(Revised January 24, 2012)

### Council/Board of Fisheries Joint Protocol Committee

Updated: 8/10/07

Council: Board:
Dave Benson Vince Webster
Ed Dersham John Jensen
Eric Olson Mel Morris

### **Council Coordination Committee**

[Designated and renamed by Magnuson Act reauthorization April 2007]

Appointed: 4/05 CFMC: NPFMC: Updated: 7/23/09 C: Carlos Farchette C: Eric Olson ED: Miguel Rolón ED: Chris Oliver **GMFMC**: PFMC: C: Robert Shipp C: Dan Wolford ED: Steve Bortone ED: Don McIsaac MAFMC: SAFMC: C: Richard Robins C: David Cupka ED: Chris Moore ED: Bob Mahood NEFMC: WPFMC: C: Rip Cunningham C: Manuel Deunas Staff: Chris Oliver ED: Paul Howard **ED: Kitty Simonds** 

### **Council Executive/Finance Committee**

Updated: 8/10/07

Eric Olson (Chair)

Jim Balsiger (NMFS) Alt. Glenn Merrill

Dave Hanson (PSMFC)

Cora Campbell (ADFG)

Roy Hyder (ODFW)

Bill Tweit (WDFW)

## **Bering Sea Crab Advisory Committee**

Appointed 4/25/07	Sam Cotten (Chair)	Lenny Herzog
1	Jerry Bongen	Kevin Kaldestad
Revised 11/15/07	Steve Branson	Frank Kelty
	Florence Colburn	John Moller
	Linda Freed	Rob Rogers
	Dave Hambleton	Simeon Swetzof
	Phil Hanson	Ernest Weiss
Staff: Mark Fina	Tim Henkel	

(Revised January 24, 2012)

# Bering Sea Salmon Bycatch Workgroup

Appointed: 3/07	Stephanie Madsen (Co-chair) Eric Olson (Co-chair) Becca Robbins Gisclair	Jennifer Hooper Paul Peyton Mike Smith
Staff: Diana Stram	John Gruver Karl Haflinger	Vincent Webster (BOF)

# Comprehensive Economic Data Collection Committee

Appointed: 12/07 Updated: 2/9/09	John Henderschedt (Chair) Bruce Berg Michael Catsi	Brett Reasor Glenn Reed Ed Richardson
Staff: Mark Fina	Dave Colpo Paula Cullenberg	Mike Szymanski Gale Vick

# **Charter Management Implementation Committee**

	1	
Appointed: 6/11	Seth Bone	Kent Huff
	Stan Malcolm	Tim Evers
Ì	Ken Dole	Andy Mezirow
Staff: Jane DiCosimo	Richard Yamada	

# **Crab Interim Action Committee**

[Required under BSAI Crab FMP]

Jim Balsiger, NMFS Cora Campbell, ADF&G Phil Anderson, WDF

# **Ecosystem Committee**

Updated: 10/22/07	Stephanie Madsen (Chair) Jim Ayers
	Dave Benton
Status: Active	Doug DeMaster/Bill Karp Dave Fluharty
	John Iani
Staff: Diana Evans	Jon Kurland

(Revised January 24, 2012)

# **Enforcement Committee**

Updated: 7/03	Roy Hyder (Chair)
	Nicole Kimball, ADF&G
	Lisa Lindeman/Garland Walker, NOAA-GC
Status: Active	Martin Loefflad, NMFS
	Sherrie Meyers/Ken Hansen, NMFS-Enforcement
	Glenn Merrill, NMFS
	CAPT Greg Sanial, USCG
Staff: Jon McCracken	Jon Streigel, AK F&W Protection

# Golden King Crab Arbitration Workgroup

Appointed: 1/12	Larry Cotter	Brett Reasor
	Duncan Fields (Chair) Mark Johahnson	Dick Tremaine Greg White
Staff: Mark Fina	Joe Sullivan	_

# Halibut Charter Stakeholder Committee

Appointed: 1/06	Seth Bone	Larry McQuarrie
Revised: 3/29/10	Robert Candopoulos	Scott Meyer
Status: Idle, pending direction	Ricky Gease	Rex Murphy
	John Goodhand	Peggy Parker
	Kathy Hansen	Charles "Chaco" Pearman
	Dave Hanson (Chair)	Greg Sutter
Staff: Jane DiCosimo	Dan Hull	
	Chuck McCallum	

# **IFQ** Committee

Reconstituted: 7/31/03	Bob Alverson	Jeff Kauffman
Updated: 11/09	Rick Berns	Don Lane
	Julianne Curry	Kris Norosz
	Tim Henkel	Paul Peyton
	Dan Hull (Chair)	Jeff Stephan
Staff: Jane DiCosimo	Don Iverson	Phil Wyman

# **Non-Target Species Committee**

Appointed: 7/03 Updated: 8/10/07	Dave Benson (Chair) Julie Bonney John Gauvin Ken Goldman	Janet Smoker Paul Spencer Lori Swanson Anne Vanderhoeven
Staff: Jane DiCosimo, NPFMC/ Olav Ormseth, AFSC	Ken Goldman Karl Haflinger Michelle Ridgway	Jon Warrenchuk

(Revised January 24, 2012)

# **Observer Advisory Committee**

Reconstituted: 1/20/11	Bob Alverson	Michael Lake
Updated: 1/25	Jerry Bongen	Todd Loomis
Status: Active	Julie Bonney	Paul MacGregor
	Kenny Down	Brent Paine
	Dan Falvey	David Polushkin
Staff: Chris Oliver/	Kathy Hansen	Darren Stewart
Diana Evans	Dan Hull (Chair)	Ann Vanderhoeven

# **Pacific Northwest Crab Industry Advisory Committee**

Appointed: 12/10	Keith Colburn Kevin Kaldestad Garry Loncon Steve Minor (Chair) Gary Painter	Vic Sheibert Dale Swartzmiller Gary Stewart Tom Suryan Elizabeth Wiley
Staff: Diana Stram	Kirk Peterson Rob Rogers (Vice Chair)	Arni Thomson, Secretary (non-voting)

## **Rural Outreach Committee**

Appointed: 6/09	Eric Olson (Chair) Paula Cullenberg Duncan Field Tim Andrew Tom Okleasik Ole Olsen
Staff: Steve MacLean	Pete Probasco

# Steller Sea Lion Mitigation Committee

Appointed: 2/01	Larry Cotter (Chair)	Steve MacLean
Updated: 11/09	Jerry Bongen	Stephanie Madsen
•	Julie Bonney	Max Malavansky, Jr
[formerly SSL RPA Committee;	Kenny Down	Gerry Merrigan
renamed February 2002]	John Gauvin	Mel Morris
	Pat Hardina	Art Nelson
Staff: Steve MacLean	Sue Hills	Glenn Reed
Advisor: Dan Hennen	Frank Kelty	Beth Stewart

DF	RAFT NPFMC THREE-MEETING OUTLOOK - updated 1	/24/12
January 30 - February 7, 2012 Seattle, WA	March 26 - April 3, 2012 Anchorage, AK	June 4 - 12, 2012 Kodiak, AK
DPP: Review and Approve	AFA Pollock Cooperative and IPA Reports	Notick, Alt
SL CIE: Review Terms of Reference	Amendment 80 Cooperative Reports	
H Consultation Process: Update	CGOA Rockfish Cooperative Reports	
libut/sablefish IFQ discussion paper: Update	BSIERP Management Strategy Evaluation Report	
HC Report	BOIERF Management Strategy Evaluation Report	
alibut CSP: Update	Holibut CCD: Pavious and action as necessary	Helibut weekshan sanati Daview
silbut CSF. Opuate	Halibut CSP: Review and action as necessary	Halibut workshop report: Review
OA Halibut PSC: Initial Review	GOA Halibut PSC: Final Action (T)	GOA Halibut PSC: Final Action (T)
	GOA Pacific cod A-season opening dates: Discussion paper	2 1-03 Media - Nest - Drawin Dr. Massa (108)
	P.Cod Jig Management: Review Progress	Halibut/Sablefish IFQ Leasing prohibition: Discussion paper
OA Pollock D-season: Discussion paper	Limit Other Gear on Jig Vessels: Discussion Paper	Halibut/sablefish IFQ changes: Discussion paper (T)
		The state of the s
QE in Area 4B: Final Action	Northern Bering Sea Research: Discussion paper	
	NEX St. W.	BSAI Crab ROFR Workgroup: Report; action as necessary (T
SAI Flatfish specification flexibility: Discussion Paper	BS Habitat Conservation Area Boundary: Review	BSAI Crab active participation requirements: Initial Review
		BSAI Crab Cooperative Provisions for Crew : Discussion paper
OA Chinook Bycatch All Trawl Fisheries: Discussion Paper	BSAI Chum Salmon Bycatch: Initial Review	BSAI Crab Binding Arbitration - GKC: Workgroup report
OA Flatfah Tanul Curan Madifications, Initial Basica	COA Flatfah Traud Curan Madifications. Final Aution	Binding Arbitration Issues (lengthy season, publishing decisions
OA Flatfish Trawl Sweep Modifications: Initial Review	GOA Flatfish Trawl Sweep Modifications: Final Action	IPQ Initiation): Discussion Paper
FA Vessel Replacement GOA Sideboards: Discussion Paper	FLL Vessel Replacement: Initial Review/ Final Action	Revise BS FLL GOA cod sideboards: Discussion paper (T)
		, , , , , , , , , , , , , , , , , , ,
	Scallop SAFE: Approve harvest specifications	BSAI Greenland turbot allocation: Discussion paper (T)
SAI Crab EDR Revisions: Final Action		
sibilat RKC Babuildian Blanc Hadatas astion on accessors	Dalbillet BIKG Debuilding Bloom Fined Anting	Cook Blog Toom Boards Sed Codeb Societies for Andrew
ribilof BKC Rebuilding Plan: Update; action as necessary	Pribilof BKC Rebuilding Plan: Final Action	Crab Plan Team Report: Set Catch Specifications for 4 stock
SAI Tanner Crab rebuilding plan: Update; action as necessary		BSAI Tanner Crab rebuilding plan: Preliminary Review
SAI Crab Model Workshop Report: SSC only		1
rab pdf of the OFL Workshop Report: SSC only		
APC - Skate sites: Initial Review	HAPC - Skate sites: Final Action	
an of state often maar riotion,	The State State That Tours	ITEMS BELOW FOR FUTURE MEETINGS
BRKC spawning area/fishery effects: Updated Disc paper (T)	VMS Use and Requirements: Discussion paper	Crab PSC numbers to weight: Discussion paper
bitito spawning area/nshery effects. Opuated bisc paper (1)	VIVIO Ose and Requirements. Discussion paper	Crab bycatch limits in BSAI groundfish fisheries: Disc paper
roundfish PSEIS: Discuss schedule	Total catch and ACLs: Discussion paper - SSC only (T)	Al P.cod Processing Sideboards: Initial Review
iodinanan Folio. Discuss scriedule	Total catch and Acts. Discussion paper - 330 only (1)	BSAI halibut PSC limit: Discussion paper
012-2015 Deep Sea Coral Research: Report	Grenadiers: Discussion paper	GOA comprehensive halibut bycatch amendments: Disc paper
712-2010 Deep Gea Colai Nescalcii. Nepolt	Grenadiera. Diacussion paper	MPA Nominations: Discuss and consider nominations
	The second secon	INITA INOTHINALIONS. DISCUSS AND CONSIDER NOTHINALIONS
- Aleutian Islands	GKC - Golden King Crab	Future Meeting Dates and Locations
FA - American Fisheries Act	GHL - Guideline Harvest Level	January 30-February 7, 2012 - Rennaissance Hotel, Seattle
Op - Biological Opinion	HAPC - Habitat Areas of Particular Concern	March 26-April 3, 2012 - Hilton Hotel, Anchorage
SAI - Bering Sea and Aleutian Islands	IFQ - Individual Fishing Quota	June 4-12, 2012 - Best Western, Kodiak
CC - Blue King Crab	IBQ - Individual Bycatch Quota	October 1-9, 2012 - Hilton Hotel, Anchorage
OF - Board of Fisheries	MPA - Marine Protected Area	December 3-11, 2012 - Anchorage
NOT 0	DOTIC B	5.1

# AGENDA D-2(b) FEBRUARY 2012

February 4-12, 2013, Portland

September 30-Oct 8, 2013 Anchorage

December 9-17, 2013, Anchorage

April 1-9, 2013, Anchorage

June 3-11, 2013, Juneau

EDR - Economic Data Reporting

EFP - Exempted Fishing Permit EIS - Environmental Impact Statement

EFH - Essential Fish Habitat

FLL - Freezer longliners GOA - Gulf of Alaska

PSEIS - Programmatic Suplimental Impact Statement

PSC - Prohibited Species Catch RKC - Red King Crab ROFR - Right of First Refusal

SSC - Scientific and Statistical Committee SAFE - Stock Assessment and Fishery Evaluation

SSL - Steller Sea Lion TAC - Total Allowable Catch

# **NPFMC/NMFS** Action

Agenda D-2(c) February 2012

# Updated 1/24/12

			354.93	2012		N Service								S. Letter
Action	Status	Staffing	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Blue = Post Council Action, Ru														
Halibut Catch sharing plan	Preparation of Final Rule	NMFS 80% Council 20%	See N	MFS Ma	anagem	ent Rep	ort							
BSAI crab C-shares	BSAI crab C-shares Preparation of rulemaking package				anagem	ent Rep	ort							
Litigation workload	Ongoing	NMFS 90% Council 10%	See N	MFS Ma	anagem	ent Rep	ort							
Am 80 lost vessel replacement	Proposed and Final Rule	NMFS 90% Council 10%	See N	MFS Ma	anagem	ent Rep	ort							
BSAI Chinook Salmon EDR	Proposed and Final Rule	NMFS 90% Council 10%	See N	MFS Ma	anagem	ent Rep	ort							
GOA Rockfish Program	Preparation of Final Rule	NMFS 90% Council 10%	See N	MFS Ma	anagem	ent Rep	ort							
12 month 20% halibut sablefish QS	Proposed and Final Rule	NMFS 100% Council 0%	See N	MFS M	anagem	ent Rep	ort							
Tanner crab bycatch in the GOA	er crab bycatch in the GOA Preparation of rulemaking package NMFS 90% Council 10% See NMFS Management Report													
BSAI Arrowtooth Flounder MRAs	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS Ma	anagem	ent Rep	ort							
Observer Program restructuring	Preparation of SOC draft and rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
BSAI Crab Emerg relief	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
CQE changes: communities, Use caps, 3A D class, 4B	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
Salmon FMP Revisions	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
Halibut/sablefish Hired Skipper	Preparation of rulemaking package	NMFS 80% Council 20%	See N	MFS M	anagem	ent Rep	ort							
BSAI Crab IFQ/IPQ application	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
Chinook salmon bycatch in GOA pollock fishery	Preparation of rulemaking package	NMFS 90% Council 10%	See N	MFS M	anagem	ent Rep	ort							
Remove inactive Halibut/ Sablefish QS	Final Rule	NMFS 100% Council 0%	See N	MFS M	anagem	ent Rep	ort							

AGENDA D-2(c FEBRUARY 2012

			45	2012		-	Transition and the				STATE OF	SAVE	The section	Well Re
Action	Status	Staffing	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Green=project underway											INT			
Outreach activities	Committee meetings; ongoing projects	NMFS 10% Council 90%												
Prib BKC rebuilding	Final Action in April	NMFS 50% Council 50%												
BSAI Chum Salmon Bycatch	Initial Review in April	NMFS 50% Council 50%												
GOA halibut PSC limits	Initial Review in Feb	NMFS 20% Council 80%								_				
BSAI Crab Economic Data Collection	Final action in Feb	NMFS 20% Council 80%				N.								
BS Tanner Crab Rebuilding Plan	Prelim Review in June	NMFS 50% Council 50%												
GOA Flatfish Trawl Sweeps	Initial Review in Feb	NMFS 50% Council 50%												
Skate Egg Concentrations HAPC	Initial Review in Feb	NMFS 50% Council 50%												
BSAI Freezer longliner replacement	Final Action in April	NMFS 20% Council 80%												
Halibut CSP trailing amendment	Discussion paper in April	NMFS 20% Council 80%												
GOA P. cod jig management	Update in April	NMFS 50% Council 50%												
GOA P. cod jig limit gear onboard	Discussion paper in April	NMFS 50% Council 50%												

