Signed: Dan Hull Date: 12-16-14

MINUTES

219th Plenary Session
North Pacific Fishery Management Council
Anchorage Hilton Hotel, Alaska

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

Council Members

Dan Hull, Chair
John Henderschedt, Vice Chair
Jim Balsiger
Cora Campbell/Nicole Kimball
Craig Cross
Ed Dersham
Duncan Fields
Dave Hanson
Roy Hyder
Doug McBride
Simon Kinneen
David Long
Bill Tweit
RADM Daniel Abel, Capt Phillip Thorne

NPFMC Staff

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

The SSC met from October 6th through 8th at the Hilton Hotel, Anchorage AK.

Members present were:

Pat Livingston, Chair
NOAA Fisheries—AFSC

Robert Clark, Vice Chair
Alaska Department of Fish and Game

Milo Adkison
University of Alaska Fairbanks

Chris Anderson
University of Washington

Alison Dauble
Oregon Dept. of Fish and Wildlife

Sherri Dressel
Alaska Department of Fish and Game

Brad Harris
Alaska Pacific University

Anne Hollowed
NOAA Fisheries—AFSC

George Hunt
University of Washington

Seth Macinko
University of Rhode Island

Steve Martell
Intl. Pacific Halibut Commission

Lew Queirolo
NOAA Fisheries—Alaska Region

Terry Quinn
University of Alaska Fairbanks

Kate Reedy
Idaho State University Pocatello

Matt Reimer
University of Alaska Anchorage

Farron Wallace
NOAA Fisheries—AFSC

Members absent were:

Jennifer Burns
University of Alaska Anchorage

Advisory Panel

The AP met from October 7-10, 2014, Anchorage Hilton Hotel, Alaska. The following members were present for all or part of the meetings (absent ~~stricken~~):

Ruth Christiansen	Heath Hilyard	Paddy O'Donnell
Kurt Cochran	Jeff Kauffman	Joel Peterson
John Crowley	Mitch Kilborn	Theresa Peterson
Jerry Downing	Alexus Kwachka	Lori Swanson
Jeff Farvour	Craig Lowenberg	Anne Vanderhoeven
Becca Robbins Gisclair	Brian Lynch	Ernie Weiss
John Gruver	Chuck McCallum	Sinclair Wilt

Election of Officers

The Council unanimously elected Dan Hull Chairman, and John Henderschedt as Vice-Chairman.

B Reports

The following reports were given and briefly discussed. Public Comment was taken on all B items:

B1 Executive Director's Report – Chris Oliver
B2 NMFS Management Report – Glenn Merrill, Jeanne Hansen, Mary Furuness, Danielle Rioux, Chris Rooper
B3 ADF&G Report – Karla Bush
B4 USCG Report – RADM Daniel Able, Capt. Phillip Thorne, Lt Cdr Corrie Sergent
B5 USFW Report – Doug McBride
B6 Protected Species Report - Steve MacLean, Jon Kurland
B7 NIOSH Report – Jennifer Lincoln

COUNCIL DISCUSSION/ACTION

Halibut Decksorting

There was discussion regarding the possibility of analysis and its timing with halibut bycatch in February, along with a joint IPHC/Council meeting. Mr. Henderschedt noted that for the purposes of analysis and for staff to better craft a document, **he moved that the Council continue tracking progress on the development of an EFP, but to not treat the issue as an analyzed alternative in the halibut bycatch reduction package**. He spoke to his motion noting that the reduced timeframe will not allow a time to analyze likely reductions that could result from implementation of program. He noted that staff should not do an analysis of decksorting, rather on progress of implementation of the EFP.

Mr. Fields noted that while he agreed, was concerned with the process of taking action without having public comment. There was brief discussion, and the **motion was withdrawn with the concurrence of the second.** Mr. Oliver noted the staff would be incorporating IPHC's total catch accounting approach.

Short-tailed Albatross
Mr. Tweit noted his concern regarding the need for a strategy should re-consultation occur. Mr. McBride from USFW noted there is an increasing population of Short tailed albatross, and the agency has recommended re-instituting consultation. It was generally agreed this issue would be discussed in staff tasking.

Chinook Bycatch in Western Alaska
Ms. Kimball noted the Council has received a request from Tanana Chiefs Conference and the Association of Village Council Presidents, and stated the Council places a high priority on protecting Chinook salmon in Western Alaska. She stated the Council is taking action as soon as possible.

Recreational Fish Policy
Mr. Dersham requested that should Recreational Fish Policy state Councils need to revisit allocations, to request that the North Pacific Council be exempt. Mr. Henderschedt noted that allocation review is a process that is broader than the recreational fish policy, and the Council should state its preferences broadly. Mr. Tweit encouraged combined resources and existing partnerships. Mr. Hanson noted that the Pacific States Marine Commission has a robust sampling methodology for recreational fisheries, and that no new databases need to be created.

C1 Observer Annual Deployment Program

BACKGROUND:
At this meeting, the Council will review the draft 2015 Annual Deployment Plan (ADP), and provide recommendations to NMFS for the final 2015 ADP. During the Council's performance review of the restructured observer program in June 2014, the Council highlighted some specific recommendations and requests for the development of the 2015 ADP. The Council supported the recommendation to move participants in the vessel selection pool into the trip selection pool, and requested NMFS maintain a higher observer coverage for all trawl vessels and fixed gear vessels over 57.5' LOA in the revised trip selection pool, in order to expand coverage on PSC-limited fisheries. To accommodate these requests, the 2015 ADP has been designed with two trip-selection strata. Selection probabilities for the small vessel trip-selection stratum will be 12%, and for the large vessel trip-selection stratum will be 24%.

In June 2014, the Council also requested that NMFS provide additional analysis of the 2013 vessel selection pool data with respect to vessel length, to determine whether a minimum length other than 40' LOA would better define the selection frame, with a view to removing provisions for conditional release. NMFS has provided this information in Appendix C to the ADP. In the draft 2015 ADP as written, NMFS proposes that conditional releases in 2015 only be grated for vessels in the small vessel trip-selection stratum that do not have sufficient liferaft capacity to accommodate an observer.

The OAC met on September 18-19, 2014, to review the draft ADP. The report of their meeting is included in the materials for this agenda item. The OAC supports the selection pools and proposed selection rates for the 2015 ADP, and also the conditional release for insufficient liferaft capacity. The OAC discussed at length the proposal not to grand conditional releases in the small vessel trip selection pool because of insufficient bunk space to accommodate an observer, but did not reach consensus. The report captures the OAC discussion, and recommendations for additional information to help the Council's consideration

at this meeting. The Joint Groundfish Plan Teams also reviewed the 2015 ADP, and their minutes are available under agenda item C4.

The OAC also reviewed the status of regulatory amendments and other analytical projects affecting the Observer Program. A table describing all such analytical projects in a priority list is included in the materials for this agenda item. The OAC did not recommend any specific changes in prioritization, although the report highlights discussion about some of the specific proposals. For example, the OAC had a long discussion about the development of solutions for improving the availability of fixed gear lead level 2 observers, referencing the recent letter exchange between the Freezer Longline Coalition and the agency (letters are posted online). The OAC was not able to identify a non-regulatory solution to resolve the problem over the long term, and supports the development of a discussion paper for regulatory options.

Diana Evans gave the staff report on this agenda item. Craig Faunce and Martin Loefflad presented the draft ADP, Jennifer Mondragon reviewed the observer regulatory amendment task list, and Nathan Lagerwey briefly outlined enforcement issues. Lori Swanson gave the AP report, and Pat Livingston gave the SSC report. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Tweit made the following motion, which was seconded:
The Council approves the Annual Deployment Plan for 2015 with the following recommendations:

- **Use trip selection strata to assign vessels in 2015.**
- **Use two selection strata for 2015: small vessel trip selection and large vessel trip selection.**
- **Use 12% selection probability for the small vessel trip selection stratum and 24% selection probability for the large vessel stratum.**
- **Allow conditional releases in 2015 for vessels in the small vessel trip selection stratum that: 1) do not have sufficient life raft capacity to accommodate an observer, and/or 2) to assist in addressing bunk space limited vessels, have been selected for two consecutive trips (e.g., the third consecutive trip is released).**
- **Vessels selected by NMFS to participate in EM Cooperative Research will be in the no selection pool while participating in such research.**
- **Trawl vessels that fish for Pacific cod in the BSAI will be given the opportunity to opt-in to full observer coverage and carry an observer at all times while fishing in the BSAI using the same approach as 2014.**
- **The Annual Report will include information to evaluate a sunset provision, including information on the potential for bias that could be introduced through life raft conditional release, the costs to an individual operator of upgrading to a larger life raft, and the enforcement disincentives from downgrading one's life raft.**

Mr. Tweit spoke to the motion noting that it is based largely on the OAC and AP's suggestions, as well as SSC recommendations. Outreach efforts with respect to the 2015 ADP will be extremely important, particularly for vessels that were in the vessel-seleciton stratum and are now in trip-selection stratum. Mr. Tweit highlighted areas of the motion that differ from the AP's motion, specifically regarding bunk space-limited vessels. He noted that the longer term solution for these vessels is a flexible set of tools, including electronic monitoring (EM). In the short term, he is recommending allowing a conditional release only for the unlikely situation where a vessels has the burden of being selected over and over

again. This will hopefully address the cumulative impacts of such a burden, if not the individual trip burden. Mr. Tweit noted that 2015 will in effect be a bridge year, but his intention would be to have an EM alternative in 2016, that will provide additional flexibility. Mr. Tweit answered questions of clarification, noting that the conditional release for multiple consecutive selection is available to all vessels in the small vessel trip selection strata, regardless of whether they are bunk-space limited, although the intent is for that provision to provide relief to those vessels.

Discussion ensued regarding making information available in the Annual Report (June 2015) to address the OAC and Council's interest in specifying strata by gear type, including how high our sampling rate needs to be in each gear stratum in order to produce reliable estimates.

Mr. Fields moved to amend bullet point 3: Use 12% selection probability for the small vessel trip selection stratum, currently at 24%, AND modify the observer rate for the large vessel selection pool so that the PSC fisheries are observed in that pool are observed at rates at or above 30%. Seconded by Mr. Long. Mr. Fields spoke to his motion, noting that there is a need to track fisheries in ways other than size of vessel, so the Council can surgically get more information that is needed. He noted that the motion would allow the program to adjust observer days away from fisheries that may not need as many days.

Mr. Henderschedt noted his opposition of the motion. He noted that the Council should be proud of the system that has been designed, which allows for an adaptive approach to implementing an observer program, but that an off the cuff conclusion that 30% coverage is the right metric is not good process. Rather, the agency should fully evaluate this issue for the June Annual Report, and bring back appropriate metrics for Council consideration. He also noted that all of the trawl fisheries will be observed in 2015, according to staff projections.

There was lengthy discussion regarding the motion, and the availability of information to address Mr. Fields' request. There was general agreement that the Council wants to head in the direction of adaptability as Mr Fields outlined, but also that the timing is premature. Mr. Fields noted the general direction of the Council, and **withdrew the amendment with the concurrence of the second.**

The vote on the main motion passed unanimously.

Mr. Tweit recommended the Council draft a letter requesting observer funding for 2015. He stated that it is important to maintain level funding for the observer days in the program, and adequate agency assistance and infrastructure, consistent with what has been done in the past.

Lead Level 2 Observers:

Mr. Cross made the following motion which was seconded: The Council recognizes that there is a shortage of Lead Level 2 (LL2) observers for deployment on CP hook-and-line vessels. In order to provide and maintain a viable observer pool, there is a need to ensure that there is a sufficient training opportunity for new LL2 observers as well as consideration of incentives to retain existing trained LL2 observers.

Resolution of this issue may require non-regulatory actions in the near term. There may be a need for a future discussion paper to analyze options that would require regulatory amendment.

Successful resolution of this issue in the near term will require a cooperative effort from NMFS, the Freezer Longline Coalition, and the observer providers. The Council strongly encourages the FLC and observer providers to meet and collectively work together to resolve this issue. The Council requests that a representative from the NMFS Observer Program should be in attendance at the work session in order to assist the parties in arriving at solutions. The work group should consider (but are not limited to) the following recommendations:

1.) **The owners of the FLC vessels send letters to their vessels reaffirming the vessel responsibilities to the observer and company policy on treatment of observers. The FLC vessels will continue to voluntarily take a second observer for training purposes as space and scheduling allows.**

2.) **The observer providers consider incentives that would facilitate retention of trained LL2 observers including (but not limited to): increased pay; variation in deployment scheduling between trawl and fixed gear vessels; contract length; as well suggestions on encouraging a work place environment to which the observers would be more likely to return.**

In addition to the work group considerations, the Council recommends that NMFS investigate training and deployment requirements and non-regulatory changes that may assist in increasing the pool of available LL2 qualified observers. NMFS should also determine what changes are required to be able to deploy trawl LL2 observers on fixed gear vessels in the event a longline trained LL2 observer is not available.

Mr. Cross spoke to his motion. He discussed the logistics on freezer longliners, and noted it is a difficult environment, and observer providers, vessels, and NMFS need to come together collectively to solve the issue. Observer providers have the responsibility to develop incentives for the observers, which may not all be monetary, and Mr. Cross is confident that long term solutions can be found. In the long-term, regulatory solutions may be necessary. Mr. Cross addressed questions of clarification. Mr. Henderschedt noted his support of the motion and wants to ensure the best data collection possible. He encouraged industry observer providers to think more broadly while attempting to solve a specific problem. Mr. Henderschedt also noted his concern regarding the long term supply of observers, and stated that this is a problem beyond this particular sector. Mr. Fields stated he will be voting against the motion as it is not as aggressive as he believes is necessary, and he feels that the Council should be initiating a regulatory solution at this meeting, rather than waiting for the result of these discussions . **The motion passed with Mr. Fields objecting.**

C2 Electronic Monitoring Development

BACKGROUND:
The Electronic Monitoring Workgroup met by teleconference over the summer, and in person September 23-24, 2014 (minutes for both meetings are attached). The Workgroup made considerable progress with outlining a framework for the regulatory amendment package to integrate EM as part of the Observer Program, with a rough draft of elements of a purpose and need statement, alternatives, decision points, and implementation strawmen. The Workgoup proposes to continue working on this framework over the next couple of months, and refine the 2015 Cooperative Research Plan (CRP) to be responsive to the

decision points and information needs of the analytical framework. To that end, the Workgroup has renamed the research 'tracks' of the research plan into a series of research projects, which are described in the attached CRP projects table. The Workgroup also received study plans for the logbook project (former Track 4), and for research on pot vessels (as part of former Tracks 2 and 3), which are attached. All materials reviewed by the EM Workgroup are available on the Council website, www.npfmc.org/observer-program/.

In June 2014, the Council asked the SSC to review the Cooperative Research Plan, including specific study designs, in order to inform the Council as to whether the research will provide the necessary information and. While that review was initially scheduled for the October Council meeting, the EMWG determined in September that more development of the 2015 research program is warranted. As a result, SSC review is proposed for February 2015. This should accommodate the preparation of a more complete research plan, but still allow SSC feedback to be addressed before the onset of the 2015 fieldwork.

Diana Evans gave the staff report on this agenda item and answered questions from the Council. The AP gave its report, the SSC did not address this agenda item, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Tweit made the following motion, which was seconded: The Council endorses a target of taking the first steps at operationalizing EM in the small vessel strata in 2016.

The Council supports the work of the EMWG to continue development of projects identified in the CRP tables, using the subgroup approach, with the goal of providing a document for SSC review at the February 2015 meeting.

Additionally, the Council directs the EMWG to review progress by subgroups and report back to the Council at the December meeting.

The Council also requests CRP partners provide budgets and timelines for the CRP projects for review by EMWG.

Finally, the Council requests NMFS give the Council or the EMWG an opportunity to review the Regional Implementation Plan for Electronic Technologies prior to submitting it to agency headquarters.

Mr. Tweit spoke to the motion supporting the work EMWG has done and that the most immediate need to begin implementing EM in 2016 is SSC review of the 2015 Cooeprative Research Plan in February 2015. He noted Workgroup has assigned subgroups to work on specific issues and report back. Budgets and resources need to be available and apportioned correctly so all projects are moving forward on schedule. Mr. Henderschedt noted that while the motion is ambitious, he will support it. Mr. Tweit stated that this process is another step in the adaptive management process. **The motion passed unanimously.**

Mr. Fields noted his preference for discussing EM and the Observer program outside the annual report schedule.

C3 Crab Management

BACKGROUND
The Crab Plan Team met September 15-18 to review draft BSAI Crab stock assessments and provide recommendations for OFL and ABC for 7 of the 10 stocks. There are 10 crab stocks in the BSAI Crab FMP and all 10 must have annually established OFLs. Three stocks (AI golden king crab, Norton Sound red king crab and Adak red king crab) had OFLs and ABCs recommended previously in the 2014 cycle. The remaining stocks will have OFLs and ABCs recommended at this meeting. The stock assessments for these stocks were mailed to the SSC and copies are available at the meeting as needed. The Introduction to the Crab SAFE containing the CPT recommended OFLs and ABCs is attached. The CPT Report containing additional recommendations and minutes from the September CPT meeting is attached.

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

COUNCIL DISCUSSION/ACTION

Ms. Campbell moved, which was seconded, to adopt the Crab SAFE, and to adopt SSC's OFL and ABCs for all 7 stocks. The motion was seconded by Mr. Fields. Ms. Campbell noted the increase in information and improvements in the methodologies in recent years. She pointed out the crab plan team and the SSC have spent time to set buffers, and requested the Council encourage future work to set TACs in a consistent and transparent manner and stated the State of Alaska sets its own TAC. **The motion passed without objection.**

Mr. Henderschedt made the following motion relative to public testimony: The Council direct the crab plan team to investigate reasons for and potential divergence in crab survey abundance and the OFL control rule. The motion was seconded by Mr. Cross. Mr. Henderschedt noted that the issue is best addressed by CPT who rely heavily on the use of a control rule. If there is an apparent disconnect and results are not expected, and there are changes in survey abundance, then the Council may want to examine this issue. **The motion passed without objection.**

C4 Groundfish Specifications

BACKGROUND

Plan Team Reports
During their meetings on September 23-26, 2014, the BSAI and GOA Groundfish Plan Teams recommended proposed groundfish harvest specifications for 2015 and 2016. The Teams also considered numerous informational reports and made recommendations for inclusion in final assessments for November. Team recommendations for the next two fishing years are based on rollovers of the published 2015 final harvest specifications, which were adopted by the Council in December 2013. The reports from the meetings of the Joint BSAI/GOA Groundfish Plan Team, BSAI Groundfish Plan Team, and GOA Groundfish Plan Team are attached (item 1).

Proposed Harvest Specifications

The Council is scheduled at this meeting to recommend proposed BSAI and GOA groundfish harvest specifications for the next two-year period to notify the public of likely outcomes for Council action to set final harvest specifications in December 2014. Following this practice, 2015 annual harvest specifications were published in the Federal Register and will start the groundfish fisheries in January 2015. Proposed harvest specifications for 2016 will be adopted at this meeting and are set equal to the 2015 annual harvest specifications. Any proposed Prohibited Species Catch (PSC) limits for halibut, red king crab, Tanner crab, opilio crab, and herring and their gear type and target fishery apportionments, should be adopted by the Council at this meeting so that the final rule, based on final harvest specifications from December 2014, is a logical outgrowth of the proposed rule. Final harvest specifications will be based on stock assessments included in the respective Groundfish Stock Assessment and Fishery Evaluation Reports for the BSAI and GOA, which will be released in late November 2014.

Bering Sea/Aleutian Islands. *The BSAI Plan Team recommendations for proposed 2015/2016 BSAI groundfish annual harvest specifications are attached (item 2). The Team adopted proposed 2015 BSAI OFLs and ABCs that were published in the Federal Register last year for the purpose of notifying the public of potential final specifications. Final BSAI harvest specifications include PSC limits for halibut, red king crab, Tanner crab, opilio crab, and herring and their gear type and target fishery apportionments, which are set in federal regulations. The 2015/2016 crab and herring PSC numbers will be revised when the most current biomass amounts are known. Proposed specifications for these PSC limits and apportionments based on 2015 are attached (item 3).*

Flatfish flexibility ABC reserve. *Amendment 105, which is effective as of October 23, 2014, affects the annual harvest specifications for flathead sole, rock sole, and yellowfin sole, beginning in 2015. The Final Rule to implement this is attached (item 4). Under this amendment, an ABC reserve will be specified for the three flatfish species, which will be allocated to CDQ groups and Amendment 80 cooperatives using the same formulas that are used in the annual harvest specifications process. The ABC reserve for each species will be specified by the Council, by evaluating the ABC surplus for the species (i.e., the difference between the ABC and TAC), considering whether the amount needs to be reduced by a discretionary buffer amount based on social, economic, or ecological considerations. The Council will then designate some, all, or none of the ABC surplus as the ABC reserve. The Council should provide its rationale for setting the ABC reserve at a particular level for these three flatfish species each year. An example table provided by NMFS staff based upon TAC levels for 2015 specifications for these species and an assumption of the maximum ABC reserve is attached (item 3).*

NMFS will provide a report on flatfish exchanges by the Amendment 80 cooperatives to the Council each year for the December meeting, to inform the Council's decision on future annual harvest specifications as to whether to establish a buffer reducing the amount of the ABC reserve available to be exchanged by eligible entities. The report will include information on the number of vessels used to harvest cooperative quota, the number of flatfish exchanges and the dates those exchanges were approved, the types of and amounts of cooperative quota and Amendment 80 ABC reserve utilized, and the dates, types, and amounts of inter-cooperative quota transfers.

Gulf of Alaska. *The GOA Plan Team recommendations for proposed 2015/2016 GOA groundfish harvest specifications are listed below. Since 1997, the Council has reduced the GOA Pacific cod TAC to account for removals of not more than 25 percent of the Federal Pacific cod ABC from the State Guideline Harvest Level fisheries. Using the area apportionments of the proposed 2015 Pacific cod ABC that was*

recommended by the Plan Team, the 2015/2016 Federal TACs for Pacific cod would be adjusted as listed in the attached table (item 5).

The 2015 halibut PSC apportionments recommended are based on the 2015 apportionments for the Gulf of Alaska groundfish fisheries are attached (item 6). The 2016 tables attached (item 7) incorporate the reductions in halibut PSC limits, per Amendment 95 and the regulatory revisions that were published earlier this year. Amendment 95 to the GOA FMP will reduce the 2016 GOA halibut PSC limits for the groundfish trawl gear sector and groundfish catcher vessel (CV) hook-and-line gear sector by 15 percent. The 2016 hook-and-line catcher/processor sector's halibut PSC apportionment will be reduced by 7 percent. Salmon PSC limits are set in regulation.

Diana Stram gave the staff report on this agenda item. The AP gave its report, and the SSC gave its report. There was no public comment.

COUNCIL DISCUSSION/ACTION

Mr. Cross moved, which was seconded, to adopt the proposed Gulf of Alaska groundfish specifications for OFLs and ABCs as recommended by the SSC for 2015 and 2016 and set TACs as shown in Item 5 in the action memo, with proposed TACs from 2015 rolled over for 2015 and 2016. Proposed federal TACs for 2015 and 2016 for Pacific cod have been revised to account for the State cod fisheries. Additionally, adopt the 2015 and 2016 annual and seasonal Pacific halibut PSC limits and apportionments in the Gulf of Alaska as provided in Tables 9, 10, 11, 12, 13 and 14 for Item 7 in the action memo.

Further, adopt the proposed Bering Sea/Aleutian Islands groundfish specifications for OFLs and ABCs as recommended by the SSC for 2015 and 2016 and set TACs as shown in Item 2, with proposed TACs from 2015 rolled over for 2015 and 2016 and adopt BSAI PSC specifications as shown in Tables 8, 9, 10 and 11.

Finally, recommend the Council adopt Table 7 in Item 3 for ABC reserves for flathead sole, yellowfin sole, and rock sole. GOA pollock subarea apportionments of the ABC will be noted as sub-area ACLs.

Mr. Cross spoke to the motion, stating that it has been reviewed by the SSC, and the numbers come from the groundfish plan teams. There could be changes in PSC distribution resulting from SSL regulations. He noted that under GOA Pollock, SSC has recommended to use apportionment of ACL to allow for regulatory apportionment. There was brief discussion, and **the motion passed without objection.**

C5 Skate MRA

BACKGROUND:
This document analyzes the environmental impacts of proposed action alternatives to reduce the maximum retainable amount (MRA) for skates in the Gulf of Alaska (GOA) groundfish and halibut fisheries, the economic benefits and costs of the action alternatives, as well as their distribution, and the impacts of the action on directly regulated small entities.

In December 2013, the Council was made aware that incidental catch of skates (primarily big skates, Raja binoculata, and longnose skates, R. rhina) has exceeded the intrinsic rate of skate incidental catch in GOA groundfish fisheries in some years. Testimony indicated that this is because the MRA for skates in the GOA (20%) allows industry to top off on skates while fishing for groundfish. The purpose of this action is to slow the harvest rate of skates and decrease the incentive for vessels to top off on skates by reducing the MRA to levels that more accurately reflect the intrinsic rate of the incidental skate catch in the GOA.

Four alternatives were considered in this analysis:

- *Alternative 1 is the no-action alternative and would maintain the MRA for skates for all basis species at 20%.*
- *Alternative 2 would reduce the MRA for skates for all basis species to 15%.*
- *Alternative 3 would reduce the MRA for skates for all basis species to 10%.*
- *Alternative 4 would reduce the MRA for skates for all basis species to 5%.*

The proposed action is limited in scope and will not likely affect all environmental components of the GOA. No effects are expected on the physical environment (habitat), ecosystem or ecosystem components species, marine mammals, or seabirds. Existing fishing regulations and protection measures for protected species would not be changed, nor would allowable harvest amounts for important prey species. Impacts to habitat and the ecosystem or ecosystem components are not expected because the proposed action could reduce the intensity of fishing (reduced number of tows) as top-off tows may be reduced or eliminated. No marine mammals or seabirds are known to feed extensively on skates. The proposed action is not expected to have any effects on groundfish stocks as all management measures designed to prevent negative effects to groundfish will remain in place in any alternative, and the alternatives do not implement any direct changes to the groundfish target fisheries or impact ABCs. It is possible that reductions in skate MRAs may result in reduced catch of some target groundfish species, but changes in catch are expected to be minor and not affect management of the GOA groundfish fisheries. The proposed action to reduce skate MRAs in groundfish target fisheries are not likely to result in any significant impacts to skate stocks. It is possible that reductions in skate MRAs could result in reduced retained catch of some skate stocks; however, changes in incidental catch are expected to be minor and not affect the stocks' ability to sustain themselves above MSST.

Since 2008, the estimated catch of big skate has exceeded the ABC/total allowable catch (TAC) in the Central GOA in 2010, 2011, 2012, and 2013, and the estimated catch of longnose skate has exceeded the ABC/TAC in the Western GOA in 2009, 2010, and 2013. Big skate catches in the Eastern and Western GOA, longnose skate catches in the Eastern and Central GOA, and other skate catches throughout the GOA, have been within ABC/TAC levels. The GOA-wide ABCs have not been exceeded for big skate, longnose skate, or other skates.

Under the no action (or status quo) alternative, the GOA skate MRA would remain at 20 percent of the basis species. However, the MRA tool is used in conjunction with the Regional Administrator's decision about whether or not, and when, to prohibit retention, and place skates on prohibited species status. In recent years the Regional Administrator has found it necessary to place big skate in the Central GOA on prohibited species status increasingly early in the year. In 2014, big skate in the Central GOA were placed on prohibited species status on February 5.

In 2015, and in subsequent years, if fishing conditions are found similar to those in 2014, it is likely that big skate in the Central GOA would be placed on prohibited species status and retention prohibited early in the fishing year, perhaps earlier than in 2014. A prohibition on retention might be lifted later in the year if it becomes apparent that the annual TAC would not be reached.

Reductions in the MRA will affect retained catch but will not reduce discarded catch. ABC/TAC limits have been exceeded for big skate in the Central GOA and longnose skate in the Western GOA. A large proportion of big skate in the Central GOA are retained, while relatively more longnose skate in the Western GOA are discarded. Thus, a tightening of the MRA constraint may have more impact on the Central GOA big skate catch.

Various factors may limit the efficacy of a reduction in the MRA level: (1) retention as a percent of basis species estimates suggest that reductions in the MRA by half (to 10 percent) are likely to have relatively little impact on skate catches for operators with MRAs between the 20 percent level and the lower level to which the MRA would be changed; (2) many operators will not be constrained by MRA reductions (as they will have been operating below the new MRA), and may even be able to expand production if the reduction in harvest by operations constrained by the MRA increases prices, and the incentive to retain skates; (3) the MRA is a GOA-wide limit covering all species of skates with a single MRA; it is not species or area specific, while the problem is a species- and area-specific problem.

Steve MacLean 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. Henderschedt moved to send the analysis out for public review and identify 5% MRA for skates as the PPA, with the following changes, as practicable:

1. **Additions the SSC recommended**
2. **Looking at skate retention against species specific basis**

Mr. Henderschedt spoke to the motion, noting the intent is to send the document out for public review and to have it ready for final action as soon as possible. Mr. Henderschedt noted lower MRAs represent potential foregone revenue. The Council has a responsibility to achieve OY, but also a responsibility to avoid exceeding ABC, and that is the first priority. He noted the need for a discussion about mesh size during the staff tasking agenda item. Mr. Long noted his concern over the 5%, but also is looking forward to the other information that should be available. Mr. Fields noted his agreement with the motion, and stated 5% MRA is the number needed to move forward with for target fisheries, without incentive to top off and economic value to skate. **The motion passed without objection.**

C6 MRA Enforcement Period

BACKGROUND
At the February meeting, the Council tasked staff to prepare a discussion paper on adjusting the maximum retainable allowance (MRA) enforcement period for all groundfish species harvested in the Bering Sea and Aleutian Islands (BSAI) and Gulf of Alaska (GOA). Specifically, the proposed action would change the MRAs from instantaneous (at any point in time during a trip) to at the time of offload. The

benefit of this action is that vessels could choose to retain species that are closed to directed fishing in excess of the MRA as long as the amount retained at the time of offload is at or below the MRA percentage with respect to the basis species or species groups retained. At this meeting, the Council is scheduled to review the discussion paper and to take action as necessary.

Jon McCracken gave the staff report on this agenda item. The AP gave its report and the SSC did not address this agenda item. Public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Cross noted his concern regarding this issue, and is not convinced that this broad measure will offer a solution to the variety of problems brought up both in the discussion paper and during public testimony. He noted that some issues can be addressed in the GOA bycatch management program. Mr. Tweit noted that this may take away from other priorities the Council has. Dr. Balsiger noted that he understands the problems brought up in public testimony, but that this discussion paper is not the way to go about solving them. There was brief discussion, and Mr. Hull stated that with focused proposals by sectors, the Council will have more information and can revisit this issue again.

C7 GOA Trawl Bycatch

BACKGROUND
In April 2014, the Council reviewed a discussion paper that examined elements of a voluntary cooperative structure meant to provide the Gulf of Alaska (GOA) groundfish trawl fisheries with tools to better manage bycatch and prohibited species catch (PSC). The Council passed three motions at that meeting.

The first motion provided an expanded framework for how the cooperative program might function, with the goals of avoiding PSC to the extent practicable, reducing groundfish bycatch or increasing utilization of bycatch, providing the fleet with tools to function under lower PSC limits, and mitigating adverse community impacts that might arise from the proposed fishery structure. The scope of the considered program was widened to include the CP sector, and other groundfish species that might be allocated to cooperatives (in addition to pollock and Pacific cod). Section 1 of the program framework discussion paper highlights elements that the Council has yet to fully define, notes several management trade-offs that the Council would face if it moved forward in the manner described by the April motion, and assesses how the current proposal is meeting the Council's stated objectives. Section 2 expands on the April discussion of how cooperatives would be formed, and includes NMFS input on what new monitoring and catch accounting procedures might be required. Section 3 contemplates how the allocation of target, secondary, and PSC species might interact with existing GOA trawl management structures, including the Central GOA Rockfish Program and Steller sea lion protection measures. Section 4 highlights data issues that need confirmation or clarification before allocations could be made; it also provides a discussion of the species that may be considered for allocation if analysis alternatives are developed. Section 5 covers measures that the Council is scoping to promote stability in trawl-dependent communities, including consolidation limits and quota regionalization. Possible limits on eligibility to purchase trawl licenses, and the attendant catch history, are largely discussed in Section 1 under "Elements yet to be defined." Section 6 outlines the Council's proposals for how fishing privileges may be transferred – within cooperatives, between cooperatives, in the short term (leasing), or via permanent transfer of licenses or

severable catch history. Section 7 addresses a proposed element under which trawl cooperative quota could be fished with pot gear, focusing on license requirements, necessary clarification of catch accounting procedures, and observer coverage requirements. Section 8 examines existing sideboard protections that apply to GOA license holders, and new sideboards that might be considered as part of the proposed program. The section provides a preliminary evaluation of which sideboards might be necessary (or unnecessary) if a cooperative quota program is implemented. Section 9 briefly described flatfish eligibility restrictions that apply to Amendment 80 vessels in the GOA. Section 10 describes the timing of the required post-implementation program review, and notes that the Council will need to define the contents of that review once the proposal is more detailed. Finally, Section 11 describes the cost recovery and loan programs required under MSA; a table shows possible cost recovery elements for the program as it is currently proposed.

The other two Council motions from April asked staff to review a proposal for community fishing associations (CFA) and to examine the adaptive management (AM) quota element of the west coast groundfish trawl ITQ program implemented by the Pacific Fishery Management Council (PFMC). Those topics are jointly covered in a second discussion paper. The CFA portion of the second paper looks at proposed means to protect fishing community residents, potential new entrants, and shore-based employment opportunities. The CFA proposal includes goals and objectives that would be established separately from those guiding the Council's action. The paper examines how well the CFA goals fit with the Council's proposed structure, highlights areas for input from NOAA General Counsel (GC), and identifies CFA objectives that might be accomplished by the Council's cooperative quota program as it is currently proposed. Expected costs and benefits of CFA management are listed, though that list is a work in progress. The AM portion of the paper describes the PFMC's rationale for including AM quota in its program, and what would be required to deploy that quota in support of one or more of the five stated objectives for AM. PFMC is still evaluating the efficacy and impacts of its ITQ program, and this paper summarizes some of the refinements that have been made to the AM objective criteria. "Lessons learned", as communicated to staff by west coast managers and stakeholders, are also summarized.

