

# North Pacific Fishery Management Council

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## MINUTES 128th Plenary Session NORTH PACIFIC FISHERY MANAGEMENT COUNCIL June 17-21, 1997

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*Richard B. Lauber*

Date

*Sept 29, 1997*

## MINUTES

**128th Plenary Session  
NORTH PACIFIC FISHERY MANAGEMENT COUNCIL  
June 17-21, 1997  
Kodiak Inn  
Kodiak, Alaska**

The North Pacific Fishery Management Council met June 17-21, 1997 at the Kodiak Inn In Kodiak, Alaska. The Advisory Panel met in Kodiak June 16-19 at the Elks Lodge, and the Scientific and Statistical Committee met June 16-17 at the Fishermen's Hall In Kodiak. The following members of the Council, staff, SSC and AP attended the meetings.

### Council

Richard Lauber, Chairman  
Dennis Austin for Bern Shanks  
CAPT Vince O'Shea for RADM Cross  
Linda Behnken  
David Fluharty  
Dave Hanson  
Bob Mace for R. Ingram

Walter Pereyra, Vice Chair  
Kevin O'Leary  
Steve Pennoyer  
Everett Robinson-Wilson  
H. Robin Samuelsen, Jr.  
Dave Benton for Frank Rue  
Clem Tillion

### NPFMC Staff

Clarence Pautzke, Executive Director  
Jane DiCosimo  
Marcus Hartley  
David Witherell

Chris Oliver, Deputy Director  
Helen Allen  
Gail Bendixen  
Linda Roberts

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**Support Staff**

Jon Pollard, NOAA-GCAK  
Ron Berg, NMFS-AKR  
Earl Krygier, ADFG  
Sue Salvesson, NMFS-AKR  
Jay Ginter, NMFS-AKR  
Phil Smith, NMFS-RAM Division  
Bill Karp - NMFS-AFSC  
John Lepore, NMFS-AKR

Jim Hale, NMFS-AKR  
Bob Wolfe, ADFG  
Sally Bibb, NMFS-AKR  
Tamra Faris, NMFS-AKR  
Jon Lewis, NMFS  
Cindy Hartmann, NMFS-AKR  
Al Spalinger, ADFG

**Scientific and Statistical Committee**

Keith Criddle, Chair  
Jim Balsiger  
Sue Hills  
Steve Klosiewski  
Doug Larson  
Seth Macinko

Jack Tagart, Vice Chair  
Richard Marasco  
Terry Quinn  
Phil Rigby (Alt)  
Al Tyler  
Hal Weeks

**Advisory Panel**

John Bruce, Chair  
Dave Benson  
Al Burch  
Bruce Cotton  
Craig Cross  
Kris Fanning  
Dave Fraser

Stephanie Madsen, Vice Chair  
Arne Fuglvog  
Steve Ganey  
Justine Gundersen  
Spike Jones  
John Lewis  
Hazel Nelson

John Roos  
Jeff Stephan  
Teresa Turk  
Robert Wurm  
Lyle Yeck  
Grant Yutrzenka

**Other Attendees**

The following people signed the attendance register:

John Henderschedt  
Lennie Gorsuch  
Thorn Smith  
Peter DeCola  
K. Hansen  
Todd Dubois  
Rohn Nelson  
Tom Pearson  
Matthew Brandt  
Nick Sagalkin  
Chuck Bundrant  
Jim McManus

Shari Gross  
Tom Okey  
James Gould  
Brian Bigler  
Kris Norosz  
Joe Kyle  
Richard Sharpe  
Don Stiles  
Shirley Marquardt  
John Iani  
Patrick Galvin  
John Bundy

Bob Breskovich  
Paul Anderson  
Mike Hyde  
Rob Gudmundson  
Margareg Hall  
Ed Glotfelty  
Dick Tremaine  
Loretta Lure  
Greg Baker  
Frank Kelty  
Terry Shaff  
David Irvine

Barbara Nombalais  
Wm. McCloskey  
Ruel Holmberg, Sr.  
Agnes Holmberg  
Timothy Thomas  
Doug Forsyth  
Bill Archambault  
Brad Connally  
Arni Thomson  
Mike Coleman  
Joe Plesha  
Robin Winkley  
Chandler Johnson  
Karl Bratvold  
Scott Hovik  
Douglas Hoedel  
Frank Bohannon  
Jim Salisbury

Michael Lake  
Gary Johnson  
Steve Hughes  
Mike Atterberry  
Joseph Spicciani  
Chris Blackburn  
Stephen Johnson  
Bill Lock  
John Dooley  
Jonathan Spool  
Barry Ohai  
Mark Worley  
Sinclair Wilt  
Gerald Brennan  
Vicki LeCornu  
Victor Burgess  
Nancy Brown  
Brent Paine

Linda Kozak  
John Crowley  
Glenn Reed  
Liz Cabrera  
Gordon Blue  
Paddy O'Donnell  
Wayne A. Tipler  
Jack Hill  
Allison Barns  
Capt. James Olson  
Joe Sullivan  
Brian Fujimoto  
Peter Van Tuyn  
Melanie Gundersen  
John Rotter  
Dorothy Childers

**A list of those who gave public testimony during the meeting is found in Appendix I to these minutes.**

**A. CALL TO ORDER/APPROVAL OF AGENDA/MINUTES OF PREVIOUS MEETING(S)**

Chairman Rick Lauber called the meeting to order at 8:15 a.m. on Tuesday, June 17, 1997. RADM Terry Cross, the new commander of the 17th U.S. Coast Guard District, was welcomed to the Council.

Agenda. The agenda was accepted as drafted.

Minutes. There were no minutes from previous meetings available for approval.

**B. REPORTS**

The Executive Director's Report (Agenda item B-1), fishery progress reports by the Alaska Department of Fish and Game (Agenda item B-2) and the National Marine Fisheries Service (Agenda item B-3), and enforcement reports were provided by NMFS and the Coast Guard (Agenda item B-4) were provided in written form and briefly summarized by staff members from each agency. A special update on the status of the Steller sea lion population off Alaska was provided by Jon Lewis, NMFS.

**DISCUSSION/ACTION RESULTING FROM REPORTS**

ADF&G Report. Council member Dennis Austin advised that he had received a request from industry for a meeting of the Council's Interim Action Committee (IAC) for crab because of concerns that any action taken by the Alaska Board of Fisheries during their August 25-28 meeting to reduce pot limits may not be implemented before the November 1 opening date. Mr. Krygier pointed out that the IAC was set up to handle concerns over regulatory actions that have already taken place. He assured the Council that if the Board enacts new regulations for reduced pot limits, every effort will be made to have them in place as close to the November 1 opening date as possible, or, if necessary, the season opening can be delayed.

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NMFS Management Report.

During the NMFS management report the Council received public testimony from Thorn Smith, North Pacific Longline Assn., and Bob Alverson of the Fishing Vessel Owners Assn. regarding the closing of the longline directed fisheries in the Aleutian Islands to prevent overfishing of shortraker/rougheye. Council members discussed the subject later in the meeting under Agenda item D-2(c).

**FORMAT FOR COUNCIL MEETING MINUTES:**

Each agenda item requiring Council action will begin with a copy of the original "Action Memo" from the Council meeting notebook. This will provide a "historical" background leading up to the current action. This section will be set in a different type than the actual minutes. Any attachments referred to in the Action Memo (e.g., C-1(a), etc.) will not be attached to the minutes, but will be part of the meeting record and available from the Council office on request. Following the Action Memo will be the reports of the Scientific and Statistical Committee, Advisory Panel, and any other relevant committee or workgroup on the subject. Next will be a section for discussion and motions on the subject. Finally, there will be a brief summary of actions taken, unless there is only one action and it is self-explanatory.

**C. NEW OR CONTINUING BUSINESS**

C-1 Inshore-Offshore 3

**ACTION REQUIRED**

Finalize problem statement and alternatives for analysis.

**BACKGROUND**

Last December, we scheduled initial discussion of the inshore/offshore pollock allocations for April, noting that the current program sunsets the end of 1998. In April the Council discussed current issues relevant to the allocations and potential elements of a new Problem Statement, and identified a variety of alternative allocation percentages in addition to the 'status quo'. Alternatives also included changes to the definitions of industry sectors, such as motherships, as well as direct allocations to catcher and catcher/processor vessels. The April 1997 newsletter detailed these alternatives and solicited input from the industry regarding the scope of issues, and potential alternatives, for a new analysis, with a notice that the Council intended to finalize the problem statement and alternatives at this meeting.

That newsletter item is reiterated here as Item C-1(a). While there is a wide range of alternatives and options, these can be described in the following five basic forms:

Alternative 1: No Action- allocations would expire at the end of 1998.

Alternative 2: Rollover existing allocations- 35% inshore/65% offshore (after 7.5% CDQ allocation).

Alternative 3: Redefine inshore sector to include 'true motherships', with a variety of alternative allocation percentages to inshore and offshore sectors (after 7.5% CDQ allocation). CVOA in effect for 'A' and 'B' seasons.

Alternative 4: Three-tier allocation with alternative allocation percentages to inshore, offshore, and true mothership sectors (after 7.5% CDQ allocation). CVOA in effect for 'A' and 'B' seasons.

**Alternative 5:** Range of allocation percentages to catcher vessels (CVs) and catcher/processor vessels (CPs), with potential minimum shoreside delivery guarantee.

The scope of the analyses planned for this iteration of inshore/offshore will depend on the final alternatives identified by the Council. Item C-1(b) is a discussion paper which will be the basis for our staff report at this meeting. In this paper we discuss the analyses which have been prepared for earlier iterations of inshore/offshore, information/data issues as they relate to the earlier analyses as well as the current situation, and other issues as they will relate to the current consideration of this agenda item. We also discuss the pollock CDQ program and how it fits into the overall picture.

Following this report, we will discuss some of the information contained in the report, 'Economic Aspects of the GOA and BSAI Pollock Fisheries' (mailed to you last week). This report was prepared by NMFS-AFSC economists to assist our staff in responding to your information requests from the April meeting.

Item C-1 Supplemental contains written comments received on this issue since April.

### **Report of the Scientific and Statistical Committee**

The SSC suggested that care be taken in crafting a focused problem statement and pointed out that any analysis of alternatives to address the problem statement will be constrained by continuing limitations in the knowledge of industry economics -- the same data limitations that hampered analysis of the second inshore-offshore amendment. The SSC stressed the need for an ongoing data collection and modeling effort focused on the demand for and supply of fisheries products. The SSC provided more specific comments regarding an analysis of the current amendment (please see the SSC Minutes - Appendix II to these minutes).

### **Report of the Advisory Panel**

The AP recommended the Council adopt the following problem statement:

The current allocation will expire at the end of 1998 without having completely fulfilled its objective of being the interim solution during the CRP development process. In addition, as of late 1996, the primary source of guidance for fishery management in this nation is a new law, the Magnuson-Stevens Fishery Conservation and Management Act. The problem is to identify what allocation would best serve to:

1. ensure compliance with the provisions of the new Act,
2. continue to provide a suitable lead into the CRP process, and
3. reflect our current understanding of the make-up and implied future composition of the fishery, with respect to the effects on individual sectors, individual companies and communities, and with respect to the original issue of potential preemption as well as stability that have been incorporated directly or through reference in previous analyses of this issue.

The AP also recommended additional alternatives and other information be included in the analysis. For specific recommendations, please see the AP Minutes, Appendix III to these minutes.

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**DISCUSSION/ACTION**

**Dave Benton moved to adopt the AP problem statement motion:**

**The current allocation will expire at the end of 1998 without having completely fulfilled its objective of being the interim solution during the CRP development process. In addition, as of late 1996, the primary source of guidance for fishery management in this nation is a new law, the Magnuson-Stevens Fishery Conservation and Management Act. The problem is to identify what allocation would best serve to:**

- 1. Ensure compliance with the provisions of the new Act,**
- 2. continue to provide a suitable lead into the CRP process, and**
- 3. reflect our current understanding of the make-up and implied future composition of the fishery, with respect to the effects on individual sectors, individual companies, and communities, and with respect to the original issue of potential preemption as well as stability that have been incorporated directly or through reference in previous analysis of this issue.**

**Drop the Bering Sea portion of the AP motion and substitute the following:**

**Alternative 1: No action.**

**Alternative 2: Allocation by mode and sector**

<b>Inshore</b>	<b>True Mothership</b>	<b>Offshore</b>
35%	10%	55%
35%	13%	52%
35%	15%	59%
40%	10%	50%
40%	13%	46%
49%	15%	45%
45%	10%	45%
45%	13%	42%
45%	15%	40%

**Allocation to the "true" motherships to be analyzed as a subcomponent of either the inshore or the offshore component.**

**NOTES:**

- For the Bering Sea, use the definitions that staff provided with regard to inshore/offshore and true mothership.**
- CVOA included as applying to both A & B seasons; analyze as to whether or not to have a CVOA.**
- Duration of 3 years; for BSAI, includes the 7.5% CDQ allocation.**



**For the Gulf of Alaska, adopt the AP recommendations:**

**Alternatives:**

- 1. Rollover of current allocations.**
- 2. No action**

**Include for analysis:**

- 1. No sunset date but is intended to serve as an interim measure until the CRP has been completed.**
- 2. Sunset for a specific period.**

The motion was seconded by Bob Mace.