				2012										HOSE O
Action	Status	Staffing	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
Yellow = Project initiated but not yet	fully underway						241							
Grenadiers	Discuss in April	NMFS 50% Council 50%												
Groundfish ACL uncertainty	Future Analysis	NMFS 90% Council 10%												
MPA nomination process	Discuss in future	NMFS 40% Council 60%												
4A halibut retention with sablefish	Discussion paper	NMFS 0% Council 100%												
Pots for GOA sablefish	Discussion paper	NMFS 20% Council 80%												
Unharvested halibut in Area 4	Discussion paper	NMFS 20% Council 80%												
Increase use caps for A sablefish	Discussion paper	NMFS 20% Council 80%												
Crab bycatch limits in BSAI groundfish fisheries	Discussion paper for future meeting	NMFS 20% Council 80%				¥.								
Chinook salmon bycatch in the GOA - all fisheries	Initial review in future; Discuss Feb	NMFS 20% Council 80%												
NBSRA Research Plan	Report in April	NMFS 90% Council 10%												
AFA vessel replacement sideboards	Discuss in Feb	NMFS 20% Council 80%												
BSAI flatfish specification flexibility	Discuss in Feb	NMFS 90% Council 10%												
BB RKC Spawning Area	Discuss in Feb	NMFS 60% Council 40%												
Greenland turbot allocation	Discussion paper in June	NMFS 20% Council 80%												
BS FLL GOA cod sideboards	Discussion paper in June	NMFS 20% Council 80%		237										
VMS Requirements	Discussion paper in April	NMFS 20% Council 80%												
GOA pollock D-season	Discussion paper in Feb	NMFS 20% Council 80%												
GOA P.cod A-season dates	Discussion paper in April	NMFS 20% Council 80%												

			SEE	2012						ALTON S				
Action	Status	Staffing	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec
urple=Potential new project														
SSL management measures	RPA in Effect	NMFS 50% Council 50%												
PSEIS Review	Receive update in Feb	NMFS 30% Council 70%			BA									
BSAI crab control rules and uncertainty	Ongoing evaluation	ADF&G 33%												
Comprehensive halibut PSC Amendment	Discussion paper in future	NMFS 10% Council 90%												
BSAI Crab PSC to Weight	Discussion paper in future	NMFS 70% Council 30%												
BSAI Halibut PSC limit	Discussion paper in future	NMFS 20% Council 80%												
Al processing sideboards	unscheduled	NMFS 10% Council 90%												
BSAI Crab 5-year review changes	Discussion paper/ workgroup report	NMFS 20% Council 80%												

### Status of 'Items for Future Meetings' from the 3-meeting outlook

A list of previously tasked items are included on the lower right of the 3-meeting outlook. This summary provides information on the status of these items.

### Crab PSC numbers to weight: Discussion Paper

In June 2010, as part of the motion to initiate crab bycatch limits in all BSAI groundfish fisheries, the council briefly discussed the possibility of establishing crab caps by weight, rather than in numbers of crab. It was agreed that that issue would be evaluated in the analysis. In June 2011, the Council explicitly tasked staff to prepare a separate discussion paper to evaluate changing the catch accounting of BSAI crab PSC from numbers to weight. This issue is being evaluated as it relates to the Pribilof Islands Blue King Crab Rebuilding Plan, which could inform future direction on this issue.

### Crab bycatch limits in BSAI groundfish fisheries: Discussion Paper

In June 2010, the Council reviewed a discussion paper on crab bycatch in the BSAI groundfish and scallop fisheries. Following approval of Amendment 24 to the BSAI Crab FMP, all crab stocks now have annually-specified overfishing limits (OFLs). For all stocks in 2010/11, these OFLs are intended to cover total removals from the stock, including bycatch in groundfish and scallop fisheries. There is currently no explicit linkage between OFL restrictions in the Crab FMP and bycatch by crab stock under the BSAI groundfish FMP. Additional requirements for catch removals for crab stocks will be necessary to comply with Annual Catch Limits (ACLs). The ACL analysis notes that an annually specified ACL or OFL by crab stock could be exceeded due to catch outside of the directed crab fisheries but that absent an amendment to establish PSC limits in groundfish fisheries, any overage would be borne by the directed crab fishery only.

The Council moved to initiate an analysis to establish PSC limits in the BSAI groundfish fisheries for all 10 crab stocks. Both fixed and annually-varying limits are to be considered. Additional components to be considered include existing or expanded closure areas, application of limits and closures by trawl and fixed gear and changes to current accounting time frames. Council staff will confer with the Crab Plan Team to provide additional details on individual components and limits. The Council may modify alternatives and components during preliminary review. No specific timing was noted for preliminary review of this analysis.

### AI Pacific cod processing sideboards: Initial Review

This analysis was completed twice for initial review, the latest version is dated December 2009, with a SUPPLEMENTAL (17 pp) analysis with updated information dated February 2011. So the combination of both of these documents updates the Council through February 2011. It was most recently scheduled for February 2011 but dropped from the agenda during the meeting. It has since been parked in the 'Items for Future meetings', pending interest in the Council to agenda it for a specific meeting. The December 2009 initial review draft is posted on the web:

http://www.alaskafisheries.noaa.gov/npfmc/PDFdocuments/catch\_shares/Pcod/Alcodsideboards1209.pdf

### BSAI halibut PSC limit: Discussion Paper

At its December 2009 meeting, the Council requested a discussion paper on the process for changing the halibut Prohibited Species Catch (PSC) limits in the GOA and the BSAI. In February 2010, the Council requested separate discussion papers for each area, and set a discussion paper for GOA halibut PSC limits

as its first priority. No timeline was for a BSAI halibut PSC limit discussion paper. We have recently contracted with Northern Economics to prepare a baseline discussion paper for possible consideration at the April meeting or later.

### GOA comprehensive halibut bycatch amendment: Discussion Paper

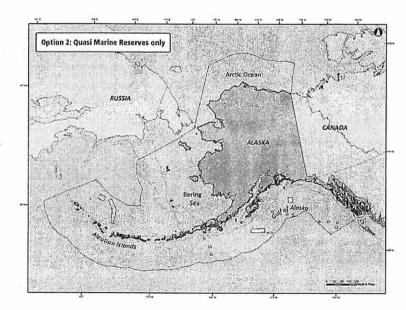
In April 2011, as part of the motion on GOA halibut PSC limits, the Council adopted the following amendment (which passed 8/2): "In furtherance of above stated objectives, the Council recommends that staff develop a comprehensive FMP amendment and regulatory amendment and analysis of ways to reduce halibut bycatch by all sectors and gear types engaged in GOA groundfish fisheries." The maker of the motion (Mr. Hyder) noted that this is an opportunity for the Council to fully state that a comprehensive regulatory amendment and FMP amendment will be started and drafted, so the Council can provide industry with the tools to accomplish things they want to do. Staff has discussed this issue, and determined that a discussion paper would be a necessary first step to allow the Council to develop a problem statement and alternatives for analysis. We have recently contracted with Northern Economics to prepare a baseline discussion paper for possible consideration at the April or June meeting.

### MPA Nominations: Discuss and Consider Nominations

In December 2009, the Council reviewed a discussion paper on the MPA nomination process, including a revised list of closure areas that appear to be eligible for inclusion into the national system of MPAs. The paper is posted: <a href="http://www.alaskafisheries.noaa.gov/npfmc/PDFdocuments/meetings/MPA\_1209.pdf">http://www.alaskafisheries.noaa.gov/npfmc/PDFdocuments/meetings/MPA\_1209.pdf</a>

Based on its review, the Council tasked staff to prepare a follow-up discussion paper that would incorporate anticipated guidance on the NOAA interpretation of 'avoid harm to the extent practicable', and evaluate the council's existing quasi marine reserves (i.e., Option 2 from the December 2009 discussion paper -- seamounts, AI coral gardens, Bowers Ridge, GOA coral HAPC areas, Sitka pinnacles, and Steller sea lion 3-nm no-transit zones) relative to the avoiding harm from the effects of fishing on

The areas. paper incorporate forthcoming guidance on the NOAA interpretation of 'avoid harm to the extent practicable'. The paper will also review the original list of eligible MPAs forwarded by the MPA center and develop draft justification of why sites would or would not be recommended for inclusion into the national system of MPAs. Further, the paper would discuss how a MPA nomination process could potentially interface with the EFH/HAPC process specified in the FMPs. Further work on the discussion paper has been put on hold until NOAA issues guidance on the interpretation of 'avoid harm'.



# 2.2 Management Approach for the BSAI [GOA] Groundfish Fisheries

The Council's policy is to apply judicious and responsible fisheries management practices, based on sound scientific research and analysis, proactively rather than reactively, to ensure the sustainability of fishery resources and associated ecosystems for the benefit of future, as well as current generations. The productivity of the North Pacific ecosystem is acknowledged to be among the highest in the world. For the past 25 years, the Council management approach has incorporated forward looking conservation measures that address differing levels of uncertainty. This management approach has in recent years been labeled the precautionary approach. Recognizing that potential changes in productivity may be caused by fluctuations in natural oceanographic conditions, fisheries, and other, non-fishing activities, the Council intends to continue to take appropriate measures to insure the continued sustainability of the managed species. It will carry out this objective by considering reasonable, adaptive management measures, as described in the Magnuson-Stevens Act and in conformance with the National Standards, the Endangered Species Act (ESA), the National Environmental Policy Act, and other applicable law. This management approach takes into account the National Academy of Science's recommendations on Sustainable Fisheries Policy.

As part of its policy, the Council intends to consider and adopt, as appropriate, measures that accelerate the Council's precautionary, adaptive management approach through community-based or rights-based management, ecosystem-based management principles that protect managed species from overfishing, and where appropriate and practicable, increase habitat protection and bycatch constraints. All management measures will be based on the best scientific information available. Given this intent, the fishery management goal is to provide sound conservation of the living marine resources; provide socially and economically viable fisheries for the well-being of fishing communities; minimize human-caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem-based considerations into management decisions.

This management approach recognizes the need to balance many competing uses of marine resources and different social and economic goals for sustainable fishery management, including protection of the long-term health of the resource and the optimization of yield. This policy will use and improve upon the Council's existing open and transparent process of public involvement in decision-making.

### 2.2.1 Management Objectives

Adaptive management requires regular and periodic review. Objectives identified in this policy statement will be reviewed annually by the Council. The Council will also review, modify, eliminate, or consider new issues, as appropriate, to best carry out the goals and objectives of this management policy.

To meet the goals of this overall management approach, the Council and NMFS will use the Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement (PSEIS) (NMFS 2004) as a planning document. To help focus consideration of potential management measures, the Council and NMFS will use the following objectives as guideposts, to be re-evaluated, as amendments to the FMP are considered over the life of the PSEIS.

### Prevent Overfishing:

- 1. Adopt conservative harvest levels for multi-species and single species fisheries and specify optimum yield.
- 2. Continue to use the 2 million mt optimum yield cap for the BSAI groundfish fisheries. [Continue to use the existing optimum yield cap for the GOA groundfish fisheries.]
- 3. Provide for adaptive management by continuing to specify optimum yield as a range.
- 4. Provide for periodic reviews of the adequacy of  $F_{40}$  and adopt improvements, as appropriate.
- 5. Continue to improve the management of species through species categories.

### Promote Sustainable Fisheries and Communities:

- 6. Promote conservation while providing for optimum yield in terms of the greatest overall benefit to the nation with particular reference to food production, and sustainable opportunities for recreational, subsistence, and commercial fishing participants and fishing communities.
- 7. Promote management measures that, while meeting conservation objectives, are also designed to avoid significant disruption of existing social and economic structures.
- 8. Promote fair and equitable allocation of identified available resources in a manner such that no particular sector, group or entity acquires an excessive share of the privileges.
- 9. Promote increased safety at sea.

### Preserve Food Web:

- 10. Develop indices of ecosystem health as targets for management.
- 11. Improve the procedure to adjust acceptable biological catch levels as necessary to account for uncertainty and ecosystem factors.
- 12. Continue to protect the integrity of the food web through limits on harvest of forage species.
- 13. Incorporate ecosystem-based considerations into fishery management decisions, as appropriate.

### Manage Incidental Catch and Reduce Bycatch and Waste:

- 14. Continue and improve current incidental catch and bycatch management program.
- 15. Develop incentive programs for bycatch reduction including the development of mechanisms to facilitate the formation of bycatch pools, vessel bycatch allowances, or other bycatch incentive systems.
- 16. Encourage research programs to evaluate current population estimates for non-target species with a view to setting appropriate bycatch limits, as information becomes available.
- 17. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce bycatch which includes economic discards.
- 18. Continue to manage incidental catch and bycatch through seasonal distribution of total allowable catch and geographical gear restrictions.

- 19. Continue to account for bycatch mortality in total allowable catch accounting and improve the accuracy of mortality assessments for target, prohibited species catch, and noncommercial species.
- 20. Control the bycatch of prohibited species through prohibited species catch limits or other appropriate measures.
- 21. Reduce waste to biologically and socially acceptable levels.

### Avoid Impacts to Seabirds and Marine Mammals:

- 22. Continue to cooperate with U.S. Fish and Wildlife Service (USFWS) to protect ESA-listed species, and if appropriate and practicable, other seabird species.
- 23. Maintain or adjust current protection measures as appropriate to avoid jeopardy of extinction or adverse modification to critical habitat for ESA-listed Steller sea lions.
- 24. Encourage programs to review status of endangered or threatened marine mammal stocks and fishing interactions and develop fishery management measures as appropriate.
- 25. Continue to cooperate with NMFS and USFWS to protect ESA-listed marine mammal species, and if appropriate and practicable, other marine mammal species.

### Reduce and Avoid Impacts to Habitat:

- 26. Review and evaluate efficacy of existing habitat protection measures for managed species.
- 27. Identify and designate essential fish habitat and habitat areas of particular concern pursuant to Magnuson-Stevens Act rules, and mitigate fishery impacts as necessary and practicable to continue the sustainability of managed species.
- 28. Develop a Marine Protected Area policy in coordination with national and state policies.
- 29. Encourage development of a research program to identify regional baseline habitat information and mapping, subject to funding and staff availability.
- 30. Develop goals, objectives and criteria to evaluate the efficacy and suitable design of marine protected areas and no-take marine reserves as tools to maintain abundance, diversity, and productivity. Implement marine protected areas if and where appropriate.

### Promote Equitable and Efficient Use of Fishery Resources:

- 31. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.
- 32. Maintain the license limitation program, modified as necessary, and further decrease excess fishing capacity and overcapitalization by eliminating latent licences and extending programs such as community or rights-based management to some or all groundfish fisheries.
- 33. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of access rights based on performance.
- 34. Develop management measures that, when practicable, consider the efficient use of fishery resources taking into account the interest of harvesters, processors, and communities.

### Increase Alaska Native Consultation:

- 35. Continue to incorporate local and traditional knowledge in fishery management.
- 36. Consider ways to enhance collection of local and traditional knowledge from communities, and incorporate such knowledge in fishery management where appropriate.
- 37. Increase Alaska Native participation and consultation in fishery management.

