



# North Pacific Fishery Management Council

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## Meeting Summary

265th Plenary Session  
North Pacific Fishery Management Council  
June 5-11, 2023  
Hybrid – Sitka, AK Harrigan Centennial Hall and Zoom Webinar

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### Attachments

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

The North Pacific Fishery Management Council met June 5-11, 2023 at the Harrigan Centennial Hall, Sitka, Alaska. The following Council members, Council staff, SSC, and AP members attended the meetings either in person or virtually.

*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>*

**Council Members**

Rachel Baker/Karla Bush (for Doug Vincent-Lang) <i>Alaska Department of Fish &amp; Game</i>	David Moore, <i>United States Department of State</i>
Kenny Down <i>Appointed</i>	Chris Oliver <i>Pacific States Marine Fisheries Commission</i>
Angel Drobnica <i>Appointed</i>	LCDR Jed Raskie <i>United States Coast Guard</i>
John Jensen <i>Appointed</i>	Bill Tweit (for Kelly Susewind), <b>Vice Chair</b> <i>Washington Department of Fish &amp; Wildlife</i>
Nicole Kimball <i>Appointed</i>	Anne Vanderhoeven <i>Appointed</i>
Simon Kinneen, <b>Chair</b> <i>Appointed</i>	John Seabourne (for Curt Melcher) <i>Oregon Department of Fish &amp; Wildlife</i>
Jon Kurland <i>National Marine Fisheries Service</i>	Molly Watson/Josh Fortenberry <i>NOAA General Counsel</i>
Andy Mezirow <i>Appointed</i>	

**Council Staff**

Cleaver, Sara	Fey, Mike (PSMFC)	Schmidt, Nicole
Cochran, Shannon	Hillary, Kaylah (contractor)	Watson, Nicole
Cunningham, Sam	La Belle, Sarah	Witherell, Dave (ED)
Davis, Maria	Marrinan, Sarah	
Evans, Diana (DD)	Rheinsmith, Sarah	

**Scientific and Statistical Committee**

The SSC met June 5-7, at the Harrigan Centennial Hall, Sitka AK. The following members were present for all or part of the meetings.

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

Robert Suryan  
 NOAA Fisheries—Alaska Fisheries  
 Science Center

**Advisory Panel**

The Advisory Panel met June 6-8 at the Harrigan Centennial Hall, Sitka AK. The following members were present for all or part of the meetings (absent members are ~~stricken~~):

Briggie, Tamara	Johnson, Mellisa	Radell, Chelsae
Edson, Jessie	Kavanaugh, Julie	Ritchie, Brian (Chair)
Gudmundsson, Gretar	Laitinen, Rick	Upton, Matt
Heuker, Tim	Mann, Heather	Wilkins, Paul (Co-VC)
Howard, Lauren (Co-VC)	O’Donnell, Paddy	Zagorski, Suzie
Jackson-Gamble, Sawaan	O’Neil, Megan	
Johnson, Jim	Price, Landry	

**A1 Call Meeting to Order**

The Council approved the agenda without objection.

**B Reports**

The following reports were provided in writing and discussed.

**B1 Executive Director’s Report – David Witherell**

- Presentation on Simon Kinneen’s retirement – David Witherell
- Presentation on Meeting Cycle Adjustments – Diana Evans

**B2 NMFS Management Report**

- Management Report – Gretchen Harrington & Alicia Miller
- Advanced Notice of Proposed Rulemaking – National Standards 4, 8, & 9 – Mike Ruccio
- Technical Guidance for National Standard 1 Reference Points and Status Determinations – Richard Methot
- Tribal Engagement Committee Report – Amilee Wilson

**B3 NOAA General Counsel Report – Molly Watson**

**B4 AFSC Report – Dr. Robert Foy**

**B5 ADF&G Report – no oral report given**

**B6 USCG Report – no oral report given**

**B7 USFWS Report – no oral report given**

**B8 NOAA Enforcement Report – Nathan Lagerwey & Alex Perry**

Public comment was taken, and no motions were made for these agenda items.

