

North Pacific Fishery Management Council

News and Notes



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BSAI Crab Rationalization

At its June meeting, the Council adopted a preferred alternative for rationalization of several of the Bering Sea/Aleutian Islands crab fisheries. Fisheries to be included in the program are:

- Bering Sea *C. opilio* (snow crab)
- Bristol Bay red king crab
- Western Aleutian Islands (Adak) golden king crab (brown crab)
- Eastern Aleutian Islands (Dutch Harbor) golden king crab (brown crab)
- Western Aleutian Islands (Adak) red king crab
- Bering Sea *C. bairdi* (Tanner crab)
- Pribilof Island red and blue king crab
- St. Matthew blue king crab

The preferred alternative selected by the Council is a voluntary cooperative program with 100 percent of the TAC allocated through harvest shares. Ninety percent of the harvest deliveries are allocated through processing shares. The remaining 10 percent of harvest deliveries are unallocated to balance negotiating leverage between the harvesting and processing sectors. The dual allocations of harvesting and processing shares are intended to strike an equitable balance of the interests of the two sectors. The program also allocates 3 percent of the TAC to captains prior to the allocations to harvesters and processors.

The program also protects communities by increasing the crab allocation to the Community Development Quota (CDQ) program and through regionalization of the cooperative program. The 10 percent CDQ allocation is made prior to and independent of the allocations to harvesters and processors. The regionalization program will apply one of two regional designations to any allocated harvest deliveries and processing shares. The regional program divides the landings and processing between North and South regions, with the Pribilof Islands in the North and the Aleutians and the Gulf of Alaska in the South. The regional program is intended to protect the historic distribution of landings and processing activity between these areas.

The Council has directed the staff to prepare a report to Congress describing the preferred alternative, which together with the analysis of the rationalization alternatives will be forwarded to Congress so that it may consider altering current laws to allow the Secretary of Commerce (SOC) to implement the preferred alternative. If Congress elects to modify laws to allow implementation of the preferred alternative, the Council will evaluate that alternative again through completion of an EIS/RIR/IRFA analyzing the preferred alternative. If approved by the Council that package will be submitted to the SOC early next year. The SOC must approve the proposed program for implementation. At the Dutch Harbor meeting, the Council also selected two alternatives (in addition to the preferred rationalization program) for analysis in the EIS—the status quo and a no fishing, mitigation alternative that would be used for contrasting the overall effects of the other two alternatives on the fishery.

Although the Council selected a preferred alternative, its work on the rationalization program will continue as it develops several aspects of the program in trailing amendments. These program elements include:

- A data collection program to aid the Council in evaluating the success of the program;
- Sideboard caps limiting harvests of Gulf of Alaska groundfish by participants in the BSAI crab fisheries;
- Possible additions to the program of community protections,
- An allocation of 3 percent of available harvest quota share as captain shares; and
- A program of binding arbitration for resolving price disputes between the harvesting and processing sectors.

At its last meeting the Council appointed industry committees to aid the process of developing the data collection and binding arbitration. At this meeting, the Council appointed a third committee to develop the program of captains quota shares. **Nominations for the Captain QS Committee are due in the Council office by July 8th.** The Council requested all three committees to work over the summer to avoid potential delays in the development and implementation of the program. A full copy of the Council motion identifying the preferred rationalization alternative appears on the Council website. Staff contact for crab rationalization is Mark Fina.

June Meeting in Dutch Harbor

The June Council meeting was held in Alaska's largest fishing port, Dutch Harbor/Unalaska. Due to a few foggy days, the Council meeting was postponed by a day until Council members, staff, and public were able to attend. The Council and the SSC meetings were held at the Grand Aleutian Hotel and the AP held their meetings at the Unisea Central building. Our thanks to Tom Enlow and the staff at the Grand Aleutian/Unisea who did an excellent job of accommodating everyone. Additionally, the Council would like to thank the City of Unalaska, and Frank Kelty for their organization of events and tours. The City of Unalaska sponsored a reception at which the public had a chance to meet and talk with the Council, staff, and industry representatives, and also to roast and toast Council member Robin Samuelson at his last meeting. Robin himself ended up doing most of the roasting and those in attendance got to witness his moves on the dance floor. The fog lifted in time for everyone to leave on their scheduled flights. Thanks to everyone who made the meeting a success.