### Improve Data Quality, Monitoring and Enforcement:

- 38. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources.
- 39. Develop funding mechanisms that achieve equitable costs to the industry for implementation of the North Pacific Groundfish Observer Program.
- 40. Improve community and regional economic impact costs and benefits through increased data reporting requirements.
- 41. Increase the quality of monitoring and enforcement data through improved technology.
- 42. Encourage a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives, subject to funding and staff availability.
- 43. Cooperate with research institutions such as the North Pacific Research Board in identifying research needs to address pressing fishery issues.
- 44. Promote enhanced enforceability.
- 45. Continue to cooperate and coordinate management and enforcement programs with the Alaska Board of Fish, Alaska Department of Fish and Game, and Alaska Fish and Wildlife Protection, the U.S. Coast Guard, NMFS Enforcement, International Pacific Halibut Commission, Federal agencies, and other organizations to meet conservation requirements; promote economically healthy and sustainable fisheries and fishing communities; and maximize efficiencies in management and enforcement programs through continued consultation, coordination, and cooperation.

Groundfish Workplan
Priority actions revised in February 2007, status updated to current

Generals Priority (inneparticular order)	Mediated to Status  Managemen  Use Control of the C			Feb	 012	2 Oct Dec	
Prevent Overfishing	а.	continue to develop management strategies that ensure sustainable yields of target species and minimize impacts on populations of incidentally-caught species	5	Aggregate ABC/OFL for GOA 'other species' in Apr 08 BSAI skates TAC breakout in Oct 2009 remaining other species mgmt addressed under ACLs; final action in Apr 10			
	b. evaluate effectiveness of setting ABC levels using Tier 5 and 6 approaches, for rockfish and other species 4		AFSC responding to CIE reviews as part of harvest specifications process				
	C.	continue to develop a systematic approach to lumping and splitting that takes into account both biological and management considerations	5	report from non-target species committee in Dec 09			
Preserve Food Web	a.	encourage and participate in development of key ecosystem indicators	10	ecosystem SAFE presented annually; GOA indicator synthesis for 2012; EBS and Al indicator syntheses begun in 2010, 2011			
	b.	Reconcile procedures to account for uncertainty and ecosystem considerations in establishing harvest limits, for rockfish and other species	11	report from non-target species committee in Dec 09 AFSC discussion paper Jun 2011, considered during harvest specifications			
	c.	develop pilot Fishery Ecosystem Plan for the Al	13	FEP brochure published Dec 07 Al ecosystem assessment for Dec 2011			
Manage Incidental Catch and Reduce	а.	explore incentive-based bycatch reduction programs in GOA and BSAI fisheries	15	partially addressed in BSAI salmon bycatch EIS, Tanner crab Kodiak closures (C action Oct 2010); GOA pollock / Chinook final action Jun 2011 GOA Chinook 2nd analysis - discuss Feb 2012, BS chum initial review Apr 2012			
Bycatch and Waste	b.	explore mortality rate-based approaches to setting PSC limits in GOA and BSAI fisheries	20	partially addressed in BSAI salmon bycatch EIS analysis of BSAI crab bycatch limits in 2012	_		
	C.	consider new management strategies to reduce incidental rockfish bycatch and discards	17	partially addressed in rockfish program			
	d.	develop statistically rigorous approaches to estimating bycatch in line with national initiatives	14, 19	National Bycatch Report revised in 2011			
	e.	encourage research programs to evaluate population estimates for non-target species	16	Part of research priorities, adopted in June 2007			
based trigger limits and area salmon bycatch reduction, a available g. assess impact of management		develop incentive-based and appropriate biomass- based trigger limits and area closures for BSAI salmon bycatch reduction, as information becomes available	14, 15, 20	bycatch limit for Chinook adopted Apr 09: initial review chum bycatch analysis in Apr 2012	_		
		assess impact of management measures on regulatory discards and consider measures to reduce where practicable	17	partially addressed by arrowtooth MRA analyses (Council action: GOA - Oct 07, BSAI - Oct 10)			

# **Groundfish Workplan**

Priority actions revised in February 2007, status updated to current

General Briority Companicular		Specific priority/actions	Related to management to bjective	Status (updated 1-24-12)		20	)12	2
order)	100				Feb	Apr .	un (	Oct Dec
Reduce and Avoid Impacts to Seabirds and	a.	continue to participate in development of mitigation measures to protect SSL through the MSA process including participation in the FMP-level consultation under the ESA	23	RPA from final NMFS Biological Opinion implemented by Secretarial action for Jan 2011				
Marine		recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat	23					
Mammals	Ĺ	monitor fur seal status and management issues, and convene committee as appropriate	24, 25					
	d.	adaptively manage seabird avoidance measures program	22	Council action, seabird avoidance measures in 4E in Jun 08				
Reduce and Avoid		evaluate effectiveness of existing closures	26					
Impacts to Habitat	b.	consider Bering Sea EFH mitigation measures	27	Council action on measures in June 07 BS flatfish trawl sweep mods required in Oct 09 EFH 5-year review/omnibus amds approved Apr 2011 discussion on Bristol Bay red king crab Feb 2012 Northern BS Research Plan white paper Spring 2012				
	C.	consider call for HAPC proposals on 3-year cycle	27	HAPC cycle changed to 5 years, adopted Apr 2011 HAPC skate nurseries initial review Feb 2012				
	d.	request NMFS to develop and implement a research design on the effects of trawling in previously untrawled areas	27	Part of research priorities; edopted in June 2007 Also part of NBSRA research plan development				
Promote Equitable and Efficient Use	a.	explore eliminating latent licenses in BSAI and GOA	32	Council action on trawl LLP recency in Apr 08 GOA fixed gear latent licenses in Apr 09				
of Fishery Resources		consider sector allocations in GOA fisheries	32, 34	Final action GOA Pcod sector allocations Dec 09 Reauthorization of GOA rockfish program, Jun 2010 discussion of GOA pollock rationalization Feb 2012				
Increase Alaska Native and	a.	Develop a protocol or strategy for improving the Alaska Native and community consultation process	37	protocol presented in Jun 08 annual review of protocol				
Community Consultation	b.	Develop a method for systematic documentation of Alaska Native and community participation in the development of management actions	37	outreach plan for chum salmon in Feb-Mar 2011 periodic Outreach Committee meetings				
Improve Data Quality, Monitoring	a.	expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	Council action in Apr 08 to improve program, Oct 10 to restructure program continuing work with electronic monitoring				
and Enforcement		explore development programs for economic data collection that aggregate data	40	final action, salmon bycatch data collection Dec 09 partially addressed in BSAI Amd 80				
Linorcement	C.	modify VMS to incorporate new technology and system providers	41	Council action, VMS exemption for dinglebar gear, Jun 08	Γ			

# Discussion about Updating the Groundfish FMP Programmatic SEIS and 2012 Review of the Groundfish Management Policy

### 1 Introduction

The Council developed its groundfish management policy in 2004, following a comprehensive review of the BSAI and GOA groundfish fisheries. The Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement (PSEIS; NMFS 2004) evaluated the cumulative changes in the management of the groundfish fisheries since the implementation of the Fishery Management Plans (FMPs) around 1980, and considered a broad array of policy-level programmatic alternatives. On the basis of the analysis, the Council adopted a management approach statement, and 9 policy goal statements, with accompanying objectives.

In order to track the implementation of the various management objectives over time, the Council developed a workplan to prioritize issues for consideration. The first draft of the workplan was developed in June 2004, and it has since been once revised, in February 2007. The Council is updated on the status of this workplan at each meeting. The management policy and the workplan are appended separately from this discussion paper.

Once a year, the Council conducts a review of the management policy objectives and the implementing workplan, and if appropriate, makes any changes. While changes to the workplan can be made at any time, changes to the policy objectives require an FMP amendment. It has been eight years since the PSEIS was published, and at some point, the current programmatic approach to groundfish fishery management, including the Council's stated objectives and accompanying analysis, will need to be supplemented or revised.

This discussion paper briefly reviews factors that may influence the timing for supplementing or updating the 2004 Groundfish PSEIS, and suggests an approach the Council might take to help in this deliberation? The paper also summarizes changes to the groundfish management program, which have occurred in the years since the adoption of the management policy. The management changes are mapped to the Council's management policy objectives, to provide a basis for Council review. Environmental changes since 2004 are also discussed briefly. Finally, the paper provides a short background on the development of the 2004 PSEIS.

# 2 Considerations for updating or supplementing the 2004 Groundfish PSEIS

There are several factors that influence when the time is right to supplement or update the 2004 Groundfish PSEIS. These factors include, but are not limited to:

- 1. consideration of how fisheries management has changed since the objectives and analysis were originally prepared,
- 2. how environmental conditions affecting the fisheries have changed,
- 3. the status of the fish stocks and other marine life,
- whether new information has become available which may indicate the necessity for revised analyses, and
- 5. whether the Council wants to change the objectives, policy statements, or overall management approach for the groundfish fisheries.

There is no hard and fast rule about when the time is right for revisiting the management policy or the PSEIS. Neither the Council of Environmental Quality or NOAA's National Environmental Policy Act (NEPA) implementing regulations (NAO 216-6) answer this question directly. As discussed during the development of the PSEIS, a review of NEPA case law suggests that programmatic reviews generally have a defensible lifespan of five to ten years, but there are no mandatory deadlines. It has now been eight years since the adoption of the policy, and we are within the suggested timeframe for considering whether the policy adopted in 2004, and the analysis that supports it, is still appropriate.

Considering whether to supplement or revise the PSEIS may also be an opportunity for the Council to engage in strategic planning about management of the groundfish fisheries in the next few years. The management policy that was adopted in 2004 is the product of just such a strategic planning exercise. The Council's current management program is within the bounds of the 2004 management policy. Nonetheless, some of the management objectives are indicative of particular issues that were Council priorities at the time of its development, and periodically, it may be useful to revisit management objectives in the light of current Council priorities.

One aspect of the 2004 PSEIS which made its preparation particularly challenging was that approximately 25 years of management decisions had to be evaluated as a cumulative whole. The groundfish management program had changed substantially during that time period, from a fishery with a large foreign participation, to an exclusively domestic one. Both FMPs had over 80 amendments that had to be reviewed and analyzed. Since a supplement to the PSEIS (PSEIS 2) would be tiering off of the existing document, the preparation of PSEIS 2 should be more straightforward, as a recent environmental baseline has been established, and the new analysis will focus on the actions taken by the Council and NMFS since that time, along with any changes in environmental conditions. Additionally, if the Council chooses to reevaluate and re-examine the management goals and objectives and programmatic concepts in the existing document, PSEIS 2 need no necessarily evaluate the same broad array of policy alternatives that were included in the 2004 document.

At this stage, it is the Council's role to determine whether the time is right for updating the PSEIS. In Sections 3, 4, and 5 of this discussion paper, staff has provided a summary of management or environmental changes that have occurred since the Council's adoption of the management policy. The Council can use this summary to assess whether these changes warrant initiating a supplemental programmatic review at this time. The Council should take into account that the development of PSEIS 2 will likely take at least a couple of years.

One approach is for the Council to solicit input from its stakeholders, as a consideration in determining whether the time is ripe to initiate a supplement to the PSEIS. A benefit of this approach is that stakeholder input might also be solicited on the scope and structure of the supplemental analysis, should the Council choose to initiate the process. The Council could consider scheduling an evening session during an upcoming Council meeting. Members of the public would be invited to provide input on the need for and scope of PSEIS 2, concepts that might be considered in the range of alternatives, and proposed changes to the management policy and its objectives.

Staff could then arrange the concepts and proposed changes from the meeting into a series of strawman structures or alternatives for different styles for PSEIS 2, which would vary depending on the proposed scope of the analysis. Staff could also incorporate any other suggestions that have emerged internally based on experience since the 2004 PSEIS. These would be packaged into a report for the Council. On the basis of this report, the Council could deliberate about whether to initiate PSEIS 2, and if so, articulate a preliminary intent and alternatives for the analysis, as is required for the Notice of Intent to Prepare an EIS, under NEPA.

Table 1 lays out the milestones that would be associated with this approach, if the Council chooses to move forward. A possible timeframe is also suggested, to give some idea of the length of the proposed process, although this should be very loosely interpreted, and could be shorter or longer depending on the nature of the analysis and the remainder of the Council's workload.

Table 1 Milestones and possible timeframe for supplementing the PSEIS under the proposed approach

Council milestones	Other actions and milestones	Possible timeframe
Council discusses updating the PSEIS, agrees to proposed approach		February 2012
	Public, pre-Notice of Intent scoping meeting to solicit input about whether timing is right for updating the PSEIS, and what the scope of analysis or alternatives might be	April 2012
	Staff prepares public meeting report, categorizes how any proposed analytical concepts or alternatives might be addressed in PSEIS 2, based on different suggestions for scope	(timing depends on range of comments)
Council considers meeting results, decides whether to initiate PSEIS 2		June or October 2012
IF THE COUNCIL DECIDES TO MOVE FORV	VARD:	
Council identifies a preliminary scope and structure for PSEIS 2, and strawman alternatives		June or October 2012
	NMFS issues a Notice of Intent to Prepare an EIS, formal scoping period begins, and comments are solicited	
	Staff prepares report on comments	
Council considers scoping comments, approves PSEIS 2 alternatives for analysis		February 2013
	Staff prepares initial review draft of PSEIS 2	
Council reviews draft PSEIS 2, potentially identifies preferred alternative, releases to public		October 2013
	Staff makes any changes, publishes draft EIS	
	Draft EIS public comment period	45-60 days
	Staff prepares report on comments	
Council reviews public comments, takes final action		April 2014
	Staff finalizes and publishes EIS, mandatory cooling off period	
	NMFS prepared Record of Decision	August 2014

# 3 Changes in groundfish management since 2004

Since the adoption of the groundfish management policy in 2004, the Council has continued to make changes to its groundfish management program. The changes that have occurred to date can be witnessed in the FMP and regulatory amendments that have been implemented over this time period. Additionally, there have also been national changes affecting the groundfish management program over the last five years. The Magnuson-Stevens Act was reauthorized in 2006, and contained provisions that have affected the groundfish management program to some extent (for example, annual catch limits and provisions governing the development of limited access privilege programs).

Table 2 lists the groundfish FMP amendments that have been implemented from 2004 to the present time, as well as those for which the Council has taken final action, but regulations are still being developed. The Council has recommended 22 amendments to the BSAI FMP since the adoption of its groundfish management policy in April 2004, and 20 amendments to the GOA FMP. Additionally, four BSAI and four GOA amendments had been adopted by the Council prior to April 2004, but had not yet been implemented at the time of the writing of the PSEIS. Table 3 provides a synthesis of the major regulatory amendments that have been implemented during the same time period. Between the two lists, the major changes in groundfish management are captured.

