

# North Pacific Fishery Management Council

## News and Notes



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## Charter Halibut Management

The Council took a number of actions affecting management of the charter halibut fishery. The Council reviewed the public review draft of an analysis that considered a range of Guideline Harvest Level management measures to reduce charter halibut harvest to the respective guideline harvest levels of 1.432 million pounds in Area 2C and 3.65 million pounds in Area 3A. The Council recognized that the ADF&G Commissioner plans to enact State regulations to prohibit retention of groundfish (including halibut) by skippers and crew, except for certain terminal fisheries areas. A limit on the number of lines equal to the number of clients aboard a charter vessel is already in place for Southeast Alaska. Therefore, the Council adopted an annual limit of five halibut per charter angler in Area 2C to further reduce charter halibut harvests. NOAA Fisheries will report back to the Council at its June 2006 meeting on enforcement and recordkeeping and reporting requirements associated with the proposed annual limit, specifically whether Federal regulations may rely on State recordkeeping and requirement vehicles for enforcement. The Council took no action for Area 3A, recognizing that charter halibut harvests are expected to be below the GHL in 2006 and that the Commissioner has executive order authority to implement similar measures in that area, as will be in place for Area 2C, if harvests warrant such an action.

The Council reviewed a discussion paper on a commercial industry proposal for separate accountability of charter and commercial allocations. The Council took no action on the proposal, but recognized that the Charter Halibut Stakeholder Committee will address the proposal in its development of alternatives for a permanent solution at one of its subsequent meetings. The Council scheduled deliberation of this proposal again at the December 2006 Council meeting, so that it could recommend changes to the IPHC process for setting catch limits in time for the IPHC annual meeting in January 2007.

In response to the committee's recommendation for an interim solution, the Council initiated an analysis for a moratorium on entry into the charter fishery using the December 9, 2005 control date. The suite of elements and options, as revised by the Council, is posted on the Council website. The Council scheduled a discussion of staff workload and timeline for analysis of the moratorium analysis at the June 2006 Council meeting. The Council will consider whether to

analyze the moratorium for all of Area 2C and 3A and initiate a trailing regulatory package to address community exemption options. The proposed moratorium analysis is scheduled for initial review in December 2006 in Anchorage. Implementation, if subsequently approved by the Secretary of Commerce, would occur for the 2008 charter season, at the earliest.

The Council also adopted the following statement of intent relative to short and long term management measures:

*"The Council compliments the Stakeholder Committee on its work and encourages it to continue. As part of its plan to develop long-term solutions, the Council urges the Committee to consider a package of a modified GHL that moves with abundance, some form of separate accountability, and the provision of the proper management tools to management agencies so that each sector of the halibut fishery can be managed not to exceed its allocation. In the mean time, the Council commits, using a combination of federal and state authority, to manage each sector, charter and commercial, to the allocations established by the GHL published in the Federal Register until superseded by the Council's long-term guided sport halibut sector management plan."*

The Stakeholder Committee will hold its next meeting on April 18-20, 2006 at the Anchorage Hilton. In June 2006, the Council will review the committee's recommendations on interim (revise the GHL to increase with halibut abundance) and permanent management measures (percent allocation and quota share program). Those analyses would be scheduled for action after the moratorium analysis. Contact Jane DiCosimo for more information.

## Upcoming Meetings

Public meeting on proposed **CDQ cost recovery program**: Thursday, May 18, 2006, 9-12:00, Federal Building, Rm 154, 222 West 7<sup>th</sup> Avenue, Anchorage, Alaska.

**Ecosystem Committee**, May 19, 2006. Location TBA

**Crab Plan Team**, May 16-18, 2006 AFSC, Seattle

**Steller Sea Lion Mitigation Committee**: April 25-27, and May 16-18 Alaska Fisheries Science Center, Seattle

**Halibut Charter Stakeholder Committee**, April 18-20, Anchorage Hilton

# Improved Retention/ Utilization

The Council reviewed the Amendment 80 EA/RIR/IRFA Public Review draft at this meeting, and selected a preliminary preferred alternative. Presented below is a brief summary of the preliminary preferred alternative. The Council stated that the analysis should be updated and released for public review with the intention of taking final action in June 2006. A complete copy of the final April 2006 motion and the April Public Review draft of Amendment 80 EA/RIR/IRFA are available on the Council's website. The Public Review draft for the June meeting will be available in early to mid-May.

## CDQ Allocations

10% of Amendment 80 species and secondary species (except Pacific cod) taken incidental in the primary trawl fisheries.

## Non-AFA Trawl CP Groundfish Allocation

- 82.5% of yellowfin sole
- 97% of rock sole
- 98% of flathead sole
- 98% of Atka mackerel in the EAI/BS and CAI the first year decreasing 2% increments over a 4 year period to 90%. 100% of WAI Atka mackerel will be allocated to the Non-AFA Trawl CP sector.
- 95% of AI POP in EAI and CAI in the first year, decreasing to 90% the second year. 98% of the WAI POP will be allocated to the Non-AFA Trawl CP sector.

