

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver *Chris*
Executive Director

DATE: January 26, 2004

SUBJECT: Gulf of Alaska Groundfish Rationalization

ESTIMATED TIME 16 HOURS all C-1 items

ACTION REQUIRED

Review Board of Fisheries Workgroup Report.

BACKGROUND

The Alaska Board of Fisheries groundfish rationalization committee, or workgroup, met in December and again in January to discuss options for addressing state waters fisheries issues relative to the Council's GOA rationalization initiative. Their reports are under C-1(a) and will be summarized for the Council by Board Chairman Ed Dersham. They are scheduled to meet again later this month, and forward their recommendations to the Board. Recommendations from the Board to the Council could be made at our April meeting, where we are scheduled to meet jointly, via the Protocol Committee and/or via a full meeting with the Board.

ALASKA BOARD OF FISHERIES
Gulf of Alaska Groundfish Rationalization Committee
December 3-4, 2003

ATTENDEES

Board members:

Ed Dersham
Mel Morris
Art Nelson

ADF&G:

Diana Cote
Sue Aspelund
Earl Krygier
Herman Savikko
Denby Lloyd
Rachel Baker

CFEC: Kurt Schelle

Department of Law: Jon Goltz

NMFS: Glenn Merrill

NPFMC: Jane DiCosimo

Public panel members:

Julie Bonney
Glenn Carroll
Joe Childers
Sam Cotten
Duncan Fields
Melvin Larsen
Chuck McCallum
David Polushkin
Jeff Stephan
Joe Sullivan

unable to attend: Gerry Merrigan, Tim Blott

NOTE: This summary is separated by each day's discussion. Therefore, some of the material is duplicative due to the nature of the steering committee's discussions.

GOAL OF MEETING: Begin identifying an option(s) for the various species in the GOA for state water rationalization.

DEPT OF LAW MEMO RE: MORATORIUM AND LIMITED ENTRY

Assistant attorney general Jon Goltz provided an overview of a November 22, 2003 memo regarding "Issues Raised by Gulf Rationalization Workgroup re: Moratorium and Limited Entry" with the steering committee. The memo describes how the moratorium statutes work under CFEC's current authority, what advantages or disadvantages might result from 1) asking the legislature to impose a moratorium directly, 2) asking the legislature to expand CFEC's statutory authority in order to allow that agency to establish a moratorium, 3) how a petition for limited entry works, transferable/nontransferable entry permits, and 4) whether the board can regulate fishermen who hold federal permits differently from those who do not.

Any state regulation that treats federal IFQ holders differently than nonIFQ holders is suspect. What the board regulates is: season, areas, gear types, and methods. State management is defined as regulating any taking of fish in state waters.

Moratorium

The memorandum discusses the Dungeness fishery in Southeast, and the group discussed the scallop and Korean hair crab legislative moratoria; this group could consider same approach. The group discussed how these fisheries differ from the GOA pollock and P-cod fisheries; there was lots of support from participants, small fishery(s), worked close with CFEC, careful to word statute that only applies to the specific fishery(s) so other fisheries were not affected.

Some of the criteria that is in CFEC's statute are inconsistent. For example, one requirement is that a fishery must be at its maximum, while at the same time there is a requirement that information must be insufficient to know if the fishery is at maximum yield.

The steering committee posed the question: To execute a moratorium quickly, would it be better to do have a legislative moratorium rather than an increase in CFEC's authority? Department of Law does not have any recommendations toward that, but did outline the processes in the memo. It will likely take awhile for the board, ADF&G and CFEC to go through the criteria on these complex fisheries, so that approach may be more time consuming than legislative action. Discussed fact that there is less control in what comes out of legislature, including timing. On the other hand, CFEC cannot pre-predict how a request to them for moratorium would come out. If all agree before coming to CFEC, that might help the rationale. However, CFEC thought that in looking at it right now, a request for moratorium on groundfish in state waters might not meet the current statutory criteria. CFEC is leery of using current program in these fisheries. CFEC can only limit people and cannot limit boats. Would have to ask legislature to give authority to look at both assigning moratorium privileges to vessels and to operators. Discussed a two-step option: attain statutory authority within CFEC to implement moratoria in parallel fisheries, with some rationale for doing so. Once that is in place people could look for more long-term solutions.