Wally Pereyra moved to bifurcate the motion to deal with the problem statement separately. The motion was seconded and carried unanimously.

Wally Pereyra moved the following substitute problem statement:

**The underlying problem is the need to maintain stability between the inshore and offshore sectors until CRP can be addressed comprehensively. A further problem is the lack of a comprehensive current data set that fully characterizes the groundfish industry and fisheries; and models that, together will permit a thorough analysis of the impacts of any changes to the current allocation structure in the pollock fishery or its rationalization under CRP.**

**A continuing inshore-offshore and CDQ pollock allocation, as was done in 1995, when the inshore offshore regulations were essentially rolled over through 1998, will avoid preemption by one sector over another and maintain some degree of stability in both sectors in the groundfish industry, while allowing for continuing development of a CRP management system, including consideration of the findings of the National Academy of Sciences study of individual quotas as mandated by Congress.**

The motion was seconded by Dave Fluharty.

After discussion of the problem statements and possible alternatives, and the need for additional information, Steve Pennoyer moved to postpone the discussion of the problem statement and the range of appropriate alternatives until the Council's September meeting. In preparation for discussions in September, the Council staff is directed to develop a profile of the relevant fishery sectors using the available fishery data. In September, the Council will consider these profiles and, on the basis of this information, (1) specify a problem statement, and (2) identify a range of alternatives to address those problems. The motion was seconded and carried, 8 to 3, with Fluharty, Pereyra and Tillion voting against.

During discussion of the motion, Council members made several friendly amendments and suggestions regarding data gathering between now and the September meeting. Staff was requested to provide, to the extent possible, the following information to profile the relevant fishery sectors:

- Number of operations, by type, size, capacity and configuration.
- Relative operational dependence on pollock in terms of gross revenue.
- Season length and duration of operations by target fishery.
- Product mix and total output for pollock.

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- Price by product form and market distribution of pollock.
- Bycatch, discards, and utilization of all allocated species, including PSC.
- Employment patterns with an emphasis on coastal-Alaskan residents.
- Linkages to CDQs.
- Ownership interests and patterns, including lien holders.
- Pollock catch, PSC bycatch, CPUE, discards, fish size, and marine mammal implications inside and outside the Catcher Vessel Operational Area (CVOA).

**SUMMARY**

The Council postponed development of a problem statement and alternatives for analysis of the inshore-offshore amendments until September, 1997. Staff was asked to provide, for the September Council meeting, a profile of the relevant fisheries to the extent that data and staff are available.

**C-2 Halibut & Sablefish IFQ Program**

**ACTION REQUIRED**

- (a) Final review of IFQ amendments.
- (b) Initiate analysis of North Pacific Loan Program.
- (c) NMFS response to Council letter regarding IFQ enforcement.

**BACKGROUND**

**(a) Final Review of IFQ Amendments**

At the April 1997 meeting, the Council approved the release for public review of the EAVRIR to allow QS transfers to immediate family members, under the 3-year emergency provision. This proposal would change 'surviving spouse' to 'heir.' Proposed regulations would extend transfer privileges of QS and IFQ to surviving members of a deceased QS holder's immediate family. This alternative would provide for cases in which a deceased QS holder has no surviving spouse, but has other surviving members of his or her immediate family who might be in need of temporary financial support from the deceased QS holder's fishing interests. As with the provisions for transfer to a surviving spouse, this alternative would allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death. "Immediate family" is defined as a spouse and children of a holder of QS or IFQ.

Alternatives included in the analysis are:

**Alternative 1:** Status Quo. Provide transfer privileges for a period of three years to a deceased QS holder's surviving spouse only.

**Alternative 2:** Revise regulations to extend transfer privileges of QS and IFQ to surviving members of a deceased QS holder's immediate family. This alternative would provide for cases in which a deceased QS holder has no surviving spouse, but has other surviving members of his or her immediate family who might be in need of temporary financial support from the deceased QS holder's fishing interests. As with the provisions for transfer to a surviving spouse, this alternative would allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death. "Immediate family" is defined as a spouse and children of a holder of QS or IFQ.

- Option A. Allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death.
- Option B. In addition to the provisions of Option A, allow immediate family members who receive QS by right of survivorship to use the resulting IFQ indefinitely provided that the vessel fishing the resulting IFQ remains in the ownership of the immediate family.
- Option C. In addition to the provisions of Option A, allow a minor who receives QS by right of survivorship to use or transfer resulting IFQ for a period of three years following his or her attaining the age of eighteen.

A second EA/RIR, to define ownership of a vessel for purposes of using a hired skipper, was approved for public review with modifications to the alternatives included in the analysis. A loophole currently exists in the IFQ regulations that allows leasing in perpetuity by initial QS recipients due to inexact language related to ownership of vessels on which QS is fished.

Alternatives included in the analysis are:

- Alternative 1: Status Quo. Ownership requirements for hiring a skipper to fish a QS holder's IFQ remain unspecified, allowing for minimal interest in vessels.
- Alternative 2: Revise regulations to require a specific percentage of interest in vessels for QS holders wishing to hire skippers.
- Option A: Require a 5% minimum interest in vessel;
  - Option B: Require a 20% minimum interest in vessel;
  - Option C: Require a 49% minimum interest in vessel;
  - Option D: Require a 51% minimum interest in vessel;
  - Option C: Require that the percentage of vessel ownership reflect the IFQ's percentage of the vessel cap.
- Alternative 3: Require QS holders wishing to hire skippers to have held a specific percentage of vessel ownership (the above options under Alternative 2) as of a certain date.
- Option A: As of January 1, 1995 (the date of Secretarial approval of the IFQ Program);
  - Option B: As of April 17, 1997 (the date of the Council's initial review of the analysis).

Both IFQ analyses were mailed to you on May 21, 1997.

(b) North Pacific Loan Program

The North Pacific Loan Program is an offshoot of the overall fee program, but is to be developed and submitted by the North Pacific Council by October of 1997. While the specifics of the Loan Program are substantially dictated by the Magnuson-Stevens Act, we have been advised that it nevertheless requires a plan/regulatory amendment and attendant rulemaking. We are also advised that the Loan Program cannot become operational until the underlying fees are collected and appropriated. We have been in contact with NMFS Financial Services Division regarding the specifics of the Loan Program, and have determined that, while we may question the need for an amendment, and the need to await fee collection, we can have the specifics of the program ready for Council review and approval by this September. This would allow us to meet the deadline imposed by Congress, and have the Loan Program infrastructure in place and awaiting funding, through either the fee program or other appropriation.

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While we have been working on the Loan Program specifics, we do not have all of the issues fully fleshed out at this time. Our plan is to finish fleshing out those specifics, including application procedures and other logistics, and send that out for public review in August. Final action by the Council could occur in September and we would then forward the package to the Secretary of Commerce for approval and implementation. In September we also hope to have the underlying IFQ/CDQ fee program from NMFS for an initial Council review.

**(c) IFQ Enforcement**

In April 1997, Dayna Mathews presented his report on IFQ enforcement in the halibut and sablefish fisheries off Alaska. Since then, a second report on the South Atlantic wreckfish IFQ program was released. On May 14, 1997, the Council sent a letter to Secretary Baker expressing concern over the current level of enforcement in Alaska's IFQ fisheries (item C-2(a)). The NMFS Regional Administrator indicated he would have an initial response available by this meeting.

**Report of the Advisory Panel**

**(a) IFQ Amendments**

Vessel Ownership Requirements. The AP recommended that the EA/RIR be revised to define leasing and ownership to enforce the ban on all leasing above the current 10% level, but to allow any partnership that existed at the date of the implementation of the IFQ program to continue to hire skippers. The AP also requested that language be included to grandfather in the existing ownership structures as of June 18, 1997. In addition, the AP requested analysis of data to provide the following information:

1. QS units and pounds held and fished by corporations, individuals and A shares who have applied for a skipper card; and,
2. the pounds held and fished by these same entities broken down by degrees of ownership, area and percentage of TAC.

The AP expressed strong opposition to a new alternative suggested by the IFQ Implementation Team which would sunset "grandfather privileges" to initial recipients of halibut and sablefish IFQs.

Surviving Heirs. The AP recommended adoption of Alternative 2, Option A:

Revise regulations to extend transfer privileges of QS and IFQ to surviving members of a deceased QS holder's immediate family. This alternative would provide for cases in which a deceased QS holder has no surviving spouse, but has other surviving members of his or her immediate family who might be in need of temporary financial support from the deceased QS holder's fishing interests. As with the provisions for transfer to a surviving spouse, this alternative would allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death. "Immediate family" is defined as a spouse and children of a holder of QS or IFQ.

- Option A. Allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death.

**The SSC did not address this agenda item.**

## DISCUSSION/ACTION

### Vessel Ownership Requirements

**Linda Behnken moved to adopt Alternative 2, Option B:**

**Revise regulations to require a 20% minimum of interest in vessels for QS holders wishing to hire skippers.**

The motion was seconded by Clem Tillion.

Ms. Behnken pointed out that the original intent of the Council was to have people fishing their own shares or utilizing a skipper on a vessel that they own and that this regulation will help to close the loophole that's been identified.

**Kevin O'Leary moved to amend to grant grandfather rights to those involved in the fishery as of April 17, 1977 (the date of the original analysis). The motion was seconded by David Benton.**

**Dave Benton moved a substitute motion: Revise regulations to require a 51% interest in vessels for QS holders wishing to hire skippers, grandfathering in those holding lesser percentages prior to April 17, 1997. The motion was seconded by Kevin O'Leary and carried, 8 to 2, with Austin and Fluharty voting no; Pereyra was absent for the vote. (Berg was voting for Pennoyer)**

Later in the meeting, staff indicated that the analysis provided to the Council may not support the action taken with regard to the number of persons who may be affected by the regulatory change.

**Kevin O'Leary moved to reconsider his vote on the motion. The motion to reconsider was seconded and carried, 8 to 2, with Tillion and Lauber objecting and Samuelson absent.**

**Linda Behnken moved to postpone the issue until September and to direct staff to prepare additional analysis on the ownership cap to determine the full extent of the people grandfathered in (including the definition in Mr. O'Leary's original motion). The motion was seconded by Steve Pennoyer.**

**Dave Benton moved to amend the motion to state that it is the Council's intent that no waivers or permits for hired skippers that have not applied for and received such waivers or permits prior to April 17, 1977 will be considered under any grandfather clause should one be enacted in September.**

The amendment was accepted as a friendly amendment to the main motion, which carried without objection. (Robin Samuelson was not present for the vote.)

### Surviving Heirs

**Linda Behnken moved to adopt Alternative 2, Option A:**

**Revise regulations to extend transfer privileges of QS and IFQ to surviving members of a deceased QS holder's immediate family. This alternative would provide for cases in which a deceased QS holder has no surviving spouse, but has other surviving members of his or her**

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immediate family who might be in need of temporary financial support from the deceased QS holder's fishing interests. As with the provisions for transfer to a surviving spouse, this alternative would allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death. "Immediate family" is defined as a spouse and children of a holder of QS or IFQ.

**Option A.** Allow a surviving heir, first, to transfer any current year's IFQ for the duration of the allocation year, and, second, to transfer annual allocations of IFQ resulting from the total QS transferred by right of survivorship for three calendar years from the date of the deceased QS holder's death.

The motion was seconded by David Benton.

Kevin O'Leary moved to amend the motion to define immediate family as any heir of an estate. The motion was seconded by Dave Benton and carried, 8 to 2, with Behnken and Lauber voting against. [Wally Pereyra was not present for the vote]

The maker of the motion clarified that the motion pertains to real persons, not corporations.

The main motion, as amended, carried unanimously. [Mr. Pereyra was absent for the vote.]

*(b) North Pacific Loan Program*

There were no AP or SSC reports on this agenda item.