Table 2 BSAI and GOA Groundfish FMP amendments since 2004

BSAI amd	GOA amd	Action	Date of Council action	Effective date of amd
48	48	Revisions to the annual harvest specification process for groundfish	2003	2004
62	62	Single geographic location	2002	2009
	63	Move skates to the target species category	2003	2004
65	65	Identify habitat areas of particular concern, and harvest control measures	2005	2006
	67	IFQ – allow category B quota share to be fished on a vessel of any length, in any area	2005	2007
	68	Rockfish pilot program	2005	2006
	69	Change total allowable catch specification for the 'other species' category	2005	2006
71		CDQ – allow limited non-fishing investments, CDQ oversight, and 3-year allocation cycle (superseded by provisions of the revised Magnuson-Stevens Act)	2002	<del>-</del>
73	77	Remove dark rockfish from the FMP	2007	2009
	72	Rescind retention requirements in shallow water flatfish fishery	2003	2008
78	73	Revise essential fish habitat descriptions, harvest control measures	2005	2006
79		Groundfish retention standard (suspended as of 2011)	2003	2008
80		Sector allocation and cooperative for head and gut groundfish catcher processors	2007	2007
81	74	Revised management policy	2004	2004
82		Allocation of Aleutian Islands pollock total allowable catch to the Aleut Corporation	2004	2005
83	75	Housekeeping updates to the FMP	2004	2005
84		Exempt certain vessels from salmon bycatch savings area closures	2005	2007
85		Pacific cod sector allocations	2006	2008
86	76	Observer program restructuring	2006	
87		CDQ eligibility (superseded by provisions of the revised Magnuson-Stevens Act)	2006	-
88		Aleutian Islands Habitat Conservation Area boundary adjustment	2007	2008
89		Bering Sea habitat conservation measures	2007	2008
90	78	Allow post delivery transfers for Amendment 80 cooperatives (BSAI 90) and rockfish program (GOA 78)	2007	2009
91		Revise PSC limit for salmon bycatch, rescind savings areas	2009	2010
	79	Set allowable biological catch and overfishing level specifications for the 'other species' category	2008	2008
92	82	Rescind latent trawl gear licenses	2008	2009

BSAI amd	GOA amd	Action	Date of Council action	Effective date of amd
93		Modify rules for Amendment 80 cooperative formation	2010	2011
94		Require gear modification to trawl sweeps for nonpelagic trawl vessels targeting flatfish	2009	2010
	83	Pacific cod sector allocations	2009	2012
	85	Remove BSAI stand down provision for catcher processors participating in rockfish pilot program	2008	2009
	86	Add a Pacific cod fixed gear endorsement to GOA licenses	2009	2011
95		Move skates from the other species to the target species category	2010	2010
96	87	Revise FMP species to fit either in target or ecosystem component categories, describe current practice for setting annual catch limits and using accountability measures	2010	2010
97		Allow vessel replacement for Amendment 80 vessels	2010	
	88	Central GOA Rockfish Program: allocate exclusive harvest privileges to trawl vessels for Pacific ocean perch, pelagic shelf rockfish, and northern rockfish	2010	2011
	89	Establish area closures around Kodiak for GOA Tanner crab protection	2010	
98	90	Update EFH descriptions and associated information, and impacts of non-fishing activities on EFH, and extend timing of HAPC process to correlate with the EFH 5-year review	2011	
	93	Establish PSC limits for Chinook salmon in the Central/Western GOA pollock fisheries, and require full retention of salmon	2011	

Note: '--' = action has not yet taken place

Table 3 Major regulatory amendments for the BSAI and GOA groundfish fisheries since 2004
Note: does not include regulatory amendments that implement FMP amendments, or are temporary, interim, corrections or clarifications

Subject	Action	Effective date of amendment
Harvest specifications	2004 BSAI and GOA harvest specifications	2004
	2005-2006 BSAI and GOA harvest specifications	2005
	2006-2007 BSAI and GOA harvest specifications	2006
	2007-2008 BSAI and GOA harvest specifications	2007
	2008-2009 BSAI and GOA harvest specifications	2008
	2009-2010 BSAI and GOA harvest specifications	2009
	2010-2011 BSAI and GOA harvest specifications	2010
	2011-2012 BSAI and GOA harvest specifications	2011
	2012-2013 BSAI and GOA harvest specifications	
Catch restrictions	remove a harvest restriction on the HLA Atka mackerel fishery in the Aleutian Islands	2004
	full retention of demersal shelf rockfish and donation rules	2004
	allow processors to use the offal from halibut and salmon intended for the prohibited species donation program for commercial products (fish meal)	2004
	adjust the maximum retainable allowance (MRA) enforcement period for BSAI pollock from enforcement at anytime during a fishing trip, to enforcement at the time of offload	2004
	revise the MRAs for groundfish in the GOA arrowtooth flounder fishery	2009
	repeal groundfish vessel incentive program	2008

Subject	Action	Effective date of amendmen
	GOA pollock trip limits	2009
	revise the MRAs for groundfish in the BSAI arrowtooth flounder fishery	-
	remove groundfish retention standard requirements	
	BSAI fixed gear parallel fishery management measures	2012
Bering Sea AFA pollock fishery	remove the expiration date of regulations implementing the AFA	2004
CDQ	simplify the processes for making quota transfers, for authorizing vessels as eligible to participate in the CDQ fisheries, and for obtaining approval of alternative fishing plans	2005
	regulation of harvest	
BSAI and GOA IFQ sablefish fishery	allow quota share holders in 4C to fish in either 4C or 4D	2005
	IFQ cost recovery fee reform	2006
	exclude tagged halibut and sablefish catches from IFQ account deduction	2006
	allow transfers of quota share for medical reasons; require VMS for vessels harvesting sablefish in the BSAI; allow category B catcher vessel quota share for Southeast Outside District sablefish to be fished on catcher vessels of any length	2007
	allow processing of non-IFQ species on a vessel with B, C, or D shares onboard	2008
	allow longline pot gear in Bering Sea during June, allow mobilized military personnel to make temporary IFQ transfers	2008
	IFQ online access to IFQ account information	2008
GOA rockfish pilot program	revise central GOA rockfish fisheries program monitoring and enforcement provisions	2007
	extension of central GOA rockfish program under MSA	2008
seabirds	revise seabird avoidance measures in the hook-and-line fisheries off Alaska to reduce incidental catch of the short-tailed albatross and other seabird species	2004
	revise seabird avoidance measures to strengthen gear standards for small vessels and eliminate certain unnecessary requirements	2008
	eliminate seabird avoidance requirements for vessels less than or equal to 55 ft LOA in 4E	2009
SSL	revise SSL protection measures for the GOA pollock and Pacific cod fishing closure areas near four SSL haulouts and modify the seasonal management of pollock harvest in the GOA	2005
	Revises SSL protection measures for the Aleutian Islands Atka mackerel and cod fisheries	2010
	Designate critical habitat for the Cook Inlet beluga whale	2011
Research areas	reopen the Cape Sarichef Research Restriction Area in the BSAI to directed fishing for groundfish	2006
	close Chiniak Gully Research Area to all commercial trawl fishing from August 1 to September 20, 2006-2010	2006
Observer	provide flexibility in the deployment of observers	2004
program	electronic reporting for vessels – ATLAS (at-sea observer communication system requirements)	2004
	technical amendment extending the North Pacific observer program beyond 2002	2004
	revise requirements facilitating observer data transmission and improve support for observers (ATLAS 2)	2006
	observer sunset date removal	2007

Subject	Action	Effective date of amendment
	Improve operational efficiency of the Observer Program and collected data	2010
reporting requirements	make effective the collection of information under the AFA amendments	2004
	exempt groundfish catcher processors and motherships with operational VMS from check-in check-out requirements	2008
	implement new electronic groundfish catch reporting system, the Interagency Electronic Reporting System (IERS), and its data entry component, eLandings	2009
	exempt vessels using dinglebar gear from the requirement to use VMS	2009
	Miscellaneous recordkeeping and reporting revisions, incl to e-Landings	
	BS Chinook salmon bycatch economic data collection	

### 4 Mapping changes in management to Council objectives

This section examines the Council's groundfish policy goals and management objectives with respect to the FMP and regulatory amendment changes that have occurred over the last eight years, as well as other management steps that the Council has taken with respect to these goals. The discussion in this section is not necessarily comprehensive, as each amendment may be fitted to many of the Council's goals and objectives. Rather, it is intended to provide the Council with an overview of the major management changes of the last eight years, and how they compare to the management objectives that the Council set for itself in 2004.

Each of the sections below identifies one of the Council's policy goals. The specific objectives, sometimes abbreviated, linking to that policy goal are listed in a box at the beginning of the section. If the objectives are also linked to a specific item on the Council's workplan, that is noted also.

### 4.1 Prevent Overfishing

- 1. Adopt conservative harvest levels
- 2. Use existing OY caps.
- 3. Specify OY as a range.
- 4. Periodic reviews of F40 and adopt improvements
- 5. Improve management through species categories (on workplan)

### **FMP** amendments

- revisions to the harvest specifications process (B48/G48)
- moved skates to target category (G63)
- biologically-based specifications for GOA 'other species' category (G69, G79)
- amendments to bring FMPs in line with annual catch limit requirements, including moving other species into target category, and creating an ecosystem component category (B95, G87)

### Regulatory amendments

Annual specifications for setting harvest levels

### Other

- Regular CIE reviews for stock assessments and harvest strategies
- Upcoming discussion paper to consider grenadiers in the FMP

### 4.2 Promote Sustainable Fisheries and Communities

- 6. Promote conservation while providing for OY
- 7. Promote management measures that avoid social and economic disruption
- 8. Promote fair and equitable allocation
- 9. Promote safety

These considerations are applied to all management actions

### 4.3 Preserve Food Web

- 10. Develop indices of ecosystem health (on workplan)
- 11. Improve ABC calculations to account for uncertainty and ecosystem
- 12. Limit harvest on forage species.
- 13. Incorporate ecosystem considerations in fishery management

### Other

- Uncertainty and ecosystem considerations taken into account during stock assessment and harvest specifications
- Ecosystem indices reported and assessed in annual ecosystem SAFE report
- Development of the Aleutian Islands Fishery Ecosystem Plan
- Development of ecosystem synthesis reports for the Bering Sea and the Aleutian Islands ecosystem areas

### 4.4 Manage Incidental Catch and Reduce Bycatch and Waste

- 14. Continue and improve current incidental catch and bycatch program (on workplan)
- 15. Develop incentive programs for bycatch reduction (on workplan)
- 16. Encourage research for non-target species population estimates (on workplan)
- 17. Develop management measures that encourage techniques to reduce bycatch (on workplan)
- 18. Continue to manage incidental catch and bycatch through seasons and areas
- 19. Account for bycatch mortality in TAC accounting (on workplan)
- 20. Control prohibited species bycatch through PSC limits (on workplan)
- 21. Reduce waste to biologically and socially acceptable levels

### **FMP** amendments

- Groundfish retention standard (B79) upcoming regulatory amendment to remove
- Bering Sea Chinook salmon bycatch restrictions (B84, B91)
- Trawl sweep elevation requirement in the Bering Sea flatfish fisheries (B94)
- GOA area closures to reduce bairdi crab bycatch (G89) Council approved, not yet implemented
- Establishment of PSC limits for Chinook salmon in the GOA pollock fishery (G93) Council approved, not yet implemented

### Regulatory amendments

- Upcoming regulatory amendment to remove the groundfish retention standard
- Annual specifications for setting prohibited species limits
- Revisions to MRAs
- Revision to regulations for prohibited species donation program and fishmeal

### **Other**

- Upcoming amendment for trawl sweep elevation in the Central GOA flatfish fisheries
- Upcoming amendment on GOA halibut bycatch
- Upcoming amendment for Bering Sea chum salmon bycatch
- Upcoming discussion paper on PSC limits for Chinook salmon in non-pollock GOA trawl fisheries
- Upcoming discussion paper on BSAI halibut bycatch
- Upcoming discussion paper on BSAI crab bycatch
- Council encourages research through annual research priorities
- NMFS and observer program work on improving statistical methods for bycatch accounting (as part of National Bycatch Report initiative)

### 4.5 Avoid Impacts to Seabirds and Marine Mammals

- 22. Continue to protect ESA-listed and other seabirds
- 23. Maintain or adjust SSL protection measures (on workplan)
- 24. Encourage review of marine mammal and fishery interactions
- 25. Continue to protect ESA-listed and other marine mammals (on workplan)

### Regulatory amendments

- Revisions to seabird avoidance measures, including in Area 4E
- Revisions to Steller sea lion closures for pollock and cod fisheries in the GOA
- Revisions to Steller sea lion closures for atka mackerel and cod fisheries in the Aleutian Islands

### Other

 Council receives protected species report at each meeting, monitoring issues with seabirds and marine mammals

### 4.6 Reduce and Avoid Impacts to Habitat

- 26. Review and evaluate efficacy of habitat protection measures for managed species (on workplan)
- 27. Identify EFH and HAPC, and mitigate fishery impacts as necessary (on workplan)
- 28. Develop MPA policy
- 29. Encourage research on baseline habitat mapping (on workplan)
- 30. Develop goals and criteria for MPAs; implement as appropriate (on workplan)

### **FMP** amendments

- HAPC (B65/G65) and EFH (B78/G73) amendments, and associated fishery area closures in the GOA and AI
- Bering Sea Habitat Conservation (B89) with area closures for non-pelagic trawling
- Trawl sweep elevation requirement in the Bering Sea flatfish fisheries (B94)
- Update to EFH information with findings from the 2010 EFH 5-year review (B98/G90) Council approved, not yet implemented

### **Other**

- Upcoming amendment for trawl sweep elevation in the Central GOA flatfish fisheries
- Upcoming amendment for designating skate nurseries as HAPC
- Discussion paper resulting from EFH 5-year review to look at groundfish impacts on crab EFH (especially red king crab in southwestern Bristol Bay)
- Discussion of a Northern Bering Sea Research Area Research Plan
- Council considering nominating Alaska MPAs to national MPA center register
- Council encourages research through annual research priorities

### 4.7 Promote Equitable and Efficient Use of Fishery Resources

- 31. Provide economic and community stability through fair allocation
- 32. Maintain LLP and initiate rights-based management programs (on workplan)
- 33. Periodically evaluate effectiveness of rights-based management programs
- 34. Consider efficiency when adopting management measures (on workplan)

### FMP amendments

- Sector allocations for Pacific cod in BSAI and GOA (B85, G83); fixed gear endorsement in GOA (G86)
- Sector allocations for 3 flatfish species, POP, and Atka mackerel in BSAI, head and gut cooperative; vessel replacement and cooperative formation revisions (B80, B90, B93, B97)
- Latent licenses rescinded (B92/82, G86)
- Cooperative program for rockfish in central GOA (G68); program revisions (G78, G85); new program authorized (G88)
- IRIU rescinded in GOA for shallow water flatfish (G72)
- Single geographic location amended for pollock motherships (B62, G62)
- IFQ B quota share holders can fish on any size vessel (G67)
- AI pollock to the Aleut Corporation (B82)

### Regulatory amendments

- BSAI fixed gear parallel fishery management measures
- Minor revisions to AFA, CDQ, IFQ, rockfish programs
- GOA pollock trip limits

### **Other**

• Permit fee authorization (all FMPs)

### 4.8 Increase Alaska Native Consultation

- 35. Incorporate local and traditional knowledge into fishery management
- 36. Consider ways to enhance local and traditional knowledge collection
- 37. Increase Alaska Native participation in fishery management (on workplan)

### **Other**

- Community outreach and consultation policy adopted by Council in 2008
- Community committee helps prioritize outreach (currently focused on BSAI chum salmon analysis)
- Website redesigned to include a rural outreach component

### 4.9 Improve Data Quality, Monitoring, and Enforcement

- 38. Increase utility of observer data (on workplan)
- 39. Develop equitable funding mechanisms for the NPGOP (on workplan)
- 40. Increase economic data reporting requirements (on workplan)
- 41. Improve technology for monitoring and enforcement (on workplan)
- 42. Encourage development of an ecosystem monitoring program
- 43. Cooperate with NPRB to identify needed research
- 44. Promote enforceability
- 45. Coordinate management and enforcement programs with Federal, State, international, and local partners

### **FMP** amendments

- Observer program restructuring (B86/G76) approved by Council, not yet implemented
- Remove dark rockfish from FMP, allow management by State of Alaska (B73/G77)

### Regulatory amendments

- Electronic reporting, online accounting
- Changes to VMS requirements (required for sablefish in BS, no longer required for dinglebar lingcod in GOA)
- Repeal of vessel incentive program
- Changes to observer program to provide flexibility in deployment and improve operational efficiency
- Bering Sea Chinook salmon bycatch economic data collection

### **Other**

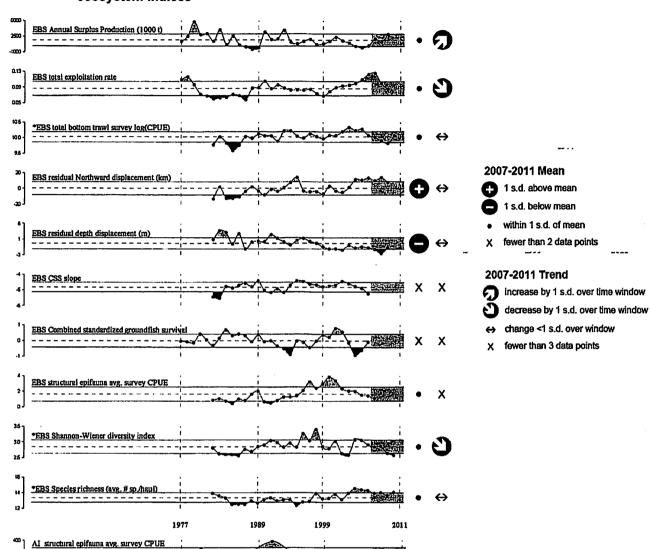
- Upcoming discussion paper on VMS use and requirements
- Council's economic data collection committee
- Video monitoring is being explored as a tool for monitoring and enforcement
- Council encourages research through annual research priorities, cooperates with NPRB
- Council initiated and participates in Alaska Marine Ecosystem Forum, as well as maintaining other relationships with partner entities

### 5 Changes in groundfish and environmental conditions since 2004

The Council's annual Ecosystem Considerations chapter of the SAFE report (Zador et al 2011) provides a comprehensive overview of environmental conditions in the BSAI and GOA on an annual basis. No groundfish species is currently, nor has been, overfished or subject to overfishing, since 2004. With respect to climate variability, the Bering Sea cold pool has varied over the last ten years, but is within the range of variability considered in the PSEIS analysis. The cold pool size and location may affect the distribution of some fish species, and may also affect stratification, production, and community dynamics in the Bering Sea.

