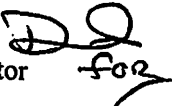


MEMORANDUM

TO: Council, SSC, and AP Members

FROM: Chris Oliver 
Executive Director

DATE: March 25, 2013

SUBJECT: Miscellaneous Issues

ESTIMATED TIME 6 HOURS (All D-1 a, b, c, d, e) items)
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(c) Retention of Area 4A halibut in BSAI sablefish pots.

ACTION REQUIRED:

Review discussion paper and take action as necessary.

BACKGROUND:

In December 2012, the Council considered a proposal that had been submitted to the International Pacific Halibut Commission (IPHC). The IPHC had requested a Council recommendation before it considered the proposal for adoption during its annual meeting. If adopted, the IPHC would redefine legal gear for harvesting commercial halibut to include (sablefish) pots (single or longline) as legal gear in Area 4A. The result would allow fishermen who use pot gear for sablefish in the Bering Sea and Aleutian Islands to retain IFQ halibut in Area 4A. If adopted, the proposal also would require Federal rulemaking.

The Council requested expanded discussion paper (attached as Item D-1(c)(1)) examine the following issues:

1. Determine whether there is overlap in the spatial and/or temporal distribution of halibut longlining and sablefish pot fishing in the portion of Area 4A to which this proposal would apply.
2. Discuss the potential need for the following regulations:
 - a. Requiring the removal of sablefish pots from the fishing grounds upon completion of the harvest of the vessel's sablefish IFQ, and at the end of the season.
 - b. Requiring radar reflectors or other gear markers at both ends of a longline pot string.
 - c. Prohibiting "pot sharing" while pots are in the water.
 - d. Prohibiting the modification of sablefish pot tunnels.
3. Discuss the physical and market condition of halibut incidentally caught in sablefish pots.
4. Provide a discussion of the experiences and lessons learned by the industry and managers in Areas 2A and 2B from allowing the retention of halibut incidentally caught in sablefish pots, including retention caps.

The action before the Council is whether to send a letter to the IPHC to recommend the proposed action. As proposed, direct action by the Council likely would be required to amend Federal regulations to allow sablefish (i.e., groundfish) pots as legal gear for the retention of halibut, however the Council may wish to wait to initiate the required analyses until after the IPHC indicates an interest in this proposal. Action also may be required by the Alaska Board of Fisheries. The IPHC has taken no position on the proposal; to date it only has forwarded the proposal to the Council to gauge the latter's support for moving the proposal forward in the IPHC process. If adopted by the IPHC, the proposed action could be implemented

in IPHC regulations to coincide with NMFS rulemaking at a later time, “. . . pursuant to regulations promulgated by NMFS and published in 50 CFR Part 300.”

Adult sablefish depth distributions range from approximately 200 m to 1000 m; the majority of fishery effort is between 300-600 m. Sablefish pot gear is set at similar depths as longline gear in the Bering Sea and the Aleutian Islands. Adult halibut are caught primarily from 25 m to 275 m but have been caught as deep as 550 m. Juveniles of both species are generally found in nearshore areas and are rarely encountered by the sablefish pot fishery. From 2002-2008, the average catch of halibut in the sablefish pot fishery in the Bering Sea and Aleutians was 0.24lbs/pot. It is likely the majority of sablefish pot effort occurs in deeper depths than those inhabited by both adult and juvenile halibut.

Additional supplemental information on spatial/temporal overlap between halibut IFQ longline fishing and sablefish IFQ pot fishing is attached as supplemental.