## C1 BSAI Crab Harvest Specifications – SAFE Report, ABCs/OFLs, Plan Team Report

**Council Staff:** Sarah Rheinsmith

**Other Presenters:** Katie Palof, (ADF&G, Crab Plan Team Co-Chair), Dr. Mike Litzow (NMFS, Crab Plan Team Co-Chair)

**Action Required:**

1. Specify OFL/ABC for Aleutian Islands golden king crab for 2023/24
2. Specify OFL/ABC for Pribilof Island golden king crab for 2023-2026
3. Specify OFL/ABC for Western Aleutian Island red king crab for 2023- 2026
4. Review the Crab Plan Team Report from the May 2022 meeting

**Summary:** A team of technical experts (the Crab Plan Team) met in May to review scientific information and discuss the status and appropriate harvest level for 3 stocks: Western Aleutian Islands Red King Crab, Pribilof Islands Golden King Crab, and Aleutian Islands Golden King crab. The Council’s Scientific and Statistical Committee and the Council reviewed the report and recommendations of the Plan Team and set harvest limits based on that information.

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

**MOTION 1** – The Council accepts the Crab SAFE report and adopts the following OFLs and ABCs, recommended by the SSC, for Aleutian Islands golden king crab, Pribilof Islands golden king crab, and Western Aleutian Islands red king crab:

Species	OFL (t)	ABC (t)	Year(s)
Aleutian Islands golden king crab	4,182	3,137	2023/24
Pribilof Islands golden king crab	114	85	2024, 2025, 2026
Western Aleutian Islands red king crab	56	14	2023/24, 2024/25, 2025/26

**VOTE MOTION 1:** The motion passed unanimously.

**MOTION 2** – Ms. Baker, seconded by Ms. Kimball made the following motion.

UM Working Group: The Council approves formation of an inter-agency working group to develop a framework for how to estimate the magnitude and extent of unobserved fishing mortality for crab stocks from all gear types and guidance for explicitly incorporating these estimates in BSAI crab stock assessments and to inform other council documents related to conservation and management of crab stocks.

The Council approves the objectives of working group as follows:

- Identify data sources, major data gaps, and assumptions to estimate unobserved mortality for stock assessments and to better understand temporal/spatial extent across fisheries and gear types.
- Provide research priority recommendations and/or needed research projects.

The anticipated products include:

- Framework for estimating unobserved fishing mortality and explicitly incorporating into stock assessments.
- Report on specific research priorities and data needs.

- Recommendations for approaches to investigate spatial/temporal extent of unobserved mortality over fisheries and gear types to the extent practicable.

The Council will consider a public workshop on the working group progress and/or products in the future.

**VOTE MOTION 2:** The motion passed unanimously.

## C2 Observer Reports

**Council Staff:** Sara Cleaver

**Other Presenters** Jennifer Ferdinand (AFSC), Phil Ganz (NMFS AKR), Jaclyn Smith (NOAA OLE)

**Action Required:**

1. Review the abbreviated 2022 Observer Annual Report
2. Receive presentation on draft 2024 ADP (cost efficiencies analysis)
3. Review the January PCFMAC and May FMAC Reports

**Summary:** *The Council heard a report reviewing the last year of the Observer Program along with recommendations for 2024. They also reviewed an analysis that discusses costs in the program and heard reports and recommendations from committees that work with fisheries monitoring.*

After staff presentations, the SSC and AP report, and public comments, Ms. Kimball made the motion below. It was seconded by Mr. Mezirow.

**MOTION:** The Council appreciates the 2022 Annual Report on the observer program and recommends the following:

- An abbreviated annual report on the 2023 deployment and a full annual report on the 2024 deployment.
- Future reports include data on the amount of catch monitored by electronic monitoring (EM) similar to data on observed catch.
- Future reports provide EM cost categories that include monitored days vs reviewed days.
- A summary of issues highlighted in the previous year's annual report and how they were addressed. For next year's report that would include EM image quality, new EM review protocols for pot vessels, and EM video review timeliness.
- Similar metrics for the pelagic trawl EM program and the fixed gear EM program, as practicable.
- Reintroduction of bias metrics as possible, for the next full annual report.
- Enforcement section: 1) Information on observer-on-observer harassment broken out from aggregate data; 2) a longer time series than only the previous year; 3) additional detail to help clearly identify the most important differences in numbers and rates between years; 4) annual data on the number of observer statements that result in violations.
- Highlight OLE's online training for ensuring a safe work environment for observers and NOAA's Workplace Violence Prevention and Response training options on the Council website.