AFSC staff have developed a format for reporting various indices over time, and comparing the most recent five years against the historical record for each indicator. Figure 1 and Figure 2 show ecosystem indices for the groundfish fishery regions. For almost all of the indices shown, the five year mean is within one standard deviation of the historical mean for the data set, and comparing recent years to the environmental baseline analyzed in the PSEIS indicates that environmental conditions have not changed significantly since 2004. Figure 3, Figure 4, and Figure 5 illustrate fishery indicies for the Bering Sea, Aleutian Islands, and Gulf of Alaska. Once again, the five year mean is generally within one standard deviation of the historic mean.

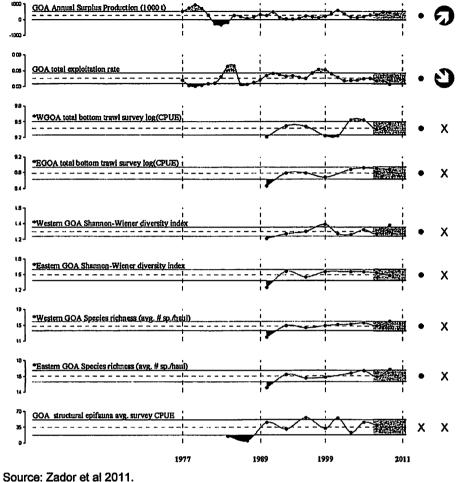
Additionally, the 2010 EFH 5-year review (NPFMC and NMFS 2010) evaluated changes in fishing impacts on habitat from the period analyzed in the EFH EIS (and incorporated by reference in the PSEIS) and the subsequent five-year period. Total fishing effort decreased in all regions for pelagic and non-pelagic trawling between the period analyzed in the EFH EIS (1998-2002) and the subsequent period (2003-2007).



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Figure 1 Comparison of 2006-2011 versus historical record of Bering Sea and Aleutian Islands ecosystem indices

Source: Zador et al 2011.



Comparison of 2006-2011 versus historical record of Gulf of Alaska ecosystem Indices Figure 2

### 2007-2011 Mean

- 🚹 1 s.d. above mean
  - 1 s.d. below mean
- within 1 s.d. of mean
- fewer than 2 data points

### 2007-2011 Trend

- increase by 1 s.d. over time window
- decrease by 1 s.d. over time window
- change <1 s.d. over window
- fewer than 3 data points

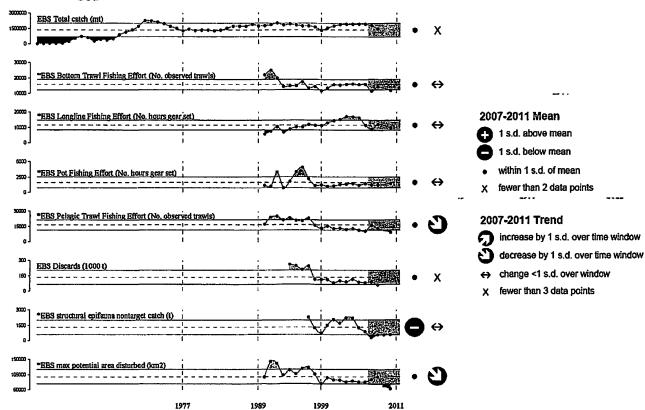


Figure 3 Comparison of 2006-2011 versus historical record of fisheries indices in the Bering Sea

Source: Zador et al 2011.

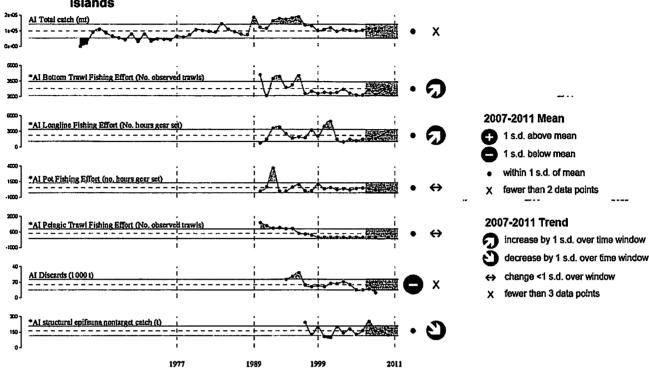
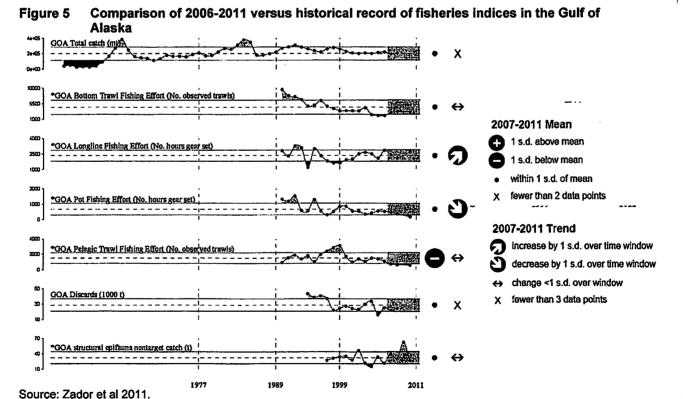


Figure 4 Comparison of 2006-2011 versus historical record of fisheries indices in the Aleutian

Source: Zador et al 2011.



Discussion of PSEIS 2 and 2012 review of groundfish management policy

### 6 History of the 2004 PSEIS

In late 1990s, NMFS and the Council realized that they needed to take a broader view of the cumulative effects of their management decisions. Typically, the Council addresses a management problem by developing specific solutions. Staff analyzed the alternatives to determine the direct effects of the alternatives in a variety of context and the Council shares that analysis with the public prior to making a decision and forwarding that recommendation to the agency and the Secretary of Commerce for final review and approval.

Beginning in 2000, the Council and NMFS conducted a comprehensive, programmatic environmental review of the BSAI and GOA groundfish fishery management plans. The analysis evaluated the management of Alaska's groundfish fisheries from a policy-level perspective, with alternatives ranging from a more aggressive harvest management policy to a highly precautionary one. Each management policy was illustrated and framed with a range of management measures within which the Council would intend to implement the alternative. Published as a final programmatic supplemental environmental impact statement (PSEIS) in June 2004, this document serves the Council and NMFS as the overarching EIS in support of federal authorization of the groundfish fisheries off Alaska. It also described the physical, biological and human environment; every fishery and gear type; and scientific data gaps and research needs.

In April 2004, the Council used this PSEIS as the basis for amending its FMPs to incorporate a new policy statement that communicates its intent to take a more precautionary approach to fishery management decision-making when faced with scientific uncertainty. The Council now routinely reviews its policy goals and objectives when making decisions and when developing its annual workplan.

One aspect of the 2004 PSEIS that made its preparation particularly challenging was that approximately 25 years of management decisions had to be evaluated as a cumulative whole. Both FMPs had over 80 plan amendments that had to be reviewed and analyzed, and the management program had changed substantially during the time period, from a fishery with a large foreign participation, to an exclusively domestic one. The next time it is appropriate to revisit the Council's management policy, and supplement the Alaska groundfish PSEIS, it should be more straightforward, as an environmental baseline has been established, and the new analysis will focus on the actions taken by the Council and NMFS since then.

### References

Zador, S. ed. 2011. Ecosystem Considerations for 2012. North Pacific Fishery Management Council. Anchorage, AK 99501.

NMFS. 2004. Alaska Groundfish Fisheries Final Programmatic Supplemental Environmental Impact Statement. June 2004. DOC, NOAA, National Marine Fisheries Service, AK Region, P.O. Box 21668, Juneau, AK 99802-1668. http://www.fakr.noaa.gov/sustainablefisheries/seis/default.htm

### STATUS REPORT ON FOUR DISCUSSION PAPERS FOR 2009 HALIBUT/SABLEFISH IFQ PROPOSALS January 18, 2012

The North Pacific Fishery management Council (Council) called for commercial halibut/sablefish Individual Fishing Quota (IFQ) proposals during Summer 2009. The IFQ Implementation Committee convened in November 2009 to review IFQ proposals and recommended that several be advanced for consideration by the Council<sup>1</sup>. The committee reconvened in February 2010 to consider late proposals. In February 2010 the Council recommended that five proposed actions be developed into analyses. These were completed by the Council in 2011 and 2012. Three have been submitted to NMFS for approval and implementation. One was considered by the Council but no action was taken. A preferred alternative was scheduled for final action at the February 2012 meeting for a fifth proposed action.

In February 2010 the Council also recommended that four proposals be developed into discussion papers before it would consider initiating further action. The Council directed that staff prepare the discussion papers as time was available after other higher Council priorities. Development of charter halibut analyses and new commercial IFQ analyses were identified as higher priorities over these discussion papers.

Some preliminary coordination between Council staff and other agency staff and assembling background information has begun on these proposals.

- 1. Develop a discussion paper to allow the retention of 4A halibut incidentally caught while targeting sablefish in the Bering Sea and Aleutian Island regulatory areas. Included in the discussion paper is the premise that this action has the objective of not increasing halibut bycatch levels.
- 2. Develop a discussion paper to explore the implications of using pots for the Gulf of Alaska sablefish fishery, and address the following issues:
  - 1) restrictions to gear usage
    - a) single vs longline pots
    - b) pots retained on grounds for long soaks vs retrieved during deliveries
    - c) pot storage
    - d) gear configuration requirements
    - e) gear conflicts
    - f) use the 200 fathom depth contour to mark open areas
    - g) pot soak time
  - 2) area management (SE vs GOA)
  - 3) exacerbation of halibut mortality
  - 4) dynamic (social/economic) effects
    - a) safety issue related to use of pots by small vessels
    - b) crew employment
    - c) QS prices
    - d) ongoing acoustic research for avoiding whale depredation

Following development of the discussion paper, the Council may consider forming a gear committee composed of affected stakeholders to discuss the findings of the paper and make recommendations to the Council prior to proceeding to analysis.

- 3. Develop a discussion paper to assess whether the problem of unharvested halibut IFQ in Area 4 is attributable to the current vessel IFQ cap or are there other factors that could be identified as contributing to unharvested halibut in Area 4.
- 4. Initiate a discussion paper for removal of the block system for sablefish A shares and increase in the sablefish A share only cap. The A share exemption, would be from the overall sablefish use cap (no catcher vessel QS onboard) and regardless of whether the sablefish harvest was processed. The discussion paper should explore adding a use cap increase to the BSAI.

<sup>&</sup>lt;sup>1</sup> http://www.alaskafisheries.noaa.gov/npfmc/halibut/sablefish-ifq-program.html

1. Develop a discussion paper to allow the retention of 4A halibut incidentally caught while targeting sablefish in the Bering Sea and Aleutian Island regulatory areas. Included in the discussion paper is the premise that sablefish pot tunnel regulations will not change in the BS/AI regulatory area.

Mr. Hebert submitted a proposal on October 22, 2008 to the IPHC. While the IPHC has the authority to regulate fishing gear in the halibut fisheries it chose to consult with the Council before considering the proposed action. The Council included this proposal under its 2009 call for IFQ proposals.

The proposer intends for a regulatory amendment for an experimental period to determine the results of allowing the retention of halibut caught as bycatch in pots in the sablefish fishery by IFQ holders of both halibut and sablefish in the area that overlaps with IPHC Area 4A. The proposer notes that the intent of the proposal is to allow similar action as was allowed in Area 2B (British Columbia) that allows coincident harvest of halibut and sablefish in pot gear. Three primary objectives of the proposal are:

- 1) Increase the area of harvest of halibut in Area 4A. The proposer reports that there is a large portion of Area 4A that is not fished due to whale predation using longline gear. Pots can be used to more successfully harvest halibut.
- 2) Reduce halibut bycatch mortality from killer whale predation and handling. Halibut bycatch mortality would be reduced eliminating mortality due to handling to release halibut prohibited to be retained from pot gear and sue to whale predation.
- 3) Reduce concentrated halibut harvest in traditional "whale-free" areas as a result of increased presence (time and space) of whales. The proposal would reduce pressure on the halibut resource and competition between vessels in limited area of successful halibut fishing.

The IFQ Implementation Committee determined that this issue had a higher priority than most others. This is a conservation and utilization issue. As noted in the proposal whale depredation has increased in the area due to discarding halibut caught as bycatch. There is concern that the bycatch mortality rate of halibut is increasing due to whales. Recognizing the potential for this provision to be misused, the paper should explore mechanisms that would ensure that the halibut bycatch be kept to a minimum and that the intent to allow only for incidental catch is captured.

An interagency staff group reviewed the proposal. "This proposal was forwarded to the Council by the IPHC after its 2009 annual meeting because the proposal would affect the Council's sablefish IFQ fisheries. A regulatory amendment would be required with respect to the differences in the VMS clearance requirements for Area 4 halibut (as found in the Annual IPHC regulations) and BSAI sablefish (as found in Section 679). Halibut fishermen have to call the data clerks "within 72 hours before fishing," while sablefish fishermen have to call the data clerks "at least 72 hours prior to fishing." For enforcement purposes, staff recommends developing a new figure that identifies where halibut retention would be allowed (area that overlaps Area 4A with the BS and AI sablefish management areas); new regulations would identify the latitude and longitude where halibut retention would be allowed.

A small amount of sablefish pot fishery data is available from observer and logbook data, and is included in the SAFE Report. If the Council recommends that this proposal be analyzed, staff recommends that the proposed alternative require halibut to be retained if IFQs are held by fishermen on the vessel. Staff noted that regulations would be difficult to craft to avoid targeting of halibut in pots in this area; however, the sablefish pot configurations could reduce catchability of halibut."

The Advisory Panel took no action on this proposal.

In February 2010 the Council requested a discussion paper as noted above.

STATUS: The above information was assembled.

#### 2. Explore the implications of using pots for the Gulf of Alaska sablefish fishery.

Mr. Michael Douville of Craig, Alaska submitted a proposal on March 31, 2006 to allow the use of pots in the sablefish fishery in southeast Alaska. He identified that his proposal can address several problems which the Council is working on: a) seabird by-catch and b) interaction with whales. He identified that there would be no negative impact on anyone under his proposal. As an allowable gear type, fishermen could choose to use pots, but would not be required to invest in new gear, if they are happy with long line gear. He identified potential positive outcomes of a decline in seabird by-catch, including albatross, and a decrease in fishing gear/whale activity. Bycatch of rockfish would also be reduced, with less bait and effort to catch the same amount of fish. He suggested that the use of bird deterrent lines is cumbersome and unnecessary for many areas in Southeast Alaska and that research has demonstrated that whales will continue to take fish from longline gear.

The IFQ Implementation Committee in November 2009 forwarded this proposal for Council consideration due to changes in the conditions on the fishing grounds. The IFQ Implementation Committee noted that while seabird interactions are no longer a serious concern, there have been extreme sperm whale interactions with the fleet in the GOA. Allowing pot gear in this fishery could mitigate challenges, but there are a number of implications that must be considered, such as gear conflicts, gear loss, and changes in crew jobs. The Team adopted the following motion.

