

North Pacific Fishery Management Council

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November 30, 1990

DRAFT AGENDA
94th Plenary Session
North Pacific Fishery Management Council
December 3-7, 1990
Hilton Hotel
Anchorage, Alaska

The North Pacific Fishery Management Council will convene at 8:00 a.m. on Monday, December 3, at the Hilton Hotel in Anchorage, Alaska, and continue through Friday, and possibly into Saturday. Other meetings to be held during the week are:

Committee/Panel

Advisory Panel

Scientific & Statistical Committee

Ad Hoc Bycatch Committee

Advisory Panel Nominating Committee

Beginning

10:30 a.m., Saturday, Dec. 1
(Chart Room, 15th Floor--Sat/Sun; Alaska Room rest of week)

10:30 a.m., Saturday, Dec. 1
(Iliamna Room on Sat.; Dillingham Room rest of week.)

10:30 a.m., Sunday, Dec. 2 (Katmai Room)

7:00 p.m., Monday, Dec. 3

All meetings, except an executive session of the Council tentatively scheduled for noon on Thursday, and the Advisory Panel Nominating Committee, are open to the public. All meetings will be held at the hotel. Other committee and workgroup meetings may be scheduled on short notice during the week.

INFORMATION FOR PERSONS WISHING TO TESTIFY AT COUNCIL MEETINGS

Those wishing to testify at Council meetings on a specific agenda item must fill out and deposit a registration card in the box at the registration table **before** public comment begins on that agenda item. Additional cards are generally not accepted **after** public comment has begun. A general comment period is scheduled toward the end of each meeting for comment on matters not on the current agenda.

Submission of Written Testimony at Council Meeting. Some agenda items have a formal, published deadline for written comments. For those items, written comments submitted after the published deadline or at the Council meeting, other than simple transcripts of oral testimony, will be stamped "LATE COMMENT." They will not be summarized or analyzed in preparation for the Council meeting, nor will they be placed in the Council member notebooks. All "LATE COMMENTS" will be placed in a special notebook, marked as such, and made available to the Council members only upon their request.

DRAFT AGENDA

**94th Plenary Session
North Pacific Fishery Management Council
December 3-7, 1990
Hilton Hotel
Anchorage, Alaska**

A. CALL TO ORDER, APPROVAL OF AGENDA, AND MINUTES OF PREVIOUS MEETING

B. REPORTS

- B-1 Executive Director's Report
- B-2 Domestic Fisheries Report by ADF&G
- B-3 NMFS Management Report
- B-4 Enforcement and Surveillance Report

C. NEW OR CONTINUING BUSINESS

- C-1 Legislative Update
- C-2 International Fisheries
- C-3 Domestic Observer Program
Continue discussion of insurance coverage for observers on fishing vessels and the concept of pooling vessels for the purpose of sharing observer coverage and costs. Consider emergency action to implement the 1991 changes to the NMFS Observer Plan.
- C-4 Inshore-offshore Allocation
Receive progress report on analysis.
- C-5 Halibut Management
Review analysis of two subareas and halibut quotas within Area 4E for the 1991 fisheries. Consider releasing analysis for public review.
- C-6 Sablefish Management
Consider further action on the sablefish IFQ system motion that was tabled at the September meeting.
- C-7 Foreign Vessel Permits
Review foreign permit applications and recommend restrictions and conditions as necessary.
- C-8 AP, SSC, Plan Team Memberships
Council approval of memberships.
- C-9 Other Business

D. FISHERY MANAGEMENT PLANS

D-1 General Groundfish

- (a) Review proposed incentive program for 1991 to reduce PSC bycatch rates.
- (b) Review regulatory amendment to delay BSAI flatfish season and provide clarification of Council intent.
- (c) Review pelagic trawl definition and take action as necessary.
- (d) Review and approve regulatory amendment which would require that groundfish pots be fished on a single line. Consider emergency action to implement the amendment in early 1991 if necessary.
- (e) Consider regulatory amendment to change the GOA longline sablefish season.

D-2 Gulf of Alaska Groundfish Plan

- (a) Review final Stock Assessment and Fishery Evaluation Report (SAFE) and set ABCs.
- (b) Set TACs, apportionments to DAP, JVP, and TALFF, and groundfish PSCs for 1991.
- (c) Determine halibut PSC allowances by gear type and quarter.
- (d) Consider emergency action to delay the start of the 2nd quarter pollock fishery in the GOA to June 1, the start of the Bering Sea non-roe season.

D-3 Bering Sea/Aleutian Islands Groundfish Plan

- (a) Review final Stock Assessment and Fishery Evaluation Report (SAFE) and set ABCs.
- (b) Set TACs, apportionments to DAP, JVP, and TALFF, apportionments of pollock to roe and non-roe season and to midwater trawl, and groundfish PSCs for 1991. Consider emergency action to allocate Pacific cod TAC by quarters and to synchronize all BSAI trawl fisheries with the opening of the pollock roe season..
- (c) Determine halibut, crab, and herring PSC allowances within bycatch limits established by Amendments 16 and 16a. If necessary, consider emergency action to allocate halibut PSC by quarters.

E. FINANCIAL REPORT

F. PUBLIC COMMENTS

G. CHAIRMAN'S REMARKS AND ADJOURNMENT

Proposed Schedule
Advisory Panel
December 1990
Anchorage Hilton Hotel

Saturday, December 1

10:30 AM D-1(a) Review revised bycatch plan for 1991.
D-1(d) Emergency action/regulatory amendment to require groundfish pots be fished on a single line.