These allocations would be managed as a hard cap. The remaining portion of the Amendment 80 species would be allocated to the trawl limited access fishery. Prior to the allocation of the Amendment 80 species, an ICA would be taken off the top to accommodate incidental catch by the fixed-gear vessels and the trawl limited access sectors. AFA vessel sideboards amounts will be determined after CDQ reserve amounts are deducted from TAC. Unutilized groundfish and PSC allocations shall be rolled over to the Non-AFA Trawl CP cooperative participants.

## PSC Allocation

The Council narrowed the halibut PSC allocation options to two. The first option would base PSC allocation on historical usage by the Non-AFA Trawl CP sector during the 2002 to 2004 period (Suboption 6.1.1) with a deduction in allocation of 20% phased in starting in the second year at 5% per year. The second option would allocate PSC based on the sector's percentage allocations of the target species multiplied by the trawl PSC amounts for those target species staying within a sector minimum and maximum of 2,200 mt and 2,400 mt (Suboption 6.1.4).

The Council selected the following PSC percentages for crab: 37.52% for red king crab, 61.44% for *C. opilio*, 52.64% for Zone 1 *C. bairdi*, and 29.59% for Zone 2 *C. bairdi* (Table 3-43, April 06 EA/RIR/IRFA). These allocations would then be reduced 5% per year starting the second year until the reduced allocation is 80% of the initial allocation. Trawl limited access sectors shall receive an allowance equal to the combined AFA CV/CP sideboards.

## Cooperative Formation

To form a cooperative, membership must be comprised of at least 3 separate entities and must have at least 30% of the vessel vessels.

## Groundfish and PSC Allocation Within the Non-AFA Trawl CP Sector

Allocations will be based on total catch using 1998-2004 year combination. In the Atka mackerel fishery, each vessel will receive its 1998-2004 catch history based all subareas combined. For non-mackerel vessels (less than 200' in length having less than 2% of the sector's history of Atka mackerel), their allocation would be distributed by area according to the vessel's catch distribution. After the deduction of the non-mackerel vessel allocation, the remaining amount will be allocated to the mackerel vessels (greater than 200' in length and have more than 2% if the sector's mackerel allocation) based on each vessel's respective catch history distributed equally in each area. AI POP will be allocated equally in each subarea.

## Excessive Share Caps and Vessel Use Caps

Excessive share cap would be applied on an aggregate basis at 30% of the sector's allocation. Vessel use caps would be 10% of the entire Non-AFA Trawl CP sector allocation. Persons or vessels that are over the initially allocation will be grandfathered.

## Sideboards

BSAI Pacific cod will be managed under existing sector apportionments until new Pacific cod sector allocations are implemented. All other unallocated species in the BSAI will remain as status quo. For the GOA, there are number of different sideboard actions. First, Non-AFA Trawl CP vessels having weekly participation greater than 10 weeks in the flatfish fishery during 1998-2004, will be eligible to participate in the GOA flatfish fisheries. Non-AFA Trawl CP vessel(s) that fished 80% of their weeks in the GOA flatfish fisheries from 2000 to 2003 will be exempt from GOA halibut sideboards. Second, Gulf wide halibut sideboards for deep and shallow water complex fisheries would be established based on actual usage from 1998-2004. Third GOA pollock, Pacific cod, and directed rockfish species sideboards would be established based on catch history from 1998-2004. Fourth, while CGOA rockfish demonstration program is in place, the CGOA rockfish demonstration program takes precedence. Finally, each cooperative will receive its own GOA sideboards.

## Yellowfin Sole Threshold

Above a yellowfin sole ITAC of 125,000 mt, the Non-AFA Trawl CP sector will be allocated 60% of the threshold reserve. The remaining portion would be allocated to the trawl limited access fishery.

Staff contact is Jon McCracken.

## Research priorities

The Council adopted research priorities for groundfish, crab and scallops based on recommendations from its plan teams and Scientific and Statistical Committee. These research priorities will be used by NOAA Fisheries, North Pacific Research Board, and other academic research institutions. They are available from the Council office. Contact Jane DiCosimo for more information.

## FMP Consultation Update

The Council received an update on the ESA Section 7 consultation on the groundfish FMPs. NMFS has convened a consultation team that is preparing a consultation package consisting of a series of documents, one of which is a Biological Assessment (BA) that summarizes information on the proposed action (the groundfish FMPs). The BA is nearing completion and when finished will be provided to the Council and its Steller Sea Lion Mitigation Committee. Based on the anticipated scope of the consultation, NMFS has developed a list of information that the agency will need to analyze the interactions between groundfish fisheries and ESA-listed species; that information will be provided by several groups including the NMFS Alaska Region, the Alaska Fisheries Science Center, and the National Marine Mammal Lab. In addition, the contract with Drs. Tom Loughlin and Jack Tagart to assemble a compendium of SSL literature published since the last FMP consultation (2000) is progressing, with a draft compendium available for review in late April and the final report ready by approximately mid May. When completed, the report will be an annotated bibliography of Steller sea lion related research, a synthesis of this scientific information, and copies of the full research papers referenced in the compendium report. All of the above will be provided to NMFS to assist the formal consultation process. Staff contact is Bill Wilson.