Programmatic Groundfish SEIS

In June, the Council approved a suite of PSEIS alternatives to be forwarded to NMFS for analysis. The Council modified policy wording and details from the April 2002 suite of programmatic alternatives by incorporating NMFS staff recommendations and written and oral testimony received from the public.

The approved suite consists of four programmatic alternatives. Each has an articulated policy, and each alternative to the status quo has two illustrative FMPs that serve as bookends to a management framework consistent with that policy. Each FMP bookend will be analyzed separately and will proxy a range of future management actions. The bookend framework will indicate the range of environmental effects of that policy.

Once the analysis of these alternatives is completed, the Council will identify or construct its preferred alternative to be published in the Draft PSEIS. Following public review of the Draft PSEIS, the Council and NMFS will revisit the preferred alternative and make revisions if necessary based on their consideration of public comments and additional analysis. The Council's decision will be published in the Final PSEIS (with Secretarial approval) and will include both a policy component as well as an accompanying FMP framework. The final decision will follow a public review period and be published in the Record of Decision (ROD) document.

To view the PSEIS alternatives and their corresponding FMP frameworks, or for further information on the next steps in the PSEIS process and schedule revisions, consult the NMFS webpage at www.fakr.noaa.gov/sustainablefisheries/seis. Staff contact is Diana Evans.

Council Appointments

The Council will be welcoming **Hazel Nelson**, who has been appointed by the Secretary of Commerce to fill a seat vacated by Robin Samuelson. Hazel has participated in the Council process representing CDQ groups on the Council's Advisory Panel since 1994. She has participated in the Bristol Bay salmon fishery for many years and is an active member on the Bristol Bay Economic Development Corporation Board of Directors.

Additionally, Council member **John Bundy** of Glacier Fish Company in Seattle, has been re-appointed to his second 3 year term.

CDQ Program

The Council took final action on BSAI Amendment 71 which makes several policy and administrative changes to the CDQ Program. The amended changes to the CDQ allocation process include establishing a three-year allocation cycle, expansion of the program to allow limited investments in non-fisheries related projects, and specification of the role of NMFS and the State of Alaska in program oversight. The majority of the elements in the Council's preferred alternative will be promulgated in Federal regulations. However, two specific issues will also be included in the BSAI FMP: 1) the role of government in program oversight; and 2) the goals and purpose of the program. The Council adopted the following modified goal and purpose statement to reflect its recommendations and the overall intent of the CDQ Program:

The goals and purpose of the CDQ Program are to allocate CDQ to qualified applicants representing eligible Western Alaska communities as the first priority, to provide the means for investing in, participating in, starting, or supporting commercial fisheries business activities that will result in an on-going, regionally-based fisheries economy and, as a second priority, to strengthen the non-fisheries related economy in the region.

The Council selected a preferred alternative for each of eight specific issues related to the administrative and policy elements of the CDQ Program. The complete Council motion is available on our website. Staff contact is Nicole Kimball.

TAC Setting Process

The Council reviewed a draft analysis of changing the annual catch specification process. The current process involves publishing proposed specifications (ABCs, TACs, PSC limits) based on the previous years specifications, then publication of interim specifications and final specifications based on updated stock assessments. The issue with the current process is that there may be inadequate time for the public to comment on proposed specifications prior to the start of the fishery. Alternatives to the current process considered in the analysis included publishing final specifications based on two year stock projections, issuing specifications every two years, and changing the start of the fishing year from January to July. The Council voted to release the document for public review with some revisions and modifications suggested by the AP and SSC. Final action is scheduled for October. Staff contact is Jane DiCosimo.

