



NORTH PACIFIC FISHERY MANAGEMENT COUNCIL

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Meeting Summary

268th Plenary Session
North Pacific Fishery Management Council
February 5-12, 2024
Hybrid – Seattle, WA, Renaissance Hotel and [Zoom Webinar](#)

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Attachments

- 1) [Time Log](#)
- 2) [Newsletter](#)

The time log is included as a reference attachment for names, dates and times of each agenda item, and the newsletter is included to provide details of the agenda items and the meeting as a whole. All documents and information related to the meeting are accessible online at: <https://meetings.npfmc.org>

The North Pacific Fishery Management Council met February 5-12, 2024 at the Renaissance Hotel, in Seattle, WA. The following Council members, Council staff, SSC, and AP members attended the meetings either in person or virtually.

Council Members

The Council met February 8-12, at the Renaissance Hotel, in Seattle, WA. The following members were present for all or part of the meetings (absent members are ~~stricken~~)

Rachel Baker/Karla Bush (for Doug Vincent-Lang) <i>Alaska Department Fish and Game</i>	Chris Oliver <i>Pacific States Marine Fisheries Commission</i>
Kenny Down <i>Appointed</i>	LCDR Jed Raskie <i>United States Coast Guard</i>
Angel Drobnica Chair <i>Appointed</i>	Bill Tweit (for Kelly Susewind), Vice Chair <i>Washington Department Fish & Wildlife</i>
Pete Fasbender (for Sara Boario) <i>U.S. Fish and Wildlife Service</i>	Anne Vanderhoeven <i>Appointed</i>
John Jensen <i>Appointed</i>	Steve Williams/John Seabourne (for Curt Melcher) <i>Oregon Department Fish & Wildlife</i>
Nicole Kimball <i>Appointed</i>	Rudy Tsukada <i>Appointed</i>
Jon Kurland <i>National Marine Fisheries Service</i>	Dimitri Varmazis <i>U.S Dept. of State</i>
Andy Mezirow <i>Appointed</i>	Molly Watson & Josh Fortenbery <i>NOAA General Counsel</i>

Scientific and Statistical Committee

The SSC met February 5-7, at the Renaissance Hotel, in Seattle, WA. The following members were present for all or part of the meetings (absent members are ~~stricken~~).

Chris Anderson <i>University of Washington</i>	Jason Gasper <i>NOAA Fisheries—AKR</i>	Franz Mueter, Co-Chair <i>University of Alaska Fairbanks</i>
Amy Bishop <i>University of Alaska Fairbanks</i>	Dana Hanselman <i>NOAA Fisheries—AFSC</i>	Andrew Munro <i>Alaska Dept. of Fish and Game</i>
Curry Cunningham <i>University of Alaska Fairbanks</i>	Brad Harris <i>Alaska Pacific University</i>	Chris Siddon <i>Alaska Dept. of Fish and Game</i>
Martin Dorn <i>University of Washington</i>	Michael Jepson <i>Independent</i>	Ian Stewart <i>Intl. Pacific Halibut Commission</i>
Mike Downs <i>Wislow Research</i>	Kailin Kroetz <i>Arizona State University</i>	Patrick Sullivan <i>Cornell University</i>
Sherri Dressel, Co-Chair <i>Alaska Dept. of Fish and Game</i>	Kathryn Meyer <i>Washington Dept. of Fish and Wildlife</i>	Robert Suryan <i>NOAA Fisheries—AFSC</i>
Robert Foy <i>NOAA Fisheries—AFSC</i>		Alison Whitman, Vice Chair <i>Oregon Dept. of Fish and Wildlife</i>

Advisory Panel

The Advisory Panel met February 6-9, at the Renaissance Hotel, in Seattle, WA. The following members were present for all or part of the meetings (absent members are ~~stricken~~):

Tiffany Agayar	Jim Johnson	Paddy O'Donnell
Tamara Briggie	Mellisa Johnson	Landry Price
Eva Dawn Burk	Julie Kavanaugh	Chelsae Radell
Shannon Carroll	Rick Laitinen	Brian Ritchie, Chair
Nels Evens	Craig Lowenberg	Upton, Matt
Gretar Gudmundsson	Heather Mann, Co-Vice Chair	Paul Wilkins, Co-Vice Chair
Tim Heuker	Lauren Howard	Susie Zagorski

Council Staff

Cleaver, Sara	Haapala, Kate	Schmidt, Nicole
Cochran, Shannon	Henry, Anna	Stram, Diana
Cunningham, Sam	Hillary, Kaylah (contractor)	Watson, Nicole
Davis, Maria	La Belle, Sarah	Witherell, Dave (ED)
Evans, Diana (DD)	Marrinan, Sarah	
Fey, Michael	Rheinsmith, Sarah	

A1 Call Meeting to Order

The Council approved the agenda without objection.