"Recommend that the proposal has merit for Council review and analysis. If the Council adopts this proposal for analysis the team recommended that the proposal be expanded to the GOA, and the analysis should address the following issues: 1) restrictions to gear usage (a) single v longline pots, b) pots retained on grounds for long soaks v retrieved during deliveries, c) pot storage, d) gear configuration requirements; e) gear conflicts, f) use the 200 fathom depth contour to mark open areas, g) pot soak timeslot; 2) area management (SE v GOA); 3) exacerbation of halibut mortality; 4) dynamic (social/economic) effects, including a) small vessels could not safely use pots, b) crew employment, c) QS prices; d)ongoing acoustic research for avoiding whale depredation." Passed 10:1.

An interagency staff group reviewed the proposal to allow retention of sablefish in pots in the GOA Southeast Outside management area. "This would require a regulatory amendment to Section 679 (plan amendment too?) to allow a new gear type for sablefish. USCG staff recommends defining areas by lat/long where the new gear type would be allowed, and not by the 200 fathom contour. Enforcement of Proposal 2 is within the scope of the Joint Enforcement Agreement, it's not currently addressed in the Annual Operations Plan. If this proposal is implemented in regulations, NOAA would likely discuss the issue with Wildlife Troopers and possibly include it in the annual operations plan, as well as rely heavily upon the USCG for enforcement. If the Council recommends that this proposal be analyzed, staff recommends expanding the proposed action to require distinctive marking of buoys by gear type for all groundfish fisheries. This proposal would affect the EEZ only, and would be outside the scope of the joint enforcement agreement with the State of Alaska."

The Advisory Panel concurred with the Team recommendation in February 2010. The AP unanimously recommended that the Council initiate a discussion paper on the use of pots in the GOA and/or SE sablefish fishery and establish a gear committee to identify possible gear conflicts and grounds preemption issues. The motion passed 17:0.

In February 2010 the Council adopted the AP motion and identified an extensive list of issues that the paper should discuss. No progress has been made on those issues, although some of the gear issues were previously addressed in the sablefish assessment several years ago.

#### **Background**

#### GOA Amendment 12 Pot Gear Prohibition for Sablefish (withdrawn)

<u>Dates</u>: Amendment 12 was adopted by the Council in July 1982. No record of a proposed or final rule was available, as the amendment was withdrawn after adoption of Amendment 14.

Purpose and Need: Amendment 12 addressed two potential problems in the Southeast sablefish fishery:

- (1) conservation and restoration of the depressed sablefish fishery; and
- (2) fishing grounds preemption and wastage of the existing sablefish resource.

<u>Regulation Summary</u>: Amendment 12 prohibited the use of pot longline gear for sablefish between 140°W longitude and Cape Addington.

Analysis: A 21-page RIR (draft dated April 1983) analyzed three alternatives: 1) the status quo; 2) make sablefish an exclusive hook and line fishery between 140°W longitude and Cape Addington (preferred action); and 3) do not include trawl gear in the proposed management measure. Pot gear was identified as less suitable for the area, given the bottom topography. Lost pot gear entangles hook and line gear, making both irretrievable and leading to ghost fishing. This situation led to a grounds preemption problem that resulted in pot longline gear being prohibited in southeast Alaska. Pot longline gear was used extensively in the mid-1970s, but was used to harvest less than one percent of sablefish between 1980 and 1982. Since there was no existing or anticipated trawl fishery for sablefish in this area, a restriction on the use of trawl gear for sablefish was not adopted. However, later trawl gear was limited to sablefish bycatch in other directed groundfish trawl fisheries.

Results: Hook and line is the only allowed gear in the directed sablefish fishery. Amendment 14 prohibited the use of all pot gear in this fishery. An individual fishing quota program for sablefish was approved in 1988 and implemented in 1995 in both the GOA (Amendment 20) and BSAI (Amendment 15). Pot longline gear continues to be permitted for sablefish in the Bering Sea and Aleutian Islands.

# GOA Amendment 14 Sablefish Gear, Area and Seasonal Allocation, Demersal Shelf Rockfish Management, Optimum Yield Reductions, Halibut Prohibited Species Catch Framework, Habitat Policy, Catcher/Processor Reporting Requirements

<u>Dates</u>: GOA Groundfish FMP Amendment 14 was adopted by the Council in May 1985. NMFS published the proposed rule on July 26, 1985, and a final rule on October 24, 1985, effective November 18, 1985 (50 FR 43193).

Purpose and Need: The sablefish fishery traditionally had been a foreign longline fishery off Alaska, but in the eastern Gulf of Alaska in the early 1980s, domestic longliners had increased their harvests rapidly as markets developed. With improvements in the market for sablefish, two new gear types, pots and sunken gillnets, entered the fishery in 1984. In addition, trawling by foreign joint ventures in the Central and Western Gulf also took sablefish. All these gears created an overcapacity problem in the domestic sablefish fishery, as well as gear conflicts between longliners and pot fishermen. This amendment was designed to address these excess capacity and grounds preemption problems. They decided that gear and area restrictions and apportionments to gear types would be most effective.

In the early 1980s, all Sebastes species other than Pacific ocean perch and four associated slope rockfish species were managed as "other rockfish" on a Gulf-wide basis, and yet a domestic fishery harvesting demersal shelf rockfish in the southeastern area was expanding very rapidly by 1984. Yelloweye and quillback rockfish were the primary targets of this longline fishery. Amendment 14 was designed to separate out and protect demersal shelf rockfish from the more general "other rockfish" category.

Other parts of Amendment 14 were designed to establish revised optimum yields for several species of groundfish; to establish a mechanism for timely reporting of catches by domestic catcher-processors which could stay at sea for long periods, and thus did not report as frequently as catcher vessels that landed their catch ashore and submitted fish tickets; to give more flexibility to managers in controlling halibut bycatch in the timely manner in the face of rapidly changing joint venture and domestic fisheries; to respond to a new habitat conservation policy of NMFS requiring more emphasis on habitat concerns in developing fishery management plans and amendments; and last, to delay the sablefish season opening to address resource allocation, fishermen safety and fish quality concerns.

#### Regulation Summary: The amendment made the following changes:

- 1. Established gear/area restrictions and OY apportionments to gear types for sablefish;
- 2. Established a Central Southeast Outside District with 600 mt OY for demersal shelf rockfish;
- 3. Changed OYs for pollock, Pacific ocean perch, other rockfish, Atka mackerel, and other species;
- 4. Established catcher/processor reporting requirements;
- 5. Implemented framework procedure for setting and revising halibut PSC limits;
- 6. Implemented NMFS habitat policy; and
- 7. Set seasons for hook and longline and pot sablefish fisheries.

Analysis: A 44-page environmental assessment, 75-page regulatory impact review (RIR) for sablefish management measures, and 65-page RIR for the remaining measures, were completed on this amendment. The most contentious issue was the allocation of sablefish to the longline fleet, one of the most heated decisions the Council had up until then. Longliners had taken the vast majority of the sablefish harvest of all gear types, particularly in the Eastern Gulf. The OY for sablefish was expected to increase in coming years, and prices and markets were good, so considerable additional capacity was expected to enter the fishery. The alternative chosen slowed the growth in capacity and diminished the possibility of gear conflicts and grounds preemption more than the other alternatives analyzed. The other measures in the amendment allowed for more flexibility in managing the groundfish fishery which was undergoing tremendous growth in domestic fisheries and displacement of foreign fleets in the Gulf of Alaska.

Results: This omnibus amendment provided for the first allocations of a species among domestic fishermen, a management approach that would be used in other major species later on. Longliners were allocated 95% of the sablefish in the Eastern Area and trawlers received 5% for bycatch purposes. Pots were excluded the first year. In the Central Gulf, longliners were phased into an 80% allocation over two years, pots were phased out by the second year, and trawlers ended up with 20%. In the Western Gulf, pots were all phased out over four years, and longliners and trawlers split the harvest 80/20 after a 4-year phase-in. In approving the sablefish allocations, NMFS offered to publish a control date of September 26, 1985, the day of final approval, announcing that anyone entering the fishery after that date would not be guaranteed future participation should the Council develop an effort control regime. As it turned out, it took the Council and NMFS another ten years to develop and implement the individual fishing quota system by which the sablefish and halibut longline fisheries were managed starting in 1995. The sablefish season was changed from January 1 to April 1. The sablefish IFQ season is now tied to the start of the halibut IFQ season, which since implementation in 1995 has been March 15 - November 15.

Rockfish management was changed with the separation of the demersal shelf rockfish (DSR) species from other rockfish. Additionally, a new Central Southeast District was established for managing DSR and the State of Alaska was placed in charge of managing the area. The State regulations applied only to vessels registered under the laws of the State.

Prohibited species catch limits for halibut in the Gulf were placed in a framework procedure for setting limits for domestic and joint venture trawl fisheries. Plan amendments would no longer be needed to change PSC limits and the limits would be by area and by specific trawl group (domestic, joint venture, and foreign), rather than domestic and joint venture trawlers combined, so each fishery, not all, would suffer the consequences of taking too much bycatch. When the PSC limit is reached there would be a closure just to on-bottom trawling, not all trawling as under previous regulations. The limits would apply all year, not just from December 1 through May 31.

The new reporting requirements were applied to catcher/processors and motherships that keep their catch or fish received for 14 days or more. Those vessels were required to report every week, and also to report their position 24 hours before starting or stopping fishing in a regulatory area. A definition of "directed fishing" also was established.

STATUS: The above information was assembled on the history of the prohibition on the use of pot gear in the Gulf of Alaska. Additional information has been compiled in a previous GOA SAFE Report.

3. Develop a discussion paper to assess whether the problem of unharvested halibut IFQ in Area 4 is attributable to the current vessel IFQ cap or are there other factors that could be identified as contributing to unharvested halibut in Area 4.

A proposal to increase the halibut vessel IFQ cap in Area 4 was submitted by CBSFA and APICDA. From IFQ Implementation Team minutes,

"Heather McCarty (Central Bering Sea Fishermen's Association) spoke to this proposal. Jane DiCosimo summarized staff comments on this proposal; she clarified some issues related to the proposal (see Appendix 1). Bob Alverson requested clarification on some points of the proposal. Jane distinguished between use (AKA "ownership") caps and vessel caps, and that easing either restriction could result in additional consolidation of QS. Other members expressed some concerns about the proposal because Area 4 now has the most affordable halibut QS and provides entry level opportunities. Mr. Kauffman provided additional information in support of the proposal. Mr. Peyton identified that the use cap is constraining. Mr. Wyman reported that ALFA was neutral but expressed concerns about further consolidation. Mr. Hull readdressed some comments previously heard about the inability for some crew to get on a vessel to harvest their QS. Mr. Alverson commented that high lease fees (40-60 percent) may contribute to why fish are not being caught. There is a struggle in the industry over lease fees. CDQ groups can finance a crew which does not show up as a lease. Nicole Kimball reported that RAM prepared a Transfer Report dated January 2009 that contains data from 1995 through 2006 on lease fees. Some committee members had concerns about the proposal but were supportive of a discussion paper to address questions as to why the TACs have not been taken in Area 4.

Consensus to not forward this proposal to the Council for analysis, but to recommend a discussion paper to address the problem of unharvested IFQs in Area 4 and to determine if the vessel cap is contributing to the problem of the IFQs not being fully harvested, incorporating socio-economic data to address concerns about consolidation and crew jobs."

An interagency staff group reviewed the proposal to increase the halibut vessel cap in Area 4. Jessie Gharrett noted that the proposal does not accurately describe the current QS caps (see current vessel caps below). Vessel caps apply simultaneously; that is, a vessel must meet BOTH caps for halibut. This also means that a cap applicable to Area 4 (only) could either be 1) a new, third vessel cap; 2) a modification to the existing vessel cap; or 3) an exemption to the existing "ALL" area cap. If a new additional cap is envisioned, another question is whether, and if so, how, the 'ALL" cap might be modified. Staff noted that an effect of increasing vessel caps may be to consolidate further the number of vessels in the fishery, which may conflict with the stated need for the proposal (i.e., a lack of vessels in Area 4); however the proposal would allow for more use of the vessels that are active in the area.

Staff did not identify any legal, enforcement, administrative issues with this proposal.

#### Halibut vessel IFQ caps

Vessel Use Cap %	<b>2008 IFQ TAC</b>	Vessel Use Cap 2011 IFQ TAC	Vessel Use Cap
1% of 2C IFQ TAC	6,210,000 net lb	62,100 net lb 2,330,000 net lb	23,300 net lb
.5% of All IFQ TAC	48,040,800 net lb	240,204 net lb 30,382,000 net lb	151,910 net lb

The Advisory Panel recommended that the Council initiate a discussion paper to increase the halibut IFQ vessel use cap in Area 4. The motion passed 17:0.

In February 2010 the Council modified the AP motion as noted above.

STATUS: To date Council staff coordinated with IPHC staff on this proposal, received data from the RAM Division, and assembled the above information.

4. Initiate a discussion paper for removal of the block system for sablefish A shares and increase in the sablefish A share only cap. The A share exemption, would be from the overall sablefish use cap (no catcher vessel QS onboard) and regardless of whether the sablefish harvest was processed. The discussion paper should explore adding a use cap increase to the BSAI.

From IFO Implementation Team minutes,

"Dave Little, Clipper Seafoods, presented his proposal to remove Category A shares from the block program and allow an exception to the sablefish vessel? cap for A category shares. The intent of the proposal is to address stranded QS, which can not be transferred by interested parties due to the cap and is not being fully harvested under the current program. Dave suggested that the use cap for sablefish could be set at 5% for Category A shares.

Kris Norosz observed that increasing the cap fivefold would be a significant departure from the original program.

a) Motion: Recommend that the Council consider removing the block program for sablefish A shares.

Failed 3:7:1

Bob recommend that the Council consider exempting Category A shares for the all area use cap at a range between 1.25% and 1.5% of the existing cap for vessels upon which ONLY A shares are fished and regardless of whether harvest was processed. His proposal was for another \$400K gross. Paul supported the motion; he observed that it would take 2 ¾ percent of the limits to make CDQ vessels economical. He noted that only about 50% of the sablefish (Category A?) TAC has been harvested under current program.

b) Motion: Recommend that the Council consider exempting A shares from the overall sablefish use cap and apply a use cap at between 1.25% to 1.5% of the current use cap for vessels that ONLY fish A shares (no catcher vessel QS onboard) and regardless of whether the sablefish harvest was processed.

Passed 9:2"

An interagency staff group commented that enforcement of use caps is problematic.

The AP took no action on this proposal.

In February 2010 the Council adopted motion as noted above.

STATUS: RAM Division provided data for analyses at staff's request, but a data analysis has not yet begun.

OCT 22 2000

JPHC

Proposal: Allowing the retention of coincidentally harvested Hallbut during the Bering Sea Sablefish Pot Fishery

Year(s): Effective spring 2009, for a three year trial/evaluation period

Definition and Objective:

This proposal is to allow the retention of incidental by catch Halibut, specifically caught in the Bering Sea Sablefish fishery, by pot, by qualified barvesters that have 4A Halibut quota. This proposal is very much the same as the recently passed regulatory change in area 2B. There are 3 primary objectives to this proposal. 1) Increase the area of harvest in 4A, 2) reduce mortality from Killer whale predation and handling, and 3) Reduce concentrated harvest in traditional "whale-free" areas.

- 1) Currently there is a very large portion of 4A that is not reasonable to attempt harvesting Halibut from because of Killer whale predation. Pots have been successful in safely capturing these fish, with no mortality from predation.
- 2) Under the current regulations, all Halibut caught by Sablefish pots must be discarded. Because of where the majority of the Bering Sea Sablefish Pot fishery is conducted, there is a constant presence of Killer wholes near harvesting vessels. There is no mechanism by which halibut can be safely returned, without extremely high mortality. Mortality from handling would be completely eliminated.
- 3) Because of the increased presence of Killer wholes in 4A, harvesters have been forced into ever increasingly small areas of barvest, with limited windows of opportunity to harvest. Allowing these specified pot vessels to retain their by-catch reduces both pressure on the resource and direct competition between vessels, lessening focused impact on the resource, and significantly increasing the area of harvest.

