

FINAL Minutes
December 2013
216 Plenary Session
North Pacific Fishery Management Council
Anchorage Hilton Hotel, Anchorage

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Attachments:

- Time log and attendance sheet
- Enforcement Committee Report
- GOA and BSAI TACs
- Proposal for D6 PVOA

The North Pacific Fishery Management Council met in December in the Hilton Hotel in Anchorage. The following Council, SSC and AP members, and NPFMC staff attended the meetings.

Council Members

Eric Olson, Chair	Craig Cross	David Long
John Henderschedt, Vice Chair	Ed Dersham	Bill Tweit
Jim Balsiger	Duncan Fields	RADM Tom Ostebo/LT Tony Kenne
Cora Campbell/Nicole Kimball	Dave Hanson	
	Roy Hyder	
	Dan Hull	

NPFMC Staff

Gail Bendixen	Steve MacLean	Maria Shawback
Sam Cunningham	Sarah Marrinan	Diana Stram
Jane DiCosimo	Jon McCracken	David Witherell
Peggy Kircher	Sarah Marrinan	
	Chris Oliver	

Scientific and Statistical Committee

The SSC met from December 9th through December 11th at the Hilton Hotel, Anchorage, AK.

Members present were:

Pat Livingston, Chair <i>NOAA Fisheries—AFSC</i>	Robert Clark, Vice Chair <i>Alaska Department of Fish and Game</i>	Chris Anderson <i>University of Washington</i>
Alison Dauble <i>Oregon Dept. of Fish and Wildlife</i>	Sherri Dressel <i>Alaska Department of Fish and Game</i>	Anne Hollowed <i>NOAA Fisheries—AFSC</i>
George Hunt <i>University of Washington</i>	Gordon Kruse <i>University of Alaska Fairbanks</i>	Seth Macinko <i>University of Rhode Island</i>
Franz Mueter <i>University of Alaska Fairbanks</i>	Terry Quinn <i>University of Alaska Fairbanks</i>	Kate Reedy <i>Idaho State University Pocatello</i>
Matt Reimer <i>University of Alaska Anchorage</i>	Farron Wallace <i>NOAA Fisheries—AFSC</i>	

Members absent were:

Jennifer Burns <i>University of Alaska Anchorage</i>	Steve Martell <i>Intl. Pacific Halibut Commission</i>	Lew Queirolo <i>NOAA Fisheries—Alaska Region</i>
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Advisory Panel

The following members were present for all or part of the meetings.

Ruth Christiansen	John Gruver	Andy Mezirow
Kurt Cochran	Jeff Kauffman	Joel Peterson
John Crowley	Mitch Kilborn	Theresa Peterson
Jerry Downing	Alexus Kwachka	Lori Swanson
Tom Enlow	Craig Lowenberg	Anne Vanderhoeven
Jeff Farvour	Brian Lynch	Ernie Weiss
Becca Robbins Gisclair	Chuck McCallum	

Appendix I contains the public sign-in register and a time log of Council proceedings, including those providing reports and public comment during the meeting.

A. CALL TO ORDER

Chairman Eric Olson called the meeting to order at approximately 8:03 am on Wednesday, December 4, 2013.

Mr. Bill Tweit participated in the entire meeting in place of Phil Anderson, WDF Director.

The agenda was approved as written.

B. Reports

The following reports were given:

B-1 Executive Director's Report: Chris Oliver

B-2 NMFS Management Report (including update on final 2014 annual deployment plan – Glenn Merrill, update on observer/tendering issue – Diana Evans; update on LAPP cost-recovery –Darrell Brannan; ROFR clarification from February 2013 Council motion – Sarah Marrinan, update on at-sea scales rule – Alan Kingsolving; and EFH consultation update, Dr. Stephanie Zador(T)):

B-3 ADF&G Report: Karla Bush, Steve Meyer (including review of BOF scallop and pollock proposals; halibut subsistence report)

B-4 NOAA Enforcement Report: Susan Auer, Nathan Lagerwey

B-5 USCG Report: Capt. Phil Thorne, Lt. Tony Kenne

B-6 IPHC Report: Gregg Williams

B-7 USFWS Report: Doug McBride

B-8 Protected Species Report (including SSL EIS and BiOp update): Steve MacLean

Public comment was taken on all B items.

COUNCIL DISCUSSION/ACTION

Regulatory Amendment for Tender Activity under the Observer Program

Mr. Hull moved, which was seconded by Mr. Henderschedt, that the Council initiate an analysis to change the regulations in the Observer Program that affect how observers monitor and are deployed on groundfish vessels delivering to tenders.

Draft Purpose and Need Statement

The Council is concerned that under the new Observer Program the definition of a fishing trip and the ability of catcher vessels to deliver to tenders introduces a potential bias that affects data quality due to observed fishing activity being unrepresentative of unobserved operations. In addition, genetic sampling of Chinook salmon caught as bycatch in the GOA catcher vessel pollock trawl fishery is not occurring when these vessels deliver to tenders, thereby undermining the Council's objective to determine the stock of origin of these Chinook salmon. The Council seeks to correct these unintended consequences by changing how observers monitor and are deployed on groundfish vessels delivering to tenders.

Alternative 1. Status Quo

Alternative 2. Revise the Observer Program regulations that affect how observers are deployed on catcher vessels delivering to tenders.

Option 1. Deploy observers for catcher vessels from tenders.

Mr. Hull spoke to his motion noting that the Council was aware at the outset of the program that the definition of a fishing trip and the ability of catcher vessels to deliver to tenders could result in unrepresentative observer coverage in the groundfish catcher vessel fleet. In light of the preliminary information on observer coverage, it is apparent that vessels are exhibiting different fishing behavior when delivering to tenders, when observed versus when unobserved. Mr. Hull also stated that complete monitoring of salmon caught as bycatch in pollock trawl fishery in the GOA is not occurring as intended, as a result of catcher vessels delivering to tenders, and this undermines one of the Council's high priorities for accounting for Chinook bycatch and determining the stock of origin of that bycatch in the GOA pollock trawl fishery. He is recommending initiating an analysis to correct these problems, with two of the options identified in the paper, although recognizing that during development the agency may come up with other solutions to the issue that they may bring forward. He purposely did not include the option to prohibit tendering, because it would cause significant disruption to traditional fishing practices, and he believes a solution can be found that allows continued use of tenders. This analysis is a different focus from the tender activities in the groundfish fisheries discussion paper that the Council will hear in February 2014.

Mr. Hull answered questions of clarification from the Council. **The motion passed unanimously.**

Electronic Monitoring

Mr. Hull noted that while he doesn't have a motion on this agenda item, he encourages cooperative research approaches between the industry and agency. Mr. Fields noted his concern with probability of selection in the vessel selection pool, and hopes the Council can address this problem in the future. Dr. Balsiger stated that NMFS is making progress on EM and they have met with industry representatives. He requested the Council prioritize among EM and the various observer issues, given that all the same people are working on these issues. Mr. Hyder noted that EM should be high on the list of priorities. Mr. Henderschedt cautioned the Council to manage expectations with respect to the Council's ability to fix identified problems in June 2014, noting that there are conflicting objectives with allowing observer exemptions for small vessels, and getting the data we need to have a mature monitoring program.

Ms. Campbell stated her priorities include addressing the things that introduce bias into the program, such as tendering, and also the situation in the vessel selection fleet, where the selection skewed because of inefficiencies in the random draw from that pool.

Mr. Tweit agreed with the need to prioritize, and for the Council to identify the primary goal with a common voice. In his view, achieving representative sampling across sectors should be the first goal, and other changes should be evaluated in that light.

Chairman Olson noted that the Council may want to consider drafting a priority list to forward to NMFS, and that it would be addressed in Staff Tasking.

C1 Recommend management measures for Area 2C and Area 3A for 2014

BACKGROUND

The Council adopted a new approach to manage the charter halibut fisheries under the Guideline Harvest Level Program beginning in 2012. The Council recommended 1 fish \leq 45 inches or \geq 68 inches ("U45O68")

for Area 2C in 2012, based on recommendations from its Charter Management Implementation Committee, Advisory Panel, and public, that relied on an ADF&G staff analysis of a range of proposed management measures. The recommended measure accounted for an increased GHL from 788,000 lb. in 2011 to 931,000 lb. in 2012.

The committee met on October 25, 2013 to recommend a range of potential management measures for Area 2C and Area 3A in 2014 to frame the ADF&G analysis. For Area 2C, measures under consideration continue to be constrained by the 1-fish bag limit, which is implemented under NMFS regulations. Final committee recommendations from its December 9, 2013 meeting and the ADF&G analysis, which is the basis for those recommendations, will be distributed during the Council meeting. The analysis will provide the projected harvests for the proposed measures under either the GHL Program or Halibut Catch Sharing Plan (CSP), which is still pending Secretarial approval. The Council recommendations would encompass the full range of potential catch limits for Area 2C and Area 3A under consideration by the IPHC.

Jane DiCosimo gave the staff report on this agenda item. Andy Mezirow gave the Charter Management Implementation Committee Report, and they both answered questions from the Council members. Lori Swanson gave the AP report on this agenda item, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Dersham moved, which was seconded, to recommend the following management measures for the 2014 charter halibut fishery in Area 2C and Area 3A, based on initial reference allocations of 1.78 mlbs in Area 3A and 760,000 lbs in Area 2C, resulting from the IPHC interim meeting.

Area 3A recommendations:

- **Two-fish daily bag limit**
- **Maximum size of the second fish is 29"**
- **One trip per day (limit each vessel to one trip per calendar day)**

If the final charter allocation is sufficiently higher than the "blue line" to remove the trip limit, the measures would be a two-fish daily bag limit, one of which is equal to or less than 29". As needed, the size of the second fish may be adjusted up or down to meet the allocation.

Area 2C recommendations:

- **One-fish daily bag limit**
- **Reverse slot limit of U44 – O76**

If the final charter allocation is sufficiently higher than the "blue line" to accommodate a change in the reverse slot limit, adjust the size of the lower limit up one inch. The next adjustment would be to reduce the upper limit to meet the allocation.

Mr. Derhsam noted that his motion tracks the AP motion, and has only slight changes from the Charter Management Implementation Committee's recommendations for 2014. He stated that in Area 3A, the recommendation is to retain a 2 fish daily bag limit in Area 3A, but limit the second fish to no more than 29". In addition, vessels would be limited to one trip per day. The first year under the CSP likely would result in a significant reduction in the amount of halibut the charter sector can take compared to both the previous year and compared to what is projected under the status quo measures (2 fish bag limit under the Guideline Harvest Level Program). The committee wanted to ease 3A into this program and choose as few new measures as possible to still meet the allocation and his motion supports this approach.