The steering committee members discussed interest in legislation that would authorize CFEC to implement a moratorium, with some general framework language, including definition of how many years of history is considered, and which years. Some skepticism was expressed whether a moratorium is even needed to accomplish rationalization in state waters. Strong sideboards on federal side could protect state fisheries and give the board and council time to have discussions on how to deal with those waters. The steering committee also discussed maintaining some open access fisheries for opportunities for people to start in a fishery, such as the jig fishery. A majority of the steering committee supported going to the legislature for a moratorium; the dangers of not having one outweigh benefits. A side issue: willing to set aside some IFQ to allow for possibility of new entrants. The duration of the moratorium should not be permanent, but four years may not be needed—and potential influx of effort into state waters is not just from federal IFQ holders, but could be from fishers in other types of fisheries that see an opportunity. It is important to control entrants now.

Pacific cod is not a growing fishery, so moratorium might not be needed. (For the other three fisheries this may not be true.)

After moratorium, what next? Steering committee should discuss. Also, moratorium may not be chosen, even if CFEC is granted the authority.

(See December 4 section below for board statement on pursuing moratorium.)

State "IFQ"

Department of Law is concerned that the board treat fishermen who hold federal permits the same as fishermen who do not (#6 in Law's memo). Concern is over whether a constitutionally-defensible reason can be found to treat persons differently (last page of Law's memo). Discussed need to look to other ways to coordinate state and federal regulatory schemes. In addition, the state probably could not establish a moratorium that excludes folks who hold federal permits.

Concern was expressed over extra pressure in state waters with a rationalized federal fleet, but this is if state waters are rationalized, too. Interest was expressed in figuring out a way for federal permit holders to fish some of their TAC into state waters. Can the state define a moratorium

program to include as a class of people the folks who fit the federal IFQ program landing criteria? Maybe council/federal program can put restraints on those federal permit holders who may fish in state waters, since state does not appear to be able to. E.g., federal IFQ holder could have catch in state waters go against the federal TAC first. (That would be under a federal IFQ program, not state.)

Sablefish fishery example: In state water sablefish fishery for federal IFQ holders, harvest from those waters gets credited the IFQ. This is a federal regulation, not state. Overall allowable catch, then look at historical catch in state waters, then open state waters to that historical cap; when it is reached the state closes the state waters fishery. This is why it is desirable for the state waters to stay open as long as possible in a rationalized approach, so fishery can stay open and it is not all caught in one day, while still allowing historical participation.

TAC vs. GHL issues: what percentage of fish is going to be placed into the "state moratorium/federal IFQ" fishery vs. completely into state allocation (which may be a nonmoratorium fishery)? Gets down to terms of percentages for each of these two fisheries. Example: state manages for whatever percent of TAC they get. When it is gone, close state waters to everyone, not just federal permit holders. Federal program can keep fishing on their apportionment until the federal TAC is taken. Council will not be able to rationalize federal waters if state waters are not rationalized.

SPECIES

Four species groupings are being considered here: Pacific cod, pollock, rockfish, flatfish. Each fishery will need distinct solution from the state. Complexities exist in the Pacific cod fishery that do not exist in the other fisheries. Two ways to go with cod: 1) moratorium as first step, then whatever the solution/rationalization scheme is; 2) other than moratorium. Might be better for group to consider other species first, then do cod last.

Trying to limit a fishery via gear, boat size, etc. does not work well in rationalizing a fishery; a quota does.

Rockfish

See Glenn Merrill's/NMFS Issues paper from first meeting.

Pelagic shelf, northern rockfish and Pacific ocean perch:

Federal TAC is based on fishing outside of three miles, so state probably does not have an issue in rationalizing this fishery unless they find some population within three miles. State would no longer open a parallel fishery for this species. It is a "bright line" issue.

Exception: Black, blue rockfish is prosecuted by state (even outside of three miles). These are not FMP species.

Flatfish

Deep complex flatfish fisheries: flathead sole and deep water flatfish (see Merrill's chart attachment). Concerned about areas inside three miles that are still open to trawling for flathead and shallow waters flatfish.

Pollock

About 70 percent of small boat fishery of pollock is inside state waters.

May want more than one option for pollock. Some discussion included designing a moratorium and equal share license program. Also, the state might want to explore designing a constitutionally-allowable IFQ. It could be with limited duration, and as it is rolled over a fresh look is taken at optimal number and who qualifies for allocation (to avoid notion that giving an allocation to a certain group of people in perpetuity). Want to avoid two different qualities of "right" where federal right is better than state right. Therefore also want to see two options for pollock explored and given to the board.

