



North Pacific Fishery Management Council

Simon Kinneen, Chair | David Witherell, Executive Director
605 W. 4th Avenue, Suite 306, Anchorage, AK 99501
Phone 907-271-2809 | www.npfmc.org

Meeting Summary

246th Plenary Session
North Pacific Fishery Management Council
October 3 - 9, 2019
Quarter Deck Land's End Resort, Homer, Alaska

CONTENTS

A CALL MEETING TO ORDER/Oath of Office/ Election of Officers	3
B REPORTS.....	3
C1 BSAI HALIBUT ABM PSC LIMITS.....	4
C2 OBSERVER FEE ANALYSIS	5
C3 OBSERVER 2020 ANNUAL DEPLOYMENT PLAN	6
C4 BSAI CRAB	7
C5 BSAI GROUND FISH	8
C6 GOA GROUND FISH	9
C7 SCULPINS TO ECOSYSTEM COMPONENT	10
C8 BSAI PARALLEL WATERS.....	11
D1 TRAWL EM	13
D2 BSAI Pcod TRAWL/POT CV MANAGEMENT	13
D3 STRANDED BSAI AND GOA Pcod.....	16
D4 BSAI Pcod POT CP PARTICIPATION	16
D5 COOK INLET SALMON FMP	18
E1 STAFF TASKING.....	18

Attachments

Timelog	BSAI Specifications Motion
Newsletter	GOA Specifications Motion
D2 Motion on BSAI Pcod Trawl/pot CV Mgmt	E Motion on FMAC

The time log is included as a reference attachment for names, dates and times of each agenda item, and the newsletter is included to provide details of the agenda items and the meeting as a whole.

The North Pacific Fishery Management Council met Thursday, October 3, 2019 through Wednesday, October 9, 2019, at the Land's End Resort, Homer, Alaska. The following Council, Council staff, SSC, and AP members attended the meetings.

Council Members

Jim Balsiger/Glenn Merrill/ Chris Oliver <i>National Marine Fisheries Service</i>	Kimball, Nicole <i>Appointed</i>
Rachel Baker/Karla Bush (for Doug Vincent-Lang) <i>Alaska Department Fish and Game</i>	Kinneen, Simon, Chair <i>Appointed</i>
Cora Campbell <i>Appointed</i>	Steve Marx (for Curt Melcher) <i>Oregon Department of Fish & Wildlife</i>
Craig Cross <i>Appointed</i>	Andy Mezirow <i>Appointed</i>
Kenny Down <i>Appointed</i>	Bill Tweit (for Kelly Susewind), Vice Chair <i>Washington Department Fish & Wildlife</i>
Dave Hanson <i>Pacific States Marine Fisheries Commission</i>	RADM Matthew Bell Jr/LCDR Yvonne Yang <i>United States Coast Guard</i>
John Jensen <i>Appointed</i>	

Council Staff

Armstrong, Jim	Fey, Mike (PSMFC)	MacLean, Steve
Cleaver, Sara	Gleason, Shannon	McCracken, Jon
Cunningham, Sam	Haapala, Kate	Schmidt, Nicole
Davis, Maria	Henry, Anna	Stram, Diana
Evans, Diana (DD)	La Belle, Sarah	Witherell, Dave (ED)

Scientific and Statistical Committee

The SSC met from September 30, 2019 to October 3, 2019 at the Land's End Resort, Homer, Alaska. The following members were present for all or part of the meetings (absent members are shown in ~~strikeout~~)

Anderson, Chris	Harris, Brad	Munro, Andrew
Bishop, Amy	Hollowed, Anne (Co-Chair)	Reedy, Kate
Down, Mike	Hunt, George	Reimer, Matt
Dressel, Sherri (Vice-Chair)	Kruse, Gordon (Co-Chair)	Renner, Heather
Gasper, Jason	Lowry, Dayv	Stewart, Ian
Hanselman, Dana	Mueter, Franz	Whitman, Alison

Advisory Panel

The AP met Tuesday, October 1, through Saturday, October 5, 2019 at the Best Western Bidarka Inn, Homer, Alaska. The following members were present for all or part of the meetings (absent members are show in ~~strikeout~~):

Christiansen, Ruth	Kauffman, Jeff	Stevens, Ben
Cochran, Kurt	Kwachka, Alexis	Upton, Matt (Co-Vice Chair)
Donich, Daniel	Lowenberg, Craig	Vanderhoeven, Anne
Drobnica, Angel (Co-Vice Chair)	O’Connell, Victoria	Velsko, Erik
Gruver, John	O’Connor, Jamie	Weiss, Ernie (Chair)
Gudmundsson, Gretar	O’Donnell, Paddy	Wilt, Sinclair
Hayden, Natasha	Peterson, Joel	
Johnson, Jim	Scoblic, John	

A CALL MEETING TO ORDER/Oath of Office/ Election of Officers

Dr. Jim Balsiger administered the Oath of Office to new Council member Cora Campbell. Glenn Merrill administered the Oath of Office to new Council member Nicole Kimball.