### 2024 Annual Deployment Plan (ADP)/Cost Efficiencies Analysis

The Council supports the criteria for evaluation and the proposed stratification and allocation designs for the 2024 ADP, as well as the recommendations on pages 68-69 of the 2022 Observer Annual Report. Per EM deployment, this includes: 1) additional fixed gear EM vessels (30% coverage) in the EM pool in 2024 (up to 200 total vessels) provided they opt-in prior to November 1, 2023, additional funding for EM equipment is secured, and they meet the criteria in the ADP; and 2) support for additional pelagic trawl EM vessels in the EFP with 100% at-sea monitoring in addition to shoreside observer coverage.

The Council also supports:

- Continued evaluation of modifications to zero coverage for EM and observer strata, while maintaining the 40' LOA fixed gear threshold, to include fixed gear vessels that are high cost/low landings and/or fixed gear vessels that have not fished for groundfish in multiple years. If time is constraining, evaluate this only under the NMFS preferred stratification design and the allocation options other than equal rates.
- Evaluation of solutions to high cancellation rates of trips selected for observer coverage in the hook-and-line stratum such as: 1) having the next trip inherit the observer selected trip (as opposed to the next logged trip); and 2) increase the programmed rate in ODDS to achieve the target coverage rate. A look at whether trips selected for coverage comprised the majority of hook-and-line cancelled trips in 2022 and the preliminary 2023 cancellation rates may assist in determining whether to make a change in the 2024 ADP.
- The Council requests NMFS define the 'burden share' evaluation metric in such a manner that it could be applied to all strata in a consistent and meaningful way. If this metric is variable in what it is measuring among the strata, the Council recommends NMFS eliminate this metric.
- Evaluation of the monitoring designs and resulting coverage rates under high, medium, and low budget scenarios to be provided to the FMAC in advance of the October Council meeting.
- Consultation with fixed gear EM service providers on the cost of inactive vessels to determine how costs would scale to different budget scenarios.

The Council supports further investigation of video review protocols and/or increased staffing at Pacific States Marine Fisheries Commission or other contracted solutions to minimize delays and better ensure timely EM data.

**VOTE ON MAIN MOTION:** The motion passed without objection.

### C3 Crab C Share Recent Participation Requirement

**Council Staff:** Sarah Marrinan

**Action Required:**

1. Review Initial Review draft analysis
2. Consider revisions to purpose and need and/or alternatives
3. Determine whether to move the action forward as an Initial or Final review.

**Summary:** *The Council reviewed possible changes for the holders of crab 'C shares' or crew shares, which currently must participate as active captains and crew onboard crab vessels. The C share holders have requested additional flexibility for these active participation requirements due to the reduction in available crew jobs.*

After staff presentations, the AP report, and consideration of the SSC report given earlier this day, Mr. Down made the following motion which was seconded by Ms. Drobnica:

**MOTION:** The Council adopts the following revised purpose and need and suite of alternatives for public review.

#### Purpose and Need

The CVC and CPC shares have an active participation requirement to receive annual IFQ and retain QS. The combined impact of the COVID-19 pandemic from 2020 through 2023 and the recent and substantial decline in crab abundance and fishery closures have substantially reduced opportunities for crew to participate in crab fisheries in recent years. The Council is also concerned about future

diminished opportunities for crew if crab stocks remain low. Action is needed to modify the active participation requirements to provide opportunity for C share holders to receive annual IFQ and retain QS in periods of low crab abundance.

Alternative 1 - No action

Alternative 2 - Modify the CVC QS and CPC QS recency requirement

Option 1: Restart the recent participation requirement when the final rule is implemented and reissue all revoked CVC and CPC QS.

Option 2: Authorize the Regional Administrator to suspend the CVC QS and CPC QS active participation requirement in years when the combined BBRKC, BSS, WBT, and EBT crab combined TAC is below a certain threshold. If the TAC threshold was not met, NMFS would not count this year for C share holders that did not provide evidence of active participation. Threshold options:

Suboption 1: 25 Mlb

Suboption 2: 15 Mlb

Suboption 3: 10 Mlb

Option 3: Revise the eligibility requirements for CVC and CPC QS holders to receive annual IFQ and retain QS holdings to be the same for initial recipients and new entrants.

