

# North Pacific Fishery Management Council

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## ADVISORY PANEL MINUTES December 3-6, 1989 Anchorage, Alaska

The Advisory Panel of the North Pacific Fishery Management Council met December 3-6, 1989 at the Anchorage Sheraton Hotel. The following members were present:

Arne Aadland	Ed Fuglvog	Ron Peterson
Al Burch	John Gilbert	Harold Sparck
Phil Chitwood	Vic Horgan, Jr.	Jeff Stephan
Paul Clampitt	Pete Isleib	Dave Woodruff
Lamar Cotten	Rick Lauber	John Woodruff
Joe Donohue	Nancy Munro, Chairman	Lyle Yeck
Dave Fraser	Dan O'Hara	

Jeff Stephan was appointed by the Council as an interim panel member to take the place of Fred Zharoff who resigned.

Minutes of the September 24-27, 1989 meeting were approved as presented.

### C-3 Halibut Management

The AP heard public testimony and staff reports regarding the allocation proposal for halibut in the Pribilofs, Area 4C.

The AP recommends that the Council retain the status quo which establishes a 10,000 lb. trip limit until 50% of the catch is taken, and a 20,000 lb. trip limit thereafter. The motion passed 11-7.

In reaching its decision the AP considered the local and nonlocal catch history found on page 4 of the EA/RIR. The majority felt that the status quo provides enough of an allocation to the Pribilovians due to the check-in/check-out requirements. Secondly, if the Pribilovian people want a specific percentage allocation that they should ask for it. Thirdly, the majority is concerned about setting precedents for super-exclusive areas.

The minority felt that Alternative 2 would maximize fresh halibut to the market and provided an appropriate allocation to local fishermen in Area 4C.

#### **C-4 Data Gathering**

The AP heard staff reports and industry testimony about NMFS' data gathering forms and 1990 groundfish observer program.

The AP has consistently recommended that the Council encourage NMFS and ADF&G to work together to develop a single reporting system. The AP recommends that the Council delay the implementation of the "Monthly Product Value Report" for one amendment cycle in hopes that NMFS and ADF&G can work together to develop a single reporting form. The motion passed 12-3.

The AP is concerned about the validity of economic assumptions which NMFS may make from the confidential product value numbers. The AP believes that the exvessel prices from fish tickets is already reported and may provide NMFS with the information it needs to manage the fisheries.

#### **C-5 Inshore-Offshore Allocation**

The AP recommends that the Council adopt the problem statement amended as follows (see Attachment 1). The motion passed 16-1.

In reaching this recommendation the AP considered shortening the problem statement to end after the word "capabilities" in the second sentence. The motion failed 4-14.

The AP recommends that the Council amend the Alternatives as follows:

- (1) Add horsepower to traditional management methods considered under Alternative 2. The motion passed 9-8.
- (2) In Amendment #6, delete references to the Gulf of Alaska. The motion passed unanimously. The AP felt that these measures would be equally effective in dealing with the Bering Sea/Aleutian Islands overcapacity problem and shouldn't be limited to the Gulf of Alaska.
- (3) A motion to add an immediate moratorium on entry to the groundfish fisheries as Alternative 7. The motion failed 4-14.

The AP requests that the staff prepare a series of definitions for the term "catcher\processors" as part of the analysis and that those definitions be distributed for public comment.

The AP considers the inshore-offshore issue of major importance, and would urge the Council to make it a priority of the Council staff so that the present schedule can be met. The motion passed 13-5.

The minority felt that excess capacity is certainly part of the inshore-offshore problem, and an immediate moratorium should be included for consideration as an alternative. (Minority: Phil Chitwood, Paul Clampitt, Dave Fraser and Nancy Munro)

In the inshore-offshore discussions the AP assumes that the Council is concerned with the groundfish resources as defined in the FMPs only.

**D-1 Salmon FMP**

The AP recommends that the Council ask the staff to review the three proposals regarding salmon and prepare materials for the January meeting if possible. The motion passed 14-3.

Minority report: The minority believes that in passing the revised salmon plan it was delegating most responsibility for salmon management to the State. One important consideration in doing so was the finite amount of staff and Council time and resources. Given the many pressing issues placing demands on those resources, it would be a wanton waste to spend them duplicating State functions. Since the intent of the motion appeared to be to make a political statement it would have been more appropriate to just do that.

