 7/5/17**	PR: 3/3/17 **FR: 7/21/17**	Mar 10, 2017 82 FR 13302 EOC: 5/9/17	Mar 23, 2017 82 FR 14853 EOC: 5/22/17	**Aug 8, 2017 82 FR 36991 Effective: 9/7/17**
Amendments 115 (BSAI), 105 (GOA), 49 (KTC), 13 (Salmon), 2 (Arctic) EFH Omnibus	MacLean Mackey Meyer	April 2017						
Amendment 116 (BSAI) LLP endorsement for BSAI trawl limited access yellowfin sole directed fishery	McCracken Mansfield Smoker	June 2017	**PR: 9/30/17**					
Amendment 117 (BSAI) 106 (GOA) Reclassifying squid to ecosystem component	Stram Mackey Sullivan	June 2017						

Regulatory Amendments								
Authorizing a Recreational Quota Entity (RQE) to hold halibut QS	Marrinan Baker Lepore	December 2016	PR: 5/16/17	PR: 5/23/17	**PR: 9/6/17**	N/A	**Oct. 3 2017 N/A EOC: 11/17/17**	
Authorizing Area 4 IFQ transfer (leasing) to CDQ groups	Marrinan Warpinski Lepore	June 2017	**PR: 10/2/17**					
Modify Nontrawl Lead Level 2 observer requirements	Evans Miller Meyer	June 2017	**PR: 9/11/17**	**PR: 9/13/17**				

Attachment 2
Inseason Management Report

Catch during 2017 is through September 23, 2017 and is compared to catch during 2016 through September 24, 2016. All catch amounts are in metric tons. More information from catch reports and information bulletins are available at: https://alaskafisheries.noaa.gov/fisheries-catch-landings

Bering Sea and Aleutian Islands

Bering Sea Pollock

The 2017 Bering Sea pollock total allowable catch (TAC) is 1,345,000 mt compared to 1,340,000 mt in 2016. In 2017, all sectors except Inshore are done. In 2016, the sectors fished through mid-October.

Bering Sea	2017 allocation[1]	2017 catch	2017 percent taken	2016 allocation[1]	2016 catch	2016 percent taken
Inshore	588,995	577,017	98%	585,379	580,189	99%
C/P	472,796	472,736	100%	468,304	457,844	98%
Mothership	118,199	118,181	100%	117,076	114,293	98%
CDQ	136,400	136,332	100%	135,900	134,875	99%
Incidental	45,210	33,184	77%	48,240	39,430	82%
Total	1,361,600	1,337,450	98%	1,354,899	1,326,631	98%

[1]NMFS reallocated 1,900 mt of CDQ and 14,700 mt of Aleut Corporation pollock TAC in 2017, and 1,900 of CDQ and 13,000 mt of Aleut Corporation TAC in 2016 from the Aleutian Islands to the respective Bering Sea TACs.

Aleutian Islands Pacific cod

In 2017, the non-CDQ allocation of Pacific cod in the Aleutian Islands remains open with 9,936 mt or 71% of the 14,016 mt TAC taken relative to 2016 with 11,045 mt or 96% of the 11,465 mt TAC taken, and closure on March 22. Eleven vessels have targeted Pacific cod in 2017 compared to 14 vessels in 2016.

Western Aleutian Islands Pacific cod limit

Directed fishing for Pacific cod closed for CDQ and non-CDQ on July 29, 2017 compared to February 23 in 2016. Six vessels targeted Pacific cod in 2017 compared to 4 vessels in 2016.

BSAI Pacific cod by Sector

In 2017, the Bering Sea non-CDQ total catch is at 81% of the TAC relative to 80% in 2016.

