

ADVISORY PANEL
Motions and Rationale
June 4; 7-9, 2024 - Kodiak, AK

E Staff Tasking

Motion 1

The AP recommends that the Council adopt the following purpose and need statement to initiate analysis on a list of alternatives for a regulatory amendment:

Purpose and Need

Amendment 114 to the GOA FMP to integrate electronic monitoring on pollock catcher vessels established a full retention requirement for vessels operating under the program, which has provided more precise estimates of Pacific ocean perch (POP) incidental catch. The full retention requirement and improved data has created operational conflicts with Maximum Retainable Amount (MRA) regulations and directed fishing calculations.

Alternatives

Alternative 1: Status Quo

Alternative 2: Revise the GOA aggregated rockfish MRA by removing POP and:

Option 1: Establish a separate POP-only MRA of 10% for the calculation of directed fishing for pollock.

Option 2: Establish a separate POP-only MRA of 15% for the calculation of directed fishing for pollock.

Option 3: Establish a separate POP-only MRA of 20% for the calculation of directed fishing for pollock.

Alternative 3: Revise the definition of directed fishing at 50 CFR 679.2 for vessels participating in Trawl EM to read:

Option 1: With respect to vessels operating in Trawl EM, vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is 90% or greater of total catch.

Option 2: With respect to vessels operating in Trawl EM, vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is 85% or greater of total catch.

Option 3: With respect to vessels operating in Trawl EM, vessels deploying pelagic trawl gear are directed fishing for pollock if the amount of pollock is 80% or greater of total catch.

Alternatives 2 and 3 are not mutually exclusive, but only one option may be selected for each alternative.

Motion passed 21/0

Rationale in Favor of Motion 1:

- *During the April meeting, the Council directed the Agency to bring back a report on the issue which was included in the NMFS Management Report under B-Reports at this meeting. This motion is responsive to that Agenda item. The AP noted appreciation for the Agency's work on this issue that has outlined a potential path forward.*
- *The AP heard from the Region at this meeting that there is enough information available in the Management Report to move this forward to an Initial Analysis versus a discussion paper. An AP member noted that the maximum retention requirement of Trawl EM has provided more accurate reporting of incidental catch, which also puts participants in conflict with existing directed fishing calculations and definitions.*
- *A range of potential MRA percentages (10%, 15%, and 20%) are included in the alternatives for analysis. Currently, POP accounts for the majority of the catch under the existing 5% aggregated rockfish MRA, so analyzing a 5% POP-only MRA does not appear different than analyzing the status quo, and was not included. The NMFS Management report stated that most incidental POP catch is under 20% per trip, which indicates that 20% is an appropriate top end of the range to be analyzed. A 20% POP MRA would also be consistent with the upper bounds of other species MRAs for which management concerns don't exist.*
- *The AP noted that when the MRA tables were established in the GOA in 1995, the POP stock was overfished and under a rebuilding plan, with a spawning biomass of 70,800 mt. The 2023 GOA POP SAFE document stated that their recommended 9.7% increase to the ABC for 2024 was attributed to the fact that the model has observed six consecutive survey biomass estimates larger than 1 million tons, as well as an increase in survey biomass in 2023 compared to 2021.*
- *An AP Member noted pollock and POP look the same on netsounders and the NMFS winter acoustic survey and that pollock and POP are schooling together in large aggregations never seen before. This is consistent with the fleet's observations over the last several years. While the Aggregated Rockfish MRA has remained 5% in the pollock target since 1995, retention requirements have changed for other sectors.*
- *Rockfish experience barotrauma due to the pressure change and are dead whether they are discarded at sea or retained and delivered. A regulatory amendment would meet the Alaska Bycatch Review Task Force's recommendation supporting incremental measures through the regulatory process to improve bycatch utilization with a particular focus on species that are otherwise marketable, but are caught with non-targeted gear or discards in a directed fishery that are required by regulation.*
- *It was noted that TACs exist for shortraker, rougheye, and other rockfish which incidental catch accrues towards, and which in recent years have been at times constraining; when the TAC of a species is fully harvested it moves to PSC status and all catch must be discarded. In any circumstance in which TACs were to be consistently exceeded the Agency and Council have the discretion through the plan team, SSC, and specification processes to make further management decisions. This potential action does not intend nor should it result in removal of the already existing disincentives to avoid catching POP in the GOA pollock fishery, which is not rationalized.*

- *Several AP members expressed concerns that removing POP from the existing aggregated rockfish MRA calculation could increase incidental catch of the remaining species under the aggregated rockfish MRA. It was noted that an analysis would show any potential impacts such as:*
 - *increased catch of other species;*
 - *existing disincentives for the vessels to catch any rockfish species while targeting pollock;*
 - *the other species of rockfish under the aggregate rockfish MRA are more localized with smaller abundances that would be difficult to increase harvest of even if there were incentives.*

Rationale in Opposition to Motion 1:

- *The April AP motion for a discussion paper on this item was not acted on by the Council at that time. At this meeting, concern was raised for skipping the discussion paper step. Considering the action could raise regulatory discards, a discussion paper may provide adequate opportunity for consideration of that aspect. A discussion paper would provide adequate room for these considerations, and going straight to Initial Analysis may be inappropriate at this time.*

Motion 2:

The AP requests that a draft copy of the Climate Scenarios Workshop report be circulated to participants to ensure all ideas are captured in the summary synthesis prior to releasing the final report to the Council.

Motion passed: 21/0

Rationale in Favor of Motion 2:

- *The AP received a high-level overview of the Climate Scenarios Workshop during the E-Agenda item, and appreciates the quick turnaround by staff.*
- *The AP heard that the Workshop report was intended to be finalized for review during the October meeting. AP members were concerned that there could be omissions in the report regarding levels of participation and viewpoints, but there was not a clear path for review prior to finalization of the document. The AP wanted to ensure that key stakeholders and tribes feel their ideas were heard and captured, improving trust in the process.*

Motion 3:

The AP recommends that per SSC recommendation, Inflation Reduction Act (IRA) funding be dedicated to fund a postdoctoral position to design and implement modules capturing economic dynamics within a fishery with an initial focus on sablefish.

Motion passed 21/0

Rationale in Favor of Motion 3:

- *Fishery organizations have commented repeatedly over the past six years on the sablefish stock assessment processes and attempted to communicate concerns about management goals and existing harvest control rules.*
- *In a meeting held on 6/4 by SSC members and stock assessment authors, the new MSE was detailed to the stakeholder groups in attendance and was broadly supported by those in attendance that represented all gear groups and sablefish harvesting sectors.*
- *This motion is in direct response to the April 2024 SSC workshop which focused on using IRA funds to “develop a tool to support Council TAC-setting decisions for stocks experiencing climate-induced variability, with an initial calibration and application for the sablefish fishery.” The SSC discussed at length the value of this work and developed draft Terms of Reference that are included in their April 2024 minutes.*
- *The work to develop an MSE tool for environmental conditions has just begun, but there is not currently a bioeconomic modeling component to this project. This is in response to the SSC request to analyze both environmental and market variability. It is understood that the tool will be developed with applicability to multiple species, with an initial focus on sablefish, per the SSC’s discussion — that a post-doctoral research associate be hired to conduct a bio-economic analysis of sablefish. Once this tool is fully developed for sablefish, it can be expanded to be used for the assessment of all species that are managed by the NPFMC.*

Motion 4:

Move to approve the April 2024 minutes.

Motion passed unanimously