Impacts:

All vessels fishing with hooks will see some small measure of relief from this proposal, simply because: a) some of the fish would, with this proposal, be harvested from regions that are not being currently exploited, b) Halibut caught by pot, landed and recorded, would directly increase the availability, by reducing competitive pressure, and direct and indirect mortality issues

Opinion:

We have had 7 years of Sablefish fishing, by pot, in the Bering Sea to witness changing events. The Killer whale predation problem is increasing. Cows are teaching their calves the "technique" of stripping fish and following in to snatch by eatch as quickly as it is discarded. When we discard Halibut, we are destroying the fish. We can't change the whales feeding habits, but we can change their access to Halibut in particular. I believe all vessels engaged in Sablefish fishing in the Bering Sea should be required to have some Halibut quots for 4A, specifically to cover the inevitable by eatch of Halibut.

For a significant portion of the year, Halibut and Sablefish share intermingled climes on the ocean bottom. Traditional halibut surveys do not get to these regions. To pursue Sablefish will forever take us through regions of Halibut as the two species compete for food. Recognizing this interrelationship, I am proposing that we retain both.

#### HALIBUT AND SABLEFISH IFQ PROGRAM AMENDMENT PROPOSAL

North Pacific Fishery Management Council Fax: (907) 271-2817

Name of Proposer: Michael Douville Date: 3/31/06

Address:

PO BOX 68 CRAIQ, AK 99921

Telephone: 9078263407 EMAIL: MYRNAMIKE @ HotMAIL: COM

Brief Statement of Proposal:

To allow for the use of pots in the Gulf of Alaska southeast sablefish/blackcod fishery.

Objectives of Proposal (What is the problem?):

Provide fishermen an alternative type of gear to longline.

Need and Justification for Council Action (Why can't the problem be resolved through other channels?):

This proposal can address several problems which the Council is working on:

- a) sea bird by-catch
- b) interaction with whales

Foreseeable Impacts of Proposal (Who wins, who loses?):

There will be no negative impact on anyone. As an allowable gear type, fishermen could chose to use pots, but would not be required to invest, if they are happy with long line gear.

However, the use of pots could lead to a decline in bird by-catch, including albatross, and a decrease in fishing gear/whale activity. By catch of rock fish would also be reduced, less bait and man hours to catch the same amount of fish

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?

It is an excellent solution, because it provides a gear alternate opportunity for fishermen, and can lead to reductions in by-catch or unwanted marine mammal interaction.

The use of bird deterrent lines are cumbersome and unnecessary for many areas in Southeast Alaska. Research has demonstrated that whales will continue to take fish from longline gear.

Supportive Data and Other Information (What data are available and where can they be found?): List of supportive data will follow

MICHAEL DOUVILLE F.O. BOX 68 GHAIG, AK 99921

POBOX 68 CRAIGIAK 99921

### HALIBUT AND SABLEFISH IFQ PROGRAM AMENDMENT PROPOSAL

North Pacific Fisheries Management Council Fax: (907) 271-2817

Name of Proposer: Address:

Central Bering Sea Fishermen's Association PO Box 288, Saint Paul Island, AK 99660

Telephone:

907-546-2597

Name of Proposer:

Aleutian Pribilof Island Community Development Association

Address:

234 Gold St., Juneau, AK 99801

Telephone:

907-586-0161

Brief Statement of Proposal: Increase the Halibut Vessel IFQ Cap in Area 4.

Objectives of Proposal (What is the problem?): A significant percentage of Area 4 IFQ is not harvested each year. (Example: 18% in 4B and 8% in 4C/D in 2009; 10.9% in 4B and 23% in 4C in 1996) Among the reasons may be: 1) Far fewer vessels operate in Area 4 than in other areas. 2) Of the limited number of vessels that fish the western areas, most are capped-out so it is difficult for IFQ holders to match up with harvesting vessels. 3) Weather conditions tend to limit harvesting vessels to the summer months – creating a shorter season in Area 4. 4) Processing plants in Area 4 typically do not buy halibut early in the season and most stop processing earlier than in the Gulf areas due to other processing priorities and sparse halibut deliveries. For these reasons, Area 4 is a logistically tougher area to conduct a viable commercial halibut fishery.

The objective of the proposal is to increase the vessel IFQ cap in Area 4 to provide IFQ holders with more vessel harvesting options. This should result in a larger percentage of the Area 4 allocation being harvested thereby reducing the amount of un-harvested IFQ that could be due to the unavailability of harvesting vessels.

Our request is to have the Council analyze the problem of un-harvested IFQ and determine if the vessel IFQ cap is contributing to the problem in Area 4.

The vessel IFQ cap is calculated annually based on a <u>percentage of ALL IFQ TAC</u> (except for Area 2C). Developing a separate and increased vessel IFQ cap for just Area 4 halibut areas is complicated. Therefore, we would like the proposed vessel IFQ cap increase for Area 4 to be analyzed and developed by the Council process.

Foreseeable Impacts of Proposal (Who wins, who loses?): Most foreseeable impacts will be positive. 1) A larger percentage of the Area 4 quota will be harvested-resulting in increased income to IFQ holders and vessel owners. 2) IFQ holders will have more competitive harvesting options that should increase the income derived from their IFQ holdings. 3) Vessels operating in these geographically remote areas with extreme weather conditions are mainly larger vessels of a limited number.

4) Increasing the vessel IFQ cap will allow more of these same vessels to be available for hire - currently many of these vessels are capped-out.

Statistically, increasing the vessel cap should not reduce harvesting opportunities of vessels currently operating in Area 4. Instead, it will increase the harvesting percentage, harvesting options, and the income of IFQ holders and also the harvesting vessels.

Are there Alternative Solutions? An alternative solution may be to increase the vessel IFQ cap for all areas. As Bering Sea and Aleutian Island fishermen, we feel the vessel IFQ cap/un-harvested quota issue is more applicable to Area 4, but if there is enough support, we could endorse the change statewide which would also fix our problem. But, our concern is that a statewide change may create too much opposition due to potential fleet consolidation or other concerns that could threaten the success of our proposal. We are not speaking for fishermen from the other halibut areas.

Supportive Data and Other Information: (What data are available and where can they be found?): The Individual Fishing Quota (IFQ) Allocations and Landings reports can be found on the NMFS website.

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Signature:		



641 W. Ewing Street Seattle, WA 98119 (206) 284-1162 p / (206) 283-5089 f

September 1, 2009

Chris Oliver North Pacific Fisheries Management Council 605 West 4<sup>th</sup> Avenue, Suite 306 Anchorage, AK 99501

Dear Chris:

I am writing to you today to ask that the NPFMC consider changes to the Sablefish IFQ program. It is my understanding that the IFQ committee has been reformed and will meet before the October council meeting. I am proposing two changes to the "A" share Sablefish program:

- Remove the block system for "A" shares
- Increase the "A" share ownership cap

Making these changes to the program would allow "A" share participants to use their vessels more effectively. Under the current system it is marginally practical to catch small amounts of Sablefish on a freezer vessel.

I will gladly provide you with more information and will be available to participate at the committee meeting, if you could put this on the agenda.

Thank you for consideration,

**David Little** 

Clipper Seafoods, Ltd.

cc. Bob Alverson, Don Iverson

## HALIBUT AND SABLEFISH IFQ PROGRAM AMENDMENT PROPOSAL

North Pacific Fishery Management Council Fax: (907) 271-2817

Name of Proposer: Rhonda Hubbard

Date: 1/19/12

Address: P.O. Box 3302, Seward, Ak 99664

9 pgs wiAttah.

Telephone: (907) 224-5584

Brief Statement of Proposal:

The mandated 63% product recovery rate (from round weight to an H&G Eastern product-condition code 08) for Sablefish, as established in the federal register, is inaccurate and needs revision. The revision should establish other methods in which a more accurate PRR can be used by fishers who land eastern cut H&G Sablefish from federal waters. Agency should also consider potential PRR differences for Eastern Cut Sablefish that is frozen at sea, where less shrink is possible, versus aged product landed and frozen on shore.

Objectives of Proposal (What is the problem?):

The PRR for Sablefish landed as condition code 08 does not take into account seasonal or size variances of actual harvest. Consequently the rate is not fully representative of what is actually delivered. This causes agency to slightly over-calculate a fishers actual IFQ harvest resulting in lost revenues to those who may land and deliver their product under the 08 condition code. This low rate also proves discriminatory and inequitable to vessels that freeze sablefish at sea or deliver their products H&G to shore-based processors.

Example of potential loss: Landed lbs = 50,000 H&G, Condition Code 08

- @ 63% NMFS PRR = 79,365 Round lbs deducted from IFO share.
- @ 66% (Suggested PRR per attachments/Canadian PRR) = 75,758 lbs deducted.

Difference = 3607 lbs extra deducted from fishers IFQ but not harvested Multiplied by \$5.34/lb average raw fish price per 2011 NMFS fee schedule = \$19,261 loss

Need and Justification for Council Action (Why can't the problem be resolved through other channels?):

While I have consulted agency on possible ways to resolve this matter, it appears that in order to bring this forward with priority and to make changes in the Federal Register, where PRR's are published, going through the Council process provides the most credible and expedient method of resolve.

Foreseeable Impacts of Proposal (Who wins, who loses?):

#### Winners -

- 1. Fishers who deliver sablefish under the 08 condition code to shore base facilities, and those who process sablefish at sea and also deliver in the 08 Condition code.
- 2. NMFS (RAM) and State of Alaska since they would realize more IFQ sablefish pounds to collect fees and fish taxes on.
- 3. NMFS Resource Managers / Public due to more accurate accounting of resource.

Losers-Not aware of any

Are there Alternative Solutions? If so, what are they and why do you consider your proposal the best way of solving the problem?

Alternative solutions are currently unknown until this proposal can be brought forward for discussion by agency and industry participants.

Supportive Data and Other Information (What data are available and where can they be found?):

- 1. This inaccurate PRR is commonly and empirically evidenced by sablefish landed in the round at shore-based processing plants where a recovery rate of around of 65%-68% is typically realized—See attached settlement sheets.
- The Canadian Department of Fisheries & Oceans maintains not only a higher recovery rate but also distinguishes rates between Sablefish that is frozen on shore and frozen at sea -- as noted.

Sablefish:

Frozen: Japanese cut, 1.48 = 67.5% Fresh: Japanese cut, 1.51 = 66.2%

ande Shahand

 Check with Archipelago Marine Research Limited (250) 383-4535 – Contracted research firm for CDFO

Signature:



DANA F. BESECKER CO., INC.

E11 364519, 384520, 364521 fπ F/V 10/09/11 Delivered HALIBUT LBS. LBS. LBS. 6.75 45,684.00 6,768 10/20 10,867.75 7.25 1,489 20/40 2,475,00 7.50 330 40/80 LBS. 987.50 133 60/60 \$60,024.25 8,730 BLACK COD 149.75 6.25 185 23,00 1/2 LBS. 7.10 1,798,30 2/3 3/4 4/5 253.00 14,037.50 LBS. 8.10 1,793.00 19,826,86 LBS. 8.65 2,269.00 32,080.40 13,896.60 9,20 5/7 7+ 82-3 LBS. 3,487,00 LBS. 9,40 1,489.00 5.00 31.95 6.39 7.29 LBS. 196.63 27.00 36,00 LBS. #2 3/5 (3/4) 280,44 7,79 LBS. #2 5/5 (4/5) 803.16 8.20 97,00 LB\$. 389,16 8.46 LBG, 48.00 83,382,74 OTHER 117.00 LBS. 0,75 Thomyhead (Idiots) Roughaye FRSH 156 61.00 821.60 LBS. 0,50 122 LBS. 0.50 1.643 Shortraker FRSH 151.80 LBS. 0.20 759 5,50 11 LBS. 0,50 Redbanded FRSH 1,156.80 2,691

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HALIBUT AVG. PRICE PER LB. BLACKCOD AVG. PRICE PER LB.

6,6756 6,6098

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P. cod Round Weight: 759
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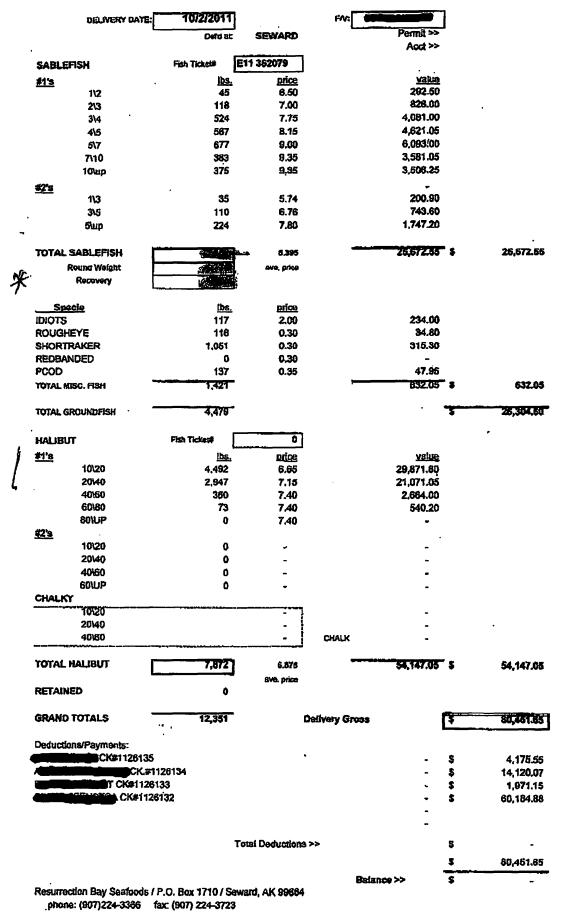
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phone: (907)224-3366 fax: (907) 224-3723

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GRAND 1	TOTALS -	22,324		Delivery Gros	s	\$	179,821,1
Deduction	s/Payments:						·
	CK#11248	51		·	35,605.19		
	CK#1124				58,735.38		
		CK#1124849			83,118.35		
BAIT INV	OIGE #3561 7-19-20		i		2,382.25	\$	
*	290				-		
4	, h				-		
	4.5	2	Yatal Daduation	nr 20		-	1470 004 4
2	* . * .		Total Deduction	15 23		5	(179,821.1
•							
•			*		alance >>	\$	