Three options could be given to board in February: 1) limited entry in state water without historical IFQ but something that allows federal permit holders to fish inside state waters and have it come out of the federal TAC; 3) try to get as far as possible toward a state IFQ that the board can constitute that will pass constitutional and statutory muster; 2) equal shares should be in there because it is a tool that is available. Some fishers will not like that idea, but deserves to be on the table with the other options.

The group asked whether a moratorium can be put on state waters for pollock even though there is not a state waters fishery but over 70 percent of the pollock is taken in state waters. Yes—technically that fishery is a parallel fishery so could put a moratorium on it.

Will need to consider PWS pollock fishery because it is a state waters fishery, so keep it in the equation for rationalization.

OPTIONS

A few options were beginning to form, as follows:

Establish a small state water fishery, approx 5%, equal share of registered participants (register by certain date); historical participants could fish quota share then fish equal share portion also. Moratorium is one way to get to history, or do it like Dutch Harbor food and bait; register by certain date and show that there is a market, and the fishery is run like a coop. Federal IFQs could be fished in state waters. Catch initially counted against IFQ then after that the equal shares would be fished. Looking for single class of participants in state water fishery and allow fishery to keep open. People who have federal IFQ get more opportunity with this scenario, unless design it as two different fisheries maybe? Want to explore whether this is a real legal problem. Dept. of Law's point is that the state manages the fishery so it really is not two separate fisheries. Equal share of fish harvested from state waters, versus equal share of state TAC. Giving everybody an equal share of the state TAC is not treating everybody equally if only federal permit holders are given an additional right to harvest more fish in state waters.

Explore how to manage the state that so that some level of "parallel fishery" occurs for those federal IFQ holders?

State can assign equal shares by vessel size, by gear group, etc. For example, trawl vessels over 60 feet could receive an allocation as a group, and individual trawlers receive an equal share of that group allocation. Same for jigs. The equal share for the trawler would be a lot more than the equal share for the jigger. This may create potential for state waters to stay open for a longer period of time if the jig fishery has a portion of the quota based on their capacity—this also does not disadvantage the trawl fishery/federal IFQ holders. Also, require vessels to be able to qualify under certain criteria in order to fish in state waters (even if their fishing counts against their

federal IFQ and not the equal share state waters fishery). Legal problem is that if state waters are open for jigging but closed for trawling, the board cannot allow only federally permitted trawlers to operate in state waters to harvest their federal IFQs.

For the board, primarily this is allocation issue. But conservation and development of a fishery is a concern of the board, so all of these things are considered. However this is a giant allocation issue brought on by rationalization effort in council arena, and these other things are sideboards that the board will certainly consider. Will look at allocation criteria. Board members are depending on this group with their particular interests to bring up ideas and to talk about how other ideas may help or hurt your interests.

DECEMBER 4, 2003

Dept. of Law reviewed understanding of scenario this group has worked on thus far. With the goal of slow down race for fish in state waters:

- Board and council would agree to split of TAC in federal and state waters
- Fish taken in state waters by federal IFQ holders can be credited against federal TAC
- Fish taken by nonIFQ in state waters will be credited against state TAC
- When non IFQ caught full state quota, state waters would be closed to all
- Federal IFQ holders are capped no matter where they fish

One key to arrangement is how TAC is done. For example, jig quota, or state limits entry via CFEC moratorium, legislative moratorium, and/or limited entry.

Under current law, equal share quota plan in state waters could be tiered (by vessel, gear) but need equal quota within those categories. Problem comes when allow federal IFQ holder to fish above any equal share they have in state waters by allowing them to fish against their federal IFQ in state waters b/c granting special privilege.

A proposal was outlined by Joe Sullivan:

- 1) Federal IFQ program based on allocating to LLP holders according to history in both state (both parallel fishery and state waters fishery) and federal waters. Balance left is harvest of fish in state waters by nonLLP holders. This is predominately jig operations (especially in Aleutian Islands area). Therefore state TAC is amount of fish needed for nonLLP vessels, to maintain parity on both sides of fleet.
- 2) Moratorium is designed that is uniform in its application to anyone fishing in state waters, no matter whether they are federal IFQ qualified or nonLLP participants. The only difference is TAC management.
- 3) State actively manages state waters via vessel, gear, seasons, area, etc.—uniform against all moratorium participants, regardless of federal LLP or state nonLLP participants. Federal IFQ holders will have to meet all state regulations re: vessel, gear, etc. to fish in state waters (including meeting moratorium stuff) they are just exempt from the state TAC.
- 4) State TAC further rationalized among state nonIFQ vessels (but again not including federal IFQ holders in this equal share rationalization). Need clarification as to whether the federal IFQ holders have to quit fishing when they reach the state equal share amount, whether or not they have more IFQ available—they would have to go outside of state waters to get the rest.