## SSL Mitigation Committee

The Council recently reconstituted the Steller Sea Lion Mitigation Committee (SSLMC) to track the consultation process discussed above. The SSLMC met February 15, 2006 to review the Council's charge to this committee and to receive briefings on the consultation process and to develop a list of information, briefings, etc. needed to inform this committee as it interfaces with the consultation process. The SSLMC has scheduled two meetings in the coming months to continue its work: April 25-27 and May 16-18, both at the Alaska Fisheries Science Center. Draft minutes from the February 15 meeting are available on the Council's website. Staff contact is Bill Wilson.

## GOA Groundfish Rationalization

The Council continued development of alternatives for rationalization of the Gulf of Alaska groundfish fisheries. The Council reviewed staff discussion papers on skipper and crew provisions, antitrust issues, and the regulatory process. In response to public testimony, several provisions affecting the longline sector were revised, including those governing leasing, owner-on-board, and excessive share caps. The Council requested further public input on skipper and crew share allocation and licensing provisions to aid in refining options. The Council's specific request and the staff discussion paper are available at the Council website.

The Council also requested further public input concerning possible development of additional alternatives. These alternatives could include:

- Limited duration harvesting quota shares
  - Duration of initially allocated shares of variable lengths
  - Expiration/reissuance of shares on staggered, cyclical basis
- Processor linkages that expire on a graduated basis over a limited number of years
- Community linkages, rather than processor linkages, for single-processor communities or regions
- Subalternatives for formation and dissolution of processor linkages:
  - Linkage based on the processor to whom the harvester delivered the most groundfish poundage (all species combined)
  - Linkage based on the processor to whom the harvester delivered the most poundage by species (Pacific cod, pollock, other species possibly at different processors)
  - Linkage based on recent groundfish deliveries of any amount, above a minimum threshold (harvester's choice of processor)
- No processor linkages

The Council agreed to remove Gulf rationalization from the agenda at its June 2006 (Kodiak) and October 2006 (Dutch Harbor/Unalaska) meetings. The Council has scheduled an all-day public hearing on Tuesday, June 6<sup>th</sup> in Kodiak to provide for additional public input concerning the development of the rationalization alternatives. Comments received during this hearing will be part of the official public record for GOA Groundfish Rationalization, as well as any written comments received between now and the December 2006 meeting. Further information concerning this meeting will be available in the near future on the Council's website. Staff contact is Mark Fina.

## AI Fishery Ecosystem Plan

The **Ecosystem Committee** meeting has been rescheduled for May 19, 2006, in Seattle, starting at 10am. The Committee is due to discuss recommendations for developing a Fishery Ecosystem Plan for the Aleutian Islands, which will be presented to the Council in June. More information is available on our website. Staff contact is Diana Evans.

# CDQ Program

In April, the Council received a presentation from the State of Alaska on its draft 2006 – 2008 CDQ allocation recommendations, including the two new crab species that were included in the program under crab rationalization. No Council action was required, recognizing that Federal regulations require the State to consult with the Council on its allocation recommendations. For all CDQ and prohibited species, except for halibut and crab, the State's draft recommendations are as follows: APICDA – 15%; BBEDC – 19%; CBSFA – 8%; CVRF – 22%; NSEDC – 20%; and YDFDA – 16%.

These draft recommendations differ from the recommendations presented by the State to the Council in April 2005 and from those announced in a press release by the Governor in December 2005. It is expected that the State will meet with the CDQ groups and provide an opportunity for the groups to comment on the draft recommendations, prior to submitting them to NMFS for review. Note that the current CDQ allocations have been in place since 2003, per a NMFS action that made the 2003 -2005 allocations effective until they are replaced by a future final agency action or Congressional action. Note also that the U.S. Coast Guard Authorization bill (H.R. 889) currently being considered in Congress contains amendments to the CDQ Program section of the Magnuson-Stevens Act (MSA), including provisions that maintain the current allocations to each CDQ group until such time that they are adjusted (starting in 2012 and then every ten years). This bill is out of conference committee and will likely be taken up by Congress in late April. The current (2006) CDQ pollock allocations are as follows: APICDA – 14%; BBEDC – 21%; CBSFA – 5%; CVRF – 24%; NSEDC – 22%; and YDFDA – 14%.

At its April meeting, the Council also received a status report on the analysis of a CDQ cost recovery program, as required by the MSA. NMFS has scheduled an informational meeting on this project on May 18 in Anchorage (see p.6).

The Council also received a status report on the BSAI Amendment 71 analysis at this meeting. In December 2005, the Council adopted three primary alternatives and several options for analysis of this revised amendment package, many of which would be affected by the proposed legislation described above. Should Congressional action occur, staff would provide the Council with an assessment of the legislation and its impacts on the Amendment 71 alternatives in June. Initial review of Amendment 71 is tentatively scheduled for October 2006.