<u>2012 GOA Chinook Salmon Genetics Report</u>

Genetic samples were collected opportunistically in 2012 from Chinook salmon taken as prohibited species catch in the GOA pollock trawl fishery. The genetic stock composition of those samples was extended to provide an overall stock composition for the fishery bycatch and stock-specific harvests. The opportunistic nature of the samples raised concerns about applying the proportional composition of the samples to the entire bycatch population because of unknown, but potentially significant, biases. This report investigates the most appropriate means by which the collected samples can be extended to provide overall bycatch composition.

<u>AFSC GOA Trawl Social Science Survey</u>

The Alaska Fisheries Science Center (AFSC) carried out a social survey of GOA trawl stakeholders. Data were collected before program implementation in order to provide a baseline description of the industry as well as allow for analysis of changes that the bycatch management program may bring for individuals and communities once implemented. When combined with data to be collected in planned post-program implementation follow-up surveys, this information will inform changes in the social characteristics over time and assist in a more comprehensive program evaluation and more informed consideration of potential post-implementation modifications of the program, if needed. The survey asked for opinions on

a range of elements that may or may not be included in the final bycatch management program to assess different participants' preferences for various management options, which may change over time as well. AFSC surveyed participants including vessel owners, vessel operators, crew aboard groundfish vessels, catcher/processor owners, catcher/processor crew, shoreside and inshore floating processors, tender owners and operators, and other individuals who are stakeholders in the trawl fishery including any businesses that are directly tied to the groundfish trawl industry through the supply of commercial items to include, but not limited to gear suppliers, fuel suppliers, and equipment suppliers. The results of the survey highlight the differences in the people, sectors, and communities engaged in the fishery. Data from the survey demonstrate how different individuals and sectors depend on the GOA groundfish trawl fishery to sustain their businesses and families, and how they may be interconnected with one another.

Darrell Brannan and Sam Cunningham gave the staff report on this agenda item and answered questions from the Council. Jeff Guyon, Charles Guthrie, Bill Templin, and Andrew Munro gave a report on Genetic Stock Composition Analysis of Chinook salmon bycatch in the GOA. Steve Kasperski updated the Council on the Science Center's Social Survey. The AP gave its report, and the SSC had given its comments earlier.

COUNCIL DISCUSSION/ACTION

Ms. Campbell read the motion, which was seconded. **The motion is attached to these minutes**. Ms. Campbell spoke to the motion, noting that it is time to initiate a formal analysis, and the motion is intended as a starting point which incorporates staff reports, committee reports, and public comment. It also establishes a cooperative system and will use species more efficiently. The cooperative structure includes provisions that can provide a stable and effective operating environment for all involved. NOAA GC has advised some aspects of the proposed initial cooperative formation structure may not be allowed under current MSA regulation. There will be room to expand other ideas as the process proceeds.

She continued, stating the observer coverage section is similar to what was included in the April motion, and requires 100% observer coverage. Sector eligibility is clarified, and there is no closed class of processors under this program. Allocated species are narrowed to the primary species of value that are almost fully harvested in the GOA. She noted the motion does not include skates as recommended by NMFS.

She stated there are options to change seasons and seasonal apportionment of Pollock which will have an effect on Chinook bycatch. PSC limits were discussed, along with use caps for Amendment 80. She noted that captain and crew shares, while not explicitly stated as an alternative, can be included as part of adaptive management or in the CFA, where both of those programs will be analyzed as part of the coop structure.

Ms. Campbell answered questions of clarification regarding the motion.

Mr. Tweit moved to amend on Page 3, Element 6, suboption B – to change the upper edge of the range, which is currently at 30%, change to 40%. The amendment was seconded. Mr. Tweit spoke to the amendment, stating that the utility of this element is an area still in need of exploration by the Council, and may be the best tool for efficient use of halibut in target species. This can allow processors

to use surplus capacity. There was discussion regarding 10%-40% being a broad range. **The motion passed with Ms. Kimball and Mr. Merrill objecting.**

Mr. Henderschedt moved to amend, which was seconded, under "Secondary Species" Section 3, Option 2, add a supoption to include Big and Long-nosed skates. The amendment was seconded. Mr. Henderschedt spoke to the motion, noting that in public comment, there was significant concern about allocating to coops species that are potentially very constraining. It may take intensive coop management to avoid allowing these species to become constraining on target fisheries. MRA management is inadequate. In adding the suboption, it will highlight the challenge in the analysis. **The motion passed without objection.**

Mr. Fields moved to amend, by adding a suboption on the top of page 6 under "active participation criteria" add "(option: and to retain catch history.)" The amendment was seconded.
Mr. Fields spoke to his motion, noting that active participation is the key element. Trawl vessels are closely tied to the community, and retaining an active participation element is the best protection for the community. There was discussion regarding administration of the program, and Mr. Fields noted the Council should move ahead despite administrative complexity. **Mr. Fields withdrew the motion with the concurrence of the second. He began a new motion as a suboption that would apply to option 1 and option 2, to amend, which stated, "to retain catch history, a person must remain eligible to purchase catch history." The motion was seconded.** The discussion took place previously, and **the motion passed 7-4, with Merrill, Cross, Henderschedt, and Hyder in opposition.**

Mr. Merrill moved to amend, which was seconded, to include a discussion of the effects of the GOA trawl bycatch management program alternatives on the management and implementation of the Central GOA Rockfish Program. At a minimum, this analysis should review the implications on quota allocations, sideboard management, and catch accounting under the Central GOA Rockfish Program.
Mr. Merrill spoke to the motion, noting this motion would be an amendment at the end of the main motion with direction for staff. He stated this would provide clarity in the rockfish program, or complexities that need to be addressed. There are concerns about combining the two programs, but this motion noted the inter-relationships between the two programs will be highlighted. There was discussion on the necessity of this amendment, and **Mr. Tweit moved, which was seconded, to add an amendment to Mr. Merrills' amendment to have the analysis also review a sunset provision on CGOA program and its impacts to processors.** Mr. Tweit noted that it is not intended to be a program review of the CGOA Rockfish Program, but rather a discussion of how the two programs could possibly be integrated . **The amendment to the amendment failed 3/8, with Tweit, Cross, and Kinneen voting in favor.**

Discussion continued regarding the amendment. Mr. Merrill noted that this is an administrative review on how the two programs can fit together, not an attempt to combine programs. Discussion continued, and the **motion to amend passed without objection.**

Mr. Merrill spoke to the main motion, noting that it is important to consider the appropriate analytical path, whether an EA or an EIS. This action is large and complex, and an EIS will address uncertainty. It was generally agreed this discussion will be continued during staff tasking.

Mr. Fields thanked the public for the quality of public input, both in person and in the written comments in the packet. He will be focusing on bycatch management of cod and pollock target species and is

concerned about having clarity on bycatch of Chinook and halibut. He noted the relationship with processors to the program is important, as is the allocation to captains, using the CFAs. He stated he appreciates the discussion about adaptive management. Mr. Dersham thanked the staff for the hard work and for making a complex motion clear and concise.

Mr. Tweit is appreciative of the motion, but noted his concerns about further reductions and hard caps which are generally insufficiently flexible when abundance his high, but expects examination of hard caps in an upcoming discussion. He also noted his appreciation for additional technologies and a timeframe as there may be a learning curve for new information.

Mr. McBride stated that this is a package for both users who are invested and a good one for the Agency to discuss with those users who may just have a passing interest. He notes a good balance in all the National standards and the 100% observer coverage will be of interest to the general public.

Chairman Hull thanked the Commissioner and the stakeholders. He noted that there is outreach to do, and that stakeholders may be called on for more working group sessions. The Council is determining the best way to interact with IPHC and a change in the halibut total mortality accounting may change things, and while there is not a clear outcome of how other management actions and initiatives will interact with this agenda item, this motion is a good place to begin.

Mr. Kinneen understands the protections called for in this motion requires tremendous effort, and is looking forward to the next version.

The amended main motion passed unanimously.

Mr. Merrill stated that an EIS would be the best analytical path, and can also help streamline economic effects. There will be significant discussions with AFSC regarding the type of research that will be useful, and it will be important for the Council to provide guidance in that area. Mr. Fields discussed a letter indicating the Council's direction, and it was generally agreed to discuss these items further during staff tasking.

C8 CDQ Pacific Cod Fishery Development

BACKGROUND:
The purpose of this action is to create a regulatory structure for the harvest of Pacific cod Community Development Quota (CDQ) that promotes harvest opportunities the small hook-and-line vessels, and effectively allows CDQ and IFQ halibut harvesters, operating vessels less than or equal to 46 ft. LOA, the ability to retain Pacific cod CDQ in excess of the 20 percent maximum retainable amount (MRA) provided for in the halibut fishery. The difference between the vessel requirements for halibut CDQ fishing and directed Pacific cod CDQ fishing means that Pacific cod caught in the halibut fishery is generally not able to be retained by small vessels for commercial use. Adjusting the regulations for these fisheries could reduce Pacific cod discards and increase small vessel economic opportunities in the halibut CDQ fishery.

In June 2014, the Council identified Alternative 4, along with National Marine Fisheries Services' (NMFS) expanded recommendations, as a preliminary preferred alternative (PPA). This alternative would provide for an exemption to the License Limitation Program (LLP) for hook-and-line vessels less than or equal to

46 ft. LOA that are fishing Pacific cod CDQ. This alternative would still require specific documentation for fishery participants to demonstrate eligibility while on the water. However, unlike an LLP license this documentation would be issued without charge and unlimited in supply. Additionally, the PPA outlines the retention and catch accounting process that would take effect in a directed Pacific cod CDQ fishery under this alternative. This alternative would constrain the directed Pacific cod CDQ fishery to operate during the halibut CDQ season in order to provide a straight-forward accounting process for halibut caught while the vessel was targeting Pacific cod CDQ.

The Public Review Draft of the analysis also considers three options for the PPA. The first would apply the provision of the PPA that have been considered for the Pacific cod CDQ fishery to all of the groundfish CDQ fisheries (with the exception of sablefish). It is unlikely that a market will develop for these other groundfish species, but this option would allow for this flexibility. Option 2 considers extending a prohibition against discarding legal sized halibut while IFQ fishing to participates of the CDQ halibut fishery. The third option of the PPA would allow a Pacific cod CDQ directed fishery to occur before, during, and after the halibut CDQ season by using a combination of halibut CDQ and a CDQ group's Prohibited Species quota to account for halibut caught while Pacific cod CDQ fishing.

In addition to consideration of the three options, the Public Review Draft also includes an expanded description of the practical elements of the PPA. NMFS was asked to provide more detail on how the documentation of eligibility would be instituted; therefore, some elements in the description of the PPA have been further developed.

Council staff, Sarah Marrinan, reminded the Council of the intent of the package, the PPA established in June, and the FMP language change that is expected from the PPA. Sally Bibb, NMFS SF, presented analysis on the three new Options for the PPA that the Council also requested in June. Sally stressed that Option 3 was a fairly conservative approach to allowing the CDQ groups flexibility to Pacific cod CDQ fish outside the halibut CDQ/IFQ season. She alluded to stakeholder interest in more flexibility, but reserved this justification for the public comment period. Roy Hyder gave the Enforcement Committee Report on this agenda item. Ernie Weiss gave the AP report, and public comment was taken.

COUNCIL DISCUSSION /ACTION

Mr. Merrill moved, which was seconded, the following:
Redesignate Option 3 in the PPA as Option 3.1 and include the following Option 3.2 for additional analysis:

<u>Option 3.2</u>
Each CDQ group participating in the small vessel CDQ Pcod program shall annually determine the date upon which halibut catch accounting for the group's CDQ Pcod fishery switches from halibut PSC to halibut CDQ (or participants' IFQ), and the date upon which the halibut catch accounting switches from halibut CDQ back to halibut PSC.

The switch dates shall be provided to NMFS by each participating CDQ group by February 15 annually.

Mr. Merrill spoke to the motion, stating that the motion is similar to the AP's motion, and this motion is trying to address issues brought up by the CDQ groups. The additional analysis can help identify catch accounting, as well as other halibut PSC use. There was brief discussion and the **motion passed without objection.**

C9 Crab ROFR

BACKGROUND:
To protect community interests, the Bering Sea/Aleutian Islands Crab Rationalization Program required holders of most processor quota shares (PQS) to enter into agreements granting community- designated entities a right of first refusal (ROFR) on certain transfers of those PQS. The proposed action is intended to improve the ability of community entities to exercise ROFR on sales of crab processor quota share (PQS) in order to maintain historical crab processing activity in their communities.

Current ROFR provisions require a community entity exercising a ROFR to accept all terms and conditions of a proposed sale of crab processor quota shares to a non-ROFR buyer. This proposed revision would loosen this restriction by allowing crab processor quota share holders and ROFR-holding entities the opportunity to privately negotiate a subset of those assets as subject to ROFR. The action from this analysis could be incorporated into the Council's preferred alternative for additional revisions to ROFR provisions, as selected at its February 2013 meeting. The Council will consider the alternatives analyzed in this document, and any measure selected would become part of the proposed rule to be developed from the existing preferred alternative.

Karen Pamigeno 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. Merrill moved to adopt Alternative 2 as its final action. The motion was seconded, and he noted that the motion is consistent with what has been heard in public testimony and what the Council has done previously. It gives communities additional flexibility to exercise the ROFR. Mr. Fields noted that this action has had a thorough review, and follows the National Standards and provides sustained practices in fishing communities. It provides additional opportunities to engage in the Crab Rationalization program. Mr. Tweit noted that there was a lot of work done by the sectors and Council. **Mr. Tweit moved to amend by adding the Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). Additionally, 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. The amendment passed without objection, and the vote on the main motion as amended passed 11/0 by a roll call vote.**

C10 Aleutia PQS Allocation

BACKGROUND:
Under the Bering Sea/ Aleutian Islands (BSAI) crab rationalization program (crab program), a community that meets certain thresholds for historical processing received rights of first refusal on transfers of processing quota shares (PQS) based on processing that occurred in that community. This right of first refusal is a contractual agreement which gives the holder the right to acquire the PQS and all other assets included in a transaction from the holder of the PQS, by agreeing to perform all of the terms of the transaction that a third-party has offered. The right is triggered when a transaction is in motion that will take the PQS outside the community of the right of first refusal-holding entity.

Sarah Marrinan gave the staff report on this agenda item and answered questions from the Council. NOAA GC also fielded questions. There was no AP or SSC report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt moved that the Council adopt alternative 1: status quo. The motion was seconded. He spoke to the motion, noting that it is directed at the nature and appropriateness of Council action, rather than in response or judgment to the entities engaged in the dispute. He stated that he has continually disagreed with the Council having a role in this dispute which attempts to provide a material remedy to a party claimed to be harmed by the actions of others relative to this ROFR, and at the expense of other stakeholders. In this case, Council action could create a moral hazard that could undermine decision-making in the future. He believes this action is outside the purview of the Council and its responsibility under the Magnuson-Stevens Act.

He stated that while he doesn't believe the Council has a role in this dispute, it does have obligation to ensure that rules are effectively implemented. The Council has taken several actions in the crab rationalization program that are likely to strengthen the ROFR program while maintaining the Council's intent that ROFR is administered through contractual requirements and not regulatory recommendations. Mr. Henderschedt answered questions of clarification from the Council. He stated that rather than taking no action, his motion was a deliberate action to select the status quo as a preferred alternative.

Mr. Fields noted his opposition of the motion, stating that this is a small amount of quota and is substantial and significant to the community entity. Mr. Cross noted that he did believe that this issue was in the Council's purview, as he originally wanted the issue analyzed by staff. However, he is not convinced that the solution Alternative 2 presents is the right one. He is convinced by the fact that the PQS is staying in the region. Ms. Kimball noted that if it isn't the Council's place to decide this issue, it should have never been on the agenda. She does not think the remedy equals what the Council put forward as community protections. Mr. Long stated his opposition to the motion saying the Council needs to support their policy and he didn't think the analysis presented enough options.

The motion passed 9-2 in a roll call vote, with Fields and Long voting in opposition.

C11 AI Pcod Allocation and Delivery Requirement

BACKGROUND:
For several years, the Council has periodically requested information to help determine the need for community protections in the AI that have evolved due to the implementation of rationalization programs for various fisheries. This rationalization has resulted in excess processing capacity that has been used in the AI Pacific cod fishery. The specific rationalization programs are American Fisheries Act (AFA), Bering Sea and Aleutian Islands (BSAI) crab rationalization, and BSAI Amendment 80. These programs provide benefits to processing vessels and afford opportunities for consolidation, thus freeing some processing capacity to target the non-rationalized BSAI Pacific cod fishery.

At the October 2013 meeting, the Council, after reviewing a discussion paper on a catcher vessel apportionment of AI Pacific cod with a regionalized delivery requirement to AI shoreplants, postponed further action on this issue until February 2014. The Council recognized that any proposed action on the AI Pacific cod fishery would be extremely difficult given the uncertainty surrounding this fishery to include:

- *Establishing separate OFLs and ABCs for Pacific cod in the BS and AI for the 2014 fishing season*
- *Changes to the AI Pacific cod fishery from the Steller sea lion mitigation measures, and*
- *Alaska Board of Fish proposal that would increase the State water GHL Pacific cod fishery from 3 percent to 4.5 percent.*

Since that October meeting, all three of these issues have been clarified. The Council separated the OFLs and ABCs for Pacific cod in the BS and AI in December 2013. The Board of Fish proposal to increase the State water GHL Pacific cod fishery from 3 percent to 4.5 percent was moved from consideration. New Steller sea lion protection measures are scheduled to be implemented early next year.

Reflecting these changes to the AI Pacific cod fishery, the Council, at its February 2014 meeting, initiated an analysis that would prioritize a portion of the Al Pacific cod to catcher vessels and designate it be delivered to shoreplants in the AI, with some constraints on the amount and dates by which the prioritization and delivery requirement would be removed to prevent standing of AI Pacific cod. To accommodate the AI Pacific cod fishery for trawl CVs, the proposed action would also limit harvest of the A season trawl CV sector's BS Pacific cod allocation so as not to allow the sector to harvest its entire A season allocation in the BS prior to the end of the A season AI Pacific cod fishery.

Jon McCracken gave the staff report on this agenda item and answered questions from the Council. There was no AP or SSC report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Cross moved to table this agenda item indefinitely. The motion was seconded. Mr. Cross spoke to the motion noting that while he had never supported this issue, there is more information now to validate his decision. He specified that it is difficult to operate in Adak because of weather, cost, regulations, etc., and there needs to be a plan in place now to offer consistency. The Council should not

be placing more restrictions that will make it more difficult to prosecute the fishery. Should events change, he noted, the Council can re-visit the agenda item.

Mr. Henderschedt noted his support of the motion and noted that additional investment in an uncertain fishery is not something the Council should be encouraging. Mr. Fields does not support the motion, and would rather address the issue, and not table it. Mr. Balsiger noted he is not willing to take it off the agenda because the region could benefit from examination of the issues.

There was discussion at what an additional revision of the document would contain. Mr. Long noted that the Council has an interest in helping communities and fisheries do well. He noted if the Council tables the document, it may inhibit the community's ability to move forward.

There was lengthy discussion regarding the logistics of tabling, and the motion to table failed 4/7, with Tweit, Cross, Henderschedt and Hyder voting in favor.

Mr. Fields moved, which was seconded, to requests another review draft of AI Pcod Directed Fishery Allowance including the following 2 options: Options 1, *Option:* If less than 1000 tons of the AI Pacific cod directed fishing allowance has been landed by February 28th the restriction on delivery to other processors shall be suspended for the remainder of the year.
Option 2: if prior to Nov 1 of each year, neither Adak of Atka have notified NMFS to of the intent of a local processor to process codfish in the upcoming season, the AI shoreside delivery requirement for the year is suspended. The revised document will incorporate the SSC's comments.

Mr. Fields spoke to the motion, and noted that he is adding two additional options for analysis. The intent of this action is to provide stability to shoreplant operations in the AI, which in turn will provide stability to the communities where the shoreplants are located. Mr. Fields answered questions of clarification, and **Mr. Henderschedt moved to amend the motion by adding two date option on the new Option2, adding to November 1, January 20th**. He spoke to the motion noting that the analysis can outline possibilities should the timeline not be final by November 1. **The amendment passed without objection.**

Ms. Campbell moved to amend the motion by adding: the term "shoreplant" means a processing facility physically located on land. The amendment passed without objection.

Mr. Long noted that this action will be helpful to Adak and Atka. There was brief discussion on timeline, and the **motion passed 9/2, with Cross and Hyder voting in opposition.**

D1 Amendment 80 Five Year Review

BACKGROUND:
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 as required by section 303(A) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA), a 5-year review of the program is required to determine progress in meeting the goals of the Amendment 80 program and the MSA.

In April 2014, the Council reviewed a draft Amendment 80 Program 5-year review. After reviewing the draft report, the Council asked staff to included suggested changes and additions to the document and bring back for a final review. Since that review by the Council, Northern Economics, a contractor hired to complete the 5-year review, has updated the report to include the suggested changes and additions, which was completed on September 26, 2014.

Marcus Hartley gave the staff report on this agenda item and answered questions from the Council. There was no AP or SSC report, and public comment was taken.

COUNCIL DISCUSSION/ACTION

Mr. Henderschedt noted his appreciation for the updates and corrections, and including the Gulf of Alaska in the executive summary. He noted the Council can now move forward, and despite some tension, the reports indicate a successful program, as well as highlighting successes. Goals and objectives have been met by the participants, and other concerns brought up during public comment should be discussed during staff tasking. Overall, he stated, the Council should be proud of this program 5 years after its undertaking.

Mr. Cross noted that the review highlights successes with the sectors, and problems have been identified and the Council has already begun to review those issues. Mr. Tweit noted that Amendments 79 and 80 are the first issues he addressed when on the Council, and noted that he had clear expectations, which have been met. Where once the race for fish was the focus, the efforts are now on achieving many other goals: fishing safely, quality products, sustainable ecosystems, etc.

Chairman Hull agreed with the other Councilmember's comments regarding the Amendment 80 program, which are all highlighted in report, and he will look forward to further discussion under the staff tasking agenda item. Ms. Kimball also noted her agreement with other comments, stating the Amendment 80 program has allowed for continued innovations and renovations and highlights the need for pre-program data collection.

D2 CATCH Proposal

BACKGROUND:
This discussion paper addresses a proposal from representatives of the guided sport (charter) halibut sector to amend Federal fishery regulations that govern the Pacific halibut commercial Individual Fishing Quota (IFQ) fishery to allow a Recreational Quota Entity (RQE) as a holding entity of commercial halibut quota share (QS) on behalf of charter anglers in Area 2C and Area 3A. This would allow for a permanent increase in the charter sector allocation established under the Halibut Catch Sharing Plan (CSP).

Prior to initiating an regulatory amendment, staff recommends that the Council, or one of its committees, identify draft purpose and need (problem statement) for the proposed action, goals and objectives for taking action, and a timeline for analysis, review, public comment, and implementation.

Steve MacLean and Rachael Baker 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. Dersham made the following motion which was seconded:
Purpose and Need Statement
Alaska's guided halibut anglers have seen recent increases in regulatory restrictions due to declining halibut stocks and guided recreational allocations. There is currently no sector-wide mechanism to shift allocation between the commercial and guided recreational sectors. The current provision provided under the Catch Sharing Plan to temporarily transfer allocation known as GAF (Guided Angler Fish), may not be sufficient to ensure long-term planning and stability in regulations for all guided anglers. A market-based mechanism for the guided halibut recreational sector may be an effective means to supplement their annual allocations. Allowing an RQE (Recreational Quota Entity) to hold commercial halibut QS on behalf of guided recreational halibut anglers under a "willing seller and willing buyer" approach may result in less restrictive annual harvest measures for guided recreational anglers, while complying with total halibut removals under the guided halibut catch limits determined by the International Pacific Halibut Commission. The guided recreational halibut allocation under the Halibut Catch Sharing Plan would be combined with the halibut quota share held by the RQE to determine the annually adjusted total guided halibut allocation. The total allocation would be the basis for the determination of appropriate management measures for the guided halibut sector each year.

Alternative 1. No Action
Alternative 2. Establish a Recreational Quota Entity (RQE) as a qualified entity to purchase and hold commercial halibut QS for use by the guided halibut sector

<u>Element 1</u>. Number of entities
Option 1. Two entities, one for each IPHC Regulatory Area 2C and 3A
Option 2. One entity with two area quota pools, Area 2C and Area 3A

<u>Element 2</u>. Restrictions on transfers. Two-way transfers are allowed. Quota class and block designation is retained if the quota is transferred back to the commercial sector. (Options below are not mutually exclusive)
Option 1. No restrictions
Option 2. Annual limit on transfers to the RQE in each regulatory area (Area 2C and 3A)
Suboption 1. 30% – 50% of the average amount of commercial QS transferred in each area during the previous five years (*e.g., the Area 2C transfer limit is based on 30% – 50% of the average amount of commercial QS transferred in Area 2C in the previous five years*).
Suboption 2. 1% - 5% of commercial QS in each area based on a five-year average

Option 3. Total (cumulative) limit on amount held by RQE by regulatory area (Area 2C and 3A)
Suboption 1. 10% - 40% of commercial QS based on five-year average
Suboption 2. 10% - 40% of each class of QS based on five-year average
Suboption 3. Transfers to mirror current GAF limits by area: 10% (Area 2C) and 15% (Area 3A) of area QS holdings each year.

Option 4. Prohibit purchase of D class commercial quota share by the RQE.

<u>Element 3</u>. Setting of annual charter management measures. Use RQE quota share holdings as of October 1 each year as the basis to estimate IFQ pounds to add to the estimated guided recreational allocation under the catch sharing plan for the upcoming year. This amount must be maintained for the following fishing year. This estimated combined allocation would be used to recommend the guided recreational harvest measures for the following year. The procedural process steps and timeline would remain unchanged.

Alternative 3. Retirement of "latent" Charter Halibut Permits. Threshold for determining a latent CHP:

Option 1. The CHP has been fished less than 50 angler days in the previous 5 years.
Option 2. A CHP that has not been used by the CHP holder in the previous 3 years.

Mr. Dersham spoke to the motion, noting that he would like a working group to work in conjunction with the analysis, and will bring this up in staff tasking. He noted this is an issue that has been on the Council's agenda for 18 years, and has been divisive. Work that has been done led to the catch share plan, which is unique and innovative. The charter fleet has been working within the system, and is supportive of the proposal, and the proposal is a large step forward from where it has been for the past two decades. Mr. Dersham answered questions of clarification from the Council.

Mr. Fields noted that Alternative 3 is not part of catch proposal and could also detract attention from proposal. **He moved, with a second, to amend the motion to delete Alternate 3**. Mr. Fields spoke to the motion, stating the latent licenses are not related to a management plan. If there is a need to review the industry at a later date with the intent of specifically targeting latent licenses, it can be done independently from a discussion of a compensated re-allocation system.

Mr. Tweit noted that Alternative 3 is a way of addressing the problem statement without having to address the proposal. Mr. Henderschedt noted there is a direct relationship with Alternative 3 and others. Discussion continued, and **Mr. Fields, along with the concurrence of his second, withdrew the motion.**

Ms. Kimball noted she will be supporting the motion along with the inclusion of alternative 3 which works in conjunction with Alternative 2. She noted there may be some latent capacity in the sector, and it is an important step for managers to understand what is happening. The charter sector has come together with a thought-out proposal, and stated that it is a difficult situation with the limited amount of halibut. Mr. Hull noted that he appreciates the work of everyone involved, and that there are different steps going forward.

The motion passed without objection.

D3 Ecosystem Committee Report

BACKGROUND:
The Council's Ecosystem Committee met on September 16, 2014, to discuss the Bering Sea Fishery Ecosystem Plan (agenda item D4), the Ecosystem Vision Statement action plan, progress on the 2015 EFH 5-year review, and updates on other issues. Minutes are attached.

The Committee recommended the Council consider four actions that could give effect the Council's vision statement in the near term: continue with development of the FEP, revise the groundfish workplan, plan a Council discussion with the NPRB and AFSC, and re-engage with the Alaska Marine Ecosystem Forum. With respect to the EFH 5-year review, the Committee recommends that the timeline for the review be extended in order to accommodate incorporating new data sources into the fishing effects model. The Committee also recommended that the models that are being used to redefine EFH descriptions and non-fishing effects should be reviewed by the SSC and groundtruthed with field data before they are used in the review.

Diana Evans gave the staff report on this agenda item and answered questions from the Council. Mr. Tweit gave a brief inventory of what has been completed to date. There was no SSC or AP report and no public comment.

COUNCIL DISCUSSION /ACTION
Mr. Tweit moved to recommend that the Ecosystem Committee and Council staff take the first steps in revising the groundfish workplan: 1) inventory what is completed, and 2) compile suggested items for addition. The motion was seconded.

Mr. Tweit spoke to the motion, noting that there are no recommendations relative to timing, but hoped that action can be done expeditiously, as the workplan has not been updated since 2007. He noted the workplan can be a useful unseen but critical prioritization tool. **The motion passed without objection.**

Mr. Tweit recommended scheduling a discussion with NPRB and AFSC to outline the Ecosystem Vision Statement, and to describe interest in stable funding of long term research/monitoring projects. Mr. Tweit stated this would allow the Council to update them on long-term ecosystem management approaches the Council is already taking. A formal approach would be useful, maybe a discussion with just the Chairmen, or Executive directors. There was brief discussion and general agreement, noting that these discussions may be useful when developing the FEP.

Mr. Tweit also noted that re-engaging the Alaska Marine Ecosystem Forum to discuss some of the issues outside of fishing activity may be warranted. The Council's fishery and management interests should be considered by these other agencies, as well as a sharing of knowledge of what is happening around the North Pacific that doesn't directly involve fisheries.

Mr. Tweit also moved to recommended the timeline for the EFH 5 year review be extended to allow time for the SSC to review the revised species model and to incorporate new data sources into the fishing effects model. The motion was seconded. Mr. Tweit noted he supports peer review of models that are being used for EFH. **There was brief discussion, and the motion passed without objection.**

Mr. Tweit noted that there should be a portion of the next meeting to review the Bering Sea Corals selection of alternatives during a short ecosystem meeting.

D4 BSAI FEP

BACKGROUND:
In February 2014, the Council reviewed a discussion paper on the development of a Bering Sea Fishery Ecosystem Plan (FEP), and decided to seek public input on what the objectives might be for a Bering Sea FEP, and how the plan could be structured to be of benefit to fishery management decision making. At this meeting, the Council will consider whether to prioritize time and resources to develop an FEP for the Bering Sea. Public comment hearings were held during the Council agenda item in Nome, at a hearing in Seattle on September 15th, and at an evening session during the Anchorage Council meeting (October 9th).
The Council requested the following input from stakeholders:

- *What should be the objectives of the Bering Sea FEP? What questions should the FEP answer?*
- *What kind of actions should be considered in the FEP? Should the FEP provide specific or general guidance for fishery management? (for example, strategies to respond to climate change, preserve subsistence fishing and hunting resources, maintain healthy populations of top level predators, etc.)*
- *Would the FEP provide added value over existing Council documents, and if so, how? (for example, annual SAFE reports, essential fish habitat descriptions, etc.)*

A synthesis of public comments from each venue is included with the materials for this agenda item. Additionally, the Council's Ecosystem Committee met on September 16th, 2014 to provide recommendations on the BS FEP (see minutes under agenda D3). The Committee noted the public comment themes have been similar at both of the hearings held before the Committee's meeting, including broad support for continuing with development of a BS FEP. The Committee suggests that the FEP can be a tool that provides comprehensive integrated information to assist the Council in decision making, to help them to realize the Ecosystem Vision Statement, and to avoid catastrophes and conflicts. The Committee recommended specific primary and secondary objectives for the BS FEP in their minutes. If the Council decides to continue development of the FEP, the Committee will explore further how the Council's FEP would interact with AFSC ecosystem modeling efforts, and what the appropriate format for the FEP should be, to be most useful.

Diana Evans gave the staff report on this agenda item, and answered questions from the Council. The AP gave its report, the SSC had given its report earlier, and public comment was taken.

COUNCIL DISUCSSION/ACTION

Mr. Tweit moved, which was seconded, that the Ecosystem Committee continue development of the Bering Sea FEP and summarize stakeholder input from the recent scoping sessions. The Committee should develop a draft set of goals and objectives for the FEP for Council consideration, basing them on the primary and secondary objectives provided by the Committee in their September minutes and informed by the results of the scoping sessions. The Committee should also summarize current Council efforts to maintain a healthy BS ecosystem, and propose an approach and format for an FEP. The Council suggests that the approach and format should:

- **Build on existing Council plans and policies**

- **Be action-informing rather than action-forcing**
- **Inform, don't overwhelm**

The Council suggests that the Committee should focus on the following areas for initial development of the draft FEP:

- **Review existing management objectives from Council FMPs to determine which ones might be appropriate for the FEP.**
- **Work with the AFSC to assess current and expected ecosystem modeling capabilities to determine how they could be utilized through an FEP, and how the FEP might help guide analyses through ecosystem models.**

Mr. Tweit spoke to the motion, noting that it has been crafted based on the comments of the the Ecosystem Committee and stakeholders, and is responsive to the AP and SSC. He noted that this is not a final determination that the Council will be doing a full FEP, but rather asking the Ecosystem Committee to flesh this out more, and looking for affirmation from the Council that this is a reasonable starting point. The Committee will continue to think through how encompassing and encyclopedic the FEP should be, and will proceed based on the concept that this will be action informing, that is, resulting in action, but through the Council's other venues and tools. Initial areas to focus on will be to catalog what the Council is currently using for ecosystem-based fishery management, and to consult with AFSC on tools, capabilities, and use.