**DISCUSSION/ACTION**

Council staff provided a status report on initiation of a plan amendment to implement a North Pacific Loan Program as mandated by the Magnuson-Stevens Act. A draft amendment is expected to be available for public review and comment by August so the Council may consider final action at the September 1997 meeting.

*(c) IFQ Enforcement*

NMFS advised there is no further report on IFQ enforcement issues at this time.

**SUMMARY**

The Council approved an amendment to the halibut and sablefish IFQ program to allow the transfer of quota shares upon the death of the QS owner to any heir (person) of the deceased's estate under a 3-year emergency provision, and requested further analysis of a provision to change ownership requirements to avoid the situation where QS owners purchase a nominal ownership in a vessel in order to hire a skipper to fish the QS. That amendment will be considered for final action in September.

C-3 Halibut Issues

*(a) Seabird Avoidance*

**ACTION REQUIRED**

Final review of seabird avoidance EA/RIR.

**BACKGROUND**

Final Review of Seabird Avoidance EA/RIR

In April 1997, the Council approved release of the public review draft of the EA/RIR to reduce the incidental seabird mortality in the Pacific halibut fishery with hook-and-line gear in U.S. Convention waters off Alaska. Gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds would be required in regulation and would be similar to those approved for the groundfish fisheries that became effective May 29, 1997.

Recent takes of the endangered short-tailed albatross (*Diomedea albatrus*) (two in 1995 and one in 1996) in groundfish hook-and-line fisheries in the BSAI and the GOA highlight a seabird bycatch problem. A short-tailed albatross was taken in the GOA halibut fishery in October, 1987. Effective mitigation measures would reduce the incidental mortality of seabirds during longline fishing by minimizing the seabirds' attraction to fishing vessels and by preventing the seabirds from attempting to seize baited hooks, particularly during the period when the lines are set. The public review draft was mailed to you on May 14, 1997. The alternatives and options are:

**Alternative 1: Status quo, no action. Any gear modifications, seabird avoidance devices, or changes in fishing methods intended to reduce the incidental mortality of seabirds would continue to be voluntary.**

**Alternative 2: Gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds would be required in regulation. The measures would apply to vessels fishing for Pacific halibut with hook-and-line gear in U.S. Convention waters off Alaska.**

1. All applicable hook-and-line fishing operations would be conducted in the following manner:
  - a. Use hooks that when baited, sink as soon as they are put in the water. This could be accomplished by the use of weighted groundlines and/or thawed bait.
  - b. Any discharge of offal from a vessel must occur in a manner that distracts seabirds, to the extent practicable, from baited hooks while gear is being set or hauled. The discharge site onboard a vessel must either be aft of the hauling station or on the opposite side of the vessel from the hauling station.
  - c. Make every reasonable effort to ensure that birds brought aboard alive are released alive and that wherever possible, hooks are removed without jeopardizing the life of the bird.
2. All applicable hook-and-line fishing operations would be required to employ one or more of the following seabird avoidance measures:
  - a. Set gear between hours of nautical twilight (as specified in regulation) using only the minimum vessel's lights necessary for safety;
  - b. Tow a streamer line or lines during deployment of gear to prevent birds from taking hooks;

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- c. **Tow a buoy, board, stick or other device during deployment of gear at a distance appropriate to prevent birds from taking hooks. Multiple devices may be employed; or**
- d. **Deploy hooks underwater through a lining tube at a depth sufficient to prevent birds from settling on hooks during deployment of gear.**

The required measures to reduce the incidental mortality of seabirds would not be applicable to vessels using hook-and-line gear on:

- Option 1: **vessels less than 26 ft length overall (LOA) in the Pacific halibut fishery.**
- Option 2: **vessels less than 26 ft LOA in the Pacific halibut fishery and the GOA and BSAI groundfish fisheries. Rulemaking to allow for a small vessel exemption in the groundfish fisheries would be initiated separately.**
- Option 3: **no exemption for small vessels.**

In 1996, 2,124 vessels landed halibut from U.S. Convention waters off Alaska. Under Alternative 2, the economic impact on small entities would depend upon the option exercised (small vessel exemption) and the particular measures chosen. A vessel operator would have a choice of several measures. Smaller vessels < 100 ft may find the cost of a lining tube to be prohibitive (approximately \$35,000 per vessel). Vessels ≥ 60 ft numbered 189. The other seabird bycatch avoidance devices (bird streamer lines, buoys ) ranged from \$50-\$250 per vessel. In 1996, 328 vessels < 26 ft LOA made halibut landings. Forty-seven vessels < 26 ft LOA were issued 1996 Federal fisheries permits.

#### **Report of the Advisory Panel**

The AP recommended the Council adopt Alternative 2, Option 3, as listed in the Action Memo.

The SSC did not address this agenda item.

#### **DISCUSSION/ACTION**

Linda Behnken moved to approve Alternative 2, Options 1 and 2, with vessels under 26 feet exempted from Option 2:

**Gear modifications, seabird avoidance devices, or changes in fishing methods designed to reduce the incidental mortality of seabirds would be required in regulation. The measures would apply to vessels fishing for Pacific halibut with hook-and-line gear in U.S. Convention waters off Alaska.**

1. **All applicable hook-and-line fishing operations would be conducted in the following manner:**
  - a. **Use hooks that when baited, sink as soon as they are put in the water. This could be accomplished by the use of weighted groundlines and/or thawed bait.**
  - b. **Any discharge of offal from a vessel must occur in a manner that distracts seabirds, to the extent practicable, from baited hooks while gear is being set or hauled. The discharge site onboard a vessel must either be aft of the hauling station or on the opposite side of the vessel from the hauling station.**
  - c. **Make every reasonable effort to ensure that birds brought aboard alive are released alive and that wherever possible, hooks are removed without jeopardizing the life of the bird.**



2. All applicable hook-and-line fishing operations would be required to employ one or more of the following seabird avoidance measures:
  - a. Set gear between hours of nautical twilight (as specified in regulation) using only the minimum vessel's lights necessary for safety;
  - b. Tow a streamer line or lines during deployment of gear to prevent birds from taking hooks;
  - c. Tow a buoy, board, stick or other device during deployment of gear at a distance appropriate to prevent birds from taking hooks. Multiple devices may be employed; or
  - d. Deploy hooks underwater through a lining tube at a depth sufficient to prevent birds from settling on hooks during deployment of gear.

The required measures to reduce the incidental mortality of seabirds would not be applicable to vessels using hook-and-line gear on:

- Option 1: vessels less than 26 ft length overall (LOA) in the Pacific halibut fishery.  
Option 2: vessels less than 26 ft LOA in the Pacific halibut fishery and the GOA and BSAI groundfish fisheries. Rulemaking to allow for a small vessel exemption in the groundfish fisheries would be initiated separately.

Linda Behnken requested that information provided in letters and testimony be incorporated in the EA/RIR. The motion was seconded and carried without objection.

*(b) Area 4 Catch Sharing Plan*

**ACTION REQUIRED**

Final review of Area 4 Catch Sharing Plan RIR.

**BACKGROUND**

In April 1997, the Council approved release of the public review draft of the EA/RIR to modify the Area 4 catch sharing plan. It resulted from a revised International Pacific Halibut Commission methodology for calculating Area 4A, 4B, and combined 4C-E catch limits. In response to public testimony, the Council added an alternative that would allow Area 4D and 4E halibut CDQs to be harvested from either area. The EA/RIR was mailed to you on May 14, 1997. Alternatives included in this analysis are:

Alternative 1: Status quo.

Alternative 2: Remove Areas 4A and 4B from the Area 4 catch sharing plan.

Alternative 3: Allow Area 4D and 4E CDQ QS to be harvested in either Area 4D or 4E.

Alternative 2 addresses new biological information approved by the IPHC to better manage halibut stocks in Area 4. The IPHC has recommended moving to a biomass-based method for setting catch limits for Areas 4A, 4B, and 4C-E. It delayed implementing the methodology so the Council could revise its CSP accordingly. While the 1997 catch limits based on conservation differ little from status quo historical allocations, future density and habitat distributions for halibut are unknown. Application of

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**the IPHC biomass-based method would protect the resource better than a fixed allocation based on historical landings.**

**Alternative 3 would benefit Alaska Native residents of the 52 Western Alaska CDQ communities because they would be able to harvest 4D and 4E CDQ QS in either area. For 1997, Bristol Bay Economic Development Corporation holds 80,040 lb in Area 4D and 78,000 lb in Area 4E. Coastal Villages Fishing Cooperative holds 83,520 lb of halibut CDQ in Area 4D and 182,000 lb in Area 4E. Norton Sound Economic Development Corporation and Yukon Delta Fisheries Development Association hold 69,600 lb and 114,840 lb, respectively, in Area 4D.**

**Report of the Advisory Panel**

The AP recommended a combination of Alternatives 2 and 3 and that for any trip where quota is harvested in both areas D and E, retention of fish under 32" for subsistence use would be prohibited.

The SSC did not address this agenda item.

**DISCUSSION/ACTION**

**Robin Samuelsen moved to adopt Alternative 2 -- remove Areas 4A and 4B from the Area 4 Catch Sharing Plan. The motion was seconded by Bob Mace and carried without objection.**

Mr. Samuelsen pointed out that there is no consensus among CDQ groups at this time for Alternative 3. When there is, the Council may consider other solutions. Ms. Behnken said this action will move the IPHC toward the biomass-based setting of TAC.

**SUMMARY**

The Council approved a regulatory change to remove Areas 4A and 4B from the halibut catch sharing plan which apportions the total Area 4 quota. The Council will continue to apportion the IPHC's Area 4C-E quota into individual subarea apportionments.

*(c) Sitka Sound Halibut Management Plan*

**ACTION REQUIRED**

**Initial review of Sitka Sound Local Area Halibut Management Plan.**

**BACKGROUND**

**Local Area Plans**

**In September 1996, the Council began developing a regulatory amendment to implement a Sitka Sound management plan recommended by the Sitka Fish & Game Advisory Committee Halibut Task Force. The Alaska Board of Fisheries forwarded the Committee's final recommendations to the Council in February 1997. The initiative may be divided into two parts: (1) a general framework for considering local area management plans; and (2) a specific plan for Sitka Sound. Discussion of the first part is**

provided in item C-3(c)(1) where various criteria and procedures are described for review of local area plans. That discussion is intended to lead to development of a protocol for use with any proposed local plan.

The second part is treated separately in a draft EA/RIR which, if adopted, would implement the specific recommendations of the Halibut Task Force proposal for Sitka Sound. The EA/RIR was mailed to you on June 10, 1997, and is discussed further below.

#### Sitka Sound Local Area Plan

The Sitka Sound proposal culminates community debate since 1995 to resolve user conflicts resulting from the apparent decline in halibut in Sitka Sound. In May 1995, the Sitka Halibut Task Force unanimously agreed to a statement of findings and a list of voluntary actions. The Task Force was reformed in 1997 in response to Proposal 270 submitted by the Sitka Tribe of Alaska to the Board last February. Proposal 270 recommended stopping the harvest of halibut, ling cod, rockfish and other bottomfish in the Sitka Sound area because of commercial and charterboat overharvest. The Board then created a Sitka Sound Special Use Area for ling cod. Rockfish are already protected in Sitka Sound. The Board, however, could not implement a local halibut plan because the State lacks jurisdiction over halibut under the Northern Pacific Halibut Act of 1982. Thus, the BOF referred the recommendations to the Council, which does have management jurisdiction.

The Task Force met again on Monday, June 9, 1997, to resolve remaining issues on halibut retention by the charter and salmon commercial troll fisheries in the Sitka Sound closed area. It reaffirmed the February 1997 agreement and requested that the Sitka advisory committee be updated annually on commercial and sportfish halibut harvests in Sitka Sound. Note that provision 3 of alternative 2 of the February 1997 Council motion (shown below), which attempts to incorporate Item 8 of the Halibut Task Force recommendation, now differs from Item 8 because the Council is prohibited from discriminating between residents of different states. The Task Force clarified that 'non-resident' in Item 8 referred to non-Sitka residents.

