
ADVISORY PANEL REPORT – *ALL ISSUES EXCEPT C2*

APRIL 2021



C1 SCALLOP SAFE

The Advisory Panel recommends the Council adopt the 2021 Scallop SAFE report as well as the OFL and ABC as recommended by the Scallop Plan Team and the SSC.

Motion passed 19-0



D1 GOA SABLEFISH POTS 3-YR REVIEW (1/4)

MOTION 1

The AP recommends the Council request that NMFS remove the pot tag requirements in the GOA sablefish pot fishery.

Motion passed 16-4



D1 GOA SABLEFISH POTS 3-YR REVIEW (2/4)

MOTION 2

The AP recommends the Council adopt the following Purpose and Need Statement and range of Alternatives and initiate analysis.

Purpose and Need: During the 2021 review of the GOA sablefish pot fishery implemented under Amendment 101, stakeholders noted that some of the concerns have not borne out to the same magnitude previously anticipated, and some of these elements are overly restrictive on sablefish pot fishermen. Additionally, elements put into place to reduce potential gear conflicts and grounds preemption issues and protect small boat fishermen may have made it more challenging for those fishermen to effectively participate in the fishery. Noting that concerns regarding grounds preemption and gear conflicts vary by GOA subarea, there may be room to reduce some of the restrictions on sablefish pot fishermen in the GOA. Furthermore, allowing the targeting of halibut in pots would reduce the negative impacts of whale depredation in the halibut fishery, and increase efficiency for IFQ holders.



D1 GOA SABLEFISH POTS 3-YR REVIEW (3/4)

MOTION 2 CONTINUED

- **Alternative 1:** No action (status quo)
- **Alternative 2:** Revise regulatory requirements implemented under Amendment 101 to the GOA FMP.
 - **Element 1: Pot Limits**
 - **Option 1:** Remove Pot Limits in the GOA
 - **Option 2:** Change the Pot Limit for all GOA regulatory areas (WGOA, CGOA, WY and SEO) up to 300 pots per vessel.
 - **Option 3:** Change the Pot Limits for the WGOA, CGOA, and WY up to 300 pots per vessel. Maintain 120, or X pot limit for SEO.
 - **¹Option 4: Status Quo**
 - **Element 2: Gear Retrieval requirements**
 - **Option 1:** Remove the gear retrieval requirement.
 - **Option 2:** Modify the gear retrieval requirement to:
 - **Suboption 1:** up to 7 days all GOA areas
 - **Suboption 2:** up to 7 days in WGOA, CGOA, WY, and up to 3 days in SEO
 - **¹Suboption 3: Status Quo**



D1 GOA SABLEFISH POTS 3-YR REVIEW (4/4)

MOTION 2 CONTINUED

- **Element 3:** Pot configuration requirements in the GOA IFQ fisheries
 - **Option 1:** Revise the pot gear configuration requirements to remove the 9-inch maximum width of tunnel opening so it does not apply when vessel has unfished halibut IFQ onboard.
 - **Option 2:** Add an exception to the requirement for a biodegradable panel to authorize the slinky pot door latch mechanism.
- **Element 4:** Gear Marking requirements
 - **Option 1:** Remove buoy configuration requirements in regulation but retain “LP” marking requirement.

Motion as amended passed 17-3



D2 IFQ ACCESS OPPORTUNITIES

A motion to recommend forming an Entry Level Quota Entity Committee failed 10-10



D3 RQE FUNDING (1/2)

The AP recommends the Council adopt the following Purpose and Need Statement and Alternatives for initial review.

Purpose and Need

In 2016 the Council took final action to create a Recreational Quota Entity (RQE) as a market-based solution to the allocation conflict between the charter and commercial halibut sectors. This market-based solution authorizes commercial halibut quota share transfers between the RQE and willing sellers of commercial quota shares. The Council's Preferred Alternative and Final Rule establishing the RQE did not define the RQE's funding mechanism (NPFMC 2017; 83 FR 47819). Recently Senator Sullivan proposed an amendment to the Magnuson Stevens Fishery Conservation Act. This amendment will likely be approved by the US Congress and will grant the Council the authority to develop the funding mechanism for the RQE. Once this bill passes Congress, the Council can take action to require charter operators to purchase stamps from NMFS Alaska Region for each client that intends to retain halibut. These funds would be used by the RQE to fund RQE administrative costs and enforcement and to purchase halibut quota share as specified in the RQE program.



D3 RQE FUNDING (2/2)

Without this action there will be no mechanism to fund the RQE and no legal requirement for charter anglers to have the described stamps.

Alternatives:

Alternative 1: No action (Status quo).