Signed by: Phil Chitwood, Dave Fraser and Nancy Munro

**D-2 Gulf of Alaska Groundfish**

**1990 TACs and Apportionments to DAP and JVP (see attached Table 1)**

The AP recommends that the Council establish TACs as outlined in Table 1. The AP notes that these TACs are their idea of what the DAP's actual needs are. In making these recommendations the AP considered the following.

Pollock: Set TAC equal to ABC. Allocate the TAC quarterly:

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
W/C	10,500	17,500	17,500	17,500
Shelikof	7,000			

The AP recommends the Council establish a 10,000 mt exploratory fishery for pollock from January 15 through April 15 west of 159° to provide an opportunity to collect data on consistent industry reports of stocks in this area. This exploratory fishery, along with the exploratory fishery on the Eastern side (147°-151'30°), will provide information on the extent and distribution of spawning stocks in the Gulf of Alaska. The motion passed 19 to 1.

Pacific cod: The AP recommends that the TAC be set at the mid-point between Plan Team and SSC estimates of ABC. The apportionment between the Western, Central and Eastern areas of the Gulf is based on industry testimony on the needs in the Western Gulf and the assumption that fish will swim between these districts. The motion passed 15-5.

Deep Flatfish: The AP recommends setting TAC at 22,000 mt based on industry testimony that the 13,600 mt in industry requests recorded by NMFS may not have included all requests from operations which expect to process these fish in 1990.

Shallow Flatfish: The AP recommends TAC to provide for rock sole directed catch and bycatch for Pacific cod fisheries.

Arrowtooth flounder: The AP recommends setting TAC at 32,000 mt to provide adequate bycatch for other fisheries in the Gulf of Alaska. The motion passed 13-4.

Sablefish: The AP recommends that the TAC and apportionment between areas be set the same as 1989. The AP considered testimony by industry and the plan team that the trawl survey in the Western area which found low levels of fish was conducted during or right after a directed fishery.

Rockfish, Slope: The AP recommends that the TAC and apportionment be the same as 1989.

Rockfish, Pelagic Shelf: The AP recommends that TAC equal ABC.

### **Gulf Halibut Bycatch Management for 1990**

The AP recommends that the 1990 groundfish TACs be set based on DAP and JVP needs and that the Regional Director monitor halibut mortality during the season and close the bottom trawl and fixed gear fisheries when their respective PSC caps are attained. The motion passed unanimously.

The AP also recommends that the Council take emergency action to provide quarterly releases of halibut bycatch and makes the following apportionments:

	<u>1st Qtr.</u>	<u>2nd Qtr.</u>	<u>3rd Qtr.</u>	<u>4th Qtr.</u>
Trawl	40%	20%	20%	20%
Longline	20%	60%	10%	10%

This apportionment scheme assumes that unused PSC would be rolled over into the following quarter until the end of the year. The AP notes that the percentages are rough guidelines and the intent is for the Regional Director to have flexibility to respond to changes inseason. The motion passed unanimously.

The AP discussed the need to establish a halibut PSC reserve system in the Gulf of Alaska (and in the Bering Sea/Aleutian Islands area). A general concept where a percentage of the annual PSC limit is held in reserve, and later provided to those fishermen who carry observers was suggested. Council staff explained how such a reserve/incentive program could be developed and implemented in the second half of 1990 using an emergency rule.

A motion to establish a halibut PSC reserve system was offered (Attachment 2). Given that the Council does not need to take emergency action on this issue at this meeting, a motion to table further discussion of the reserve system until the January 1990 meeting was made and passed 12-5. (Later, under agenda item D-3, Bering Sea/Aleutian Islands Groundfish, this same motion passed unanimously.) The AP concluded discussion of this topic by stating their unanimous support for a reserve system concept and requests staff to begin developing the program for review in January.

### **D-3 Bering Sea/Aleutian Islands Groundfish**

#### **1990 TACs and Apportionments to DAP and JVP (see attached Table 2)**

Pollock: The AP recommends a TAC of 1,300,000 mt: 1,250,000 mt in the Bering Sea and 50,000 mt in the Aleutian Islands. This number is lower than the combined ABC of 1,600,000 mt because of the AP's concern over Donut Hole harvests and the declining sea lion population.