Council members were concerned about the time and resources that the FEP could involve, and there was discussion regarding the timeline. It was noted the Council would discuss prioritizing under staff tasking. Mr. Long noted his concern that the Council seems to be starting over, and that too many broad terms, and lack of clarity may slow down the process. He stated that he hopes that through this exercise, the Committee can be specific and clear in what an FEP is and can accomplish.

Mr. Henderschedt noted he will be supporting the motion in both approach and format and is in full agreement with the Committee. An FEP would not be action-forcing but informing and there may be different forms of how to do that. The Ecosystem Committee could outline what an FEP would look like and what its function would be for the Council, with particular emphasis on how to develop processes and tools that will be useful to the Council, rather than an FEP document. Ms. Kimball affirmed that the motion signals a continuing interest in investigating the FEP, but not a final decision on committing resources to its development. Mr. Kinneen noted his support for the motion, and recognizes constraints on staff time. **The motion passed unanimously without objection.**

E Staff Tasking

Mr. Oliver read through the list of items that the Council had requested to be discussed during staff tasking. Public comment was heard.

COUNCIL DISCUSSION/ACTION

Mr. Fields made a motion to approve the minutes from the June 2014 Council meeting. The motion passed without objection.

Council Committees

Mr. Hull noted his intention to turn over committee chairmanships to council members. Mr. Tweit will chair the OAC and the EM Workgroup, and he has been attending the meetings for some time. Mr. Fields will chair the IFQ committee. Mr. Hull noted there may be some interest in participating with the Outreach Committee, but he will not be making any appointments at this time. He stated he is still the Chairman of the Sablefish Committee, but it has been inactive for some time. Mr. Hull will be attending NPRB meetings.

Mr. Henderschedt recommended archiving the Non-Target Committee, and also the Economic Data Collection Committee. There was general discussion, and it was agreed that the Golden King Crab Workgroup, the Halibut Charter Stakeholder Committee, and the Steller Sea Lion Mitigation Committee can also be archived, and re-constituted if necessary. It was noted that work in a committee can provide in-depth review and results, and if a Council is working on an issue that would benefit from that sort of review, the Council can call for new members and re-activate a committee.

Short Tailed Albatross

Doug Mcbride gave an update, noting that both USF&W and NMFS are on board with trying to re-initiate consultation with the Short-tailed albatross. He noted that scheduling and timing is an issue and is speculating that the process will begin in August-October. Mr. Merrill noted that NMFS will make sure the consultation process occurs and that it does not impede fisheries. The Council's involvement is to just stay informed, and he re-iterated that they are taking a pro-active approach.

SSL Critical Habitat

Mr. Tweit recommended the Council write a letter to the NMFS regarding the critical habitat process, noting thanks for holding public sessions and clarifying what the NPFMC's role should be. He noted it should be more of a public process, and items for review would benefit from a longer review timeline for stakeholders to draft comments. He noted there may be potential initiation of the NEPA process noting possible changes to regulations, and Dr. Balsiger stated that NMFS would consider these actions and determine how to proceed from an Agency view.

Letter to Sen. Begich on Priorities

There was discussion regarding Senator Begich's visit, and his request of a listing of what the Council's priorities are. Mr. Balsiger noted that the letter should have the words, "As you requested from us," so as to be explicit that the Council is responding to a request. It was agreed the letter can not only outline Council priorities, but also identify what money is available, for stock assessments and the EM and Observer programs. There was discussion regarding the Observer program, and funding for observers through a differential agency funding.

Policy on Commenting on legislation

Mr. Oliver clarified the Council policy on commenting on legislation, noting that having comments "on the record" should be adequate and makes responses clear to the public.

IPHC and Halibut Mortality Accounting

There was discussion of a potential joint meeting with IPHC. Mr. Henderschedt outlined a brief list of tentative topics the meeting could cover, and a general timeline as to how the for the outcomes and

decisions could affect items on the Council's agenda. Discussion continued regarding the ability for the SSC to review IPHC issues – specifically the halibut mortality accounting – and how the SSC can comment and use the new information in Council analysis and decision making. Mr. Fields stated that half a day may be too short and wouldn't want to be constrained by a timeframe.

Dr. Balsiger noted that it is important to the IPHC that this meeting takes place before the Council takes action on halibut bycatch. Discussion continued regarding a potential joint meeting with the IPHC and Council during the February Council meeting in Seattle. It was generally agreed to be beneficial to collaborate on halibut management and what process was needed to go forward. The Chairman and ED will be communicating with IPHC after the Council meeting to coordinate details.

Observer Program

There was discussion regarding the Annual Deployment Plan and timing of how changes will be implemented and publicized. There was discussion regarding a need for a tutorial of timing and how decisions can affect deployment. It was agreed that is not clear what parts of the ADP can be changed in June, and what can be adjusted in October. Mr. Fields requested a re-report in April, but Mr. Henderschedt responded that the process the Council currently has in place is reflective of the Council's schedule, and NMFS staff's time.

Mr. Hull noted that the existing process gives us time to understand how the ADP would be shaped, and what extent we can make changes in October, and noted that it would not be helpful to do in April before we have the annual plan results. Mr. Merrill agreed. Mr. Fields restated his concern about the cost of the program, and noted that if June is the time to make changes, he will do it then.

EM Workgroup tasking/EM Workshop for SSC

Mr. Tweit reiterated the importance of holding an EM workshop for the SSC in February, as the timeline is important so the rest of the pieces can be on track to conduct fieldwork tests, and to shoot for an operational plan by 2016. Ms. Evans outlined the current schedule for EM, and there was agreement from the Council. Ms. Kimball attended the last workgroup meeting and encouraged Council members to attend or listen in, to get a sense for the amount of work that is being undertaken

LL2 and Observer Training

Mr. Fields noted there is a shortage of LL2 observers. He recommended moving up the observer LL2 workgroup discussion paper so it is a higher priority, possibly being on the agenda in February. There was lengthy discussion regarding a previous motion the Council made on this issue and prioritizing agenda items. Mr. Balsiger noted that there are many things in the priority list, and if the Council chooses to move one item up, other items must move down. It was generally agreed that the LL2 workgroup should have a first chance at developing non-regulatory solutions. The Council may choose to reprioritize at a later meeting.

Mr. Merrill noted that progress by the LL2 workgroup would be reported to theCouncil, and the Council can evaluate the recommendations when they are presented. Mr. Henderschedt noted the LL2 meeting should be convened when stakeholders are not fishing. The Council acknowledged that they cannot prioritize things on the list without discussing all items on the list.

Mr. Fields wanted future OAC meetings to have an agenda item on observer qualifications and alternative- training opportunities, for example, tracking what they do in Hawaii for their observer

program. Mr. Tweit noted that a national survey of other groups is informational, but that care has to be taken to not overload the EM workgroup or OAC.

Arctic Issues

Mr. Oliver outlined the NPRBs request to present to the Council in December, and Mr. Tweit noted there are a lot of agencies with work being done in the Arctic and the Council should be aware of these and should advocate a coordinated presentation. It was generally agreed that a short February introduction would be possible with a larger, expanded, discussion or possibly workshop in April. Mr. Tweit also suggested drafting a letter the Alaska Arctic Policy Commission describing the role and interest in Arctic Issues: specifically the Arctic FMP, CDQ programs, managing through adaptive management, the ecosystem FEP and approach, and request their annual report when it is available.

GOA Social Survey: input to AFSC

Mr. Henderschedt noted that the science center is tailoring their work to inform Council decision making. Dr. Balsiger noted that communication is important and AFSC is looking forward to ways in which the work could be better informed. Ms. Kimball noted that it may be beneficial for the Council to interact more directly with the science center.

Mesh size

Mr. Henderschedt noted that there have been many surprises with this issue: who, why, and how skates are being taken. There is a strong response to what the Council has learned in public comment under this agenda item. He stated that the Council is very busy, and that trawl mesh restrictions may or may not be the best way of managing fisheries. He will not be advocating a decision, or pursuing this issue further.

Research priorities

Mr. Tweit noted that the research priorities working group met over the summer, and discussed a conceptual scheme with 4 categories with examples of the kinds of things that fit into each category. Ms. Stram noted that they will be revising the priorities and providing to the SSC the plan team's recommendations. Mr. Merrill noted that this will be the first try at what the categories are and examples in each category. The Council should reserve space on the agenda in December for discussion of the workgroup's recommendations on the research priorities. Ms. Stram noted the issue can be taken as part of the groundfish plan team's report in December, and there may be a possibility of all plan teams to comment on research priorities for the Council's review in April.

Amendment 80 5 year review

Mr. Cross moved the following, which was seconded:

To address the concerns expressed at this meeting related to incidental catch of pollock in the Amendment 80 sector, rocksole, and FHS in the (fishery) I have a data request that I would like staff to work on and bring back in time to consider during the December TAC setting agenda item. Staff should consider the following suggestions, which are not intended to limit staff's effort but more to guide them.

- **Catch data on a haul by haul basis**
- **Information about discards and retained catch**
- **Information on other factors may be relevant to changes in pollock bycatch**

Mr. Cross spoke to the motion, stating that in public testimony that sectors are interested in this type of data. He noted it could help eliminate finger-pointing. Mr. Henderschedt noted that the timing and use will be leading up to specification process in December, and the Council might consider where these harvests are occurring. This data request could provide information to the Council and industry to identify where the TAC schedule may be adjusted. Ms. Kimball supported the motion, and stated that it is a big request, but the information that can be provided will be beneficial.
The motion passed without objection.

CATCH Workgroup
Mr. Dersham noted that when the time is appropriate a workgroup can convene after members are appointed. It was generally agreed that the Council will solicit names for group in the newsletter, and would have about 6 members from the charter sector. The ED and Chairman can work with the group and with timing so the workgroup can answer questions that exist during development of the analysis.

Bering Sea FEP
Mr. Tweit suggested that the Ecosystem Committee would try and meet prior to February, to spend time with the AFSC reviewing tools and coming to a consensus on goals and objectives, and again to continue developing an FEP product for presentation in April 2015. He noted this would be a significant workload, and Mr. Henderschedt noted April can be flexible. Mr. Tweit stated that if something comes up, the Committee can request an extension but April is probably appropriate. The minutes will inform the Council about progress.

Sablefish Vessel Caps
Mr. Fields noted that he is following up on a letter to request inclusion of vessel caps in the halibut bycatch analysis. There was discussion regarding the letter which hadn't been submitted, and it was generally agreed that the Council staff can include information in the analysis.

Crab Rationalization Framework Agreement
Mr. Tweit noted that the discussion regarding a framework agreement was brought up during public testimony from the BSAI crab fleet, and it was generally agreed that the Council will put it on the next agenda.

Mr. Henderschedt want to reiterate that the Council does not intend to take testimony or debate on GOA trawl bycatch, and that it is intended as a B report issue, as an update on the process of the issue.

Mr. Hull thanked everyone for their participation, and the meeting adjourned at 11:37 am on October 14, 2014.

Time Log
North Pacific Fishery Management Council
Meeting held in Anchorage, Alaska
October 8-14, 2014

Meeting 10-08-14

Call to Order	08:00	[0:00:01]
Swearing in of Officers	07:59	[0:00:01]
Election of Officers	08:03	[0:03:03]
B1 ED Report	08:09	[0:09:50]
Chris Oliver	08:09	[0:09:54]
B5 Lt Cdr Corrie Sergent	08:31	[0:31:57]
B4 USCG Report	08:33	[0:33:05]
B2 NMFS Report	08:44	[0:44:28]
Glenn Merrill	08:44	[0:44:42]
Jeanne Hansen	08:45	[0:45:21]
Mary Furuness In-Season Report	08:52	[0:52:19]
Glenn Merrill	09:18	[1:18:51]
Danielle Rioux	10:25	[2:25:51]
Chris Rooper	10:41	[2:41:16]
B3 ADFG Report, Karla Bush	11:10	[3:10:05]
B5 USFW Doug McBride	11:37	[3:37:26]
B6 Protected Species Report	11:40	[3:40:13]
Steve MacLean	11:40	[3:40:30]
B6 Continued	11:56	[3:56:49]
Steve MacLean, Jon Kurland	11:57	[3:57:58]
B7 NIOSH Report	12:17	[4:17:18]
Jennifer Lincoln	12:17	[4:17:28]
Public Comment - all B Items	12:35	[4:35:47]
Paul Olson	12:35	[4:35:52]
John Gauvin and Jason Anderson	12:43	[4:43:21]
Sky Starky, Elisabeth Hersley	12:58	[4:58:58]
Bob Alverson	12:59	[4:59:09]
Kenny Down	01:04	[5:04:30]
Greg Elwood	01:25	[5:25:21]
Gerry Merrigan	01:25	[5:25:24]
George Hutchings	01:25	[5:25:27]
Rhonda Hubbard	01:25	[5:25:33]
C1 Observer Program	02:22	[6:22:53]
Diana Evans	02:23	[6:23:08]
Craig Faunts and Martin Loefflad	02:27	[6:27:30]
Diana Evans, OAC report	03:20	[7:20:52]
Public Comment - Myron Bsargent	03:31	[7:31:25]
Adjourn for the day	04:59	[7:38:29]

Meeting 10-09-14

Call to Order	08:03	[0:00:27]
Jennifer Mondragon.	08:05	[0:02:43]
C1 Observer ADP	08:05	[0:02:50]
Martin Loefflad	08:21	[0:17:59]
C1 SSC Minutes Pat Livingston	08:31	[0:28:17]
AP Report Lori Swanson	08:41	[0:38:25]
Public Comment	08:50	[0:47:12]
Bob Alverson	08:50	[0:47:15]
Kenny Down	08:58	[0:55:56]
Gerry Merrigan	09:17	[1:14:37]
Scott Hansen, Rob Wurm	09:23	[1:20:17]
Stacey Hansen, Troy Quinlan	09:28	[1:25:37]
Rhonda Hubbard	09:44	[1:41:35]
Jon Warrenchuk	09:52	[1:49:15]
Henry Mitchell	09:56	[1:53:57]
Andrew Richards	10:01	[1:58:38]
David Polushkin	10:21	[2:18:49]
Linda Behnken and Dan Falvey	10:32	[2:29:22]
Jeff Farvour	10:49	[2:46:21]
Action on C1	11:10	[3:07:10]
Tweit motion	11:10	[3:07:15]
C2 EMWG Report - Diana Evans	01:47	[5:44:24]
Lori Swanson AP Report C2	02:18	[6:15:05]
Public comment	02:21	[6:18:39]
Dan Falvey, Linda Behnken	02:21	[6:18:45]
C3 BSAI Crab Management	02:52	[6:49:31]
Diana Stram, Bob Foy	02:52	[6:49:37]
SSC Minutes	03:54	[7:51:56]
Pat Livingston	03:55	[7:51:59]
C3 Groundfish Specs	04:17	[8:14:16]
Begich addresses the Council	04:42	[8:39:09]
Adjourn for day	05:14	[9:11:31]

Meeting 10-10-14

Call to Order	08:04	[0:00:01]
C4 Diana Stram	08:05	[0:00:54]
Bob Clark, SSC Report	08:18	[0:14:09]
Bob Clark	08:51	[0:47:20]
C5 MRA Skate	09:25	[1:20:55]
Steve MacLean	09:25	[1:21:05]
Lori Swanson, AP report	09:50	[1:45:49]
Public Testimony	09:53	[1:49:15]
Gerry Merrigan	09:53	[1:49:22]
George Hutchings	10:00	[1:55:28]
Bob Krueger	10:03	[1:59:04]
Julie Bonney	10:16	[2:12:05]
Action on C5	10:45	[2:40:56]
C6 MRA Enforcement Change	10:59	[2:55:04]
Jon McCracken	10:59	[2:55:19]
Lori Swanson	11:34	[3:29:38]
AP report	11:34	[3:29:45]
Public Comment	11:38	[3:34:22]
Brian Lynch	11:38	[3:34:25]
Bob Krueger	11:48	[3:44:18]
Todd Loomis	11:51	[3:46:51]
Stephanie Madsen	11:56	[3:52:02]
Chris Woodly and Jason Anderson	12:06	[4:02:08]
Gerry Merrigan	12:07	[4:03:21]
C7 GOA Trawl Bycatch Management	12:22	[4:17:47]
Darrell Brannan, Sam Cunningham	12:22	[4:17:59]
Adjourn for the day	05:09	[6:46:22]

Meeting 10-11-14

Call to Order	08:03	[0:00:45]
C7 GOA Trawl Bycatch	08:04	[0:01:34]
Sam Cunningham, Darrell Brannan	08:04	[0:01:41]
Jeff Guyon, Charles Guthrie	10:49	[2:46:56]
Genetic Stock Composition Analysis	10:50	[2:47:05]
Bill Templin, Andrew Munro	10:50	[2:47:18]
Steve Kasperski, Social Survey	11:28	[3:25:04]
Lori Swanson, AP report on C7	12:15	[4:12:05]
Public Comment (out of order)	12:57	[4:54:28]
C9 ROFR - Leslie Longenbrach	12:57	[4:54:46]
Public comment on C7	01:06	[5:02:58]
George Hutchings, Kodiak Trawl Captains	01:06	[5:03:04]
Alexus Kwachka	01:17	[5:14:08]
Bill Connor	01:20	[5:17:53]
Mark Fina, US Seafoods	01:24	[5:21:27]
Pat Branson, Chris Lynch, Heather McCarty	01:36	[5:33:05]
Theresa Peterson	01:49	[5:46:12]
Beth Stewart	02:17	[6:14:31]
Ernie Weiss	02:24	[6:21:11]
Jody Cook	02:28	[6:25:57]
Paul Olson	02:33	[6:30:37]
Rob Sanderson	02:36	[6:33:47]
Susan robinson	02:42	[6:39:11]
Todd Hoppe	02:46	[6:43:41]
Bert Ashley	02:50	[6:47:26]
Joe Sullivan	02:59	[6:56:07]
Brent Paine	03:10	[7:07:56]
Paul Grondholdt	03:17	[7:14:35]
Terry Haines	03:18	[7:15:08]
Dave Kubiak	03:29	[7:26:05]
Don ashley	03:30	[7:27:22]
Bob Krueger	03:37	[7:34:31]
Kiely Thompson	03:49	[7:46:25]
Heather Mann	03:53	[7:50:44]
Becca Robbins Gisclair	04:06	[8:03:06]
Emil Christiansen	04:15	[8:12:18]
Paddy Odonnell	04:18	[8:15:30]
Chuck McCallum	04:25	[8:22:18]
Julie Bonney	04:25	[8:22:21]
Ben Lay	04:37	[8:34:12]
Adjourn for the day	05:53	[8:40:30]

Meeting 10-12-14

Call to Order	09:07	[0:00:00]
Action on C7	09:24	[0:16:52]
C8 CDQ	11:28	[2:20:02]
Discussion regarding recusal	11:32	[2:24:05]
Sarah Marrinan, Sally Bibb	11:34	[2:26:46]
Roy Hyder, Enforcement Committee Report	11:56	[2:48:36]
AP report Ernie WEiss	12:01	[2:53:03]
No SSC report	12:02	[2:54:45]
Public comment	12:03	[2:55:29]
Aggie Fautz, Anne Vanderhoeven, Angel Drobnicka, Jeff Kauffmann,	12:03	[2:55:35]
Mateo Paz Soldon, Simeon Swetzoff	12:07	[2:59:56]
C9 Crab ROFR Contract Terms	12:14	[3:06:58]
Karen Pamigeno	12:15	[3:07:12]
AP Report	12:23	[3:15:03]
Public Comment,	12:23	[3:15:55]
Heather McCarty, Mateo Paz Soldon, Frank Kelty	12:23	[3:15:59]
C11 Jon McCracken	12:32	[3:25:00]
Public Testimony	01:42	[4:34:21]
Dave Fraser	01:42	[4:34:51]
Clem Tillion	01:51	[4:43:46]
Gerry Merrigan	01:56	[4:48:24]
Angel Drobnika	02:01	[4:53:08]
Brent Paine	02:06	[4:58:46]
Stephanie Madsen	02:16	[5:08:11]
Todd Loomis	02:18	[5:10:51]
Matt Upton	02:20	[5:12:44]
Lori Swanson	02:21	[5:14:00]
Action on C11	02:32	[5:24:03]
Adjourn for the day	04:56	[6:10:34]

Meeting 10-13-14

Call to Order	08:04	[0:00:11]
D1 Am 80 Five-Year Review	08:04	[0:00:16]
Marcus Hartley	08:05	[0:00:34]
Public comment	09:05	[1:01:07]
Brent Paine	09:05	[1:01:13]
Chris Woodley, Lori Swanson	09:17	[1:12:43]
Kenny Down, Dave Little	09:24	[1:20:30]
Stephanie Madsen	09:38	[1:34:09]
Todd Loomis	09:49	[1:44:55]
Gerry Merrigan	10:09	[2:04:40]
James Mize	10:29	[2:24:41]
Matt Upton	10:32	[2:28:23]
D2 Steve MacLean	10:43	[2:38:38]
Rachael Baker	10:57	[2:53:01]
AP report. Ernie Weiss	11:04	[2:59:54]
Heath Hilyard	11:06	[3:02:30]
Russell Thomas	11:14	[3:09:49]
Judy Brakel	11:20	[3:15:41]
Tom Gemmell	11:31	[3:26:41]
Richard Yamada	11:37	[3:33:01]
Public testimony out of order	12:10	[4:05:43]
George Hutchings	12:11	[4:06:36]
D3 Ecosystem Committee Report	12:19	[4:14:59]
Diana Evans	12:19	[4:15:08]
D4 BSAI FEP	12:58	[4:54:19]
Diana Evans	12:58	[4:54:29]
AP Report	01:37	[5:32:53]
Ernie Weiss	01:37	[5:32:57]
Public Comment Steve Marks	01:39	[5:34:48]
Becca Robbins Gisclair	01:50	[5:45:37]
Merrik Burden	01:56	[5:52:05]
C10 Aleuta PQS	02:43	[6:39:12]
Public Comment	02:58	[6:54:24]
Karen Montoya Paul Gronholdt	02:58	[6:54:30]
Mike Grisham	03:04	[6:59:48]
Shane LeVesque	03:08	[7:03:43]
Ernie Weiss	03:13	[7:08:52]
John Iani	03:16	[7:12:03]
Angel Drobnika	03:23	[7:18:34]
Vote on C10	03:45	[7:41:01]
Review list of staff tasking issues	03:45	[7:41:06]
Adjourn for the day	05:02	[7:47:26]

Meeting 10-14-14

Call to Order	08:07	[0:00:00]
E Staff Tasking	08:07	[0:00:01]
Public Comment	08:28	[0:21:37]
Ernie Weiss	08:28	[0:21:42]
Mateo Paz-Soldon and Frank Kelty	08:30	[0:23:19]
Stephanie Madsen	08:35	[0:28:15]
Chris Woodley, Lori Swanson	08:37	[0:30:44]
Julie Bonney	08:43	[0:36:09]
Paul Olson	08:47	[0:40:18]
Linda Kozak	08:49	[0:42:10]
Action on Staff Tasking	08:54	[0:47:36]
Adjourn October 2014 meeting	11:38	[3:02:23]

North Pacific Fishery Management Council

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FINAL
ADVISORY PANEL MINUTES
October 7-10, 2014
Anchorage, Alaska

The following members were present for all or part of the meetings (absent ~~stricken~~):

Ruth Christiansen	Heath Hilyard	Paddy O'Donnell
Kurt Cochran	Jeff Kauffman	Joel Peterson
John Crowley	Mitch Kilborn	Theresa Peterson
Jerry Downing	Alexus Kwachka	Lori Swanson
Jeff Farvour	Craig Lowenberg	Anne Vanderhoeven
Becca Robbins Gisclair	Brian Lynch	Ernie Weiss
John Gruver	Chuck McCallum	Sinclair Wilt

Minutes from the June 2014 meeting were approved.

C1 Observer Annual Deployment Plan

Observer ADP

The AP recommends the Council approve the Annual Deployment Plan for 2015 with the following recommendations of the OAC and in the Executive Summary of the ADP:

- Using trip selection strata to assign vessels in 2015.
- Using two selection strata for 2015: small vessel trip selection and large vessel trip selection.
- Using 12% selection probability for the small vessel trip selection stratum and 24% selection probability for the large vessel stratum.
- Allowing conditional releases in 2015 ~~only~~ for vessels in the small vessel trip selection stratum that do not have sufficient life raft capacity to accommodate an observer.
- Vessels selected by NMFS to participate in EM Cooperative Research will be in the no selection pool while participating in such research.
- Trawl vessels that fish for Pacific cod in the BSAI will be given the opportunity to opt-in to full observer coverage and carry an observer at all times while fishing in the BSAI using the same approach as 2014.
- The Annual Report will include information to evaluate a sunset provision, including information on the potential for bias that could be introduced through life raft conditional release, the costs to an individual operator of upgrading to a larger life raft, and the enforcement disincentives from downgrading one's life raft.

Amendment:

The AP recognizes the need to continue bunk space releases for some vessels and recommends that NMFS refine criteria for those releases. This motion removes the word 'only' from the fourth bullet.
The amendment to the above motion passed 15-5 with 1 abstention

The motion as amended passed 20-0 with 1 abstention.

Rationale:

- Switching to trip selection should improve data quality as it's likely that the number of vessels carrying observers should increase.
- ADP does not assess impacts of eliminating releases on small fishing operations, families and coastal communities.
- Public testimony clearly established that impacts to crew, jobs, community and safety are real.

LL2 Observers

The AP recommends the Council move the fixed gear (FG) LL2 observer discussion paper higher on the priority list with the intent to bring that paper back sooner.

Additionally, to address the immediate problem of freezer longliners being stuck at the dock for lack of available FG LL2 observers, the AP recommends the Council direct NMFS, the BSAI freezer longline fleet and observer providers meet collectively and come back to the Council at an upcoming meeting with short-term solutions. Potential discussion points could include substituting trawl LL2 observers, suspending the FG LL2 requirement for a period of 6 months to replenish the pool, coordinating with the contractor for the restructured program to steer observers who are close to having the experience requirements in to FG assignments, etc.

Motion passed 20-0 with 1 abstention.

Rationale:

- Several freezer longliners were left waiting at the dock to receive LL2 observers this year.
- Because different observer contractors cover the fully observed sector and the restructured program vessels, observers gaining experience in partial coverage are not easily available to vessels in the full coverage sectors.
- We believe if all parties work together, short-term solutions may be developed.

The AP continues to be concerned about the observer effect when vessel operators have the option to deliver to a tender, and recommends the Council explore remedies for this situation.

Motion passed 19-1 with 1 abstention.

Rationale:

- Vessels that make continuous deliveries to a mothership are exempt from taking an observer.
- According to the 2013 Annual Observer Report, 156 vessels made deliveries to tenders, some of which made numerous landings, and only 13 of these trips were observed for the entire Pacific cod and pollock fisheries in the GOA.
- This issue also arises with fixed gear vessels delivering to tenders and will continue to be a concern after the GOA Bycatch Management program is implemented.

C2 EM Workgroup Report

The AP appreciates the work of the EMWG to articulate operational "strawman" EM approaches and the related decision points. The AP recommends the Council ask the EMWG to continue to refine these approaches to inform 2015 field work and study design, and to continue to assign a high priority to implementing an EM alternative for the small boat fixed gear fleet.

The AP notes the need to include "vessel compatibility" in the purpose and need statement and when evaluating alternatives.

The AP supports the goal of EM implementation in 2016, and recommends expanding 2015 field work to support this goal. *Motion passed 19-0.*

Rationale:

- EM is particularly important for improving data quality from small vessels.
- EM will relieve the problems associated with observing vessels that have difficulty carrying a human observer.
- EM will be an important option for many vessels across all sectors.
- Some of the options discussed by the EMWG (e.g., discard chutes) may not be compatible with small vessels.

C3 BSAI Crab SAFE

The AP received a report and no action was taken.

C4 Groundfish Specifications

The AP recommends the Council adopt the proposed Gulf of Alaska groundfish specifications for OFLs and ABCs as recommended by the SSC for 2015 and 2016 and set TACs as shown in Item 5 in the action memo, with proposed TACs from 2015 rolled over for 2015 and 2016. Proposed federal TACs for 2015 and 2016 for Pacific cod have been revised to account for the State cod fisheries. *Motion passed 21-0.*

The AP recommends that the Council set the 2015 and 2016 annual and seasonal Pacific halibut PSC limits and apportionments in the Gulf of Alaska as provided in Tables 9, 10, 11, 12, 13 and 14 for Item 7 in the action memo. *Motion passed 21-0.*

The AP recommends the Council adopt the proposed Bering Sea/Aleutian Islands groundfish specifications for OFLs and ABCs as recommended by the SSC for 2015 and 2016 and set TACs as shown in Item 2, with proposed TACs from 2015 rolled over for 2015 and 2016. *Motion passed 20-0.*

The AP recommends the Council adopt BSAI PSC specifications as shown in Tables 8, 9, 10 and 11. The AP further recommends that the Council adopt Table 9 in Item 3 for ABC reserves for flathead sole, yellowfin sole, and rock sole. *Motion passed 21-0.*

C5 GOA Skate MRA

The AP recommends the Council pick a 7% skate MRA for a PPA. The AP also recommends the Council ask staff to explore DMRs for skates. *Motion carried 21-0.*

Rationale:

- This percentage was recommended by the analysis to achieve the necessary reduction in skate catch.
- Skates are a valuable incidental species for both trawl and longline fishermen.
- Lower MRA numbers would result in unnecessary discards.
- Discard mortality rates are a concern for skates, and across all other species.

C6 MRA Enforcement

The AP recommends the Council move the Change to MRA Enforcement Period Discussion Paper forward for full regulatory review. In addition, the AP also recommends the Council consider the following comments if it chooses to develop a Problem Statement:

- Current regulations (with one exception) governing the maximum retainable allowance (MRA) enforcement period prohibit the retention of species closed to directed fishing in an amount exceeding the MRA percentage of the basis species at any point in time during a fishing trip.
- Non-target species with an MRA, in excess of the MRA need to be immediately discarded or the vessel is in violation, regardless of the condition of the discarded fish.
- The current regulations regarding MRA enforcement at any point during a fishing trip tend to increase regulatory discards, promote "topping off", and are difficult to enforce at-sea.
- The one exception in regulation is the enforcement period of the MRA for BSAI Pollock for non-AFA vessels, which is on an offload to offload basis.
- The proposed action is to reduce regulatory discards by calculating retention of MRA species at the time of offload while at the same time not increasing the catch of MRA species above the existing MRA.

Motion passed 21-0.

Rationale:

The proposed action will likely:

1. Reduce regulatory discards and incentives for "topping off" which, in turn, will increase retention while not increasing total mortality of species with MRAs;
2. Increase retention and utilization of species with MRAs and result in a positive overall economic impact;
3. Align regulations with existing enforcement practices;
4. Enhance implementation of EM by reducing the number of discards of species that are difficult to identify via video recording;
5. Reduce unnecessary enforcement action. With an increased number of observers being deployed on a larger number of vessels along with the future implementation of EM this action, eliminate the possibility of enforcement action when a vessel inadvertently commits an observed or recorded violation of MRA regulations at sea, irrespective of the percent species composition at the time of offload

Definition of offload: 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. 679.20(e)(3)(iii)

Motion passed 21-0.

C7 GOA Trawl Bycatch Management

*See **Attachment A**; motion attached separately to these minutes.*

C8 CDQ Pacific Cod Fishery

The AP recommends that the Council retain the PPA, and add a suboption under Option 3 of the proposal by NMFS, for additional analysis. Final action would thus not be taken at this meeting, but at a subsequent meeting when the additional analysis is complete.

Option 3 as described in the document would become Option 3.1.The new Option, Option 3.2, would remove the use of the beginning and end dates of the official halibut season as dates upon which halibut accounting in the small vessel CDQ Pacific cod fishery switches from halibut PSC to halibut CDQ or IFQ, and back to halibut PSC.

Option 3.2 would instead include the following:

> "Each CDQ group participating in the small vessel CDQ Pcod program shall annually determine the date upon which halibut catch accounting for the group's CDQ Pcod fishery switches from halibut PSC to halibut CDQ (or participants' IFQ), and the date upon which the halibut catch accounting switches from halibut CDQ back to halibut PSC.
>
> The switch dates shall be provided to NMFS by each participating CDQ group by February 15 annually."

Motion passed 20-0.

C9 Crab ROFR

The AP recommends Council adopt PPA 2 for final action. *Motion passed 19-0.*

D2 Charter Halibut CATCH Proposal

The AP recommends the Council form a committee of stakeholders to identify the problem and a set of alternatives to address the problem. *Motion passed 10-7 with 1 abstention.*

Minority Report: A minority of the AP did not support a substitute motion, but rather supported a motion to move the CATCH proposal and resulting staff discussion paper forward for development of a formal analysis of a common-pool compensated reallocation mechanism. The original motion supported by a minority of the AP included recommended language for a problem statement and alternatives and options for analysis.

The CATCH proposal is a result of 3 years and $250,000 in development by the charter sector to bring forward a thorough and thoughtful proposal. The CATCH proposal provides a well-developed framework for a compensated reallocation mechanism that is more responsive to the unique dynamics of the charter sector and the recreational anglers they serve. CATCH is a reasonable option to address allocation splits between the charter and commercial sectors and should be moved forward for analysis. An analysis will provide answers to questions raised by affected stakeholders in response to the proposal and will allow it to move forward rather than languishing in a committee of unknown composition and scope. Signed by: Becca Robbins Gisclair, Heath Hilyard, Jeff Kaufman, Ruth Christiansen, Paddy O'Donnell.

D4 Bering Sea Fishery Ecosystem Plan (FEP)

The AP recommends the Council continue to move forward developing the Bering Sea FEP and that the Ecosystem Committee further explore how the Council's FEP would interact with AFSC ecosystem modeling efforts, and what the appropriate format for the FEP should be, to be most useful.

Motion passed 19-0 with 1 abstention.

C7 GOA Trawl Bycatch Management Program

The AP recommends that the Council advance for analysis the following alternative (including the elements and options therein).

(additions from the April 11, 2014 Council motion in **bold**, deletions in ~~strikeout~~)

1. Bycatch management
   a. The primary objective of this action is to improve incentives for PSC reduction and PSC management, achieved in several ways through this program design. Reduced PSC: The Council intends to adopt a program to: (1) minimize Chinook salmon bycatch, and (2) **minimize halibut bycatch.** ~~allowing some efficiency gains to provide additional target fishery opportunity while leaving some halibut PSC savings in the water for conservation and contribution to exploitable biomass.~~
   The above amendment passed 11/10.