Finally, the Council took final action on amendments to make the BSAI and crab FMPs and regulations consistent with the MSA and the 2005 transportation act (SAFETEA-LU). This action modifies the community eligibility criteria in regulation to exactly conform to the criteria listed in the MSA, as well as clarifies that all 65 currently participating communities are eligible. In addition, this action establishes a process in Federal regulations by which communities not listed as eligible in regulation can apply and be evaluated for eligibility in the program using the same criteria. Note that this action would also be affected if H.R. 889 is enacted, as it limits eligible communities to only those 65 currently participating and removes the community eligibility criteria. Given the Council's action at this meeting, staff will notify the Council in June if further action is necessary on this issue. Staff contact is Nicole Kimball.

# BSAI Crab

At its April 2006 meeting, the Council tasked staff to write a discussion paper that it would use to specify options to eliminate the use cap exemption for vessels fishing cooperative allocations under the Bering Sea and Aleutian Islands crab rationalization program. Under the current program, vessels fishing cooperative allocations are exempt from use caps. The Council expressed concern that the rapid fleet consolidation that occurred under the program in its first year may have displaced crew and caused economic disruption for communities. The Council motion requests staff to examine a range of possible use caps for cooperative vessels. Caps under consideration could range from the same caps applicable to vessels fishing individual allocations to caps of 150 percent of the level applicable to vessels fishing individual allocations. The caps that currently apply to vessels fishing individual allocations are:

- 2.0% for BS Opilio crab
- 2.0% BB red king crab
- 2.0% BS bairdi crab
- 4.0% for Pribilof red and blue king crab
- 4.0% for St. Matthew blue king crab
- 20% for EAI (Dutch Harbor) brown king crab
- 20% for Adak (WAI) brown king crab
- 20% for Adak (WAI) red king crab west of 179° West longitude

Staff will provide the Council with a brief discussion paper examining this issue using available data from the first year of the program at the Council's October 2006 meeting in Dutch Harbor/Unalaska.

The Council also clarified that its 18-month review would be included in the agenda for the April 2007 Council meeting. This 18-month review is intended to examine two specific issues:

- The distribution of benefits between harvesters and processors that arises under the rationalization program's 90/10 A share/B share split and arbitration system, and
- The future application of the 90/10 A share/B share split and regionalization to captain and crew shares.

Captain and crew shares are scheduled to be subject to the 90/10 A share/B share split and regionalization after the third year of the program. Staff contact is Mark Fina.

# BSAI Pacific cod allocations

The Council took final action on Bering Sea and Aleutian Islands (BSAI) Amendment 85 to revise the BSAI Pacific cod allocations to the various gear sectors. The Council approved a problem statement and alternatives for this action in December 2004, and since then has reviewed discussion papers and public testimony at each subsequent Council meeting in regard to this action. The Council approved the following percentages of the BSAI Pacific cod (non-CDQ) TAC to the following sectors:

<60 Hook-and-line/Pot CV	2.0
AFA Trawl CP	2.3
Trawl CV	22.1
Jig CV	1.4
Hook-and-line CP	48.7
Hook-and-line CV ≥60'	0.2
Non-AFA Trawl CP	13.4
Pot CP	1.5
Pot CV ≥60'	8.4
<b>Total</b>	<b>100.0</b>

The Council noted that these allocations represent historical dependence on and recent participation in the Pacific cod fishery by sector, as well as continue to provide entry level fishing opportunities in the jig and <60' fixed gear sectors. The allocations are intended to reflect actual catch history by sector, with consideration for small boat sectors and coastal communities. In addition to revising the current sector allocations, the Council approved creating separate Pacific cod allocations for the non-AFA trawl CP and AFA trawl CP sectors, in order to allow those sectors to better manage their cod in conjunction with the sectors' other directed fisheries. The Council did not approve an increase to the BSAI Pacific cod CDQ reserve at this time.

As part of the overall action, the Council also approved specific seasonal apportionments of the allocations to the trawl and fixed gear sectors, the intent of which was to mirror the percentage of the ITAC *currently* allocated to each sector in the first half of the year. In addition, the Council approved apportioning the jig sector's allocation on a trimester basis as follows: 60% - 20% - 20%. This change is intended to allow additional opportunity earlier in the year for the <60' fixed gear sector to harvest unused jig quota. The Council also approved a new hierarchy for reallocating quota that is projected to remain unused among gear sectors at the end of the year.

Finally, the Council apportioned the halibut and crab PSC allowances to the cod trawl fishery group among the three trawl sectors (AFA trawl CP; non-AFA trawl CP; trawl CV) according to each trawl sector's new Pacific cod allocation and percentage of Pacific cod harvested in the Pacific cod target fishery during 1999 - 2003. The resulting percentages will be part of the implementing regulations. The non-trawl halibut PSC allowance was also apportioned between the hook-and-line sectors, such that 10 mt of halibut PSC is allocated to the hook-and-line CV sector and the remainder is allocated to the hook-and-line CP sector. The intent is that the amount allocated to each hook-and-line sector

could be adjusted annually in the specifications process if necessary.

