North Pacific Fishery Management Council

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February Council Meeting in Anchorage - 126th Plenary Session

The Council's February meeting was kicked off by a joint meeting on February 4 with the Alaska Board of Fisheries. The Board and Council met to discuss groundfish and crab management issues in the waters off Alaska. Details of this and other issues are provided below.

Council and Board Ink Protocol

The Council and the Alaska Board of Fisheries have been seeking ways to keep each other informed on cross-jurisdictional issues that impact fisheries in State and Federal waters. In December, after a conference call concerning the Board's latest actions to initiate a State waters Pacific cod fishery in the Gulf of Alaska, both bodies decided it was time to establish a joint committee to develop a protocol for future interactions. The joint committee met in January and then presented their recommended protocol to both bodies. The Board approved it at their late January meeting, and the Council approved the protocol at their meeting last week, after discussions with the Board on Tuesday, February 4.

The protocol covers all fisheries where there are cross-jurisdictional concerns. The Board and Council will meet annually in Anchorage in February to cover all issues of mutual interest. In the meantime, a joint committee composed of three members from each body will meet more often, perhaps quarterly if necessary, to work through issues of mutual concern and keep each other posted on management initiatives by the other. They will also sift through management proposals to determine which might be of interest to the other body. The intent of the protocol is to provide long-term cooperative, compatible management systems that maintain the sustainability of the fisheries resources in State and Federal waters. A copy of the protocol is available at the Council office.

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FOUR-MEETING OUTLOOK . . . . . *(Attachment I)*

The joint committee will meet once in the next few months to further consider the management cycles of the two bodies and determine how to best implement the new protocol. The committee will report back to the Council in April or June. Staff contact is Clarence Pautzke.

New Advisory Panel Member Appointed

The Council appointed Robert Ward to the Advisory Panel for the remainder of the 1997 term as a representative for the halibut charter boat industry. Mr. Ward owns A-Ward Charters out of Anchor Point, Alaska, and currently is the Secretary/Treasurer for the Homer Charter Association. He served on the Alaska Board of Fisheries Fish Guide Task Force (1995-96) as well as the Council's Halibut Charter Working Group (1993-94).

SSC Holds Election of Officers

The SSC re-elected Dr. Keith Criddle to his second term as Chair. Dr. Criddle is a Professor of Economics with the University of Alaska-Fairbanks, and has been on the SSC since January 1993. Dr. Jack Tagart, a member of the SSC since December 1988, was elected to his second term as Vice-Chair. Dr. Tagart is a Research Scientist for the Marine Resources Division in the Fish Management Program of the Department of Fish and Wildlife in Olympia, Washington.

Vessel Bycatch Accounts (VBAs)

The Council has previously discussed proposals for individual vessel accountability for bycatch, either individual bycatch quotas (IBQs) or some form of vessel bycatch accounts (VBAs). With resolution of the Magnuson-Stevens Act provisions regarding such programs, the Council once again had this issue on the agenda for discussion and further development. Bruce Turris from the Canadian Department of Fisheries and Oceans, along with industry representative Earl Wickstrom, provided the Council with a report on the development, and apparently stunning successes, of the Canadian individual vessel bycatch program. After receiving a staff report from NMFS analysts working on this issue, including a description of vessel bycatch "pools," the Council determined that further development of a VBA concept is warranted. Though many concerns still exist with regard to monitoring and enforcement issues, the Council believes that such a program has the potential to rationalize prohibited species bycatch management in the trawl fisheries.

The Council decided that a good first step would be to establish a committee of fishing industry (and other) representatives to flesh out the issues and come up with an initial suite of alternatives for formal analysis. The Council is soliciting membership on this Committee, to be appointed by the Council Chairman by early March. The Committee, with the assistance of agency staff and NOAA General Counsel, would meet by mid-March to formulate a report for the Council's April meeting in Anchorage. Nominations should be addressed to the Council Chairman to our offices in Anchorage, and are due by close of business, Friday, February 28. Staff contact is Chris Oliver.

In its discussions of bycatch issues, the Council also requested staff to provide information to help determine whether a prohibition on bottom trawling for pollock is warranted. For the Bering Sea and Aleutian Islands (BSAI) pollock fisheries, the management plan currently allows for this determination during the annual specifications process, while a plan amendment would be required for the Gulf of Alaska (GOA) pollock fisheries. Analyses will be provided as staff is available, with an initial examination of the GOA pollock fisheries possibly in June. Staff contact is David Witherell.