The proposed Sitka Sound plan would close most of the Sound to commercial halibut fishing by freezer vessels, commercial vessels larger than 35 ft, and halibut charterboats. Commercial vessels less than or equal to 35 ft would be limited to 1,000 lb of halibut per trip. Subsistence, personal use, and unguided sport fishermen would continue to harvest halibut in the Sound. The alternatives included in the analysis are:

**Alternative 1. Status Quo. Do not develop a local area management plan for Sitka Sound.**

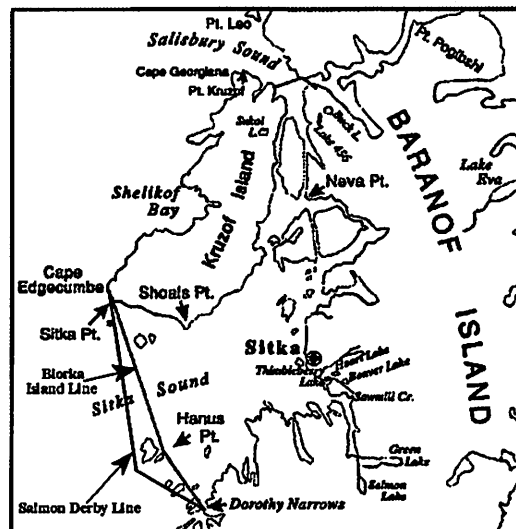
**Alternative 2. Create a local area management plan for Sitka Sound with the following provisions:**

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- (1) Halibut longliners larger than category "D" (> 35 ft LOA) would be prohibited from harvesting halibut in the Sitka Sound area, defined as a line across Kakul Narrows at the Green Buoy and from a point on Chichagof Island to Kruzof Island adjacent to Sinitsin Island, on the North to the Sitka Salmon Derby Boundary on the South.
- (2) Halibut longliners in the category "D" would be prohibited from harvesting halibut in the Sitka Sound area, same boundaries for larger vessels in the North, and inside of a line from Sitka Pt. to Hanus Pt. (14450 Loran Line) and from Hanus Pt. to the Green Marker in Dorothy Narrows and Across to Baranof Islands in the South in June, July, and August (Figure 1). 1,000-pound trip limit in this area during the time it is open. Halibut catch in Sitka Sound will be monitored for growth rate.
- (3) Inside the same areas defined for the category "D" longliners during the months of June, July, and August, fishing for halibut would only be allowed by: (a) personal use fishery; (b) subsistence fisheries; and/or (c) non-guided sport fishery

Commercial halibut boats using the proposed closed area increased from 57 to 74 vessels between 1995 and 1996. At the end of 1995, 324 Sitka residents held over 1.7 million lb of halibut IFQ, valued at \$3.0 million. Because of liberalized sweep-up and fish-down allowances, fewer QS holders and vessels are currently active in the fishery.

Alternative 2 would displace from the closed area approximately 29 commercial category A-C vessels which harvested approximately 106,000 lb of halibut worth \$190,000 ex-vessel in 1996. Around 45 category D vessels would be limited to 1,000 lb of halibut per trip inside the proposed area during the IFQ season, except for June, July, and August when they would be prohibited from fishing inside closed waters with a less restrictive southern boundary (Biorka Island line) than larger commercial vessels (salmon boundary line). The trip limit would have no effect on roughly 32 of the 45 category D vessels harvesting halibut during 1996. Thirteen category D vessels may be required to take multiple trips to harvest their IFQs in the Sound. Up to 61,000 lb of halibut valued at \$173,000 are fished on category D vessels.



Up to 61,000 lb of halibut valued at \$173,000 are fished on category D vessels.

Approximately 200 charterboats would have the same closed water boundary as commercial category D vessels during June, July, and August. The Sitka guided halibut harvest of 13,400 fish in 1995 generated estimated gross revenues of \$1,036,800 and total spending of over \$2 million. Alternative 2 may result in approximately 6,000 fewer halibut removed by charter anglers from Sitka Sound; roughly 176,000 lb at 29 lb/fish net weight. These fish still may be intercepted as they enter the Sound, if fishing activity shifts to Salisbury Sound and along the western side of Kruzhof and Baranof islands.

Some effects of Alternative 2 remain unknown: (1) the amount of category A-C IFQs that might be harvested in other statistical areas or landed in other ports; (2) whether the 1,000 lb trip limit would reduce removals from the Sound or just further slow the pace of fishing effort; and (3) the effect of greater running time to fishable waters outside the Sound on charterboat client bookings.

The Council may wish to consider delaying release of the public review draft EA/RIR and final action on the Sitka Sound local area management plan until after final action on both halibut subsistence/personal use (June 1997) and charterboat (September 1997). This would allow the Halibut Task Force to reconsider its recommendations as a result of Council action. Additionally, retention of halibut in closed waters in Sitka Sound while continuing charter fishing for other species and halibut retention by the commercial salmon troll fleet may require revisiting by the Task Force.

Neither the AP nor the SSC addressed this agenda item.

#### DISCUSSION/ACTION

Linda Behnken clarified that the intent would be that the area defined would be open to resident Sitkan non-guided sport, personal use, or subsistence fishermen. Sport charter fishermen taking halibut outside the defined Sitka Sound area would be allowed to enter the Sound with halibut on board in order to fish for salmon; however, they could not fish for halibut.

Linda Behnken moved to send the EA/RIR out for public review, after incorporating clarifications and changes previously mentioned. Data for the area, harvests by all gear types, would be provided to the local ADF&G Advisory Committee on an annual basis. The motion was seconded by Dave Benton and carried with Dennis Austin objecting. (Tillion and Samuelsen were absent for the vote.)

Jonathan Pollard indicated that it appears that the Sitka-only option would not violate the provision of the Halibut Act regarding discrimination on the basis of state residence because Alaskan residents not residing in the defined Sitka area would be excluded as well as residents of other states.

#### SUMMARY

The Council approved releasing for public review, after minor revisions, an analysis of alternatives for a local halibut management plan for the Sitka Sound area.

#### C-4 Halibut Subsistence

#### ACTION REQUIRED

Final Review of Halibut Subsistence EA/RIR.

#### BACKGROUND

In April 1997, the Council approved release of the public review draft of the EA/RIR to create and define a subsistence or personal use fishery for halibut in Alaska. In response to public testimony, the Council added an alternative to create a personal use halibut fishery. The EA/RIR was mailed to you on May 21, 1997. The three alternatives and numerous options and suboptions are listed in item C-4(a)

Alternative 2, Option 4, Suboption B and Alternative 3, Option 3, Suboption B address the conflict of Alaska Native subsistence practices and halibut CDQ regulations in Western Alaska. The remaining options under Alternatives 2 and 3 address legalizing existing halibut fishing practices by Alaska rural residents. Approximately 88,663 rural residents in coastal communities with customary and traditional

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halibut use would be eligible under Alternative 2, Suboption A, of which 42,004 are Alaska Native and 46,659 are non-Native. This option includes all members of Alaska Native Tribes with customary and traditional uses of halibut, regardless of their permanent legal residence.

Suboption A will result in approximately 6,492 more Alaska Native Tribal members than Suboption B because the former includes Alaska Native Groups in four urban areas (Juneau, Ketchikan, Kenai-Soldotna and Ninilchik). Included within this suboption are all other residents of the rural communities in areas with customary and traditional uses in which those Alaska Native Tribes are identified. Suboption A is predicted to result in approximately 1,530,299 lb of halibut removed by subsistence fishermen. About 636,813 lb may be harvested by Alaska Natives, and about 893,486 lb may be harvested by non-Natives. Note, however, that this estimate includes subsistence, personal use, and recreational harvests. It is not possible to differentiate subsistence harvests from among these sources.

Suboption B would qualify approximately 82,171 persons in rural areas with customary and traditional uses of halibut. Of these, 35,512 are Alaska Natives and 46,659 are non-Natives. Suboption B does not include any residents from Juneau, Ketchikan, Kenai-Soldotna, or Ninilchik since these communities are not rural places. About 6,400 fewer Alaska Natives from four urban communities would be excluded from proposed subsistence regulations. Under Suboption B, approximately 1,437,981 lb of halibut may be harvested for non-commercial purposes. About 544,495 lbs may be harvested by Alaska Natives, and about 893,486 lb may be harvested by non-Natives.

Like Suboption A, Suboption C is a mix of group and place-defined eligibility with 88,663 eligible rural residents in 114 rural places and 118 Alaska Native groups, of which 42,004 are Alaska Native and 46,659 are non-Native. It is distinguished from Suboption A in that it would require individual determinations of "who has legitimate subsistence needs" for non-Native residents. Under Suboption C, an estimated 1,530,299 lb of halibut may be harvested. About 636,813 lb may be harvested by Alaska Natives, and about 893,486 lb may be harvested by non-Natives. The harvest by non-Natives may be less under Suboption C since individual eligibility standards for non-Natives may reduce the number of eligible persons.

In determining legal gear, it should be noted that 'true' subsistence or personal use fishing, that is fishing to feed families, is likely to remain at current per capita levels regardless of the type of gear allowed. Whether the physical costs of harvesting halibut arise from rod and reel gear with two hooks or a longline skate with 60 hooks, an individual or family group can consume only a certain amount of halibut. If halibut are truly to be harvested to feed families, those rates of consumption should not increase measurably due to harvesting efficiency. This may be true more of subsistence fishing than personal use fishing since personal use fishing currently does not exist for halibut. Expanded food fishing opportunities by non-Natives in a subsistence fishery, or the creation of a personal use fishery for rural Alaskans or all U.S. citizens may increase halibut harvests and result in reduced recreational halibut harvests.

The Council directed staff to analyze Alternative 3 using the Alternative 2, Option 2 eligibility definitions. An alternative eligibility discussed by the Council was for all U.S. citizens, since the Council can not institute regulations that discriminate between residents of different states. Data recently obtained from ADF&G Sportfish Division showed that approximately 137,100 halibut were harvested by non-chartered anglers in 1995; over 88,000 halibut by Alaska residents, 46,300 halibut by other U.S. residents and 2,800 by non-U.S. citizens. All U.S. citizens would be eligible to harvest halibut under personal use regulations if the Council applied this definition to a halibut personal use fishery (subsistence halibut was attempted to be distinguished from 'sport' halibut). If the Council used a more

liberal definition, and both guided and non-guided halibut were eligible for a personal use fishery, then approximately 134,200 halibut by Alaska residents and 184,900 halibut by other U.S. residents in 1995 could have been harvested under personal use regulations.

### Report of the Advisory Panel

The AP recommended the Council adopt Alternative 2, Option 4, Suboption B, to allow retention of halibut under 32 inches caught with authorized commercial gear in Area 4E for subsistence use. The AP recommended tabling action on all other issues addressed in the EA/RIR until December 1997.

The SSC did not address this agenda item.

### DISCUSSION/ACTION

Bob Mace moved to adopt the recommendations of the Advisory Panel:

- Revise the commercial halibut minimum size regulations to allow the retention of halibut under 32 inches caught with authorized commercial gear in Area 4E CDQ fisheries for subsistence use.
- Table action on all other issues addressed in the EA/RIR until ~~December 1997~~ February 1998.

The motion was seconded by Dave Benton and carried without objection.

Through friendly amendment, the words "CDQ fisheries" was added after the words, "Area 4E," and the date of December 1977 was changed to February 1998.

The Council felt that before acting on other subsistence issues, they should wait for the results of the State's efforts to devise subsistence regulations acceptable to the State and federal governments.

Steve Pennoyer advised that the IPHC has no problem with the minimum size measure because of the restricted area involved, but asked that the Executive Director write a letter to IPHC regarding the Council's action and requesting the IPHC revise the regulations accordingly.

### SUMMARY

The Council approved changing the commercial fishing regulations to allow CDQ fishermen to retain undersized halibut (<32 inches) to take home as food fish while commercial fishing their CDQ halibut QS in Western Alaska (Area 4E only). The Council delayed final action on creating a subsistence or personal use category for halibut until February to allow State and Federal agencies to address subsistence for all fish and game in Alaska.

#### C-5 Bering Sea Ecosystem Research Initiative

This agenda item was deferred to a later meeting.

#### C-6 Gulf of Alaska Improved Retention and Utilization

### ACTION REQUIRED

Final action on plan amendment for IR/IU for the GOA.

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**BACKGROUND**

**In April the Council reviewed an analysis by Dr. Lew Queirolo for the proposed IR/IU program for the GOA. This program basically mirrors the program already approved by the Council for the BSAI fisheries. An updated analysis was mailed to you in May, in preparation for a final decision at this meeting, to allow for concurrent implementation with the BSAI program in 1998. An Executive Summary for this analysis was sent to you this past week and will be presented by Dr. Queirolo. Written comments received on this issue are under Item C-6(a).**

**Report of the Advisory Panel**

The AP recommended the Council move forward with the IR/IU program for the Gulf of Alaska. They also suggested the Council form a new industry/enforcement/implementation committee for the BSAI and GOA to monitor the program on an annual basis to assess whether the program is meeting its stated objectives.