BSAI Sector	2017				2016			
	Annual TAC[1]	Catch Sept 23	Closed	# of vessels Sept 23	Annual TAC[1]	Catch Sept 24	Closed	# of vessels Sept 24
CDQ	25,615	19,642	n/a	59	26,913	23,305	n/a	47
Hook-and-line C/P	103,712	81,309	n/a	28	114,283	86,934	n/a	29
Pot C/P	3,194	2,467	n/a	4	6,607	3,196	Jan 29	4
Pot CV >= 60 ft	17,889	9,961	n/a	31	12,098	9,446	n/a	18
Hook-and-line/Pot CVs < 60 ft	7,571	6,867	n/a	22	10,674	7,391	n/a	20
Jig	107	13	n/a	<3	94	47	n/a	<3
Trawl CV	47,246	44,015	n/a	102	45,138	44,356	Nov 1	101
AFA C/P	4,917	4,691	n/a	16	3,816	3,633	n/a	16
Amendment 80 C/P	28,647	21,379	n/a	19	31,397	26,740	n/a	19
Total	238,472	172,452		247	251,020	108,668		207

[1]In 2017 NMFS reallocated 3,312 mt and in 2016 NMFS reallocated 6,198 mt of the jig and hook-and-line CV $\geq$ 60 ft allocations to the hook-and-line or pot gear less than 60 ft allocation.

BSAI Flatfish (includes CDQ)

In 2017 most flatfish total catch is lower relative to 2016, except for Alaska plaice, Greenland turbot, and other flatfish. 2017 TACs are the amounts specified. NMFS prohibited directed fishing for yellowfin sole by vessels in the BSAI trawl limited access sector on May 18, 2017. The 18,151 mt TAC was exceeded by 442 mt as catch rates increased the last week of the fishery. The halibut PSC in the yellowfin sole target is 125 mt out of the 150 mt limit. The halibut PSC rate was 3.91 mt per mt of groundfish in the yellowfin sole target. In 2016, this fishery closed on June 8, 2016 on reaching the TAC.

Species	2017			2016		
	Catch	TAC[1]	% Taken	Catch	TAC[1]	% Taken
Alaska plaice	14,435	13,000	111%	11,335	13,325	85%
Arrowtooth flounder	5,563	14,000	40%	9,097	13,398	68%
Flathead sole	8,297	14,500	57%	8,440	15,163	56%
Greenland turbot	2,714	4,500	60%	2,066	2,728	76%
Kamchatka flounder	4,166	5,000	83%	4,443	4,850	92%
Other flatfish	4,052	2,500	162%	2,793	2,862	98%
Rock sole	34,028	47,100	72%	44,198	53,459	83%
Yellowfin sole	104,838	154,000	68%	105,524	153,478	69%
Total	178,093	254,600	70%	187,896	259,263	72%

[1]NMFS plans on releasing amounts from the non-specified reserves to increase 2017 Alaska plaice and other flatfish TACs. In 2017, one flatfish exchange has been completed and one is being processed.

BSAI Atka mackerel and Pacific ocean perch (includes CDQ)

Species	2017			2016		
	Catch	TAC	% Taken	Catch	TAC	% Taken
Atka mackerel	50,573	65,000	78%	43,358	55,000	79%
Pacific ocean perch	26,580	34,900	76%	24,667	31,900	77%

Bering Sea Trawl Sablefish

NMFS prohibited retention of non-CDQ sablefish by vessels using trawl gear in the Bering Sea as catch exceeded the 541 mt trawl gear TAC on July 10, 2017. The 2017 total catch is 648 mt and 78% retained. Thirty-three mt has been reported after retention was prohibited. Annual trawl catch rates are highly variable. The 2008 through 2016 average total catch is 92 mt and ranges from a low of 17 mt to a high of 243 mt.

Gulf of Alaska

Pacific cod - Western GOA

For the 2017 B season, only hook-and-line C/Ps have targeted Pacific cod.