Mr. Dersham highlighted the ways the motion deviates from the committee's recommendations. For Area 3A, he specifically stated that one of the proposed measures for 2014 is one trip per day per vessel, and not per limit, as the committee had indicated. His motion also deviates from committee recommendations by lowering the maximum size of the second fish to 29" from 30". He noted the difference stems from calculations that use current data and the projected harvest indicated in the analysis that results from these measures is about 1.796 Mlb, and that data and assumptions used in the analysis continue to overestimate the projected harvest. The motion also specifies that the next step, if needed, to meet a target allocation would be to adjust the size of the second fish. *The difference in harvest between a 29" second fish and a 30" second fish is projected to be about 62,000 lbs.*

In Area 2C, Mr. Dersham noted his motion is to have a one-fish daily bag limit and adjust the existing reverse slot limit to U44-/O76. The motion will continue to provide an opportunity for a trophy fish and have similar management measures as the past two years. If the charter allocation is sufficiently higher than the IPHC "blue line" to implement a less restrictive reverse slot limit to meet a target allocation, this motion specifies that the 44 inch lower limit would be increased to 45 inches to maintain consistency with the lower limit in effect in 2012 and 2013. The next step, if warranted due to a higher allocation, would be lower the upper limit of 76 inches.

Mr. Tweit thanked the committee and State of Alaska staff for their involvement and dedication to the process. Mr. Fields indicated his support of the motion and also appreciated the work that has been done. Dr. Balsiger also thanked the charter sector stakeholders for their involvement. **The motion passed unanimously by voice vote.**

C2 Initial Review Round Island Transit Corridor

This Draft EA/RIR analyzes the potential environmental and economic effects of a proposal to establish seasonal transit areas through the Round Island and Cape Peirce walrus protection areas in northern Bristol Bay, Alaska. The proposed action would establish one or more transit areas through the walrus protection areas at Round Island and Cape Peirce in order to allow vessels with Federal Fisheries Permits (FFPs) to transit through the areas while tendering for State of Alaska managed herring and salmon fisheries in Togiak Bay, Cape Peirce and Cape Newenham, and Security Cove, or while transferring groundfish to floating processors or trampers in Togiak Bay or Hagemeister Strait. Before implementation of Component 10 to GOA FMP Amendment 83, vessels with FFPs were allowed to surrender their FFP for the tendering season in order to transit through the walrus protection area, with the expectation that they could reactivate their FFP when tendering was completed. Now those vessels are prohibited from reapplying for a FFP within a three year period, putting their FFP at risk or putting themselves at risk of violating regulations if they transit the walrus protection area. The purpose of this action is to maintain suitable protection for walrus on Round Island and Cape Peirce, to restore access to routes used by tendering vessels before implementation of GOA FMP Amendment 83, and to allow vessels delivering groundfish to the route north of Round Island to reduce the likelihood of disturbance to walrus on Hagemeister Island.

Steve MacLean gave the staff report on this agenda item and answered questions from the Council. There was specific discussion regarding use of VMS and its application in this situation. Lori Swanson gave the AP report. Mr. Hyder gave the Enforcement Committee report (ATTACHED) on this agenda item and answered questions, and stated the Committee would like an opportunity to review any new alternatives/options should they arise. The SSC did not address this issue, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved, which was seconded by Mr. Tweit, to send the document out for public review, and adopt the following as the PPA:

Alternative 2 would establish a transit area in the EEZ north of Round Island, open from April 1 – August 15. There are three options analyzed:

- 1. Establish a transit area north of a line from 58.80°N, 160.36°W to 58.55°N, 159.59°W, maintaining a minimum of 3 nm from Round Island.**

Alternative 3 would establish a transit area in the EEZ near Cape Peirce, open from April 1 – August 15. There is one option analyzed: establish a transit area east of a line from 58.50°N, 161.77°W to 58.35°N, 161.77°W.

Mr. Henderschedt spoke to his motion, clarifying that the motion will allow for transit, but not fishing. He noted that the alternative is clear that the further away from walrus sites, the better, and at 3 miles out there is no anticipated negative impact on walrus. The motion covers the National Standard of promoting safety at sea as well as protecting walrus. The Council is taking a proactive approach relative to potential ESA listing of walrus. Mr. Henderschedt noted that the discussion of VMS is an important part of the analysis.

There was discussion on the importance of identifying a PPA at this point, both to focus public comment as well as provide direction to staff.

Ms. Kimball supports the PPA, but encourages discussion between the Amendment 80 fleet, the Walrus Commission, and the tendering fleet. Mr. Fields noted this issue provides a good opportunity for outreach and encourages the Council to do so.

The motion passed without objection.

C-3 Chinook salmon PSC limit rollover for GOA non-pollock trawl catcher vessels

This analysis considers a set of alternatives that could allow unused Chinook salmon prohibited species catch (PSC) to be rolled over from the Central Gulf of Alaska Rockfish Program's catcher vessel (CV) sector to support other CV fisheries that occur later in the year. If an action alternative is selected, it would be added to the Council's final recommendation for management measures to address Chinook salmon PSC in the Central and Western Gulf of Alaska (GOA) non-pollock trawl fisheries, as voted on at the June 2013 meeting. The 'no action' alternative would result in a final recommendation that is identical to the Council's preferred alternative for the related action. The Council designated a preliminary preferred alternative (PPA) at its October 2013 meeting.

This "trailing" analysis primarily considers whether or not incorporating a Chinook PSC rollover might reduce the efficacy of the "uncertainty pool" mechanism that the Council has already selected for its final recommendation. The document also examines the extent to which the Council's existing preferred alternative might relatively disadvantage some CV fisheries relative to others.

Sam Cunningham gave the staff report on this agenda item. The AP gave its report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Nicole Kimball moved, to select as a Preferred Alternative, Alternative 5 to read as follows: Roll over all Chinook PSC but 150 fish remaining in the Rockfish Program CV sector Chinook cap on October 1. Any salmon remaining when the Rockfish fishery closes will be released to the other CV non-pollock fishery on November 15. No uncertainty buffer would apply to the Rockfish Program CV sector. Mr. Hull seconded the motion.

Ms. Kimball spoke to her motion noting that the CV cooperatives requested the increase in the range of fish to be held back, and it is within the scope of the analysis. It addresses the need to avoid salmon both in the Gulf of Alaska and in the Bering Sea, and also eliminates potential pressures on CV cooperatives to “check out” of the Rockfish Program early in order to enact a rollover. Alternative 5 provides a sufficient amount of Chinook PSC for the Rockfish Program CVs to continue fishing beyond October 1, and also allows for a rollover that could support other fall non-pollock fisheries if necessary.

Mr. Tweit amended the motion, which was seconded, to deem proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions. Mr. Tweit spoke to his amendment, stating this action should be a part of an action the Council has already taken (and deemed.) He noted that should the Chairman and Executive director notice anything during the rulemaking process the Council would be alerted. **The amendment passed unanimously.**

Mr. Fields spoke to the main motion, noting that this motion provides the incentives relative to the rockfish program. **The amended main motion passed unanimously by roll call vote.**

Mr. Merrill noted that items from this analysis will be folded into the analysis from June 2013 and will progress as one package going forward through the rulemaking process.

C4 Initial review of analysis for grenadier management

In June 2012, the Council adopted a problem statement and set of alternatives to consider adding the grenadier assemblage into either or both of the Bering Sea/Aleutian Islands (BSAI) and Gulf of Alaska (GOA) Groundfish Fishery Management Plans (FMPs). The analysis outlines management measures that would need to be adopted for grenadiers if the Council recommended that grenadiers be added to the FMPs, and listed either “in the fishery” or under the “ecosystem component” category. The grenadier assessment authors, the BSAI and GOA Groundfish Plan Teams, and the SSC have all recommended that grenadiers be included in the FMPs where they would be subject to management.

Jane DiCosimo and Scott Miller gave the staff report on this agenda item and answered questions from the Council. The SSC had given its report on this agenda item earlier in the meeting, and the AP gave its report. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Merrill moved, which was seconded by Mr. Cross, the following:

1) Revise the Purpose and Need Statement to read as follows:

Grenadiers are not included in the BSAI or GOA groundfish FMPs. There are no limits on their catch or retention, and no reporting requirements. However, grenadiers are taken in relatively large amounts as bycatch, especially in longline fisheries; no other Alaskan groundfish has such high catches that is not included in the FMPs. Inclusion in the groundfish FMPs would provide for their precautionary management by, at a minimum, recording their harvest and/or placing limits on their harvest.

(2) Address the comments raised by the SSC, and review and incorporate analysis presented in public comment that characterizes the likelihood that vessels are targeting on grenadiers, and potential future impacts on grenadier stock.

(3) Select Alternative 2 as the Preliminary Preferred Alternative (Ecosystem Component) for all grenadier species with the following components:

- **Prohibit directed fishing for grenadiers**
- **Establish a maximum retainable amount of 2 percent**
- **Require record keeping and reporting**
- **Define grenadier species codes**
- **Establish a separate management category for grenadiers in the FMP (i.e., do not include grenadiers in the forage fish category)**

(4) Once revisions are made, release the document for public review.

Mr. Merrill spoke to his motion, noting that changes to the purpose and needs statement are minor. The SSC and public comment provided input that should be included in the next version of the analysis, which could then be released for public review. Compared to status quo, Alternative 2 or 3 would provide more precautionary management for grenadiers than currently exists. There was brief discussion regarding a maximum retainable allowance, and the public review analysis can tell the Council what amount is appropriate.

Mr. Fields moved to amend, which was seconded by Mr. Long, to increase the MRA range from 2-20 percent for analysis. He spoke to his motion stating that this is an ecosystem component, and that this will be an issue settled at final action with more information. There was brief discussion, and **the amendment passed without objection.**

Mr. Fields moved to amend the motion by striking, “especially in longline fisheries; no other Alaskan groundfish has such high catches that is not included in the FMPs” in the purpose and needs statement. His motion was seconded. Mr. Fields spoke to the motion noting that longline fisheries do not need to be highlighted as opposed to other fisheries. He continued, noting that all bycatch does not need to be included in an FMP. Discussion ensued **and the motion failed 4/7, with Fields, Olson, Hull and Long voting in favor.**

The amended main motion passed without objection.

C5 Discussion paper on directed fishing for Gulf of Alaska Octopus and (EGOA) skates

In June 2013, the Council requested a discussion paper on the potential for a directed octopus fishery in the Gulf of Alaska (GOA) in 2014. The Council had also previously requested information for

consideration of opening a directed fishery for skates in the EGOA. A combined discussion paper addressing both issues is attached. This discussion paper focuses upon the biology and life-history traits of octopus and skate species, catch in federal waters as well as state waters, and the process by which the Council could consider recommending directed fisheries for both octopus and skates. The Council requested that the GOA Plan Team consider area apportionment of the ABC for octopus as a step towards allowing a directed fishery.