Halibut Issues

Halibut Catch Sharing Plan

At the January 1997 meeting of the International Pacific Halibut Commission, the IPHC set the 1997 halibut quotas and seasons for the U.S. and Canada. The IPHC considered setting Area 4 subarea quotas for 1997 according to the biomass estimated for each subarea based on habitat area for Areas 4A, 4B, and combined Areas 4C - 4E. However, the IPHC deferred setting biomass-based apportionments until 1998 to allow the Council time to revise its halibut catch sharing plan (CSP). The Council's CSP was implemented in 1996 and based the Area 4 subarea apportionments on set percentages.

Area	Catch Limit IFQ (lbs)	Catch Limit CDQ (lbs)
2C	10,000,000	
3A	25,000,000	
3B	9,000,000	
4A	2,940,000	
4B	2,784,000	690,000
4C	580,000	580,000
4D	812,000	348,000
4E	0	260,000
	51,116,000	1,884,000

The following table compares the IPHC staff recommendations for Area 4 catch limits to the Council's CSP. Note that the catch limit determinations are nearly identical. For 1997, the IPHC calculation was about 3.5% less than the Council CSP for Area 4B, while their combined 4C-E area was about 3% more than the CSP.

The IPHC has requested that the Council revise its CSP to allow the IPHC to set the Area 4 catch limits for Areas 4A, 4B, and combined 4C-E beginning in 1998. The Council initiated a regulatory amendment to remove Area 4A and 4B from its CSP. The Council will continue to set the subarea allocations based on the status quo percentages in the CSP and retain the 80,000 lb direct allocation to Area 4E. The Council will review the analysis in April. Staff contact is Jane DiCosimo.

	IPHC		Council		Council		CDQ
Subarea	Staff recommendation		% allocation		NPFMC CSP	Subarea catch limits	% allocations
4A	3,000,000	33.3%	33		.33*8,920,000 =	2,944,000	0
4B	3,200,000	35.6%	39		.39*8,920,000 =	3,480,000	20
4C	[2,800,000	[31.1%	13	[28%	.13*8,920,000 =	1,160,000 [2,577,200	50
4D	for	for	13	for	.13*8,920,000 =	1,160,000 for	30
4E	4C-4E]	4C-E]	2	4C-E]	80,000+(.02*8,920,000)=	260,000 4C-E]	100
4A-E	9,000,000		100			9,000,000	

Seabird Avoidance

At its December 1996 meeting, the Council approved gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds for the groundfish longline fisheries in the Gulf of Alaska and Bering Sea/Aleutian Islands. The Council deferred action for the halibut hook-and-line fishery until the IPHC had reviewed proposed regulations at its annual meeting. At its January 1997 meeting, the IPHC recommended development of similar regulations for the halibut longline fisheries in Alaska. During its February 1997 meeting, the Council requested that NMFS provide the regulatory amendment for final action at the April 1997 meeting.

The Council also reiterated its intent to have NMFS implement all the seabird avoidance measures approved in December 1996 for the groundfish fleet. NMFS had informed the Council that some of the approved measures were unenforceable and would not be mandatory as written in the proposed rule. NMFS and NOAA General Counsel were requested to continue to work on the proposed rule. Staff contact is Jane DiCosimo.

Halibut Subsistence

As a result of increased IFQ and CDQ enforcement efforts in coastal communities, Native Alaskans requested that the Council take action to allow for the legal harvest of halibut for subsistence. In December 1996, the Council appointed a Halibut Subsistence Committee to provide recommendations to the Council. In February 1997, the Council received the report of the committee and initiated a regulatory amendment that would include the following management options for analysis. Revised regulations likely would be implemented in 1998.

OPTION 1. Define subsistence.

Halibut subsistence regulations are needed to allow the continued practice of long-term customary and traditional practices of fishing halibut for food for families in a non-commercial manner for non-economic consumption. Subsistence is defined as 'non-commercial fishing for food.'