Class of persons that are LLP qualified that are fishing in state waters and class of persons that are nonLLP holders both fishing in state waters: above scenario raises concerns with Dept. of

Law, unless when the state waters are closed they are closed to everyone. As long as all have the same type of opportunity to fish in state waters, it does not matter if they are fishing against a different TAC. (One long-term goal of Sullivan's design is a state constitutionally acceptable IFQ.)

How state TAC is managed and how moratorium program is developed is key. State can tell whether someone has ever taken fish from state waters and could prevent those boats from entering and therefore taking a large amount of fish out of state waters/race for fish.

Another goal is to "fairly" allocate among current users according to history to the extent that it can be done. Credit fishing activity for vessels that fished under IFQ program and are LLP licensed, without disadvantaging nonLLP holders.

Sale vs. lease of IFQ: if sell, they are simply moratorium-qualified vessel and fish under state TAC nonIFQ holders. If leasing, then they are still IFQ holder and their criteria elimination from state waters goes with that.

BOARD COMMITTEE STATEMENT RE: MORATORIUM

The board committee stated its interest in pursuing a moratorium during this legislative session, as follows:

Purpose of moratorium: Allow fishery to continue as it has in the past and allow board/council opportunity to finish the process of rationalization and therefore make decisions on how the state fishery should be designed. Not a foregone conclusion that there will be a limited entry.

NEXT MEETING: Time, goal, and data requests

Time

The steering committee will next meet on Sunday, January 11 beginning at 8:30 a.m. in Anchorage.

Goal of next meeting

Committee members 1) have given specific proposals by species by area, 2) have additional data available by the to understand fisheries and decision making—with an eye toward fleshing out options and data to put before board in February so board can organize options on paper.

Options from steering committee members given to Diana Cote and distributed two weeks prior to next meeting of this group. Package different species-options separately; also do area-specific options.

Data requests

Data requests to come through Diana Cote and she will pursue with board, council, ADF&G staff. The following were identified at this meeting.

ALASKA BOARD OF FISHERIES
Gulf of Alaska Groundfish Rationalization Committee
January 11, 2004

ATTENDEES

Board members:

Ed Dersham
Mel Morris
Art Nelson

Public panel members:

Tim Blott
Julie Bonney
Glenn Carroll
Joe Childers
Sam Cotten
Duncan Fields
Melvin Larsen
Gerry Merrigan
Chuck McCallum
David Polushkin
Jeff Stephen
Joe Sullivan

ADF&G:

Diana Cote
Sue Aspelund
Earl Krygier
Herman Savikko
Rachel Baker
Jim Browning

CFEC: Kurt Schelle

Department of Law: Jon Goltz

NPFMC: Jane DiCosimo, Elaine Dinneford

Board Member in Audience: John Jensen

GOAL OF MEETING: Review options submitted by Steering Committee members and identify preferred option(s)

NPFMC "Alternative 3"

NPFMC staff described the state's Alternative 3 that was submitted to the council by the state at the December 2003 meeting. In order for the council to choose a preferred alternative by its October 2004 meeting, the board will need to be specific about TAC apportionments within the option(s) it submits. This will allow council staff to do the needed analysis.

BOARD ANALYSIS OF PROPOSALS

Board analysis of proposals /options for rationalizing the GOA will occur in this order:

- 1) Constitution: is the option constitutionally sound?
- 2) Guiding principles: See "Guiding principles for groundfish fishery regulations" in state regulation 5 AAC 28.089.
- 3) Allocation criteria: See statutes at AS 16.05.251(e).

STEERING COMMITTEE PROPOSALS SUBMITTED: OVERVIEW AND DISCUSSION

Sam Cotten

- 1) Establish rules for operating in all state waters similar to the current rules for the state water cod fisheries: Regional approach using vessel size and gear type to benefit local communities as much as possible. Would want it to be as Gulf-wide as possible to prevent movement to a more attractive fishery that was unintentionally created. Small boats are more likely to be local and more likely to deliver to local plants. Issues: How will crab bycatch/mortality loss be addressed in pot fisheries, and if a cap is made how will the cap be allocated?
- 2) IFQs: Needs analysis by Law/CFEC. Will not know whether to support a state "IFQ" system until something is developed. All have seen so far is what problems are; want to see what provisions would be necessary to meet the hurdles identified.
- 3) Approximately 60%, of pollock and cod, is what has been taken out of state waters to date. Might be only alternative to assert state jurisdiction over state waters. Would not want to give management to federal program (of less than that 60%) then come back in and try to reassert