RBS	SETTLEMENT WO	ORKSHEET					04-17-2011.x
DELIVER	V DATE: 4/17/2011	Ĺ	FIV: MIS	S ROXANNE	1		
DELIVER			****	Permit >>	J		
	Del'd at:	SEWARD		Section Section Assessment			
				Acct >>			
SABLEFISH	Fish Tickets	E11 204473 & 74	& 75				1 1
#1's	lbs.	price		value			11/
1\2	116	5.95		690.20			V
2\3	292	5.95		1,737.40		-	イント
314	1,300	8.75		8,775.00			1
4\5	1,825	7.35		13,413.75			
5\7	2,183	8.00		17,464.00			
	352	8.50		2,992.00			
7\10				name to the second of the second of the			
10\up	51	8.60		433.50			
#2's	60	c ac		. 000 ED			
1/3	60	5.06		303.50	9		
3\5	379	5.99		2,270.21			
5lup	191	7.01		1,338.91		*	
TOTAL SABLEFISH	Zewane had	5 7.322		49,418.57	٠.«	49,418.57	
		A		45,410.01	•	35,410.07	
Round Weight		вув. рліся					
Recovery	· Farman photo	<del>T</del>					
Specie	lbs.	price					¥/
IDIOTS	105	2.00	*	210.00			
	272	0.30		81.60			
SHORTRAKER							
ROUGHEYE	66	0.30		19,80			
REDBANDED	28	0.30		8.40			
PCOD	1,509	0.35		528.15			20-
TOTAL MISC. FISH	1,980			847.95	2	847.95	
TOTAL GROUNDFISH	8,729				\$	50,265.52	
HALIBUT	Fish Ticket	E11 204470 & 71	£ 72				
	7.52		472				
<u>#1's</u>	<u>lbs.</u>	price		value			
10\20	23,318	6.35		148,069.30			
20/40	1,422	6.75		9,598.50			
40\60	48	6.75		310.50			
60\80	0	6.75		:=:			
80\UP	٥	6.75		-			
#2's							
10\20	0	-		3 · ·			
20\40	0			4			
40\60	0	u		-			
60\UP	0	-		2.4200. 7. <b>±</b> 400			
CHALKY	:72						
10/20							
20\40		_		120			
40/60		_	CHALK	-			
			Orozzi				2
TOTAL HALIBUT	24,786	6,374		157,978.30	\$	157,978.30	
		ave. price					
							F#C
RETAINED	0						
RETAINED GRAND TOTALS	33,515	D	elivery Gross		\$	208,244.82	
GRAND TOTALS	33,515	ס	elivery Gross		3	208,244.82	
GRAND TOTALS  Deductions/Payment	33,515 s:	, ,	elivery Gross	22 888 12	3	208,244.82	ı.
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706		elivery Gross	23,668.13	3	208,244.82	ı
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 DCK#1124707		elivery Gross	46,593.25	3	208,244.82	a .
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 DCK#1124707 DCK#1124708		elivery Gross	46,593.25 19,267.26	3	208,244.82	
GRAND TOTALS  Deductions/Payment	33,515 S: CK#1124706 CK#1124707 CK#1124708	ř	elivery Gross	46,593.25 19,267.26 24,538.70	\$ .	208,244.82	
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 DCK#1124707 DCK#1124708	ř	elivery Gross	46,593.25 19,267.26	\$ .	208,244.82	7 ×
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 CK#1124707 CK#1124708 24709	4710		46,593.25 19,267.26 24,538.70	×	-	
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 CK#1124707 CK#1124708 24709	ř		46,593.25 19,267.26 24,538.70	\$	(208,244.82)	
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 CK#1124707 CK#1124708 24709	4710	>>	46,593.25 19,267.26 24,538.70 94,177.48	\$	-	
GRAND TOTALS  Deductions/Payment	33,515 s: CK#1124706 CK#1124707 CK#1124708 24709	4710 Total Deductions :	>>	46,593.25 19,267.26 24,538.70	×	-	

PAGE 09/09

**NPFMC** February 1-7, 2012 Agenda D-2 Eric Olson, Chairman

Date 1-24-2012

To The North Pacific Management Council!

My name is Captain Ray Welsh, I bring to your attention one and only one single important matter today!

The "control date" or my words retroactiving same 13 months to February 2010 is my very big concern.

To be short and sweet I hope my message is... Changing the proposed date of the control date to December 2011 would be acceptable to many of us. Transferring QS rectroactively virtually will be putting me and many others out of business or severely hampering us( please keep in mind, the american disibilities act)also during your deliberations while you are considering the removal of the hired master provision.

I said this to you in March 2011 in Anchorage in so many words. I was the first one to speak, given you remember, (in a wheel chair) then on this very matter. Given you remember one of the men said "you have nothing to worry about! It's clear I had a lot to worry about.

This fishing is and has been my whole living for this last 30 plus years with my start in the industry going back to 1943. I am and have been a business man/fisherman for 65 + years, starting sometime in 1943 fishing over the years from just north of the Galapagos islands to just south of the Kuskokwim river here on the west coast of the Americas.

The motion, under consideration for adjusting the way QS is neither conservation of the fishery nor enhancement of the future fishery oriented. I don't see this as helping the fishery in any way. Its creeping socialism, clear and simple! As I see it any date will not stop the use of hired skipper. When residents in CQE communities purchase any available OS be guaranteed they will never sell their OS ever. If they don't have a vessel they will have to do a hired skipper or a lease arrangement of some kind which will be basically back to what is happening now and it will be legal!

In June of 2010 I traded my halibut in 3A for Blackcod in Western gulf. At that time there seemed no benefit to the "trade", except that I would get more poundage of fish. Now with this retro move I'll be caught in a catch 22! There was no way to predict the future. The legal words were "sell them to complete the transaction".

Please note the list of (149) initial Issue's hereto attached, (see exhibit A), will be negatively affected

This list of 149(see exhibit A) generally supports my presentation.

Most of those men fishing for cod in the Kodiak area right now, that cannot take time from their likelihood to address this issue, have assured me they also support a rollback to the above control date of December 2011.

Cc:A

Laptain Ray Willer Respectfully, Captain Ray Welsh

KSA Metaul ker

#### 10/27/2011

nmis/akr/ram/gharrett

Qry\_qs\_trans\_to\_lils\_Grauvogei2.xls

Individual Initial Issues who Received Catcher Vessel QS (Other Than in Areas 2C and SE) on or A with self-reported business mailing addresses

In order by transfer date, Transfer\_Type, Last\_Name

IFQ weight includes only pounds received in transfers, including adjustments

DATE_QS_RECEIVED	TRANSFER_TYPE	LAST_NAME	FIRST_NAME	SPECIES	IFQ_TRANS (IFQ weight in Pounds)
On 2/12/2010	Transter-Sweep	GRAUVOGEL	CARL	Halibut	257
After 2/12/2010	QS Transfer	BAKOVIC	RICHARD	Sablefish	8,687
After 2/12/2010	QS Transfer	BARBER	SAM	Halibut	2,793
After 2/12/2010	QS Transfer	BELL VI	ORLANDO	Halibut	11,763
After 2/12/2010	QS Transfer	BENTON	HUGH	Halibut	7,781
After 2/12/2010	QS Transfer	BODDING	JIM	Sablefish	0
After 2/12/2010	QS Transfer	BOWEN	DOUGLAS	Hallbut	. 573
After 2/12/2010	QS Transfer	BOWEN	DOUGLAS	Sablefish	775
Alter 2/12/2010	QS Transfer	CASTILLO	JOSE RAUL	Halibut	3,557
After 2/12/2010	QS Transfer	CLAMPITT	PAUL	Sablelish	-1,842
After 2/12/2010	QS Transfer	DOCHTERMANN	LUDGEA	Halibut	6;409
After 2/12/2010	QS Transfer	FELLOWS	ROBERT	Hallbut	11,628
After 2/12/2010	QS Transfer	FROLOV	FRED	Sebletish	6,000
After 2/12/2010	QS Transfer	GRAUVOGEL	CARL	Halibut	34,058
After 2/12/2010	QS Transfer	GRAUVOGEL	CARL	Sablefish	49,182
After 2/12/2010	QS Transfer	HANSON	ROBERT	Halibut	18,491
After 2/12/2010	QS Transfer	HERZOG	LECNARD	Halibut	101,390
After 2/12/2010	QS Transfer	HERZOG	LECNARD	Sablelish	205,591
After 2/12/2010	QS Transfer	HOFMANN	MARK	Halibut	8,637
After 2/12/2010	QS Transler	HOFMANN	MARK	Sablefish	41
After 2/12/2010	QS Transfer	HOGAN	THOMAS	Halibut	12,146
After 2/12/2010	QS Transfer	IVANOFF	STEVEN	Hallbut	8,865
After 2/12/2010	QS Transfer	IVANOFF	STEVEN	Sablefish	1,266
After 2/12/2010	QS Transfer	KUBIAK	DAVID	Halibut	7,923
After 2/12/2010	QS Transfer	LANG	MICHAEL	Halibut	49,324
After 2/12/2010	QS Transfer	LANG	MICHAEL	Sablefish	33,871
After 2/12/2010	QS Transfer	LARSEN	NORMAN	Sablefish	5,054
After 2/12/2010	QS Transfer	MACINKO	JOE	Halibut	6,779
After 2/12/2010	QS Transfer	MALCOLM	DONALD	Halibut	24,983
After 2/12/2010	QS Transfer	MALCOLM	DONALD	Sabletish	14,475
After 2/12/2010	QS Transfer	MARTUSHEV	JOSIPH .	Halibut	4,609
After 2/12/2010	QS Transfer	MARTUSHEV	PETR	Sablefish	5,037
After 2/12/2010	QS Transfer	NAKADA'	MICHAEL	Sablefish	
After 2/12/2010	QS Transfer	NASH	DONALD	Halibut	4,250
After 2/12/2010	QS Transfer	NESS	DARELL	Halibut	18,397
After 2/12/2010	QS Transfer	NESS	DARELL	Sablefish	
After 2/12/2010	QS Transfer	OTNESS	ALAN	Sablefish	
After 2/12/2010	QS Transfer	PIKUS	PATRICK	Halibut	38,367
After 2/12/2010	QS Transfer	PORTER	HENRY	Halibut	6,076

1 set of names + addiese

Page 1

#### fter 2/12/10, by Species

BUSINESS_ADD_1	Business_ADD_2	CITY	STATE	ZIP
PO BOX 1082		PALMER	AK	99645
1840 S GAFFEY ST #510		SAN PEDRO	CA	90731
7175 OLINE CIR		ANCHORAGE	AK	99507
PO BOX 1609		PETERSBURG	AK	99833
PO BOX 62		ELFIN COVE	AK	99825
1911 8TH ST		ANACORTES	WA	98221
PO BOX 1642		HOMER	AK	99603
PO BOX 1642		HOMER	AK	99603
PO BOX 568		UNALASKA	AK	99685
7721 168TH PL SW		EDMONDS	WA	98026
PO BOX 714		KODIAK	AK	98615
266 E BAYVIEW		HOMER	AK	E0968
PO BOX 720		PLAMONDON	AB	TOA 2TO
PO BOX 1082		PALMER	AK	99645
PO BOX 1062		PALMER	AK	99645
PMB 2086	3705 ARCTIC BLVD	ANCHORAGE	AK	99503
916 DELANEY ST		ANCHORAGE	AK	99501
916 DELANEY ST		ANCHORAGE	AK	99501
1120 E HUFFMAN RD 24-306		ANCHORAGE	AK	99515
1120 E HUFFMAN RD 24-306		ANCHORAGE	AK	99515
PO BOX 1648	•	HOMER	AK	99603
1327 MOUNTAIN VIEW DR		KODIAK	AK	99615
1327 MOUNTAIN VIEW DR		KODIAK	AK	99615
PO BOX 193		KODIAK	AK <sup>.</sup>	98615
PO BOX 192		MONTESANO	WA	98563
PO BOX 192		MONTESANO	WA	98563
PO BOX 52		SAND POINT	AK	99661
2625 SPRUCE CAPE RD		KODIAK	AK	99615
2038 E END RD		HOMER	AK	99603
2036 E END AD		HOMER	AK	99603
35944 S KROPF RD		WOODBURN	OR	97071
PO BOX 452		ANCHOR POINT		99556
PO BOX 1838		HOMER	AK	99803
PO BOX 1167		HAINES	AK	99827
PO BOX 240454		DOUGLAS	AK	98824-0454
PO BOX 240454		DOUGLAS	AK	98824-0454
PO BOX 317		PETERSBURG	AK	99833
PO BOX 2843		KODIAK	AK	99615
PO BOX 121		YAKUTAT	AK	99689

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Page 2

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(	l_	۱ د .		t_ 1	IFQ weight
Date OS Received	Transfer Type	Last Name	FiveT Name	Species	Trais in be
After 2/12/2010	QS Transfer	REIMNITZ	ARMIN	Hallbut	5,500
After 2/12/2010	QS Transfer	REUTOV	DAVID	Halibut	168
After 2/12/2010	QS Transfer	REUTOV	DIONICI	Halibut	4,347
After 2/12/2010	QS Transfer	REUTOV	DIONICI	Sablefish	17,497 •
After 2/12/2010	QS Transfer	RHODES	WILLIAM	Halibut '	1,107 -
After 2/12/2010	QS Transfer	ROSS	TIMOTHY	Halibut	3,326
After 2/12/2010	QS Transfer	ROSVOLD	ERIC	Sablefish	6,712
After 2/12/2010	QS Transfer	SARGENT	STAN	Sabletish	0 •
After 2/12/2010	QS Transfer	SAVONEN	LYNN	Sablefish	1,953 •
After 2/12/2010	QS Transfer	SEE	CHARLES	Halibut	-891
After 2/12/2010	QS Transfer	SHADLE	MATTHEW	Sablefish	8,687 -
After 2/12/2010	QS Transfer	SIMPSON	KENNETH	Halibut	0 •
After 2/12/2010	QS Transfer	SINZ	HARRY	Halibut	58,442
After 2/12/2010	QS Transfer	SINZ	HARRY	Sablefish	48,903
After 2/12/2010	QS Transfer	SMATLAN	JOSEPH	Hallbut	7,485
After 2/12/2010	QS Transfer	SOHRAKOFF	WAYNE	Hallbut	4,184
After 2/12/2010	QS Transfer	THOMPSON	PETER	Hallbut	0.
After 2/12/2010	QS Transfer	THOMPSON	PETER	Sablefish	1,301 •
After 2/12/2010	QS Transfer	VEERHUSEN	DANIEL	Halibut	8,121 -
Aiter 2/12/2010	QS Transfer	WAGNER	MARK	Hallbut	6,898
After 2/12/2010	QS Transfer	WELSH	HAY	Sablefish	11,212
After 2/12/2010	QS Transfer	WILKIE	TIMOTHY	Halibut	11,539
After 2/12/2010	QS Transler	WILSON	DANNY	Hallbut	647
After 2/12/2010	Transfer-Sweep	BOWEN	DOUGLAS	Halibut	-4 -
After 2/12/2010	Transfer-Sweep	BOWEN	DOUGLAS	Sablefish	256
After 2/12/2010	Transfer-Sweep	MALCOLM	DONALD	Halibut	145 •
After 2/12/2010	Transfer-Sweep	MALCOLM	DONALD	Sablefish	763 -
After 2/12/2010	Transfer-Sweep	MARTUSHEV	PETR	Sabletish	904
After 2/12/2010	Transfer-Sweep	PORTER	HENRY	Halibut	2,585 4

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Business Had -1 Bus	Ness - 2 C	itx	State	Z;P	_
9004 191ST PL SW				86026	1
PO BOX 2847	H	OMER	AK	99603-2847	]26
PO BOX 4251	HC	OMER	AK	99603	]27
PO BOX 4251	HC	OMER	AK	99603	]
PO BOX 2215	GI	EARHART	OR	97138	]
28522 62ND AVE S L-101	KE	ENT	WA	98032	3
PO BOX 1144	PE	TERSBURG	AK	99833	]20
PO BOX 574	K	DDIAK	AK	99615	79
PO BOX 172	GI	USTAVUS	AK	99826	]30
PO BOX 1412	K	ENAI	AK	89811	3'
PO BOX 312	H	OMER	AK	99603	30
13238 KONRAD DRIVE	E	AGLE RIVER	AK	99577	]{}}
PO 80X 110985	AI	NCHORAGE	AK	99511	רע[
PO BOX 110985	A	NCHORAGE	ÀK	99511	<b>]</b> •
PO BOX 69	C	OLBERT	WA	99005	775
20 SILVERTIP LANE	E	UREKA	CA	95503	31
PO BOX 3037	K	ODIAK	AK	88615	77
PO BOX 3097	K	ODIAK	AK	99615	
PO BOX 971	H	OMER	AK	99603	13
PO BOX 326	S	AND POINT	AK	89661	13 8
70309 ORIGINAL OR.	A	NCHOR POINT	AK	99556	74
PO BOX 1726	S	EWARD	AK	99864	]4(
PO BOX 2697	K	ODIAK	AK	99615	1
PO BOX 1642	H	OMER	AK	89603	]
PO BOX 1642	Н	OMER	AK	99803	]
2038 E END RD	H	OMER	AK	99603	]4
2038 E END RD	Н	OMER	AK	99603	] +
PO BOX 452	A	NCHOR POINT	AK	99556	74
PO BOX 121	Y	AKUTAT	AK	99689	٦4



Page # 4