The SSC did not address this agenda item.

**DISCUSSION/ACTION**

**Bob Mace moved to approve the AP motion to move forward with the GOA IR/IU program and to form an industry/enforcement/implementation committee to monitor the program in the GOA and BSAI on an annual basis to assess whether the program is meeting its stated objectives. The motion was seconded by Clem Tillion and carried without objection.**

While discussing the committee, Council members indicated that the primary focus of the committee would be to work to achieve the stated goal of avoiding unnecessary bycatch and work through the problems of full retention and improved utilization in order to achieve the goals in the Magnuson-Stevens Act. The second role would be to work with enforcement and NMFS to work out details with regard to monitoring and enforcement. In addition, the Committee would review NMFS reports on discards in the GOA and BSAI and look at product types to determine how much is going to meal. It was also indicated that the environmental industry may have representation on the committee.

It was also pointed out that the Council must report to Congress on bycatch reductions and the mortality of bycatch and that the NMFS and ADF&G will need to report to the Council by the end of the year as to their ability to detect changes in the fishery and determine whether the Council's IR/IU program is achieving the stated goals.

**SUMMARY**

The Council approved a plan amendment for an improved retention and utilization program for the Gulf of Alaska groundfish fishery which essentially mirrors the program already approved for the Bering Sea/Aleutian Islands, with a target implementation date of January 1998.



C-7 Groundfish and Crab Limited Entry/Moratorium

**ACTION REQUIRED**

- (a) Review License Limitation/CDQ Proposed Rulemaking.
- (b) Discuss and provide direction on skipper reporting system.
- (c) Moratorium: review request to lengthen vessel for safety reasons.
- (d) Receive industry report on crab vessel buyback program.

**BACKGROUND**

(a) LLP/CDQ Program

The proposed rulemaking package for the License Limitation (LLP) and multi-species CDQ program was transmitted to the Secretary of Commerce (SOC) on June 9. It should be published in the Federal Register by June 24. A Notice of Availability (of the FMP amendments) will be published by June 13. After publication of the proposed rule, there will be a 45-day public comment period which will end in September. The SOC will then have 30 days to publish a final rule, and a Secretarial decision should be made in late September or early October. The comment period will not overlap with a Council meeting, but the Council could assign a Committee to review and comment, or delegate that responsibility to staff.

We have limited copies of the Proposed Rulemaking and Final Supplemental Analysis available at this meeting. The LLP portion of the program is fairly straightforward, and appears to reflect Council intent. We have been reviewing this rulemaking over the past several months, and are confident that earlier inconsistencies have been addressed. For your reference, the details of the Council's original motion are included under Item C-7(a), including clarifications made at the September 1995 meeting. We do not intend to go through the details of the LLP portion of the rulemaking, though we will review it once again prior to the close of the formal comment period.

The delays in processing this package largely have been due to the complexities of the multi-species CDQ portion of the program. NMFS has been working closely with the State of Alaska and the CDQ organizations to develop the specifics of this rulemaking. Because the Council has not been directly involved, NMFS now will describe the CDQ portion and how the pollock CDQ program will dovetail into the multi-species program.

(b) Skipper Reporting System

When the Council approved its LLP, they also urged development of a skipper reporting system to collect information on participation in the groundfish and crab fisheries. In April, we reviewed a letter from NMFS outlining a plan for collection of that information (Item C-7(b)(1)). NMFS proposes to use the existing fish ticket (both required and voluntary) system to track participation, using the CFEC permit holder as the basis for attributing that participation. The Council agreed in April to defer action on this issue until members of the affected industry had a chance to review the proposal and respond.

Skippers for Equitable Access (SEA), who originally proposed both the skipper license and skipper reporting systems, have responded with the letter under Item C-7(b)(2). They recommend that an information collection program begin immediately, along the lines described in the NMFS letter, recognizing that future refinements may be needed. For example, more specific information may be collected more expediently through the electronic reporting programs being developed by the agency.

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(c) **Moratorium request to lengthen vessel**

Item C-7(c)(1) is a request from Jensen Maritime Consultants, Inc. to lengthen a vessel beyond the upgrade limits imposed by the Council's moratorium (and LLP). The upgrade would be within the 20% limit, but would violate the prohibition on increasing the length of any vessel over 125'. The vessel's original LOA is 136', with the proposed upgrade to 140'. In considering this request, the Council should discuss whether such an exemption would require a generic change in the regulations, or whether such exemptions would be considered case-by-case.

Other correspondence related to the Council's LLP is contained under Item C-7(c)(2), including a request from Mike and Susan Goad regarding LLP provisions for replacing lost vessels. In this case, they are recommending that the exemptions granted to owners who lost vessels early in the endorsement period be extended to those who lost vessels in the latter part of the endorsement period. Details of their situation are contained in their letter.

(d) **Crab Buyback Program**

In April the Council received a report on an industry initiative to establish a buyback program for crab vessels under the proposed LLP. An update will be provided at this meeting by Gordon Blue and Arni Thomson.

Neither the AP nor the SSC addressed this agenda item.

**DISCUSSION/ACTION**

(a) License Limitation Proposed Rule. The Council received a draft of the Proposed Rule for the Groundfish and crab license limitation and CDQ programs, but did not provide any comments.

(b) Skipper Reporting System. In a letter dated April 9, 1997, NMFS proposed a plan for collecting information to develop a skipper reporting system using existing ADF&G fish ticket information to track participation, using the CFEC permit holder as a basis for attributing that participation.

Linda Behnken moved to initiate a mandatory skipper reporting system as outlined by NMFS (see Appendix IV to these minutes), and supported by the Skippers for Equitable Access. The motion was seconded by Steve Pennoyer and carried without objection.

(c) Moratorium: Request to Lengthen Vessel

The Council took no action on this request.

(d) Crab Vessel Buyback Program

The Council received a report from Gordon Blue on the proposed vessel buyback program. The Crab Reduction and Buyback Group requested that the Council comment to the Secretary of Commerce, during the public comment period on the license program, indicating that the mechanism for an industry-funded buyback program now exists and that regulations should be revised to allow severability of crab and groundfish licenses for the purpose of surrendering one part of the license, crab or groundfish, to a qualified buyback program.

Steve Pennoyer recommended against submitting the suggested changes to the Proposed Rule at this stage, stating that it would be better to agenda the subject for the September meeting with the intent to initiate an amendment to the LLP program.

Dave Benton moved to endorse the efforts of the crab buyback group and encourage them to continue efforts, and to schedule the subject for the September 1997 Council meeting for further consideration of their recommendations. The motion was seconded by Dave Fluharty and carried without objection.

Kevin O'Leary asked that when discussing this subject in September the Council take into consideration comments received regarding the spillover effects and need to confine vessels to the groundfish category they were operating in previously.

The Executive Director was asked to obtain information on the Pacific Council's buyback program and provide it to the Council in preparation for the September meeting.

C-8      Observer Program

**ACTION REQUIRED**

- (a) Extend existing program through 1998 with minor revisions
- (b) Review alternative program structures and give further direction

**BACKGROUND**

- (a) Extend current program through 1998

Last week you were mailed a brief RIR for a regulatory amendment to extend the current observer program through 1998 (the existing program will otherwise sunset at the end of 1997). Included in that RIR is a summary of the provisions, and recommended revisions, to that program. Final action is necessary at this meeting to make sure we have the existing observer requirements in place for January 1998. A replacement program structure, discussed below, could replace the existing program by the end of 1998. NMFS staff will summarize the provisions of the recommended rollover.

Because insurance issues are relevant to the rollover of the existing program, the report of the Council's Insurance Technical Committee (ITC) will be presented at this time. A copy is provided under Item C-8(a)(1). The Council's Observer Advisory Committee (OAC) concurs with the ITC recommendations. Item C-8(a)(2) is a copy of the membership list for both Committees.

- (b) Alternatives for a Modified Program Structure

Since the repeal of the Research (fee) Plan, and at the direction of the Council, NMFS has been developing alternative program structure to address, in a long-term fashion, problems which have been identified with the current observer program structure. The Council's latest direction, from April 1996, emphasized development of a 'third-party', modified pay-as-you-go program, but did not preclude development of other program structures, including a fee-based system or some blended program utilizing pay-as-you-go in conjunction with a fee program. Item C-8(b)(1) is a copy of a discussion paper provided by NMFS which outlines the issues leading to consideration of alternative program structures, including options to address these issues. NMFS is now recommending further development of a joint partnership agreement (JPA) with the Pacific States Marine Fisheries

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**Commission (PSMFC) to implement the 'third party' system previously discussed by the Council. NMFS staff will summarize the approach for the Council.**

**The Council's OAC met in Seattle during the first week of June to review information on this initiative and supports NMFS proceeding with this alternative. The report from the OAC is contained under Item C-8(b)(2) and will be presented by Committee Chair Chris Blackburn. Additional materials which were provided to the OAC, and which were mailed to you last week, include two reports from NMFS Observer Program titled 'Groundfish Observer Costs by Harvesting and Processing Sector', and 'Observer Coverage Needs'. These reports were reviewed by the OAC and factored into the overall Committee recommendations. Dr. Karp is available to summarize the information in these reports for the Council.**

**Correspondence received is under Item C-8(b)(3), including the proposal from Kim Dietrich which was reviewed by the OAC. As is reflected in the OAC report, further development of that proposal is not consistent with development of the third party (JPA) alternative.**

#### **Report of the Advisory Panel**

**The AP recommended the Council adopt the proposed changes requested by NMFS staff (listed below) with the AP's revision under conflict of interest:**

- 1. Establish a one-year time period for regulations.**
- 2. Conflict of Interest: clarify that observers may not solicit or accept employment onboard the vessel harvesting and/or processing or accept employment at a shoreside processor receiving fish from a North Pacific fishery while under contract with an observer contractor.**
- 3. NMFS Observer Qualifications: require observers to have taken at least one course that used dichotomous keys extensively.**
- 4. NMFS Observer/Training/Briefing Requirements: require all prior observers to complete a 4-day briefing prior to their first deployment in any calendar year. One-day briefings will be required prior to subsequent deployments within a calendar year.**

**The AP also supported the recommendations of the Insurance Technical Committee (ITC), including: (1) deletion of the FECA applicability for North Pacific groundfish and crab observers, and (2) clarification of the CGL insurance requirements in the current regulations.**

**The AP also recommended that the Research Plan be the preferred alternative, and that the Council direct the Observer Advisory Committee (OAC) to start developing procedures in conjunction with NMFS to deal with a possible observer strike.**

#### **Report of the Scientific and Statistical Committee**

**Data quality, complexity of data, and the numerous sources of error were of primary concern to the SSC. The presentation given by Bill Karp indicated that significant amount of time is being devoted to examine coverage levels and associated error levels and recommended that these efforts be continued. To clarify current data collection and estimation procedures, the SSC organized a work session to be held in conjunction with its February 1998 meeting to discuss these issues.**

## DISCUSSION/ACTION

Steve Pennoyer moved to extend for one year the groundfish requirements for the North Pacific Observer Program that expire on 12/31/97, and to immediately pursue a joint partnership agreement with the Pacific States Marine Fisheries Commission (PSMFC) to provide observer procurement functions. It is understood that prior to final action, the agency (NMFS) and PSMFC will present the Observer Advisory Committee and Council with a more fleshed-out program for review in September, with final action scheduled for December. The motion was seconded by Kevin O'Leary.

Linda Behnken moved to strike the 12-month prohibition for observers (relating to accepting employment in the fisheries in which they have observed) and replace it with the previous regulation which prohibits an observer from observing on a vessel or in a plant for which they have been previously employed or owned by a company by which they were previously employed. The motion was seconded by Dennis Austin and carried without objection.

The main motion, as amended, carried without objection.

Dave Benton moved that NMFS, working with the Observer Oversight Committee and PSMFC, flesh out alternatives on the disproportionate costs issue and bring recommendations back to the Council for consideration. The motion was seconded by Wally Pereyra and carried without objection. There was no time frame specified for the report back to the Council.

## SUMMARY

The Council approved the development of a replacement structure for the existing groundfish observer program. The modified pay-as-you-go program will be developed under a joint project agreement between NMFS and the Pacific States Marine Fisheries Commission. Details will be worked out over the summer and a report provided to the Council in September.