The Council also reviewed Part II of Am. 85, to determine a methodology by which to apportion each sector's BSAI Pacific cod allocation among the BS and AI subareas, should the BSAI Pacific cod ABC and TAC be split by subarea in a future specifications process. Using the most recent estimate of long-term average biomass distribution, if a TAC split should occur, no action on this part effectively results in apportioning each sector's BSAI allocation: BS - 85% and AI - 15%. Based in part on extensive public testimony, the Council voted to remove Part II and its attendant analysis from Am. 85 and initiate a new analysis that examines alternative approaches to apportion BSAI Pacific cod sector allocations between the BS and AI subareas. Each of the existing alternatives triggered concerns such that the Council agreed that additional analysis is warranted. In addition, it is expected that the ongoing Steller sea lion reconsultation process will shed light on temporal and spatial guidelines for the Pacific cod fishery in the AI. The new biological opinion is scheduled for release in the fall of 2006. The full motion is on the Council's website. Staff contact is Nicole Kimball.

## Scallop Management

The Council reviewed the status of the weathervane scallop stocks in Alaska. Management of scallop stocks is delegated to the State of Alaska under a Federally-approved FMP. The State manages scallops by region in the Bering Sea, Aleutian Islands and Gulf of Alaska. During the 2004/05 season, 7 of 11 registration areas were open for scallop fishing. Scallop harvests within these areas are limited by the Guideline Harvest Ranges (GHRs) established by the State. Information on scallop stocks is provided by biennial surveys in two regions and by the statewide scallop observer program. New video survey technology is being utilized to provide additional information on scallop stocks. The scallop stocks in Alaska are neither overfished nor approaching an overfished condition. The 2006 Scallop Stock Assessment and Fishery Evaluation (SAFE) report was approved by the Council and is available on our website. The Scallop Plan Team meets annually to review the status of stocks and to update the SAFE report. Staff contact is Diana Stram.

## Maximum Retainable Catch Adjustment

The Council requested that an EA/RIR/IRFA be prepared analyzing (1) a change in the MRA accounting interval for yellowfin sole, rock sole, flathead sole, "other flatfish," and arrowtooth flounder to occur at the end of a reporting week (with the option of adding other species), and (2) a change in the MRA accounting interval for the same species list above plus Atka mackerel and Aleutian Islands Pacific Ocean perch to the time of an offload, for the non-AFA trawl catcher processing sector (with the option of including other species). Initial review is scheduled for June. Staff contact is Jon McCracken.

# GOA Dark Rockfish

The Council reviewed the EA/RIR/IRFA to examine the effects of removing dark rockfish from the Federal FMP and allowing the State of Alaska to take over management of the species in State and Federal waters. Dark rockfish were officially recognized as a distinct species from dusky rockfish in 2004. The Council initiated this analysis in 2005 following recommendations from the stock assessment authors, the GOA plan team and the SSC due to the assumption that this species inhabits predominantly nearshore shallow water habitats, hence is not well assessed by the offshore GOA trawl survey, and concerns that the species could be locally overfished within the larger PSR complex TAC.

The Council concurred with the SSC regarding the limited availability of information regarding the geographic and depth distribution of this species. The 2005 trawl survey indicated patches of high biomass of this species. While these were limited to only a couple of tows, it demonstrates the difficulty in assessing the actual distribution of the species at this time. The Council requested that additional information be provided in the analysis to better determine the actual distribution of this species. The availability of additional information is as yet unknown. The Council also requested that additional alternatives be included in the analysis for consideration of delegated management to the State of Alaska while retaining the species under the FMP, as well as consideration of delegated or deferred State management measures for dark rockfish under the BSAI FMP as well. In the BSAI, dark rockfish are contained in the other rockfish species complex.

The timing of moving forward with this analysis is dependant upon the availability of sufficient information to satisfy the concerns expressed regarding the distribution of this species. Staff will provide an update to the Council in October 2006 regarding the current information available and the potential for moving forward with the analysis prior to the 2007 trawl survey. Staff contact is Diana Stram.

# Exempted Fishing Permit

The Council approved an exempted fishing permit for targeting silvergrey rockfish in the GOA using shrimp fly troll gear. The EFP requests specific exemptions from fishery closures, prohibited species catch (PSC) limits and fish retention restrictions and requirements in order to test shrimp fly troll gear to target rockfish in the Southeast Outside District (SEO) of the Gulf of Alaska. The immediate goals of the project are as follows: (1) Using shrimp fly gear, refine gear and fishing techniques to efficiently harvest Pacific Ocean perch (POP), pelagic shelf rockfish (PSR), and other shelf rockfish with minimal bycatch using gear compatible with typical Southeast Alaska fishing vessels and crews; (2) document the fishing characteristics of the shrimp fly gear; (3) and gather base-line biological information for data poor species. The EFP will contain the following regulatory exemptions: hook-and-line fishery closures for reasons other than overfishing concerns; PSC limits for halibut; maximum retainable amounts for rockfish fisheries; and retention requirements for sablefish. The total

amount of groundfish allowed to be harvested annually is 160 mt, including a 10 mt limit on sablefish bycatch. Halibut may be harvested in accordance with IFQ regulations. Halibut mortality for vessels without an individual fishing quota (IFQ) holder on board is limited to 2 mt, annually. All sablefish caught during the course of the permit must be carefully released. The permit will be effective for 3 years: May 15, 2006 - May 15, 2009. Staff contact is Diana Stram