Sector	2017				2016			
	Annual TAC	Catch Sept 23	B season closed	# of vessels Sept 24	Annual TAC	Catch Sept 23	B season closed	# of vessels Sept 24
Hook-and-line C/P	4,904	3,498	n/a	7	5,417	3,052	n/a	8
Hook-and-line CV	347	103	n/a	100	383	112	n/a	106
Jig	635	49	n/a	5	992	52	n/a	7
Pot CV/CP	9,412	5,159	n/a	35	10,396	5,978	n/a	37
Trawl CV	9,511	7,493	n/a	35	10,506	7,318	n/a	30
Trawl C/P	594	68	n/a	7	656	88	n/a	10
Total	25,403	16,370		189	28,350	16,600		198

Pacific cod - Central GOA

Sector	2017				2016			
	Annual TAC	Catch Sept 23	B season closed	# of vessels Sept 24	Annual TAC	Catch Sept 23	B season closed	# of vessels Sept 24
Hook-and-line C/P	1,674	1,226	n/a	8	1,869	594	n/a	6
Hook-and-line CV<50 ft	4,790	1,860	n/a	156	4,347	2,066	n/a	157
Hook-and-line CV>=50 ft	2,200	504	n/a	129	1,756	749	n/a	151
Jig	331	18	n/a	23	570	266	n/a	54
Pot CV/CP	10,621	6,624	n/a	63	12,680	8,847	n/a	56
Trawl CV (Not RRP)	10,879	4,538	n/a	49	12,816	6,530	n/a	53
Trawl CV RPP	1,262	15	n/a	20	1,409	83	n/a	26
Trawl C/P	1,377	599	n/a	6	1,537	488	n/a	7
Total	33,135	15,384		454	36,984	19,623		510

In 2017, NMFS reallocated 1,500 mt from the trawl CVs to pot CV/CPs and reopened pot gear April 6. In 2016, NMFS reallocated of 1,700 mt from hook-and-line CVs to pot CV/CPs (1,500 mt) and Jig (200 mt). In 2016, pot CV/CP closed February 1 to March 12, jig closed March 1 to March 19.

Pollock

The C season opened August 25, 2017 and TACs include rollover amounts from the B season. Areas 620 and 630 were open all season and Area 610 closed September 27, 2017. The D season opened October 1, 2017 and closes by regulation November 1, 2017.

2017 Seasons	610	620	630	640
C season TAC	23,483	14,809	19,063	7,492 (annual)
C season catch	20,056	4,614	14,535	40
C season closure	September 27	n/a	n/a	n/a
D season TAC	19,569	12,341	15,886	n/a

Implementation of pot gear for IFQ sablefish fishery in the GOA

Twenty-three vessels have registered for 10,590 pot tags. Eighteen vessels have reported 648 mt or 9% of IFQ sablefish catch and 16 mt of retained halibut in the IFQ fishery using pot gear.

Salmon Bycatch Data

Salmon in the Bering Sea Pollock Fisheries

Species	Chinook				Non-Chinook			
Year	2017		2016		2017		2016	
Amount	#	Rate[1]	#	Rate[1]	#	Rate[1]	#	Rate[1]
CDQ	2,503	1.82%	1,380	1.02%	87,297	63%	16,385	12%
Non-CDQ	27,028	2.28%	19,337	1.66%	379,883	32%	320,132	27%
Total	29,531	2.23%	20,717	1.59%	467,180	35%	336,517	26%

[1]Rate is number of salmon per metric tons of groundfish.

Salmon in the BSAI Non-Pollock Trawl Fisheries

Species	Chinook				Non-Chinook			
Year	2017		2016		2017		2016	
Amount	#	Rate[1]	#	Rate[1]	#	Rate[1]	#	Rate[1]
CDQ	765	2.54%	1,134	3.44%	398	1.32%	212	0.64%
A80	2,842	1.17%	5,873	2.25%	2,382	0.98%	2,695	1.03%
TLAS	1,788	2.18%	2,576	3.45%	122	0.15%	512	0.69%
Total	5,395	1.52%	9,583	2.60%	2,902	0.56%	3,419	0.93%

[1]Rate is number of salmon per metric tons of groundfish.

Salmon PSC Limits in the GOA

In 2017, Chinook salmon PSC is 7,084 salmon higher relative to 2016 for fisheries with PSC limits. If needed, NMFS will assess the potential for reallocations.