This TAC is similar to the 1989 TAC of 1,326,000 mt, thereby maintaining a constant harvest level. The motion passed 11-7.

Minority report: The AP vote on Bering Sea and Aleutian Islands pollock TAC was 11-for and 7-against a TAC of 1,250,000 mt Bering Sea and 50,000 mt Aleutian Islands.

The minority (7) wanted a lower TAC. Ranges of 1 to 1.2 million mt Bering Sea TAC were promoted by this group. Some of the expressed concern included the following points:

- (1) The 1.25 million mt Bering Sea TAC is a high (22%) rate of exploitation on a declining stock--past exploitation rates averaged much lower (14%).
- (2) The bycatch of herring in the Bering Sea trawl fisheries is unacceptable. Some of the Bering Sea herring stocks are below threshold levels to conduct directed herring fisheries and all Bering Sea herring stocks are very depressed with no recruitment observed.
- (3) The unutilized pollock would be available for prey species for Northern Sea Lions.
- (4) A conservative approach should begin in 1990, and not in 1991, as Donut Hole considerations, herring bycatch and sea lion prey needs on declining stocks warrant an early start to bring the excessive harvest strategies to a realistic level.
- (5) Three members of the prevailing side voted for the 1.3 million mt total TAC with the concern that the shift of fishing from pollock to flatfish would increase the crab and halibut bycatch. This issue was a deciding factor in their vote.

Signed by: Dave Fraser, Pete Isleib, Dave Woodruff and John Woodruff

Pacific cod: The AP recommends a TAC of 237,000 mt, apportioning 225,000 mt to DAP and 12,000 mt to JVP for bycatch only. This recommendation is based on a compromise between DAP requests of 300,000 mt and NMFS' adjusted projections of 180,000 mt. Also, the AP expects a change in 1990 fishing effort due to the pollock TAC being less than pollock ABC. The motion passed unanimously.

Yellowfin sole: The AP recommends a TAC of 225,000 mt, apportioning 35,000 mt to DAP and 190,000 mt to JVP. DAP requests ranged from the NMFS adjusted projections of 26,000 mt to 46,000 mt, so the AP's recommendation falls near the mid-point. The motion passed 17-1.

The AP notes that TACs for Yellowfin sole, Rock sole and Other flatfish were determined after subtracting all the other species TACs from the 2 million metric ton cap.

Greenland turbot: The AP recommends a TAC of 7,000 mt based on the SSC's and Plan Team's ABC recommendation and low catch levels of recent years. The 1989 catch was 8,866 mt DAP and 54 mt JVP. The motion passed unanimously.

Arrowtooth flounder: The AP recommends a TAC of 10,000 mt based on the 1989 catch of 4,400 mt DAP and 2,200 mt JVP (to date). The motion passed unanimously.

Rock sole: The AP recommends a TAC of 100,000 mt, apportioning 75,000 mt to DAP and 25,000 mt to JVP for bycatch only. The AP notes that DAP requests are 55,631 mt and NMFS' adjusted industry requests are 36,227 mt. The motion passed 17-1.

Other flatfish: The AP recommends a TAC of 60,150 mt, apportioning 12,000 mt to DAP and 48,150 mt to JVP. DAP requests are 19,000 mt and NMFS' adjusted industry requests are 12,000 mt. The motion passed 17-1.

Sablefish: The AP recommends a TAC of 3,200 mt for the Bering Sea and 6,650 mt for the Aleutian Islands. These amounts represent a compromise between the SSC's and Plan Team's recommended ABCs. The AP notes the 1989 TAC was set at 2,800 mt for Bering Sea and 3,400 mt for Aleutian Islands. The motion passed 16-2.

Pacific Ocean perch: The AP recommends a TAC equal to the ABC of 6,300 mt in the Bering Sea and 16,600 mt in the Aleutian Islands. The motion passed unanimously.

Other rockfish: The AP recommends a TAC equal to the ABC of 500 mt in the Bering Sea and 1,100 mt in the Aleutian Islands. The motion passed unanimously.