Diana Stram gave a report on this agenda item and reviewed the discussion paper. Lori Swanson gave the AP report, and Pat Livingston gave the SSC report. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Merrill moved, which was seconded, to take no further action on this agenda item. He noted that the Council will be addressing the issue under the specifications agenda item and information from that will tell the Council whether or not the management policy will change from keeping both octopus and skates on a bycatch status. Mr. Merrill stated that a continued precautionary approach to management is still the appropriate one, according to new information and issues raised by the SSC. An EFP may be the best way to get information as there is a great deal unknown about what a directed fishery for octopus and skates would look like.

Mr. Henderschedt noted that because there is so much unknown, an EFP would be a good way to start gathering information and setting an experimental design.

Mr. Fields made a substitute motion to bring back another white paper, incorporating the SSC comments to begin to look at the possibility of a directed fishery. He noted that it may require additional work by staff, but that it is good to engage the stock assessment team and it may be relevant and helpful to look at this again. **The motion failed for lack of a second.**

Discussion continued on the process for developing an EFP, and NMFS noted staff would work with interested industry members to develop an EFP. It was noted that items that Mr. Fields wanted to address can still be addressed through the EFP process.

Mr. Hull noted he will be supporting the motion. He reiterated not taking any further action does not mean the Council is closing a door, but information can still be gathered through a different avenue.

The motion passed with Mr. Fields objecting.

C6 GOA Groundfish SAFE report and 2014/2015 harvest specifications

At this meeting, the Council makes final recommendations on groundfish and bycatch specifications as listed above to manage the 2014 and 2015 Gulf of Alaska (GOA) groundfish fisheries.

Dr. Stram gave the staff report on this agenda item and answered questions from the Council. The AP gave its report, and the SSC gave its report. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Cross moved, which was seconded by Mr. Dersham, to approve the GOA SAFE report and the final GOA groundfish harvest specifications for 2014 and 2015, as recommended by the SSC, and that it adopt the TACs as attached (ATTACHMENT) and the PSC catch limits and seasonal apportionments.

He noted this includes considerations for the state Pacific cod fishery. He also noted the motion follows the plan team and SSC reviews, and AP recommendations. The halibut PSC limit is based on Amendment 95 and which should be in place by the time the specifications are published. He noted that the final specifications have gone through the appropriate reviews and that it balances the National Standards. There was brief discussion regarding rulemaking on Amendment 95, and Mr. Merrill noted that even if the final rule isn't published for Amendment 95, halibut PSC limits can still be set by the Council.

Mr. Henderschedt noted his concern about continually exceeding the ABCs, and that the Council should manage to the ABCs. Mr. Fields noted that ABCs will occasionally be exceeded, but the explanations received from the Council's advisors are adequate to understand the reasoning behind the higher numbers. **The motion passed unanimously by roll call vote.**

C7 BSAI Groundfish SAFE Report and 2014/2015 harvest specifications

At this meeting, the Council will adopt the Bering Sea/Aleutian Islands (BSAI) Groundfish Stock Assessment and Fishery Evaluation (SAFE) Report and final recommendations on groundfish harvest specifications and PSC limits to manage the 2014 and 2015 BSAI groundfish fisheries. Upon publication in the Federal Register, the 2014/2015 final harvest specifications will replace harvest specifications adopted last year for the start of the 2014 fisheries.

Jane DiCosimo gave the staff report on this agenda item. Mike Sigler gave the Bering Sea Plan Team overview and answered questions from the Council. The AP gave its report, and the Pat Livingston gave the SSC report on this agenda item. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Cross moved, which was seconded by Mr. Tweit, to approve the BSAI SAFE report and the final BSAI groundfish harvest specifications for 2014 and 2015, as recommended by the SSC, and that it adopt the TACs as attached (ATTACHMENT) and the PSC catch limits and seasonal apportionments of halibut, red king crab, tanner crab, and *opilio* crab and herring to target fishery categories as shown in the PSC tables in the action memo. Mr. Cross noted that the TACs are at or below the SSC recommend ABCs, and the TACs for all non-target species are set at or above the anticipated catches for these species in 2014. He noted that the pollock ABC results from a high quality stock assessment process. He also noted that based on a broad based industry agreement, the TACs are fair and equitable between stakeholders. Mr. Cross noted that this is the best balance to achieve OY while avoiding overfishing and remaining under the 2.0 million ton OY cap. Mr. Cross noted that two PSC limits changed for 2014, herring and *opilio* tanner crab, because of new estimates of abundance. He went on to note where the Council's motion differs from the APs recommendations.

Discussion ensued. Mr. Hyder thanked Mr. Cross and the Advisory Panel for doing the groundwork and providing the best equitable situation. Mr. Henderschedt noted that even a small amount of fish can have a large impact to the stakeholders. He stated that our specification process not only causes a debate about allocations but creates inefficiencies in fisheries. This process, along with the pending flatfish flexibility may provide solutions. Mr. Tweit remarked that he trusts the science that underlies the allocations. Mr. Fields stated that tendering with the Amendment 80 fleet, longlining in the Aleutian Islands, and pollock taken as incidental take in other fisheries need to continue to be monitored. Mr.

Merrill noted that he will support the motion and that the motion provides a good balance between various sectors and fisheries. **Motion passed unanimously by roll call vote.**

Mr. Cross noted that as heard in public comment, the Council should look at ways to address the freezer longline sector and its ability to fish in the Aleutian Islands, and would like to take this up at a later date.

Mr. Henderschedt stated that there is a potential of state fishery GHL left unharvested, and questioned whether or not that unharvested fish can be returned to the federal fishery to be harvested. The Council may be able to work with the agency or ADF&G to return unharvested state water fish to the federal TAC.

C8 Cooperative Reporting Requirements

During the April 2013 meeting, the Council heard presentations from most cooperative representatives. Although the Council was not required to take action on these reports, a broad discussion arose after the presentations and during staff tasking. Concerns were expressed on the variability of information being reported by the cooperative representatives both in written form and in their presentations. The Council determined that an up-to-date synopsis of current mandatory and voluntary elements of the reports would benefit reporting parties, the Council members, and the public. The Council requested staff to provide a discussion paper on the cooperative reports, as well as any annual stakeholder report in a comprehensive and structured way so that these reports may be used as effectively as possible. Specifically, the Council was interested in the regulatory requirements for cooperative reports, a summary of what is usually provided in the reports, and a discussion on applicability of the Paperwork Reduction Act (PRA) to Council requests for additional information.

Jon McCracken and Sarah Marrinan gave the staff report on this agenda item and answered questions from the Council. The AP gave its report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

There was discussion regarding voluntary information, requests, and regulated mandatory reporting. It was generally agreed there may be administrative issues and barriers in collecting data, but that cooperative development and monitoring provide valuable information. Mr. Tweit requested that the discussion paper be revised to include a better discussion regarding the Paperwork Reduction Act, and further information regarding the FLL fleet. He noted there should be information regarding the Re-authorized Magnuson-Stevens Act and confidentiality issues. Mr. Balsiger noted that he will consider the report complete, and can give updates in the B reports at a future meeting.

Mr. Fields noted that at some point in the future the Council may want to standardize the reporting from the Cooperatives.

C9 Crab Cooperative Reports, Crew Provisions, etc.

The Congressional-lead rationalization of the Bering Sea Aleutian Islands (BSAI) crab fishery in 2005 was a response to significant issues in crew safety, resource conservation, bycatch management and economic instability for competing parties of the previous derby-style fishery. Despite the improvements in most of these areas, criticisms have been raised by some stakeholders as a result of rationalization.

These concerns prompted the Council to request the presentation of two analyses at the February 2013 meeting. The first analysis was an initial review of a Regulatory Impact Review/ Initial Regulatory

Flexibly Act analysis (RIR/IRFA) evaluating the Council's management options for promoting transfers of QS to those who have maintained active participation in that fishery. The discussion paper suggested the utility of an annual cooperative report in understanding cooperatives' self-management of these issues.

After hearing these presentations from Council staff and testimony from stakeholders, the Council chose no immediate regulatory action. Instead the Council chose to send a letter to each of the crab cooperatives requesting that they voluntarily describe measures the cooperative is taking to address these issues. The letter called for any relevant information or data to support their members' efforts and a description of the level of participation in these efforts. It informed the BSAI crab cooperatives that these reports would determine if the Council would attempt to take regulatory action in the future. These voluntary reports were intended to be a reoccurring submission in October of each year.

Sarah Marrinan gave the staff report on this agenda item and answered questions from the Council members. The Council received seven out of ten cooperative report submissions and representatives from the following cooperatives gave oral presentations of their reports and answered questions:

Joe Sullivan and Jake Jacobson – Intercooperative Exchange (ICE)

Greter Gudmundsson – Alternative Cooperative Exchange (ACE)

Ed Poulsen – Dog Boat Cooperative

COUNCIL DISCUSSION/ACTION

Mr. Cross moved, which was seconded, to have the crab cooperatives submit reports 30 days before the April meeting beginning in April 2014. The motion was seconded by Mr. Fields. He spoke to his motion noting that the timing will help the coop preparers, and the staff will be able to consolidate EDR information. The public will be able to review these reports in a timely manner and have questions answered in February. Mr. Cross also suggested a standard template for the reports. Mr. Fields noted that the coops that did not file reports will then be contacted can then file a report for the April meeting and timing is appropriate. Discussion continued regarding timing.

Mr. Henderschedt made a substitute motion: Establish a reporting deadline for crab coop reports of March 1, of each year, starting with March 2015, and the Council schedule a discussion to evaluate and provide input on structure and content of future cooperative reports on a schedule that accommodates review under the Paperwork Reduction Act. The motion was seconded. Mr. Henderschedt noted an April 2014 report would be of limited utility. He wanted more time to look at the content, structure and who has participated. Mr. Henderschedt was hopeful that it would not suggestions the Council had to the cooperative reports would not require another submission to OMB, but believed it would be prudent to schedule this discussion in a way that would accomidate this review if they needed it. Ms. Campbell stated she was content with the reports that were given and didn't feel additional clarity was needed in a template.

Mr. Fields moved to amend the substitute motion by contacting the non-responsive coops and give them a chance to respond at the next meeting. There was one vote in opposition. (who?) and the amended substitute motion passed unanimously.

D1 Rights of First Refusal

In June 2013 the Council heard from community representatives requesting clarification of the use of private contractual agreements, including contract provisions that would limit the assets to which a ROFR would apply. In consultation with NOAA GC, Council staff prepared the attached discussion paper which will be presented at this meeting.