Chinook Salmon	2017 Limit	2017 PSC (Rate[2])	2016 PSC (Rate[2])
Total	n/a	16,073 (6.9%)	8,989 (4.9%)
Western GOA pollock	6,684	2,900 (4.4%)	2,697 (7.7%)
Central GOA pollock	18,316	10,258 (10.6%)	5,567 (7.3%)
Western/Central trawl CV[1]	3,060	2,190 (8.1%)	401 (1.3%)
Central Rockfish CV	1,200	34 (0.5%)	78 (0.6%)
Western/Central trawl C/P[1]	4,080	691 (2.0%)	246 (1.0%)

[1]Includes incentive buffers for 2017 Western/Central trawl CV limit (360 Chinook), and 2016 and 2017 Western/Central trawl CP limit (480 Chinook).

Non-Chinook Salmon	2017 PSC (Rate[2])	2016 PSC (Rate[2])
Total	3,367 (1.4%)	1,904 (0.8%)

[2]Rate is number of salmon per metric tons of groundfish.

Halibut Mortality Data

In 2017 relative to 2016, the total halibut mortality is lower by 356 mt the BSAI, and lower by 319 mt in the GOA. In the BSAI, the largest halibut mortality decreases are for Amendment 80 rock sole (237 mt) and trawl CV Pacific cod (63 mt) targets. The 2017 rock sole catch is 10,170 mt lower than 2016 catch. In the GOA, the largest decreases are for the trawl CV Pacific cod (318 mt) and hook-and-line CV Pacific cod (91 mt) targets. The 2017 trawl CV Pacific cod catch is 1,817 mt lower than 2016 catch.

Area, Gear, and Sector	2017			2016		
	Halibut mortality	Groundfish	Rate	Halibut mortality	Groundfish	Rate
BSAI Total	1,638	1,799,773	0.09%	1,994	1,798,965	0.11%
Amendment 80	915	242,400	0.38%	1,149	260,961	0.44%
BSAI trawl limited access	462	1,265,882	0.04%	550	1,239,743	0.04%
Non-trawl Pacific cod	147	107,736	0.14%	151	111,442	0.14%
Non-trawl Other	3	1,065	0.28%	2	1,148	0.17%
CDQ	111	182,690	0.06%	142	185,671	0.08%
GOA Total	1,105	201,715	0.55%	1,424	195,782	0.73%
Trawl, Deep-water	739	35,230	2.10%	550	25,871	2.13%
Trawl, Shallow-water	177	139,086	0.13%	586	134,696	0.44%
Rockfish Program	63	17,623	0.36%	69	25,226	0.27%
Hook-and-line CP	52	5,767	0.90%	54	4,581	1.18%
Hook-and-line CV	74	4,009	1.85%	165	5,408	3.05%

Attachment 3
Halibut Deck Sort Analysis Update

NMFS will develop an analysis of a regulatory amendment to implement monitoring and enforcement provisions to allow halibut deck sorting on non-pollock trawl catcher/processors, including those acting as motherships. Work will continue through the remainder of 2017 and early 2018 in consultation with the affected industry and the Council. NMFS intends to present an update to the Council in April 2018 followed by a detailed analysis in June or October 2018. NMFS will analyze the no action alternative against an alternative that would allow voluntary deck sorting in the non-pollock fisheries in the BSAI or the BSAI and the GOA. NMFS will continue to engage with the Council as necessary or as requested thereafter. The goal is to finalize the analysis and publish a proposed rule in 2018, and publish a final rule in 2019, with implementation by January 2020.