Atka mackerel: The AP recommends a TAC of 21,000 mt. The TAC is reduced from the recommended ABC because of concern that the biomass is mostly in the Western Aleutian Islands area and the catch mostly in the Bering Sea and Eastern Aleutian Islands area. Also, the AP questioned the 1986 biomass survey estimate used in generating the Plan Team's ABC. The motion passed unanimously.

Squid: The AP recommends a TAC of 500 mt based on the 1989 actual catch of 245 mt DAP and 113 mt JVP. The motion passed unanimously.

Other Species: The AP recommends a TAC of 5,000 mt based on 1989 reported catch. The AP notes that overruns can be supplemented from unspecified reserves. The motion passed unanimously.

#### **Reserves**

The AP recommends that general reserves not be used to inflate the TACs for pollock and Pacific cod other than for true bycatch needs. The motion passed 15-3.

#### **Fully-Utilized Groundfish PSCs**

The AP recommends the Council direct the Regional Director to determine appropriate groundfish PSCs for joint ventures as described in the FMP. The motion passed unanimously.

## **Bering Sea/Aleutian Islands Bycatch Management for 1990**

*[See item D-2, Gulf Halibut Bycatch Management discussion]*

The AP recommends the Council send notice that the issue of bycatch, particularly for salmon and herring, be brought up at the March scientific meeting in the Soviet Union. The motion passed unanimously.

### **D-4 Other Groundfish**

#### **Roe-Stripping Amendment 19/14**

The AP was presented with an oral review of draft Amendment 19/14 to the Gulf of Alaska and Bering Sea/Aleutian Islands Groundfish FMPs. The AP unanimously recommends that the Council send out the amendment package to public review.

With reference to pollock management in 1990; the AP recommends that the Council take emergency action to ban pollock roe-stripping in the Gulf and Bering Sea/Aleutians, recognizing that the positive benefits of such an action include: (1) the tendency to lengthen seasons, (2) a lower risk of biological harm to the stocks and minimize the disturbance to the reproductive population, and (3) promote a fishery policy that is more acceptable to the public. This motion passed 17 to 1.

The AP further recommends that the Council take emergency action to allocate the Gulf of Alaska pollock TAC in the Western and Central areas on a quarterly basis. The motion passed unanimously.

**Problem Statement**

The finite availability of fishery resources, combined with current and projected levels of harvesting and processing capacity and the differing capabilities of the inshore and offshore components of the industry, has generated concern for the future ecological, social and economic health of the resource and the industry. These concerns include, but are not limited to, localized depletion of stocks or other behavioral impacts to stocks, shortened seasons, increased waste, harvests which exceed the TAC, and possible pre-emption of one industry component by another with the attendant social and economic disruption.

Domestic harvesting and processing capacity currently exceeds available fish for all species in the Gulf of Alaska and most species in the Bering Sea. The seafood industry is composed of different geographic, social, and economic components which have differing needs and capabilities; including but not limited to the inshore and offshore components of the industry, which may be defined as follows:

- 1) **Inshore:** Includes fishing vessels that deliver product for processing to inshore and offshore (stationary or minimally mobile) processing facilities, and vessels which are dependent upon frequent shoreside logistical support.
- 2) **Offshore:** Includes highly mobile fishing vessels which have onboard facilities to process their own catch, mothership processors which are sufficiently mobile to pursue species throughout its range, and those processors which do not depend upon frequent shoreside logistical support.

The Council must determine whether or not to address these concerns through the adoption of appropriate management measures to advance the conservation needs of the fishery resources in the North Pacific.



## Management Alternatives

1. Status quo with no change in regulations to address the problem.
2. [previously #4] Use traditional management tools including but not limited to: trip limits, periodic allocations, super-exclusive registration areas, and gear sizes.
3. [renumbered from #2] Allocate the Total Allowable Catch (TAC) between inshore and offshore components of the industry. This could be done with or without specific operational areas.
4. [renumbered from #3]
  - A. Prohibit factory/trawlers in the Gulf of Alaska. In the Bering Sea/Aleutian Islands, allocate a portion of the TAC between inshore and offshore components of the industry and define operational areas.
  - B. Prohibit catcher/processors in the Gulf of Alaska. In the Bering Sea/Aleutian Islands, allocate a portion of the TAC between inshore and offshore components of the industry and define operational areas.
  - C. Prohibit factory/trawlers in the Gulf of Alaska except as specifically provided for by the Council. In the Bering Sea/Aleutian Islands, prohibit factory/trawlers from the area between 168° and 163° West longitude and south of 56° North latitude except as specifically provided for by the Council.
  - D. In addition to the above, at the discretion of the Council, provide for future management options for disadvantaged communities.
    - (i) Yukon-Kuskokwim Fisheries Task Force Proposal
    - (ii) Kokechik Fishermen's Association
    - (iii) Community Development Quotas
5. Allocate TAC on basis of vessel length (see examples #8,9).\*
6. Use combination of following measures: ban pollock roe-stripping everywhere, delay opening of the pollock season until after roe season, split pollock into roe, non-roe seasonal quotas, and divide the pollock area into separate districts.