12:00 Noon Lunch

1:00 PM D-1(e) Reg. amendment to change sablefish season.
D-1(c) Review pelagic trawl definition and take action as necessary.
D-1(b) Reg. amendment to delay BSAI flatfish season.

5:00 PM Recess

Sunday, December 2

9:00 AM D-2 GOA Groundfish
(a) Review 1991 SAFE Report

12:00 Noon Lunch

1:00 PM D-2(b) Develop 1991 TAC, DAP, JVP, TALFF and PSC recommendations.

5:00 PM Recess

Monday, December 3

8:00 AM D-2 GOA Groundfish
(c) Recommend halibut PSC apportionments.
(d) Consider delay of 2nd quarter pollock season.

12:00 Noon Lunch

1:00 PM D-3 BSAI Groundfish
(a) Review 1991 SAFE Report
(b) Develop 1991 TAC, DAP, JVP, TALFF and PSC recommendations.

5:00 PM Recess

Tuesday, December 4

8:00 AM D-3(b) continued

12:00 Noon Lunch

1:00 PM D-3(c) Recommend halibut, crab, and herring PSC allowances by fishery within bycatch limits.
C-3 Observer Program
C-5 Halibut Management

ATTENTION: THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Therefore, new rules on testimony have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP must sign up on the list for each agenda topic listed above. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman.

Proposed Schedule
Scientific and Statistical Committee
December 1990
Anchorage Hilton Hotel

Saturday, December 1

- 10:30 AM D-1(b) Review regulatory amendment to delay BSAI flatfish season for 1991.
- 12:00 Noon Lunch
- 1:00 PM D-2(a) GOA Groundfish
Review 1991 SAFE report/Develop ABC recommendations; consider halibut bycatch management for 1991.
- 5:00 PM Recess

Sunday, December 2

- 9:00 AM D-1(a) Review revised bycatch plan for 1991.
D-1(d) Consider emergency action and/or regulatory amendment to require groundfish pots to be fished on a single line.
D-1(e) Consider regulatory amendment to change sablefish season.
D-1(c) Review pelagic trawl definition and take action as necessary.
- 12:00 Noon Lunch
- 1:00 PM D-3(a) BSAI Groundfish
Review 1991 SAFE Report/Develop ABC recommendations; consider halibut, crab, and herring bycatch management for 1991.
- 5:00 PM Recess

Monday, December 3

- 8:00 AM D-3(a) continued
C-4 Inshore-Offshore Status Report
C-5 Halibut Management
- 12:00 Noon Lunch
- 1:00 PM continue as necessary
- 5:00 PM SSC Closed Session
C-8 Plan Team Memberships

DRAFT

ADVISORY PANEL MINUTES

September 23-26, 1990

Anchorage, Alaska

The Advisory Panel for the North Pacific Fishery Management Council met on September 23-26, 1990 at the Anchorage Sheraton. Members in attendance were:

George Anderson	Vic Horgan, Jr.	Jay Skordahl
Al Burch	Pete Isleib	Harold Sparck
Phil Chitwood	Kevin Kaldestad	Dave Woodruff
Paul Clampitt	David Little	John Woodruff, Vice Chair
Lamar Cotten	Pete Maloney	Robert Wurm
Dave Fraser	Nancy Munro, Chair	Lyle Yeck
Ed Fuglvog	Dan O'Hara	

Minutes of the June 25-27, 1990 meeting were approved.

C-1 Observer Program

The AP heard a staff report on the observer program and status of several regulatory amendments. No action was taken.

C-2 Inshore-Offshore

The AP recommends that the Council not delete Pacific cod from the inshore-offshore analysis. *The motion passed 12 to 2.*

The AP recognizes that no allocation problem currently exists with Pacific cod but believes this situation could change in the near future given the probability of a short winter season for pollock.

C-5 Halibut Management

The AP recommends that the Council accept the Halibut RAAG's recommended list of proposal priorities with one exception; to delete allocation proposal #12 as high priority. *The motion to delete #12 passed 9 to 6. The overall motion passed 13 to 1.*

The AP's rationale was that compared to other halibut proposals and other Council high priority projects, #12 did not warrant the status high priority.

A motion to elevate bycatch proposal #10 to high priority status failed on a split vote for the same reason as the above action. The majority believes that proposal #10 is intertwined with other issues and should be considered after inshore-offshore and limited access has been resolved.

Minority report. Halibut bycatch is now the constraining factor in almost all groundfish fisheries. The retention of halibut as bycatch in the longline fisheries needs to be looked at as a possible solution. The addition of proposal #10 should be made a high priority in the halibut regulatory proposals along with the retention of some percentage of halibut in the Pacific cod and sablefish fisheries.

Signed by: Paul Clampitt, Phil Chitwood, Dave Fraser, Nancy Munro, George Anderson, Lyle Yeck, and Kevin Kaldestad.

D-1 Salmon Overfishing Definition

The AP recommends the Council adopt Alternative 3. The AP feels this alternative will:

- Allow for a consistent management regime inside and outside three miles.
- Provide for conservation of the stocks.
- Be consistent with the current management regime of the State of Alaska and the Pacific Salmon Commission.

The AP notes that Alternative 2 is vague.

The AP assumes the overfishing definition accounts for all removals. *The motion passed unanimously.*

D-2(a) Crab Overfishing Definition

The AP accepted the SSC recommendation and recommends the Council adopt Alternative 3.