Experiments conducted under Exempted Fishing Permits (EFPs) in 2009, 2012, and 2015 through present, have tested procedures to improve halibut viability by sorting on deck, conducting viability sampling, and discarding halibut from the deck of non-pollock trawl catcher/processors. The data collected during EFP fishing shows that the practice of deck sorting halibut can improve the viability and therefore lower the total halibut mortality estimate of the halibut encountered by the vessel. This reduction in halibut mortality benefits the trawl fleet by reducing the amount of halibut that accrues toward PSC limits. Halibut deck sorting may also benefit the directed halibut fishery by returning halibut to the water in better condition thus reducing mortality of discarded halibut and potentially increasing halibut biomass.

For the participants in the directed halibut fishery and the non-pollock trawl fisheries constrained by halibut PSC limits to realize the benefits of halibut deck sorting, NMFS must be able to accurately account for all halibut PSC. To do this, catch handling and monitoring requirements must be revised to allow halibut to be sorted on deck and new monitoring and enforcement requirements must be implemented to allow observers to be implemented to allow observers to collect data from the halibut encountered on deck.

Catch handling and monitoring requirements for deck sorting halibut must be adaptable for the variety of vessel configurations and operations that participate in diverse groundfish trawl fisheries constrained by halibut PSC limits. Observers must be able to safely collect data to ensure there is an authoritative record of total catch, and bycatch estimates including halibut PSC estimates.

Monitoring requirements will be designed using the information learned from the current EFP process and may include:

- Catch handling requirements that ensure an observer can complete sampling duties on deck.
- A sampling station near the point of halibut discard that allows observers to collect the required data, including but not limited to, conduct halibut mortality assessments, and count halibut as they are discarded.
- Video monitoring to verify that only halibut are removed from the catch during deck sorting activities, and that appropriate catch handling procedures on deck are followed.
- Deck safety plans to ensure observers have safe passage to the location where halibut are discarded from the deck.

Attachment 4
Summary of the 3rd Annual North Pacific Fisheries Commission Meeting
July 10-16, 2017

What is the North Pacific Fisheries Commission?

It is a regional fisheries management organization (RFMO) formed to implement the Convention on the Conservation and Management of High Sea Fisheries Resources in the North Pacific Ocean (Convention). The objective of the Convention is to ensure the long-term conversation and sustainable use of the fisheries resources in the high seas of the North Pacific while protecting the marine ecosystems where these resources occur. The Convention waters include the high seas that are, more or less, north of 20 degrees N latitude (North of Hawaii) and south of the Bering Sea and Gulf of Alaska. A detailed map of the Convention area, the Convention text, and the history of the Convention and NPFC are available on the NPFC website (www.npfc.int) and in a briefing we prepared for the Council in 2015 (see the October 2015 Council agenda for additional detail).

Who are the Members of the NPFC?

There are eight members to the NPFC, primarily from nations adjacent to the Convention area. These include Canada, China, Chinese Taipei (i.e., Taiwan), Japan, Korea, Russia, United States, and Vanuatu. The NPFC staff (Secretariat) is located in Tokyo, Japan.

As with most RFMOs, the NPFC has a range of subsidiary bodies and working groups to assist it in its work. The NPFC has formed a Finance and Administration Committee (FAC), Scientific Committee (SC), and a Technical and Compliance Committee (TCC). In addition, the NPFC relies on specific workgroups or small scientific committees to explore specific management or stock assessment issues. The NPFC seeks to operate on a consensus basis, although the Convention provides for voting procedures.

What resources does the NPFC manage?

The Convention covers fisheries resources in the high seas of North Pacific not covered under pre-existing international fisheries management instruments. This includes fish, mollusks, crustaceans, and other marine species, but excludes some sedentary species (e.g., some coral species), catadromous species (e.g., eels), marine mammals, marine reptiles, and seabirds in addition to other marine species already covered under other instruments (e.g., tuna and salmon).

The NPFC is focused on the management of three broad categories of resources: corals and other "vulnerable marine ecosystems"; bottom fisheries (non-pelagic in Council parlance); and pelagic fisheries.

The NPFC has taken a largely precautionary approach to the management of coral species and habitat around seamounts that are important for biodiversity by prohibiting coral harvests and limiting areas and types of fisheries allowed near seamounts. Prior to the development of the Convention and the formation of the NPFC, Japan and Chinese Taipei operated coral drag fisheries (yes, you read that correctly).