# BSAI Salmon Bycatch

The Council reviewed a staff discussion paper containing updated salmon bycatch information through the 2006 A season as well as discussion of the remaining alternatives for forthcoming BSAI salmon bycatch amendment analyses. Regulations for amendment 84 to exempt vessels participating in a voluntary rolling hot spot (VRHS) system from regulatory salmon savings area closures are anticipated to be promulgated by August 1, 2006. The A season fishery was prosecuted by the fleet in the absence of this exemption. The Chinook salmon savings area was triggered on February 15, 2006. This is the first time this area has closed during the A season fishery. Chinook bycatch as of March 25, 2006 was 58,650. This is more than double the amount of Chinook bycatch at this time in 2005. Chinook bycatch is anticipated to increase again per a predictable pattern throughout the B season. Chum bycatch is also anticipated to be high during the B season.

The SSC convened a Salmon Bycatch Research workshop to better inform the Council regarding the current status of available information on salmon genetics, bycatch patterns and status of AYK salmon stocks. Abstracts and presentations from the workshop, as well as the SSC report summarizing their findings and recommendations are available on the Council website.

The Council reiterated their intention to move forward with amendment package B-1 as a priority with the timeline for the analysis allowing for the inclusion of new information as it becomes available on the genetics of stock origin for incidentally caught salmon species. An update to the Council of the 2006 B season salmon bycatch as well as a more detailed review of the alternatives included in this amendment package will be provided in October. Staff contact is Diana Stram.

**DRAFT NPFMC THREE-MEETING OUTLOOK - updated 4/11/06**

June 5, 2006 Kodiak, Alaska	October 2, 2006 Dutch Harbor, Alaska	December 4, 2006 Anchorage, Alaska
SSL Recovery Plan: <b>Review and Comment (T)</b> ESA Consultation on FMPs: <b>Action as necessary</b> Northern Right Whale: <b>Review final rule on CH (T)</b> Seabird Interactions with small vessels: <b>Receive Report (T)</b> SSL Literature Compendium: <b>Receive Report</b>  Amendment 80: <b>Final Action; also data collection review</b>  Halibut Charter Management: <b>Committee Report and Moratorium Discussion</b>  MRA adjustments: <b>Initial review</b>  Observer Program: <b>Final Action; Review Discussion Paper on Video Monitoring (T)</b>  BSAI Trawl C/V Eligibility: <b>Discussion Paper and Direction</b>  Am 71: <b>Status Report (T)</b> CDQ Eligibility: <b>Revise as necessary (T)</b>  GOA Rationalization: <b>1 day Public Hearing</b>  IFQ Omnibus 5 Amendments: <b>Final Action</b>  BS Habitat Conservation: <b>Review 2 Discussion Papers</b>     Crab Overfishing Definitions: <b>Model Review (SSC)</b> Crab Management: <b>Plan Team report</b>     Ecosystem Approaches: <b>Action as necessary</b>	ESA Consultation on FMPs: <b>Review Draft BiOp (T)</b> Sea Otter BiOp: <b>Review and Comment</b> Adak Pollock Fishery: <b>Receive Report</b>  BSAI split for Pacific cod: <b>Preliminary review (T)</b>  Cost Recovery: Discussion Paper  MRA adjustments: <b>Final Action (T)</b>  BSAI Trawl CV eligibility: <b>Initial review (T)</b>  CDQ cost recovery program: <b>Initial Review (T)</b> CDQ Am. 71: <b>Initial Review (T)</b>  Crab Vessel Use Caps: <b>Initial Review (T)</b>  BS Habitat Conservation: <b>Action as necessary</b>  Other Species Breakout: <b>Preliminary Review</b>  GOA Dark rockfish: <b>Report/Update</b>  BSAI Crab SAFE Report: <b>Review and Approve</b> PGSEIS Workplan: <b>Review</b>  EIS for TACs: <b>Comment on draft EIS</b> Groundfish Specifications: <b>Adopt proposed specs for 07/08</b>  Ecosystem SAFE Report: <b>Review</b>  VIP Repeal: <b>Initial Review</b>  Salmon Bycatch (B package): <b>Update and Direction</b>  VMS Requirements: <b>Initial Review</b>	ESA Consultation on FMPs: <b>Review Draft BiOp (T)</b>  BSAI split for Pacific cod: <b>Action as necessary</b>  Halibut Charter Management: <b>Initial Review of moratorium</b> Halibut Separate Accountability: <b>Discuss/action as necessary</b>  Observer Program: <b>Action as necessary</b>  BSAI Trawl CV eligibility: <b>Final Action (T)</b>  CDQ cost recovery program: <b>Final Action (T)</b> CDQ Am. 71: <b>Final Action (T)</b>  GOA Rationalization: <b>Review preliminary analysis and define alts.</b> Crab Vessel Use Caps: <b>Final Action (T)</b>  BS Habitat Conservation: <b>Action as necessary</b>  Other Species Breakout: <b>Initial Review (T)</b>  GOA Dark rockfish: <b>Initial Review (T)</b> Rockfish Management: <b>Action as necessary (T)</b>  Groundfish Specifications: <b>Adopt final specs for 07/08</b>  VIP Repeal: <b>Final Action (T)</b>  VMS Requirements: <b>Final Action (T)</b>