Alternative 3 - Remove the active participation requirements at 680.40 for existing CVC and CPC QS holders to receive annual IFQ and retain QS. Maintain eligibility requirements at 680.41(c) to receive CVC or CPC QS by transfer.

**AMENDMENT 1:** Ms. Kimball, seconded by Mr. Mezirow, made the following amendment to include this language at the end of Alternative 2 Option 1: **starting in 2019 and until final rule is implemented.**

**VOTE ON AMENDMENT 1:** The amendment passed unanimously.

**AMENDMENT 2:** Ms. Kimball, seconded by Mr. Mezirow made the following amendment to include this language at the end of Alternative 3: **Reissue all revoked CVC and CPC QS starting in 2019 and until final rule is implemented.**

**VOTE ON AMENDMENT 2:** The amendment passed unanimously.

**VOTE ON MOTION AS AMENDED:** The motion passed unanimously.

## C4 BBRKC Closure Areas

**Council Staff:** Sam Cunningham  
**Other Presenters** Dr. Mason Smith (NMFS SF)  
**Action Required:** 1. Review Initial Review analysis  
2. Recommend action as necessary

**Summary:** *The Council reviewed a paper that analyzes the potential closure of certain Bering Sea areas that are important to the Bristol Bay Red King Crab stock. Two different alternatives looked at closing different areas to trawl or all groundfish vessels, or to pot vessels fishing for Pacific cod. The Council*

*determined if additional information is needed in the analysis before scheduling final action at a future meeting.*

Staff presentations and the AP report were given, and the SSC gave their report previously. After public testimony, Ms. Baker made the following motion which was seconded by Mr. Mezirow:

**MOTION 1:** The Council revises the alternatives as follows and requests staff incorporate additional information below for a second initial review, per the Scientific and Statistical Committee recommendation. Deletions are shown in ~~striketrough~~ and additions are in **bold**.

Alternative 1: No action (status quo)

Alternative 2: Implement an annual closure of the Red King Crab Savings Area ~~and Red King Crab Savings Subarea~~ to all commercial groundfish fishing gears. The existing closure for non-pelagic trawl gear is not changed **under Option 1. Option 2 modifies the trigger to close the Red King Crab Savings Subarea for non-pelagic trawl.**

The closure would be in effect:

Option 1: If ADF&G does not establish a total allowable catch (TAC) the previous year for the Bristol Bay red king crab fishery.

Option 2: If the total area-swept biomass for BBRKC is less than 50,000 mt.

Suboptions (apply to either Option):

Suboption 1: Exempt hook-and-line gear from the closure

Suboption 2: Exempt pot gear from the closure

Alternative 3: Implement a closure of NMFS Reporting Area 512 to fishing for Pacific cod with pot gear.

The closure would be in effect:

Option 1: If ADF&G does not establish a total allowable catch (TAC) the previous year for the Bristol Bay red king crab fishery.

Option 2: If the total area-swept biomass for BBRKC is less than 50,000 mt.

Revise the analysis as follows:

- Consult with stock assessment authors to better summarize the biological consequences (stock-level impacts) of different levels of PSC in the RKCSA/RKCSS and Area 512 at current levels of BBRKC abundance.
- Include information to evaluate the relative importance of the RKCSA/RKCSS and Area 512 with respect to the entire BBRKC stock.
- Discuss potential for continuation of the 2023 winter pot sampling project.
- Enhance the analysis and discussion of tradeoffs to bycatch and fishing operations for the groundfish fisheries that would be affected by the action alternatives.
  - Incorporate the Appendix 2 analysis on halibut, salmon, and crab PSC into the EA/RIR; expand the analysis of PSC impacts to include PSC data from the past 10 years; and analyze PSC impacts under Alternative 3 in addition to Alternative 2.
  - Include analysis of tradeoffs for halibut bycatch that includes the Amendment 80 sector's historic use of the RKCSS based on years prior to 2020 when the total BBRKC PSC limit was set at 99,000 and 32,000 crabs.