Several nations conduct bottom trawl fisheries, bottom gillnet fisheries, longline, and pot fisheries in Convention waters. Many of these fisheries are conducted primarily on, or near, the Emperor Seamounts (northeast of Hawaii). The primary target of the bottom trawl fisheries have been North Pacific armorhead (*Pseudopentaceros wheeleri*) and splendid alfonsino (*Beryx splendens*). The primary target species of the bottom gillnet fisheries have been splendid alfonsino, oreo (*Allocyttus verrucosus*), and mirror dory (*Zenopsis nebulosa*).

The longline fishery targets a range of tropical rockfish species (*Helicolenus spp.*), splendid alfonsino, and to a limited extent sablefish (*Anoplopoma fimbria*). Korean and Russian vessels have primarily targeted rockfish and splendid alfonsino, and Canadian vessels have exclusively targeted sablefish around four seamount aggregations outside and to the west of the Canadian EEZ. Vessels from Russia use pot gear to target several species of deep-water crab, but participation has been limited.

The largest fishery within Convention waters is for Pacific saury (*Cololabis saira*). Vessels from China, Chinese Taipei, Japan, Korea, and Russia participate in this fishery. While Japanese and Russian vessels operate mainly within their respective Exclusive Economic Zones (EEZs), vessels from China, Chinese Taipei, and Korea operate primarily within the Convention waters. Vessels use pelagic trawl gear, or a lighting apparatus to attract the saury to the vessel and harvest the fish primarily with dip nets or a lift net. Each year, several hundred thousand metric tons of Pacific saury are harvested in Convention waters.

Most recently, vessels from China and Chinese Taipei have increased effort in a pelagic trawl fishery for chub mackerel (*Scomber japonicas*) within Convention waters near the EEZ of Japan. Japanese vessels fish for chub mackerel within Japan's EEZ but have only recently participated in fisheries within Convention waters. Annual harvests in the Convention Area range from tens of thousands to hundreds of thousands of metric tons.

Jig vessels (primarily from Japan) pursue a fishery for neon flying squid (*Ommastrephes bartramii*).

What is the role of the U.S. and NMFS at the NPFC?

U.S. vessels do not participate in the Convention Area, but may do so in the future. Broadly speaking, the U.S. engages in the NPFC to meet our overarching commitments to conserve and manage shared living marine resources, to protect the broader marine environment from the effects of destructive fishing practices, to prevent illegal fishing activities, and to ensure that we provide for future opportunities for U.S. participation. The U.S. serves an important role in assisting the Members in negotiating conservation and management measures, and supporting science-based management. Because the NPFC conducts its business in English, we are often relied on for technical assistance when crafting specific procedures and regulations.

In 2017, Congress passed, and the President signed the "Ensuring Access to Pacific Fisheries Act," (Public Law 114-327), which implements the Convention. The Act specifies that the United States will be represented at NPFC by five U.S. Commissioners — two appointed by the President who are Federal employees, and each of the chairpersons (or their designee) of the North Pacific, Pacific, and Western Pacific Fishery Management Councils. The five U.S. Commissioners have not been appointed yet. The NMFS Alaska Region (Glenn Merrill) serves as an alternate delegate for NOAA and head of the U.S. delegation.

What happened at the latest meeting of the NPFC?

The third annual meeting of the NPFC was held July 13-15, 2017, in Sapporo, Japan. This was the first opportunity for the U.S. to participate in the NPFC as a full member since the passage of the Ensuring Fisheries Act and formal procedures for joining the Commission were completed on February 18, 2017.

The Annual Meeting was preceded by substantive meetings of the TCC and the FAC. The SC and several small scientific committees and workgroups convened earlier this year. There were several important and controversial topics on the agenda. Many of these were raised in the subsidiary body meetings, and some preliminary compromises were reached, but numerous issues and proposals remained for discussion and decision during the annual Commission meeting.