This alternative was chosen since it appears to give the Council greater flexibility in managing a resource known for its fluctuating stock conditions.

D-2(b) Crab Observer Program

The AP recommends that the Council maintain the status quo by requesting NMFS to continue focusing the federal observer program on groundfish for 1991. *The motion passed 8 to 6.*

The majority of the AP recognize that both the federal and state observer programs are in their infancy and that both governments are committed to make the programs successful. Implicit in this motion is Council endorsement of Plan Team and ADF&G recommendations for improvements to the State's crab observer program.

Minority report. We recognize that large changes in the existing observer programs may not be possible for 1991. We cannot, however, in good conscience vote for a motion which implicitly approves the status quo.

We believe that industry and the agencies must plan now for a future which will be made possible by reauthorization of the Magnuson Act. Key to that future should be an observer program which will provide credible information with which to manage the fisheries of the North Pacific.

Characteristics of this observer program should include:

- Pooled funding.
- Standardized training for observers.
- A clear focus on data collection and not enforcement.
- Cooperative data collection and sharing between NMFS and ADF&G.
- Representative sampling of all elements of the fleet.

Signed by: Phil Chitwood, Dave Fraser, Nancy Munro, Pete Maloney, and George Anderson.

D-3 Gulf of Alaska Groundfish

D-3(b) Initial TACs and Apportionments

The AP recommends that the Council send out for public review preliminary 1991 TACs as attached. These numbers reflect the 1990 TACs with the exception of Pacific cod which reflects the Plan Teams' 1989 recommendation of 60,500 mt.

The AP makes this recommendation considering that the SAFE document is preliminary and will be revised prior to the December meeting.

The AP recognizes that implementation of the Council's overfishing definition may cause problems in 1991 and should be considered in setting the final TACs at the December meeting. For stocks where ABC is based on F_{msy} or lower exploitation rates, it appears that the TACs should be set with a buffer between the TAC and ABC to avoid closures.

The AP requests that the updated SAFE document include discussion of the ramifications of the overfishing definition, and that it be distributed in November for review prior to the December meeting.

D-3(c) Initial PSC Limits for Halibut

The AP recommends that the Council send out for public review halibut bycatch limits as shown on the attached sheet.

The AP considered:

- Recommending a range of alternatives for halibut bycatch, but decided that one number would better achieve the purpose of eliciting public comment.
- Allocating the longline halibut quota between sablefish and Pacific cod, but decided it lacked concrete information on which to do that.

The AP heard industry testimony about:

- Setting the halibut bycatch limit for the pot fishery at 75 mt due to reports of increased effort in the pot fishery.
- Allocating the longline bycatch quota quarterly: 20/30/20/30 to ensure a 4th quarter fishery.

The AP will consider these issues at the December meeting.

D-3(d) Regulatory Amendments

The AP heard a NMFS report on the status of four regulatory amendments.

Sablefish Seasons

The AP recommends that in the analysis of Alternative 1 NMFS consider:

- Gulfwide opening dates of April 1, May 1, June 1.
- W/C Gulf reopening dates of June 1, July 1, August 1, September 1, and October 1.

The vote was unanimous.

Prohibit Longlining Groundfish Pots (see D-4(e), page 8)

D-3(e) Extension of Emergency Rule

Exemption of pot gear and certain hook and line gear in the Southeast Alaska demersal shelf rockfish fishery from the halibut PSC closure.

The AP recommends that the Council request NMFS to extend this emergency rule through the end of 1990. *The vote was unanimous.*

Revised Definition of Pelagic Trawl

The AP discussed the controversy over various definitions of "pelagic" trawl. The AP recommends that the Council extend and clarify the emergency rule as published. The AP believes the intent of the definition would have prohibited directed fishing for Pacific cod with bottom gear and subsequent catches of crab and halibut contrary to the caps. To clarify that intent, the AP recommends the Regional Director publish a news release explaining that collars on nets are not permissible under the definition. The AP's intent is that under no circumstance should this or any other gear modification be used to bypass the caps. *The motion passed 16 to 2.*

The AP recommends changes in the definition of "pelagic" or demersal trawl in Amendment 16/21:

"a trawl which has stretched mesh size openings of at least ~~64 inches~~ **1-meter**, or parallel lines with spaces of at least ~~64 inches~~ **one-meter**, starting at ~~any point on the fishing line, head rope, and breast line~~ and extending aft for a distance of at least 10 meshes and going around the entire circumference of the trawl, and which is tied to the fishing line with no less than ~~20 inches~~ **0.3-meter (12 inches)** between knots around the circumference of the net, and which does not have plastic discs, bobbins, rollers, or other chafe-protection gear attached to the foot rope."

D-3/4(f) Groundfish Amendments for 1991

The AP agreed with the PAAG's recommended priority amendments with one exception:

Delete #12 and 13. (*The motion passed 14-3*)

The AP believes proposal #39 is a high priority but understands it is already in preparation.

Minority report. We believe that proposal #22 should be a high priority for consideration. Some form of individual bycatch accounts offer promise as a means of achieving a long-term solution to the bycatch issue and should be developed and analyzed.

Signed by: Dave Fraser, Lyle Yeck, George Anderson, Ed Fuglvog, Paul Clampitt, and Nancy Munro.

D-4 Bering Sea/Aleutian Islands Groundfish

D-4(a) Amendment 16a

The AP received a report on the status of Amendment 16/21. NMFS informed the AP that the Secretary intended to disapprove the "penalty box" amendment given the agency's inability to fully implement the bycatch measure due to budget and observer problem limitations. NMFS recommended that the Council family accept the Secretarial decision and move immediately toward preparing a substitute amendment.