- Consult with groundfish fishery participants to gain local knowledge on fleet response to the action alternatives.
- Incorporate SSC recommendations as practicable for additional steps to more accurately portray the likely range and certainty of costs and benefits of the proposed alternatives.
- Describe rationale for 50,000 mt area-swept trigger and the likelihood of the BBRKC stock being above that threshold in the next 10 – 15 years given the most likely projected ecosystem conditions.
- Discuss tradeoffs and merits of 50,000 mt area swept trigger compared to current trigger for closure of the RKCSS to fishing by non-pelagic trawl gear.
- Further explore actions that could be implemented through framework agreements for the pot CV sector and pelagic trawl sector. The actions would have similar goals to the proposed alternatives to reduce BBRKC mortality in the RKCSA and Area 512, respectively, but would be more dynamic and responsive to seasonal spatial distribution of BBRKC and focus avoidance on more discrete areas of relatively higher female BBRKC abundance.
- Remove the pelagic trawl gear definition discussion from Section 4 (to be addressed separately).
- Include information from ongoing and potential projects to address gear-seafloor interactions for all gear types and BBRKC distribution.
- Request NMFS and the Enforcement Committee, in consultation with industry, identify ways to revise the pelagic gear performance standard to be enforceable. Continue to incorporate this discussion into Section 4. To better understand and evaluate this issue, the discussion should also include a full time series of pelagic gear crab PSC after the large mesh introduction in 1993 and an accurate description of catch accounting issues for observers, including the number of annual violations in the same time period (1993 – 2023).

**AMENDMENT:** Ms. Vanderhoeven, seconded by Mr. Tweit moved to strike the word pelagic from the first sentence of bullet 11 and add an “s” to the end of sector so the sentence reads as follows: “Further explore actions that could be implemented through framework agreements for the pot CV sector and trawl sectors.”

**VOTE ON AMENDMENT:** The amendment passed unanimously.

**VOTE ON MOTION:** The motion passed without objection.

**MOTION 2:** Ms. Baker, seconded by Mr. Mezirow The Council requests NMFS and OLE work with Council staff and industry to identify revisions to the regulatory definition of pelagic trawl gear to:

- clarify that the codend is not intended to be regulated
- allow for gear innovation
- resolve any inconsistencies in current regulations and/or outdated regulations

The proposed regulatory revisions should be provided to the Council in a regulatory package for review.

**AMENDMENT:** Mr. Kurland, seconded by Mr. Down, moved to include the following language:

The Council notes the conclusion in the analysis presented by staff that “the pelagic trawl definition and performance standard do not appear to be effectively limiting seafloor contact for pelagic trawl gear.” The Council requests that staff prepare a discussion paper, building upon section 4 of the analysis

(“Discussion: Trawl Gear Performance Standard and Pelagic Trawl Gear Definition”), to further evaluate whether the existing trawl performance standard and definition of pelagic trawl gear are meeting Council objectives to limit bottom contact by mobile fishing gear in the Red King Crab Savings Area and other management areas that are established under Council FMPs with the purpose of limiting bottom contact by mobile fishing gear. The discussion paper should identify and evaluate potential management options for effectively limiting seafloor contact by pelagic trawl gear in such areas to protect sensitive habitats and/or reduce unobserved crab mortality.

**AMENDMENT TO AMENDMENT:** Ms. Kimball, seconded by Ms. Vanderhoeven, moved to strike the first sentence from Mr. Kurland’s amendment.

**VOTE ON AMENDMENT TO THE AMENDMENT:** This vote passed unanimously.

**VOTE ON AMENDMENT:** The amendment vote failed 7-3.

**VOTE ON MAIN MOTION:** The motion passed unanimously.

## D1 Small Sablefish Release Staff Update

**Council Staff:** Sara Cleaver  
**Other Presenters** Jane Sullivan (NMFS AFSC), Jennifer Ferdinand (NMFS AFSC), Dr. Dan Goethel (NMFS AFSC)  
**Action Required:** 1. Review staff update paper  
 2. Provide direction on prioritizing next iteration of analysis

**Summary:** *Staff provided an update on a proposal to allow sablefish fishermen who want to be able to release small sablefish rather than retain them. The Council provided feedback on how staff should prioritize work on this analysis and any changes to its scope, given the workload required and potential impacts to the fishery and conservation of the stock.*

After staff presentations and the AP report, and considering the SSC report given yesterday, and public testimony, Mr. Tweit, seconded by Mr. Down, made the following motion.