Mr. Oliver gave the staff report on this agenda item and answered questions from the Council. The AP gave its report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Fields moved, which was seconded, to move forward with an analysis to modify the ROFR contract terms in the Bering Sea/Aleutian Islands crab rationalization program FMP to allow for negotiated contracts that apply the right to a subset of assets, including the crab PQS, or PQS and other crab assets, in the subject community.

Alternative 1 – Status Quo: ROFR contract terms in the FMP require the community ROFR holder to purchase all the PQS and all the other assets of a company, if they are included in a proposed sale triggering the ROFR.

Alternative 2 – In ROFR contracts, the right of first refusal applies to all the assets of a company included in a proposed sale (the “underlying agreement”), or to any subset of those assets, as otherwise agreed to by the PQS holder and the community entity.

Purpose and Need Statement:

The Bering Sea/Aleutian Islands crab rationalization program recognizes the unique relationship between specific crab-dependent communities and their processors, and has addressed that codependence by establishing community “right of first refusal” agreements as a significant feature of the program.

Crab dependent communities believe the purchase of all the assets of a company (if included in a proposed sale), as currently required under right of first refusal (ROFR) contract terms in the FMP, may be impractical and potentially impossible for small community entities. In addition, processing companies may have ROFR contracts with several communities in which their assets are based.

The communities believe the ROFR contract terms in the FMP should allow for flexibility, so the PQS holder and the community entity may determine through negotiations whether the community entity may purchase a subset of assets, including only the PQS, or the PQS and associated crab assets, in the subject community.

Mr. Fields spoke to his motion, stating that the AP motion is what the Council has considered in a prior action and the parties involved have participated as the Council has requested.

Ms. Kimball moved to amend, which was seconded, to strike “Crab dependent communities believe...” and in the third paragraph delete “The communities believe...” in the purpose and needs statement. She noted the Council does not need to put in judgment statements about what the communities believe. The amendment passed without objection. The amended main motion passed without objection.

Mr. Fields moved to draft a discussion paper to study the impact of processing IPQ outside the community of origin including through custom processing. The motion was seconded. He spoke to his motion noting that there was considerable interest from impacted communities to look at this motion and to gain an understanding as to what activity, and to what extent the activity is occurring. There was brief discussion. **Mr. Henderschedt made a substitute motion: The Council recommends that issues concerning movement of crab IPQ among communities resulting from custom processing agreements be examined in the Council’s review of the IPQ program. The motion was seconded by Mr. Hyder.** Mr. Henderschedt spoke to his motion stating the Council may not understand what the issues are surrounding custom processing, and that the issue is not so urgent it cannot wait until it is reviewed at

the 10 year mark. There was discussion on the review date, and it was noted that the 10 year review date is in 2015. **The substitute motion passed 8/3, with Fields, Olson, and Hull voting in opposition.**

D2 Sablefish Pots

In October 2013, the Council reviewed recommendations from its Gulf of Alaska Sablefish Gear Committee on a range of issues to allow the use of pot gear in the GOA sablefish IFQ fishery. Options for area management (entire GOA or Southeast area only) and pot gear restrictions (single pots or pot longlines; gear configurations; gear markings) are under consideration. While many committee recommendations were unanimous (allow pot longline gear only in entire GOA), whether to require pot gear to be removed from the fishing grounds when not being fished requires additional consideration. The committee comments and recommendations were incorporated into an expanded version of a May 2013 discussion paper, which also addresses halibut bycatch issues, whale depredation, acoustic deterrent devices, social/economic effects in the context of the original design of the program, and lessons learned from the use of pot gear in the Bering Sea, Aleutian Islands, British Columbia, and the west coast.

Jane DiCosimo gave the staff report on this agenda item. Lori Swanson gave the AP report and answered questions from the Council. Public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Hull moved, which was seconded by Mr. Long, to initiate an analysis for a regulatory amendment to allow the use of pot gear in the Gulf of Alaska Sablefish IFQ fishery.

Draft Purpose and Need

Interactions with sperm whales in the Central and Eastern Gulf, and killer whales in the Western Gulf affect the ability of sablefish quota share holders to harvest their sablefish IFQs by reducing catch per unit of effort and increasing fishing costs. Research into developing technological solutions to deter whales and changes in fishing strategies have not resolved the problem. Additional sablefish mortality associated with whale depredation is difficult to quantify, but increases total mortality and uncertainty in sablefish abundance indices. The use of pot gear for sablefish could reduce sperm whale and killer whale interactions with fishing gear in the Gulf of Alaska. The Council seeks to reduce the problems associated with whale depredation while minimizing gear conflicts that could result from allowing pot and longline gear to fish in the same regulatory areas.

Alternative 1. No Action.

Alternative 2. Allow the use of pot gear in the GOA Sablefish IFQ fishery

Element 1. Pot limits

Option 1. No limits

Option 2. Limit the number of pots that can be fished to 200, 300 or 400 pots.

Element 2. Gear retrieval

Option 1. Allow pot gear to be left on the fishing grounds.

Option 2. Require vessels to remove their pot gear when making a landing.

Suboption 2a. Provide an exemption for vessels less than 60', 50', or 40'.

Suboption 2b. Allow exemptions for the gear removal requirement for safety issues.

Option 3. (Could be applied to Options 1 or 2). Vessels may leave their pots on the grounds provided that the IFQ holder(s) making a delivery have greater than 10%, 15%, 20% of their IFQ remaining.

Option 4. Require the location of pots left on the grounds or lost on the grounds to be submitted when landings are made.

Element 3. Gear specifications.

Option 1. No gear specifications.

Option 2. Require pots to be used in a longline configuration.

Option 3. Require the use of neutrally buoyant groundline.

Option 4. Require both ends of the pot longline set to be marked.

Element 4. Retention of incidentally caught halibut.

Option 1. Allow the retention of halibut caught incidentally in sablefish pots, provided the sablefish IFQ holder also holds sufficient halibut IFQ.

Mr. Hull spoke to his motion. He noted he based his motion on the AP's recommendations and that there has been a thorough scoping of this issue. The Council is ready to take action to initiate an analysis. He stated that whale depredation is an issue. Fishing with pots would be voluntary and there would be a variety of important details and issues to resolve should the use of pots become an allowable gear type, and transition will be gradual. There were general questions of clarifications and discussion around electronic monitoring of pots.

Ms. Kimball moved to amend to strike option 3 under element 2. It was seconded. She noted that this option is not workable and unenforceable. The amendment passed with Mr. Hull objecting.

Mr. Fields moved to change option 2 under element 1 to read, "Limit the number of pots that can be fished up to 400 pots." The amendment was seconded. He spoke to his motion noting that as an initial analysis, the range must be broader. He is interested in information relative to how many pots can be fished in a 24 hour period, and not be limited by what is in the original motion. **The amendment passed without objection.**

Mr. Fields noted he supports the motion and it is in the Council's interest to address the changes in the fisheries. He stated that this issue has some urgency to it and would like to see it quickly move forward. **The amended main motion passed without objection.**

D3 Amendment 80 Review

Amendment 80, implemented in 2008, enabled the formation of fishery cooperatives for non-AFA trawl catcher processors. As part of the Amendment 80 program developed by the Council and section 303(A) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), a 5-year review of the Amendment 80 program is required to determine progress in meeting the goals of the program and the MSA. The draft work-plan summarizes the specific requirements that a 5-year review be developed, possible issues to examine, and an annotated table of contents of the review.

Jon McCracken and Marcus Hartley provided the staff report on this agenda item and answered questions from the Council. The AP gave its report and public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt noted there needs to be a change in calculations of MRAs, and he looks forward to the development of this report as to improve the program going forward. Mr. Tweit encouraged Council staff to stay in contact with NMFS staff to delineate confidentiality issues as rulemaking progresses. Discussion continued, with many suggestions to include in a 5 year review, including the following:

- Changes to the Amendment 80 fisheries as a result of the implementation of vessel replacement
- Estimate of the carbon footprint for the Amendment 80 fleet during the past 5-years
- Effects resulting from the change in cooperative formation requirements and how these changes have effected TAC utilization
- Effects of Amendment 85 allocation of Pacific cod on the sector's ability to harvest their allocation of Amendment 80 species
- How the flatfish flexibility action would be addressed if other flatfish species were allocated to the Amendment 80 sector
- How changes to the pollock MRA enforcement period and the arrowtooth MRA have affected pollock incidental catch by the Amendment 80 sector
- Effects resulting from Steller sea lion fishing limitations on the Amendment 80 sector and on the communities that rely to the sector
- Changes in groundfish retention standard for the Amendment 80 sector should utilize the approach that established the standard in Amendment 79 and not the approached used in the implementation of Amendment 79
- Finally, the 5-year review should include a discussion on how successful the Amendment 80 program has been in meeting the Council's goals of the program.

Mr. Oliver noted that April may be an appropriate time for a first review. Mr. Fields looks forward to the review relative to cooperative activity. Ms. Kimball wanted to ensure that the primary emphasis is whether or not the program, and its amendments, are working as intended.

D4 Ecosystem Committee

At the October 2013 meeting, the Council concurred with an Ecosystem Committee recommendation to develop an ecosystem vision statement, which was reached during the Committee's September workshop. The Council tasked the Committee with further work to consider the relative merits of two options: refining its current management practice into a cohesive ecosystem-based fishery management policy statement, or developing a more comprehensive ecosystem-based management statement. The Committee was also asked to identify potential implementation plans for each approach. The Ecosystem Committee will be meeting on December 10, 2013, and minutes will be distributed during the meeting.

Diana Evans gave the staff report on this agenda item. The AP gave its report and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Tweit discussed the vision statement and noted that it is a draft and is looking for feedback from the public. He also stated that the Committee has a substantial work plan that has been tasked by the Council, and will be meeting regularly. There was also brief discussion regarding the Bering Sea Canyons workshop that can take place in Seattle during the Council meeting week, and Mr. Tweit reviewed possible agenda topics. Discussion ensued, and it was generally agreed that comments on the Ecosystem's vision statement are welcomed and will be addressed by the Council as part of the agenda item on the February agenda.

D6 IFQ Implementation Committee

The Council scheduled a meeting of the IFQ Implementation Committee on Monday, December 9, 2013 to review: 1) a May 2013 discussion paper on increasing the use caps for sablefish "A" (freezer vessel) QS and identify other approaches to maximize use of all sablefish IFQs 2) two proposals previously submitted to the Council to revise Federal regulations to a) calculate maximum retainable allowances at the time of offload rather than during a fishing trip, as currently required (submitted by the Petersburg Vessel Owners Association); and b) increase the halibut and sablefish IFQ vessel caps, as the amount of IFQs each vessel may harvest has declined over time under lower catch limits (submitted by Kodiak Vessel Owners Association). A fourth agenda item is to review a proposal to allow clean-up of IFQ trips in multiple regulatory areas as regulatory amendment to the observer program or the IFQ program based on NMFS advice.