For the upcoming year, Simon Kinneen was re-elected Chair and Bill Tweit was elected Vice-chair by unanimous consent.

The Council approved the agenda without objection.

B REPORTS

The following reports were given and discussed. Public testimony was heard, and actions were deferred to staff tasking.

B1 Executive Director’s Report – David Witherell

Maria Davis – Council efforts on engagement

John Gauvin – Desksorting EFP

Julie Decker and Heather McCarty – Alaska Mariculture Initiative

Dr. Mandy Lindeberg – Gulfwatch

Sue Mauger – Warming Water

Steve Maclean – Protected Species Report

Sam Rauch – NMFS Briefing

B2 NMFS Management Report – Glenn Merrill

Mary Furuness – In-season management

B3 NOAA GC Report – John LePore

B4 AFSC Report – Dr. Bob Foy

Elizabeth Siddon and Stephani Zador – Ecosystem Presentation

B5 ADF&G Report – Karla Bush

B6 USCG Report – Lt. Drew Stafford

B7 USFWS Report - Jon Gerken

C1 BSAI HALIBUT ABM PSC LIMITS

- Council Staff:** Dr. Diana Stram, Sam Cunningham, Anna Henry
- Other Presenters:** Dr. Mike Downs (Wislow Research Associates); AFSC - Dr. Carey McGilliard, Dr. Jim Ianelli, Dr. Dana Hanselman
- SSC Report:** Dr. Anne Hollowed
- AP Report:** Angel Drobnica
- Action Required:** Initial review of preliminary Draft EIS, including alternatives, halibut simulation model, and performance metrics.
- Summary:** The Council reviewed an analysis to modify halibut bycatch limits applied to most trawl and longline vessels fishing in the Bering Sea and Aleutian Islands (BSAI). A major change from current bycatch limits is that new ones under consideration would fluctuate up and down annually with changes in BSAI halibut abundance. The Council will decide if the range of limits considered in the analysis is sufficient or should be modified.

After staff presentations, reports, and public comment, the following action was taken:

Ms. Baker made the following motion which was seconded by Mr. Mezirow:

The Council requests that staff incorporate the SSC's suggested revisions to the operating model and the preliminary draft EIS to the extent practicable, with the exception of including a new alternative that allows regulatory flexibility for adjusting PSC limits within season based on encounter rates. The resulting preliminary draft EIS should come back to the Council for another initial review.

Staff should evaluate the alternatives using the following performance metrics in addition to other metrics the workgroup considers appropriate.

1. Objective to index PSC limits to halibut abundance:
 - a. Rate of change in PSC limit relative to rate of change of total biomass
 - b. Rate of change in PSC limit relative to rate of change of spawning biomass
2. Objective to provide for a directed fishery in 4CDE:
 - a. The average percentage of the BSAI TCEY available to the Bering Sea directed fishery
3. Objective to protect the halibut spawning stock biomass at low levels of abundance:
 - a. Probability of PSC limit exceeding BSAI TCEY
 - b. Probability of PSC use exceeding BSAI TCEY

VOTE ON MOTION: The motion passed with no objection on 10/4/2019.

C2 OBSERVER FEE ANALYSIS

Council Staff:	Diana Evans
Other Presenters:	Alicia Miller (NMFS-AKR), Jennifer Ferdinand (AFSC), Geoff Mayhew (PSMFC/AFSC), Cathy Tide (NMFS-AKR)
SSC Report:	The SSC did not have this item on their agenda.
AP Report:	Matt Upton
Action Required:	1. Review public review draft of observer fee analysis, 2. Review Fishery Monitoring Advisory Committee report on the fee analysis, 3. Identify a preferred alternative and final recommendations

Summary: The Council is deciding whether to increase the observer fee from 1.25% up to 2% for most trawl, longline, pot, and jig catcher vessels fishing for cod, sablefish, and halibut in the Gulf of Alaska (GOA), and some vessels in the BSAI. The analysis includes options to raise the fee to different amounts for trawl, longline, pot, and jig vessels.