BSAI Pacific Cod Pot Split

The Council voted to take no action on BSAI FMP Amendment 68 which proposed to apportion the pot gear share of the BSAI Pacific cod TAC between pot catcher processors and pot catcher vessels. The amendment would have further split the current 18.3% of the fixed gear Pacific cod TAC allocated to pot gear according to recent catch histories from 1995 - 1999. The Council decided to take no action on the amendment at this time, partly due to the potential implications of the Pacific cod endorsement required under BSAI Amendment 67 that will be effective January 1, 2003. The Council also noted that BSAI Amendment 64, which established the BSAI Pacific cod allocations to the fixed gear sectors, including the 18.3% allocated to pot vessels, will expire December 31, 2003. Therefore, continuing or modifying the allocations of Pacific cod among the hook-and-line and pot gear sectors in the BSAI after that date will require Council and Secretarial approval of a new amendment. The Council thus noted that allocations between the pot sectors could be considered at that time. Staff contact is Nicole Kimball.

Single Geographic Location

The Council deferred final action on a relaxation of single geographic location restrictions for floating (AFA) processors (Amendment 62/62) until the October 2002 meeting. The single geographic location action, if approved, would reduce the time span AFA-qualified inshore floating processors would be restricted to a single geographic location while processing targeted BSAI pollock. The proposed change would reduce this time period from one year to a reporting week. Between reporting weeks, inshore floaters would be able to change locations. In addition, these inshore floaters would be restricted to their 2002 pollock processing location when they process GOA pollock and Pacific cod.

The Council did take final action on inshore/offshore language revisions for the BSAI and GOA Groundfish FMPs. Alternatives selected by the Council included eliminating obsolete inshore/offshore language from the BSAI Groundfish FMP, eliminating all BSAI inshore/offshore references from the GOA Groundfish FMP, updating the CVOA to accommodate AFA related changes, and removing the December 31, 2004 sunset for GOA inshore/offshore allocation. Staff contact is Jon McCracken.

VMS Committee

In April the Council voted to establish a Committee to examine vessel monitoring system (VMS) issues, including two-way communication alternatives to the currently certified VMS systems. A small technical Committee has been named, consisting of the following persons:

Guy Holt - NMFS Enforcement
Ed Page - Marine Exchange of Alaska
Bob Mikol - Ocean Logic
Lori Swanson - Groundfish Forum
Al Burch - Alaska Driggers
U.S. Coast Guard representative
State of Alaska representative

This Committee will meet sometime over the summer (time and place to be determined) and report to the Council in October. Staff contact is Jane Dicosimo.

Essential Fish Habitat

The Council received a progress report on essential fish habitat (EFH) including a summary of the EFH Committee Meeting held May 15th-17th in Sitka. The Committee will have a teleconference the third week of August to review staff reports on the effects of fishing. After its initial review of staff documents, the Committee will meet again on September 16-18th in Kodiak to finalize recommendations on alternatives to minimize the adverse effects of fishing to the extent practicable. In October, the Council will adopt a set of alternatives (EFH designation, HAPC designation, and mitigation alternatives) to be analyzed for initial review in April 2003.

The Council provided the Committee with guidance for their upcoming work on the selection of alternatives for the SEIS. The Council accepted the EFH Committee's recommended changes to the EFH and HAPC designation alternatives as outlined in the May 15- 17 EFH Committee meeting draft minutes. Additionally, the Council requested staff to prepare to prepare a strawman set of alternatives as a starting point for the Committee's use in developing mitigation alternatives.

The Council expressed its intent to the public that there will be no call for HAPC proposals until a process has been established by the NPFMC. After the October Council meeting and before the April 03 Council Meeting, the EFH Committee will develop a process for the public to interact with the Council to designate and amend HAPC.

The Council requested that the SEIS analysis describe how each HAPC designation alternative would apply to each of the following four examples of HAPC: pinnacles and seamounts, gorgonian corals, Bristol Bay Red King Crab, and the shelf break. The EFH Committee will develop example mitigation measures for each case to help with understanding the impacts of the alternatives.

Additional information on the EFH process is available on the Council website. Staff contact is Cathy Coon.