OPTION 2. Define eligibility for halibut subsistence:

Suboption A. Members of Alaska Native Federally-recognized Tribes with customary and traditional use of halibut. (Subsistence Committee definition)

Suboption B. Alaska rural residents as defined in ANILCA and identified in the table entitled 'Alaska Rural Places and Native Groups with Subsistence Halibut Uses,' and will also include other communities for which customary and traditional findings are developed in the future. (ANILCA definition)

Suboption C. Tribal members and non-Native permanent residents of Native villages who have legitimate subsistence needs. (Migratory Bird Treaty Act definition)

OPTION 3. Define legal gear.

Legal halibut subsistence gear is defined as (1) hook-and-line gear (including set and hand-held gear) with a range of 10 hooks, 30 hooks, and 60 hooks and (2) rod-and-reel gear. An individual would be limited to one skate of gear up to 1,800 ft long (not including the buoy line), with hooks set 18-20 ft apart, with a legibly marked buoy.

Suboption. Allow Tribal governments to contract with NMFS to register designated fishermen to fish for the community using:
A. 1 - 3 skates of gear, up to 60 hooks each
B. any gear type

OPTION 4. Define minimum size.

Suboption A. No minimum size be imposed for subsistence harvests of halibut.
Suboption B. Revise the commercial halibut minimum size regulations to allow the retention of halibut under 32 inches caught with authorized commercial halibut gear in Area 4E for subsistence use.

OPTION 5. Allow the customary and traditional trade of subsistence halibut.

Suboption A. Allow the customary and traditional trade of subsistence caught halibut.

Suboption B. Allow the barter of subsistence caught halibut, limited to an annual amount: (1) $200; (2) $400; or (3) $600

Allow low monetary, non-commercial sale of halibut to legalize current practice of compensating subsistence fishermen for fuel or other fishing expenses in exchange for fish. The analysis would define 'barter,' 'non-commercial,' 'low monetary value,' and 'customary trade' and analyze the enforcement and monitoring costs of allowing barter.

OPTION 6. Sale of subsistence halibut.

Suboption A. Allow the commercial sale of subsistence-caught halibut.
Suboption B. Prohibit the commercial sale of subsistence-caught halibut.

OPTION 7. Collect subsistence harvest estimates through cooperative agreements with Tribal, State, and Federal governments.

Staff contact is Jane DiCosimo.

Halibut Charter Boat Management

The Council reviewed a draft analysis of management alternatives for the guided halibut sport fishery (charter boats, lodges, and outfitters) prepared by Council staff and the University of Alaska's Institute for Social and Economic Research (ISER). After reviewing the draft analysis, and hearing testimony from charter boat representatives and other industry members, the Council directed staff to conduct further analysis and bring the document back for review at the April meeting in Anchorage. A final decision has been postponed until the June meeting in Kodiak. The primary alternatives being considered by the Council remain: (1) status quo - no action; (2) implementation of a system of recordkeeping and reporting for the charter fleet; (3) a moratorium on further entry into the charter fishery; (4) a cap on the amount of halibut allocated to the guided sport fishery, either state-wide or by more specific management areas (an explicit percentage allocation of the quota between guided sport and commercial halibut fisheries, with the option for IFQ purchase by the charter vessels in the event of a fishery closure); and, (5) any combination of the alternatives listed above.

Between now and April, further analysis of these alternatives will be performed, with attention to the following items identified by the Council:

1. Evaluation of the changes in non-guided catches of halibut and the potential impacts of guided and commercial catches on non-guided anglers as identified in the problem statement.

2. Additional model runs (allocation projections) based on a long-term average halibut biomass/quota projection - this will be determined in consultation with IPHC staff.

3. A review of recreational fisheries managed under a cap and the experience of those fisheries with measures designed to extend seasons.

4. Inclusion of economic multipliers (input/output model) to evaluate the economic impact of commercial fishing beyond exvessel price to the end-user level.

5. Expansion of the discussion (as much as possible) of how the alternatives relate to Executive Order 12962 "Recreational Fisheries Considerations."

6. Specifications of a detailed logbook or other data gathering plan, such as fish tickets, for the guided halibut fishery managed by IPHC, NMFS, or ADF&G. Additionally, the option of a trip report form will be developed which could include, among other things, the following: vessel name, vessel owner/operator, number and length of fish, days fished, specific area fished, length of trip, other effort delineators, residency of angler, and methods to track fish to individual anglers while maintaining confidentiality to protect operators' client base.