What were the key actions from the meeting?

High-Seas Boarding and Inspection

The TCC discussed a measure for high-seas boarding and inspection (HSBI) of fishing vessels in the Convention area during intersessional meetings, and took up the topic again for final review and submission to the Commission for adoption. The NPFC Convention includes provisions stipulating that if an HSBI regime were not adopted within three years, Articles 21 and 22 of the UN Fish Stocks Agreement would apply as if a part of that Convention. This language would enter into force in July 2018 if no specific measure were adopted.

Despite early indications that Members may not be able to find an agreeable solution, a compromise was eventually reached through sustained effort. The draft also contained two options regarding the use of force during boardings. The Commission approved the option where use of force is only authorized to protect the safety of the boarding team. The U.S. and Canada preferred stronger language, but agreed to the consensus option to ensure passage.

The Commission adopted the revised HSBI proposal subject to final notification from Russia that was not available by the time the meeting adjourned. This notification is still pending.

Illegal Unreported and Undocumented (IUU) Fishing List

Japan reported 288 vessels sighted in 2016 in the Convention Area. This compared to 194 in 2015. Of the 288 vessels, 68 were suspected to be IUU vessels and were submitted to the Secretariat for inclusion on the draft IUU list. Of these, Japan noted instances where vessels had changed their names and cases of multiple vessels having the same name and number. The list contained almost exclusively vessels presumed to be Chinese, as well as two Russian vessels that were subsequently determined to be fishing in compliance with conservation and management measures adopted by the NPFC.

China reported that 27 of the 68 reported vessels were authorized by the Chinese government to conduct fishing activities in the NPFC Convention Area, and that one of the vessels was not in the Convention Area when Japan claimed it was. China identified eight vessels that were indeed engaged in unauthorized fishing in the Convention Area and noted that it had taken actions

against the owners and captains of these vessels. As a result of these actions those vessels were removed from the draft IUU list. Seven of the remaining vessels were not Chinese vessels, but had the same names as seven authorized Chinese vessels. China proposed, and the Commission agreed, that these vessels be added to the IUU list after the authorized vessels had been re-registered under new names to avoid confusion. China reported that the remaining vessels were not authorized to fly the Chinese flag and thus could be added to the IUU list as stateless vessels. With these adjustments the NPFC adopted the IUU Vessel List (16 of the original 68 reported vessels).

China also expressed its opinion that information on suspected IUU activity should be carefully clarified before being submitted to the Secretariat. Following a suggestion from the U.S. delegation, the NPFC clarified the procedures for notifying Members and other nations if there is suspected IUU fishing for clarification prior to submitting such information to the Secretariat.

Pacific Saury

Previously, the NPFC had adopted a Conservation and Management Measure (CMM) regarding Pacific saury in 2015 that was scheduled to expire this year. Japan proposed a new CMM for Pacific saury that would have established catch limits and prohibited expansion of the number of fishing vessels authorized to fish for Pacific saury in the Convention Area. The proposed allowable biological catch (ABC) was based on the Maximum Sustainable Yield (MSY) calculated by the SC in 2017.

Japan had circulated the CMM prior to the meeting and the U.S. requested the insertion of language indicating that the restrictions on expansion only apply to Members with vessels currently in the fishery, and that the allocations presented would not serve as a precedent for future allocation decisions to protect potential access to the fishery by U.S. fishers. Japan made the requested changes.

However, China, Chinese Taipei, Korea, and Russia all objected to the proposed catch limit and proposed means of allocating the catch. After hours of negotiation, the group moved toward a compromise. This compromise placed a hard limit on the number of vessels authorized to fish for saury in the Convention area for the non-coastal members (China, Chinese Taipei, Korea) and a softer limit for Japan and Russia to allow them to "follow the fish" across their EEZ's. The revised CMM also provides opportunities for U.S. and Vanuatu to maintain or initiate some limited fishing in the Convention waters. This heavily revised CMM was adopted as an amendment of the previous CMM, and will terminate in one year. It will be renegotiated next year after review and input from the SC and the Small Scientific Committee on Pacific Saury.