Improved Retention and Utilization (IR/IU)

The Council reviewed a revised analysis that examined potential adjustments to the pending implementation (in January 2003) of IR/IU requirements for flatfish species. Alternatives include: reduction of the retention requirements to less than 100%; delayed implementation from one to three years; and exemption of fisheries with less than 5% bycatch of the designated flatfish species. At this meeting the Council made changes to the Problem Statement, and requested analysis of additional alternatives and options prior to releasing the document for public review. Final action is scheduled for October 2002, though some of the new alternatives offered at the June meeting would need to be further developed through follow-up amendments.

In order to further develop these new alternatives for initial consideration at the October meeting, the Council is establishing a short-term IR/IU Committee which will meet sometime over the summer and provide input to the Council at the October meeting. **Nominations for the IR/IU Committee are due in the Council office by July 8. A more global Bycatch Committee, for which nominations were solicited in April, and which will address a broader suite of bycatch issues, will also be established, but will not become active until later this summer or fall, after resolution of the IR/IU-specific issues.** The Council's motion on this issue, including the new alternatives to be examined, is shown on the attachment to this newsletter. Staff contact is Chris Oliver.

Staff Tasking and other issues

The Council received a brief report on the status of various projects and staff tasking. No new projects were initiated, and the Council will not call for proposals over the summer. With a full plate of issues and staff assignments, focus by the Council on major rationalization programs, and continuing development of the programmatic groundfish SEIS, the Council does not feel that solicitation of additional amendment proposals is practical or appropriate at this time. Once some of these major issues are resolved, the Council intends to once again solicit new amendment proposals.

During this agenda item the Council did discuss progress on Gulf of Alaska (GOA) rationalization and the proposed (in April) differential gear impact analysis for GOA fisheries. Staff will respond as practicable, with contract assistance, to the GOA Rationalization Committee's requests for data and analyses, to further develop their progress and a report to the Council in October. Staff will also begin compiling, with contract assistance, baseline data that relates to the differential gear impact issue. In October the Council will review progress on this issue and at that time will further address and refine the specific tasks and deliverables, and provide additional direction to staff.

NPFMC Tentative Meeting Dates for 2001-2005*

	February Week of/ Location	April Week of/ Location	June Week of/ Location	October Week of/ Location	December Week of/ Location
2002			3/Dutch Harbor	9/30 Seattle	2/Anchorage
2003	1/27 Seattle	3/31 Anchorage	9/Kodiak	6/Anchorage	8/Anchorage
2004	2/Anchorage	3/29 Anchorage	7/Portland	4/Sitka	6/Anchorage
2005	7/Seattle	4/Anchorage	6/Dutch Harbor	3/Anchorage	5/Anchorage

*Meeting dates subject to change depending on availability of meeting space. Any changes will be published in the Council's newsletter.

Council motion IR/IU - June 12, 2002

The Council moves that the problem statement for IR/IU be revised to state that 100% retention of rocksole and yellowfin sole results in severe economic losses to certain participants in the fishery while less than 100% retention of only these species is not enforceable: and that the document be released for initial review with the following changes to the alternatives:

Alternative 2 - Suboption - exempt arrowtooth from 100% retention requirement.

Alternative 3- Incorporate a qualitative description of the following trailing amendments.

A. A bycatch reduction coop structured as follows:

1. PSC caps for halibut and crab in the BSAI are subdivided into two pools. One pool is for vessels that wish to participate in a bycatch reduction program. The other pool is for vessels remaining in open access. The subdivision of PSC is calculated by summing the groundfish catch by target for each group, applying an appropriate bycatch rate to each target and assigning that bycatch to the BRC and the open access fishery.
2. Companies in the BRC will be required to agree to limit each vessel to the above calculated share of halibut and crab relative to total groundfish catch. Evidence of binding private contracts and remedies for violations of contractual agreements must be provided to NMFS for the BRC to be approved. Participants in the BRC must demonstrate an adequate system for the estimation, monitoring, reporting and overall accounting of the PSC available to the BRC.
3. Bycatch reduction will be accomplished by:
 - a. Bycatch rate reduction that results in a more efficient use of the PSC available to the BRC
 - b. PSC available to the BRC will be reduced by 5% beginning in year two of the program
 - c. A periodic review of PSC use and PSC available to the cooperative to allow consideration of further reductions of PSC allocated to the BRC. Further PSC reductions should be based on achieving a balance between the optimum yield objectives and the bycatch reduction objectives contained in the MSA.
4. THE BRC is for the non-pollock catcher processor sector.
5. The BRC will be as inclusive as possible for all non-pollock CP's in the BSAI (i.e. both AFA and non-AFA , TAC controlled fisheries and PSC controlled fisheries.)
6. Subdivision of current PSC caps between sectors (CV's CP's and/or AFA CP's and non AFA CP's may be necessary)
7. Allocation within the BRC such as qualifying years or amounts of PSC available to individual vessels will be decided by members of the BRC.
8. Monitoring requirements and costs will be distributed equitably among BRC members.
9. Monitoring requirements will be developed with one objective being minimizing these costs to BRC members
10. Protections for non-cooperative fisheries, if necessary, will be specified.