7. The term 'charter fishing' will be construed as it is currently defined in the Magnuson-Stevens Act - "the term 'charter fishing' means fishing from a vessel carrying a passenger for hire (as defined in section 2101 (21a) of Title 46, U.S. Code) who is engaged in recreational fishing."

8. Examination of the validity of the September 23, 1993 control date for purposes of a potential moratorium.

Deficiencies in the draft analysis identified by the Council's Scientific and Statistical Committee (SSC) will also, to the extent possible, be addressed in the revised document.

The Council also initiated a separate analysis of the Sitka Sound Task Force proposal to address local halibut fishery management issues in Sitka Sound. This proposal will be used as a template for development of other local management "plans." An initial analysis of this framework proposal will be available for review in June. Related to this is a Council request for staff to develop, for review in September 1997, a discussion paper relating to impacts of the near-shore halibut IFQ fishery on guided, non-guided recreational, and subsistence users.

Thirdly, the Council initiated an examination of halibut possession limits for the sport fisheries off Alaska, particularly in comparison with possession limits as allowed in the Canadian fisheries. This analysis would likely be available by June. Staff contact is Chris Oliver or Marcus Hartley.

Fee Systems for IFQ/CDQ Programs

The Council discussed recent Magnuson-Stevens Act amendments which require development of (1) a fee on IFQ and CDQ holders of up to 3% of exvessel value, and (2) a North Pacific Loan Program, which utilizes 25% of the fees collected to aid in financing the purchase of IFQs by small boat and entry level fishermen. While the overall fee program does not contain a "time-certain" provision, the North Pacific Loan Program must be recommended by October of 1997. Fees will not be collected until 1999, so funding to underwrite the loan program likely will not be available before late 1999 at best.

The fee program is being developed on a national level, but will require coordination with and input from the Council, the CDQ groups, the State of Alaska, and the fishing industry. Structuring the Loan Program is a specific requirement of the North Pacific Fishery Management Council, but likely will require expertise from outside the normal Council process, possibly from existing programs at the state and national levels. An update on these initiatives will be provided at the April Council meeting. Staff contact is Chris Oliver.

License Limitation Program/CDQ Program

The Council's license limitation (LLP) and multi-species Community Development Quota (CDQ) programs for groundfish and crab were the subject of discussion, with a report from NMFS regarding potential delays in implementation. Council and industry expectations have been for 1998 implementation, though it now appears that implementation could be delayed until 1999. The Council reiterated its intent for 1998 implementation, citing potential disruptions in business planning for the fishing industry and CDQ program participants if implementation is delayed. The Council noted Magnuson-Stevens Act mandates relative to the CDQ program

as further support for 1998 implementation of at least the CDQ portion of the program. While Council intent remains for approval of the LLP and CDQ programs as a single package, implementation of the CDQ program could be in advance of the LLP portion. A further update on this issue will occur at the April Council meeting in Anchorage. Staff contact is Chris Oliver.

Essential Fish Habitat

The Magnuson-Stevens Act requires fishery management plans to be amended to describe and identify essential fish habitat, the adverse impacts on that habitat, and the actions that should be considered to ensure the conservation and enhancement of that habitat. A proposed framework of guidelines to assist the Council with meeting these objectives was published in the Federal Register. At the February meeting, staff from the NMFS central office met with the Council and public to discuss the proposed guidelines. The Council developed recommendations through its ecosystem committee and forwarded its comments to NMFS. A proposed rule is scheduled to be published in early March, and additional Council and public comment may be made at that time. Please contact the Council Office if you would like a copy of the proposed rule when published. Staff contact is David Witherell.

Documents Available to the Public

1. The **Forage Fish EA/RIR** for proposed Amendments 36/39 is now available for public review. These amendments would authorize the creation and management of a forage fish category for the purpose of preventing the development of a commercial fishery for these species. Final action is scheduled for April. You may request a copy by contacting the Council office.

2. **Ecosystems Committee Report** - draft minutes from their January 23-24, 1997 meeting. This report was presented to the Council at the February 1997 meeting.

3. **Crab Species Profile** for the Bering Sea/Aleutian Islands is now available by calling the Council office. (It is also available from our home page.)

Upcoming Committee Meetings

1. **Electronic Reporting Committee** is scheduled to meet at 1:00 p.m. on Thursday, February 20, at the Alaska Fisheries Science Center, 7600 Sand Point Way NE, Building 4, Room 2039, Seattle, Washington.