Alternative 2: Direct the NMFS Alaska region to work with Council Staff and the RQE to develop a fee collection mechanism to supply halibut stamps to charter operators and subsequently distribute funds generated to the Recreational Quota Entity. Once completed this framework would be described in a draft Regulatory Impact Review.

Motion passed 19-0



D4 IFQ COMMITTEE

The AP acknowledges the IFQ Committee Report and requests further¹ prioritization of action on the following:

The AP recommends the Council Authorize jig gear as a legal gear type for sablefish in the GOA.

The AP recommends that Council initiate analysis to suspend the Adak residency requirement for a period of 3 to 5 years. As an option, the Council could also consider allowing a first-time applicant a one-time year of grace to establish residency.

²The AP recommends that the Council move forward with its work on the release of small sablefish.

Amendment¹ to add words “prioritization of” passed 18-0

Amendment² to add recommendation on small sablefish passed 17-2

Motion as amended passed 19-0



D5 SALMON GENETICS (1/2)

MOTION 1

The AP recommends the Council request a compilation of information on Bering Sea and Gulf of Alaska Chinook salmon bycatch including:

- Historic and current bycatch numbers and trends, including spatial and temporal trends;
- Summary of genetic stock identification information;
- Stock status of Chinook salmon stocks, including Alaska, BC and US West Coast stocks;
- Updates on progress on the Council's June 2019 motion.
- ¹Updated AEQ/impact analysis for chinook bycatch in the Bering sea pollock fishery

Amendment¹ to add last bullet passed 20-0

Motion as amended passed 20-0



D5 SALMON GENETICS (2/2)

MOTION 2

The Advisory Panel thanks the Auke Bay Laboratory Genetics Program for their reports and their continued improvements on Chinook and chum salmon bycatch genetic research. We look forward to additional information on AEQ when it comes available.

Motion passed 20-0



D6 EDR/SSPT REPORTS (1/3)

The AP recommends the Council modify the Alternatives from their January 30, 2020 motion as follows (additions in underline and deletions in strikeout):

Alternative 1: Status Quo Alternative

Alternative 2: Make revisions, where needed, in the EDR sections of the crab or groundfish FMPs and in the EDR regulations.

Component 1: Revise authorizations for third party data verification audits under the existing programs and reduce burdens associated with this process. Amend regulatory language in all EDR programs to authorize third party data verification audits in cases of noncompliance.

Component 2: Revise requirements for aggregation of data across submitters and blind formatting in all EDR programs to make those data aggregation and confidentiality protections comparable to the requirements under other data collection programs.



D6 EDR/SSPT REPORTS (2/3)

Component 3: Small changes to existing EDR programs

Crab EDRs:

- Option 1: Assess modifications to Table 1 (Ex-vessel sales) and Table 2 (Quota lease costs) to account for inconsistencies associated with ex-vessel sales and IFQ lease costs as reported in crab EDR forms compared to 1) the gross revenue basis for crew settlements and 2) NMFS Alaska Region records of vessel landings and IFQ permit deductions.
- Option 2: Assess modifications to crab CV and CP forms to associate joint ownership of active crab vessel and QS holders.

A80 EDRs:

- Option 1. Revise the EDR webform to pre-populate data entry fields for EDR, Tables 1, 2.1, 2.2, 2.3, and 2.4
- Option 2. Assess data quality impacts of eliminating days fishing and days processing data elements from Table 2.5



D6 EDR/SSPT REPORTS (3/3)

- Option 3. Assess modifications to Table 4 (Capital expenditures) to distinguish (and potentially exclude) major investment expenditures (e.g. vessel replacement, structural hull modification) from capitalized expenditures associated with routine/cyclical capital maintenance and improvement. Consider potential data quality improvements and burden reductions from a capitalized expenditures EDR module required only every 3 years which covers the prior 3-year period.

~~Component 3: Remove the GOA trawl EDR requirements.~~

Component 4. Revise EDR collection period to every (options: 2 years; 3 years; 5 years)

Alternative 3: Remove EDR requirements.

- Option 1: GOA Trawl EDR
- Option 2: A80 EDR
- Option 3: A91 EDR
- Option 4: Crab EDR

Motion passed 19-1



E STAFF TASKING

Motion 1

The AP recommends the Council initiate a discussion paper to consider identifying longline pots as legal gear for Greenland turbot.

Motion passed 19-0

Motion 2

The AP recommends that the Council return to the prior practice of publishing all public comments simultaneously at the conclusion of the comment deadline.

Motion passed 10-9

Motion 3

The AP approves the February 2021 Minutes.

Motion passed 19-0