In order to implement at least a minimal penalty box program as suggested by NMFS, the AP recommends that the Council immediately establish an ad hoc committee to develop a substitute amendment (Amendment 16b). The AP recommends that the ad hoc committee include General Counsel, NMFS management, enforcement, and observer program representatives, industry representatives, and Council staff. The AP requests that the Council schedule an emergency meeting to adopt the ad hoc committee's program with the goal of having it in place as early as possible in 1991. The AP believes this is a critical issue that warrants immediate attention by the Council.

The motion was approved unanimously.

Specific questions which the AP believes the ad hoc committee needs to resolve include:

1. At what point is a boat measured against the established bycatch rate?
 - Start-up period
 - Amount of groundfish
 - Amount of halibut
2. In what terms are violations measured?
 - Tows
 - Days
 - Weeks
 - Accumulative or non-accumulative
3. What would constitute a violation?
 - X amount less than NMFS rate
 - NMFS rate
 - X amount over NMFS rate
 - Ratio of PSC to groundfish
4. Would the NMFS established rates vary by time and area?
5. How would the amount of fines be determined?
 - Amount of groundfish
 - Amount of halibut
 - Amount NMFS rate is exceeded
 - Number of violations

Amendment 16a consists of two generic sections: crab and halibut bycatch alternatives, and herring bycatch alternatives.

With reference to crab and halibut bycatch measures, the AP recommends that the Council approve for Secretarial review:

1. Provide the Regional Director the authority to temporarily close limited areas inseason due to high bycatch rates. (*The motion passed unanimously.*)
2. Permit the Regional Director to set a limit on the amount of pollock TAC that can be taken in other than mid-water pollock fisheries.

A majority of the AP supports this measure with the understanding that it is a pre-season specification which occurs as part of the annual TAC setting process. A majority of the AP also recommends that the Regional Director be provided with inseason authority to adjust this specification should it be mis-specified.

3. The maintenance of the current bycatch caps (e.g. 100% of Amendment 12 limits for all bycatch species in the Bering Sea and Aleutian Islands area). The AP makes their recommendation based on the assumption that a "penalty box" system will be in place as early as possible in 1991. (*The motion passed 13 to 4.*)

A majority of the AP believes that the current caps (100%) represent reasonable bycatch limits:

- The exploitable halibut biomass has been, and continues, to decline.
- Red king crab populations show large variations in annual biomass estimates yet overall they remain low.
- Increasing the cap at this time (with less than one year of observer data) leaves the industry with no motivation to reduce bycatch.

A minority of the AP supports increasing the PSC caps:

- Red king crab and bairdi populations have increased since the caps were originally set in 1988.
- Although the exploitable biomass of halibut has decreased since 1988 the key question should be the level of juvenile halibut. We don't know if they have increased or declined.
- The economic trade-off of constraining the trawl fleet cannot be ignored. The net benefit to the nation clearly increases with increased caps.

With reference to instituting herring bycatch measures, the AP recommends the Council adopt a PSC cap of 1% of the herring biomass. Attainment of the cap would trigger temporary closures of two areas north of the Alaska Peninsula and a small winter savings area northwest of the Pribilof Islands (Area B). The areas are identified on Figure 4.11 of the Amendment 16a EA/RIR/IRFA document. This recommendation embodies the provisions of Run #9 in the amendment analysis.

The AP feels this cap and closed areas provide substantial protection to the herring resource while avoiding excessive constraints on the groundfish fishery. (*The motion passed 13 to 2.*)

D-4(c) Initial TACs and Apportionments

The AP recommends that the Council send out for public review preliminary 1991 TACs, DAPs, and JVPs as attached. These numbers reflect the 1990 TACs.

The AP flags the pollock TAC as a number with which they have particular concern and would seek public comment prior to the December meeting.

The AP recommends that the Council send out for public review a split between seasons:

Roe season: 25%
Non-Roe season: 75%

D-4(d) PSC Apportionments

The AP recommends that the Council send out for public review a preliminary apportionment of PSC caps for halibut, red king crab, C. bairdi Tanner crab, and herring:

	DAP Midwater Pollock	DAP Other	DAP Deepwater Turbot/ Sablefish	DAP Rocksole	DAP Flatfish	JVP Flatfish
Halibut	--	2,982	430	665	67	1,064
<u>C. bairdi</u> , Zone 1	--	289,182	0	544,412	54,280	89,390
<u>C. bairdi</u> , Zone 2	--	1,318,341	156,871	201,416	254,967	164,487
Red King Crab, Zone 1	--	5,832	3	146,810	20,480	21,862
Herring	542	75	0	0	32	129

The AP notes that these apportionments are those generated by the bycatch simulation model run #9, which corresponds to the bycatch management provision recommended for Amendment 16a.

The AP understands that the simulation model made an apportionment of the crab and halibut PSC caps to the mid-water pollock fishery. Since the mid-water pollock fishery is not to receive an apportionment under Amendment 16, and is not impacted by closures triggered by attaining bycatch apportionments, the AP understands that the preliminary apportionments will be adjusted upward to account for this, so that the sum of apportionments among target fisheries will equal each PSC cap.

The AP recommends publishing no preliminary seasonal allocations of PSC apportionments and allowing public comment to guide the Council in deciding seasonal allocation of PSC apportionments for the final groundfish specifications.