B Reports

The following reports were provided and discussed.

B1 Executive Director's Report – David Witherell

- Presentation on Climate Scenarios Workshop – Katie Latanich (NPFMC)
- Presentation on Fishing Gear Research – Dr. Brad Harris (Alaska Pacific University) & Dr. Craig Rose (Fishnext Research)

B2 NMFS Management Report – Gretchen Harrington

- Presentation on Exempted Fishing Permits – Josh Keaton (NMFS AKR) & Lange Solberg (Real Time Data)

B3 NOAA General Counsel Report – Molly Watson

B4 AFSC Report – Dr. Bob Foy

B5 ADF&G Report – written only

B6 USCG Report – LCDR Jed Raskie

B7 USFWS Report – written report only

B8 IPHC – Dr. Barbara Hutniczak & Dr. Ian Stewart

Public comment was taken, then Ms. Baker recommended a letter be drafted to NMFS in response to the emergency petition rule, stating that the ruling would not follow National Standard 9. The Council

C1 Norton Sound Red King Crab

- Council Staff:** Sarah Rheinsmith
- Other Presenters:** Katie Palof (ADF&G) & Dr. Mike Litzow (NMFS AFSC), BSAI Crab Plan Team Co-Chairs
- Action Required:**
1. NSRKC – specify OFL/ABC for 2024
 2. Review Crab Plan Team Report

Summary

After staff presentations, the SSC & AP report, and public comment, Ms. Baker made the following motion that was seconded by Mr. Mezirow:

MOTION: NSRKC Harvest Specifications

The Council accepts the Norton Sound red king crab SAFE report and adopts the OFL of 0.332 thousand metric tons (0.733 million pounds) and ABC of 0.233 thousand metric tons (0.513 million pounds), as recommended by the SSC.

VOTE ON MOTION: The motion passed unanimously.

C2 Bristol Bay Red King Crab Closure Areas

- Council Staff:** Sam Cunningham & Sarah Rheinsmith
- Other Presenters:** Sean Dwyer & Elizabeth Reed (PNCIAC)
- Action Required:**
1. Review initial EA/RIR
 2. Review PNCIAC Report
 3. Recommend action as necessary

Summary

After staff presentations, the SSC report in full, the AP report, and public comments, Ms. Baker made the motion below. It was seconded by Mr. Tsukada.

MOTION:

1. At this time, the Council takes no further action on the analysis of alternatives for BSAI groundfish fishery area closures due to negative impacts on Chinook salmon, chum salmon, halibut, and other PSC species.

The Council intends to use inseason information and results from several ongoing research projects (winter pot surveys, crab tagging studies, pelagic and pot gear research) to develop framework agreements for dynamic closures and crab avoidance measures for the BSAI trawl, pot, and hook-and-line sectors to respond to changes in crab abundance and distribution with measurable objectives to evaluate performance.

The Council requests regular updates on ongoing collaborative research.

2. The Council tasks staff with a discussion paper to inform options for incentivizing pelagic trawl gear innovation with the following objectives:
 - minimizing bycatch to the extent practicable
 - minimizing the impacts of pelagic trawl gear on sensitive benthic habitat and unobserved mortality of stocks that rely on such habitat
 - improving or maintaining fishing efficiency
 - flexibility for trawl gear innovation within the constraints of other objectives (e.g., adapting to new technologies)

The discussion paper should detail:

- the current limitations to gear innovation and modification (e.g., technological or enforcement constraints)
- the process for such gear revisions (e.g., EFP)
- examples of how past changes to gear definitions have been moved through the Council process (e.g., elevated sweeps on nonpelagic trawl gear)
- management tools that could be used to inform metrics to achieve these objectives (e.g., EFH and Fishing Effects model)
- downstream impacts to the management objectives of the various regulatory provisions that use the current definition of pelagic trawl gear and have been built upon the previous actions (if applicable)
- potential displacement and spillover impacts from any potential changes (e.g., PSC or target species catch)

The Council will review options for changes to the performance standard following this work.

AMENDMENT 1: FAILED Mr. Kruland made the following amendment, which was seconded by Mr. Mezirow:

Remove last line of the motion that says “The Council will review options for changes to the performance standard following this work.”

Add to the contents of the requested discussion paper:

- potential ways to clarify the definition and/or performance standards for pelagic trawl gear to enable effective management of the amount of seafloor contact in areas where bottom contact is a management concern.