authority; probably would be preempted if that happens. Assert jurisdiction over a larger portion of groundfish than we do today, since statistics show the state does harvest this amount. Intent is to capture history of what has been caught in state waters for each species and obtain the "upper end of it." This is not contingent on the state being able to allocate that 60% based on history. State could be responsible for monitoring for bycatch issues, staffing, managing fishery, etc., but decision-making may still be combined when TAC is decided, and stock assessment would still be accomplished by federal program. Boats under 60 feet do not require observers, so state may need to develop an observer system for that class of vessel. Does this option need to be analyzed as far as localized depletion? Will studies need to be done to ensure depletion is not occurring inside three miles? Some depends on how the allocation is done; biologists do not agree yet on whether localized depletion will occur.

- 4) Move ahead on moratorium and limited entry on cod and pollock. If limited entry, consideration ought to be given to the owner. Vessel owners need to be considered along with the skipper (tie them together somehow).

Julie Bonney

- 1) State management issues that have not been considered during committee discussions

Observer Coverage

See table on BSAI fisheries versus GOA fisheries. This table represents a defacto result of how the fisheries observer programs are structured with different requirements, and the fact that vessels under 60 feet are not required to have observers onboard. If the state acquires any portion of TAC it needs to consider how observer coverage will be managed. The larger the TAC on the state side the more the need to identify all of the issues such as bycatch, prohibited species, discard, etc. Need the information and tools to manage the fisheries well. Depending on how these programs would be funded on the state side, the cost could make the fisheries unviable. Federal program may have a good chance to pursue funding for observer coverage because all over the rest of the country the observer coverage is paid for by the federal government. Other alternative includes basing cost on ex-vessel value. In state cod fishery there are currently no observer requirements. State and federal managers could coordinate programs, too.

Prohibited Species Caps

Halibut mortality: will the state petition the IPHC for halibut in order to account for mortality in longline and trawl fisheries prosecuted in state waters? Halibut taken in pots or by jig is considered "de minimis mortality" and not accounted for by the IPHC. Council could allocate some of the prohibited species cap (PSC) to the state for the state waters fishery. (Hard to have a PSC cap with no observer coverage.)

Incidental Catch Accounting

Design the division of fish between the state and federal programs so that an incidental catch problem does not happen, in that trawl and longline boats are not limited in bycatch of a species for which the state holds a directed fishery (e.g., rockfish).

Moratorium and LE

(passed on discussion—wait for data request to be answered)

- 2) POP, Northern Rockfish and Pelagic Shelf Rockfish
(for West Yakutat, Central GOA and Western GOA areas)

Close to all of the catch of these species happens in federal waters. Close state waters 0-3 miles. If department determines fishable amounts of these species later, develop a fishery through board process, based on that estimate of biomass. Is this double-counting if the federal program conducts biomass estimates for the whole Gulf ("additive TAC")? Would the state have to acquire a part of the federal TAC for these species?

Reviewed catch data broken out by area, vessel/gear, species. (Hook and line info is not included so not a lot of blue and black rockfish data is included in years 1995-97.)

3) Flatfish
(see maps)

Proposal to set small state TAC (1% to 5%) open for nontrawl gear only. Federal quota share flatfish trawl vessels would fish off of federal quota only. Halibut bycatch accounting is big issue for this fishery. PSC for halibut would count against your allowance and be accounted for in the federal program. A legal problem arises here because the Board of Fisheries does not have the statutory authority to limit the fishery in state waters only to trawlers who have federal quota shares. Alaska's only program for limiting entry to fisheries is the CFEC program.

4) Pollock and cod

Gulf History

TAC split, moratorium, two allocations schemes: 1) coop structure, or 2) LLP/equal shares; open access piece included. May have legal problems going down this road. Least-impingement is a court test of limited entry statutes to see if they meet constitutional requirements. Legislature would need to adopt a model that they find has the least-impingement (which may still be tested in court).

5) Pollock parallel fishery (new entry jig fishery) and equal share for PWS pollock and 6) Pacific cod (new entry jig fishery)
Brief overview was provided.

Joe Childers

Identify what trying to accomplish; then what trying to manage (e.g., Share of TAC? Everything historically attributed to state waters? Just fleet access to state waters?). Decide whether want separate programs, or integrated programs/quotas.