The AP made no recommendations concerning the division of halibut PSC apportionments into primary (Zones 1 and 2H) and secondary (BSAI-wide) caps.

The motion passed unanimously.

D-4(e) Regulatory Amendment to Prohibit Longlining Groundfish Pots
[also applies to agenda item D-3(d)]

The AP recommends that a regulatory amendment be prepared that examines prohibiting the longlining of Pacific cod pots in both the Gulf of Alaska and Bering Sea/Aleutian Islands. The AP understands that NMFS is currently preparing an analysis of several alternatives and requests that this amendment package be brought back to the Council for review prior to submission to the Secretary.

The AP discussed the appropriateness of restricting a new gear type when it shows promise as an effective method of harvesting Pacific cod with minimum bycatch. Members were concerned about the potential for gear conflict between longlined pots and traditional gear in the Gulf as well as in some areas of the Bering Sea. These issues, among others should be evaluated in the analysis.

The motion passed unanimously.

D-4(g) Donut Hole Policy

The AP heard a report on the Donut Hole Policy and recommends a revised version of Policy Option 1.

"The North Pacific Fishery Management Council's policy is to strictly prohibit all U.S. commercial fishing activity in the Central Bering Sea outside the U.S. EEZ with the exception of vessels sanctioned by the U.S.-U.S.S.R. Intergovernmental Consultative Committee on Fisheries for conducting scientific and exploratory research, and for enforcement purposes. Such a prohibition supports the efforts of the Council and the United States in seeking a ban on unregulated foreign fisheries that may be adversely affecting pollock stocks within the U.S. EEZ. The Council intends to develop regulations governing the Central Bering Sea fishery and may revise its policy after this regulatory process is completed. The Council further suggests that U.S. nationals be prohibited by regulation from commercial fishing in this zone, and that the U.S. and U.S.S.R. Governments extend jurisdiction and management authority over this body of water."

The motion passed 9 to 5.

AP Statement on Priorities

With the decisions before the Council becoming increasingly difficult, contentious, and numerous, the AP believes strongly that the Council should set clear priorities for staff work and its own actions in the coming year. We feel, and are hearing, a growing frustration over the ability of our Council process to bite the bullet and make the hard choices.

Part of the problem appears to be an increasingly diffuse agenda where issues continue to appear and reappear without a sense of resolution. Part of the solution to that may be to set a clear agenda of what we want to accomplish.

Given the inevitable trade-offs of limited time and resources, the AP recommends that the Council rank the issues before it in the following order of priority:

1. The Amendment Package (as prioritized by the AP)

Bycatch is now controlling the management and prosecution of our fisheries. The development of a bycatch management regime including a vessel incentive program is the AP's number one priority.

Other vital issues in the amendment package are proposals for a donut hole policy and a fee recovery system for the observer program.

2-3. Inshore-Offshore

Allocation issues increasingly dominate the Council's agenda, and we anticipate that will become even more true over the next few years. Resolution of the inshore-offshore debate may provide a cornerstone policy with which to resolve those issues and provide a future for the industry with at least one variable removed.

Although the AP is not in agreement on the inshore-offshore issue, we do agree that resolution of it will be a long, drawn-out process which may very well end in arenas beyond the Council.

2-3. Limited Access Systems

The Council, in its August actions, appears to have put the development of IFQs and other alternative management systems on the back burner. Six AP members believe that consideration of limited access systems should be the Council's number one priority.

4. The Moratorium

To some AP members the moratorium is an important first step in planning for the future. To most, however, it is an idea whose usefulness has long passed. We recommend that the Council not include the moratorium in its set of priorities.

ADVISORY PANEL PRIORITIES FOR STAFF WORK ON CURRENT FISHERY MANAGEMENT ISSUES				
	Inshore- Offshore	Moratorium	Amendments/ Bycatch	Limited Access Systems
Horgan, Vic	2		1	X
Chitwood, Phil	X	2	1	3
Skordahl, Jay		2		1
Clampitt, Paul	X		2	1
Anderson, George	X		2	1
Fuglvog, Ed		X	2	1
Yeck, Lyle	3	X	1	2
Isleib, Pete	3		1	2
Sparck, Harold	2	X	1	3
Little, Dave	X	X	1	2
Kaldestad, Kevin	X	X	1	X
Woodruff, Dave	2	3	1	X
Maloney, Pete	1	3	2	
O'Hara, Dan	2	3	1	
Wurm, Robert	2	X	1	X
Fraser, Dave	X		2	1
Munro, Nancy	2	X	1	
Woodruff, John	2	3	1	
Cotten, Lamar	2	X	1	

X = Rejected

TABLE 2
GULF OF ALASKA GROUND FISH
Preliminary 1991 SSC recommended ABC, AP recommended TAC and apportionments (metric tons)