### C-9 Magnuson-Stevens Act Provisions

## ACTION REQUIRED

- (a) Review progress and give direction on meeting new requirements.
- (b) Review AMCC bycatch proposal
- (c) Receive progress report on Essential Fish Habitat initiative.
- (d) Comment on various NMFS initiatives in response to Magnuson-Stevens Act revisions

## BACKGROUND

### (a) Progress Report and Council Direction

The Sustainable Fisheries Act added many new requirements to the Magnuson-Stevens Act. Item C-9(a) is a detailed itemization of the new requirements, keyed to the red covered, December 1996 edition of the Act. In that document, I provide a status report for each requirement and recommendations on next steps. It will be very important for the Council to review the items and give the staff direction on additional tasking. I consider the following five sections as needing particular attention of the Council to set a course of action:

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- 1. Section 303(a) Essential fish habitat.**
- 2. Section 303(a) Bycatch reporting and minimization.**
- 3. Section 313(f) Four-year reduction in economic discards.**
- 4. Section 313(h)(1) Total catch measurement.**
- 5. Section 313(h)(2) Weighing of fish.**

Concerning bycatch reductions under #2 above, I earlier held the opinion that the Council most likely had addressed this new requirement of fishery management plans because of the long list of bycatch control measures the Council has enacted during its twenty-year history. Those are described in a separate paper on BSAI bycatch drafted by David Witherell, to be distributed at this meeting. I earlier believed that the new requirement was meant primarily for other councils to get their house in order.

I have changed my mind after reviewing the legislative history on this issue. It is clear from the Senate Commerce Committee report, Senator Stevens' comments on the Senate floor, and his press release, all under item C-9(b), that additional actions are intended for the North Pacific Council. I still believe, however, that our IR/IU program responds sufficiently to #3 above, though Trustees of Alaska has argued strongly that IR/IU does not (see letter under C-9 supplemental). Obviously, the Council needs to consult with NMFS and NOAA GC and determine next steps to be taken.

I recommend that the Council send out a special notice with its call-for-proposals for groundfish this summer, emphasizing the need for proposals to satisfy the Section 303(a) bycatch reduction requirements of the Act. This would dwell mainly on regulatory discards and PSC species. In September, the Council would prioritize the proposals and task staff with an amendment package for initial review in April 1998 and final action in June 1998. We would need to transmit the amendment package to the Secretary by October 11, 1998 to meet the requirements of the Act.

I do not believe any further action on economic discards makes sense at this time until we find out if the IR/IU program causes a reduction in economic discards or changes in fishermen behavior to avoid economic discards in 1998. Then we can adjust the program as necessary. I have run that approach by various congressional staff members and it has appeared to be acceptable. I think that we need to keep firmly in mind that IR/IU impacts more than just those fishermen operating in the directed fisheries for pollock and cod. Every fisherman in the North Pacific groundfish fisheries, regardless of gear or target species, will need to keep the specified species. We need to see how the program plays out before adding any more regulations to treat economic discards.

**(b) Review AMCC Bycatch Proposal**

This proposal was submitted during the call-for-proposals last summer, and the Council requested in December that it be placed on the June agenda along with the overall topic of bycatch reduction. The proposal is item C-9(c) in the notebooks. It is rather general in nature, but should be reviewed along with the more specific proposals that may come in over the summer.

**(c) Essential Fish Habitat**

The Magnuson-Stevens Act amendments call for the Secretary to make recommendations to the Council on the description and identification of essential fish habitat (EFH), for the councils to amend their fishery management plans accordingly, and for the councils to add provisions to the plans that will minimize to the extent practicable the impacts of fishing on the habitat. The councils have until October 1998 to submit their EFH amendments. The Final Rule for EFH guidelines has not been published, but NMFS and the Councils have already started preparing background materials given the limited time available.

The Alaska Region's essential fish habitat core team met in Juneau on May 20-22 to discuss how to prepare the EFH amendment and establish a plan to accomplish this objective. A draft tasking plan is attached as Agenda Item C-9(d). The EFH Core team is proposing that the work be accomplished in two phases, with the initial phase to describe and identify EFH, and a later phase to amend the plans as necessary to minimize to the extent practicable any fishing impacts on EFH. To accomplish phase 1, technical teams would be established to prepare essential fish habitat assessment (EFHA) for each FMP. EFHA's would be similar in structure to the SAFEs in that there would be a separate chapter, drafted by assessment authors, for each target species complete with text, tables, and maps. The EFHAs would be available to the public, and form the scientific basis for EFH recommendations by the EFH Core team. A preliminary EFHA should be available in September for SSC and Ecosystem Committee review. A draft Final EFHA and amendment package will be available for Council review in April, 1998. At this meeting, the Council needs to approve the Tasking Plan, or provide additional guidance.

**(d) Other NMFS Initiatives that Respond to SFA**

A key new requirement of the Act is the recusal regulations. The draft proposed rule is under item C-9(e). NOAA GC attorneys nationwide developed the draft and Jon Pollard is lucky enough to be here to walk us through it. The Council Chairmen reviewed the draft in early June and had the following comments:

"The Council Chairmen reviewed the draft proposed rule on recusal. The Chairmen recognize that recusal and conflict of interest are very difficult issues to address in the complex decisionmaking that is embodied in the regional council process. They appreciate the joint work effort of the regional attorneys in drafting the proposed rule, and in general had little disagreement with the use of the 10% rule. There were, however, several concerns expressed.

First, the supplementary information section singles out industry association representatives, but no others, for guidance on when to recuse. The Chairmen recommend that the guidance be eliminated by deleting the last part of the first full paragraph on p. 5, beginning with the word "However" in the fifth sentence. If that guidance is not deleted, than other examples for other types of council members and situations should be added so that the public may respond.

Second, our discussions and debate on the recusal issue showed how easy it will be to produce illogical or inequitable outcomes. The example for the industry association representative underscores the situation. According to the guidance, though an industry association representative may not have 10% of any interest in the fishery, he (or she) would need to recuse on any vote that would eliminate his membership's fishery. On the other hand, one of his members, who has less than 10% of the fishery, but similarly would lose it all, could still vote under the proposed rule. Further, a State director might lose his job over the same vote, and yet he would not have to recuse. Yet all of these individuals have just as much at stake. In fact it could be argued that the industry association representative might not be as impacted as one of his members, because he does not have the capital investment in equipment.

Third, several councils believe that the proposed rule exceeds the language and intent of the Sustainable Fisheries Act in drafting Section 600.235(c)(3) by adding "negative impact" in addition to positive impact. They believe that Congress only intended recusal if a member stands to gain in a positive way from a motion. Extending the impacts to the negative side will increase the number of situations in which members will have to recuse themselves. Other councils felt the language comported with

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**congressional intent because losing part of your financial interest could be just as personally motivating as gaining something.**

**Fourth, a comment was made that if NOAA GC has responsibility for deciding an appeal of a decision by a NOAA GC regional attorney, there will need to be a very careful separation between the NMFS and NOAA regional attorney side of the house and NOAA GC who has to review the recusal decision, to ensure that the review is impartial and fair to the appellant.**

**The Councils will be taking up the recusal issue individually in the next month and will provide further recommendations that likely will have additional examples of when recusal may or may not be appropriate. Certainly this whole issue will pose an extraordinary challenge to the representatives of NOAA GC in refereeing the meetings."**

**This will be our last chance to comment because the proposed rule comment period will be over by the time the Council meets next in September.**

**Report of the Scientific and Statistical Committee**

**The SSC received progress reports on the efforts to define essential fish habitat as mandated by the Magnuson-Stevens Act amendment and concurred with the proposal to framework the requirements into a plan amendment to the extent possible to minimize the number of subsequent amendments required as new data become available. The SSC also received a report on revised guidelines for overfishing definitions and expressed interest in commenting on the changes as they may affect the Council's specification process.**

**The Advisory Panel did not address this agenda item.**

**DISCUSSION/ACTION**

**The Council received a brief progress report on actions required by the amendments to the Magnuson-Stevens Fishery Conservation and Management Act. With regard to essential fish habitat, the Council took no specific action, but received a report on current plans of the task groups formed to complete the task. With regard to the proposed rule on recusal, Council members were asked to provide individual comments directly to the Secretary. The main topic of discussion was the area of bycatch and regulatory and economic discards.**

**Linda Behnken moved to issue a call for proposals specific to bycatch issues. The Council will prioritize proposals and consider tasking in September. The motion was seconded by Dave Benton and carried without objection. (Tillion and Samuelsen were absent)**

**During discussion of the motion, Council members directed staff to solicit proposals to reduce economic discards, and to give the call for proposals a wide exposure in order to solicit a large variety of alternatives.**

**Dave Benton moved to request NMFS and ADF&G to provide documents by the December 1997 meeting that highlight the various catch measurement techniques used in various fisheries and, to the degree possible, the relative accuracy of those techniques, so that the Council can respond to Congress on possible responses to Section 313(h)(1)&(2). The motion was seconded by Linda Behnken and carried without objection. (Tillion and Samuelsen were absent)**



The Council also requested that NMFS provide information in September on how well the observer program can detect changes in fishing patterns, i.e., are fishermen getting more selective, and gaining the ability to reduce discards. NMFS was also requested to provide a discussion paper in September regarding how directed fishing standards might be adjusted to reduce discards.

Responding to earlier discussions and comments by the SSC regarding the need for a comprehensive database of social and economic data, Dennis Austin moved to establish a Social and Economic Data Committee. After discussion and minor editing, the motion was as follows:

**Establish a Social and Economic Data Committee consisting of 8 representatives (2 industry, 2 state, 2 federal, 1 Council member, and 1 Council staff). The committee will identify the basic social/economic information which should be collected on a routine basis to develop a more comprehensive database for use by the Council and propose a process by which this information will be routinely gathered and reported. The committee will look at new data collection initiatives, including the cost data gathering initiative begun by NMFS, the newly formed AKFIN, and provisions under the Magnuson-Stevens Act. If the committee feels that reasonable data collection initiatives are unduly constrained, they should indicate their concerns. The committee will report to the Council at its February 1998 meeting, and unless additional meetings are deemed necessary would be disbanded after making its report.**

The motion was seconded by Dave Benton and carried without objection. (Tillion and Samuelsen were absent)

## SUMMARY

The Council received a progress report on tasking to achieve the mandates of the Magnuson-Stevens Fishery Conservation and Management Act and directed staff to issue a call for proposals to reduce bycatch and economic and regulatory discards and requested NMFS and ADF&G to report on current catch measurement techniques and the relative accuracy of those techniques. The Council also established a Social and Economic Data Committee to identify the basic social/economic information which should be collected on a routine basis in order to develop a more comprehensive database for use in fishery management.

### C-10 Groundfish SEIS

## ACTION REQUIRED

**Receive report and comment on NOAA/NMFS proposal to draft SEIS on groundfish management in the BSAI and GOA.**

## BACKGROUND

In March 1997, NMFS announced its intention to prepare a supplemental environmental impact statement (SEIS) on Alaska groundfish management. Specifically, they intend to examine the Federal action by which total allowable catch (TAC) specifications and prohibited species catch limits are established and apportioned in the BSAI and GOA groundfish fisheries. The Federal Register Notice is attached as Item C-10(a).

Scoping meetings have been scheduled to provide for public input into the range of actions, alternatives, and impacts that the SEIS should consider. The fourth such meeting is scheduled for this

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week, on June 18, from 7-10 p.m. at the Kodiak Inn. The final schedule is in Item C-10(b). NMFS staff will be on hand to discuss this issue.

Neither the AP nor the SSC commented on this agenda item.

**DISCUSSION/ACTION**

The Council received a brief update on the progress of an initiative by NMFS to develop an updated SEIS for groundfish fishery management. The Council made no comment, nor took any action.

C-11 Reporting Requirements

**ACTION REQUIRED**

Final action on recordkeeping and reporting requirements.

**BACKGROUND**

NMFS staff have informed the Council that a number of "housekeeping" and technical amendments are needed to revise the recordkeeping and reporting requirements for the groundfish fisheries off Alaska (Item C-11(a)). A proposed rule is anticipated for mid-August 1997. Revisions affect the following requirements.

- ADF&G fish tickets
- IFQ regulatory areas
- Groundfish as bait
- Reporting at sea
- Reporting area
- Fishing trip
- Product transfer reports
- Logsheet maintenance and storage

Neither the AP nor the SSC commented on this agenda item.

**DISCUSSION/ACTION**

Ron Berg moved to approve the recommendations of NMFS contained in the letter dated June 2, 1997 (see Appendix V to these minutes) with regard to reporting requirements. The motion was seconded by Linda Behnken and carried without objection. (Tillion and Samuelsen were absent)

**D. FISHERY MANAGEMENT PLANS**

D-1 Gulf of Alaska Groundfish Issues

*(a,b) Pelagic Shelf Rockfish Amendment & Sablefish Rolling Closures*

**ACTION REQUIRED**

- (a) Final Review of Pelagic Shelf Rockfish EA/RIR.
- (b) Initial Review of Sablefish Rolling Closures EA/RIR.