To offer incentive to Federally licensed trawl fisheries in the Gulf of Alaska, the NPFMC shall recommend to the RD the following:

- A. That a semester reserve be established in the GOA
- B. That the percentage of reserve be established, and made eligible for distribution in each period equal to 20% of the bi-quarterly allocation, or per cent of trawl harvest per species per semester.
- C. That the allocation be further divided between boats larger than 125 feet and boats smaller than 125 feet that participate in the trawl fishery based upon percent of harvest in that semester.
- D. That boats that are determined by the RD to be fully cooperative in the observer program, and have a by catch rate less than the observer-based industry wide by catch average in the GOA be allowed to participate with 100% observer coverage in the reserve fishery that shall be regulated by the RD. The RD shall establish the period of reserve fishing in each semester period.
- E. The tonnage allocated to reserve shall be based on the amount of fish allocated to, or per cent <sup>harvested by the</sup> the trawl industry for that semester period per species.

TABLE 1

Worksheet for Gulf of Alaska Groundfish: Final Council recommendations for 1990 ABC, TAC, DAP, and JVP (mt).

As of 12/4/89

Species	Area	1989				PT	ABC 1/	SSC ABC 1/	AP TAC 1/	1990 Council Recommendations			
		ABC	TAC	DAP	JVP					ABC	TAC 4/	DAP	JVP
Pollock	W/C 5/	72000	65750	65750	0	63000	63000	63000					
	Shelikof		6250	6250	0	7000	7000	7000					
	E	3375	200	200	0	3400	3400	3400					
	Total	75375	72200	72200	0	73400	73400	73400	0	0	0	0	0
	Exploratory 6/					10000	10000	20000					
Pacific cod	W	13500	13500	13500	0	11500	22800	29500					
	C	52000	52000	52000	0	44200	87600	59500					
	E	5700	5700	5700	0	4800	9600	1000					
	Total	71200	71200	71200	0	60500	120000	90000	0	0	0	0	0
Flatfish/deep 2/	W	111500	3200	3200	0	38000	21500	3650					
	C	384300	31800	21800	10000	158700	89900	15300					
	E	58900	1000	1000	0	31300	17800	3050					
	Total	554700	36000	26000	10000	228000	129200	22000	0	0	0	0	0
Flatfish/shallow 3/	W					73200	30200	3570					
	C					128800	52200	6180					
	E					5100	2100	250					
	Total					207100	84500	10000	0	0	0	0	0
Arrowtooth flounder	W					47600	27000	1390					
	C					248800	141000	7240					
	E					46900	26600	1370					
	Total					343300	194600	10000	0	0	0	0	0
Sablefish	W	4900	3770	3770	0	2100	2100	3770					
	C	13900	11700	11700	0	11800	11800	11700					
	W. Yakutat	5300	4550	4550	0	5200	5200	4550					
	E. Yak/SE Out	6800	5980	5980	0	7100	7100	5980					
	Total	30900	26000	26000	0	26200	26200	26000	0	0	0	0	0
Slope rockfish	W	5774	5774	5774	0	4300	8500	5770					
	C	8452	8452	8452	0	7700	15300	8460					
	E	5774	5774	5774	0	5700	11300	5770					
	Total	20000	20000	20000	0	17700	35100	20000	0	0	0	0	0
Pel.shelf rkfish	W	1000	500	500	0	1400	1400	1400					
	C	4800	2400	2400	0	5800	5800	5800					
	E	800	400	400	0	1000	1000	1000					
	Total	6600	3300	3300	0	8200	8200	8200	0	0	0	0	0
Dem.shelf rkfish	SE Outside	n/a	420	420	0	Unknown	Unknown	470					
Thornyheads	GW	3800	3800	3800	0	3800	3800	3800					
Other species	GW	n/a	11646	11146	0	N/A	N/A	14193.5					
GULF OF ALASKA TOTAL		762575	244566	234066	10000	968200	675000	297644.5	0	0	0	0	0

1/ Pollock TAC for experimental fishery between 151 30 and 147 degrees, January 15-April 15, 1990 only.