19-Sep-90

Species	Area	1990		SSC	Advisory Panel		
		TAC	Catch *	ABC	TAC	DAP	JVP
Pollock	W/C	52,500 **	45,057	63,750	63,750	63,750	0
	Shelikof		n/a	6,250	6,250	6,250	0
	E	3,400	277	3,400	3,400	3,400	0
	Total	55,900	45,334	73,400	73,400	73,400	0
Pacific Cod	W	29,500	29,528	29,500	19,831	19,831	0
	C	59,500	31,379	59,500	39,997	39,997	0
	E	1,000	309	1,000	672	672	0
	Total	90,000	61,216	90,000	60,500	60,500	0
Flatfish, Deep	W	3,650	278	16,300	3,650	3,650	0
	C	15,300	6,028	77,700	15,300	15,300	0
	E	3,050	497	14,400	3,050	3,050	0
	Total	22,000	6,803	108,400	22,000	22,000	0
Flatfish, Shallow	W	3,570	391	30,200	3,570	3,570	0
	C	6,180	2,893	52,200	6,180	6,180	0
	E	250	174	2,100	250	250	0
	Total	10,000	3,458	84,500	10,000	10,000	0
Arrowtooth	W	4,450	735	27,000	4,450	4,450	0
	C	23,170	12,715	141,000	23,170	23,170	0
	E	4,380	1,547	26,600	4,380	4,380	0
	Total	32,000	14,997	194,600	32,000	32,000	0
Sablefish	W	3,770	1,826	3,800	3,770	3,770	0
	C	11,700	12,016	11,800	11,700	11,700	0
	W. Yakutat	4,550	5,177	4,600	4,550	4,550	0
	E. Yak./S.E. Out.	5,980	5,666	6,000	5,980	5,980	0
	Total	26,000	24,685	26,200	26,000	26,000	0
Rockfish (Slope)	W	4,300	3,730	4,300	4,300	4,300	0
	C	7,700	9,505	7,700	7,700	7,700	0
	E	5,700	6,130	5,700	5,700	5,700	0
	Total	17,700	19,365	17,700	17,700	17,700	0
Rockfish (Pelagic Shelf)	W	1,400	132	1,400	1,400	1,400	0
	C	5,800	1,002	5,800	5,800	5,800	0
	E	1,000	524	1,000	1,000	1,000	0
	Total	8,200	1,658	8,200	8,200	8,200	0
Rockfish (Demersal Shelf)	S.E. Out.	470	256	unknown	470	470	0
Thornyhead	G W	3,800	1,517	3,800	3,800	3,800	0
Other Species	G W	14,179	4,916	30,340	14,179	14,179	0
GULF OF ALASKA TOTAL		280,249	184,205	637,140	268,249	268,249	0

* Catch through September 8, 1990.

** Western/Central TAC and catch numbers include Shelikof. The 4th quarter allowance of 17,500 mt will be released October 1, 1990.

TABLE 2
BERING SEA/ALEUTIAN ISLANDS GROUND FISH

Preliminary 1991 SSC recommended ABC, AP recommended TAC and apportionments (metric tons)

19-Sep-90

Species	Area	1990		Seasons	Area	SSC	Advisory Panel		
		TAC *	Catch **			ABC	TAC***	DAP	JVP****
Pollock	EBS	1,310,751	1,090,513	Roe (Jan 1 - Apr 15)	EBS	1,450,000	272,000	272,000	
	AI	85,000	7,430		AI	153,600	21,250	21,250	0
				Non-Roe (Jun 1 - Dec 31)	EBS		816,000	816,000	22,451
					AI		63,750	63,750	0
Pacific cod		199,975	147,356			417,000	192,950	192,950	7,025
Yellowfin sole		176,502	76,513			278,900	176,503	12,750	163,753
Greenland turbot		7,000	8,390			7,000	5,950	5,950	1
Arrowtooth flounder		8,533	7,944			106,500	8,500	8,500	33
Rock sole		67,359	31,679			216,300	51,000	51,000	16,359
Other flatfish		51,128	31,159			188,000	51,128	10,200	40,927
Sablefish	EBS	2,294	2,303			2,700	2,295	2,295	1
	AI	3,826	1,717			4,500	3,825	3,825	0
Pacific ocean perch	EBS	6,300	4,757			6,300	5,355	5,355	1
	AI	12,610	8,929			16,600	5,610	5,610	0
Other rockfish	EBS	500	349			500	425	425	1
	AI	935	543			1,100	935	935	0
Atka mackerel		21,000	23,011			24,000	17,850	17,850	0
Squid		425	432			10,000	425	425	0
Other species		8,584	20,852			55,500	4,250	4,250	1,834
BERING SEA/ALEUTIAN ISLANDS TOTAL		1,962,722	1,463,877			2,938,500	1,700,001	1,495,320	204,681

* TAC reflects inseason adjustments.

** DAP catch data through September 8, 1990.

***Recommended TAC less 15% reserve

****Directed JVP fishing for YFS, OFF only;

other allocations from reserve as retainable bycatch

C-5 Halibut Management

The SSC supports proposal #11 to investigate mortality associated with hook and line gear, and recommends the appropriate agencies proceed with this needed research. The SSC has no comment on all the other proposals.

C-6 Marine Mammals

At its December, 1989 meeting the SSC reviewed Team membership. Given the concern over marine mammals, the SSC recommended the addition of a marine mammal scientist to the Groundfish Team. Dr. Richard Merrick's, National Marine Mammal Laboratory, resume was reviewed and a recommendation made to appoint him to the groundfish teams. No action was taken. We request that action on this recommendation be taken at this meeting.

D-1 Salmon Plan: Definition of Overfishing

The SSC believes the current salmon conservation policies that the State of Alaska and the Pacific Salmon Commission uses to manage the salmon fisheries of Alaska are adequate to ensure sustained yield and to provide for rebuilding of depressed stocks. The State of Alaska and other agencies that are parties to the Pacific Salmon Commission closely monitor the magnitude of the spawning stocks of salmon in Alaska, British Columbia, Washington, Idaho, and Oregon. The management objectives of sustained yield and stock rebuilding are evaluated based on estimates of spawning stock magnitude. This provides an objective and measurable basis to prevent overfishing. Since all of Alaska's salmon fisheries, except for the salmon bycatch in the EEZ groundfish fisheries, are managed by the State of Alaska or the Pacific Salmon Commission, the most consistent and efficient course of action for the Council is to seek secretarial exemption from the requirement of defining overfishing for salmon.