B. An alternative to create discard caps for the flatfish fisheries upon triggering a cap, 100% retention would be required.

Alternative 4 - exempt fisheries with IRIU flatfish bycatch less than 5%.

1. Calculate discards (as opposed to 'incidental catch') of IR/IU species as a percentage of total catch, such that credit is awarded for the retention of those species.
2. Analyze the use of a rolling average (1-3 years) to calculate the discard rate for determination of IR/IU exemption under Alt. 4.
3. Analyze a suboption to which would allow separate exemptions by TAC region, CV and CP, and AFA/Non-AFA.

Additionally the analysis should:

1. Define "bycatch" so that it is consistent with MSA and the intent of flatfish Improved Retention and Improved Utilization. Specifically, the analysis should include the incidental catch of yellowfin sole and rocksole for each BSAI fishery and sector and the retention of those species in both tons and as a percentage of the total groundfish catch. The remaining discarded amount will be the bycatch amount in that fishery, including the direct yellowfin sole and rocksole fisheries. The numbers should be displayed in summary tables so that the Council and the public can easily understand and compare the bycatch rates as defined here for each fishery and sector.
2. Define AFA CPs as a single group rather than as surimi CPs and fillet CPs.
To assist in the task of the Council Bycatch Committee, NMFS should include specific recommendations in management of the fisheries that would permit reduced incidental catch of unwanted fish and increased retention of IRIU flatfish species. Specifically, the agency should make recommendations regarding catch and bycatch monitoring, MB adjustments and or other recommendations that will help focus the Committee and Council on solutions that will allow the intent of a modified flatfish IRIU program to be captured in an extended timeline.
3. GOA data should be broken out between CV's and CP's.
Additionally, the Council request the Bycatch Committee come up with two prototypes:
 1. Reduce PSC usage in flatfish fisheries
i.e as proposed in AP proposal
 2. Reduce discards of IRIU flatfish species
i.e. as proposed in item B of AP motion.
 3. Option to look at applying IR/IU to all flatfish excluding arrowtooth

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Upcoming Meetings

Halibut Subsistence Committee	July 15	RurAL CAP, Anchorage
Observer Committee	July 18-19	Seattle
GOA Groundfish Rationalization Scoping	August 17	Sand Point
EFH Committee	August 27	Teleconference
GOA Groundfish Rationalization Scoping	August 18	King Cove
GOA Working Group	August 21	Anchorage
GOA Groundfish Rationalization Scoping	August 23	Kodiak
Groundfish Plan Teams	September 9-12	AFSC, Seattle
GOA Groundfish Rationalization Scoping	September 16	Cordova
EFH Committee	September 16-18	Kodiak
GOA Working Group	September 19-21	Kodiak
GOA Groundfish Rationalization Scoping	September 24	Homer
GOA Groundfish Rationalization Scoping	September 26	Petersburg
GOA Groundfish Rationalization Scoping	September 29	Seattle
Council	Sept 30 - Oct 7	Seattle
Groundfish Plan Teams	November 12-15	AFSC, Seattle
VMS Committee	TBA	TBA
Council/BOF Protocol Committee	TBA	TBA
Crab Rationalization Committee(s)	TBA	TBA
IR/IU Committee	TBA	TBA