Jane DiCosimo gave the staff report on this agenda item and answered questions from the Council. The AP gave its report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Hull moved to initiate a regulatory amendment to revise when MRAs are calculated for both CVs and CPs (as described in the proposal submitted by PVOA, ATTACHED) and include all fisheries. The motion was seconded by Mr. Fields. Mr. Hull spoke to his motion, stating the regulations should be changed to reflect the way the rule is enforced. There is broad support for this motion to revise current regulations. **Motion passed without objection.**

Mr. Hull moved that the Council and NMFS include the ability to fish clean-up fisheries in multiple IFQ areas with the discussion paper that will address a series of observer-related regulatory amendment proposals. This discussion paper will include information about each of the proposed regulatory amendments, so they can be compared and prioritized by the Council at the February 2014 meeting. The motion was seconded by Mr. Fields. Mr. Hull noted that the ability to fish in multiple areas when voluntarily taking an observer, needs to be addressed with the observer program. Dr. Balsiger noted that this item should be moved forward. It was generally agreed the timeline would be addressed under the staff tasking agenda item. **The motion passed without objection.**

Mr. Hull moved to postpone action on the vessel cap proposals until the next Council meeting. The motion was seconded. Mr. Hull noted that the proposals are unclear and the issues can be divisive within the industry. He encouraged the industry to discuss and cooperate on the proposals and to return with the Council with a clearly articulated course of action. Mr. Henderschedt stated that preventing consolidation and forcing economic hardship on operators when the halibut levels are too low, is a fine line and are not mutually exclusive. He encourages the industry to work together on these issues. Ms. Kimball encouraged the proposers to be more specific in their requests. **The motion passed without objection.**

E. Staff Tasking

Chris Oliver reviewed the items that had been brought up during the meeting to address under this agenda item and reviewed the three-meeting-outlook. The AP gave its report, and public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Tweit moved to approve the minutes, and the motion was seconded. The motion passed without objection.

IPHC Bycatch Report

Mr. Olson noted the Council will draft a comment letter based on feedback the Council has received on during the meeting. The letter will be sent.

Observer Advisory Committee Tasking

Mr. Hull recommended having an OAC meeting prior to the February Council meeting. The Committee could 1) receive updates from the observer program implementation, 2) review and comment on the Annual Performance Review outline and the Observer regulatory amendments discussion paper, and 3) comment on the design and plans for the 2014 electronic monitoring pilot projects, discussions between the agency and industry on cooperative research, and results of the National EM workshop. There was also discussion regarding the availability of 'lead level 2 observers' and it was generally agreed the OAC can discuss this with help from staff or others who can provide background information.

Bering Sea Canyons Workshop and Ecosystem Committee

Mr. Tweit encouraged scheduling a workshop as well as an Ecosystem Committee meeting. Mr. Henderschedt stated that it was his intent to re-schedule the workshop around the February Council meeting in Seattle. He reviewed the agenda, noting that it will largely follow the agenda as it was drafted for October. He noted the purpose of the workshop as discussion of the additional opportunities for collaboration and tools to reduce impact to corals will help staff draft a discussion paper which will then lead to a purpose and needs statement and analysis.

Board of Fisheries Joint Protocol Committee Meeting

Mr. Dersham recommended the Council contact the BOF and outline the Trawl Bycatch Reduction package. The Council should schedule a Joint Protocol Committee Meeting.

Skate MRA Analysis

Mr. Henderschedt moved the Council draft an analysis to change the MRA for skates in the GOA to A. 5%, B. 10% or C. 15% of retained catch. The motion was seconded by Mr. Hull. He noted that in the past the Council has been made aware that the MRA (currently at 20%) is set higher than what the natural incidental catch of skates are, at least in the groundfish fisheries. He noted that the analysis can include a number that is closer to what the actual catch is. The motion passed without objection.

Sablefish Date Changes

Mr. Hull noted that there is a regulation that states that sablefish season is the same as the halibut season, but the IPHC may have to approve any changes. There was discussion regarding what is necessary to accomplish date changes. Mr. Merrill stated NMFS regulations regarding the dates, and noted that they could be changed in the TAC-setting process. Mr. Balsiger noted that the Council should be managing the halibut as per the IPHC, but the IPHC should be notified. There was continued discussion regarding how the Council could adjust the sablefish season, and the potential impacts on halibut. Ms. Campbell reviewed the season starting dates for sablefish and noted they have varied lately. She suggested to draft a letter to the IPHC stating that the halibut season dates could be affecting the ability to prosecute the sablefish fishery. Discussion continued, and it was generally agreed that addressing the issue in the TAC setting process is the most direct route. Chairman Olson encouraged the parties that are interested in moving the date to work with NMFS to find the best route to accomplish the change, and the Council can move forward when it has more information.

Round Island Outreach

Mr. Olson noted the stakeholders are well-engaged, and at this time there is not a need to send staff to the area. He noted having final action in Anchorage in April is better suited for stakeholder participation than in Seattle. It was generally agreed.

Other Issues

Mr. Dersham noted there were two requests from the AP on halibut charter issues but stated that the Council could consider them in the future after the CSP had had a chance to develop.

Mr. Cross noted there had been public comment on longline fleet in the Aleutian Islands being pre-empted, and encouraged the stakeholders and industry to re-approach the Council with solutions.

Mr. Olson noted there was discussion regarding the CDQ Pcod fishery development, and while there was desire to move forward quickly, the Council cannot make a commitment at this time without seeing the preliminary discussion paper.

Announcements of Appointments

Chairman Olson noted all current SSC members have been re-appointed for 2014. The AP members who have been appointed to 3 years terms are Ruth Christiansen, Kurt Cochran, Sinclair Wilt, Alexis Kwachka, Brian Lynch, Heath Hilyard, and Jeff Kauffman. The Council also chose to keep a special interest seat which focus will be GOA Bycatch Management, and appointed Patrick O'Donnell.

The Chairman thanked everyone for their attendance, wished everyone a merry Christmas, and the meeting was adjourned at 3:07pm on December 16, 2013.

Time Log
North Pacific Fishery Management Council
Meetings held in Anchorage, Alaska at Hilton Hotel
December 11-16, 2013

December 11, 2013

Time of Day Subject

08:03	Call to order
08:04	Review and Approve Agenda
08:18	B1 ED Report, Chris Oliver
08:27	B2 NMFS Report, Glenn Merrill
08:49	Alan Kinsolving
09:02	Mary Furuness, Inseason Management Report
10:06	Break
11:57	Farron Wallace, Electronic Monitoring
12:08	Break
01:16	Farron Wallace continued
01:20	Dr. Stephanie Zador, Ecosystem
02:12	Farron Wallace EM continued
02:39	B2 Tendering issue, Diana Evans,
03:16	Jeanne Hanson, EFH consultation
03:34	B3 Subsistence Halibut, Jim Fall
03:51	B3 ADF&G Report, Karla Bush
04:26	Mary Furuness
04:26	Steve Meyer
04:26	B4 NOAA Enforcement, Susan Auer
04:35	Nathan Lagerwey
04:36	B5 USCG Report
04:37	Capt Phil Thorne, Tony Kenne
04:50	Recess

December 12, 2013

Time of Day Subject

08:05	Call to order
08:11	B6 IPHC Report, Gregg Williams
08:46	B7 USFWS Report, Doug McBride
08:51	B8 Protected Species Report, Steve MacLean
08:56	B8 Public comment
08:57	George Hutchings
09:01	Linda Behnken ALFA
09:14	Bob Alverson
09:17	Vince Oshea
09:20	Paul Gronholdt
09:24	Jim Stone
09:27	Chad See
09:38	Malcom Millne
09:41	Yakov Reutov
09:44	Henry Mitchell
09:46	Helen Aderman
09:53	Julie Bonney
10:22	Action on B items
11:02	C-1 Charter Halibut Issues Scott Meyer
11:05	Jane DiCosimo
11:51	Andy Mezirow
11:57	Break
01:18	Jane DiCosimo Charter Committee Minutes
01:25	AP report
01:27	Public Comment
01:44	halibut motion
02:01	C-5 Diana Stram
02:38	Lori Swanson, AP report
02:39	Pat Livingston
02:46	Iliia Kuzmin
03:18	B-6 Diana Stram GOA SPECS
04:54	Recess

December 13, 2013

Time of Day Subject

08:01	Call to Order
08:01	Leisl McGuire
08:19	C6 Diana Stram
08:36	Pat Livingston
08:37	AP minutes
08:40	Public Comment c-6
08:40	George Hutchings
08:44	John Warrenchuck
08:48	Julie Bonney
09:03	Break
09:16	C-6 Motion Craig Cross
09:25	C-7 Jane DiCosimo
09:36	Break
09:44	Mike Sigler, BSAI PT overview
10:37	Pat Livingston, SSC report
10:48	Lori Swanson AP report
10:54	Break
11:02	Public Comment C7
11:02	James Mize
11:05	Todd Loomis, Lori Swanson
11:19	Jon Warechuck
11:23	Kenny Down
11:35	Donna Parker
11:42	Bill Orr
11:55	Stephanie Madsen
12:03	Break
01:34	Sam Rauch Acting admin for NOAA Fisheries
02:13	Public Comment on SSL
02:13	Chad See and John Gauvin
02:19	John Warrenchuck
02:23	George Pletnikoff
02:56	Action on SSL Bill Tweit motion
03:25	Susan Robinson
03:33	Chad See
03:39	Leonard Hertzog
03:43	Jason Anderson and Karl Haflinger
03:47	Brent Paine, Heather Mann, Glenn Reed
04:08	Mike Hyde
04:13	Cross motion on C7
04:33	Recess

December 14, 2013**Time of Day Subject**

08:30	Call to Order
08:30	C2 Round Island Transit Steve MacLean
09:38	Lori Swanson, AP report
09:44	Break
10:01	Enforcement Report
10:01	Public Comment
10:01	Frank Lougsak
10:22	Vince OShea
10:35	Jason Anderson and John Gauvin
10:44	George Hutchings
10:08	C-2 motion 30 min earlier
11:09	Break
11:25	Sam Cunningham, C-3 GOA Chinook PSC
12:05	Break
01:23	AP report Lori Swanson
01:25	Joel Hanson
01:32	Becca Robbins Gisclair
01:35	Julie Bonney
01:44	George Hutchings
01:44	Council action
01:45	Motion by Nicole Kimball
01:20	C-4 Grenadier Management
01:56	Break
02:10	Jane DiCosimo and Scott Miller
03:31	Break
03:45	AP report C4 Lori Swanson
03:49	Public Comment
03:49	John Warrenchuck
03:55	Merrick Burden
04:04	Chad See
04:17	Geore Hutchings
04:22	Motion Melaie
04:22	Glenn Merrill Motion
04:54	Recess