D-2 Crab Plan: Definition of Overfishing

The SSC reviewed Amendment 1 to the BS/AI king and Tanner crab Plan that treats four alternative definitions of overfishing.

The crab plan team prefers Alternative 2 - constant fishing mortality rate plus threshold. They believe that all directed and non-directed fishing should cease when stocks fall below threshold unless otherwise exempted through the multispecies exemption clause. On page 2 of their analysis, the team stated that overfishing should not occur under the current management system. The SSC noted, however, that crab stocks are subject to large natural fluctuations and have fallen below threshold in the past (see Table 2 in the EA for amendment 1), and that overfishing would be likely to occur in the future if it is defined in terms of threshold. The SSC does not prefer this alternative because of difficulties associated with defining thresholds.

The SSC recommends Alternative 3. This definition imposes a constant fishing mortality rate in the overfishing determination. Overfishing is defined as any level of fishing in excess of F_{msy} , as estimated by $F_{0.1}$ or instantaneous natural mortality (M), depending on the level of data available. These correspond to maximum allowable annual exploitation rates. These rates are fixed in Alternative 3. The number of crabs corresponding to overfishing is equal to the product of the maximum annual rate times crab stock biomass. Selection of Alternative 3 does not adversely affect the Alaska Board of Fisheries (BOF) crab management policy that provides for thresholds to be used to close directed fishing. The SSC believes that acceptable levels of crab bycatch should continue to be managed under the groundfish plans.

If selected, Alternative 4 would only apply to Bristol Bay red king crab, because this is the only stock for which the requisite estimate of B_{msy} is available. For all other stocks, Alternative 4 would default to Alternative 3.

D-2(c) Shellfish Fishery Observer Program

The SSC heard a report by ADF&G regarding the mandatory observer program for shellfish catcher processors.

D-3(a) Gulf of Alaska groundfish SAFE report and preliminary ABC's

The updated SAFE report, incorporating 1990 data, is not yet available because important surveys were only recently completed. The SSC recommends that the ABC's adopted by the Council for 1990 be adopted as the preliminary ABC's for 1991, as proposed in the provisional SAFE report.

When determining TACs the Council must account for all sources of fishing mortality, i.e., directed, bycatch and discard. Since the allowable catch under the definition of overfishing equals the maximum possible TAC, the Council needs to decide on appropriate action which must be taken to avoid the consequences of invoking the definition of overfishing.

The SSC is concerned that the overfishing definition may force the closure of both directed and bycatch fisheries on any stock for which the TAC is set at the level of the overfishing definition. In such a case, all fisheries that take fish from the stock, even at very low bycatch rates, may be forced to close if the TAC is reached partway through the season. To prevent this from happening, good estimates of bycatch and discards will be needed so that directed fishing can be stopped early enough to keep total removals under the TAC level.

D-3(c) Gulf of Alaska PSC apportionments

The SSC reviewed the bycatch and bycatch mortality rates compiled by the Team for forecasting bycatch by season and fishery. Those rates are the best available for planning purposes. We believe that quarterly estimates of bycatch rates should be used instead of annual averages where sufficient data are available.

D-3(f) and D-4(f) Groundfish Proposals to Amend FMPs

Based on staff reports the SSC concluded that limited staff is available to prepare new amendments. The SSC believes the tasks already assigned are over-ridingly important and should be continued to completion. These tasks include (1) inshore - offshore, (2) moratorium - Limited Entry and (3) bycatch.

The SSC reviewed each of the proposals considering their importance and staffing requirements. The SSC has no comment on proposals that are allocative. The SSC recommends seven proposals for further development. They are:

- | | |
|----------|---|
| Proposal | 2. Delete Federal Reporting Area's 621, 631, & 68. (GOA) |
| | 5. Adopt bi-annual SAFE document and Plan Amendment Cycle. (GOA,BSAI) |
| | 19. Require untended pots be removed from grounds. (GOA) |
| | 32. Modify definition of Groundfish Pots. (GOA,BSAI) |
| | 34. Provide in-season authority to close bycatch hot spots. (GOA) |
| | 41. Authorize Experimental fisheries. (GOA,BSAI) |
| | 42. Extend trawl closures to protect walrus. (BSAI) |

Proposals 2, 19, 32, 34, and 41 would require minimal staff and team effort with the major tasking carried by other agencies. Proposals 5 and 42 would require staff and team efforts.

The SSC review of the proposed amendment to limit pollock harvests by U.S. vessels in the donut hole. This is clearly an important problem, but the SSC believes its solution must be based on a combination of international negotiation, as currently being pursued by the U.S. and U.S.S.R. and by the implementation of the Council's policy proposal found in agenda item D-4(g).

Bycatch Management:

The proposed amendments concerned with bycatch management should be deferred until the current and proposed bycatch regime is implemented and some experience is gained through one or more fishing seasons. Nonetheless, the SSC concurs in the desire of NMFS to be given in-season authority to close bycatch hot-spots. The amendments dealing with Chinook salmon under item 23 and 33 should be tabled pending completion of ADF&G analysis.