**MOTION:** The Council adopts the following Purpose and Need and Alternatives for Initial Analysis.

### PURPOSE AND NEED

Beginning with the 2014 age class, a continuing series of large year classes of sablefish are resulting in significant catches of small sablefish in the IFQ fixed gear fisheries and current regulations require IFQ holders to retain all sablefish. Small sablefish have low commercial value under current market conditions. Although no scientific studies are available to estimate survival rates for Alaska sablefish, information from other areas suggests that survival rates for carefully released sablefish may be high enough to warrant consideration of relaxing full retention requirements. Limited operational flexibility to carefully release sablefish may increase the value of the commercial harvest and allow small fish to contribute to the overall biomass.

### ALTERNATIVES

#### **Alternative 1, No Action**

Under the No Action alternative, all regulations and FMP language related to a prohibition on discarding sablefish would remain intact. Those regulations include 50 CFR 679.7(d)(4)(ii) and 50 CFR 679.7(f)(11). Additionally, discarding is prohibited in both the BSAI and GOA Groundfish FMPs in the fourth provision under General Provisions section 3.7.1.7, prohibiting discarding of sablefish.

### **Alternative 2, Allow Release of Sablefish in the IFQ Fishery**

This alternative would eliminate (Option 1) or modify (Option 2) the regulatory restrictions that prohibit release of sablefish caught by sablefish IFQ vessels as well as the FMP provision prohibiting discarding.

**Option 1:** eliminate the regulatory restrictions that prohibit release of sablefish caught by sablefish IFQ vessels as well as the FMP provision prohibiting discarding.

**Option 2:** Require retention of sablefish 22 inches total body length or longer (provides for voluntary release of sablefish under 22 inches total body length)

### **Element 1: DMRs**

Apply a DMR to released sablefish of:

1. 5%
2. 12%
3. 16%
4. 20%
5. 25%
6. *SSC recommends the DMR through the stock assessment process.*

**Sub-option:** Select different DMRs for pot gear and hook and line gear

### **Element 2: Catch and Release Mortality Accounting**

Sablefish catch and release mortality associated with the IFQ fishery will be accounted for in the stock assessment. The analysis should describe the potential implications of voluntary discards on the sablefish stock assessment, specifications process and catch accounting in the context of other uncertainties.

### **Element 3: Pot Gear Selectivity**

Consider requiring escape mechanism for sablefish pots.

### **Element 4: Monitoring and Enforcement**

The analysis should describe potential monitoring and enforcement provisions that could improve estimates of voluntary and regulatory discards

### **Element 5: Review**

**Option 1:** The ability to release sablefish will be reviewed in a) 3 years b) 5 c) 7 years following implementation.

**Option 2:** The ability to release sablefish will sunset after 5 years following implementation.

**AMENDMENT 1:** Ms. Kimball, seconded by Mr. Mezirow, moved to strike Element 3 and include the following language to the end of the motion:

The analysis should include a discussion of selectivity in sablefish pots and whether requiring escape mechanisms meet the objective of this action.

**VOTE ON AMENDMENT:** The amendment passed unanimously.

**VOTE ON MOTION AS AMENDED:** The motion passed unanimously.

## D2 Programmatic EIS

**Council Staff:** Sara Cleaver & Nicole Watson

**Action Required:**

1. Review PEIS presentation
2. Review Ecosystem Committee recommendations
3. If appropriate, adopt a purpose and need, alternatives, and identify next steps

**Summary:** *In February 2023, the Council began considering an analysis of program-level impacts of Federal groundfish fisheries on the environment and potential policy changes, given both ecosystem and management changes that have occurred over the last 20 years. At this meeting, the Council considered the Ecosystem Committee's recommendations on a purpose and need statement and alternatives.*

After staff presentations and public comment, Mr. Tweit made the motion below, which Ms. Kimball seconded. The AP did not take up this agenda item.

**MOTION:** The Council initiates the development of a Programmatic EIS for all Council-managed fisheries and recommends NMFS initiate NEPA scoping and solicit public input on the following purpose and need and alternatives.