**BACKGROUND**

**(a) Final Review of Pelagic Shelf Rockfish EA/RIR**

During the final specification process for setting 1997 total allowable catches at the December 1996 meeting, the Council separated the Gulf of Alaska PSR assemblage into a nearshore component of black and blue rockfishes and an offshore component of dusky, widow, and yellowtail rockfishes for the Central Gulf only. The EA/RIR for Amendment 46 to the Gulf of Alaska Fishery Management Plan was mailed to you on May 21, 1997. The three alternatives for management authority of black and blue rockfishes in the Gulf of Alaska are:

**Alternative 1: No action.**

**Alternative 2: Transfer management authority of black and blue rockfishes in both State and Federal Gulf of Alaska waters to the State of Alaska.**

**Alternative 3: Remove black and blue rockfishes from the Gulf of Alaska FMP. The State of Alaska would assume management of those species.**

Alternative 2 would transfer management authority of black and blue rockfishes to the State of Alaska through the Alaska Department of Fish and Game (ADF&G), similar to action taken by the Council under Amendment 14 that assigned management authority for demersal shelf rockfish to the State.

Under existing federal regulations, neither NMFS nor ADF&G would have the flexibility necessary to ensure that localized depletion would not occur. Further, it would be difficult to manage in the Central Gulf within the separate federal TAC of 260 metric tons and its corresponding overfishing level of 340 metric tons. Neither the status quo nor Alternative 2 separate the nearshore rockfish from the PSR assemblage in the Western and Eastern Gulf. Without such action, or the removal of black rockfish from the FMP entirely, neither NMFS (Status Quo) nor the State (Alternative 2) can adequately protect the stock or benefit from available harvest of the inshore complex. The ability to close the offshore component or placing it on bycatch status while leaving open, or closing, the inshore component is a necessary conservation and management tool unresolved by either Status Quo or Alternative 2. In the Western Gulf, the Council's TAC for pelagic shelf rockfish is too high to adequately protect the nearshore black rockfish species. Though the state intends to conservatively manage this species, it will be unable to control harvest rates if a directed federal water PSR fishery occurs.

Pelagic Shelf Rockfish 1997 specifications.			
	ABC	TAC	OFL
	(all metric tons)		
Western combined	570	570	
Central offshore	3,320	3,320	
Central onshore	260	260	
Eastern combined	990	990	
Gulfwide	5,140	5,140	8,400

ADF&G does not recommend the status quo as it would allow for unrestrictive fishing of black rockfish as long as the PSR fishery remains open. Assemblage management is appropriate when species are taken as catch in the same fishery. In this situation, however, the species are largely separated by depth and are targeted by different gears. The large TAC for the PSR group is based on the biomass of offshore dusky rockfish. Status quo would allow this entire TAC to be taken as nearshore black rockfish, likely resulting in localized overfishing. Although the state has the authority to limit fishing in state waters, allowing the adjacent federal waters to remain opens negates the effectiveness of this authority.

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**ADF&G does not support Alternative 2 and has informed the Council that it will not accept limited management authority because:**

- (1) federal delegation under a plan amendment would require additional unreimbursed activities;**
- (2) the nearshore PSR fishery is fundamentally different from the Eastern Gulf DSR fishery in that the TAC is available within each federal area. Because black/blue rockfish are highly territorial and subject to localized depletion, regional managers of ADF&G would subdivide larger federal area quotas down to small local areas, account for bycatch, and manage to assure the health of the local population;**
- (3) there is no biomass estimate for the black or blue rockfishes, and**
- (4) the three ADF&G regional management areas have different fisheries and catch histories and it would be difficult to manage within the TAC in-season. Management under the federal ABC would:**
  - (1) limit the developing black rockfish jig fishery to the average of 75% of the truncated time series of commercial landings for the Central Gulf only; and**
  - (2) create the possibility of exceeding the overfishing level for the species given the low level imposed by tier 6 of the federal overfishing standards. It would also place unnecessary, additional manpower and reporting demands on ADF&G to meet federal compliance of delegated management authority.**

**Alternative 3 would withdraw black and blue rockfishes from the Gulf of Alaska FMP entirely. ADF&G would assume management authority of these species in the absence of federal management. State management would not be tied to the federal definition of ABC and overfishing levels for black and blue rockfishes, stocks that are essentially unassessed. This would allow a more conservative approach than is currently possible in the Central region while allowing for developing fisheries in the Western and Eastern areas. ADF&G endorses Alternative 3 and has informed the Council it would manage black rockfish and blue rockfish resources on a regional basis. Nearshore rockfish management plans would be prepared by ADF&G staff for the three Gulf state management and reviewed by the Alaska Board of Fisheries. The GOA Plan Team has also recommended Alternative 3.**

**(b) Initial Review of Sablefish Rolling Closures EA/RIR.**

**Fishing effort during the sablefish longline survey under an extended IFQ season may significantly impact survey results. Efforts to minimize fishery interactions under a two-year program of voluntary compliance to avoid survey stations has not been entirely successful. Since the effects of fishing during the survey cannot be scientifically quantified and recent stock assessments indicate a continuing downward trend in stock abundance, the Council initiated an analysis of rolling closures to longline and trawl vessels during the sablefish survey in December 1996.**

**The objective of the proposed alternatives is to minimize the short-term depletion of sablefish abundance due to fishing in the survey area. Between-area and between-year differences should reflect true abundance changes, not the effect of short term depletion. Minimizing short-term depletion should preserve the survey time series and, as much as possible, ensure that future surveys reflect true changes in abundance. Two significant measures to attain the objective are proposed for consideration. One measure is to apply rolling closures to areas preceding survey sampling. The other measure is to reorder the sequence in which survey areas are sampled to avoid major fisheries which cannot easily avoid the survey area. By allowing for a more accurate assessment of stock abundance by the annual sablefish survey, the alternatives would provide positive environmental and economic impacts.**

The analysis was mailed to you on June 10, 1997. The alternatives are:

**Alternative 1: No action. Survey sequence remains as in past years; no regulatory closures.**

**Alternative 2: Reordered survey sequence, voluntary closed areas, voluntary nearshore open area.**  
**Option A: Additional measures to increase voluntary compliance.**  
**Option B: No additional measures.**

**Alternative 3: Reordered survey sequence, regulatory closed areas, regulatory nearshore open area.**  
**Option A: Gear specific exemptions with annual review.**  
**Option B: No gear specific exemptions.**

#### **Report of the Scientific and Statistical Committee**

The SSC commented only on the sablefish rolling closure issue. The SSC indicated that they expect the effect of timing changes in the survey to be minimal, but encourage the analysts to test for timing effects by repeating selected stations on the survey track. They also pointed out that moving the survey entirely out of the summer period would likely increase costs substantially and could reduce confidence in the index as it may encounter behavioral changes in the stock. The SSC recommended that the EA be released for public review after clarification that the reported financial impacts of avoiding survey bias are examples for illustration only and are not intended as an estimate of the actual overall benefits of eliminating bias.

#### **Report of the Advisory Panel**

Pelagic Shelf Rockfish Amendment. The AP recommended adoption of Alternative 3: remove blue and black rockfishes from the Gulf of Alaska FMP, allowing the State of Alaska to assume management of those species. The AP also requested that the Council/Board of Fisheries joint committee review ADF&G's annual report on this species to ensure the adequate funding of research and management programs.

Sablefish Rolling Closures. The AP recommended that the draft analysis not be sent out for public review at this time. An industry proposal submitted by Groundfish Forum provided an approach which may resolve the concerns identified with the closures and the AP felt it should be reviewed further. The AP indicated that they remain concerned about data problems resulting from vessel interactions and would like to consider other options, such as:

1. A new survey period with input from the SSC regarding the loss of historic data, or resequencing the survey.
2. Use of multiple survey vessels.
3. A combination logbook/survey assessment.

#### **DISCUSSION/ACTION**

##### Pelagic Shelf Rockfish.

**Dave Benton moved to approve Alternative 3: remove blue and black rockfishes from the Gulf of Alaska FMP, allowing the State of Alaska to assume management of those species. The motion includes the recommendation that the Council/Board of Fisheries joint committee review ADF&G's annual report on**

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**this species to ensure the adequate funding of research and management programs. The motion was seconded by Linda Behnken and carried without objection.**

There was some concern and discussion regarding how bycatch of these two species in federal waters would be handled if the State closed the fishery as they would probably become a prohibited species catch in the federal fisheries. Council members stressed that the joint committee's annual review will be an important part of the process.

**Sablefish Rolling Closures.**

The Council discussed delaying a final decision until September or December to allow time for NMFS and industry to continue to work on a solution. Mr. Pennoyer stated that the main goal is to get a good survey and to have something in place for next year.

Linda Behnken moved to not release the analysis for public review, but to requested staff to augment the analysis to include a discussion of alternative survey designs and dates, use of multiple survey vessels, and a combination logbook/survey assessment. The analysis should be provided to the Council in September. At the same time, NMFS survey scientists should work with the longline industry to address some of the objections that have been raised. The motion was seconded by Kevin O'Leary.

Wally Pereyra recommended that NMFS and the longline industry coordinate with the trawl industry, particular with regard to the proposal submitted by the Groundfish Forum, to be sure that any new solutions are workable within both sectors. Ms. Behnken accepted this as friendly amendment to the main motion. Council members stressed that the intent to protect the integrity of the survey with the least amount of impact on the fleet.

The motion carried without objection.

***(c,d) Pelagic Trawl-Only Fisheries & Trip Limits for Pollock & Cod***

**ACTION REQUIRED**

- (c) Review discussion paper on prohibiting non-pelagic trawls in pollock fisheries; give further direction to staff.**
- (d) Review discussion paper on trip limits for pollock and cod in the Gulf of Alaska; give further direction to staff.**

**BACKGROUND**

**(c) Non-Pelagic Trawling in Pollock Fisheries**

In September 1996, the International Pacific Halibut Commission submitted a proposal (#7) to the Council to prohibit non-pelagic trawling for pollock. It was felt that such a regulation would reduce bycatch of halibut by about 270 metric tons based on 1995 bycatch levels. In February 1997, the Council directed staff to prepare a discussion paper on the pollock fisheries and some potential effects

of prohibiting non-pelagic trawling for pollock in the Gulf of Alaska (GOA) and Bering Sea/Aleutian Islands (BSAI) fisheries. The discussion paper was mailed to you on June 10.

A discussion paper Preliminary analysis of 1996 pollock fishery data indicated the following major points:

- Most pollock is caught with pelagic trawls in the directed fishery (98.6% in BSAI, 92.4% in GOA);
- Non-pelagic trawls often catch > 95% pollock (thus meeting midwater pollock target definition);
- Pollock fisheries have relatively low incidental catch of other groundfish;
- Pollock fisheries account for a relatively small portion of halibut and crab mortality;
- Pelagic trawls have higher bycatch rates of herring and salmon than non-pelagic trawls;
- Prohibiting non-pelagic trawls for pollock fishing would not significantly reduce halibut bycatch mortality (4 metric tons total).

In considering further action on this issue, please note that the Council already has authority in the BSAI groundfish specifications process to limit the amount of pollock that may be taken in the bottom trawl pollock fishery. This derived from Amendment 16a. As was noted last December, the Council has not recommended a specific apportionment between pelagic and bottom gears for the past six years, despite the authority to do so. Similar authority could be added to the GOA plan if the Council so desired. Alternatively, a complete ban on the use of bottom trawling for pollock could be written into both plans. This approach would, of course, take away the Council's year-to-year flexibility to adjust bottom and pelagic trawling.

**(d) Trip Limits for Pollock and Cod**

A proposal to establish a trip limit of 150,000 lb (68 metric tons) for the Western Gulf of Alaska pollock and Pacific cod fisheries was submitted in the 1996 groundfish proposal cycle by the Peninsula Marketing Association at Sand Point. A revised proposal was submitted to establish trip limits for pollock and Pacific cod of 397,000 lbs. (180 metric tons) for the Central Gulf by the Alaska Dragger Association. In December 1996, the Council discussed tasking of these and other groundfish proposals. In April 1997, staff presented additional information on numbers and sizes of vessels, and average deliveries in western GOA pollock fisheries. At that meeting, the Council tasked staff with a discussion paper (mailed to you on June 10) of the pollock proposal; this analysis was expanded to include Pacific cod due to concerns that a pollock trip limit would result in increased fishing effort on cod.