2/ Deep water flatfish are flathead, rex, and Dover sole.

3/ Shallow water flatfish include rock sole, yellowfin sole, butter sole, starry flounder, and other flatfish not specifically defined.

4/ The Council's intent is for W/C pollock TAC to be available on a quarterly basis.

5/ Approximately half of the 1990 W/C pollock quota should be taken in each half of the year.

6/ PT and SSC: 10,000 mt between 151 30 and 147; AP includes another 10,000 mt west of 159; all to occur 1/15-4/15.

TABLE 2

**Bering Sea/Aleutian Islands Groundfish  
1990 Recommended ABCs (Plan Team and SSC)  
1990 AP Recommended TAC and DAP and JVP Apportionments**

Species	Area	ABC		AP Recommendations				
		Plan Team (Nov '89)	SSC (Dec '89)	Council (Dec '89)	TAC	Reserve	DAP	JVP
Pollock	BS	1,450,000	1,450,000		1,250,000	187,500	1,062,500	
	AI	153,600	153,600		50,000	7,500	42,500	
Pacific Cod		417,000	417,000		237,000	35,550	191,250	10,200 1, 2
Yellowfin sole		278,900	278,900		225,000	33,750	29,750	161,500
Greenland turbot		7,000	7,000		7,000	1,050	5,950	
Arrowtooth flounder		242,500	106,500		10,000	1,500	8,500	
Rock sole		216,300	216,300		100,000	15,000	63,750	21,250 1
Other flatfish		188,000	188,000		60,150	9,023	10,200	40,927
Sablefish	BS	3,800	2,700		3,200	480	2,720	
	AI	9,600	3,700		6,650	998	5,652	
Pacific Ocean perch		6,300	6,300		6,300	945	5,355	
	AI	16,600	16,600		16,600	2,490	14,110	
Other rockfis	BS	500	500		500	75	425	
	AI	1,100	1,100		1,100	165	935	
Atka mackerel		24,000	24,000		21,000	3,150	17,850	
Squid		10,000	10,000		500	75	425	
Other species		55,500	55,500		5,000	750	4,250	
<b>TOTALS</b>		<b>3,080,700</b>	<b>2,937,700</b>		<b>2,000,000</b>	<b>300,000</b>	<b>1,466,122</b>	<b>233,877</b>

1/ RETAINABLE BYCATCH ONLY

2/ CALCULATED AS 5% OF YFS AND OFF DIRECTED JVP

The AP vote on BSAI Pollock TAC  
was 11 For 7 against a TAC of  
1,250,000 BS  
50,000 AI

The minority (7) wanted a lower TAC.  
ranges of 1 to 1.2 BS TAC was promoted  
by this group.  
Some of the expressed concern included the  
following points.

- (1) the 1.25<sup>m</sup> BS TAC is a high (22%) rate of exploitation on a declining stock - past exploitation rates average much lower (14%).
- (2) the by-catch of herring in the BS trawl fisheries is unacceptable. Some of the BS herring stocks are below threshold levels to conduct directed herring fisheries and all BS herring stocks are very depressed with no recruitment observed.
- (3) the unutilized Pollock would be available for prey species needs for N. Sea lions.
- (4) a conservative approach should begin in 1990, and not in 1991, as donut hole considerations, herring by-catch and sea lion prey needs on declining stocks warrant an early start to bring the excessive

Don Worsfold  
John King

Minority vote:  
Pat Isieib

(5) honest strategier & a realistic lens.  
Three members of the prevailing side  
voted for the 1.3 total TAC with the  
concern that the shift of focus from  
Paddock to Great Fish would increase the  
risk and holdout by: each. The  
issue was a deciding factor  
in their vote.