TAC - Total Allowable Catch  
 BSAI - Bering Sea and Aleutian Islands  
 IFQ - Individual Fishing Quota  
 GHl - Guideline Harvest Level  
 HAPC - Habitat Areas of Particular Concern  
 LLP - License Limitation Program  
 VIP - Vessel Incentive Program

AI - Aleutian Islands  
 GOA - Gulf of Alaska  
 SSL - Steller Sea Lion  
 BOF - Board of Fisheries  
 FEP - Fishery Ecosystem Plan  
 CDQ - Community Development Quota  
 ESA - Endangered Species Act

SAFE - Stock assessment and fishery evaluation  
 VMS - Vessel Monitoring System  
 EAM - Ecosystem Approach to Management  
 SSC - Scientific & Statistical Committee  
 FMP - Fishery Management Plan  
 DPSEIS - Draft Programmatic Groundfish SEIS  
 AFA - American Fisheries Act

**MORATORIUM ALTERNATIVE****Problem Statement**

The Pacific halibut resource is fully utilized and harvest by the guided sport sector is demonstrating steady growth. To provide long term stability of the guided sport sector and lessen the need for regulatory adjustments, which destabilize the sector, the Council is embarking on development of a new management framework. In the interim, to address allocation issues between the guided sport and commercial sectors the guided sport sector is operating under a guideline harvest level (GHL). Harvest data indicate that the GHLs in Area 2C have been exceeded and are near levels established for Area 3A. This has resulted in a renewed effort to find a long-term solution. The Council has formed a stakeholder committee of affected user groups to consider management options and formulate recommendations for Council consideration in developing a management plan for the guided sector. Some of the past options under consideration include limiting entry or awarding quota share based on past involvement in the fishery. To address the potential against the rush of new entrants into the guided sport fishery, the Council is considering establishing a moratorium on the guided sport sector.

**Issue 1. Areas**

Option 1. 2C and 3A

Option 2. For Areas 2C and 3A communities previously identified under Amendment 66:

Suboption a. Exclude some or all of these communities

Suboption b. Provide community eligibility through CQE to purchase moratorium licenses

- between 5 – 25 permits per community

Suboption c. Provide the qualifying CQE an option to request, on behalf of community residents, additional charter halibut moratorium permits from NMFS for use by residents in the community.

- between 5 – 25 permits per community

- permits requested would have limited duration for any one individual

- from 5-15 years

**Area 2C****Area 3A**

<u>Community</u>	<u>Population<sup>2</sup></u>	<u>Community</u>	<u>Population</u>
Angoon	572	Akhiok	80
Coffman Cove	199	Chenega Bay	86
Craig	1,397	Halibut Cove	35
Edna Bay	49	Karluk	27
Elfin Cove	32	Larsen Bay	115
Gustavus	429	Nanwalek	177
Hollis	139	Old Harbor	237
Hoonah	860	Ouzinkie	225
Hydaburg	382	Port Graham	171
Kake	710	Port Lions	256
Kassan	39	Seldovia	286
Klawock	854	Tatitlek	107
Metlakatla	1,375	Tyonek	193
Meyers Chuck	21	<u>Yakutat</u>	<u>680</u>
Pelican	163	14 communities	2,711
Point Baker	35		
Port Alexander	81		
Port Protection	63		
Tenakee Springs	104		
Thorne Bay	557		
<u>Whale Pass</u>	<u>58</u>		
21 communities	8,119		



**Issue 2. Permits** would be issued to U.S. citizens or to U.S. companies with 75 percent U.S. ownership.  
Grandfather currently licensed vessels.

**Issue 3. Qualifying years** - State guide business registration for 2004 or 2005 with client activity for bottomfish effort logged in logbook for 2004 or 2005:

- Suboption 1: minimum of (1, 10, 20) active logbook entry (1 trip) for bottomfish
- Suboption 2: medical emergencies as developed recently for the commercial QS program and must have at least 1 year of ADF&G logbook activity from 1998-2005.
- Suboption 3: military exemption, as developed recently for the commercial QS program and Army boats and must have at least 1 year of ADF&G logbook activity from 1998-2005.
- Suboption 4: under construction as of December 9, 2005, as developed recently for the commercial QS Program and must have at least 1 year of ADF&G logbook activity from 1998-2005.
- Suboption 5: constructive losses

**and** (under all options) participation in the year prior to implementation

**Issue 4. Owner v. Vessel**

- Option 1. owner/operator or lessee
- Option 2. vessel

**Issue 5. Mandatory evidence of participation:**

- 1. State guide business registration
  - 2. ADF&G logbook submitted in timely fashion, with bottomfish effort
- Supplemental evidence of participation:
- 1. Alaska State business license
  - 2. insurance for passenger hire
  - 3. enrollment in drug testing program (CFR 46)
  - 4. Coast Guard license