   Rationale:
   - The goal of this action is to reduce halibut bycatch, not just to provide for more efficient use.
   - Catch limits for the directed halibut fishery have been greatly reduced, minimizing halibut PSC is as important as minimizing Chinook PSC.
   - Setting a clear direction for the action up front about the expectations for PSC reductions is critical.

Minority report: The amendment sacrifices the potential for both achieving reasonable PSC savings and maintaining healthy Gulf trawl fisheries. The existing motion reasonably balances these two objectives. The Council has previously noted that a management environment that creates strong incentives for PSC avoidance (rather than rigid limits) will yield the greatest gains from all the fisheries under its authority. Gulf trawl fisheries are already experiencing significant pressure from the stairstep reductions in halibut PSC recently adopted by the Council. This action is intended to aid those fisheries in achieving PSC reductions set out in that action while creating an environment conducive to additional PSC reductions. Signed by: Craig Lowenberg, Anne Vanderhoeven, Mitch Kilborn, Paddy O'Donnell, Lori Swanson, Sinclair Wilt, John Gruver, Kurt Cochran, Jerry Downing, Ruth Christiansen.

Proposed amendment:

1. *Halibut PSC*

   Reduce halibut PSC limits for the GOA trawl fishery from the 2016 limits (including the Amendment 93 reduction of 15%) by:

   Options
   a. *15%*
   b. *25%*
   c. *40%*

   Sub-options (apply to all options above)
   a. *Reductions will be phased in over 3-5 years*
   b. *After the selected reduction has been put in place, halibut PSC limit will be indexed to abundance (e.g. halibut bycatch will be reduced by the selected amount, and then will float with abundance).*

The proposed amendment failed 10/11.

Minority Report for Halibut PSC reductions: A minority of the AP supported including explicit reductions in halibut PSC as part of this action. Achieving significant halibut bycatch reduction is a primary goal of this action, and it is critical that we include targets and expectations up front. Directed halibut catch limits have been reduced 73% in the GOA over the past decade to conserve and rebuild stocks. Halibut fishermen and members of the public have requested comparable reductions of halibut bycatch and halibut PSC caps for many years. Including alternatives for halibut PSC reductions is critical at this time, and the proposed options would still result in a total reduction which is less than that of the directed fisheries. The 15% bycatch reductions adopted with Amendment 93 were considered a first step, with the industry noticed that more meaningful reductions would accompany development and implementation of GOA trawl catch or bycatch shares, fishery cooperatives, or other tools that facilitate individual bycatch accountability. Signed by: Jeff Farvour, Joel Peterson, Jeff Kaufman, Theresa Peterson, Heath Hilyard, Becca Robbins Gisclair, Alexus Kwachka, Chuck McCallum.

Proposed amendment:

Chinook salmon PSC

Reduce PSC limit for the GOA trawl pollock fishery by:

Options

a. 10%
b. 15%
c. 25%

Reduce PSC limit for the GOA trawl non-pollock fishery by:

Options

a. 5%
b. 10%
c. 15%

The proposed amendment failed 6/15.

Minority Report for Chinook PSC reductions: A minority of the AP supported analyzing Chinook PSC cap reductions as part of the GOA Trawl Bycatch Management program. Chinook salmon are an iconic species, and reducing PSC catch is an important ongoing goal. Chinook salmon are critical to commercial, sport and subsistence users throughout Alaska, and these users groups have experienced severe reductions in catch in many parts of the state as Chinook salmon struggle. The Chinook PSC caps for pollock and non-pollock were set at levels that exceed the average bycatch in the fisheries. These caps were set as a first step, and additional reductions are appropriate with this action as we give the trawl fleet additional tools to reduce bycatch. Signed by: Alexus Kwachka, Chuck McCallum, Becca Robbins Gisclair, Theresa Peterson, Jeff Farvour, Jeff Kauffman.

Proposed amendment:

Include a cap on tanner crab indexed to abundance with a range of 1 to 3% of the biomass.
The proposed amendment failed 8/13.

Minority Report to add Tanner crab PSC: A minority of the AP supported this amendment to include a Tanner crab PSC limit as part of this action. The minority recognizes the importance of the directed Tanner crab fishery to the small boat fishermen in GOA coastal communities and is concerned with the lack of any crab protections in the developing GOA TBM program. Tanner crab stocks around Kodiak are currently rebuilding and in 2014 the directed crab fishery was closed due to low abundance. The developing program provides significant opportunity to better understand the interactions with trawl gear

on the rebuilding Tanner crab stocks with 100% observer coverage and measures to mitigate the potential impacts should be built in with the design of the program. Kodiak Island fishermen have been asking for many years for protection from trawl gear on the tanner crab populations, and this request is more urgent now given the fishery closure. The AP minority felt this range was a reasonable approach to consider for analysis on the onset of the program. Signed by: Alexus Kwachka, Chuck McCallum, Ernie Weiss, Becca Robbins Gisclair, Theresa Peterson, Jeff Kauffman, Joel Peterson, Jeff Farvour.

b. Cooperative management: A system of cooperative management is best suited to managing and reducing bycatch (such as, hotspot program, gear modifications, excluder use, incentive plan agreements) while maximizing the value of available target species. Cooperatives are intended to facilitate a flexible, responsive, and coordinated effort among vessels and processors to avoid bycatch through information sharing and formal participation in a bycatch avoidance program.

c. Gear modification. Option: gear modifications for crab protection.

2. Observer Coverage

All trawl catcher vessels in the GOA will be in the 100% observer coverage category, whether they participate in the voluntary cooperative structure or the limited access fishery with trawl gear. NMFS will develop monitoring and enforcement provisions necessary to track quota, harvests, and use caps for catcher vessels and catcher processors.

3. Areas

Western Gulf, Central Gulf, West Yakutat

4. Sector eligibility

Inshore sector: Shoreside processors and harvesters that meet the qualifications under the cooperative program. Allocations are based on trawl landings during the qualifying years with a CV trawl LLP or a CP trawl LLP that did not process catch onboard. Any CP LLP not used to process catch offshore during the qualifying years will be converted to a CV LLPs at the time of implementation.

Offshore sector: ~~Am 80 vessels, and their replacement vessels, defined in Table 31 CFR Part 679, and their current LLPs. Allocations are based on trawl landings during the qualifying years with a CP trawl LLP that processed catch onboard.~~

Offshore eligible vessels should be Amendment 80 vessels (as listed in Table 31 CFR Part 679); their replacement vessels; and the current GOA trawl LLPs on the Amendment 80 vessels and their replacement vessels.

5. Allocated species

Target species:

Pollock (610/620/630/640) **– inshore sector allocations/offshore sector MRA**
Pacific cod (WG/CG) – **inshore sector allocations/offshore sector MRA**
WGOA Pacific Ocean Perch – inshore sector MRA/offshore sector allocations
WGOA Northern Rockfish – inshore sector MRA/offshore sector allocations
WYAK Pacific Ocean Perch – inshore sector MRA or allocations/offshore sector allocations

CGOA Arrowtooth flounder – no allocation or sector split
WGOA Arrowtooth flounder – no allocation or sector split
CGOA Flathead sole – no allocation or sector split

WGOA Flathead sole – no allocation or sector split
CGOA Shallow water flatfish – no allocation or sector split
WGOA Shallow water flatfish – no allocation or sector split
~~Additional target species for consideration include:~~
~~CGOA flatfish: Rex sole, arrowtooth flounder, and/or deep water flatfish~~
~~WGOA rockfish and WY Pacific ocean perch~~

For the following species, additional analysis should be done to determine the correct management measures:
WGOA Dusky rockfish
WYAK Dusky rockfish
CGOA Rex sole
WGOA Rex sole
CGOA deep water flatfish
WGOA deep water flatfish

Secondary species **management**:

For each of the following species, options should be for management that should be considered are 1) Current MRA, 2) reduced MRA to control harvests, 3) allocations, and 4) required cooperative measures to control harvests.

Sablefish (that not allocated under the CG Rockfish Program)
~~CG~~Skates (big and longnose)
Thornyhead rockfish **(that are not allocated under the CG Rockfish Program)**
Shortraker rockfish **(that are not allocated under the CG Rockfish Program)**
Rougheye/blackspotted rockfish **(that are not allocated under the CG Rockfish Program)**
Other rockfish
Consider whether **continued maximum retainable amounts (MRA) management at present levels/reduced levels or** cooperative measures would be an effective approach to managing secondary species, as opposed to cooperative allocations.

For all allocated target species, the analysis should consider the feasibility of using management options under which non-directed catches of allocated species would be deducted from an ICA, rather than a cooperative allocation.

PSC species: Halibut and Chinook salmon

6. Sector allocations of target species, secondary species, and PSC

Allocations to the trawl CV sector for WG and CG Pacific cod (Am 83), CGOA rockfish program (Am 88), and GOA pollock (Am 23) are maintained. Allocations to the trawl CP sector for the CGOA rockfish program are maintained. GOA flatfish eligibility for the trawl CP sector under Am 80 is maintained.

Pollock and Pacific cod:
Pollock and Pacific cod TACs would be allocated to the inshore sector; the offshore sector would receive an incidental catch allowance (ICA) for Pacific cod and pollock and be managed under ~~maximum retainable amounts (~~MRAs~~)~~.

Other target species and secondary species: If other target and/or secondary species are allocated under the program, sector allocations would be based on each sector's ~~harvest share~~ **retained catch (with or without fish meal) or total catch** from:

Option 1. 2008 – 2012
Option 2. 2007 – 2012
Option 3. 2003 – 2012

In addition to the options based on catch history above, options for establishing WG and WY rockfish sector allocations include:

Option 1. Allocate based on Am 80 sideboards (dusky rockfish would be recalculated based on dusky rockfish harvest only)
Option 2. Allocate to the CP sector only. The CV sector is prohibited from directed fishing and managed under MRAs.

PSC sector allocations:
Chinook salmon PSC apportionments to support the non-pollock trawl CV and CP sectors (excluding CG rockfish program for the CV sector) are based on GOA Amendment 97. The Chinook salmon PSC limit to support the pollock trawl fisheries **(Amendment 93)** is a CV allocation only. ~~Any Chinook salmon PSC caught in WY comes off the cooperative's Chinook salmon PSC limit.~~

Since WY catches of Chinook are currently unlimited, a Chinook limit in WYAK trawl fisheries should be developed based on historical Chinook catches in the fisheries. This Chinook limit should be apportioned to licenses in the same manner as the prescribed for other PSC limits. Require full retention of all bycaught salmon in WY trawl fisheries.

Halibut PSC apportionment between the CP and CV sectors will be based on halibut PSC use during:

Option 1. 2008 – 2012
Option 2. 2007 – 2012
Option 3. 2003 – 2012

Rockfish program PSC

Any rockfish program PSC that would rollover for use in other fisheries under the current rules (i.e., after the set aside for halibut savings) will be rolled over for use by the sector of the rockfish cooperative that has remaining halibut PSC. Remaining halibut and chinook PSC will be distributed to Gulf program cooperatives as directed by the rockfish program cooperative with unutilized PSC.

7. Voluntary inshore cooperative structure

   a. Annually allocate target species at the cooperative level, based on aggregate retained catch histories associated with member vessels' LLPs:

      Option 1. 2008 – 2012 **(no drop year or 1 drop year)**
      Option 2. 2007 – 2012 **(no drop year or 1 drop year)**
      Option 3. 2003 – 2012 **(no drop year or 1 drop year)**

b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of GOA trawl vessels in the cooperative [such as, pollock Chinook salmon PSC cap divided based on pollock landings; non-pollock Chinook salmon cap divided based on non-pollock landings (excluding rockfish); halibut PSC apportioned in proportion to target groundfish landings associated with cooperative members' LLPs.] PSC ~~could~~ **would** be further divided based on use in target fisheries or fisheries groupings, prior to being allocated to each cooperative on a pro rata basis. Once in the cooperative, PSC **restrictions by area, season and fishery complex are removed and** can be used to support any target fisheries within the cooperative.

   Option: Each processor controls a portion of PSC within a cooperative and negotiates terms of access through private agreement. The processor would activate the incremental PSC through NMFS, making it accessible to the cooperative. PSC made available by these agreements cannot be used by processor-owned vessels.

c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector-level, non-transferable target allocations and PSC]. Harvesters would need to be in a cooperative with a processor by November 1 of the previous season to access a transferable allocation.

d. Initial (2 years) cooperative formation (suboption: in the first two years of each harvester's participation in a cooperative) would be based on the majority of each license's historical landings (aggregate trawl groundfish deliveries, excluding Central GOA rockfish harvested under a rockfish cooperative quota allocation) to a processor during:
   Option 1. The qualifying years for determining target species allocations
   Option 2. 2011 – 2012, or the two most recent qualifying years they fished

e. LLP licenses will be allowed to form one cooperative based on the QS of the license for each region (CGOA/WYAK and WGOA). If they have qualifying history for each region then the LLP can be in a cooperative in each region. Initial formation of the cooperative would require a cooperative contract with their affiliated processors signed by (options: 51% - 90%) of the license holders eligible for the cooperative and the processor. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract.

Proposed amendment:

Add the words "and the community in which the processor is located" to the end of the third sentence above.

<u>Community definition</u>: The "community" will be a required signatory with full voting power in the cooperative. The community representative will be a person or persons appointed by the governing body (city or borough) of the community in which the processor is located.

The proposed amendment failed 7-14.

<u>Minority Report Community Sign-On</u>: A minority of the AP supported the inclusion of a community sign-on provision in the voluntary inshore cooperative structure provisions. Including a community sign-on provides an option to look at for community protections. Making the community sign-on meaningful requires that the community be a full signatory, with veto power over the cooperative contract. Catch share programs always come with unanticipated impacts and this program will be no different. A community sign-on would give the community a dynamic way to work toward adapting to

these future unanticipated impacts. Signed by: Chuck McCallum, Alexus Kwachka, Heath Hilyard, Ernie Weiss, Becca Robbins Gisclair, Jeff Farvour

f. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract.

Option: Multiple cooperatives would be allowed to form with a processor within a region. A minimum of 2 or 3 (range for analysis) LLPs are required to form a cooperative.

An LLP is eligible for cooperative membership in any area in which it carries an area endorsement.

~~g. Each cooperative would be required to have an annual cooperative contract filed with NMFS. Initial formation of the cooperative would require a cooperative contract signed by (options: 51% - 80%) of the license holders eligible for the cooperative and the processor (option: and community in which the processor is located). Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract.~~

f. The annual cooperative contract must include:

- Bylaws and rules for the operation of the cooperative
- Annual fishing plan
- Operational plan for monitoring and minimizing PSC, with vessel-level accountability, as part of the annual fishing plan
- Clear provisions for how a harvester and processor may dissolve their contract after the cooling off period of two years. If a harvester wants to leave that cooperative and join another cooperative or the limited access sector, they could do so if they meet the requirements of the contract.
- Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law.

h. Additional contract elements (such as, bycatch management, active participation, mechanism to facilitate entry, community provisions) may be required to ensure the program is consistent with Council objectives.

i. Full transferability for annual use by other harvesters within the cooperative. Cooperatives can engage in inter-cooperative transfers of annual allocations **(including PSC)** to other cooperatives on an annual basis. Inter-cooperative transfers must be processed and approved by NMFS. Inshore allocations can only be transferred to and used by inshore cooperatives.

j. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species and PSC allowances, as may be adjusted by annual inter-cooperative transfers.

k. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.

l. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.

8. Voluntary catcher processor cooperative structure

   a. ~~Annually allocate target species at the cooperative level, based on aggregate total catch histories associated with member vessels' LLPs~~**CP history should attach to the LLP assigned to the vessel at the time of implementation of the program. CP allocations should be based on Amendment 80 vessel CP trawl landings during the qualifying years that were both harvested and processed aboard the same Amendment 80 vessel. Qualifying years:**

      Option 1. 2008 – 2012 **(drop 1 year)**
      Option 2. 2007 – 2012 **(drop 1 or 2 years)**
      Option 3. 2003 – 2012 **(drop 1 year, 2 years or three years)**

   b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of vessels in the cooperative [such as, non-pollock Chinook salmon cap divided based on non-pollock landings; halibut PSC apportioned in proportion to target groundfish landings associated with cooperative members' LLPs.] PSC ~~could~~ **would** be further divided based on use in target fisheries or fisheries groupings, prior to being allocated to each cooperative on a pro rata basis. Once in the cooperative, PSC **restrictions by area, season and fishery complex are removed and** can be used to support any target fisheries within the cooperative.

   c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector-level, non-transferable target allocations and PSC]. No later than November 1 of each year, an application must be filed with NMFS by the cooperative with a membership list for the year. In order to operate as a cooperative, membership must be comprised of:

      Option: at least 2 separate entities (using the 10% individual and collective rule) and/or
      Option: at least [2 – 4] eligible LLP licenses
         Suboption: an LLP must have associated QS to count toward the threshold.

   d. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.

   e. The contract would require signatures of all LLP holders in the cooperative. The annual cooperative contract must include:
      - Bylaws and rules for the operation of the cooperative
      - Annual fishing plan
      - An operational plan for monitoring and minimizing PSC, with vessel level accountability, as part of the annual fishing plan
      - ~~Specification that processor affiliated harvesters cannot participate in price setting negotiations except as permitted by general anti-trust law.~~
      - A cooperative may adopt and enforce fishing practice codes of conduct as part of their membership agreement.

   f. Full transferability for annual use by other harvesters within the cooperative. Cooperatives can engage in inter-cooperative transfers of annual allocations to other cooperatives on an annual basis. CP annual cooperative allocations may be transferred to inshore cooperatives; inshore

annual cooperative allocations cannot be transferred to CP cooperatives. Inter-cooperative transfers must be processed and approved by NMFS.

g. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species, secondary species, and PSC, as may be adjusted by annual inter-cooperative transfers.

h. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.

i. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.

9. Fishery dependent community stability (applies to inshore cooperatives)
   a. Consolidation limits
      - Vessel **and individual use** caps and limits**.** ~~on the percentage of the total allocation that a person can hold (accessible only through a cooperative).~~

      Harvester use caps in each region (WG and CG/WY). **Individual use caps define the percentage of quota share units that a person can hold (accessible only through a cooperative).** Harvesters that exceed these percentages **on initial allocation** are grandfathered into the program. No person may hold or use more than the following percentage of target species CV shares **of 1) pollock, 2) Pacific cod, and 3) sablefish (if allocated)**, using the individual and collective rule:
      Option 1. 3%
      Option 2. 5%
      Option 3. 7%

      Vessel use caps are applicable within the cooperative. **Vessel use caps define the portion of the total allocation that may be harvested by a vessel (based on the tonnage of annual quota derived from a specified percentage of the quota share pool).** A vessel may not be used to harvest more than the following percentages of target species cooperative quota issued to the CV sector:
      Option 1. 3%
      Option 2. 10%
      Option 3. 15%

      - Processor use caps **in quota share units**

      Processor use caps (facility-based) in each region (WG and CG/WY). Processors that **historically** exceed**ed** these percentages **in the qualifying years** are grandfathered into the program. No processor shall receive or process more than the ~~following~~ **processing cap limit. Options for analysis include** ~~percentage of~~ **1) aggregate groundfish;** ~~aggregate~~ **2) pollock and cod** target species cooperative quota**; and 3) allocated secondary species (with a suboption to define a separate limit for sablefish)** issued to the CV sector.
      Processing cap percentage options:
      Option 1. 10%
      Option 2. 20%
      Option 3. 30%

Suboption: If processors control a portion of PSC within a cooperative the Council should analyze options that include 1) setting an appropriate cap limiting the portion of the processor controlled halibut and Chinook PSC; and 2) no cap.

b. Target species quota would be required to be landed in the region in which it is designated (WG or CG/WY designation) based on historical delivery patterns during the following years:
   Option 1. The qualifying years for determining target species allocations
   Option 2. 2011 - 2012
   Option 3. Target species CG quota that has historically been landed in **the City of** Kodiak would have a port of landing requirement to be delivered ~~to~~ **in the City of** Kodiak; CG quota not historically landed in **the City of** Kodiak would be regionalized (WG or WY/CG)~~.~~ **and be required to be delivered to the community in which the qualifying landing was historically processed, if a processor is available to process those landings. If no processor in that community wants to accept these deliveries, then the quota could be delivered to processors within the region including the City of Kodiak.**

c. Require individuals or entities to meet fishery participation criteria in order to be eligible to purchase an eligible trawl license with associated history.

Proposed amendment:

d. Community Fishing Association

2. Allocate fishing quota for all species allocated to CVs under the program to a Community Fishing Association established under §303(a)(c)(3) of the MSA. Allocation range:
<u>Options</u>:

a. 10%
b. 15%
c. 20%

3. Goals and objectives for a Community Fishing Association:

a. Provide for the sustained (current and historical) participation of fishing communities (MSA National Standard 8).
b. Minimize adverse economic impacts on fishing communities (MSA National Standard 8).
c. Assist entry-level and small vessel owner-operators, captains and crew and fishing communities (MSA §303A(c)(5)(C)).

4. Community eligibility criteria for participation via the CFA

a. Traditional fishing or processing practices in, and dependence on, fisheries in the management area;
b. Cultural and social ties to fisheries in the management area;
c. Economic barriers to access to the fishery;
d. A high potential for economic and social impacts associated with a LAPP program on harvesters, captains, crew, processors, and other businesses substantially dependent upon the fishery;
e. There will be no more than two Community Fishing Associations, one for the Western and one for the Central Gulf of Alaska.

5. *Requirements of a community sustainability plan (required under MSA §303A(c)(3). CSP must include:*
    a. *Description of board, governance structure;*
    b. *Description of quota allocation process;*
    c. *Goals and objectives for the CFA, and explanation of how the CFA intends to meet those goals and objectives;*
    d. *Description of how the CFA will meet the goals of sustaining community participation in the fishery, providing for new entry/inter-generational transfer, and encouraging active participation;*
    e. *Dispute resolution process.*

6. *Establish annual reporting requirements to the Council and communities*

7. *CFA Cooperative Program Integration*
    - *Quota allocated to the Community Fishing Association may not be sold.*
    - *The Community Fishing Association will operate within the co-op structure. Quota leased from the Community Fishing Association must be utilized on a license and accessed through a cooperative.*
    - *Community Fishing Association quota will be subject to the same set of rules as other quota in the program in terms of bycatch management, observer coverage, sector allocations, cooperative structure, and gear conversion.*
    - *If selected by the Council, regionalization will apply to the Community Fishing Association quota, but port of landing requirements will not.*
    - *Any vessel and owner consolidation limits established under the overall program will also apply to quota leased by the Community Fishing Association.*
    - *A participant who leases quota from the Community Fishing Association will be required to fish at least that amount of fish within their co-op (e.g. they may not lease quota from the CFA, then have that quota fished by another person in the co-op since the contract terms would not apply to a person who had not leased quota from the CFA).*

The proposed amendment failed 9/11.

<u>Minority Report for CFA</u>: An amendment to add a Community Fishing Association as an alternative to consider for analysis failed 11/9. A minority of the AP supported inclusion of a Community Fishing Association (CFA) as an alternative for community protection within the program. A CFA provides a reasonable alternative for community protection and should be included for additional analysis at this time. The MSA clearly provides the Council the authority to allocate to fishing communities. A CFA provides for community protection beyond the measures included in the rest of the motion. The CFA provides a mechanism for providing access for coastal communities to the fisheries outside their doors and provide a means for entry/transition into the fishery. In addition, the CFA can provide a flexible structure to respond to additional community concerns that may develop under the program. The letter from the City and Borough of Kodiak and signatories from a broad cross section of GOA communities support continued analysis of a CFA. Signed by: Theresa Peterson, Alexus Kwachka, Heath Hilyard, Chuck McCallum, Ernie Weiss, Becca Robbins Gisclair, Jeff Kaufman, Jeff Farvour, Joel Peterson.

Proposed amendment:

Active Participation Requirements for Purchase & Ownership (CV only)

8. Eligibility for purchase of quota shares:

To be eligible to purchase trawl groundfish quota shares a participant must either:

a. Hold at least 20-30% (options) ownership of a vessel;

b. Provide documentation of participation as a captain or crew in the trawl groundfish fishery (or any U.S. fishery) for 150 days (verified by a signature on a fish ticket or crew members' affidavit) for at least 1, 2, 3, or 4 (options) fishing trips in the groundfish trawl fishery in any of the 3 or 4 (options) previous seasons.

~~*9. Ongoing Active Participation requirements:*~~

~~*To be eligible to receive quota shares on an annual basis, quota recipient must meet ongoing active participation requirements*~~

~~*a. Vessel ownership or*~~

~~*b. Participation as captain or crew in the fishery in 3 of the previous fishing seasons.*~~

~~*c.*~~

An amendment to strike section two from the proposed amendment passed 11/9/1.

Rationale for voting to strike section two:

- The proposed program is not an IFQ program. History attaches to an LLP, and quota share is allocated to a cooperative. Requirements to receive quota share do not fit in the program structure.
- Owner on board requirements could lead to consolidation, which could be harmful to communities.
- The definition of participation is unclear since 'fishing seasons' may no longer apply in the proposed program.

The amended amendment passed 11/9/1.

Minority Report on active participation: The AP minority believes that it is important to tie participation to the owners of the quota share that is created whether it be cooperative shares or individual quota shares. It is imperative that we keep an active element in the trawl fishery to maintain the people that are currently participating and future participants. Signed by: Alexus Kwachka, Chuck McCallum, Ernie Weiss, Heath Hilyard, Becca Robbins Gisclair, Jeff Kauffman, Jeff Farvour, Joel Peterson, Theresa Peterson.

Proposed amendment:

Direct Allocation to Skippers and Crew

15% or 20% (options) of total quota will be allocated to active captains.
Active captain defined by participation in trawl fishery in 2 of the last 3 years (as shown by fish tickets).

The proposed amendment failed 8/11/1

Minority report on skippers and crew: A minority of the AP supported a motion to include an allocation of quota to active skippers. It is critical that skippers are included in initial allocation in recognition of their role and history in the fishery. Additional work may be required to determine how this will fit in the overall program, which is LLP-based in the future, but this amendment was intended to serve as a placeholder for further development in the analysis. Amendment failed 8/11 Signed: Alexus Kwachka, Chuck McCallum, Jeff Kaufmann, Becca Robbins Gisclair, Jeff Farvour, Ernie Weiss, Theresa Peterson. Joel Peterson

10. Transferability
    a. (Annually) Full transferability for annual use within the cooperative. Cooperatives can engage in inter-cooperative agreements on an annual basis~~.~~ **of any allocations including target species, secondary species, and PSC.**

    b. (Long-term) The LLP is transferable, with the associated history of the target species (which, when entered into a cooperative, brings with it a pro rata share of PSC.)

       Target species history is severable from a CV trawl license and transferable to another eligible CV trawl license (which, when entered into a cooperative, brings with it a pro rata share of PSC). Transferred history retains the regional delivery designation. **A two year cooling off period for long-term transfers of CV QS is required.**

       QS is non-severable from the associated CP trawl license and no two year cooling off period applies.

11. Gear conversion

Upon further development, the Council could include gear conversion provisions that allow Pacific cod trawl CV allocations to be fished with pot gear, although any harvest would continue to be deducted from the vessel's annual trawl quota account and would not affect the pot gear Pacific cod sector allocations.

12. Limited access trawl fisheries (CV and CP)

If a license holder chooses not to join a cooperative, it may fish in the limited access fishery. Under the limited access fishery, the LLP's historic share of (non-transferable) target species will be fished in a competitive fishery open to all trawl vessels in the sector who are not members of a cooperative. The catcher vessel limited access fishery will be subject to all current regulations and restrictions of the LLP and MRAs.

PSC limits in the limited access fishery will retain status quo apportionments by area, season, and/or fishery. Halibut and Chinook salmon PSC limits are annually apportioned to the limited access fishery on a pro rata basis relative to groundfish catch histories associated with LLPs that are not assigned to a cooperative, as reduced by [options: 10% - 30%].

13. Sideboards

~~Consider whether~~ **Remove 1)** sideboards **in the GOA** that apply under the Rockfish Program for the CV and CP sectors, **2) Gulf sideboards on** non-exempt AFA CV~~ sideboard limit~~s, **3) Gulf groundfish sideboards on** non-AFA crab vessel**s** ~~groundfish sideboards,~~ **(except for sideboards applicable to pot fishing), 4)** ~~and~~ Amendment 80 groundfish and halibut PSC sideboard limits ~~in the GOA should be removed~~ **and 5) CV Pacific cod/pollock – BSAI/GOA exclusivity/time stand downs.**

The removal of West Yakutat rockfish program sideboards is contingent on whether WYAK rockfish is allocated.

~~Consider sideboards for or prohibition of directed fishing for Pacific cod in the West Yakutat area with trawl gear.~~ Consider sideboards on directed fishing for Pacific cod with pot gear in the WG and CG (harvest that accrues to the Pacific cod pot sector allocations).

Proposed amendment:
Consider CV sideboards for the BSAI cod and BS yellowfin sole fisheries
The proposed amendment passed 20/0/1.

14. Program review
Per the Magnuson Stevens Act, a program review would be conducted five years after implementation and every seven years thereafter.

15. Cost recovery and loan program
Per the Magnuson Stevens Act, a cost recovery program would be implemented to recover the incremental agency costs of the program related to data collection, analysis, and enforcement, up to a maximum of 3% of the ex-vessel value from landings of species allocated under the program. Up to 25% of cost recovery fees may be set aside to support a loan program for purchase of shares by fishermen who fish from small vessels and first-time purchases of shares under the program. Loan qualification criteria would need to be defined.

~~The Council also requests further information on latent trawl licenses and their effect on the proposed cooperative program, to evaluate the need for further recency criteria in the WG and CG trawl CV sectors.~~

16. Maximize Retention
Full retention of allocated target rockfish, pollock, Pacific cod and any allocated secondary species as allowed by regulation.

Consider modifying SSL regulations as follows:
Trip Limits: Remove daily landing limit and revise the fishing trip limit to 159 mt. Declassify the trip limit violation from a SSL violation to a regulatory violation.

Pollock Seasonal Structure: Change the pollock fishery structure to two season: Jan 20 to June 10 and June 10 to Nov 1. The allocation of pollock for the first half of the year and second half of the year would not change from current GOA-wide percentages.

Pacific cod Seasonal Structure: Change the Pacific cod fishery structure to allow B season directed fishing from June 10 to Nov 1.

Nov 1 to Dec 31 prohibition of targeting Pacific cod and Pollock: Allow directed fishing of pollock and cod from Nov 1 to Dec 31 but require that the co-ops continue to limit each species to their seasonal allocations.

Prohibition of directed fishing for both Pacific cod and Pollock within haul outs: Revise the flatfish trip target definition where a trip is considered in the flatfish target if more than 50% of the landed catch is flatfish.

Change the MRA enforcement period for all fisheries in the GOA to an offload-to-offload basis.

The amended main motion passed 12/9.

Rationale:

- The proposed action is intended to provide the trawl fishery with the tools necessary to better manage PSC and to accommodate significant PSC reductions already approved by the Council. The AP motion provides harvesters and processors the stability needed to manage PSC and to better utilize underharvested species, increasing the value of the fisheries and benefiting participants and communities. Further reductions in PSC may severely compromise the ability to prosecute the fishery and should not be considered until the 5-year review.
- Community interests are protected through regionalization and consolidation limits. Introducing a community representative into coop operations, or giving a community board control over release of allocations, may bring conflicts of interest or political or personal bias that may inhibit coop formation and compromise coop function. Reallocation of quota to new participants will increase bycatch and harm existing communities. New entrants can participate in the fishery by starting on deck and working into the wheelhouse and vessel ownership.

Minority report on main motion: A minority of the AP did not support the final motion. In its present form, the motion is simply a standard catch share program without any explicit measures or targets for bycatch (PSC) reduction, despite the title. The motion does not contain adequate community protections – the community sign-on proposed in the Council motion has been deleted and a Community Fishing Association or other means of community protections was not included. Without meaningful bycatch reductions and adequate community protections we cannot support moving forward with a catch share program of this magnitude which includes a broad suite of GOA groundfish species (beyond the two target species of pollock and cod). In addition, forwarding a motion where the only alternative is a program concept with mandatory processor/ harvester linkages which NOAA GC has advised are illegal does not meet our obligation to provide a reasonable range of alternatives. Signed by: Alexus Kwachka, Ernie Weiss, Becca Robbins Gisclair, Jeff Farvour, Jeff Kauffman, Heath Hilyard, Theresa Peterson, Chuck McCallum.

North Pacific Fishery Management Council

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Certified: Dan Benda
Date: 11/14/14

REPORT
of the
SCIENTIFIC AND STATISTICAL COMMITTEE
to the
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL
October 6th – 8th, 2014

The SSC met from October 6th through 8th at the Hilton Hotel, Anchorage, AK.

Members present were:

Pat Livingston, Chair
NOAA Fisheries—AFSC

Chris Anderson
University of Washington

Brad Harris
Alaska Pacific University

Seth Macinko
University of Rhode Island

Terry Quinn
University of Alaska Fairbanks

Farron Wallace
NOAA Fisheries—AFSC

Robert Clark, Vice Chair
Alaska Department of Fish and Game

Alison Dauble
Oregon Dept. of Fish and Wildlife

Anne Hollowed
NOAA Fisheries—AFSC

Steve Martell
Intl. Pacific Halibut Commission

Kate Reedy
Idaho State University Pocatello

Milo Adkison
University of Alaska Fairbanks

Sherri Dressel
Alaska Department of Fish and Game

George Hunt
University of Washington

Lew Queirolo
NOAA Fisheries—Alaska Region

Matt Reimer
University of Alaska Anchorage

Members absent were:

Jennifer Burns
University of Alaska Anchorage

C-1 Observer Program 2015 Deployment Plan

Craig Faunce (NMFS-AFSC) presented the draft 2015 Annual Deployment Plan (ADP) for Observers in the North Pacific Groundfish and Halibut Fisheries off Alaska. Linda Behnken and Dan Falvey (Alaska Longline Fisherman's Association), Gerry Merrigan (Freezer Longline Coalition), David Poluchkin (K-Bay Fisheries Association), and Paul MacGregor (At-Sea Processor's Association) provided public testimony.