The proposed trip limit for the western GOA pollock and cod fisheries would result in about one extra trip for each of 80 vessels. The proposed trip limit for the central GOA fisheries would result in less than a half-trip extra for each of 115 vessels. Both trip limits would, however, limit larger capacity vessels entering the fisheries from harvesting a disproportionate amount of the catch. Implementation of the proposed trip limits would require a plan amendment.

If the Council decides to move ahead on trip limits, we will need guidance from NMFS and NOAA GC to ensure trip limits do not take on the look and feel of IFQs which are currently banned by Congress. Both the Pacific and Gulf of Mexico councils have had programs outright disapproved because the trip limits almost assured the fishermen that they would finish the season with a certain amount of catch. To avoid being termed IFQs, trip limits must be structured so that the combined total of all the fish harvested during all the trips for all vessels would significantly exceed the TAC. In effect, the total potential harvest under trip limits must have the possibility of exceeding the TAC by some 20-30% so that no fishermen is guaranteed a particular amount of fish. NOAA GC may be able to lend more insight

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into this issue. Information about the controversy over trip limits for sablefish in the Pacific Council region is under D-1(d)(1).

Neither the AP nor the SSC commented on these two agenda items.

**DISCUSSION/ACTION**

Pelagic Trawl-Only Fisheries

Bob Mace moved to take no action on this issue, and that it be included in the bycatch issues to be addressed under Magnuson-Stevens Act amendments. The motion was seconded by Wally Pereyra and carried with Behnken objecting. (Austin, O'Leary, and Samuelsen were not present for the vote)

Ron Berg pointed out that NMFS already has the authority to designate the pollock fishery in the Bering Sea as pelagic trawl only under the annual specifications process, and that in the Gulf of Alaska there may be no need at this time.

Trip Limits for Pollock and Cod

Dave Benton moved to postpone this issue until September. In the meantime, the Chairman will appoint an industry committee to look at the trip limit issue for both the western and central Gulf and provide recommendations to the Council at the September meeting. The motion was seconded by Linda Behnken and carried without objection. (Tillion and Samuelsen were not available for the vote)

**SUMMARY**

The Council voted to remove blue and black rockfishes from the Gulf of Alaska Fishery Management Plan, allowing the State of Alaska to assume management of those species, and delayed action on rolling closures in the sablefish fishery during the trawl survey in the Gulf of Alaska. The Council took no action to prohibit non-pelagic trawling in the Gulf of Alaska and Bering Sea/Aleutian Islands, and postponed action to initiate analysis of trip limits for pollock and cod in the Gulf of Alaska.

D-2 Bering Sea/Aleutian Islands Groundfish Issues

(a) Atka Mackerel Allocation to Jig Gear

**ACTION REQUIRED**

(a) Final review of 2% jig allocation of Atka mackerel.



## BACKGROUND

### (a) Atka Mackerel Jig Gear Allocation

In December 1996, the Council adopted for analysis a proposal from the Unalaska Native Fishermen's Association for a 2% allocation of Atka mackerel to jig gear. Such an allocation would provide more opportunity to the local small vessel jig gear fleet. Under the existing management program, directed fishing for Atka mackerel closes to all vessels, including those that fish with jig gear. An analysis of the proposal was reviewed in April and released for public review with several modifications. An executive summary is provided as Agenda Item D-2(b)(1). Alternatives examined in the analysis include the following.

**Alternative 1:** Status quo, no action. The jig gear fleet would continue to compete with trawl gear operations for access to the Atka mackerel fishery.

**Alternative 2:** Allocate a portion of the annual Atka mackerel TAC specified for one or more of the Aleutian Island (AI) districts to vessels using jig gear. Under any of the allocation options listed below, a step-up provision may be adopted that would allow a gradual increase of the jig gear allocation during the annual groundfish specifications process, using an increment of 0.5 percent TAC and based on the determination that the previous year's allocation had been reached.

**Option 1:** Allocate 2 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.

**Option 2:** Allocate 1 percent of the Atka mackerel TAC specified for the Eastern AI/ Bering Sea subarea to vessels using jig gear.

**Option 3:** Allocate 2 percent of the Atka mackerel TAC specified for each BSAI subarea or district.

**Option 4:** Allocate 1 percent of the Atka mackerel TAC specified for each BSAI subarea or district.

**Alternative 3:** Establish separate Atka mackerel TACs for the Eastern Aleutian Islands District and the Bering Sea and authorize directed fishing for Atka mackerel in the Bering Sea only by vessels using jig gear.

**Option 1:** Do not prohibit directed fishing for Bering Sea Atka mackerel by vessels using non-jig gear and provide for a separate Bering Sea TAC under the annual specification process. This option would not require any change to the FMP or to its implementing regulations.

Neither the AP nor the SSC addressed this agenda item.

## DISCUSSION/ACTION

Linda Behnken moved to approve Alternative 2, Option 1, with 1% of the Atka mackerel TAC in the Eastern Aleutian Islands/Bering Sea sub area allocated to jig gear. When the jig fleet begins to

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take its entire 1%, the allocation will increase to 2% for ensuing years. The motion was seconded by David Benton and carried without objection. (Tillion and Samuelsen were absent for the vote)

*b-e Gear Storage, Shortraker/Rougheye Rockfish/Halibut Discard Mortality Rates/Stand-down*

**ACTION REQUIRED**

- (b) Discuss gear storage and preemption issues; provide further direction.
- (c) Discuss shortraker/rougheye rockfish bycatch; provide further direction.
- (d) Consider changes in halibut discard mortality rates for BSAI Pacific cod fishery for second half of 1997.
- (e) Discuss proposal for stand-down provision for pollock trawlers moving into Atka mackerel fishery; provide further direction.

**BACKGROUND**

(b) Gear storage and preemption issues

In December 1997, the Council reviewed a proposal from Larry Hendricks requesting implementation of measures to reduce gear conflicts and minimize lost gear (proposal attached as Agenda Item D-2(b)(1)). These include: establishment of a government fund to replace lost gear; separation of gear types through time/area closures; and, wholesale closures of areas to specific gear types to protect habitat and eliminate gear conflicts. The Council recommended that these issues be further examined, and a discussion paper be prepared by NMFS or ADF&G for review in June or September. Because of other priorities, work has yet to be initiated. The Council may wish to provide further direction to staff.

(c) Shortraker/rougheye rockfish bycatch

On May 10, 1997, NMFS prohibited retention of Pacific cod and Greenland turbot by hook-and-line vessels in the Aleutian Islands (the regulations were modified to allow retention of turbot after May 12). This action was taken to prevent overfishing of shortraker/rougheye rockfish, which was put on prohibited status on April 1. A total of 1,189 metric tons of shortraker/rougheye was harvested through April 26 (about 1,140 metric tons by trawl fisheries, 50 metric tons by H&L fisheries). The 1997 specifications for shortraker rougheye were: TAC= 938 metric tons, ABC=938 metric tons, and OFL=1,250 metric tons. A letter from the North Pacific Longline Association (Agenda Item D-2(c)(1)), expressed dissatisfaction with this situation, and there was a request for it to be an agenda item at this meeting.

(d) Halibut discard mortality rates for BSAI Pacific cod fishery

Halibut discard mortality rates (DMRs) are used to monitor the halibut mortality PSC limits for individual fisheries. These DMRs are estimated from viability data collected by NMFS observers. DMRs for individual groundfish fisheries are generally established pre-season during the annual specification process. In December 1996, the Council recommended a DMR of 11.5% for the Pacific cod hook-and-line fishery, until more recent observer data became available, such that changes could be made within the

**1997 season. An analysis provided by the International Pacific Halibut Commission (Agenda Item D-2(d)(1)) indicates a DMR of 12% may be more appropriate for the Pacific cod hook-and-line fishery.**

**(e) Proposal for stand-down provision for pollock trawlers moving into Atka mackerel fishery**

In May 1997, the Council received a proposal from Groundfish Forum requesting initiation of an analysis of some type of stand-down provision to slow the movement of trawlers, that fish the pollock A-season, into the Aleutian Atka mackerel fishery (see letter attached as Agenda Item D-2(e)(1)). If tasked, the intent would be to have such a provision in place for the 1998 fisheries. Other mitigation measures could be analyzed as well.

**Report of the Scientific and Statistical Committee**

Shortraker/rougheye Rockfish (SRRE) Bycatch. The SSC is concerned that the SRRE rockfish ABC was exceeded and noted that exceeding the ABC early in the year explicitly allocates fishery resources. Changes in fishing season and/or reductions in the maximum retainable bycatches (MRBs) could slow the catch of SRRE making it less likely that the catch limits will be exceeded.

Halibut Discard Mortality Rates. The SSC received a report from the IPHC on their estimate of a 12% halibut discard mortality rate for the BSAI Pacific cod fishery, but did not offer any comments.

**Report of the Advisory Panel**

The AP recommended the Council direct NMFS to set aside 30% of the TAC for Aleutian Islands shortraker/rougheye rockfish at the beginning of each fishing season for the longline fisheries for bycatch only. On or about November 1 of each year any excess shortraker/rougheye in the longline quota could be rolled over to the trawl fisheries. The AP requested the Council take whatever action necessary to assure new regulations would be in place by 1998. The AP further recommended a reduction in the MRB for SRRE to 7% in the Pacific ocean perch fishery and 5% in the Atka mackerel fishery.

**DISCUSSION/ACTION**

**(b) Gear Storage Issues**

Earl Krygier, ADF&G, recommended that the involved industry meet with ADF&G to discuss the problems identified in the original proposal for gear storage areas and develop recommendations for the Council. A progress report will be made in September.

**(c) Shortraker/Rougheye Rockfish Bycatch**

Linda Behnken moved to initiate a regulatory amendment to be brought back for final action in September to reduce the maximum retainable bycatch rate of shortraker/rougheye rockfish accorded to the Pacific ocean perch fishery. The alternatives for the analysis would be 5%, 7%, and 9%. The intent would be to achieve numbers that would keep the fishery within the apportionment and that in the

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analysis staff tries to determine what true background bycatch is in order to avoid waste. The motion was seconded by Dennis Austin and carried without objection. (Pereyra was absent for the vote)

Linda Behnken moved to initiate a plan amendment that each year a 30% of the shortraker/roughey TAC would be apportioned to longline fleet in the Aleutian Islands, and 70% would be apportioned to the trawl fleet. The harvest would be evaluated on November 1 of each year with the opportunity to rollover any unused portion from one sector to the other. The goal would be to have the amendment implemented by next year. The motion was seconded by Robin Samuelsen and carried without objection. (Pereyra was absent for the vote)

**(d) Halibut Mortality Rates**

Linda Behnken moved to adopt the halibut mortality rate of 12% as recommended by the IPHC for the Pacific cod longline fishery. The rate would be retroactive to the beginning of the 1997 fishing season. The motion was seconded and carried without objection. (Tillion and Samuelsen were absent for the vote)

**(e) Stand-down for Pollock Trawlers moving into Atka Mackerel Fishery**

Dave Benton moved to initiate analysis for a regulatory amendment to implement a stand-down for pollock vessels before they can enter the Aleutian Islands Atka mackerel fishery. Alternatives for analysis would include 2, 3, and 4 weeks. The motion was seconded by Linda Behnken and failed, 5 to 4, with Behnken, Benton, O'Leary, and Lauber voting in favor. (Tillion and Samuelsen were absent for the vote)

It was pointed out that the proposal is out-of-cycle and that there is little likelihood there would be staff available to initiate the analysis at this time. Wally Pereyra suggested that with some discussions and compromise, the situation may be resolved through industry efforts.

**SUMMARY**

The Council took no action on gear storage issues. ADF&G will work with industry to resolve conflicts and report back to the Council in September. To prevent overfishing of shortraker/roughey rockfish (SRRE) and avoid the premature closure of the Pacific cod longline fishery in the Aleutian Islands, the Council initiated analysis of several measures, including a change in the maximum retainable bycatch amounts of SRRE in the Pacific ocean perch trawl fisheries and allocation of SRRE among the trawl and longline fisheries. The Council approved a halibut discard mortality rate of 12% for the Pacific cod hook and line fishery, retroactive to the beginning of the 1997 fishing season. The Council did not approve a request for a stand-down for pollock trawlers moving into the Aleutian Islands Atka mackerel fishery because of staffing limitations.

**E. ADJOURNMENT**

The Chairman adjourned the meeting at approximately 6:00 p.m. on Saturday, June 21, 1997.