**Issue 6. Annual permit renewal criteria** (use it or lose it)

- Option 1. do not require renewal
- Option 2. must renew, minimum activity of 20 halibut charter days
- Option 3. not renewable, if permit holder lets it expire
- Option 4. emergency medical exception

**Issue 7. License Designations**

- a. uninspected (6-packs) vessels : 6 clients;
- b. inspected vessels: license designation is limited to highest number of clients on any given trip in 2004 or 2005, but not less than 4;
- c. 12-packs : grandfathered in at previous limit
- d. new construction : 6 for uninspected and inspected vessels
- e. constructive loss : previous limit

**Issue 8. Use caps**, with grandfather<sup>1</sup> provision during the moratorium

inspected vessels (limited to 6 or 12 clients) :

- Option 1. 1
- Option 2. 5
- Option 3. 10

inspected vessels:

- Option 1. 1
- Option 2. 2
- Option 3. 3

<sup>1</sup>Grandfather provisions to mirror the commercial halibut IFQ program (transferred vessels lose their grandfathered status; block retains grandfather status)

**Issue 9. Transfers** would be allowed, permits may be stacked, immediately transferable

**Issue 10. No leasing**

**Issue 11. Duration for review** - in effect until subsequent Council action

**Issue 12. Definition of bottomfish effort** for evidence of participation - any entry with recorded bottomfish statistical area, rods, or boat hours

# Save the Date!

*Saturday, December 9, 2006*

Mark your calendars to save December 9, 2006, for the *30<sup>th</sup> Anniversary Celebration* of the Magnuson-Stevens Fishery Conservation and Management Act and the North Pacific Fishery Management Council. The evening event will include a social hour, a gourmet dinner, appearances from several highly distinguished guests, and other merriment!

The North Pacific Fishery Management Council is one of eight regional councils established by the Fishery Conservation and Management Act in 1976 to manage fisheries in the 200-mile Exclusive Economic Zone. The Act is currently named after the its primary architects in the U.S. Senate, Senator Warren Magnuson (WA) and Senator Ted Stevens (AK). The Magnuson-Stevens Act remains an innovative and democratic process for responsible decision-making. Under this Act, our fishery management process is science-based, precautionary, deliberative, transparent, and representative of all interests.

The success of the Magnuson-Stevens Act is exemplified in the Alaska region, where the responsible stewardship for the fisheries and other marine resources rests with the North Pacific Council and the National Marine Fisheries Service. The precautionary approach developed in the early years, and refined over 30 years to meet changing needs, has resulted in sustainable fisheries unmatched anywhere in the world. Groundfish landings have been sustained at about 4 *billion* pounds per year, providing over 10,000 jobs each year on fishing vessels and in processing plants.

We hope that you will join us to celebrate this success, and honor those who have helped develop our fishery management program over the years.

## *Celebration Logistics:*

**When:** Saturday, December 9, 2006 from 7:00 - 11:00 pm.

**Where:** Hilton Hotel, 500 West 3<sup>rd</sup> Ave., Anchorage, Alaska

**Registration:** Advance registration will be required – please stay tuned for details.



North Pacific Fishery Management Council  
605 W 4<sup>th</sup> Ste 306  
Anchorage, AK 99501

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## BSAI trawl CV LLP endorsements

The Council received a staff report on the issue of developing a BSAI trawl CV LLP endorsement limitation amendment. The report reviewed recent Council actions to remove endorsement options from Amendments 85 and 80 in December 2005 and February 2006, respectively. The Council's intent, as stated in the December 2005 and February 2006 meetings, was to develop a single trailing amendment to address BSAI trawl CV LLP endorsement limitation.

After hearing public testimony on this agenda item, the Council discussed various components of a potential amendment, including review of a draft problem statement, several threshold options, and possible inclusion of GOA trawl vessels. After considering the available information, Council decided additional information was needed before they would be ready to consider formulation of this amendment. Accordingly, the Council directed staff to provide a data report for review at the June meeting.

The first component of the data review will be an overview of past endorsement decisions and dependency status for LLPs in the BSAI and GOA over the period from 1995 through 2004. The Council also directed staff to include 2005 as soon as those data are available. The Council expressed a specific interest in seeing how a potential endorsement amendment would relate to vessels that had catch history in the parallel fishery under a BS endorsement, but only had catch from the AI.

The Council recommended staff to take a layered approach to focus on core information first and add other items depending on staff time available. The core information will focus on endorsements and dependency of all trawl CV LLP for all ground fish in the BSAI and GOA. In addition, the Council directed staff to include information on trawl CPs in the Gulf of Alaska, with the intent to look at the two different fleets (trawl CV LLPs and trawl CP LLPs) harvesting fish. The concern expressed was for potential impacts on one fleet from removing latent licenses on the other fleet.

As time allows, staff will extend species investigation into fishing patterns for Pacific cod and the five Amendment 80 species, state waters, parallel fisheries, trawl vessels under 60 feet and other topics. Staff contact is Jim Richardson.