December 15, 2013

Time of Day Subject

08:32 C-8 Jon McCracken, Sarah Marrinan
08:32 Fishing Cooperative Reporting requirements
09:51 Becca Robbins Gisclair AP report
09:52 Jake Jacobson, Public comment
10:11 Stop Recording [10:11] Paused
10:31 Start Recording [10:31]
10:31 C-9 Coop Reports
10:32 Sarah Marrinan
11:02 Joe Sullivan, Jake Jacobson
11:53 Stop Recording [11:53] Paused
01:06 Start Recording [01:06]
01:07 Gretar Gudmonson
01:12 Ed Poulsen
01:22 AP report
01:51 Break
02:04 D-1 Staff Report Chris Oliver
02:15 AP report D-1 ROFR
02:22 Public comment: F. Kelty, Angel , H. McCarty, J. Iani
02:46 Steve Minor
02:50 Break
03:24 D-2 GOA Pot Gear for Sablefish
03:24 Jane DiCosimo
03:51 AP report
03:56 Public Comment
03:56 Jeff Farvour
04:02 Brian Lynch
04:09 Todd Hoppe
04:17 Jim Hubbard
04:21 Linda Kozak
04:49 D3 Am80 Program 5 Year Review, Jon McCracken
05:10 Recess

December 16, 2013

Time of Day Subject

08:01	Call to order
08:01	D3 Am80 5-year review (continued)
08:01	Marcus Hartley and Jon McCracken
08:34	Lori Swanson AP report D3
08:35	D3 Public Comment, Stephanie Madsen
08:39	Jason Anderson, Mark Fina
09:00	Action on D3
09:07	D4 Ecosystem Committee, Diana Evans
09:22	AP report on Ecosystem Committee Report
09:23	Public Comment, Karin Holser
09:26	Merrick Burden
09:29	Jackie Dragon
09:41	Discussion regarding action on Ecosystem
09:54	D6 IFQ Implementation Cmte, Jane DiCosimo
10:18	AP report on D6
10:23	Public Comment D6, Lenny Hertzog
10:28	Jeff Stephan
10:36	Jeff Farvour
10:39	Rhonda Hubbard
10:42	Brian Lynch
10:51	David Poulskin
10:54	Todd Hoppe
10:58	Chad See
11:02	Linda Kozak
11:38	E Staff Tasking, Chris Oliver
11:48	Three Meeting Outlook
11:55	Break
01:29	AP report E
01:34	Public Comment E
01:34	George Hutchnigs
01:37	Aggie Fouts, Jeff Kauffman, Anne Vanderhoeven, Angel Drobinca
01:41	Jackie Dragon
01:43	Lenny Hertzog
01:46	Chad See
02:00	Tim Caroll
02:02	Heather McCarty
02:04	Julie Bonney
03:02	Meeting Adjourned

Enforcement Committee Minutes
Birch/Willow Room, Hilton Hotel, Anchorage, AK
December 10, 2013

Committee: Roy Hyder (Chair), Acting Special Agent in Charge Matt Brown, CAPT Phil Thorne, LCDR Anthony Kenne, Glenn Merrill, Lt. Will Ellis, Susan Auer, Nicole Kimball, and Jon McCracken (staff)

Others present included: Steve MacLean, Steve Bear, Vince O'Shea, Al Cain, Barbi Failor, Guy Holt, Brad Robbins, Doug McBride, Melanie Brown, LT Steven Hulse, Aaron Ariss, Alicia Miller, Scott Meyer, Heather Gilroy, Karl Haflinger, Paul McGregor, Peggy Murphy, David Whetheral, David Fraser, Dave Long, Jeff Hartman, John Bundy, Sally Bibb, Daniel Carpenter, and Alexis Cooper

I. Charter Halibut Annual Management Measures

The Charter Halibut Implementation Committee met on 9 December, 2013 and did not recommend annual limits as a measure to keep charter halibut harvest within the charter allocations for 2014. Given that annual limits were not recommended, the Enforcement Committee did not take up this issue at this time.

II. C-2 Initial Review of Round Island Transit Analysis

Council staff, Steve MacLean, provided an overview of the EA/RIR/IRFA for a regulatory amendment to address a problem related to enforcement concerns with the analysis. The proposed action would establish transit areas through the walrus protection areas at Round Island and Cape Peirce in order to allow vessels with Federal Fisheries Permits (FFPs) to transit through the areas while tendering for State of Alaska managed herring and salmon fisheries in Tokiak Bay, Cape Peirce, and Cape Newenham, and Security Cove, or while transferring groundfish from the federal fisheries to floating processors or trampers in Tokiak Bay or Hagemeister Strait.

The Committee noted that the change in focus away from narrow transit corridors reduced the burden on the Council or agency in defining safely navigable waters or changing right-of-way requirements in the region. The transit areas in the revised document continue to provide protections for Pacific walrus around defined haul out locations, and provides for expanded areas for vessels to safely navigate. It was noted by the Committee that if additional alternatives or options are added, the Committee would like to review those additions due to the enforcement issues associated with this proposed action.

The Committee spent some time discussing the use of Vessel Monitoring System (VMS) as a tool for enforcing the transit areas, and noted that the analysis showed 40 percent of the herring tender vessels with FFPs that transited this area did not currently have operational VMS units. It was noted that without a VMS requirement on all federally permitted vessels utilizing these transit areas, the ability of Office of Law Enforcement (OLE) to track vessel movement is limited and requires on-scene enforcement assets. The Committee noted that the purpose of this action is to maintain suitable protections for walrus on Round Island and Cape Peirce while also restoring access to routes used by tendering vessels before implementation of GOA FMP Amendment 83. An additional purpose is to allow Amendment 80 vessels delivering groundfish to use a route north of Round Island to reduce fuel costs and reduce the likelihood of disturbance to walrus on Hagemeister Island. The Committee understands that additional VMS

requirements are not explicitly part of the Council's current suite of alternatives although it is the most appropriate tool for monitoring traffic of federally permitted vessels through the area. The analysis of the alternatives provides safe, appropriate, and enforceable measures to meet the Council's intent to return vessels to the pre-Amendment 83 status quo with regards to providing opportunities to transit the area and still provides adequate protection to walrus haul outs in the region. In addition, given the number of vessels that operate in this region that are not required to have operational VMS units, in particular the extremely high numbers of state registered vessels without FFPs, it may not be necessary to require the limited number of federally permitted vessels operating in the region to acquire new VMS units.

Finally, there was some discussion relating to the appropriate VMS poll rate for federally permitted vessels using this area. The Committee noted that any increase in polling rates associated with enforcing these transit areas would need further analysis to determine the appropriate rate.

III. Implementation recommendations for other VMS features for vessels already subject to VMS requirements

The Committee discussed the way forward in addressing the Council's motion for development of a report on expanded VMS capabilities for vessels already required to have operational VMS units. A draft outline was provided by the Committee to facilitate discussion on enhanced VMS capabilities and that these capabilities may be beneficial for the monitoring and enforcement of impending Council decisions. The Committee provided feedback to staff on the proposed outline and asks staff to continue working on the VMS report.

The Committee noted that the report should focus first on what current VMS units provide to the region, and whether the current system provides the appropriate level of information needed by the various user groups (NOAA OLE, NMFS, ADF&G, and industry). The second task would be to determine what data information needs user groups have or anticipate in the future, and identify whether the units are capable of accomplishing these needs. The Committee also discussed using this portion of the paper to be able to evaluate whether other tools or advancements in technology could better meet the same needs.

The Committee has a target of the April Council meeting to bring back a draft of this document for review by the Committee. Council review could be some time after that meeting.

COUNCIL MOTION – GOA GROUND FISH HARVEST SPECIFICATIONS

The Council adopts the following final GOA groundfish harvest specifications (OFLs, ABCs, and TACs) and halibut prohibited species catch limits for 2014 and 2015:

Species	Gulf of Alaska Area	2013				2014			2015		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	W (61)		28,072	28,072	7,700		36,070	36,070		40,254	40,254
	C (62)		51,443	51,443	52,863		81,784	81,784		91,272	91,272
	C (63)		27,372	27,372	29,743		39,756	39,756		44,367	44,367
	WYAK		3,385	3,385	2,940		4,741	4,741		5,291	5,291
	Subtotal	150,817	110,272	110,272	93,246	211,998	162,351	162,351	248,384	181,184	181,184
	EYAK/SEO	14,366	10,774	10,774	-	16,833	12,625	12,625	16,833	12,625	12,625
	Total	165,183	121,046	121,046	93,246	228,831	174,976	174,976	265,217	193,809	193,809
Pacific Cod	W		28,280	21,210	17,179		32,745	22,922		31,117	21,782
	C		49,288	36,966	29,044		53,100	39,825		50,460	37,845
	E		3,232	2,424	419		2,655	1,991		2,523	1,892
	Total	97,200	80,800	60,600	46,642	107,300	88,500	64,738	101,800	84,100	61,519
Sablefish	W		1,750	1,750	1,383		1,480	1,480		1,338	1,338
	C		5,540	5,540	5,118		4,681	4,681		4,230	4,230
	WYAK		2,030	2,030	2,082		1,716	1,716		1,551	1,551
	SEO		3,190	3,190	3,242		2,695	2,695		2,435	2,435
	Total	14,780	12,510	12,510	11,825	12,500	10,572	10,572	11,300	9,554	9,554
Shallow-Water Flatfish	W		19,489	13,250	154		20,376	13,250		18,728	13,250
	C		20,168	18,000	5,068		17,813	17,813		16,372	16,372
	WYAK		4,647	4,647	1		2,039	2,039		1,875	1,875
	EYAK/SEO		1,180	1,180	2		577	577		530	530
	Total	55,680	45,484	37,077	5,225	50,007	40,805	33,679	46,207	37,505	32,027
Deep-Water Flatfish	W		176	176	21		302	302		300	300
	C		2,308	2,308	196		3,727	3,727		3,680	3,680
	WYAK		1,581	1,581	4		5,532	5,532		5,462	5,462
	EYAK/SEO		1,061	1,061	4		3,911	3,911		3,861	3,861
	Total	6,834	5,126	5,126	225	16,159	13,472	13,472	15,955	13,303	13,303
Rex Sole	W		1,300	1,300	98		1,270	1,270		1,245	1,245
	C		6,376	6,376	3,475		6,231	6,231		6,106	6,106
	WYAK		832	832	-		813	813		796	796
	EYAK/SEO		1,052	1,052	-		1,027	1,027		1,008	1,008
	Total	12,492	9,560	9,560	3,573	12,207	9,341	9,341	11,963	9,155	9,155
Arrowtooth Flounder	W		27,181	14,500	836		31,142	14,500		30,217	14,500
	C		141,527	75,000	18,632		115,612	75,000		112,178	75,000
	WYAK		20,917	6,900	52		37,232	6,900		36,126	6,900
	EYAK/SEO		20,826	6,900	76		11,372	6,900		11,035	6,900
	Total	247,196	210,451	103,300	19,596	229,248	195,358	103,300	222,160	189,556	103,300
Flathead Sole	W		15,729	8,650	582		12,730	8,650		12,661	8,650
	C		26,563	15,400	2,045		24,805	15,400		24,670	15,400
	WYAK		4,686	4,686	-		3,525	3,525		3,506	3,506
	EYAK/SEO		1,760	1,760	-		171	171		170	170
	Total	61,036	48,738	30,496	2,627	50,664	41,231	27,746	50,376	41,007	27,726