The 2015 ADP details proposed efforts to obtain at-sea and dockside observations suitable for estimating groundfish and halibut fishery catches and discards in the Gulf of Alaska (GOA) and Bering Sea/Aleutian

Islands (BSAI) while not exceeding the program budget. The draft 2015 ADP also provides a review of plan modifications based on the successes and challenges of previous seasons. As the SSC has noted previously, this will be an ongoing process to improve the program.

Three major changes were made to the 2014 ADP in developing the 2015 draft plan. These changes address issues that arose during the 2013 fishery and those previously identified by the SSC and Council:

1. Vessels that were in the vessel-selection stratum during 2013 and 2014 will be moved to a separate trip-selection stratum for 2015. The vessel-selection stratum was biased due to the reliance on vessel activities from the prior year. When combined with a liberal conditional release policy, this resulted in nearly 100% of vessels having to be selected to place sufficient observer days on these vessels. Moving these vessels to trip-selection will greatly improve the chances of a random sample of trips being observed.
2. Selection rates for the two categories of vessel size were updated to 12% for small (greater than or equal to 40' but less than 57.5' length overall (LOA)) vessels and approximately 24% for larger vessels. This addresses the Council intent of a higher rate of observing for larger vessels and provides for a reasonable level of coverage for both of the vessel size categories. This will also provide a high potential for observing the largest catches. However, simulations indicated that there will be a moderate level of unobserved trips in particular areas and with particular gear types that represent a small number of trips.
3. The conditional release policy was limited to situations of the capacity of the life raft on board a vessel.

While the SSC appreciates and approves of the major changes made to the ADP to improve the representativeness of data collected from observed trips, we have the following recommendations for improving the observing system into the future:

- We endorse the simulation approach used to determine where and when the probability of not being selected for an observed trip is highest and to examine budgetary constraints and tradeoffs in sampling rates of the two strata. This same approach can and should be used to investigate other measures of performance such as examining sampling rates for newly defined strata, expected precision of catch in specific fisheries, and the probability of meeting or missing catch targets (e.g., overfishing) given a fixed rate of observed trips.
- We urge the development of additional sampling strata that use covariates other than vessel size (e.g., by gear type or target fishery) to address times and areas that are likely to be inadequately sampled with a simple random sampling approach and fiscally realistic sampling rates. This could potentially address some of the coverage issues identified in simulations.
- The SSC considers the probability of no observed trips as a valid and appropriate measure of coverage. However, a standard set of performance measures should be developed for the purpose of evaluating how well the observer program is meeting its objectives. This would be based on precision and accuracy of estimating catch, bycatch, and catch of prohibited species, collection of biological information including length, age, and sex composition, and ability to fulfill assigned tasks, including special projects.
- There should be an evaluation of the tradeoffs from the loss of observing days due to weather, especially in ports with very few fishing trips, against the cost of reassigning these observed trips elsewhere.
- There should be an evaluation of the social and economic burden of the revised conditional release policy on fishing communities that have predominantly small-boat fleets with limited space on board for an observer. Consideration of safety issues other than life raft capacity should be given when replacing a crewmember with an observer.
- The potential use of electronic monitoring (EM) to increase coverage and reduce burden on smaller vessels with bunk and life raft constraints is promising, but the SSC noted that what

constitutes EM is not clearly stated (e.g., VMS could be a valuable supplement to camera systems) and that EM-generated data products will differ substantially from observer data. These issues should be discussed and clarified.

- The SSC encourages the continued effort to resolve sampling issues caused by tendering that can create the potential for bias in observed trips.

C-3 BSAI Crab Management

Bob Foy (NMFS-AFSC), Jack Turnock (NMFS-AFSC), and Diana Stram (NPFMC) presented the Crab Plan Team (CPT) report and sections of the Crab SAFE. Public testimony was provided by Leonard Herzog (Bering Sea Fisheries Research Foundation). The SSC reviewed the SAFE chapters and information provided by the Plan Team with respect to the stock status information from 2013/2014 relative to total catch in that time period (Table 1). The SSC notes that no stock was subject to overfishing in 2013/2014 and that Pribilof Islands blue king crab remains in an overfished status. In addition, Tables 2 and 3 contain the SSC recommendations for 2014/2015 catch specifications.

Table 1. Stock status of BSAI crab stocks in relation to status determination criteria for 2013/14. Values are in thousand metric tons (kt). Note diagonal fill indicates parameters not applicable for that tier level.

Chapter	Stock	Tier	MSST	B_{MSY} or $B_{MSYproxy}$	2013/14 MMB[1]	2013/14 MMB / MMB_{MSY}	2013/14 OFL	2013/14 Total catch	Rebuilding Status
1	EBS snow crab	3	71.50	143.00	126.50	0.88	78.1	28.1	
2	BB red king crab	3	12.85	25.70	27.12	1.06	7.07	4.56	
3	EBS tanner crab	3	16.98	33.96	72.70	2.14	25.35	2.78	
4	Pribilof Islands red king crab	4	2.58	5.16	4.68	0.91	0.90	0.0023	
5	Pribilof Islands blue king crab	4	2.00	4.00	0.28	0.07	0.00116	0.00003	overfished
6	St. Matthew Island blue king crab	4	1.55	3.10	3.04	0.98	0.56 [total male catch]	0.27 [total male catch]	
7	Norton Sound red king crab	4	1.00	2.00	2.16	1.08	0.18	0.16	
8	AI golden king crab	5					5.69	3.19	
9	Pribilof Islands golden king crab	5					0.09	Conf.	
10	Adak red king crab	5					0.054	0.001	

[1] MMB as estimated during this assessment for 2013/14 as of 2/15/2014.

Table 2. Maximum permissible ABCs for 2014/15 and SSC recommended ABCs for those stocks where the SSC recommendation is below the maximum permissible ABC, as defined by Amendment 38 to the Crab FMP. Bold indicates where SSC recommendations differ from Crab Plan Team recommendations. Values are in thousand metric tons (kt).

Stock	Tier	2014/15 *Max*ABC	2014/15 ABC
EBS Snow Crab	3b	68.8	62.1
Bristol Bay RKC	3b	6.82	6.14
Tanner Crab	3a	31.43	25.18
Pribilof Island RKC	**4a**	**1.34**	**1.02**
Pribilof Island BKC	4c	0.00116	0.00087
Saint Matthew BKC	4b	0.43	0.34
Aleutian Islands GKC	5	5.12	**4.26**
Pribilof Island GKC[1]	5	0.08	0.07
Norton Sound RKC	4b	0.21	0.19
Adak RKC	5	0.05	0.03

[1] For Pribilof Islands golden king crab, this is for the 2015 calendar year instead of the 2014-2015 crab fishing year.

Table 3. SSC recommendations for 2014/15 (stocks 1-6 and 9). Values for stocks 7, 8, and 10 were set by the SSC in June 2014. Bold indicates SSC recommendations differ from Crab Plan Team. Diagonal fill indicates parameters not applicable for that tier. Values are in thousand metric tons (kt).

Chapter	Stock	Tier	Status (a,b,c)	F_{OFL}	B_{MSY} or $B_{MSYproxy}$	Years[1] (biomass or catch)	2014/15[2 3] MMB	2014 MMB / MMB_{MSY}	γ	Mortality (M)	2014/15 OFL	2014/15 ABC	ABC Buffer
1	EBS snow crab	3	b	1.34	142.9	1979-current [recruitment]	137.6	0.96		0.23(females) 0.386 (imm) 0.2613 (mat males)	69.0	62.1	10%
2	BB red king crab	3	b	0.28	25.7	1984-current [recruitment]	24.69	0.96		0.18 default Estimated[4]	6.82	6.14	10%
3	EBS Tanner crab	3	a	0.61	29.82	1982-current [recruitment]	63.8	2.14		0.34 (females), 0.25 (mat males), 0.247 (imm males and females)	31.48	25.18	20%
4	Pribilof Islands red king crab	4	**a**	0.18	**5.74**	1991-current	**8.89**	**1.55**	1.0	0.18	**1.36**	**1.02**	**25%**
5	Pribilof Islands blue king crab	4	c	0	4.00	1980-1984 1990-1997	0.22	0.05	1.0	0.18	0.00116	0.00087	25%
6	St. Matthew Island blue king crab	4	b	0.18	3.53	1978-current	3.04	0.86	1.0	0.18	0.43 [total male catch]	0.34 [total male catch]	20%
7	Norton Sound red king crab	4	b	0.157	1.9	1980-current [model estimate]	1.68	0.88	1.0	0.18 0.68 (>123 mm)	0.21 [total male]	0.19 [total male]	10%
8	AI golden king crab	5				See intro chapter					5.69	**4.26**	25%
9	Pribilof Island golden king crab	5				See intro chapter					0.09	0.07	25%
10	Adak red king crab	5				1995/96–2007/08					0.05	0.03	40%

[1] For Tiers 3 and 4 where B_{MSY} or $B_{MSYproxy}$ is estimable, the years refer to the time period over which the estimate is made. For Tier 5 stocks it is the years upon which the catch average for OFL is obtained.

[2] MMB as projected for 2/15/2015 at time of mating.

[3] Model mature biomass on 7/1/2014

[4] Additional mortality males, two periods: 1980-1985; 1968-1979 and 1986-2013. Females, three periods: 1980-1984; 1976-1979; 1985-1993 and 1968-1975; 1994-2013. See assessment mortality rates associated with these time periods.

Snow Crab

Jack Turnock (NMFS-AFSC) presented the results of the stock assessment for the eastern Bering Sea (EBS) snow crab assessment. There was no public testimony for EBS snow crab, but there was a letter submitted during the SSC meeting from Scott Goodman (Bering Sea Fisheries Research Foundation). Retained catch in 2013/14 fishery (24.5 kt) was lower than the 2012/13 fishery (30.1 kt), and was below the 2013/14 OFL of 78.1 kt. The MMB in 2013/14 (126.5 kt) was above the MSST of 71.5 kt.

Changes to the model structure this year included a new growth model with a differentiable transition between two linear models (based on a recommendation from a CIE review). An alternative model with two linear segments was also explored. **The SSC accepts the use of the growth model with a differentiable transition for the current assessment, but recommends that a non-parametric function for growth might be more suitable than the five-parameter growth model for each sex suggested by the CIE reviewer.** The model included new biomass and length frequency data from the 2014 NMFS EBS trawl survey, retained and discarded catch and size composition from the 2013/14 directed fishery, and discarded catch and length-composition data from groundfish fisheries. A sensitivity analysis explored the penalties on the mean fishing mortality rates; model results were relatively insensitive, except in cases where the penalties were extremely small or zero.

The author recommended using model scenario 2b for OFL and ABC recommendations. Scenario 2b incorporates the new CIE-suggested two-segment growth model with a smooth transition and a weight of two on the likelihood to fit the growth data. Average recruitment was based on estimated values between 1978 and 2014. **The CPT agreed with the author's recommendation of using scenario 2b for 2014/15 specification purposes and the SSC supports this recommendation. Results from the assessment place the EBS snow crab stock in Tier 3b. Projected 2014/15 mature male biomass at mating is 137.6 kt, and the B_{MSY} proxy ($B_{35\%}$) is 142.9 kt.** For the above reasons regarding sensitivity and model structure, **the SSC supports the Crab Plan Team recommendation to use a 10% buffer to set the ABC below the maximum permissible. Based on the $F_{35\%}$ control rule, the resultant OFL for 2014/15 is 69.0 kt (152.1 million lbs.) and the ABC is 62.1 kt (137.0 million lbs.).**

The SSC has some additional suggestions for future work. There is an unfortunate residual pattern in the fits to the growth increment data, where the new model tended to under-estimate the molt increment. The CPT had some discussions regarding small crabs possibly molting two times per year, which could partially explain the poor fits to a linear growth model. **The SSC supports the CPT suggestion to investigate the possibility of small crabs molting two times per year.** Reducing the penalty on the mean fishing mortality rate results in increased estimates of fishing mortality rates and decreased estimates of mature male biomass. The overall global scaling of the model is, therefore, a result of the penalized likelihood, which is somewhat subjective. The SSC is also concerned about the *ad hoc* weighting assigned to the different data sources. It is difficult to infer what the relative weighting values are in terms of assumed variances. **The SSC recommends that an inverse variance weighting be developed for this relatively data-rich assessment. The SSC supports the CPT recommendation to investigate different weighting for fishing mortality, by time period, in place of the overall component weight. The SSC also recommends a within-model retrospective analysis be conducted.** In the development of the new generalized modeling software for Alaska crab stocks, new likelihood options for composition data have been developed where these functions estimate the effective sample size. The SSC encourages exploration of these new likelihood formulations to increase objectivity in data weighting and, potentially, solve the sensitivity of model results to the penalized likelihood. The SSC notes that the titles of Tables 13 and 14 should clarify that the tables present the negative log likelihood. Also, Tables 13 and 14 would benefit from using unweighted components, so models can be compared. **The SSC supports the CPT recommendation to include tagging data and an examination of the spatial distribution of catch and abundance as research priorities, since it appears that the mature population is shifting geographically**.

Bristol Bay Red King Crab
The author was responsive to many of the SSC and CPT requests. In response to the request for additional information on the potential cause of the southwest to northeast shift in distribution of mature female red king crab within the Bristol Bay area that occurred during the late 1970s to early 1980s, the author compared temporal trends in distribution. These trends were then compared to fishing patterns and trends in environmental variables (summer survey near-bottom temperature and the winter PDO index). The author concluded that the time trends in shifts in distribution were consistent with the hypothesis that environmental conditions were an important factor. The SSC recommends that the author extend this analysis to incorporate a statistical analysis, similar to that conducted by Kotwicki and Lauth (2012). In addition to the PDO, the SSC recommends that the authors consider including the Arctic Oscillation as a potential climate driver. **Given the results of this study, the SSC suggests that the author consider incorporating bottom temperature as a covariate on survey Q, using the method in Wilderbuer et al. (2013).**

Relative to 2013, several changes to the input data were incorporated into the 2014 assessment, including: the trawl survey time series through 2014, per revised NMFS estimates; updated catch, PSC, and bycatch data through 2013/14; new trawl PSC length frequency data for 1986 through 2012; revised groundfish PSC estimates for 2009/10 through 2013/14; and re-estimated direct and indirect crab fishery bycatch and effort estimates.

The author examined three model scenarios:

- 4na – the model scenario that was accepted for the 2013 assessment (the base model). This scenario assumes survey Q = 0.896, based on the Somerton and Otto under-bag experiment.
- 4nb – similar to 4na, except trawl survey selectivity, Q, is estimated within the model. This scenario is the author's recommendation for the 2014 assessment.
- 4n7 – the same as 4nb, except two additional M parameters during 2006 through 2010 for males and females are estimated to allow for higher natural mortality during that period. This scenario was presented to satisfy a June 2014 request from the SSC.

The SSC agrees with the author and the CPT that Model 4nb should be used for estimates of 2014/15 biological reference points. The SSC also agrees with the author and the CPT that the recruitment time period should be 1984 through 2014 to determine the biological reference points. Based on these decisions and the associated reference points, the SSC concludes that the BBRKC is currently in Tier 3b. The SSC considers estimation of survey Q within the model as an improvement to the base model.

The SSC notes that, as expected, Model 4n7 fits the 2002 through 2013 survey values well with the exception of the most recent data point. The improvements in fit were due, in part, to a substantial increase in natural mortality from the assumed M = 0.18 to an estimate of M = 0.27 during the period 2006 through 2010.

The SSC shares the CPT's concern that improvement in model fit by increasing M is not a sufficient condition for accepting Model 4n7. The SSC reiterates its previous recommendation that the author test the hypothesis that natural mortality varies annually due to environmental change, by running a research model with a random walk on M and then statistically evaluating relationships between time trends in estimated M relative to plausible mechanisms influencing M. An alternative exploratory model would be to explore no additional mortality, but time-varying or temperature-dependent survey Q.

The SSC supports the OFL of 6.82 thousand tons and ABC of 6.14 thousand t, recommended by the author and CPT. The SSC recommends using the status quo 10% buffer on OFL for setting the ABC, the buffer for a stock with relatively low uncertainty.

The SSC recommends that if Model 4n7 is brought forward in 2015 as an alternative model, that reference points for Model 4n7 be recalculated with the higher M = 0.27 estimated for 2006 through 2010. The SSC looks forward to the additional work planned by the author: implementing a random walk for natural mortality, investigation of recruitment dynamics, and investigation of survey weighting.

Tanner Crab

The directed fishery for Tanner crab was reopened in 2013/14 for the first time since 2009/10, meeting State of Alaska criteria for opening the fishery. This stock qualifies for Tier 3, and the current model structure is the same as that used in the 2013 assessment, based on crab size, sex, shell condition, and maturity.

At the request of the SSC and CPT, many of the previous input data were recompiled and corrected. These include retained size frequencies in the directed fishery, recalculated for 1990/91through 2009/10 and updated for 2013/14. Effort data in the crab fisheries were recalculated for 1990/91through 2012/13 to improve apportionment among fisheries and updated for 2013/14. The bycatch time series from crab fisheries observer data were recalculated for 1992/93 through 2012/13, as were annual total at-sea size compositions. The time series of Tanner crab PSC in the groundfish fisheries were recalculated for 2009/10 through 2012/13, updated to 2013/14, using State of Alaska statistical reporting areas to expand groundfish observer data to unobserved catch. Prohibited species catch size frequencies in the groundfish fisheries were recalculated for 1973/74 through 2012/13, based on the crab fishing year (July 1 through June 30), rather than the groundfish year (Jan. 1 through Dec. 1). Abundance, biomass, and size frequency estimates from the 2014 NMFS EBS bottom trawl survey were also added to the assessment. The 2014 survey showed an increase in mature male biomass and a decrease in female biomass in 2014.

The revised inputs are a much improved version of historical data and did not substantially change the results. This assessment cycle, the author considered three basic suites of models; 1) Alt0 models used the base model from the previous assessment (including previous data errors) updated only with new 2013/14 survey and fishery data; 2) Alt1 models used corrected and recalculated data; and 3) Alt2 and Alt3 models are based on an alternative version (TSCSAM-FRev) of the Tanner Crab Stock Assessment Model, which implements the GMACS catch equations. These models use a revised handling mortality rate of 0.321 compared to the default value of 0.500, and represent a major change to the assessment methodology. This revised rate was recommended at the May 2014 CPT meeting, based on results of a short-term handling mortality study using Reflex Action Mortality Predictor (RAMP) scores.

Initially, the model scenario that incorporated the discard mortality rate was unable to estimate selectivity during the 1997 through 2004 time period for male bycatch in the snow crab fishery (Model Alt1b). A new model, based on a re-parameterization of selectivity in the snow crab fishery, was developed by the author during the CPT meeting (Model Alt4b).

This model addressed issues of estimating selectivity, and Model Alt4b was subsequently forwarded by the CPT as the preferred model. **The SSC agrees with the author's and CPT recommendations to use the revised Model Alt4b and revised data inputs for 2014/2015 specifications.** The OFL for this stock is based on the Tier 3 control rule. The stock was not overfished and overfishing did not occur in the past year. The Team considered it appropriate to make the final incremental step to the ABC, but expressed concern about the uncertainty in this stock assessment model, and recommended a 20% buffer in ABC. **The SSC concurs with this buffer.**

The Plan Team provided a number of recommendations to the stock assessment authors, which the SSC supports. The SSC looks forward to improved assessment software that will permit simulations and retrospective analyses to uncover any hidden deficiencies in the assessments. The SSC encourages authors to explore alternative models, such as time-varying growth, to help address retrospective bias and patterns in other residuals. The SSC also encourages the authors to explore model alternatives without time varying selectivity for the groundfish fishery and, if time allows, use of MSE to explore the effect of alternative harvest rates on stock status and yield under various sources of uncertainty. The SSC appreciates the substantial effort made to improve the quality of the existing data series, which has improved confidence in the assessment. The SSC encourages efforts to obtain better and more representative growth data.

Pribilof Islands Red King Crab

The fishery for Pribilof Islands red king crab has been closed since 1999. Fishing mortality is limited to incidental catches in the directed crab fisheries and PSC in groundfish fisheries. Recent catches range from 2.25 tons to 13.1 tons (0.005 to 0.029 million pounds; 2010/2011 through 2013/2014) and are well below the annual OFL/ABCs. The stock was above the MSST in 2013/2014, and is not overfished. Overfishing did not occur in the 2013/2014 year.

Two alternative models were presented this year. The status quo model calculated an index of MMB as a three-year running average, weighted by the inverse variance. A new length-based integrated assessment model was also presented. The integrated assessment model incorporates multiple sources of data for this stock, and uses MCMC to account for uncertainty. The CPT and SSC reviewed the new model in June 2014. As requested by the SSC, the author presented both Tier 3 and Tier 4 harvest specifications based on the integrated assessment, and Tier 4 harvest specifications based on the running average model (status quo).

The SSC acknowledges the responsiveness of the stock assessment author to both CPT and SSC comments and the substantial effort to develop the new model. The SSC supports further development of this model that incorporates multiple data sources.

The SSC discussion focused on whether to use the new model or continue with the status quo for the purpose of setting harvest specifications for 2014/15. The SSC agrees with the CPT that the new integrated model represented a significant step forward, but is concerned about: 1) relatively poor fits to mature male numbers from the survey data from 1990 forward, and 2) opposite trends in recent MMB estimates between the running average method and the new integrated model. The SSC asks the author to investigate the factors influencing the poor fit to the male survey numbers, and to consider truncating the time series if the fit to the numbers in the 1990s is overly influenced by the low abundances in the 1970s and 1980s. Given these concerns, the SSC recommends not using the integrated model for setting 2014/15 harvest specifications. **As a result, the SSC recommends continuing with the running average assessment method for estimating MMB, and continuing with Tier 4 harvest control rules. This results in an OFL of 1,359 t (3.00 million lbs.) and a maximum ABC of 1,338 t (2.95 million lbs.)**. The SSC also notes that by using the running average methodology for 2014/15, the B/B_{MSY} ratio is >1, placing PIRKC in Tier 4a.

The SSC further recommends reduction in the maximum permissible ABC by a buffer of 25% to address the large uncertainties associated with the survey biomass point estimates. This buffer is an increase from the buffers used in recent years. This makes the buffer consistent with other Tier 4 crab stocks, particularly the Pribilof Islands blue king crab stock. **Application of the 25% buffer results in a recommended ABC of 1,019 t.**

Finally, the SSC looks forward to seeing a revised integrated model in the future. In addition to investigating the poor model fit, as requested above, the SSC supports the author's suggestions outlined in section 7 of the SAFE chapter, particularly the suggestion to further investigate model sensitivity of different size bins on growth and management specifications. Also, the SSC concurs with the CPT recommendations for model improvement.

Pribilof Islands Blue King Crab

The Pribilof Islands blue king crab fishery began in 1973, and has been closed with no retained catches since 1998/99. The Pribilof Islands blue king crab stock was declared overfished in 2002. Improved estimates of discarded catch were calculated for 2009/10 through 2012/13 based on a new methodology using State of Alaska reporting areas, and have been recalculated for 2009/10 through 2013/14 to correct an error in the estimation method. PSC and discards have been steady or decreasing in recent years, with a total catch mortality in 2013/14 of 0.03 t.

As in last year's assessment, survey biomass and catch analyses included an additional 20 nm strip on the eastern portion of the Pribilof District, due to the change in the stock boundary. Mature male biomass at the time of the survey decreased slightly, but the uncertainty in biomass estimates is extremely high due to low survey catches. Following the approach in the 2012 assessment, biomass estimates were based on a 3-year weighted average, centered on the current year, and weighted by the inverse of the variance. The projected MMB decreased from 0.28 kt in 2013/14, to 0.22 kt in 2014/15, and remained well below the minimum stock size threshold.

The SSC supports the CPT's and authors' recommendations for management of Pribilof Islands blue king crab under Tier 4c, to reflect the conservation concerns with this stock, and to acknowledge the existing non-directed bycatch/PSC mortality. Following the advice of the CPT, **the SSC recommends a modified Tier 5 calculation of average catch mortalities between 1999/2000 and 2005/06, resulting in a total catch OFL of 0.00116 kt. Similarly, the SSC supports using a 25% buffer for the ABC calculation, resulting in an ABC of 0.00087 kt. The Pribilof Islands blue king crab stock is overfished; however, overfishing did not occur during the 2013/14 season.**

The MSY stock size (B_{MSY}) is based on mature male biomass at the time of mating (MMB_{mating}), which serves as an approximation for egg production. The MMB_{mating} for 2014/15 was estimated at 0.22 kt. For 2014/15, $B_{MSYproxy}$ = 4.00 kt of MMB_{mating} derived as the mean MMB_{mating} from 1980 – 1984 and 1990 – 1997. Compared to other BSAI crab stocks, the uncertainty associated with the biomass estimates for Pribilof Islands blue king crab is very high due to insufficient data and the restricted distribution of the stock relative to the survey sampling density. As a result, the stock demonstrated highly variable levels of MMB during both of these time periods, likely leading to uncertain approximation of B_{MSY}.

Proposed Crab FMP and regulatory amendments were submitted for review in early 2013, because NMFS determined that the stock was not rebuilding in a timely manner and would not meet the rebuilding horizon of 2014. The amendments are still under review.

Saint Matthew Island Blue King Crab

The directed fishery was closed in 2013/14 due to declining trawl survey estimates of abundance and concerns about the health of the stock. The 2014 assessment estimates that the stock is currently below the proxy for B_{MSY}, as it was in the previous year. This stock assessment model is a 3-stage length-based catch-survey analysis (CSA), assessing the male crab ≥90 mm CL. The author reviewed input data that include the most recent fishery and survey data, including the 2013 pot survey, and groundfish PSC estimates.

The author explored four model configurations: 1) Model O - the base model used previously; 2) Model S - the base model with time-varying trawl-survey selectivity; 3) Model T - the base model with an alternative stage-transition matrix; and 4) Model ST - the base model with both modifications above. The model formulations addressed concerns previously raised by the CPT and SSC. The author recommended use of Model ST that has both time-varying trawl survey selectivity and the revised stage-transition matrix. However, the CPT noted concerns with time-varying selectivity as no clear mechanism was apparent.

The CPT chose Model T, which does not have time-varying selectivity, but does have the alternative stage-transition matrix. While Model T fits the data better than the base model, it still has poor fits to stage composition data and a retrospective pattern. The author recommended, and the CPT concurred, a 20% buffer on the OFL for the ABC, because of additional uncertainty in the model. **The SSC concurs with CPT selection of Model T and a 20% buffer to determine OFL and ABC.**

The CPT had a number of recommendations for future model explorations, and the SSC agrees with these recommendations. The SSC appreciates the author providing a likelihood profile on the natural mortality rate and recommends further model explorations on model fit to each data component as natural mortality rate changes. The SSC also requests the author explore the inclusion of potential environmental variables, such as nearshore temperature data, as an explanation for the temporally patterned residuals in the survey composition data. The mechanism might be environmentally-driven changes in biological factors, such as growth or mortality, or simply changes in the availability of different life stages to the survey. Any available data that might distinguish these phenomena should be examined.

Norton Sound Red King Crab

A new annual cycle will occur for NSRKC in the next year to better accommodate winter and summer fisheries. The new schedule is:

September/October: Model progress report and review at CPT and SSC meetings.

January: Half-day CPT meeting to propose final specifications of ABC and OFL. This will occur after the 3-day Crab Modeling Workshop; after 2015, the situation is fluid because having funding for the crab workshop is what motivates this time period.

February: The SSC sets final ABC and OFL.

Hamachan Hamazaki (ADF&G) presented an overview of model developments. The author developed an improved length-based model that addresses several of the previous CPT and SSC comments. Of six model configurations considered, both the author and CPT recommended use of Model 2io, which had separate selectivities for NMFS and ADF&G trawl surveys, included winter survey data as a means of informing the winter fishery harvest, and estimation of a growth matrix inside the model and separated for newshell and oldshell crab. The SSC concurs with this recommendation. In the assessment, the metric for biomass will be mature male biomass (MMB) on February 1.

The CPT had two recommendations for improvements to the model for January. First, the model has separate mortality parameters for the last length class and for all other length classes; this is viewed as biologically implausible. The CPT recommended further exploration of a model with constant natural mortality, which is biologically plausible, but has problems with model fit and effects on estimates of other parameters. Secondly, the CPT requested a sensitivity study of the tag-recovery weights, which have an effect on selectivity parameter estimates. In addition, the author plans to examine model parsimony in more detail because ADF&G and NMFS survey selectivities are similar and some survey selectivity values can probably be set to 1.

The SSC concurs with these recommendations. It also recommends comparing the standard deviation of residuals to the input standard deviation, to develop a more objective weighting of the various likelihood components in the model.

Pribilof Island Golden King Crab

Pribilof Island golden king crab is managed as a Tier 5 stock. Thus, it is not possible to determine stock status and, consequently, it is unknown if the stock is overfished. Due to the limited number of participants in this fishery, catch information is confidential. However, the author indicates that the total catch in 2013, the most recently completed fishing year, did not exceed the OFL of 0.20 million lbs.

The 2015 OFL of 91 t was recommended by both the assessment author and the CPT. **The SSC concurs with this OFL recommendation.** While the SSC has raised concerns about the relatively short time period for the OFL estimation in the past, using the 1993 through 1998 time period is consistent with recent assessments.

The author and CPT recommended an ABC reduced by 25% from the maximum permissible. The rationale is to be consistent with the uncertainty of other golden king crab assessments (e.g., Aleutian Islands GKC) and increased concern because of the cancellation of the 2014 EBS slope survey and the dramatic decrease in the estimated biomass in the Pribilof Islands area from 2010 – 2012 (the most recent data). **The SSC agrees with the 25% buffer recommendation, resulting in an ABC of 68 t.** The SSC notes the difficulty in setting harvest specifications with so much of the recent fishery dependent data being confidential, especially in this situation where a large buffer is considered and recommended.

Additionally, the SSC recommends revisiting alternative Tier 4 calculations, as suggested by the SSC and CPT in 2013. However, the cancellation of the EBS biennial slope survey in 2014 means that this recommendation is moot until a survey can be completed.

Other Items

Uncertainty and ABC buffers - The SSC appreciates the CPT review, discussion, and recommendations with respect to treatment of uncertainty and consistency in ABC buffers, as requested by the SSC in June 2014. The relative groupings in assessment uncertainty from the 2010 ACL analysis, together with a review of tier levels and buffer amounts employed historically since the ABC rule, was a good starting point to look at consistency. The CPT recommendations for more buffer consistency within and across tier levels and the rationale provided for those changes seem appropriate for going forward. However, it should be noted that because the SSC did not accept the CPT recommendations this year for Pribilof Island red king crab tier level, our decision on an uncertainty buffer for this stock was changed to be consistent with other similar Tier 4 stocks (25%). The SSC encourages the CPT to move forward with the proposed scorecard for assessments to include in the SAFE that would provide a suite of metrics for evaluating uncertainty in various factors that would be considered each year in estimating uncertainty. It was recognized in the discussion that there is still difficulty in translating relative levels of uncertainty into actual changes in the recommended buffers. The SSC supports the idea of an uncertainty workshop to be held in the fall of 2015. This workshop would be informed by the upcoming Lowell Wakefield symposium, to be held in May 2015, that will focus on methods for data limited stocks. A paper by Carruthers et al. (2014) was mentioned as one to consider when reviewing methods for setting limits for such stocks.

GMACS – The SSC had some discussion about the content and structure of the proposed January modeling workshop. It was suggested that the highest priority for the workshop would be to get stock assessment authors together for a workshop, where the format would be hands on applications of GMACS on their own computers. In addition, some preparatory work would be needed in identifying

unique features needed to convert their assessment into the GMACS framework. If this is not feasible, then the other items mentioned by the CPT would also be important as topics for the workshop.

Ecosystem Considerations chapter – The SSC agreed with the CPT that incorporating crab-specific indicators into the Ecosystem Considerations chapter for the Groundfish SAFE would be the most effective way to move forward. The Ecosystem Considerations chapter would then serve as a stand-alone document that would serve the Groundfish and Crab Plan Teams, the SSC, and Council.

C-4 Groundfish Plan Team Report and Harvest Specifications

The SSC received a series of presentations from Grant Thompson (NMFS-AFSC) and Diana Stram (NPFMC) that included all items from the September 2014 Joint, BSAI, and GOA Groundfish Plan Team meeting. The presentation from the Joint Groundfish Plan Team included recommendations regarding the Recruitment Working Group, Survey Averaging Working Group, stock-specific ecosystem considerations, research on groundfish recruitment indices, arrowtooth flounder model development, catch projections, EFH 5-year review and fishing effects, research priorities, and squid harvest specification methods. The BSAI Team presentation contained information on the Bering Sea shelf bottom trawl and acoustic-trawl survey results, recommendations on eastern Bering Sea Pacific cod, Aleutian Islands Pacific cod, blackspotted/rougheye rockfish spatial analysis, shortraker rockfish biomass estimation, POP models with spline-based selectivity, arrowtooth flounder stock structure, "Other rockfish" stock structure, Alaska skate assessment, and BSAI harvest specifications. The GOA Team presentation contained recommendations on N/S rocksole assessment, POP assessment, Pacific cod assessment, shark assessment, demersal shelf rockfish assessment and ASA model update, RE/BS rockfish assessment, GOA pollock apportionment, and GOA harvest specifications.

Public testimony was received from Gerry Merrigan (Freezer Longline Coalition), Jason Anderson (Alaska Seafood Cooperative), and Julie Bonney (Alaska Groundfish Data Bank). Items where the SSC had comments or recommendations in addition to or different from the Plan Teams are listed below.

GOA Pollock Apportionment

The GOA Plan Team considered the following two proposals for changing the terminology for the area splits for GOA pollock:

"Alternative 1. The SSC clarifies that an overage of the area ABCs is not a conservation issue for GOA pollock, and any reapportionment of the TAC between the areas 610, 620, 630, and 640 would not be considered exceeding an area ABC."