2. **Observer Advisory Committee** is scheduled to meet at 8:30 a.m., April 2-4 at the Alaska Fisheries Science Center, Building 4, Observer Training Room in Seattle.

3. **Improved Retention/Improved Utilization (IR/IU) Committee** will be meeting at 8:30 a.m., April 1 at the Alaska Fisheries Science Center, Building 4, Room 2079 in Seattle.

4. **IFQ Industry Implementation Team** will be meeting in April. Details are not yet available, but will be posted on the home page once confirmed.

North Pacific Fishery Management Council
Tentative Meeting Schedule - 1997-99*

	February Week of/ Location	**April** Week of/ Location	**June** Week of/ Location	**September** Week of/ Location	**December** Week of/ Location
1997		14/Anchorage	16/Kodiak	22/Seattle	8/Anchorage
1998	2/Anchorage	20/Anchorage	15/TBA	21/Seattle	7/Anchorage
1999	1/Anchorage	19/Anchorage	14/Kodiak	20/Seattle	6/Anchorage

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

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NPFMC — ***http://www.fakr.noaa.gov/npfmc/npfmc.htm***

Alaska Region's new address: **http://www.fakr.noaa.gov**
(the Region provides a link to the NPFMC home page also)

NPFMC: Fo[illegible]eeting Outlook*

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April '97 14/Anchorage	June '97 16/Kodiak	September '97 22/Seattle	December '97 8/Anchorage
• IFQ Amendments: *Initial Review*	• IFQ Amendments: *Final Action*	• Election of Council officers	• IFQ Proposals: Task Staff
• Weighmasters: Status Report			• IFQ: RAM Season Wrap-up Report
• IFQ/CDQ Fee Program: Updates	• IFQ/CDQ Fee Program: *Initial Review*	• IFQ/CDQ Fee Program: *Final Action*	• IFQ: Implementation Team Report
• North Pacific Loan Program: Report	• North Pacific Loan Program: *Initial Review*	• North Pacific Loan Program: *Final Action*	
• Central Title Registry: Status Report			• Research Priorities: *Initial Review*
• Halibut Sprt Chart Mgmt: *Initial Review*	• Halibut Sprt Chart Mgmt: *Final Action*		
• Halibut catch sharing plan Area 4: *Initial Review*	• Halibut catch sharing plan Area 4: *Final Action*		
• Halibut Seabird Avoidance: *Final Action*			
• Halibut Subsistence: *Initial Reviw*	• Halibut Subsistence: *Final Action*		
• Observer Program: Review Alternative Program structures	• Observer Program: *Initial Review*	• Observer Program: *Final Action*	
• Inshore/Offshore 3: Develop alternatives			
• VBAs: Review comte recommendations			
• 2% Atka mack jig alloc: *Initial Review*	• 2% Atka mack jig alloc: *Final Action*	• Ltd Proc for Catcher vessels: Discussion	
• Forage Fish Amendment: *Final Action*			
• GOA IR/IU: *Initial Review*	• GOA IR/IU: *Final Action*		
• Reporting Requirements: *Initial Review*	• Reporting Requirements: *Final Action*		
	• Review Gear Storage/Conflict Issues	• Streamline Groundfish TAC Specification & GOA/BSAI Groundfish & Crab FMP Updates: *Initial Review*	
• Review Draft Recusal Regulations		• DFS: Council review/discussion	
• Lic Limit/CDQs: Review proposed rule		• Initial Groundfish Specs for GOA/BSAI	• Final Groundfish Specs for GOA/BSAI
• Skipper License Rptg: Progress report		• Pollock "B" Season Adjusts: Discuss	
• Buyback Program: Industry Report			
	• Pelagic Shelf Rockfish Amendment: *Final Action*	• Review Groundfish Proposals	• Review BOF Initiatives
• Rolling closures to protect sablefish survey sites: Industry Report	• Sitka Sound Halibut Mgmt: *Initial Review*	• Sitka Sound Halibut Mgmt: *Final Action*	
	• EGOA Boundary Changes: Discussion	• Scallop Limited Entry & Amendment 3: *Initial Review*	
	• Review Bycatch Reduction Measures		• AP/SSC Memberships

* Note: This tentative timeline will be updated periodically, particularly after each Council meeting, as the Council works through its decision process.