(continued on next page)

Gulf of Alaska		2013				2014			2015		
Species	Area	OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pacific Ocean Perch	W		2,040	2,040	445		2,399	2,399		2,456	2,456
	C		10,926	10,926	10,908		12,855	12,855		13,158	13,158
	WYAK		1,641	1,641	1,537		1,931	1,931		1,976	1,976
	W/CWYAK	16,838			12,890	19,864			20,336		
	SEO	2,081	1,805	1,805	-	2,455	2,124	2,124	2,513	2,174	2,174
	E(subtotal)				1,537						
	Total	18,919	16,412	16,412	12,890	22,319	19,309	19,309	22,849	19,764	19,764
Northern Rockfish	W		2,008	2,008	2,169		1,305	1,305		1,229	1,229
	C		3,122	3,122	2,521		4,017	4,017		3,781	3,781
	E		-	-	-		-	-		-	-
	Total	6,124	5,130	5,130	4,690	6,349	5,322	5,322	5,978	5,010	5,010
Shortraker Rockfish	W		104	104	40		92	92		92	92
	C		452	452	477		397	397		397	397
	E		525	525	267		834	834		834	834
	Total	1,441	1,081	1,081	784	1,764	1,323	1,323	1,764	1,323	1,323
Dusky Rockfish	W		377	377	216		317	317		295	295
	C		3,533	3,533	2,918		3,584	3,584		3,318	3,318
	WYAK		495	495	3		1,384	1,384		1,277	1,277
	EYAK/SEO		295	295	8		201	201		191	191
	Total	5,746	4,700	4,700	3,145	6,708	5,486	5,486	6,213	5,081	5,081
Rougheye and Blackspotted Rockfish	W		81	81	20		82	82		83	83
	C		856	856	415		864	864		877	877
	E		295	295	200		298	298		302	302
	Total	1,482	1,232	1,232	635	1,497	1,244	1,244	1,518	1,262	1,262
Demersal shelf rockfish	Total	487	303	303	217	438	274	274	438	274	274
Thonyhead Rockfish	W		150	150	298		235	235		235	235
	C		766	766	530		875	875		875	875
	E		749	749	308		731	731		731	731
	Total	2,220	1,665	1,665	1,136	2,454	1,841	1,841	2,454	1,841	1,841
Other Rockfish (Other slope)	W		44	44	196						
	C		606	606	462						
	W/C						1,031	1,031		1,031	1,031
	WYAK		230	230	70		580	580		580	580
	EYAK/SEO		3,165	200	62		2,470	200		2,470	200
	Total	5,305	4,045	1,080	790	5,347	4,081	1,811	5,347	4,081	1,811
Atka mackerel	Total	6,200	4,700	2,000	1,244	6,200	4,700	2,000	6,200	4,700	2,000
Big Skate	W		469	469	111		589	589		589	589
	C		1,793	1,793	2,147		1,532	1,532		1,532	1,532
	E		1,505	1,505	71		1,641	1,641		1,641	1,641
	Total	5,023	3,767	3,767	2,329	5,016	3,762	3,762	5,016	3,762	3,762
Longnose Skate	W		70	70	79		107	107		107	107
	C		1,879	1,879	1,176		1,935	1,935		1,935	1,935
	E		676	676	395		834	834		834	834
	Total	3,500	2,625	2,625	1,650	3,835	2,876	2,876	3,835	2,876	2,876
Other Skates	Total	2,706	2,030	2,030	1,611	2,652	1,989	1,989	2,652	1,989	1,989
Sculpins	GOA-wide	7,614	5,884	5,884	1,433	7,448	5,569	5,569	7,448	5,569	5,569
Sharks	GOA-wide	8,037	6,028	6,028	2,083	7,986	5,989	5,989	7,986	5,989	5,989
Squids	GOA-wide	1,530	1,148	1,148	322	1,530	1,148	1,148	1,530	1,148	1,148
Octopuses	GOA-wide	1,941	1,455	1,455	315	2,009	1,507	1,507	2,009	1,507	1,507
Total		738,676	595,920	436,255	218,233	790,468	640,675	499,274	808,215	644,165	511,599

Sources: 2013 OFLs, ABCs, and TACs are from harvest specifications adopted by the Council in December 2012; 2013 catches through November 9, 2013 from AKR Catch Accounting

2014 GOA halibut PSC limits, allowances, and apportionments.

Trawl gear			Hook-and-line gear				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20 - April 1	27.5%	508	January 1 - June 10	86%	232	January 1 - December 31	9
April 1 - July 1	20%	370	June 10 - September 1	2%	5		
July 1 - September 1	30%	554	September 1 - December 31	12%	32		
September 1 - October 1	7.5%	139					
October 1 - December 31	15%	277					
Total		1,848			270		9

Note: The trawl and other HAL PSC limits are reduced by 7 percent from the 2013 PSC limits. The 2014 DSR halibut PSC limit is reduced to 9 mt from 10 mt in 2013.

2015 GOA halibut PSC limits, allowances, and apportionments.

Trawl gear			Hook-and-line gear				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20 - April 1	27.5%	484	January 1 - June 10	86%	224	January 1 - December 31	9
April 1 - July 1	20%	352	June 10 - September 1	2%	5		
July 1 - September 1	30%	528	September 1 - December 31	12%	31		
September 1 - October 1	7.5%	132					
October 1 - December 31	15%	264					
Total		1,759			261		9

Note: The trawl and other HAL CV PSC limits are reduced by 12 percent from the 2013 PSC limits. The HAL C/P PSC limit is reduced by 7 percent from the 2013 limit.

2014 apportionment of GOA halibut PSC trawl limits between the trawl gear deep-water species fishery and the shallow-water species fishery.

Season	Shallow-water	Deep-water ¹	Total
January 20 - April 1	416	92	508
April 1 - July 1	92	277	369
July 1 - September 1	185	370	555
September 1 - October 1	139	Any remainder	139
Subtotal January 20 - October 1	832	739	1,571
October 1 - December 31 ²	n/a	n/a	277
Total	n/a	n/a	1,848

¹ The third season deep-water apportionment of 370 mt is reduced by 191.4 mt for the Rockfish Program Halibut PSC allocation.

2015 apportionment of GOA halibut PSC trawl limits between the trawl gear deep-water species fishery and the shallow-water species fishery.

Season	Shallow-water	Deep-water ¹	Total
January 20 - April 1	396	88	484
April 1 - July 1	88	264	352
July 1 - September 1	176	352	528
September 1 - October 1	132	Any remainder	132
Subtotal January 20 - October 1	792	704	1,496
October 1 - December 31 ²	n/a	n/a	264
Total	n/a	n/a	1,760

¹ The third season deep-water apportionment of 352 mt is reduced by 191.4 mt for the Rockfish Program Halibut PSC allocation.

2014 apportionments of the “other hook-and-line fisheries” annual GOA Halibut PSC allowance between the hook-and-line gear catcher vessel and catcher/processor sectors.

Incorporates 7 percent reduction from 2013. Also incorporates 2014 P. cod TACs in formula apportioning PSC limit between sectors. (Values are in metric tons)

“Other than DSR” Allowance	Hook-and-Line Sector	Percent of annual amount	Sector annual amount	Season	Seasonal Percentage	Sector Seasonal Amount
270	Catcher Vessel	57.3%	154	January 1 - June 10	86%	132
				June 10 - September 1	2%	3
				September 1 - December 31	12%	18
	Catcher Processor	42.7%	115	January 1 - June 10	86%	99
				June 10 - September 1	2%	2
				September 1 - December 31	12%	14

2015 apportionments of the “other hook-and-line fisheries” annual GOA Halibut PSC allowance between the hook-and-line gear catcher vessel and catcher/processor sectors.

Incorporates 7 percent reduction (C/P) and 12 percent reduction (CVs) from 2013. Also incorporates 2015 P. cod TACs in formula apportioning PSC limit between sectors. (Values are in metric tons)

“Other than DSR” Allowance	Hook-and-Line Sector	Percent of annual amount	Sector annual amount	Season	Seasonal Percentage	Sector Seasonal Amount
261	Catcher Vessel	57.3%	146	January 1 - June 10	86%	126
				June 10 - September 1	2%	3
				September 1 - December 31	12%	18
	Catcher Processor	42.7%	115	January 1 - June 10	86%	99
				June 10 - September 1	2%	2
				September 1 - December 31	12%	14