"Alternative 2. Change the name of area ABCs to apportionment of the ABC or subarea-ABCs. In the harvest specifications, the apportionments of the ABC are called ABC. If they were called an apportionment of the ABC in the harvest specifications, this would help clarify the Alaska Region's definition of the ACL as the ABC area apportionments summed to the area to which the OFL is specified."

Under these alternatives the SSC would still set a combined Western/Central/West Yakutat (W/C/WYAK) ABC and area apportionments. The Council would continue to set the overall TAC and area TACs less than or equal to the overall ABC and ABC apportionments. NMFS would still manage catch to not exceed the area TACs, except where allowed under the GOA pollock reapportionment regulations.

The Plan Team recommended a combination of Alternatives 1 and 2, and requested clarification from the SSC that an overage of the area ABCs is not a conservation issue, and that the names are changed to "apportionment of the ABC" or "subarea-ABCs". **In discussion, it was then clarified that**

"apportionment of the subarea ACL" should be the term employed to allow regulatory reapportionment.

The SSC notes that the proposed change in terminology is acceptable for W/C/WYAK GOA pollock only. The Eastern GOA region was split based on stock structure considerations. Within the W/C/WYAK, the Steller Sea Lion Reasonable and Prudent Alternatives (SSL RPAs) provide a spatial and seasonal apportionment procedure for GOA pollock. The SSC expects that the SSL RPAs, together with sub-area ACL apportionments, would be an effective tool for limiting localized depletion in the W/C/WYAK. The SSC agrees with the GOA Plan Team that the small departures from the subarea ACLs allowed within the SSL RPAs are not a conservation issue for GOA pollock.

With the change in terminology noted above for GOA pollock, the SSC recommends approval of the 2015 and 2016 preliminary specifications for the BSAI and GOA groundfish.

For the most part, the SSC supports the GPT recommendations, but also had comments and additional recommendations on some of the items presented that are provided below.

BSAI and GOA Pacific Cod Models

BS cod - Grant Thompson (NMFS-AFSC) noted that the BS survey for Pacific cod was up 35% from the 2013 survey results. The Plan Team reviewed 6 models (5 requested models and 1 suggested by the author). Model 1 was chosen for specifications in 2011 through 2013. Models 2 through 5 were exploratory models based on model 4 from the 2012 assessment cycle. The main differences between exploratory Model 2 and Model 1 are: (1) annual length-weight relationships, (2) 10 initial age-classes estimated, (3) 4 parameter growth model, (4) freely estimate recruitment standard deviation, (5) length-based survey selectivity, (6) double-normal fishery selectivities for 5 seasons with one season forced to be asymptotic, (7) 2 survey selectivity parameters with annual deviations, and (8) survey catchability Q re-estimated iteratively (not treated as a latent variable). Model 3 is the same as Model 2, but with Q = 1. Model 4 estimates an additional survey variance scalar for the estimated sample variance in each survey CPUE. Model 5 fixes Q = 1 and freely estimates natural mortality. Model 6 is the new exploratory model brought forward by the author. Major new features of Model 6 include a single fishery with time varying age-specific selectivity and Q estimated internally. Model 6 requires a laborious process of iterative re-weighting and tuning due to the large number of time-varying parameters involved. Statistically, Models 4 and 6 explained the data the best; however, Model 4 inflates the variance of the survey CPUE estimates and is the basis for the improved fit. However, the two models differ qualitatively in the trends over the terminal years of the assessment. Models 2 through 5 were deemed to be poor and the Plan Team recommends that Models 1 and 6 be brought forward in November. **The SSC agrees with the Plan Team and also notes that the re-weighting procedure does not need to be repeated for Model 6. The SSC also agrees with the Plan Team regarding estimation of a single L1 parameter for growth, instead of the annual estimates.**

Selectivity of the survey trawl gear is still a great source of uncertainty. Vertical experiments based on archival tag data from 11 fish suggested that a large fraction of fish may be above the height of the head rope. Recent acoustic field work conducted by AFSC/RACE indicates that the bulk of the cod biomass is very near the bottom when the survey trawl passes, which is in contradiction to the archival tag data. The acoustic data suggests that catchability is near 1, as estimated by Model 6. Additional analysis will be forthcoming in the next assessment cycle that may help resolve this issue.

AI cod - The major change from the previous years' model was changing the initial start year of the model data from 1977 to 1991. The justification was the large changes in the size composition data pre- and post-1990. The model is based on a single fishery and a single fishing season, with age-specific selectivity modeled as a random walk process with priors on the parameters that would force asymptotic

selectivity in the absences of composition data. Several variants of this model were presented: Model 1, with recruitment offset set to zero; Model 2, with recruitment offset estimated freely; Model 3, same as 2, but with survey selectivity forced to be asymptotic. Estimates of survey catchability Q were approximately 0.63 for all 3 models and were not influenced by the prior on Q centered at 1. The exclusion of the pre-1991 data eliminated many of the model convergence issues experienced in previous years.

The SSC agrees with the Plan Team recommendations, including limiting the data to post-1990, and bringing three candidate models forward to the November plan team meeting. The three models are: Model 1, with no recruitment offset; Model 2, a variant of Model 1 with a more informative prior on survey selectivity that better approaches a logistic curve; and a Tier 5 assessment based on the random effects model.

GOA cod - The assessment author presented 5 alternative models, and the Plan Team recommended that Models P1, S1a, and S1b be brought forward to the November plan team meeting. Model P1 is the model from last year. The S1 models differ in that they use conditional age at length for survey data and include a recruitment variability multiplier. Model S1b uses non-parametric selectivity functions (cubic splines). The Plan Team recommends that the starting values for composition sample weights be based on the number of hauls or trips, rather than the number of samples. The Plan Team also recommends the author explore the use of the IPHC setline survey data as an index for adult Pacific cod. **The SSC agrees with all the recommendations made by the Plan Team.**

Arrowtooth Flounder Models

Ingrid Spies (AFSC) is undertaking the task of modifying the arrowtooth flounder models in the Bering Sea/ Aleutian Islands (BSAI) and Gulf of Alaska (GOA) to be more similar and consistent. There are differences in modeling catchability and selectivity, and in binning length compositions into age classes. Survey selectivity has been modeled in two ways: (1) as a logistic function in the GOA, BSAI slope, and AI; and (2) as individual selectivity-at-age values with smoothing penalties in the BS shelf. Investigations have included the effect of temperature on survey catchability in the BSAI and GOA, the use of empirical information (Somerton et al. 2007), the choice of a starting age, and comparing the two different selectivity models in both areas. Because this is an off-cycle year in the GOA, the arrowtooth model will only be brought forward in November to the BSAI Team. The Plan Teams recommended additional work and comparison of both selectivity models. For the selectivity-by-age model, the sensitivity to the weightings for the smoothing penalties should also be explored. **The SSC concurs with the Plan Team recommendations.**

BSAI Rockfish

The SSC received a presentation on two BSAI rockfish species. The first compared alternative Tier 5 biomass estimators for BSAI shortraker rockfish that include a random effects model (recommended by the Survey Averaging Work Group), and a surplus production model (Kalman filter implementation of the Gompertz-Fox model) that has been used in several previous assessments. The random effects model and the surplus production model gave very similar results, and appeared to provide effective methods for smoothing the survey time series appropriately. **The Plan Team recommended, and the SSC agrees, that the random effects model be included in the November assessment, anticipating that this will be the preferred model for use in setting ABC and OFL.**

The second presentation was the Pacific ocean perch (POP) assessment authors' responses to CIE and SSC comments on the assessment addressing concerns on selectivity and the age-plus group. The Team recommended that the authors include at least one model with spline-based fishery selectivity in the November POP assessment, and encouraged the authors to include a spline-based model for other age-structured BSAI rockfish assessments, to the extent that time permits. In the event that the model with

spline-based selectivity proves to be unsatisfactory, then the Team recommends further exploration of alternative models. **The SSC agrees with Plan Team recommendations**.

The SSC notes that the transition from dome-shaped to asymptotic fishery selectivity appears to correspond with a period of change in the percent of observed catch, by depth and by region (Fig 1). **The SSC recommends the authors examine the potential interaction of these processes.** The SSC cautions the assessment author that while cubic splines are an effective tool for interpolation, they are not appropriate for extrapolation. Great care should be taken in cases where the time-varying nonparametric spline function is being used to extrapolate beyond years for which there is composition information. The POP assessment model starts in 1960, but length-composition data do not start until 1964. **The SSC recommends that the author implements the time-varying bicubic spline with the first year node, starting at the first year of available composition data.**

GOA Rockfish

The SSC received a presentation on two GOA rockfish species that included Pacific ocean perch (POP) and demersal shelf rockfish (DSR). In 2013, the POP authors conducted a full assessment, but were unable to include updated POP maturity data. At the request of the SSC, the authors will provide a full assessment in 2014, evaluating the effects of new maturity data, survey length data on recruitment estimates, and sample size specified for age data. The assessment author also provided an evaluation of an alternative approach using a random-effects model for area apportionment. The Plan Team recommended using the random effects model, rather than the weighted survey average approach, to the extent practicable, for POP and for rockfish in general. **The SSC agrees with this advice.**

The Plan Team also recommended: 1) an evaluation of how the data weights given to the various fishery and survey age and length composition data affect the estimates of recruitment and age composition; 2) evaluate the value of information contained in the survey length data and the transition matrix; and 3) that the author consult with the Age and Growth Lab about the possibility of obtaining additional recent POP age information to incorporate into the model. **The SSC agrees with Plan Team recommendations and looks forward to the revised POP assessment in November.**

The SSC received an overview of the annual SE demersal shelf rockfish (DSR) stock assessment and an initial development of an age structured assessment for 2015. The age structured assessment included annual catch data from the directed commercial fishery and bycatch in the commercial halibut longline fishery, as well as annual catch-per-unit effort from the directed DSR fishery and the IPHC longline survey. Model estimates of abundance were scaled by fitting density estimates from ROV and submarine surveys, and the area of rocky habitat for each management area. Indices of abundance and the initial population assessment model indicate a substantial decadal decline in biomass. **The SSC is concerned that this may signal a considerable conservation concern for this species group and recommends that assessment development be fast-tracked.**

The current model estimates the population dynamics of each management area, separately. However, current genetic and isotopic information does not support fine scale stock structure for yelloweye rockfish. **The SSC recommends that authors complete the stock structure template for yelloweye/DSR coastwide for the September 2015 Plan Team meeting**. For the next iteration of the stock assessment in 2015, the SSC recommends that two yelloweye/DSR models be developed: (1) southeast Alaska yelloweye/DSR age structured model, and (2) GOA yelloweye/DSR age structured model that includes (at a minimum) southeast Alaska data sources, International Pacific Halibut Commission survey data, and coastwide catch. This second model would treat yelloweye/DSR as a single stock throughout the GOA including all sources of mortality.

Because DSR species are currently included within the "other rockfish" assessment for NMFS areas north of area 650, there will have to be reconsideration of current species groupings in the GOA. **The SSC recommends that respective assessment authors work together with AKR to provide detailed examination of fishery catch and survey data by subarea and season for DSR and "other" rockfish species.** Catch data from all sources (retained, discarded, State waters) should be included and, where data are lacking, this should be noted and included in the revised assessment(s). Assessment authors should also attempt to derive a plausible range of historical catch trends where catch data may not be available. The goal of this work is to fully account for rockfish catches and align potential rockfish groupings to improve our ability to monitor and identify conservation issues. This may include species groupings that are biologically similar (i.e., with similar life history attributes) or potentially grouped as Tier 6 species where reliable estimates of biomass are unavailable.

The SSC notes that the estimates of rockfish species bycatch are highly dependent on the quality of data used for catch estimation. Low rates and/or biased observer coverage will result in a poor understanding of the bycatch of rockfish in fisheries operating on the shelf. The SSC commends the assessment authors for their work on the assessment and agree with Plan Team recommendations for this assessment.

The SSC recommends that a model development team be formed, following the November Plan Team review, with the goal to have the assessment complete enough for consideration for setting OFL and ABC at the September 2015 PT meeting.

Stock Structure Templates

Guidelines were developed by the Stock Structure Working Group several years ago to promote a rigorous and consistent procedure for evaluating the appropriateness of existing stock categorizations and providing advice to guide spatial management decisions on stock structure for Alaska stocks. Information on stock structure is gathered by authors and evaluated by the Plan Teams and SSC at their September/October 2014 meetings for a number of species in the GOA and BSAI. These examinations were part of the first step of the process adopted by the Council in December 2013, where the Plan Teams and SSC are to consider scientific information on stock structure and advise the Council on any potential changes to spatial division of OFLs and ABCs. The Plan Team created three levels of concern to help provide advice and for each particular species or species group: 1) monitor, 2) alert, or 3) concern. **For species where a stock structure template has been completed and a level of concern has not been specified, the SSC requests Plan Teams do so for the December SSC meeting.**

Arrowtooth flounder

In November 2013, the Groundfish Plan Team recommended application of the template to the GOA and BSAI arrowtooth flounder stocks to evaluate the appropriateness of existing stock categorizations and management boundaries. Very little research has been done pertaining to stock structure in arrowtooth flounder. Exploitation rates, spatial concentration of fisheries relative to abundance, and pairwise genetic differences/isolation by distance were examined for GOA and BSAI arrowtooth flounder.

Within the BSAI, the highest abundance of arrowtooth is in the Bering Sea, with lower abundances in the Aleutian Islands and Bering Sea slope. BSAI exploitation rates have been low and generally proportional to abundance, with one exception. In 2010, the Eastern AI had a higher exploitation rate of 0.546, more than twice the F_{ABC} value of 0.235, as a result of targeting for Kamchatka flounder.

In the GOA, the biomass of arrowtooth flounder is concentrated in the Central region. Catch is proportional to abundance in all areas but is significantly less than the ABC. Exploitation rates are low and are an order of magnitude lower on average than the ABC specified in the GOA. There is no evidence that disproportionate fishing is occurring in any of the three regions of the GOA. Within the GOA, there is very little difference in age or size structure among areas, although there is some evidence of

differences in size structure between the GOA and EBS. To date, there have been no genetic studies on arrowtooth flounder. **The SSC supports including genetic population structure studies on North Pacific flatfishes as a research priority.**

Based on this information, and particularly in light of the generally low exploitation rates, the Plan Team and **SSC do not currently have a concern regarding arrowtooth flounder stock structure for management, and recommend area specific biomass and exploitation rates continue to be *monitored*.**

BSAI Blackspotted/rougheye rockfish

Stock structure for blackspotted/rougheye rockfish species complex was investigated and presented to the SSC in December 2013. Seven reasons for concern about fishing pressure on the Western Aleutian Island (WAI) component of the population were presented at that time (one genetic reason and six non-genetic reasons):

1) Genetic information shows spatial structure at scales < 500 km;
2) High catch levels in the 1990s in the WAI, followed by a sharp decline in WAI survey biomass estimates beginning in 2000;
3) High estimated exploitation in the WAI, where the $U_{F40\%}$ reference exploitation rate has been exceeded in every year from 2004 through 2012, except 2011;
4) An overall decline in survey biomass estimates in the WAI from 1991 through 2012;
5) An increase in the proportion of survey tows that have not caught blackspotted/rougheye over all survey strata in the WAI;
6) A large percentage of the total harvest occurring in the WAI; and
7) A decline in mean size in the WAI, but not other BSAI subareas.

Public testimony indicates that bycatch avoidance measures have been voluntarily implemented in the 2014 trawl fishery to reduce bycatch of the blackspotted and rougheye rockfish complex. Despite the bycatch avoidance measures in the trawl fishery, bycatch in other fisheries has resulted in preliminary 2014 exploitation rates that exceed $U_{F40\%}$.

In December 2013, the SSC agreed with the Plan Team's concern about the WAI component of the stock and asked the authors to update the seven reasons for concern and bring the updated information back in 2014 for consideration of separating the WAI ABC from the other sub-areas.

The Plan Team presented an update for the genetic and catch data. The Plan Team reported that additional genetic samples were collected since the last analysis in 2010, primarily from the BS slope, AI surveys, and commercial fisheries. This increase in samples (n ~1,000) resulted in the relationship between genetic distance and geographic distance being no longer statistically significant (P = 0.113). However, genetic information describes population processes on an evolutionary scale and often has limited power to identify population migration rates that result in spatial structure of interest to fisheries management. The high rates of exploitation of blackspotted rockfish in the Western AI that occurred in the 1990s, followed by decreasing abundance of blackspotted rockfish from neighboring areas, suggest that there is population structure on temporal scales important to fisheries management.

Updated information on area-specific catch rates and spatial distribution of harvest show the same patterns as those presented in 2013. There continues to be spatially disproportionate harvest of blackspotted/rougheye rockfish in the WAI. From 2004 – 2013, 40% of the harvest in the AI management area occurred in the WAI, whereas the percent of survey abundance for the WAI is only 8%. In 2013, the catch in the western AI was the second largest since 2006.

High rates of exploitation continue to occur for blackspotted/rougheye rockfish in the WAI. Exploitation rates in the WAI have exceeded $U_{F40\%}$ reference exploitation every year between 2004 and 2013, except 2011. Preliminary exploitation rates have also exceeded the $U_{F40\%}$ reference exploitation for 2014. In 2013, the exploitation rate was the highest since 2004, and was 2.07 times $U_{F40\%}$. The 2014 preliminary exploitation rate is 1.29 times $U_{F40\%}$.

The SSC agrees with the Plan Team that the blackspotted/rougheye rockfish remain at the *concern* level in the WAI, and notes that concern is now heightened, given the high catch and exploitation in 2013 and 2014. The SSC requests to review this issue in December and asks that authors address information requested in the December 2013 SSC minutes, to the extent practicable. In addition, the SSC also requests spatial catch information by fishery.

The SSC recommends that the current stock structure policy include a requirement for a recommended maximum area specific catch level when a stock or stock complex is elevated to the level of "concern". This would provide a clear guide to industry regarding what reductions in catch would be needed to alleviate the "concern". This area specific catch level would likely be estimated by the assessment author with review and comment by the Plan Teams and SSC.

GOA Skate Stock Structure

The limited data available suggest that the GOA big skate population has a gulf-wide stock structure, with ontogenetic movement from the east, where few mature animals exist, to central and western GOA where big skates are mostly mature. This differs from research on big skates in British Columbia, where big skates exhibit limited movement and separate stocks are expected across small spatial scales. Estimated biomass of GOA big skates is highest in the CGOA and population trends vary by area. Fishing mortality also varies by area, but is highest in the CGOA and is especially concentrated around Kodiak Island. The spatial distribution of landings is fairly similar to the spatial patterns in survey CPUE. In 2013, the Gulf wide catch was 70% of the ABC, but the catch in the CGOA has exceeded the area apportionment from 2010 to 2013. Even if the discard mortality of big skates is assumed to be only 50% or 70% (lower than the 100% currently assumed), the mortality would still exceed the CGOA area apportionment in 2012 and 2013. Since 2003, dramatic declines in biomass have been observed in the CGOA representing a potential conservation concern (directed fishing ended in 2005).

Given the stock structure information presented, the SSC agrees with the Plan Team that the current area apportionments appear to be necessary. **The SSC asks the Plan Team to evaluate whether GOA big skate stock structure falls in the monitor, alert, or concern category, and report back to the SSC at its December 2014 meeting.**

<u>Longnose skates</u>

The biomass of longnose skates has increased in all GOA areas, especially between 1990 and 2000, but the increase in the CGOA has been much greater than in the other areas. Fishing mortality of longnose skate differs by area. The pattern of landings is centered on Kodiak, disproportionate to the survey CPUEs, which are distributed more evenly throughout the GOA. Catch of longnose exceeded the WGOA area apportionment in 2009-2010 and 2013. The high concentration of fishery removals and the vulnerable life history (female A50 is 12.3 years) is of concern. Data are insufficient to conclude that separate populations of longnose skate exist in the GOA, but different abundance trends and different size structures among areas are consistent with some degree of separation.

The SSC agrees with the Plan Team that the current area apportionments appear to be needed, given the stock structure information. The SSC also agrees that stock structure of longnose skate should be a research priority. **The SSC asks the Plan Team to evaluate whether GOA longnose skate stock**

structure falls in the monitor, alert, or concern category, and report back to the SSC at its December 2014 meeting.

Recruitment Working Group
Grant Thompson (NMFS-AFSC) summarized the recruitment working group phase III interim report. Two aspects of this working group were presented: item B-1, the criterion for excluding within-regime year class estimates; and item B-7, determining the preferred measure of central tendency for recruitment.

Item B-1. A method for defining the first age of recruitment was developed based on examining the vectors of recruitment from several groundfish assessments, along with estimates of survey selectivity in the terminal year and natural mortality rates. Several alternative models were explored using $A_{50\%}$ and $A_{10\%}$ as cut-off ages to determine the terminal year of recruitment that should be used for determining reference points. For example, if age-1 is the youngest age-class in the model and survey selectivity for ages 1 and 2 are 0.05 and 0.15, respectively, then age-2 would be considered "first age". If age-2 is the first age, then the terminal year for the recruitment estimate would be T-1, where T is the terminal year of the assessment. The PT recommended postponing this research to a later date. The SSC will comment on this approach after PT completes their evaluation.

Item B-7. The Plan Team recommended the use of the mean over the median, as a measure of central tendency. The measure of central tendency is important for calculating biomass reference points ($B_{100\%}$ and $B_{40\%}$). This recommendation was based on a Monte Carlo simulation where only recruitment was treated as the random variable. All other model parameters were held constant, and there was no sensitivity analysis looking at non-stationary distributions or alternative values of recruitment variation. The GPT recommended folding this research into the AFSC's MSE work on harvest control rules. **The SSC highlighted the importance of defining objectives, *a priori,* and that alternative values of recruitment variation and non-stationary distributions be explored in future work on this subject.**

Survey Averaging Working Group
This Working Group has been exploring random effects models as an alternative for determining average biomass for Tier 5 calculations. The SSC appreciates the update on these efforts. Life history-based approaches to constraining survey fluctuations (large interannual fluctuations in stock biomass are less likely for lightly-harvested long-lived species) seem to be a fruitful approach.

Stock-Specific Ecosystem Considerations
The Groundfish Plan Team suggests that it would be valuable to begin development of stock-specific ecosystem consideration sections that would have ecosystem indicators that were specific to particular stocks. The SSC concurs that development of stock-specific ecosystem indicators would be helpful in moving toward the incorporation of indicators in the assessment process. The SSC agrees that it would be valuable to move forward with this initiative.

Research on Groundfish Recruitment Indices
The SSC encourages the search for assessment-model-independent predictors of recruitment. However, statistically significant relationships can exist and still have little predictive ability. **The SSC recommends assessing the predictive ability of these relationships.**

Catch Projections
An overview was provided on different strategies for estimating future catch remaining in the terminal year of the stock assessment and future catch projections. Methods varied by author, and future year catch projections are based variously on the full ABC, past ratios of catch to maxABC, average fishery mortality rates, or expert judgment. Most authors estimate only one year ahead in projections.

The Teams recommend that authors choose a method that appears to be appropriate for their stock and this method be clearly documented. The Teams also recommend authors establish their best available estimate of catch in the current year and, in the next two years, also document how those projected catches were determined in the Harvest Recommendations section. **The SSC supports these recommendations.**

Research Priorities
The JPT reviewed the four-category research prioritization system that was developed by a sub-group of SSC and Council members during the summer of 2014. The four categories are:

- Critical ongoing monitoring
- Urgent
- Important
- Useful

Definitions and examples were provided for each category.

The JPT made two recommendations at their September 2014 meeting. The first was to revise the category titles to replace "Important" with "Essential" and "Useful" with "Important." Their second recommendation was to form a sub-group of JPT members to provide revised language for the examples in each category.

The SSC appreciates the JPT review of the research categories, but disagrees with their recommendation to change the names of the last two categories. The SSC felt that the JPT recommended changes wouldn't clearly differentiate the two higher priority categories. The SSC looks forward to the revised examples for each of the categories that would be provided by the proposed JPT sub-group.

GOA Northern and Southern Rock Sole
The assessment author responded to all of the recommendations from previous Plan Team meetings and comments from the SSC were addressed in some form. Progress on the stock structure template is underway. Notable changes to the assessment model include the use of conditional age-at-length (AAL) data to jointly estimate growth of male and female northern and southern rock sole. The Plan Team recommends using the AAL approach for models to be considered this November. The Plan Team also recommends down weighting the sample sizes for composition data using the number of hauls as the initial starting values for the iterative re-weighting procedures. Estimating natural mortality for males improved over all fits, and the Plan Team recommends estimating male natural mortality rates for November. The Plan Team also suggests exploring the use of length-based selectivity to investigate if the current age-based selectivity is a source of the low CVs in the estimated length-at-age for age-3 rock sole. **The SSC supports all of the above Plan Team recommendations.**

The major axis of uncertainty in this assessment is partitioning catches into species-specific (northern and southern rock sole) values. Catch data in the model date back to 1977, but ratios of northern and southern rock sole are only available from 1988 onwards, with no clear trends in the ratios. The Plan Team recommends a 50:50 ratio for splitting the catch in the base model and, if time permits, performing a sensitivity analysis exploring 40:60 ratios in the historical period where ratio information is not available. **The SSC also supports this Plan Team recommendation.**

The ADF&G survey data for rock sole do not include sex-specific information and, therefore, are unlikely to be used in model fitting using the Stock Synthesis framework. However the Plan Team is interested in the relative trends provided by those data and recommends evaluating those data if time permits. The SSC did not discuss the use of these additional data.

BSAI Skates

Revised population models were presented for Alaska skate in the Bering Sea and Aleutian Islands management area (BSAI). This revision was motivated in part by CIE review comments. The most important of the CIE recommendations was to include the full eastern Bering Sea (EBS) shelf bottom trawl survey time series, which shows a dramatic increase in skate biomass during the 1980s. The reviewers felt that inclusion of the entire time series was necessary for proper modeling of skate population dynamics and might resolve some of the long-standing problems with the model (e.g., fits to unusual patterns in the length compositions). In response to the CIE comments, the EBS shelf survey data from 1982 to present are included in all models considered. In addition, the author lengthened the model time period to start in 1950, and a reconstruction of historical catches extends the catch time series back to 1954.

The author presented four alternative models. All of the models considered for the 2014 revision used catch data from 1954 through 2013. All data regarding skate catches rely to some degree on assumptions regarding the proportion of Alaska skates in the total skate catch. Additionally, the earlier data also rely on assumptions regarding removals by gear type. Ultimately, the author preferred Model 1 for setting harvest specifications in 2014/15, as it had the best overall fit and produced results consistent with suspected determinate growth in skates, the large recruitment event in the 1980s, and a greatly simplified model.

The reconstructed catch data used in the models were heavily influenced by the assumptions regarding the proportion of skates in the "Other Species" catch. To explore this assumption and how different catch histories influenced the model, two catch datasets were created. One dataset ("high catch") used the assumption described above, that the proportion of Alaska skates during the entire catch history was equal to the average proportion from 2003 through 2013. An alternative dataset ("low catch") modified the proportion of skates, using the ratio of estimated skate biomass in 1982, to the estimated skate biomass during 2003 through 2013. The author's preferred model, Model 1, was run using both of these datasets. Results were similar between the runs, and the "high catch" model provided slightly better fits to the data. Therefore, only the "high catch" dataset was used in developing and evaluating the alternative models. **The SSC expressed concern about using the model to select data that would subsequently be used for model runs, and asked that the author instead find a rationale outside the model to determine what datasets would be used for model runs.**

By examining the spatial distribution by age, the author found that skates move shoreward from ages 0-9 and once mature, spread out and most return to the outer shelf. Of the four models presented, three models used dome-shaped selectivity curves and one model used selectivity that was forced to be asymptotic. The dome-shaped selectivities for the trawl and longline fisheries are consistent with Alaska skates being taken as bycatch, and with the fact that the shelf trawl survey does not sample the slope where bigger skates might be found (although it was noted that few Alaska skates are caught in the slope survey). **The SSC expressed some concern about using selectivity and catchability to account for conducting an assessment with data from only part of the species range,** although the SSC recognizes this has been done for other assessments. **The SSC encourages the author to use any data available to explore size composition and biomass information for skates that extend outside the trawl survey area, and to continue to provide justification for the values of catchability and form of selectivity chosen (e.g., are small skates expected to be outside the survey area, as well as large skates).**

The SSC supports the Plan Team recommendation that the last accepted version of the model (2012) be included in November as a base model for comparison with the author's preferred model from among the new four alternative models. The SSC requested that the author also include two other models in November: (1) Model 3 (the model with logistic selectivity); and (2) a model with a

more recent start date, but prior to 1989 (e.g., one possibility is starting around the regime shift in 1977). The SSC noted that AIC cannot be used to compare models with different data or different weighting in the objective function.

BSAI/GOA Squid Harvest Specification Methods

Assessments of BSAI and GOA squid were reviewed by the CIE in 2013. Squid in both the BSAI and GOA are Tier 6 assessments, with OFLs established by using a representative time period. The BSAI squid OFL is established by the average of 1978 through 1995 catch and the GOA squid OFL is based on the 1997 through 2007 maximum catch. Recent squid catch in the BSAI is above average and exceeded the BSAI TAC in 2014. The preliminary 2014 GOA squid catch is well below the TAC.

The CIE made several primary observations, including: 1) that harvest approaches should be consistent between the BSAI and the GOA; 2) the BSAI time period for setting the OFL is inappropriate, given that it straddles time periods of foreign and domestic fisheries; and 3) general skepticism regarding the use of catch to establish harvest specifications. The SSC noted that squid population levels are highly variable and influenced by multiple factors, including climate and fishing pressure. This document provides responses to CIE comments and provides suggestions for alternative assessment methodologies based on these recommendations. The author provided multiple catch-based Tier 6 alternatives, including various time periods for both the BSAI and GOA, and also provided some modified Tier 5 options with various values for fishing mortality. There were also two options for estimating biomass, including the bottom trawl survey and ecosystem models. New approaches were also presented, including moving squid to be an Ecosystem Component (EC) species.

In general, the SSC feels that selecting a time period appropriate for the area is a more important consideration than consistency between the BSAI and the GOA. **With this in mind, the SSC is in agreement with the PT recommendations.** First, that consideration is given to moving squid to an EC species. While this option should be considered, the SSC noted that keeping squid in Tier 6 would allow for limiting catches, if necessary. The second PT recommendation is that the status quo approaches for each of BSAI and GOA be brought forward in December. The status quo sets the BSAI OFL equal to the average of the catch from 1978 through 1995, and the GOA OFL equal to the maximum of the catch from 1997 through 2007. In addition, an option should be brought forward for a Tier 6 method with a time period for the BSAI that does not include years during the foreign fishing era (see CIE reviewer appendix).

C-5 GOA Skate MRA

A presentation on this agenda item was given by Steve MacLean (NPFMC). Public testimony was provided by Gerry Merrigan (Freezer Longline Coalition), Bob Krueger (Alaska Whitefish Trawlers Association), and Julie Bonney (Alaska Groundfish Databank).

Recent catches of longnose skate in the WGOA and big skate in CGOA have exceeded the area apportioned ABCs, leading to those species being put on prohibited retention status early in the year. This analysis evaluates the effectiveness of reducing the maximum retainable amount (MRA) in order to reduce overall skate catch. The general matter evaluated in this analysis is to balance allowing vessels to retain marketable incidental catch of skates, while discouraging topping off on skates under the MRA at the end of groundfish trips.

The analysis is cleanly and consistently written, with an easy-to-follow structure. **With the following changes and additions addressed as much as is feasible, the SSC recommends this document be released for public review.**

The SSC believes the information provided in the EA is credible and sensible, though sparse. In general,

this reflects the limited biological information available regarding skates. Though referenced through the SAFE documents, additional detail on how the area apportioned ABCs are developed for big and longnose skates would be helpful for public understanding of the central issue. Specifically, survey biomass estimates with CVs for longnose skate should be included, equivalent to the information on big skates presented in Table 3-2 and Table 3-3 (pg. 19).

The SSC interpreted the primary policy comparison in the RIR as being summarized in Figure 4-7, which shows the incremental reduction in retained catch achieved by setting the MRA at different levels predicted with a simple simulation. The simulation predicts the effect of hypothetical MRA rates on each trip reported in 2013, and Figure 4-7 aggregates effects from all trips. The predicted retention on each trip is calculated by comparing the ratio of retained skates to basis species with the hypothetical MRA. If the retained percentage is lower than the hypothetical MRA, the model predicts the retained amount does not change; if the retained percent is higher than the hypothetical MRA, the model predicts the retained amount is equal to the hypothetical MRA.

This approach does not attempt to distinguish incidental encounters from top-off retention. Therefore, it omits potential effects when lower hypothetical MRAs eliminate top-off hauls that were observed under the 20% MRA, but were initiated after the trip surpassed the hypothetical MRA. Specifically, if the model evaluates a trip that was topped-up, it will treat observed retention beyond the hypothetical MRA as discarded catch, although it may not have been caught at all had the hypothetical MRA been in place. This amount of avoided catch could lengthen the time before skates are put on prohibited retention status, but the model here proceeds with observed behavior under the actual prohibited retention dates. This potentially results in an overestimate of retained catch and discards, and could underestimate the effect lower MRAs have on retention.

Nevertheless, the broad conclusion of the analysis is that a relatively small portion of the catch is from trips with retention ratios approaching the current MRA, and therefore, modest reductions in the MRA will affect only a small number of trips and result in only small reductions in removals. This is the key conclusion for evaluating the broad range of alternatives requested by the Council and is unlikely to change based on a more refined analysis.

The analysis expresses the concern that vessels not currently topping up may begin doing so under lower MRAs, because an overall reduced quantity of retained skates may lead to price increases that make skate a more attractive product. This strikes the SSC as unlikely and, thus, the claim should be modified or supported with estimates of the price flexibility of skate. This claim seems to be the basis for the conclusion that a lower MRA yields increased net benefits to the nation, as seen in Table 4-7. This is counterintuitive. The table should be explicit about the assumptions of the baseline, and whether net benefits arise because more retention is expected under lower MRAs or because some retention is allowed because the fishery is not on prohibited retention status.