VOTE ON AMENDMENT 1: The amendment failed 4-7 with Mr. Down, Mr. Kurland, Mr. Mezirow, and Mr. Tweit voting in favor.

AMENDMENT 2: Mr. Tweit made the following amendment, which was seconded by Ms. Vanderhoeven:

Insert the following sentence as bullet 1 paragraph 3: “The Council continues to place a high priority on these research projects and encourages funding entities to also prioritize them highly.”

VOTE ON AMENDMENT 2: The amendment passes unanimously.

VOTE ON MOTION AS AMENDED: The motion as amended passed unanimously.

C3 Cook Inlet Salmon – Status Determination Criteria & Harvest Specifications

Council Staff: Dr. Nicole Watson

Other Presenters: Dr. Richard Brenner (NMFS AKR), Dr. Lukas DeFilippo (NMFS AFSC), Doug Duncan (NMFS AKR), Gretchen Harrington (NMFS AKR), Josh Fortenbery (NOAA GC)

Action Required:

1. Review the 2024 Preliminary Salmon Stock Assessment and Fishery Evaluation Report for the Salmon Fisheries of the Cook Inlet Exclusive Economic Zone Area (SAFE).
2. Approve the SAFE
3. Recommend Final 2024 harvest specifications including:
 - a. The tier level for each stock and the appropriate buffer;
 - b. Overfishing Level (OFL) and Acceptable Biological Catch (ABC) for all stocks as recommended by the SSC; and
 - c. Total Allowable Catch (TAC) for each species

Summary

After staff presentations, and considering the SSC and AP report, Mr. Kurland made the following motion which was seconded by Mr. Tweit:

FAILED MOTION:

The Council accepts the 2024 Cook Inlet Salmon Stock Assessment and Fishery Evaluation (SAFE) report and adopts the proposed status determination criteria and TACs presented in Table 1 for salmon in the Cook Inlet EEZ Area, which encompass the sport and commercial harvests. Status determination criteria methods and values are further described in the SSC minutes and 2024 Cook Inlet salmon SAFE report.

Staff should consider and address SSC recommendations to improve this process to the extent practicable for the 2025 Cook Inlet Salmon SAFE.

Table 1: Proposed 2024 harvest specifications for Cook Inlet EEZ Area salmon stocks. The SSC *recommended* minimum stock size threshold (MSST), preseason overfishing level (OFL), acceptable biological catch (ABC), annual catch limit (ACL), and *Council recommended* total allowable catch (TAC) are in numbers of fish.

Stock	Tier	MSST	Preseason OFL	ABC* buffer	ABC=ACL	TAC buffer*	TAC
Kenai River Late-Run sockeye salmon	1	3,030,000	901,932	0.478	431,123	0.50	492,064
Kasilof River sockeye salmon	1	555,000	541,084	0.694	375,512	0.50	
Aggregate Other sockeye salmon	3	163,000	887,464	0.200	177,493	0.50	
Aggregate Chinook salmon	3	44,200	2,697	0.10	270	0.90	243
Aggregate coho salmon	3	38,800	357,688	0.10	35,769	0.70	25,038
Aggregate chum salmon	3	NA	441,727	0.25	110,432	0.90	99,389
Aggregate pink salmon	3	NA	270,435	0.5	135,218	0.90	121,696

*The buffer refers to the multiplier (b) used to calculate the ABC and TAC, rather than the difference between OFL and ABC or the difference between ABC and TAC (1-b). For example, a buffer of 0.80 equates to a 20% reduction from the ABC, whereas a buffer of 0.20 equates to an 80% reduction.

VOTE ON MOTION: The motion failed 5-6 with Mr. Down, Mr. Kurland, Mr. Tweit, Ms. Vanderhoeven, and Mr. Seabourne voting in favor .

Since the Council did not recommend a harvest specification, NMFS will publish proposed harvest specifications under Secretarial authority, as informed by the recommendations of the SSC.

D1 Pelagic Trawl Gear Definition Changes

Council Staff: Sam Cunningham

Other Presenters: Caleb Taylor (NMFS AKR), Alicia Miller (NMFS AKR), & Alex Perry (NOAA OLE)

Action Required: 1. Review discussion paper and advise action as necessary

Summary

After staff presentations, and considering the SSC and AP report, Mr. Kurland made the following motion which was seconded by Ms. Vanderhoeven:

MOTION:

The Council adopts the following purpose and need statement and list of alternatives for analysis:

Purpose and Need

The purpose of this action is to align regulations with the longstanding interpretation of pelagic trawl gear in Alaska and to remove unnecessary outdated text. Pelagic Trawl gear is defined within 50 CFR 679.2 and has remained unchanged since 1993. The Council and NMFS did not intend the codend to be included within the restrictive definition of pelagic trawl gear specified at § 679.2. However, the national definition of the codend at § 600.10 is inconsistent with the § 679.2 definition because it includes the codend as part of the trawl net. A regulatory change to the trawl gear definition at § 679.2 is needed to exclude the codend, thereby better reflecting the original intent and providing for improved regulatory compliance. Revisions are also needed to the pelagic trawl gear definition in paragraph 14 of the definition of authorized fishing gear at § 679.2 to remove outdated text related to parallel line trawls and to allow for flotation within bycatch excluder devices.