Council recommended TACs for 2014 and 2015

Species	Area	2013				2014			2015		
		OFL	ABC	TAC	Catch	OFL	ABC	TAC	OFL	ABC	TAC
Pollock	EBS	2,550,000	1,375,000	1,247,000	1,269,656	2,795,000	1,369,000	1,267,000	2,693,000	1,258,000	1,258,000
	AI	45,600	37,300	19,000	2,964	42,811	35,048	19,000	47,713	39,412	19,000
	Bogoslof	13,400	10,100	100	57	13,413	10,059	75	13,413	10,059	75
Pacific cod	BSAI	359,000	307,000	260,000	233,493	n/a	n/a	n/a	n/a	n/a	n/a
	BS	n/a	n/a	n/a	224,779	299,000	255,000	246,897	319,000	272,000	251,712
	AI	n/a	n/a	n/a	8,714	20,100	15,100	6,997	20,100	15,100	6,487
Sablefish	BS	1,870	1,580	1,580	645	1,584	1,339	1,339	1,432	1,210	1,210
	AI	2,530	2,140	2,140	1,080	2,141	1,811	1,811	1,936	1,636	1,636
Yellowfin sole	BSAI	220,000	206,000	198,000	163,033	259,700	239,800	184,000	268,900	248,300	187,000
Greenland turbot	BSAI	2,540	2,060	2,060	1,756	2,647	2,124	2,124	3,864	3,173	3,173
	BS	n/a	1,610	1,610	1,449	n/a	1,659	1,659	n/a	2,478	2,478
	AI	n/a	450	450	307	n/a	465	465	n/a	695	695
Arrowtooth flounder	BSAI	186,000	152,000	25,000	20,643	125,642	106,599	25,000	125,025	106,089	25,000
Kamchatka flounder	BSAI	16,300	12,200	10,000	7,825	8,270	7,100	7,100	8,500	7,300	7,300
Northern rock sole	BSAI	241,000	214,000	92,380	59,409	228,700	203,800	85,000	213,310	190,100	85,000
Flathead sole	BSAI	81,500	67,900	22,699	17,185	79,633	66,293	24,500	77,023	64,127	25,129
Alaska plaice	BSAI	67,000	55,200	20,000	23,401	66,800	55,100	24,500	66,300	54,700	25,000
Other flatfish	BSAI	17,800	13,300	3,500	1,519	16,700	12,400	2,650	16,700	12,400	3,000
Pacific Ocean perch	BSAI	41,900	35,100	35,100	28,086	39,585	33,122	33,122	37,817	31,641	31,641
	BS	n/a	8,130	8,130	1,744	n/a	7,684	7,684	n/a	7,340	7,340
	EAI	n/a	9,790	9,790	9,530	n/a	9,246	9,246	n/a	8,833	8,833
	CAI	n/a	6,980	6,980	6,747	n/a	6,594	6,594	n/a	6,299	6,299
	WAI	n/a	10,200	10,200	10,065	n/a	9,598	9,598	n/a	9,169	9,169
Northern rockfish	BSAI	12,200	9,850	3,000	1,996	12,077	9,761	2,594	11,943	9,652	3,000
Blackspotted/Rougheye rockfish	BSAI	462	378	378	343	505	416	416	580	478	478
	EBS/EAI	n/a	169	169	187	n/a	177	177	n/a	201	201
	CAI/WAI	n/a	209	209	156	n/a	239	239	n/a	277	277
Shortraker rockfish	BSAI	493	370	370	418	493	370	370	493	370	370
Other rockfish	BSAI	1,540	1,159	873	826	1,550	1,163	773	1,550	1,163	873
	BS	n/a	686	400	185	n/a	690	300	n/a	690	400
	AI	n/a	473	473	641	n/a	473	473	n/a	473	473
Atka mackerel	BSAI	57,700	50,000	25,920	23,181	74,492	64,131	32,322	74,898	64,477	32,491
	EAI/BS	n/a	16,900	16,900	15,777	n/a	21,652	21,652	n/a	21,769	21,769
	CAI	n/a	16,000	7,520	7,284	n/a	20,574	9,670	n/a	20,685	9,722
	WAI	n/a	17,100	1,500	120	n/a	21,905	1,000	n/a	22,023	1,000
Skates	BSAI	45,800	38,800	24,000	25,980	41,849	35,383	26,000	39,746	33,545	26,000
Sculpins	BSAI	56,400	42,300	5,600	5,699	56,424	42,318	5,750	56,424	42,318	5,750
Sharks	BSAI	1,360	1,020	100	105	1,363	1,022	125	1,363	1,022	125
Squids	BSAI	2,620	1,970	700	299	2,624	1,970	310	2,624	1,970	325
Octopuses	BSAI	3,450	2,590	500	206	3,450	2,590	225	3,450	2,590	225
Total	BSAI	4,028,465	2,639,317	2,000,000	1,889,805	4,196,553	2,572,819	2,000,000	4,107,104	2,472,832	2,000,000

Final 2013 OFLs, ABCs, and TACs from 2013-2014 final harvest specifications, as revised; total catch updated through November 30, 2013.

Final 2014 OFLs and ABCs from November Plan Team results

2014 halibut PSC limits, allowances, and apportionments.

Trawl gear			Hook-and-line gear				
			Other than DSR			DSR	
Season	Percent	Amount	Season	Percent	Amount	Season	Amount
January 20 - April 1	27.5%	508	January 1 - June 10	86%	232	January 1 - December 31	9
April 1 - July 1	20%	370	June 10 - September 1	2%	5		
July 1 - September 1	30%	554	September 1 - December 31	12%	32		
September 1 - October 1	7.5%	139					
October 1 - December 31	15%	277					
Total		1,848			270		9

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2015 halibut PSC limits, allowances, and apportionments.

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January 20 - April 1	416	92	508
April 1 - July 1	92	277	369
July 1 - September 1	185	370	555
September 1 - October 1	139	Any remainder	139
Subtotal January 20 - October 1	832	739	1,571
October 1 - December 31 ²	n/a	n/a	277
Total	n/a	n/a	1,848

¹ The third season deep-water apportionment of 370 mt is reduced by 191.4 mt for the Rockfish Program Halibut PSC allocation.

2015 apportionment of halibut PSC trawl limits between the trawl gear deep-water species fishery and the shallow-water species fishery.

Season	Shallow-water	Deep-water ¹	Total
January 20 - April 1	396	88	484
April 1 - July 1	88	264	352
July 1 - September 1	176	352	528
September 1 - October 1	132	Any remainder	132
Subtotal January 20 - October 1	792	704	1,496
October 1 - December 31 ²	n/a	n/a	264
Total	n/a	n/a	1,760

¹ The third season deep-water apportionment of 352 mt is reduced by 191.4 mt for the Rockfish Program Halibut PSC allocation.

2014 apportionments of the “other hook-and-line fisheries” annual Halibut PSC allowance between the hook-and-line gear catcher vessel and catcher/processor sectors. Incorporates 7 percent reduction from 2013. Also incorporates 2014 P. cod TACs in formula apportioning PSC limit between sectors.

(Values are in metric tons)

“Other than DSR” Allowance	Hook-and-Line Sector	Percent of annual amount	Sector annual amount	Season	Seasonal Percentage	Sector Seasonal Amount
270	Catcher Vessel	57.3%	154	January 1 - June 10	86%	132
				June 10 - September 1	2%	3
				September 1 - December 31	12%	18
	Catcher Processor	42.7%	115	January 1 - June 10	86%	99
				June 10 - September 1	2%	2
				September 1 - December 31	12%	14

2015 apportionments of the “other hook-and-line fisheries” annual Halibut PSC allowance between the hook-and-line gear catcher vessel and catcher/processor sectors. Incorporates 7 percent reduction (C/P) and 12 percent reduction (CVs) from 2013. Also incorporates 2015 P. cod TACs in formula apportioning PSC limit between sectors.

(Values are in metric tons)

“Other than DSR” Allowance	Hook-and-Line Sector	Percent of annual amount	Sector annual amount	Season	Seasonal Percentage	Sector Seasonal Amount
261	Catcher Vessel	57.3%	146	January 1 - June 10	86%	126
				June 10 - September 1	2%	3
				September 1 - December 31	12%	18
	Catcher Processor	42.7%	115	January 1 - June 10	86%	99
				June 10 - September 1	2%	2
				September 1 - December 31	12%	14

Petersburg Vessel Owners Association

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May 8, 2013

Mr. Eric Olson, Chairman
North Pacific Fishery Management Council
605 West 4th Avenue, Suite 306
Anchorage, AK 99501

RECEIVED

MAR 13 2013

RE: Proposed regulation changes at 50 CFR 679.20(e) governing enforcement of Maximum Retainable Amounts (MRA).

Dear Chairman Olsen and members of the Council,

The Petersburg Vessel Owners Association (PVOA) is a diverse group of over 100 commercial fishermen and businesses based in Alaska. Our members provide millions of meals to the public annually by participating in a variety of fisheries statewide with our foremost interest being the commercial halibut and sablefish fisheries managed by the North Pacific Fishery Management Council.

PVOA wishes to propose changes in the regulations at 50 CFR 679.20(e) governing the enforcement of Maximum Retainable Amounts (MRA) for catcher vessels and catcher/processors. The existing specific regulations of concern are at §679.20(e)(3)(i) and (ii).

PROPOSAL §679.20(e)(3) Application.

- (i) For catcher vessels, the maximum retainable amount for vessels fishing during a fishing trip in areas closed to directed fishing is the maximum retainable amount applicable in any area, and this maximum retainable **[AMOUNT MUST BE APPLIED AT ANY TIME AND TO ALL AREAS FOR THE DURATION OF THE FISHING TRIP.] is calculated at the end of each offload and is based on the basis species harvested since the previous offload. For the purposes of this paragraph, offload means the removal of any fish or fish product from the vessel that harvested the fish or fish product to any other vessel or to shore.**
- (ii) For catcher/processors fishing in an area closed to directed fishing for a species or species group, the maximum retainable amount for that species or species group **[APPLIES AT ANY TIME FOR THE DURATION OF THE FISHING TRIP.] is calculated at the end of each offload and is based on the basis species harvested since the previous offload. For the purposes of this paragraph, offload means the removal of any fish or fish product from the vessel that harvested the fish or fish product to any other vessel or to shore.**

ISSUE: The MRA should be calculated at the time of offload, not during a fishing trip. These regulation changes would make the existing regulations more consistent with similar regulations at §679.20(e)(3)(iii) and (iv) governing the Am.80 Pollock and the CGOA Rockfish Program participants.

Under the current regulations, in the federal sablefish longline fishery, for example, any non-target species that had an MRA without a full retention requirement would need to be immediately discarded or the vessel would be in violation, regardless of the condition of the released fish. These regulations, as currently written, actually promote wastage, is an unintended consequence and not the initial intent of the regulations. We do believe that the intent was to prevent intentional excessive bycatch of economically valuable species by limiting the bycatch to a percentage of the weight of the target species at the time of delivery/offloading.

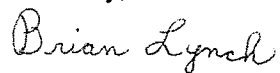
Although we don't know of any specific problems associated with this regulation to the present time, our concerns are directed toward potential problems resulting from implementation of the restructured observer program for the small boat halibut and sablefish longline fisheries. With an increased number of observers being deployed on a larger number of vessels, and the potential for future implementation of electronic monitoring (EM) systems, situations could arise where an observer could report the above scenario as a violation, or the EM system would document the violation, resulting in enforcement action irrespective of the percent species composition at the time of delivery/offload.

POTENTIAL PROBLEMS: We believe that implementation of these changes would not functionally change the way the regulations are currently being enforced. It's unlikely that any MRA enforcement actions have ever been initiated on a vessel actively fishing at sea, and are routinely only initiated at the time offload. As such, we don't foresee any obvious potential problems arising from our proposed regulatory changes.

PVOA is also preparing regulatory proposals to the Alaska Board of Fisheries to address similar changes to State of Alaska bycatch retention regulations.

Thank you for consideration of our proposal.

Sincerely,



Brian Lynch
Executive Director