D-4(a) Review of Bycatch Model and Final Approval of Amendment 16(a)

The SSC reviewed the EA/RIR for Amendment 16a to the Bering Sea/Aleutian Islands FMP. Owing to the number of interaction among fisheries, areas, seasons, TACs, and PSCs, alternative bycatch control measures can only be evaluated by using a detailed bioeconomic model of the Bering Sea trawl fishery. We undertook a review and discussion of the bycatch model. The SSC received a presentation from the model developers on errors that have been identified in the model. These have been corrected, and modified text and tables were provided the SSC. The SSC commends the developers and notes to the Council that these errors are understandable in light of the short time available to develop the model and limited availability of staff. The modified model is a significant improvement over the original. It now simultaneously evaluates herring, halibut, and crab bycatch caps.

The SSC had extensive discussions regarding how the benefits and costs were calculated. The model provides insight into the relative magnitude of costs and benefits. Using the model to evaluate the various bycatch options yields the following conclusions:

- (1) For the option permitting the RD to set a limit on the amount of the pollock TACs that can be taken in other than the mid-water pollock fisheries: changing the percent of the pollock caught by mid-water trawl from 75% to 50% (with a penalty box and no PSC caps), causes a slight increase in halibut and crab bycatches and a reduction in herring bycatch. Groundfish catches are increased.
- (2) For the option to establish PSC limits equal to 50%, 100%, or 150% of the Amendment 12a limits: the 150% level has little or no effect. Caps set at 100% of 12A levels reduces the total groundfish catch and revenues and 50% caps further reduce the catch and revenues. Bycatch for the 100% caps is reduced for all species and further reduced at the 50% levels.
- (3) To control herring bycatch: adding a herring bycatch cap of 1% and a winter closure (area B) to the Amendment 12A caps with the penalty box system reduces herring bycatch with slight reductions in the groundfish catch. Changing the winter closure to area C further reduces herring bycatch with slight reductions in the groundfish catch. Herring caps of 2%, 4% and 8% result in slight herring bycatch reductions.

The SSC noted several directions for improvement and research on the bycatch model. In addition to checking the model for internal validity and accuracy, the SSC recommends the following:

- (1) Evaluation of two alternative approaches to account for trawl fishery costs (i.e., costs can be taken as proportional to gross revenue or proportional to effort);
- (2) Further analysis of CPUE data to determine how they vary in space and time;
- (3) Evaluation of model assumptions concerning original spacial distribution of effort;
- (4) Develop a uniform method of assigning economic value to all fisheries (e.g., use wholesale value minus all costs);
- (5) Examine the method to account for discards in the calculation of economic value; and
- (6) Expand the model to include possible increases in non-trawl catch to compensate for some fish lost to trawl fisheries under bycatch caps.

D-4(b,c,d) Bering Sea/Aleutians SAFE Document, ABCs

The SSC recommends that the ABC's for 1990, as presented in the table in Agenda Item D-4(c)(1), be used as the preliminary ABC's for 1991. In November, the groundfish plan teams will complete analyses of status of stocks, which will incorporate new information from 1990 surveys and data collections. This may result in new estimates of biomass for each species and area and updated exploitation rates for determining ABC. The ABC's presented in December may differ from the preliminary ABC's due to changes in stock biomass and potential reduction of exploitation rate for some stocks due to limits imposed by the definition of overfishing, approved at the June meeting, which awaits Secretarial approval. For example, the target fishing mortality rate (F) for Pacific Ocean perch in the BS/AI area was 0.06 in 1990. The overfishing definition would cap F at 0.05 (Amendment 21/16).

To provide stability in management advice, the SSC recommends, that the Teams should use the exploitation rates used by the Council for 1990 ABC's for the 1991 calculations wherever possible. At that time the Teams and SSC spent a great deal of time developing consistent biological justifications for exploitation rates. If a change is recommended, the resulting ABC should be thoroughly justified and contrasted with the one using the prior exploitation rate.

When determining TACs the Council must account for all sources of fishing mortality, i.e., directed, bycatch and discard. Since the allowable catch under the definition of overfishing equals the maximum possible TAC, the Council needs to decide on appropriate action which must be taken to avoid the consequences of invoking the definition of overfishing.

The SSC considered the biological basis for seasonal apportionment of the pollock TAC in the BS/AI. Discussion of potential biological benefits of seasonal apportionment appears in the pollock roe-stripping amendment analysis (Amendment 19/14). Among these potential benefits are: (1) reduced chance of overharvesting possible stock components, (2) reduced targeting on spawning females in the roe fishery, (3) less disruption of spawning behavior, and (4) reduced competition with marine mammals. There is however, no conclusive evidence to show biological benefits from any apportionment scheme.

D-4(g) Donut Hole fisheries

The SSC believes that it would be desirable to obtain stock structure and age composition information on fish in the Donut hole. The SSC supports allowing a limited fishery to collect information by requiring a scientific sampling plan and having observers on all vessels operating in the Donut Hole.

The SSC notes that it is not clear how to adjust pollock ABC and TAC if a U.S. fishery for pollock in the Donut Hole occurs. Most catches of pollock in the Donut Hole are taken by non-U.S. vessels. Thus any consideration of adjustment of ABC and TAC should include not only the U.S. catch but all catches from the Donut Hole. Also, the stock in the Donut Hole is probably not a unique self-sustaining population and may include a significant component of fish derived from the Soviet and U.S. zones. Therefore, stock contributions from other areas need to be included in the calculations, depending on the degree of stock intermingling with other areas. The proper approach requires understanding of pollock stock structure, migration patterns, and age structure, all of which are poorly understood at the present time.