### Purpose and Need Statement

The federal action under consideration is to clarify the management policy and objectives for all federal fisheries managed under the Magnuson-Stevens Act and the Halibut Act under the jurisdiction of the North Pacific Fishery Management Council (Council) in the Gulf of Alaska, the Bering Sea, and Aleutian Islands, including objectives for adapting to the effects of climate change. The purpose of this action is to ensure that the management framework of the Council is adequate to meet current and forthcoming challenges in the federal fisheries, and to describe and implement that framework in a comprehensive manner to improve the Council's ecosystem-based management approach. Given changing conditions in the fisheries, new Council efforts, and significant climate-related impacts on the marine ecosystem, there is a need to evaluate the management policy and objectives for federal fishery management to be adaptable and responsive in order to better meet the objectives of the Magnuson Stevens Act and Halibut Act, to ensure long-term sustainability of the stocks managed under those statutes, and to sustain participation in and benefits from the fisheries over time. The Council intends to ensure that the management framework is structured to use the best available science, which includes climate science and local and traditional knowledge, and also recognizes Alaska tribes and communities that rely on subsistence resources.

## Alternatives

Alternative 1: Maintain current ecosystem-based management policy and objectives for Council-managed fisheries (status quo)

Alternative 2: Adopt a more adaptive ecosystem-based management policy and objectives for Council-managed fisheries which would enable the Council to develop and implement climate-resiliency tools; new pathways to incorporate indigenous, local, and traditional knowledge; and new tools to assess and adapt to risk in the face of additional uncertainty in stock status and distribution due to climate driven marine ecosystem changes.

**VOTE ON MOTION:** The motion passed without objection.

## E1 Staff Tasking

**Council Staff:** David Witherell

**Action Required:**

1. Review Committees and Plan Teams
2. Call for AP and SSC nominations for 2024
3. Provide input to staff regarding planning future Council meetings
4. Provide direction on tasking priorities and scheduling

**Summary:** *The Council listened to public testimony about existing and new management measures that the public may be interested in and will provide feedback to staff and the Council Chair about how to prioritize staff work on existing and new projects.*

*The Council also reviewed its committee membership and identified agendas for upcoming committee meetings. The Council also discussed whether to drop a meeting or make one virtual, beginning in 2025.*

The Council listened to staff presentations and the AP Report, and public comment was heard.

**MOTION 1 – Pot Cod LAPP:** Mr. Down, seconded by Mr. Mezirow, made the following motion:

The BSAI Pot catcher vessel  $\geq 60$  ft. and Pot Catcher Processor Pacific cod fisheries are facing multiple issues simultaneously that are negatively impacting the sustained viability and rational prosecution of the fishery for all its participants. These factors include: decreasing Pacific cod TACs, an increase in the number of participating LLP licenses in the CV sector, the potential for additional new participants in both the CV and the CP sectors, a race among existing participants (often in unsafe conditions), resulting in an inability to control bycatch of crab, and increasingly shortened seasons in recent years. Many of the BSAI Pot catcher vessel  $\geq 60$  ft. and Pot Catcher Processor Pacific cod have come before the council asking for relief from the status quo manner in which they prosecute their fishery and see this action as a potential to move forward in a manner that will bring relief and reduce bycatch.

The Council request a discussion paper to request information to address the numerous concerns being encountered by the fishery and to receive data to support development of a cooperative limited access privilege program (LAPP) for these pot sectors to address these concerns.

The discussion paper should include

- Allocation of BSAI Pacific cod quota share to BSAI LLP licenses with a Pacific cod pot gear endorsement
- Consideration of equal shares program for  $\geq 60$  ft. Pot CVs
- Consider issuing quota share to owners of active vessels that do not own an LLP
- How this new program will impact the less than 60 ft. CV fleet and ability for new entrants
- History of crab bycatch by CV and CP fleets for the years 2008 through 2022
- History of any deliveries to Motherships or CP's acting as Motherships by  $\geq 60$  ft. Pot CVs for the years 2008 through 2022
- History of deliveries and / or catch by CV and CP fleets in the AI for the years 2008 through 2022
- Crab bycatch management
- Establishing separate  $\geq 60$  ft. CV and CP cooperative(s) for Pacific cod
- Protections for harvesters, processors, and communities including participation by shoreside processors and communities
- Use caps, transfer requirements, and other administrative requirements that apply to quota programs, including data to support initial range for use and ownership caps
- Establishing sideboards to protect limited access GOA and BSAI fisheries
- Consider impacts of management changes on crew
- Likely monitoring requirements necessary to support a cooperative program that allocates cooperative Pacific cod quota and apportions crab PSC to the cooperative(s) including availability of observers for the CVs to move to the full observer coverage category

The Council establishes a control date of June 11, 2023, that may be used as a reference date for any future management action to address Pot CPs and  $\geq 60$  ft. Pot CVs participation in the BSAI Pacific cod pot sector fishery.