Because MRA programs involve a slightly different terminology than other management programs, the SSC suggests moving definitions of terms widely used in the document to a terminology section in the introduction. Many of these are currently defined in Section 4.4. In addition, the analysis sensibly distinguishes between those who are topping off and would find a reduced MRA newly binding, and those on whom the current MRA is not binding using the framework of intensive and extensive margins. In the production literature, the intensive margin refers to increasing variable inputs to use fixed capital more intensively, and the extensive margin refers to increasing fixed capital. In this application, the extensive margin would most naturally be interpreted as expanding the number of vessels. Since the number of vessels is not changing, alternative language to discuss behavior of vessels, or vessels on trips, where the MRA is or is not binding would be preferred.

C-7 GOA Trawl Bycatch Management

The SSC received a presentation from Sam Cunningham (NPFMC) on the development of the GOA Trawl Bycatch Management discussion papers. Public testimony was offered by Rachel Donkersloot (Alaska Marine Conservation Council). The presentation provided an overview of the discussion paper contents and an update on new analyses being conducted by the author. The SSC also received an update on the development of two additional discussion papers concerning GOA trawl PSC management: the first concerning Community Fishing Associations, and the second concerning Adaptive Management Quota.

The SSC mentioned that it would be useful if the CFA discussion paper included a summary of community protection measures that have been implemented in other catch share programs—both within and outside of Alaska—and whether they have been successful in meeting their socioeconomic objectives. Such a summary could inform the current discussion on the community protection measures being considered by the Council for GOA PSC trawl management, and whether they are likely to accomplish their objectives. If the Council would like more input with respect to the CFA analysis, the SSC is willing to review it.

Salmon Genetics - Jeff Guyon (NMFS-AFSC) and Bill Templin (ADF&G) gave an update on stock composition of genetic samples taken from Chinook salmon PSC (referred to as bycatch in the presentation) in pollock trawl fisheries in the GOA during 2012. They also presented preliminary results of genetic stock composition samples taken from Chinook salmon PSC during 2013 from pollock trawl, and industry-provided samples from rockfish trawl, arrowtooth flounder trawl, and from a single haul taken during salmon excluder EFP experiments. The SSC appreciates the aid of industry in taking a first look at the stock composition of Chinook PSC in the various GOA fisheries.

The SSC last saw the 2012 results in April 2014, and had requested that the analysts reanalyze the 2012 genetic samples so that they could be attributed to the entire Chinook salmon PSC, instead of to the sample. This was necessary because the sample of genetic tissues was taken opportunistically in 2012, and it seemed logical to reanalyze these samples and weight them by PSC taken by time and area, so that they better represent the overall Chinook salmon PSC taken that year. The SSC had also requested that genetic samples taken in 2013 be analyzed and reported on more quickly so that results would be available to the Council as they are formulating potential actions to manage for PSC caps.

The SSC commends the analysts for their expeditious work to reanalyze the 2012 samples and provide a preliminary look at the 2013 samples that provide insights into spatial and temporal (seasonal and annual) stock compositions of Chinook salmon PSC in the GOA trawl fisheries. All of these samples reveal a relatively consistent composition of Chinook salmon stock groupings, with Coastal southeast Alaska, British Columbia, and West Coast U.S. making up the majority of the PSC, along with smaller contributions from the Northwest Gulf of Alaska stock group. **The SSC looks forward in the coming year to seeing the final report of genetic samples taken during 2013, and results of samples taken during 2014.** We would also greatly appreciate it if future reports of this information included maps depicting the spatial distribution of PSC for major stock groupings in the GOA.

AFSC Social Survey - The SSC received a presentation by Stephen Kasperski (NMFS-AFSC) on the preliminary results from the Gulf of Alaska (GOA) Groundfish Trawl Fishery Social Survey. This voluntary survey gathered baseline data on social dimensions of the GOA groundfish fishery in advance of the proposed GOA Trawl Bycatch Management Plan. The development of this survey indicates the importance of understanding social and community dimensions of these fisheries, and potentially sets a new welcomed standard for more comprehensive program evaluation. The presentation, and the main C-7 discussion paper, examined plans to repeat this survey at specific intervals; however, the report notes that repeating the survey is contingent upon available funding. **The SSC strongly supports plans to repeat**

the survey after the PSC management plan is fully developed, after the implementation of the GOA trawl PSC plan, and at regular intervals thereafter with dedicated funding to do so.

Without a firm GOA catch share plan to evaluate specifically, the survey casts a wide net and does an excellent job of broadly capturing a complex group of participants in a multifaceted environment. The survey achieved an excellent response rate, and managed to reach nine different sectors of participants across seven geographic areas. The survey gathers information on the social structure of the GOA trawl fisheries, the current state of participation, engagement in other fisheries and jobs, and fishery interconnections, with the goal of better understanding social impacts, distributional impacts, and place- and sector-based communities. While the SSC recognizes that this report is not a social impact assessment, many of the reported findings require more context to be meaningful. For instance, some significant findings, such as the average age of vessel owners and crew members, are reflecting something larger and the report could make some suppositions about those results.

Previously the SSC had requested that the researchers try to include trawl fishermen who have already left the fleet, in anticipation of the new structure, but that goal was not realized. The analysts will be faced with tracking new behavioral changes and participants leaving the fishery in the future and, thus, maintaining the list of respondents will be useful in future implementations of the survey to understand that population. The Office of Management and Budget (OMB) prevented researchers from approaching certain respondents, such as spouses and those holding inactive licenses, resulting in a missed segment of the affected population.

A great weakness of the document is the problem of lumping geographic areas and masking results. Smaller communities are lumped into "other Alaskan communities", to maintain confidentiality because they each have a single processing plant. However, that lumping is maintained in places that have nothing to do with the processing plants. The SSC also suggests that the researchers try to obtain confidentiality waivers to report their findings in these smaller places, particularly in the Western Gulf. Under the current aggregation strategy, these data are buried in the results and, thus, important differences among these communities are missed. The SSC also suggests mapping the findings over existing management areas of these fisheries, which are unlikely to change, rather than the current geographic divisions in order to make them more useful to informing management issues. Survey respondents put their time and energy into this project and would likely want to see more refinement in the results. As it stands, the report contains a great deal about Kodiak and Seattle, but other communities' results are buried. Further, these fisheries are dominated by hired skippers; the presentation lumps skippers and crewmen together when each will likely have different experiences and interests within these fisheries. These results should be separated out and made visible.

Future implementations of the survey will likely reflect lessons learned and evolve accordingly. At this stage, the report is predominantly a summary of preliminary analyses, and the conclusion is just a few pages on survey implementation issues and lessons learned. The report would be strengthened by a discussion of methods and questions to be added and discarded in the future, for example, program element questions that may be discarded following the creation of the program. The SSC suggests adding questions about the experiences and capacities of operators responding to the Observer Program requirements. The SSC has received public testimony about the effects of these new requirements on small vessels, such as costs, crew replacement, and changing social dynamics aboard vessels, and this data collection effort could be expanded to include those issues.

Organizationally, the SSC suggests that the authors break out major findings at the start of the report for the reader. This is a large document with tables and figures separated into their own sections, necessitating a lot of jumping around. Bulleted findings, highlighting places of significance, could strengthen the document.

C-11 AI Pacific cod allocations
The SSC received a presentation of the Initial Draft RIR/EA/IRFA from Jon McCracken (NPFMC). Public testimony was offered by Gerry Merrigan and Doug Wells (Freezer Longline Coalition), Clem Tillion (AEC), and Dave Fraser (ACDC).

While this is an "Initial Review" draft, this particular action has a long history before the Council. The record appears to suggest an initial date of 2007-2008. Through a series of working papers and earlier draft analyses, the proposed action to structurally realign access to the early portion of the Federal AI Pacific cod fishery has evolved. This action is designed as a community protection measure that, if implemented, could increase access for Aleutian Island communities to the economic base most available to them.

While this Pacific cod allocation amendment is not ideal, its long-delayed development history suggests that soliciting public comment at this time could provide missing data and "refreshed" information on the crucial status of the harvesting and processing capacity in the AI onshore sector. **Thus, the SSC recommends that this initial draft be released for public review.** The authors should attempt to address the most critical comments below, as time allows, before release.

The draft analysis provides contextually important empirical data describing the recent historical catch and processing in the Federal waters AI and BS Pacific cod fisheries. It does a good job describing the shifting structural elements influencing the prosecution (and management) of the BSAI Federal cod fisheries. However, as we heard from public testimony, the effects of the state GHL on Pacific cod fishing effort distribution are missing. Furthermore, analysis that could provide confidence intervals around the likelihood that the desired outcome of the proposed action (i.e., AI community protection) will emerge is not offered.

It would be desirable to have economic models that could predict future supply, demand, and market behavior for Pacific cod and its close substitutes. In general, we do not have such tools. Likewise, it would be desirable to have 'behavioral models' that might provide insights into the probability that CV capacity would support the proposed apportionment and delivery requirements. In general, we do not. What we do have reflected in this draft, is a clear narrative of what could come to pass, in a general way, if several critical assumptions are realized.

By assumption, the Adak processing facility and the supporting port and community infrastructure will be consistently operational, sustainable, and economically viable in supporting the mandatory shoreside delivery of early season AI Pacific cod. The historical performance data for the Adak processing facility does not provide empirical evidence that this is a foregone outcome.

It is also assumed that deliveries of Pacific cod to AI onshore plants will be of sufficient quantity and quality, and made over a suitable periodicity and duration, for efficient use of Adak's processing capacity (and for CV deliveries to Atka, when it comes online). No empirical evidence is provided that would corroborate these expectations. It would be extremely valuable if the draft could provide supporting information that would improve confidence that realization of this important CV participation assumption is likely.

By assumption, there will be significant shoreside processing capacity at Atka, capable of receiving and processing commercial quantities of CV AI Pacific cod that will be available, economically viable, and sustainable, as part of the action. As the draft reveals, historically, the Atka facility has not processed commercially significant quantities of Pacific cod. Anecdotal information is presented that APICDA has plans to invest in Atka Pacific cod processing capacity, but details are elusive. It is not unreasonable to

expect that significant investment in Pacific cod processing capacity in Atka awaits some evidence of Council movement on this proposed action.

By assumption, sufficient CV capacity will be made available with which to fully exploit the proposed AI Pacific cod onshore set-aside, if such an allocation is made. Analysis of the "probability" that this outcome will be realized is not demonstrated, although it should be possible to do so, based upon available catch data. For example, "Where has this CV capacity been deployed historically during the period it is anticipated to fish the AI shoreside set-aside?" "Is it likely sufficient CV capacity can be attracted to support the shoreside delivery requirement?" "Is it reasonable to assume that the AI on-shore market can obtain and offer prices that sustain CV participation?"

By assumption, CVs will find the regulatory action economically appealing enough to incur the implicit costs associated with shore-based deliveries during the early A-season in the AI. It would be useful (and presumably feasible, given previous work done on comparative sector operating cost performance), for the analysis to examine the operational differences between "onshore" and "over-the-side" CV delivery modes. While it will almost always be more operationally efficient to co-locate harvesting with processing,, the analysis should still identify the costs (e.g., transiting time and associated loss of fishing time, extra fuel, impacts on product quality) and efficiency impacts of altering the authorized fishing mode, especially on CVs. There is treatment of the CP gross revenue effects, but without interpretive detail, or an explanation of how those impacts to CPs might be mitigated by engaging in alternative fisheries (see page 10).

The analysis implies that requiring onshore delivery of AI Pacific cod risks monopsonistic (i.e., one buyer, many sellers) market manipulation. A counter argument might be offered suggesting Adak (and Atka when operational) will be extremely dependent for their economic viability on CV deliveries. Particularly for Adak, economies of scale were reportedly critical in the early failures of that facility. With the benefit of hindsight, the 50% delivery escape valve, and potential Atka capacity, the Adak plant's opportunities to engage in monopsonistic behavior seem quite limited.

Shoreside delivering CVs are much less mobile than CPs. Comparison of Figures 11 and 17 with Figure 13 indicates the trawl CVs fish in a more circumscribed area than the CP vessels that would be displaced by this action. Are there any implications for the proposed action from "concentrating" Pacific cod harvesting nearshore and in close proximity to Adak and/or Atka for the SSL WDPS, for the local stock aggregation, or for the ability to attract additional CVs from competitive fishing areas? No evidence is offered, only a simple declaration.

It should be noted that there is no regionalized landing requirement, nor authority to create one, in the state GHL fishery. The analysis would be improved by a more complete treatment of the vessels, both CVs and CPs, operating in the state GHL fishery and the Federal AI fishery for Pacific cod, by describing homeports for these vessels, their harvest and landing activities in the AI and state waters, and any information on the relationship between these two fisheries.

For some figures in the analysis (e.g., Figures 7-9), the analyst decomposes average weekly Pacific cod retention into two year-groups: 2009 through 2011 and 2012 through 2014. The former group spans the implementation of SSL protection measures in 2011, which could be an important determinant of participation patterns in the Aleutian Islands Pacific cod fishery. The SSC recommends that the analyst separate the two year-groups at 2010 (i.e., pre- and post-SSL measure implementation) to take this potential confounding factor into account when presenting annual patterns of Pacific cod retention.

Finally, there are several topics that may require revision or elaboration. For example,

- There are several places referencing catch data for Pacific halibut landings by "pot" gear, which is not an authorized gear-type for this species (see p. 33).
- Without a formal and precise definition of 'shore plant' in Federal law, attainment of the Council's objectives for the proposed action may be elusive.
- In Table 21, are the CP AI performance data inclusive of both 'over-the-side' catches and CP directed catches? That should be clarified.
- The analysis makes reference to the price differential paid between EBS and AI for Pacific cod. In earlier assessments of the BSAI Pacific cod fisheries, statistical analyses have not shown this price differential to exist.
- The very substantial disparity between halibut PSC rates in the AI and EBS, suggest that displacing effort from AI to EBS could have undesirable economic repercussions for earlier PSC driven groundfish fishery closures.
- The entity size thresholds that are cited in the draft IRFA have been changed by SBA. The analysis must employ the current mandates.
- There is need to compare and contrast the numbers of SSLs in the rookeries and haulouts that are in the areas presently fished by the CP fleet, as compared to those present in the areas in which we expect the CV fleet to fish when delivering to the onshore plants.
- If the Atka plant comes on-line, what are the expected impacts on the Adak plant and its economic viability?
- Table 32 provides only the most general idea of which species of marine mammals are found in the North Pacific. There is much more specific information on the marine mammals of the Aleutian Islands and where they are concentrated. This information needs to be incorporated.

D-4 Bering Sea FEP

Diana Evans (NPFMC) provided a report to the SSC on the public comments provided to the Council during meetings held in Nome and Seattle, and through mailed in comments. Public testimony was provided by Stephanie Madsen (APA).

The comments to the Council, mostly from representatives of subsistence users and NGOs, were uniformly supportive of the development of a Bering Sea FEP, though there were different visions of what a FEP might be and might accomplish. There was relatively little comment from the commercial fishing industry, and it would be valuable to have their input on what a FEP might accomplish.

There was general agreement among those commenting that the Council will need to put great thought into defining the objectives and purpose of an FEP and what value it will add to the already strong base that has been developed for managing the Bering Sea fisheries in an ecosystem-based context. Emphasis in the comments was placed on the FEP being approached as developing a process for improving management, rather than as an encyclopedic report on all that is known about the Bering Sea. Within the comments, there was interest in how to incorporate non-traditional sources of knowledge.

The SSC encourages the Council to consider an option where the FEP provides a framework for strategic planning that would guide and prioritize research and modeling. The research and modeling conducted in response to the FEP would inform decisions regarding the selection of tactical management measures by the Council. The tactical actions would still be vetted through the existing Council process and incorporated into the FMPs. The SSC noted that several research and modeling activities are already underway at the AFSC that would support an FEP, including development of a multispecies technical interaction model that will simulate trade-offs between different fishing sectors, under different harvest controls (Punt, Hollowed, Ianelli, McGilliard, and Ono), and multispecies stock assessments that will

address how species interactions influence biological reference points for management (Punt, Ianelli, Aydin, and Holsman).

The SSC was supportive of the effort to develop a Bering Sea FEP. The SSC emphasizes the need to identify goals, and the value added by having an FEP. It was also agreed that the FEP should not be a major review of knowledge of the Bering Sea and should focus on developing the processes to meet whatever goals are identified. For the development of the FEP, the SSC suggested that the Council take note of the Pacific Region's report on the use of the Atlantis model as an approach for developing an FEP process, the papers from the ICES 2014 Annual Science Conference theme session on ecosystem based management, and the output of the NMFS Working Group on Climate Change and the Vulnerability of Fisheries Assessments.

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News & Notes
North Pacific Fishery Management Council
October 2014


Photo: Sam Cunningham

Council Elections and Appointments

The Council elected Dan Hull as Chairman, and re-elected John Henderschedt as vice-chair.
Dr. Jim Balsiger administered the Oath of Office to new Council member Simon Kinneen of Nome, AK, and to re-appointed member John Henderschedt, of WA.
Kinneen works for Norton Sound Economic Development Corp, and joins the Council from five years on the Advisory Panel. Henderschedt is serving his third 3-year term on the Council and works for Fisheries Leadership and Sustainability Forum.

Begich addresses Council

Alaska Senator Mark Begich addressed the Council at this meeting commenting on changes in the Magnuson-Stevens Fishery Act,

and other pending national fishery legislation . He discussed the importance of new technology and different types of monitoring, and emphasized supporting small fishing communities and the concerns of local fishermen.

iPads and Meetings

If you use your ipad during a Council meeting, you can download all the materials pre-and post-meeting through a free app called iLegislate. The app is not yet available on other platforms, but the same material is available universally through our website. For details, call the office.

GOA Trawl Bycatch Management

The Council heard staff presentations reviewing a proposal to address GOA trawl bycatch with voluntary inshore and catcher/processor cooperatives. Updates on Chinook salmon genetic stock identification efforts and a community social science survey were also received.

The Council initiated an analysis of alternatives. The status quo alternative would maintain existing GOA trawl management under the License Limitation Program. Alternative 2 would implement a cooperative catch share program. The Council will consider a range of groundfish target species for allocation to cooperatives. Secondary species could be managed through cooperative allocations, or through MRAs. Cooperatives would have flexibility in how to manage an allocation of halibut and Chinook salmon PSC, determined by the groundfish catch history associated with the co-op's member licenses, with the goal of minimizing PSC levels and rates. The Council included an option to consider "gear conversion" as a method to reduce PSC; this would entail allowing catcher vessels to fish trawl co-op Pacific cod quota with pot gear. Reduced Chinook and halibut PSC limits will also be considered.

While analyzing the current proposal, the Council will work to develop additional alternatives for how inshore co-ops are formed. The Council noted that harvesters could not, under current regulation, be linked via a co-op to a particular shoreside processor based on historical deliveries.

Staff will analyze the addition of either a Community Fishing Association or an Adaptive Management Program to the co-op structure. The alternative to include one of those constructs would be analyzed as a mechanism to promote stability for inshore stakeholders. The Council will consider potential benefits of the CFA or AMP in relation to stability measures already included in the co-op structure, which include consolidation limits, active participation criteria, and regionalization of cooperative quota.

Future analysis will continue to examine whether any existing regulations could be removed if the proposed program is implemented. Staff will also identify potential effects of implementing the proposed program on NMFS's ability to manage and monitor the CGOA Rockfish Program. Staff contact is Sam Cunningham.

Amendment 80 5-Year Review

As part of the Amendment 80 program developed by the Council and by section 303(A) of the MSA, a 5-year review of the program is required to assess whether the goals of the Amendment 80 program and the MSA are being met or if course corrections are needed. In April of this year, the Council reviewed a draft Amendment 80 program 5-year review. For the October meeting, the Council asked staff to include suggested changes and additions to the document and bring back for a final review. At that meeting, the Council reviewed the revised 5-year review document, and noted that overall the Amendment 80 program has exceeded the Council's expectations and goals for the program by 1) maintaining a healthy marine ecosystem, 2) reducing bycatch, 3) minimizing waste and improving utilization, 4) maximizing benefits to present fishermen, CDQ groups, and nation as whole, 5) further rationalizing the fishery to mitigate costs of achieving the goals of the program, and 6) minimizing negative impacts on other fisheries. Staff contact is Jon McCracken.

AP/SSC Nominations

The Council is accepting nominations for its Scientific and Statistical Committee, and its Advisory Panel.

SSC nominees should have areas of expertise in biology/stock assessment, marine mammals, statistics, fisheries/resource economics, sociology/anthropology, or other relevant disciplines and be federal employees, state employees, academicians, or independent experts not employed by advocacy or interest groups SSC members serve one year terms but may be reappointed indefinitely. The SSC advises the Council on all aspects of the decision making process, including stock assessments and annual specifications, protected species interactions, and adequacy of analyses supporting various management actions.

The AP is composed of representatives of the fishing industry and others interested in the management of the North Pacific fisheries, and provides advice from those perspectives. Members of these panels are expected to attend up to five meetings, three to six days in length, each year. There are 8 AP seats up for nomination which serve three-year terms, and one special one-year appointment for GOA issues. AP members eligible for re-appointment and whose terms expire at the end of this year include: John Crowley, Jerry Downing, Jeff Farvour, Chuck McCallum, Teresa Peterson, and Ernie Weiss. Paddy O'Donnell currently serves the special one year appointment. Because of the three term limit, Lori Swanson is ineligible for re-appointment, and nominations are being accepted for that seat as well. Please send letters of interest and/or nominations to npfmc.comments@noaa.gov. **Nominations close December 1.**

Observer Program

2015 Annual Deployment Plan

The Council received a presentation on the draft 2015 Observer Annual Deployment Plan (ADP), and unanimously supported the ADP, with specific recommendations. The Council approves assigning observer coverage to vessels through the trip selection pool in 2015, using two strata that separate small and large vessels. The Council supports selection probabilities for the small vessel trip-selection stratum at 12%, and for the large vessel trip-selection stratum at 24%.

The Council also supports only allowing conditional releases in 2015 in the small vessel trip selection stratum, and recommended they be given either for vessels that do not have sufficient life raft capacity to accommodate an observer, or for the third consecutive trip that has been selected for observer coverage. While the Council agreed with the agency that granting conditional releases for vessels with insufficient bunk space to accommodate an observer should no longer be allowed, the Council was concerned about the cumulative burden on a bunk space-limited small vessel of being selected for multiple trips in a row. The Council agrees that electronic monitoring is the long-term solution for vessels that are bunk space-limited, and is hopeful that by 2016 there may be a viable EM alternative available. The Council also requested that the 2014 Observer Annual Report, in June 2015, include information to evaluate a sunset provision for the conditional release for life raft capacity, including the potential for bias, costs to an operator of upgrading to a larger liferaft, and enforcement disincentives from downgrading one's liferaft.

The Council discussed the possibility of defining different strata for deployment, for example, based on gear type, or on fisheries subject to prohibited species cap limits. While the Council ultimately was persuaded that they do not as yet have sufficient information to fully understand the tradeoffs of such a deployment strategy, the Council requests that the 2014 Observer Annual Report provide an evaluation of alternative methods for defining strata.

As in 2014, trawl catcher vessels fishing for Pacific cod in the BSAI will be given the opportunity to opt-in to the full coverage pool by arrangement with the agency. The Council also supports vessels that participate in EM cooperative research being assigned to the no selection pool while participating in such research.

Fixed Gear Lead level 2 Observer Availability

The Council discussed the current shortage of fixed gear Lead Level 2 (LL2) observers for deployment on catcher processor hook-and-line vessels, and that successful resolution of this issue in the near term will require a cooperative effort from NMFS, the Freezer Longline Coalition (FLC), and the observer providers. The Council has strongly encouraged the FLC and observer providers to meet and collectively work together to resolve this issue, with assistance from the NMFS Observer Program. Owners of FLC vessels are to consider reaffirming their responsibility regarding treatment of observers, and to continue voluntarily taking a second observer for training purpose as possible. Observer providers are to consider incentives to facilitate the retention of trained LL2 observers that include pay, variation in work assignments between trawl and fixed gear vessels, and contract length, as well as suggestions for encouraging a workplace environment to which observers are more likely to return. NMFS is requested to investigate training and deployment requirements and non-regulatory changes that may assist in increasing the pool of available fixed gear LL2 qualified observers, and determine what changes are required to be able to deploy trawl LL2 observers on fixed gear vessels, in the event a fixed gear-trained LL2 observer is not available.

The workgroup is asked to report back to the Council as soon as possible, at which time the Council will consider whether to increase the priority of the discussion paper to initiate regulatory changes to address the LL2 observer shortage.

Electronic Monitoring

The Council endorsed a target date of 2016 for taking the first steps towards operationalizing EM on small fixed gear vessels. The Council understands this to be an ambitious goal, but intends to work towards having an EM alternative in 2016, at least for the vessels for which accommodating an observer onboard is problematic.

The Council's Electronic Monitoring (EM) Workgroup reported on their progress with outlining a framework for the regulatory amendment package to integrate EM as part of the Observer Program, and continuing efforts to refine the 2015 Cooperative Research Plan (CRP) to be responsive to the decision points and information needs of the analytical framework. The Council supports the work of the EM Workgroup, including using a subgroup approach to continue to develop the projects that constitute the CRP. The Council has asked the EMWG to have a complete research plan ready for the SSC to review in February, and the EMWG will report back to the Council on its progress in December.

Final motions are posted online. The Council also reviewed the status of regulatory amendments and other analytical projects affecting the Observer Program, which were presented in a priority list (also available online). Staff contact is Diana Evans.

Halibut Deck Sorting

The Council received an update from the agency and the Amendment 80 industry about progress with developing methods for sorting halibut on deck rather than in the factory, to reduce mortality by returning halibut to the sea more expeditiously. To date, there has been proof of concept testing using both a stereo camera and a motion-compensated scale. The industry is working with the agency to develop an Exempted Fishing Permit to conduct an operational test of the scales on multiple vessels. The purpose of the EFP would be to work out appropriate sampling protocols and monitoring requirements, to evaluate the durability of the technology over a year of fishing, and to test whether and in which fisheries the deck sorting protocol would be preferentially used by vessels.

Implementing management measures to provide opportunities for deck sorting is currently an alternative in the BSAI Halibut PSC limits analysis, tasked for initial review in February 2015. The Council acknowledged at the October meeting that such management measures will not be sufficiently well developed by February to allow staff to fully analyze any halibut mortality reductions that may result from this alternative. The Council will expect the analysis to include a progress report on developing the deck sorting measures. Staff contact is Diana Evans.

AI Pacific Cod Allowance and Delivery

At this meeting, the Council reviewed an analysis of a proposed action to prioritize a portion of the Aleutian Islands (AI) Pacific cod TAC to catcher vessels and designate that Pacific cod TAC be delivered to shoreplants in the AI management area. The proposed action would also limit harvest of the A season trawl catcher vessel sector's Bering Sea (BS) Pacific cod allocation so as not to allow the sector to harvest its entire A season allocation in the BS prior to the end of the A season AI Pacific cod fishery. The intent of this proposed action is to provide stability to shoreplant operations in the AI, which in turn will provide stability to the communities where the shoreplants are located.

After reviewing the document, the Council added two new options to the proposed action and requested the document be brought back for initial review. The first of the new options would suspend the delivery requirement to AI shoreplants for the remainder of the year if less than 1,000 mt of AI Pacific cod directed fishing allowance has been landed by February 28. The second option would also suspend the delivery requirement to AI shoreplants for the year if prior to (options: November 1 or January 20 of each year) neither of the communities of Adak or Atka has notified NMFS of the intent of a local processor in the community to process Pacific cod in the upcoming season. Finally, the Council defined "shore plant" to mean a processing facility physically located on land.

Staff contact for this action is Jon McCracken.

MRA Enforcement Period

The Council reviewed a discussion paper on adjusting the maximum retainable allowance (MRA) enforcement period for all fisheries in the Bering Sea and Aleutian Islands and the Gulf of Alaska from the current instantaneous (at any point in time during a fishing trip) to the time of offload. The intent of the change to MRA enforcement period would be to increase efficiency and reduce regulatory discards.

After reviewing the discussion paper, the Council took no further action on this issue. The Council noted that the complexity of changing the enforcement period for all MRA species in the North Pacific, and the potential changes to fishing behavior for all of these MRA species as result of this action, make it difficult to accomplish in a single action. In addition, implementation of recent Council actions in the BSAI and GOA and work by the Council on the GOA trawl bycatch program complicates changing the MRA enforcement period for all MRA species. Instead, the Council would like to review changes to the MRA enforcement period for MRA species on a case-by-case basis brought forward by the public. Staff contact is Jon McCracken.

Boats in KingCove
Photo: Sam Cunninaham

Reducing Skate MRAs in the GOA

The Council reviewed an analysis considering action to slow the harvest rate of skates and decrease the incentive for vessels to top off on skates by reducing the Maximum Retainable Allowance (MRA) to levels that more accurately reflect the intrinsic rate of incidental catch of skates in the GOA. Alternatives that were analyzed in the Draft EA/RIR/IRFA include: 1) the No Action Alternative which would maintain the MRA on skates for all basis at 20%, 2) Reduce the MRA on skates for all basis species to 15%, 3) Reduce the MRA on skates for all basis species to 10%, and 4) Reduce the MRA on skates for all basis species to 5%. After reviewing the Draft EA/RIR/IRFA, reports from the SSC and AP, and public review, the Council selected Alternative 4, reducing the MRA on skates for all basis species to 5% as its Preliminary Preferred Alternative (PPA). The Council also requested that staff address the suggestions from the SSC, as feasible, and directed staff to include data on skate retention against specific basis species in the final review draft. Final action is scheduled for December, 2014. Staff contact is Steve MacLean.

PNCIAC Nominations

The Council is seeking nominations to the Pacific Northwest Crab Industry Advisory Committee, PNCIAC. There are 13 seats available, and each member serves a two year term. Nominations close December 1.

Upcoming meetings

Halibut Charter Implementation Committee: October 29, 9-5, Teleconference

Groundfish Plan Team meeting: November 17-21, 2014. AFSC

EM Workgroup: November 19-20, Renaissance Madison, Seattle

Crab Modeling Workshop: January 13-15, 2014 AFSC Seattle

Crab Plan Team meeting: January 16, 2014 AFSC Seattle (also webconference; information TBA)

Scallop Plan Team meeting: February 23-25, Kodiak, AK TBA

Charter Halibut

The Council reviewed a discussion paper that presented a series of questions that staff identified related to a proposal from the guided sport (charter) halibut sector to amend Federal fishery regulations that govern the Pacific halibut commercial Individual Fishing Quota (IFQ) fishery. The proposal would amend regulations to allow a non-profit Recreational Quota Entity (RQE) to purchase and retain commercial quota share (QS) on behalf of the charter halibut sector in IPHC Areas 2C and 3A. After reports from staff and the Advisory Panel, and after public testimony the Council initiated an analysis of an action to allow a RQE to hold commercial halibut QS on behalf of charter anglers. The Council also authorized a workgroup to consist of 9 or 10 members, 6 of which will be charter operators, and 3 or 4 will be from the commercial IFQ sector and/or other knowledgeable stakeholders who can contribute to the development of a Recreational Quota Entity program structure for analysis and review by the Council. The Council is soliciting nominations to participate in this workgroup. **Please submit letters of interest by December 1 to: npfmc.comments@noaa.gov.**

Proposed Groundfish Harvest Specifications

The Council recommended proposed harvest specifications for the Bering Sea Aleutian Islands (BSAI) and Gulf of Alaska (GOA) groundfish fisheries for 2015 and 2016. NMFS will publish proposed overfishing levels (OFLs), acceptable biological catches (ABCs), total allowable catches (TACs), and prohibited species catch (PSC) limits. The purpose of the proposed specifications is to allow the public an opportunity to review and comment on potential final specifications for those years that will be decided during the December 2014 meeting. The proposed harvest specifications for the next two years are based on rollovers of the harvest specifications currently in effect for the start of 2015, as no new information was available, with two exceptions, for flatfish species in the BSAI beginning in 2015 and the 2016 halibut PSC limits and apportionments in the GOA in 2016. In the BSAI, Amendment 105, affects the annual harvest specifications for flathead sole, rock sole, and yellowfin sole, beginning in 2015. Under this amendment, an ABC reserve will be specified for the three flatfish species, which will be allocated to CDQ groups and Amendment 80 cooperatives using the same formulas that are used in the annual harvest specifications process. The ABC reserve for each species will be specified by the Council, by evaluating the ABC surplus for the species (i.e., the difference between the ABC and TAC), considering whether the amount needs to be reduced by a discretionary buffer amount based on social, economic, or ecological considerations. The Council will then designate some, all, or none of the ABC surplus as the ABC reserve. The Council should provide its rationale for setting the ABC reserve at a particular level for these three flatfish species each year. In the GOA, proposed specifications for the 2015 halibut PSC apportionments recommended are based on the 2015 apportionments. However, the 2016 halibut PSC apportionments incorporate the reductions in halibut PSC limits, per Amendment 95 and the regulatory revisions that were published earlier this year. Amendment 95 to the GOA FMP will reduce the 2016 GOA halibut PSC limits for the groundfish trawl gear sector and groundfish catcher vessel (CV) hook-and-line gear sector by 15 percent. The 2016 hook-and-line catcher/processor sector's halibut PSC apportionment will be reduced by 7 percent.

The Council also received numerous reports from the GOA and BSAI Groundfish Plan Teams on issues relevant to assessments that will be finalized in November and form the basis of the specifications the Council will adopt in December. Staff contact is Diana Stram.

BSAI Crab Specifications

The Council received the final 2014 Crab Stock Assessment Fishery Evaluation (SAFE) report and the SSC's OFL and ABC recommendations on 7 crab stocks for 2014/15 fishing year. The SSC had previously recommended OFLs and ABCs for 3 other stocks in the spring. There are 10 crab stocks in the BSAI Crab FMP and all 10 must have annually established OFLs and ABCs. Three stocks (AI golden king crab, Pribilof Island golden king crab and Adak red king crab) had OFLs and ABCs recommended in the spring. Norton Sound red king crab will have specifications set in February given timing issues with opening the winter fishery. The remaining stocks have OFLs and ABCs recommended in the fall. The SSC set OFLs with three stocks be placed in Tier 3 (EBS snow crab, Bristol Bay red king crab and EBS Tanner crab), four stocks in Tier 4 (St. Matthew blue king crab, Pribilof Islands blue king crab, Pribilof Islands red king crab, and Norton Sound red king crab) and three stocks in Tier 5 (AI golden king crab, Pribilof Islands golden king crab, and Adak red king crab).