Chub Mackerel

Japan proposed a revision of a CMM regarding chub mackerel, directing that a stock assessment of chub mackerel in the NPFC area be completed by 2019, and that the Members shall refrain from expanding the number of fishing vessels authorized to fish for chub mackerel from January 1, 2017, until the stock assessment is completed. Japan had circulated the proposed revision to this CMM prior to the meeting and the U.S. had requested the insertion of language indicating that the restrictions on expansion only apply to Members currently with substantial fishing for Chub Mackerel to protect potential access to the fishery by U.S. fishers. Japan made the requested changes and included them in the document that was presented to the Commission.

Several other Members requested other edits, including that the stock assessment be completed "as soon as possible" but these did not substantially change the essence of the CMM.

The U.S. shares Japan's concern that any expansion of fishing effort without assessing the health of the population might impact the long-term sustainability of chub mackerel fisheries resources. Members, both currently fishing and possibly entering the fishery, are encouraged to not increase the numbers of vessels in the NPFC area fishing for chub mackerel until the stock assessment is completed. The Commission adopted the revised CMM on chub mackerel.

North Pacific Armorhead and Splendid Alfonsino

The U.S. delegation submitted an information paper (discussion paper) during the annual meeting stating the views of the U.S. on management of Pacific armorhead and splendid alfonsino. Due to the continued low abundance of North Pacific armorhead and the associated increase in the incidental catch of splendid alfonsino, the United States expressed strong support for an Adaptive Management Process for North Pacific armorhead and splendid alfonsino.

The information paper pointed out that the United States has a legal obligation under the Magnuson-Stevens Act to rebuild the overfished armorhead stock to a sustainable level and has implemented a full moratorium on fishing for armorhead within the U.S. EEZ since the initial collapse of the stock in the mid-1980's. The paper also emphasized that fishing pressure outside of the U.S. EEZ has continued and the stock has not recovered. North Pacific armorhead has an unusual life history, as the larvae and juveniles are pelagic (ocean-going) and widely distributed in the North Pacific Ocean before settling on a limited number of seamounts, including several in the U.S. EEZ, where they mature and eventually spawn. The U.S. paper argued that any further efforts to rebuild the stock require coordinated international management. The United States called for a moratorium on further harvest of Pacific armorhead until new management measures can be put into place.

The U.S. requested that the Commission consider application of an adaptive management process for the North Pacific armorhead and splendid alfonsino fisheries starting in 2018 in light of the statement by the Small Scientific Committee on North Pacific armorhead that the stock abundance is low is likely overfished in the Convention Area. There are also increasing concerns about the status of the splendid alfonsino stock; harvest tends to increase when armorhead abundance is low. This proposal drew strong opposition from the Japanese delegation. However, several other Members echoed the U.S. concern over the status of North Pacific armorhead and splendid alfonsino, including China, Korea, and Russia. These two species were also discussed during a debate over the list of priority species for the TCC work plan. The United States argued that both Pacific armorhead and splendid alfonsino should be listed as priority species in this work plan given the concerns stated in the issue paper and given that the species are listed as priority species to the Commission as a whole on the NPFC website and in various Commission documents. The TCC and SC will address the proposed U.S. recommendation for adaptive management (i.e., moratorium) during intercessional meetings.

Information Security Guidelines

The NPFC has no formal policy regarding the handling, use, or dissemination of scientific or other data submitted by the Members. This has been a particular problem for conducting stock assessments, where pooling of Member data to produce a common stock assessment would be

ideal but the lack of a policy has prevented data sharing. The Commission adopted interim guidelines while work proceeds on perfecting more comprehensive rules.

2018 Annual Meeting

Next Annual Meeting

The Members agreed that the NPFC meeting will take place in Tokyo June-July, and will be preceded again by the TCC and FAC. China expressed its desire to host the 2019 meeting.