Alternatives

Alternative 1: No Action (Status quo).

Alternative 2: Revise regulations at 50 CFR 679.2 that define authorized fishing gear for pelagic trawl gear and trawl gear to:

Option 1. Exclude the codend from limitations applicable to the trawl net.

Option 2. Remove outdated text related to parallel line trawls.

Option 3. Allow the use of flotation for bycatch excluder devices.

Option 4. Allow hardware that secures technology to the trawl as long as the hardware does not appreciably change the intended performance of the trawl. Technology that may need to be secured to the trawl includes live-feed cameras, flow sensors, etc.

(These options are not mutually exclusive.)

VOTE ON MOTION: The motion passed without objection.

D2 GOA Tanner Crab Protections

Council Staff: Dr. Nicole Watson

Other Staff: Josh Keaton (NMFS AKR)

Action Required: 1. Review discussion paper provided by staff.
2. Recommend action as necessary.

Summary

After staff presentations, the AP report, and public comment, Ms. Baker made the following motion that was seconded by Mr. Jensen:

MOTION:

The Council requests an expanded discussion paper to inform potential closures to protect Gulf Tanner crab. The paper should also include the following:

- Staff should work with ADF&G to identify the areas of highest Tanner crab abundance inside the Barnabas gully in statistical areas 525702 and 525630 for consideration of a smaller closure area.
- Consider modifications to existing closures off the east side of Kodiak Island to consider comprehensive impacts of closures on groundfish fleet.
- Tanner crab distribution in the Kodiak District and to the extent practicable, the proportion of annual surveyed abundance of Kodiak District Tanner crab from 2012 to 2023 in statistical areas 525702 and 525630.
- Updated tables for trawl (PTR, NPT) and Pacific cod pot (POT) pot gear groundfish harvests and Tanner crab PSC from 2012 to 2023. Separate tables for catcher vessels and catcher processors as possible given confidentiality rules.
- Value of the NPT, PTR, POT groundfish and directed Tanner crab fisheries in statistical areas 525702 and 525630 and the Central Gulf of Alaska.
- NPT, PTR, POT groundfish and directed Tanner crab fishery landings by month and the resulting impacts of fishery timing on processing capacity in Kodiak.

VOTE ON MOTION: The motion passed without objection.

D3 Programmatic Evaluation of Management Policies

Council Staff: Sara Cleaver

Action Required:

1. Review discussion paper
2. Provide initial input and direction on staff questions and clarifications for specific policy language to use in the analysis
3. Identify any additional information needs that will allow the Council to refine alternative language in October 2024.

Summary

After staff presentations, the AP report, and public comment, Mr. Tweit made the following motion that was seconded by Ms. Kimball:

MOTION:

The Council supports continuing pre-scoping activities and supports tribal consultations (between NOAA and tribes) to receive input to further develop alternatives prior to formal scoping via the Notice of Intent to prepare a Programmatic Environmental Impact Statement (PEIS). The Council supports a transparent, inclusive, and meaningful process to develop the PEIS. At this time, the Council supports issuing the Notice of Intent to prepare a PEIS in fall 2024, with review of the resulting public scoping comments and alternatives planned for December 2024.

AMENDMENT : Mr. Kurland made the following amendment, which was seconded by Mr. Down:

Strike after “comments” form the last line and include instead “as soon as feasible thereafter.”

VOTE ON AMENDMENT: The amendment passes unanimously.

VOTE ON MOTION AS AMENDED: The motion passed without objection.

D4 AFA Program Review Work Plan

The Council did not take up this agenda item.

E1 Staff Tasking

Council Staff: David Witherell

Action Required:

1. Review Committees and Plan Teams
2. Tasking direction to the BS FEP Plan Team, if appropriate
3. Provide direction on tasking priorities and scheduling

Summary

The Council listened to staff presentations, the AP Report, and public comment. No action was taken under this item. Ms. Drobica appointed David Little & Brian Dafforn to the IFQ Committee.

The Council adjourned Monday, February 12, 2024, at 4:19 P.M.