EBS Tanner crab and Pribilof Islands red king crab are estimated to be above B_{MSY} for 2014/15 while snow crab, Bristol Bay red king crab, and Norton Sound red king crab are all estimated below B_{MSY}. Pribilof Islands blue king crab stock remains overfished and estimated to be well below its MSST. Staff contact is Diana Stram.

EFH 5-year review

During discussion of the Council's Ecosystem Committee report, the Council approved the following motion related to the five-year review of Essential Fish Habitat: *"The Council should go on record with the agency as recommending that the timeline for the five year review be extended in order to accommodate incorporating the new data sources, and the necessary SSC reviews into the fishing effects model and the revised species distribution models."* The revised schedule calls for the models to be reviewed by the Scientific and Statistical Committee (SSC) in February 2015, and the EFH 5-year review report presented to the Council in October or December 2015. Staff contact is Steve MacLean.

Aleutia Processor QS Allocation

The Council deliberated on a right of first refusal dispute between entities over a transfer of crab processing quota share. Action considered would redress the concern of a specific right holder, Aleutia Corporation, who asserts that a transaction subject to its right of first refusal occurred without the processor quota share holder providing them with proper notification or the opportunity to exercise their right as required under the terms of the right of first refusal. The specific action under consideration would address this right of first refusal grievance by reallocating processor quota share to Aleutia, up to the approximate amount of Bristol Bay red king quota represented by the amount transferred in the transaction that is asserted to have triggered the right. This allocation would be made exclusively from new processor quota share, thus expanding the processor quota pool by a small amount (up to 0.55%), and proportionately distributing the burden across processors. The Council elected not to pursue this action as remedy and instead adopted the status quo as a preferred alternative. Staff contact is Sarah Marrinan.

CDQ Pacific Cod Development

The Council heard an updated report of an analysis that considers regulatory exemptions or modifications that promote the development of a small vessel Pacific cod CDQ fishery.

The Preliminary Preferred Alternative (PPA) , as previously established by the Council, would provide for an exemption to the license limitation program (LLP) for hook-and-line vessels less than or equal to 46 ft. LOA that are fishing Pacific cod CDQ, and would move this group of vessels into the partial observer coverage category. The PPA describes the at-sea identification method that would occur in lieu of a Federal license, confirming eligibility for enforcement purposes. Additionally, the PPA outlines the retention and catch accounting process that would take effect in a dual target fishery of Pacific cod CDQ and halibut CDQ/ Individual Fishing Quota (IFQ) under this alternative.

At this meeting, the Council considered the inclusion of three new options in the PPA. The first would apply the provision of the PPA that have been considered for the Pacific cod CDQ fishery to all of the groundfish CDQ fisheries (with the exception of sablefish). It is unlikely that a market will develop for these other groundfish species, but this option would allow for this flexibility. Option 2 considers extending a prohibition against discarding legal sized halibut while IFQ fishing to participants of the CDQ halibut fishery. The third option of the PPA would allow a Pacific cod CDQ directed fishery to occur before, during, and after the halibut CDQ season set by the International Pacific Halibut Commission by using a combination of halibut CDQ and a CDQ group's Prohibited Species Quota (PSQ) to account for halibut caught while Pacific cod CDQ fishing.

However, in public testimony, the CDQ groups explained the truncation of the actual halibut CDQ seasons compared to that allowed by the IPHC (which generally runs mid-March to mid-November). They expressed concern that, due to factors such as ocean and weather conditions, processing capacity, and halibut catch limits, there was diversity across CDQ group (and by year) as to the exact length, and timing of those internally-established seasons. CDQ group representatives suggested a delay in final action on this analysis to allow the possibility of creating a regulatory framework that provided more realistic opportunity for a directed Pacific cod fishery to emerge before and after their internally-established halibut CDQ seasons.

Based on this testimony, the Council's motion carried forward the CDQ group representatives' suggestion to create a sub-option that explored management methods that would allow each group to annually determine a date in which a directed Pacific cod CDQ fishery with a requirement to discard all halibut as PSC would switch over into a dual-target fishery (halibut CDQ/IFQ and Pacific cod); and a date that the fishery would switch back to a Pacific cod CDQ-only directed fishery. A revised analysis will examine the tradeoff between the potential increase in administrative burden versus the benefits and the probability that they would accrue for each CDQ community. Final action is scheduled for February. Staff contact is Sarah Marrinan.

Ecosystem Committee

The Council acted on several actions to give effect to the Council's vision statement which were recommended by the Ecosystem Committee. The Council approved revisiting the groundfish workplan, which identifies priority actions to implement the groundfish management policy objectives, and which has not been updated since 2007. The Council also concurred with planning a discussion of the Council (one or two Council members or staff) with representatives of the North Pacific Research Board, and the AFSC, to inform them of the Council's recently adopted vision statement, and discuss the status of stable funding for long-term ecosystem monitoring that is necessary for continued ecosystem management. Finally, the Council approved approaching its partners on the Alaska Marine Ecosystem Forum, which brings together the Council and Federal and State agencies with a responsibility for marine activities. Council staff will investigate whether there is interest in re-initiating the Forum over the next few months. Staff contact is Steve MacLean.

Crab Right of First Refusal Contract Terms

The Council heard a report from NMFS staff on the BSAI crab rationalization program right of first refusal (ROFR) contract terms. Stakeholders had previously testified in favor of modifying a provision in the ROFR contract terms that states the ROFR applies to, "all processing shares and other goods included in that agreement". Stakeholders were interested in increasing the flexibility in the contract provisions by allowing the PQS holder and ROFR holder the opportunity to renegotiate the terms of the sale under the ROFR terms if they so choose. This revision would allow the PQS holder and the ROFR holder the opportunity to discuss what the ROFR would apply to in the event of a sale which triggers the ROFR.

This addendum issue finalizes a package of ROFR amendments, titled 'Modifications to Community Provisions'. This package seeks to address some of the shortcomings of the crab ROFR that have been highlighted to the Council over a number of years. This package addresses three other actions including 1) increasing the time frame the ROFR holder has to exercise and perform on a ROFR once it is triggered; 2) modifying provisions related to the conditions under which the ROFR may lapse; and 3) a suite of four provisions to provide additional notices from the PQS holder to NMFS and to the right holder in an effort to increase transparency. These amendments will be implemented with the objective of mitigating ROFR disputes in the future. Staff contact is Sarah Marrinan.

Staff Tasking

In addition to discussing the timing and relative priority of previously tasked projects, and tasking for various workgroups and committees, the Council provided clarifications on several important issues. First, the Council re-affirmed their long standing policy on commenting on proposed legislation, whereby if the time for response cannot be accomplished by review during a Council meeting, the Executive Director, and/or the Chair, may respond on behalf of the Council when requested. Second, the Council noted the Secretary of Commerce response to the emergency petition on salmon bycatch and that the response was consistent with Council discussions of the petition. The Council also reviewed committees and committee chairmanship. Several committees that had completed their work were disbanded, including the golden king crab arbitration workgroup, the halibut charter stakeholder committee, the non-target species committee, the Steller sea lion mitigation committee, and the comprehensive data collection committee. Additionally, the Council tasked staff to do the following:

- Send a letter to the NMFS Assistant Administrator regarding the Council's role and public process in the re-examination of critical habitat for Steller sea lions.
- Send a letter to Senator Begich -- at his request -- regarding Council resources and priorities for electronic monitoring, stock assessments, and other issues.
- Send a letter to the Alaska Arctic Policy Commission describing the Council's interest in the Arctic region and requesting a briefing as well as copies of their final report.
- Send a letter to NMFS on observer funding requirements.
- Meet with IPHC Commissioners at the February Council meeting to discuss the 2014 survey results and assessment, the total mortality accounting report, and the draft analysis of BSAI halibut PSC limits.
- Schedule a discussion of Arctic issues with presentations to inform the Council of ongoing activities.
- Schedule a review of the research priorities classification system developed by the SSC workgroup (critical, urgent, essential, important), following a review by the plan teams.
- Provide data analysis of catch, discard, and retention - on a haul by haul basis – to improve understanding of catch of flathead sole and rock sole in the TLAS fishery and pollock in the Amendment 80 fisheries.

Boats in Sand Point
Photo: Sam Cunningham

Bering Sea FEP

In February 2014, the Council reviewed a discussion paper on the development of a Bering Sea Fishery Ecosystem Plan (FEP), and decided to seek public input on what objectives might be, and how the plan could be structured to be of benefit to fishery management decision making. At this meeting, the Council reviewed public comment from the three Council hearings in Nome, Seattle, and Anchorage, as well as written submissions, and opted to continue with development of the FEP. The Council asked its Ecosystem Committee to develop a draft set of goals and objectives for the FEP for Council consideration, informed by public comment and the Committee's recommendations from their September meeting. The approach and format of the FEP should build on existing Council plans and policies, and be action-informing rather than action-forcing. The Council expressed concerns about the time and staff resources that tasking an FEP might entail, and challenged the Committee to bring back a discussion of how a BS FEP might inform the management process, and improve processes and tools for bringing science into management. Staff contact is Diana Evans.

Items of Interest

Nominations sought for two new Task Forces of the Marine Fisheries Advisory Committee.

The Marine Fisheries Advisory Committee (MAFAC) is seeking nominations for two new task forces that are being established to support its advisory work for the Secretary of Commerce on all living marine resource matters that are the responsibility of the Department of Commerce. One task force will focus on climate and marine resources issues and the other on aquaculture issues.

Details on the ideal qualifications and potential work descriptions of the two new Task Forces can be found through these links:

Aquaculture Task Force
Climate and Marine Rescources Task Force

How to submit a nomination: Nominations for both task forces must be postmarked or have an email date stamp on or before November 17, 2014.

Saltonstall-Kennedy Grant Program

NOAA is announcing the availability of approximately $18 million to support research projects under the FY2014/2015 Saltonstall-Kennedy Grant Program. The solicitation will be open for 60 days, and closes in early December, with final decisions coming in June 2015. Research priorities for 2014/2015 include to maximize fishing opportunities and jobs, improve the cost effectiveness and capacity for fishery observations, increase the supply, quality and diversification of domestic seafood, and improve the quality and quantity of fishery information from the U.S. territories. Details about these priority areas can be found in the grant solicitation. For further information on research priorities and details on how to apply, please visit the Grants.GOV weblink at:
www.grants.gov/web/grants/search-grants.html?keywords=Saltonstall-Kennedy

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 10/20/2014

December 8-16, 2014 Anchorage, AK	February 2-10, 2015 Seattle, WA	April 6-14, 2015 Anchorage, AK
NPRB Report	**IPHC Report/Meeting (?)**	
	Halibut total mortality accounting: SSC review	
VMS Discussion paper: ***Review***	AI Pcod Allocation: ***Initial Review***	AI Pcod Allocation: ***Final Action***
Bering Sea Salmon Bycatch: ***Initial Review***	Observer Lead Level 2: ***Workgroup report***	Bering Sea Salmon Bycatch: ***Final Action (T)***
	GOA Tendering (2015): ***Discussion Paper***	Salmon ICA and IPA: Reports from Industry Salmon Bycatch Genetics: ***Update***
Observer coverage on small CPs: ***Discussion paper***	Electronic Monitoring research plan: SSC and Council review	
	Observer coverage on BSAI trawl CVs: ***Initial Review (T)***	GOA Trawl Bycatch Management: ***Preliminary Analysis***
Electronic Monitoring: ***Workgroup report; Discuss alternatives***		
	Bering Sea Halibut PSC: ***Initial Review***	Cooperative Reports (AFA, Amendment 80, CGOA Rockfish, and BSAI Crab): ***Action as necessary***
Charter Halibut Management Measures for 2015: ***Final Action***	Industry sector reports on Bering Sea halibut bycatch	
GOA sablefish longline pots: ***Initial Review***	GOA sablefish longline pots: ***Final Action***	Research Priorities: Review Classification
Vessel IFQ Caps: ***Discussion paper***	Area 4A halibut retention in sablefish pots: ***Initial Review (T)***	
		BSAI Greenland Turbot Allocation: ***Initial Review (T)***
Pribilof canyon corals: ***Receive comments on range of alternatives***		Groundfish Policy and Workplan: ***Review***
	CDQ P.cod fishery development: ***Final Action***	
FMP language LLP exemption housekeeping: ***Initial/Final Action***		Bering Sea FEP: ***Eco Committee report; goals and objectives***
Crab Workgroup report on regional delivery framework agreement	Norton Sound Red King Crab OFL/ABC	Scallop SAFE and plan team report: ***Adopt OFL/ABC***
	Crab modeling report (SSC Only)	
Final groundfish harvest specs: ***Approve; PT reports***		ITEMS BELOW NOT YET SCHEDULED
(w/data tables of TLAS/AM 80 catch)		BS Slope and Canyon Survey: Final Report (June)
		Charter Halibut CATCH: ***Initial Review (June - T)***
		BSAI Crab 10-year Review (2015)
GOA Skate MRA revisions: ***Final Action***		EFH 5-year Review (2015)
		BSAI Crab bycatch limits/area closure evaluation: ***Disc paper***
		Observer Lead Level 2: ***Discussion paper***
		Observer Tendering: ***Initial Review***
Appointments to SSC, AP, and PNCIAC	EFH 5-year Review u*pdate:* ***SSC only***	Observer Program supplemental EA (June 2015)
		Halibut Deck Sorting EFP: Review
		Halibut DMRs 2016-2018; CDQ rates

AI - Aleutian Islands
AFA - American Fisheries Act
BiOp - Biological Opinion
BSAI - Bering Sea and Aleutian Islands
BKC - Blue King Crab
BOF - Board of Fisheries
CQE - Community Quota Entity
CDQ - Community Development Quota
EDR - Economic Data Reporting
EFH - Essential Fish Habitat
EFP - Exempted Fishing Permit
EIS - Environmental Impact Statement
FEP - Fishery Ecosystem Plan
FLL - Freezer longliners
GOA - Gulf of Alaska
GKC - Golden King Crab
GHL - Guideline Harvest Level

HAPC - Habitat Areas of Particular Concern
IFQ - Individual Fishing Quota
ICA - Inter-cooperative Agreements
IPA - Incentive Program Agreements
LLP - Limited License Plan
MPA - Marine Protected Area
MRA - Maximum Retainable Allowance
PSC - Prohibited Species Catch
RKC - Red King Crab
ROFR - Right of First Refusal
SIR - Supplemental Information Report
SSC - Scientific and Statistical Committee
SAFE - Stock Assessment and Fishery Evaluation
SSL - Steller Sea Lion
TAC - Total Allowable Catch
VMS - Vessel Monitoring System

Future Meeting Dates and Locations

February 2-10, 2015, Seattle
April 6-14, 2015, Anchorage
June 1-9, 2015, Sitka
October 5-13, 2015 Anchorage
December 7-15, 2015, Anchorage
February 1-9, 2016, Portland
April 4 - 12, 2016, Anchorage
June 6-14 , 2016, Kodiak
October 3 -11, 2016 Anchorage
December 5-13, 2016, Anchorage

(T) = Tentative

C-7 Gulf of Alaska Trawl Bycatch Management
Council motion 10/12/14

The Council initiates analysis of the following alternatives and options for Gulf of Alaska trawl bycatch management, with the existing objectives and purpose and need statement.

ALTERNATIVE 1. No action. Existing management of the Central and Western Gulf of Alaska trawl fisheries under the License Limitation Program.

ALTERNATIVE 2. Gulf of Alaska Trawl Bycatch Management Program for the Western Gulf, Central Gulf and West Yakutat areas. The following elements apply to the program:

1. Observer Coverage and Monitoring

All trawl vessels in the GOA will be in the 100% observer coverage category, whether they participate in the voluntary cooperative structure or the limited access fishery with trawl gear. NMFS will develop monitoring and enforcement provisions necessary to track quota, harvests, and use caps for catcher vessels and catcher processors, including those necessary for gear conversion. Full retention of allocated target species is required.

2. Sector eligibility

Inshore sector: Shoreside processors with an eligible FPP and harvesters with an eligible FFP and LLP endorsed for GOA trawl. Allocations are based on trawl landings during the qualifying years with a CV trawl LLP or a CP trawl LLP that did not process catch onboard. Any CP LLP not used to process catch offshore during the qualifying years will be converted to a CV LLP at the time of implementation.

Offshore sector: Am 80 vessels defined in Table 31 CFR Part 679 and their replacement vessels, and their current GOA trawl LLP. Allocations are based on trawl landings during the qualifying years with a CP trawl LLP that processed catch onboard.

3. Allocated species (more than one option can be selected)

Target species:

Option 1. Pollock (610/620/630/640) and Pacific cod (WG/CG)

Option 2. WGOA rockfish (northern, dusky, and Pacific ocean perch) and WY rockfish (dusky and Pacific ocean perch)

Secondary species:

Option 1. Sablefish (WG, CG, WY). Allocations of CG sablefish under the CG Rockfish Program are maintained.

Option 2. Thornyhead rockfish, shortraker rockfish, rougheye/blackspotted rockfish, other rockfish (WG, CG). Allocations of CG rockfish under the CG Rockfish Program are maintained.

Option 3. (*Mutually exclusive with Options 1 and 2*) Cooperative measures are required to manage secondary species under maximum retainable amounts (MRAs), as opposed to cooperative allocations.

PSC species: Halibut and Chinook salmon

4. Sector allocations of target and secondary species

Allocations to the trawl CV sector for WG and CG Pacific cod (Am 83), CGOA rockfish program (Am 88), and GOA pollock (Am 23) are maintained. Allocations to the trawl CP sector for the CGOA rockfish program are maintained. GOA flatfish eligibility for the trawl CP sector under Am 80 is maintained.

Pollock and Pacific cod:
Pollock and Pacific cod TACs would be allocated to the inshore sector; the offshore sector would receive an incidental catch allowance (ICA) for Pacific cod and pollock and be managed under maximum retainable amounts.

Option 1. Revise the GOA-wide pollock apportionments to 30% (A); 30% (B); 20% (C); 20% (D)

Option 2. Modify the pollock fishery to two seasons: Jan 20 to June 10 and June 10 to Nov 1. (If selected with Option 1, the seasonal split would be 60%/40%).

None of the options change the distribution of GOA pollock among Areas 610, 620, or 630 as established through the specifications process.

Other target species and secondary species: Sector allocations would be based on each sector's retained catch from:
Option 1. 2008 – 2012
Option 2. 2007 – 2012
Option 3. 2003 – 2012

In addition to the options based on catch history above, options for establishing WG and WY rockfish sector allocations include:
Option 1. Allocate based on Am 80 sideboards
Option 2. Allocate to the CP sector only. The CV sector is prohibited from directed fishing and managed under MRAs.
Option 3. Establish a CV sector allocation of WG rockfish of 2% - 5%. Any unharvested rockfish (by a specified date) is reallocated to the CP cooperatives.

5. Sector allocations of PSC
Chinook salmon:
The Chinook salmon PSC limit allocated pro rata based on pollock trawl landings is a CV allocation only of:
Option 1. 25,000 (status quo based on Am 93)
Option 2. 18,750 (25% reduction)

Chinook salmon PSC allocated pro rata based on trawl CV and CP non-pollock landings (excluding CG rockfish program for the CV sector) are based on GOA Amendment 97. Any Chinook salmon PSC caught in WY comes off the cooperative's Chinook salmon PSC limit.

Halibut:
The halibut PSC limit allocated pro rata based on CV and CP trawl landings (excluding the CG rockfish program) is:
Option 1. 1,515 (status quo under Am 95 by 2016, with full 15% reduction in place)
Option 2. 1,364 (additional 10% reduction relative to 2016, phased in over a two-year period)
Option 3. 1,288 (additional 15% reduction relative to 2016, phased in over a three-year period)

Halibut PSC apportionment between the CP and CV sectors will be based on halibut PSC use during:
Option 1. 2008 - 2012
Option 2. 2007 - 2012
Option 3. 2003 - 2012

Rockfish Program PSC:
Any Rockfish Program PSC that would roll over for use in other fisheries under the current rules (after the set aside for halibut savings) can be transferred to the Gulf program cooperatives through inter-cooperative transfer.

Gear modification. Option: gear modifications for crab protection.

6. Voluntary inshore cooperative structure

a. Annually allocate species to the cooperative, based on aggregate retained catch histories associated with member vessels' LLPs during the qualifying years:

Option 1. 2008 – 2012
Option 2. 2007 – 2012
Option 3. 2003 - 2012

b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of vessels in the cooperative [such as, pollock Chinook salmon PSC cap divided by area and then based on pollock landings; non-pollock Chinook salmon cap divided by area and then based on non-pollock landings (excluding CG rockfish); halibut PSC apportioned by area and then in proportion to target landings associated with cooperative members' LLPs.] Once in the cooperative, PSC can be used to support any target fisheries within the cooperative at any time (no seasonal PSC apportionments).

Option: Each processor controls a portion of the annual PSC within a cooperative [options: 10% - 30%]. Each processor would assign the incremental PSC to vessels in the cooperative under the terms of the cooperative agreement. PSC made available by these agreements cannot be used by vessels owned by the processor (a vessel with more than 10% ownership by a processor using individual and collective rules for determining ownership).

c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector-level, non-transferable target allocations and PSC]. Harvesters would need to be in a cooperative with a processor by November 1 of the previous season to access a transferable allocation.

d. Initial (2 years) cooperative formation (suboption: in the first two years of each harvester's participation in a cooperative) would be based on the majority of each license's historical landings (aggregate trawl groundfish deliveries, excluding Central GOA rockfish harvested under a rockfish cooperative quota allocation) to a processor during:

Option 1. The qualifying years for determining target species allocations
Option 2. 2011 – 2012, or the two most recent qualifying years they fished

If a license has qualifying landings in both regions (WG and CG/WY), initial cooperative formation would be based on the majority of the license's historical landings to a processor in each region (the license holder would join a cooperative in each region). After the initial cooperative formation period, a license holder can choose to be in one cooperative per region on an annual basis.

e. Each cooperative would be required to have an annual cooperative contract filed with NMFS. Formation of the cooperative would require a cooperative contract signed by (options: 33%, 51%, or 80%) of the license holders eligible for the cooperative and the processor (option: and community in which the processor is located). If a license does not have any qualifying landings, it could still join a cooperative but the license holder does not count toward the cooperative formation threshold. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.

Option: A processor may be in more than one cooperative.

f. The annual cooperative contract must include:

- Bylaws and rules for the operation of the cooperative
- Annual fishing plan
- Operational plan for monitoring and minimizing PSC, with vessel-level accountability, as part of the annual fishing plan
- Clear provisions for how a harvester and processor may dissolve their contract after the cooling off period of two years. If a harvester wants to leave that cooperative and join another cooperative or the limited access sector, they could do so if they meet the requirements of the contract.
- Specification that processor affiliated harvesters cannot participate in price-setting negotiations except as permitted by general anti-trust law.

g. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species and PSC allowances, as may be adjusted by annual inter-cooperative transfers.

h. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.

i. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.

7. Voluntary catcher processor cooperative structure

a. Annually allocate species to the cooperative. For an eligible CP, the CP history of the vessel in the qualifying years will be assigned to the LLP on the vessel at the time of implementation of the program. Qualifying years:

Option 1. 2008 – 2012
Option 2. 2007 – 2012
Option 3. 2003 – 2012

b. Apportion halibut PSC and Chinook salmon PSC limits to each cooperative on a pro rata basis relative to target fisheries of vessels in the cooperative [such as, non-pollock Chinook salmon cap divided by area and then based on non-pollock landings (excluding CG rockfish); halibut PSC apportioned by area and then in proportion to target groundfish landings associated with cooperative members' LLPs.] Once in the cooperative, PSC can be used to support any target fisheries within the cooperative at any time (no seasonal PSC apportionments).

c. Participants can choose to either join a cooperative or operate in a limited access fishery [sector-level, non-transferable target allocations and PSC]. No later than November 1 of each year, an application must be filed with NMFS by the cooperative with a membership list for the year. In order to operate as a cooperative, membership must be comprised of:

Option 1: at least 2 separate entities (using the 10% individual and collective rule) and/or
Option 2: at least [2 – 4] eligible LLP licenses. An LLP must have associated catch history to count toward the threshold.

d. Cooperative members shall internally allocate and manage the cooperative's allocation per the cooperative contract. Cooperatives are intended only to conduct and coordinate harvest activities of the members and are not FCMA cooperatives.

e. The contract would require signatures of all LLP holders in the cooperative. The annual cooperative contract must include:

- Bylaws and rules for the operation of the cooperative
- Annual fishing plan
- Operational plan for monitoring and minimizing PSC, with vessel level accountability, as part of the annual fishing plan

f. Cooperative members are jointly and severally responsible for cooperative vessels harvesting in the aggregate no more than their cooperative's allocation of target species, secondary species, and PSC, as may be adjusted by annual inter-cooperative transfers.

g. Cooperatives will submit a written report annually to the Council and NMFS. Specific criteria for reporting shall be developed by the Council and specified by NMFS as part of the program implementing regulations.

h. Permit post-delivery transfers of annual allocations among cooperatives. All post-delivery transfers must be completed by December 31.

i. No person may hold or use more than the following percentage of allocated target species CP cooperative quota in each region, using the individual and collective rule:
Option 1. 30%
Option 2. 40%

8. Fishery dependent community stability (applies to inshore cooperatives)

Consolidation limits

Option 1. Harvest use (ownership) caps in each region (WG and CG/WY). Harvesters that exceed these percentages are grandfathered into the program. No person may hold or use more than the following percentage of individual target species CV cooperative quota, using the individual and collective rule:

Suboption 1. 3%
Suboption 2. 5%
Suboption 3. 7%

Option 2. Vessel use caps are also applicable within the cooperatives. A vessel may not be used to harvest more than the following percentages of individual target species cooperative quota issued to the CV sector:

Suboption 1. 3%
Suboption 2. 10%
Suboption 3. 15%

Option 3. Processor use caps (facility-based) in each region (WG and CG/WY). Processors that exceed these percentages during the qualifying years are grandfathered into the program. No processor shall receive or process more than the following percentage of individual target species issued to the CV sector:

Suboption 1. 10%
Suboption 2. 20%
Suboption 3. 30%

Regionalization of target species quota

Target species cooperative quota would be required to be landed in the region in which it is designated (WG or CG/WY designation) based on historical delivery patterns during the following years:

Option 1. The qualifying years for determining target species allocations
Option 2. 2011 - 2012
Option 3. Target species CG quota that has historically been landed in Kodiak would have a port of landing requirement to be delivered to Kodiak; CG quota not historically landed in Kodiak would be regionalized (WG or WY/CG).

Active participation criteria

To be eligible to purchase a GOA trawl CV license or catch history severed from a license, a person must be eligible to document a fishing vessel in the U.S. (status quo) and must:

Option 1. Hold at least (options: 20% - 30%) ownership of a trawl vessel; or provide documentation of participation as a captain or crew in the GOA trawl groundfish fishery for 150 days (verified by a signature on a fish ticket or crew members' affidavit) for at least (options: 1, 2, or 4) fishing trips in the GOA groundfish trawl fishery in the most recent two years previous to purchase.

Option 2. Communities do not need to meet the criteria under Option 1.

9. Transferability

a. (Annually) Full transferability of cooperative quota, including PSC separately, for annual use within the cooperative. Cooperatives can engage in inter-cooperative transfers of annual allocations to other cooperatives on an annual basis. CP annual cooperative allocations may be transferred to inshore cooperatives; inshore annual cooperative allocations cannot be transferred to CP cooperatives. Inter-cooperative transfers must be processed and approved by NMFS.

b. (Long-term) The LLP is transferable, with the associated history of the target species (which, when entered into a cooperative, brings with it a pro rata share of PSC.)

   Allocated species history is severable from a CV trawl license and transferable to another eligible CV trawl license (which, when entered into a cooperative, target species history brings with it a pro rata share of PSC). Transferred history retains the regional delivery designation. PSC cannot be permanently transferred separately from the license.

   Option: (Cooling off provision) License transfers (sale) and the severability provisions are prohibited for CV licenses in the first two years of the program.

10. Gear conversion

Pacific cod allocations associated with a trawl CV license may be fished with pot gear; a pot endorsement is not necessary but the license must have the appropriate area endorsement. Harvest would continue to be deducted from the vessel's annual trawl quota account and would not affect the pot gear Pacific cod sector allocations. Similar to status quo, PSC taken with pot gear does not accrue to a PSC limit or cooperative PSC allocation.

11. Limited access trawl fisheries (CV and CP)

If a license holder chooses not to join a cooperative, it may fish in the limited access fishery with an eligible FFP and LLP endorsed for GOA trawl. Under the limited access fishery, the LLP's historic share of (non-transferable) target species will be fished in a competitive fishery open to all trawl vessels in the sector who are not members of a cooperative. The catcher vessel limited access fishery will be subject to all current regulations and restrictions of the LLP and MRAs.

PSC limits in the limited access fishery will retain status quo apportionments by area, season, and/or fishery. Halibut and Chinook salmon PSC limits are annually apportioned to the limited access fishery on a pro rata basis relative to groundfish catch histories associated with LLPs that are not assigned to a cooperative, as reduced by:

Option 1. 10%

Option 2. 20%

Option 3. 30%

12. Sideboards

Sideboards that apply under the Rockfish Program for the CV and CP sectors, GOA non-exempt AFA CV sideboard limits, non-AFA crab vessel groundfish sideboards that apply to GOA trawl, and Amendment 80 groundfish and halibut PSC sideboard limits in the GOA, are removed for species allocated under the GOA trawl bycatch management program.

The Council requests further discussion of sideboards on directed fishing for Pacific cod with pot gear in the WG and CG (harvest that accrues to the Pacific cod pot sector allocations), as well as further information to consider whether CV sideboards are necessary for the BSAI Pacific cod and yellowfin sole fisheries.

13. Program review

Per the Magnuson Stevens Act, a program review would be conducted five years after implementation and every seven years thereafter.

14. Cost recovery and loan program

Per the Magnuson Stevens Act, a cost recovery program would be implemented to recover the incremental agency costs of the program related to data collection, analysis, and enforcement, up to a maximum of 3% of the ex-vessel value from landings of species allocated under the program. Up to 25% of cost recovery fees may be set aside to support a loan program for purchase of shares by fishermen who fish from small vessels and first-time purchases of shares under the program. Loan qualification criteria would need to be defined.

ALTERNATIVE 3. Gulf of Alaska Trawl Bycatch Management Program (Alternative 2) with a Community Fisheries Association allocation or Adaptive Management Program. *(Options 1 and 2 are mutually exclusive.)*

Option 1. Community Fisheries Association (CFA)

Element 1. Allocate 5% - 15% of the fishing quota for all species allocated to CVs under the program to a Community Fishing Association established under §303A(c)(3) of the MSA.

Element 2. Number of CFAs
Option 1. One GOA CFA
Option 2. One CFA for the WG and one for the CG

Element 3. Goals and objectives for a Community Fishing Association:
- Provide for the sustained participation of fishing communities and to the extent practicable minimize adverse economic impacts on such communities
- Assist entry-level and small vessel owner-operators, captains, crew and fishing communities

Element 4. Communities eligible for participation via the CFA
- Located in the WG, CG, WY
- Consist of residents who conduct commercial fishing, processing, or fishery-dependent support businesses within the GOA
- A high potential for economic and social impacts associated with a LAPP program on harvesters, captains, crew, processors, and other businesses substantially dependent upon the fishery
- Have submitted a community sustainability plan through the CFA

Element 5. The CFA must provide a community sustainability plan which includes:
a. Description of board, governance structure;
b. Description of quota allocation process;
c. Goals and objectives for the CFA, and explanation of how the CFA intends to meet those goals and objectives;

d. Description of how the CFA will meet the goals of sustaining community participation in the fishery, providing for new entry/inter-generational transfer, and encouraging active participation; and
e. Description of how the plan will address the social and economic development needs of coastal communities

Element 6. Require an annual report to the Council and communities

Element 7. CFA Cooperative Program Integration
- Annual quota allocated to the CFA may not be sold
- The CFA will operate within the cooperative structure of the main program. Quota leased from the CFA must be utilized on a license and accessed through a cooperative.
- CFA quota will be subject to the same set of rules as other quota in the program such as bycatch management, observer coverage and monitoring, sector allocations, cooperative structure, and gear conversion.
- If selected by the Council, regionalization and port of landing requirements will apply to CFA quota (option: do not apply port of landing requirements)
- Quota leased from a CFA counts toward any vessel and ownership use caps.

Option 2. Adaptive Management Program. Set-aside 5% - 15% of fishing quota for all species allocated to CVs under the program for adaptive management.

Element 1. Goals and objectives for adaptive management quota
Option 1. Same as those identified in the CFA option; and/or
Option 2. a. Community stability
b. Processor stability
c. Captain and crew entry and advancement
d. Conservation measures
e. To address other unintended outcomes

Element 2. Process for allocating adaptive management quota
- The Council shall develop criteria for eligibility, a process for adaptive management proposals to meet the goals and objectives, and a regulatory mechanism for allocating quota to program participants.
- The Council could allocate any amount up the total adaptive management set-aside to one or more proposals. Unallocated quota will pass through to the annual allocations to cooperatives.

Element 3. Program review and evaluation
- Entities receiving adaptive management quota shall provide annual reports to the Council and NMFS describing outcomes associated with the use of the quota and progress toward objectives described in their proposal.
- The Council shall periodically review its adaptive management goals and objectives.
- The five-year overall program review should evaluate the Council's effectiveness in achieving its goals and objectives through the use of the adaptive management program and identify potential improvements to the program design.

In addition, Section 3.2 of the October 2014 staff paper outlines regulations that could be removed in conjunction with the proposed GOA trawl bycatch management program. The Council generally agrees there is potential to remove the suggested regulations, and this discussion should continue to be incorporated in the analysis such that the Council can evaluate the impact of removing them under the action alternatives.