**VOTE MOTION 1:** The motion passed unanimously.

**MOTION 2 – Kodiak Tanner Crab:** Ms. Baker made the following motion that was seconded by Mr. Mezirow.

The Council requests the following information to inform potential GOA Tanner crab protections.

- Information by target fishery and gear type (PTR, NPT, POT) in statistical areas 525702 and 525630 from 2019-2023 on:
  - Groundfish harvest
  - Tanner crab bycatch
  - Number and proportion of trips covered by an observer or Electronic Monitoring
- Current Tanner and king crab distribution in the Kodiak District and to the extent practicable, the proportion of the surveyed abundance of Kodiak District Tanner and king crab in:
  - Statistical areas 525702 and 525630
  - The Marmot Bay Tanner Crab Protection Area
  - The Type I Closure Areas: Marmot Flats Area, Alitak Flats and Towers Areas
  - The Type II Closure Areas: Barnabas and Chirikof Island Area

- Options to implement full monitoring requirements in statistical areas 525702 and 525630 through the current partial coverage observer and EM programs or pay as you go for trawl and pot gear.

**VOTE ON MOTION 2:** The motion passed unanimously.

**MOTION 3 – OBSERVER AVAILABILITY:** Ms. Kimball made the following motion which was seconded by Anne Vanderhoeven.

The Council requests a discussion paper for review by FMAC and the Council on observer availability and training opportunities on vessels to include:

- The number of observers of each training endorsement level needed across fishing seasons compared with the existing number of unique qualified observers and newly qualified observers (including consideration of pending management programs such as pelagic trawl electronic monitoring; moving all Bering Sea Pacific cod trawl vessels into 100% coverage under the new catch share program; and changes to monitoring requirements in the Bering Sea pot cod CP sector).
- A description of observer provider challenges in providing observer coverage in both partial and full coverage fisheries.
- A summary of any solutions NMFS or observer providers are considering to improve observer availability.

**VOTE ON MOTION 3:** The motion passed unanimously.

**MOTION 4 – CREW DATA COLLECTION:** Ms. Kimball made the following motion which was seconded by Ms. Drobica.

The Council initiates an analysis to establish collection of crew data from federal fisheries with the following purpose and need statement and alternatives.

Purpose and Need:

Currently only two federal fisheries in the North Pacific consistently collect information relative to crew on fishing vessels through a NMFS economic data collection (EDR) program, thus there is not a regular mechanism in place to provide quantitative data in most Council analyses to understand impacts on this important component of fisheries participation. The Council is considering annual data collection to include crew license data, crew compensation, and number of crew positions on vessels operating in federal fisheries to support economic and community impact analyses required for FMP and regulatory amendments. Any proposed collection mechanism should provide useable data by fishery while minimizing reporting burden and costs to fisheries participants and NMFS.

Alternative 1. No action

Alternative 2. Implement an annual survey to collect crew license data, crew compensation, and number of crew positions on vessels operating in commercial federal fisheries in the North Pacific. Data need to be able to be delineated by fishery and area. Charter halibut vessels and vessels only active in State waters are not included.

Option 1: Fisheries currently subject to EDR that include crew data (BSAI crab rationalization and BSAI Am 80) will not be subject to a new survey effort but have

their existing EDR forms modified to be consistent with the data points under Alternative 2.

**VOTE ON MOTION 4:** The motion passed unanimously.

**APPOINTMENTS:** Mr. Kinneen announced the appointment of Steve Whitney to the BSAI Groundfish Plan Team, Abby Jahn to the GOA groundfish plan team, and Dr. Sarah Wise to the Social Science Planning Team.

**The Council adjourned Sunday, June 11, 2023, at 4:01 P.M.**