What in constitution prevents unequal shares; what is least impingement? Ostrovsky case speaks to transferability of rights and permanency. Identify a system for GOA groundfish that is a property right that is a little less than permanent. Allow state to proceed and let people access their histories, putting in a form where there are unequal shares, but not relinquish the ability to revoke them.

(flow chart) Board and/or council could:

- 1) create catch history data base (identify which years are important, etc.)
- 2) establish a criteria for forming a coop

[Note that council's new alternative 3 is left side of diagram down to blue line in Childer's paper]

This approach gains ability to let market do consolidation through time without taking access to the resources away from the public. Criteria can address entry level opportunities, excessive shares, etc.

GOA needs to be managed cooperatively. Share of TAC needs to go into that cooperative system. Could still have an individual IFQ if have coop system.

Purpose and Needs Statement: Amplifies problems but does not amplify solutions.

This approach takes us toward a defensible IFQ system; whether it would work, unknown.

Duncan Fields

Federal side: all history is considered in the allocation. State: question is how much quota will state manage? Suggests 1% equally allocated among state waters fishermen, and go through CFEC limiting process, (allocate similar to Southeast sablefish). Small allocation is retained for state management. After the 1% is caught, those boats must stop fishing in state waters. That creates a legal problem because it would result in the board essentially limiting access to fisheries beyond the limitation imposed in the CFEC process. If federal IFQ holders are allowed to keep fishing (because their quota is still available) after state equal-share only participants are required to stop fishing, that would amount to unequal access to the fishery, which the board is not authorized to adopt.

Aleutian Islands sablefish model applied to Pacific cod in GOA: Federal guidelines say if deliver fish under LLP, you are precluded from fishing in state fishery. State has a certain GHL. Everything that is caught in state waters is accounted toward this GHL. Waters could be closed according to some biological indices, based on either state or federal catch or something else. Probably means a small part of TAC would be unfished each year.

Would the BS/AI Crab FMP model work in Gulf groundfish?

Pollock fishery: concern with creating a fleet that fossilizes what is going on now, and will not be able to capture the opportunities that rationalization will provide.

Need for purpose statement, goals of this steering committee.

Ensure state waters jig fishery is maintained. Could also do state waters pollock fishery; does not need to be jig, but need for distinct state waters pollock fishery.

Close state waters for remaining GOA species. Allow board and council to focus rationalization on cod and pollock. State creates fisheries for other species on case-by-case basis. (Concern expressed about giving up possibility of having state waters fishery for those species and not being able to get it back because fed would have quota system "owners.")

Owner-on-board requirements: grandfather in those who are operating vessels now who are not owners. Would have to consider percentage of ownership: for multi-owners, those who have 20% ownership of that vessel would have to be onboard.

Consider seine gear for pollock fishery in state waters. Concern expressed about introducing new gear types; would be de facto reallocation away from current gear types.)

Closing state waters to shallow waters flatfish, arrowtooth flounder, and rockfish: how to deal with incidental bycatch for shallow water flatfish while cod trawl fishing? Would be closed for directed fishing for flatfish, not just if the catch is high on incidental flatfish while cod fishing.

REQUEST TO DEPARTMENT OF LAW

By February 10:

Respond to both Julie Bonney's and Duncan Field's concepts (not proposals, specifically); explain what aspects are problematic.

- ✓ "Yes" diagram (from ADF&G paper)
- ✓ Aleutian Islands model for sablefish (all catch counts toward one quota)
- ✓ (Field's proposal): Equal share at 1%
- ✓ Inefficient gear at low quota

Can there be a state waters fishery and a rationalized "parallel" fishery? Legal authority may be there, but operational issues are why we're here trying to do the whole thing.

INFORMATION REQUEST

Steering committee to review moratorium legislation at next meeting, if it is been introduced by then, for comment.

GOALS FOR NEXT MEETING

- ✓ Review submissions the steering committee we did not get to
- ✓ Hear from Goltz on request (above)
- ✓ Organize meeting for Feb 18 in board-committee process, with eye toward developing options (as specific as possible) for the board to take forward to give council head's up to where board may end up on this
- ✓ Board will probably charge itself to continue work after February—need specific goals, which is where Childers/Fields discussion about problems statements, etc. come in. Need specific charge language. Probably cannot get to TAC split by February. By April or May need to give as much meat to council so its staff can analyze alternatives for the fall meeting.

NEXT MEETING

February 17, 2004 in afternoon/evening at the Millennium Hotel in Anchorage.