After staff presentations, reports, and public comment, the following action was taken:

Ms. Kimball made the following motion which was seconded by Mr. Tweit:

The Council identifies cost efficiency as its highest priority for work on the partial coverage observer program. Immediate efforts should focus on:

- Pelagic trawl EM combined with shoreside sampling (Analytical tasks 14,16);
- Integrated monitoring plan for fixed gear that combines EM, shoreside sampling, and at-sea observer coverage as needed (e.g., consider whether the 15% hurdle is still the appropriate baseline level for observer coverage in combination with EM coverage; develop average weight protocols to support use of EM, Analytical tasks 18, 19);
- Optimizing the size and composition of the fixed gear observed and EM fleets, taking into account both cost priorities and data needs for average weights and biological samples (including consideration of expansion of the zero-coverage pool to include vessels fishing from remote ports harvesting small amounts of fish).

The Council requests that staff work with the agency to provide a detailed workplan with timelines for each priority.

Motion passed without objection 10/5/2019 1:39 PM.

Mr. Merrill made the following motion which was seconded by Mr. Tweit:

The Council recommends adjusting the observer fee percentage and adopts the following fee percentage as its preferred alternative:

Increase the observer fee to 1.65 percent.

Mr. Tweit made the following amendment which was seconded by Mr. Down:

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.

VOTE ON AMENDMENT: Passed without objection 10/5/2019 2:07 PM

VOTE ON MOTION: Passed by roll call vote without objection 10/5/2019 2:08 PM

C3 OBSERVER 2020 ANNUAL DEPLOYMENT PLAN

Council Staff:	Diana Evans, Kate Haapala
Other Presenters:	Jennifer Ferdinand (AFSC), Dr. Phil Ganz (NMFS AKR), Dr. Craig Faunce (AFSC)
SSC Report:	Dr. Anne Hollowed
AP Report:	Matt Upton
Action Required:	1. Review the draft 2020 Annual Deployment Plan (ADP), 2. Review Fishery Monitoring Advisory Committee (FMAC) report, 3. Provide recommendations to NMFS for the final 2020 ADP, 4. Provide other recommendations based on the FMAC report, as necessary

Summary: NMFS has developed a plan for how to deploy observers in 2020 on vessels that take an observer on only some, not all, of their trips, and how many fixed gear vessels can opt in to carry electronic monitoring systems instead of an observer. The Council will review and provide feedback on the plan, including proposed coverage rates for each fishery gear sector (trawl, longline, pot and jig).

After staff presentations, reports, and public comment, the following action was taken:

Mr. Merrill made the following motion which was seconded by Mr. Tweit:

The Council supports NMFS' recommendations for the three gear-based deployment strata and allocation scheme of 15% plus optimized allocation based on discarded groundfish and halibut PSC and Chinook PSC as described in the Draft 2020 Annual Deployment Plan (ADP).

The Council recommends that NMFS continue to evaluate coverage levels achieved on vessels delivering to tenders using EM and observers in the Annual Report.

The Council recommends that if additional funds become available that NMFS expand the EM trip selection pool with 30 additional vessels, using the order of priority as presented in the Draft 2020 ADP.

To the extent possible, consider expansion of the zero selection pool to include vessels unlikely to cause data gaps. A more robust assessment should be included in the 2019 annual report (provided to the Council in June 2020).

VOTE ON MOTION: The motion passed unanimously on 10/5/2019 at 3:51pm. Mr. Mezirow was absent.

Mr. Tweit made the following motion which was seconded by Mr. Marx:

The Council continues to highlight the importance of finding solutions to observer recruitment and retention issues, and will continue to provide support for this priority issue whenever applicable.

VOTE ON MOTION: The motion passed unanimously on 10/5/2019 at 4:05 pm. Mr. Mezirow was absent.

C4 BSAI CRAB

Council Staff:	Jim Armstrong
Other Presenters:	Dr. Martin Dorn (Co-Chair, AFSC Seattle), Katie Palof, (Co-Chair, ADF&G Juneau), Dr. Buck Stockhausen (AFSC Seattle), Dr. Cody Szuwalski (AFSC Seattle), Dr. Jon Richar (AFSC Kodiak)
SSC Report:	Dr. Anne Hollowed
AP Report:	Matt Upton
Action Required:	1. Review/approve 2018 BSAI Crab SAFE Report, 2. Review Crab Plan Team Report, 3. Recommend final 2019/2020 OFL/ABC specifications for 5 stocks, 4. Review/recommend projection scenario for SMBKC rebuilding plan.

Summary: A team of technical experts (the BSAI Crab Plan Team) met in September to discuss the size and status of five crab stocks in the Bering Sea to make recommendations on harvest limits. The Council’s Scientific and Statistical Committee (SSC) will review the recommendations and the Council will set harvest limits based on their recommendations.

After staff presentations, reports, and public comment, the following action was taken:

Ms. Bush made the following motion which was seconded by Mr. Jensen:

The Council accepts the Crab SAFE report and adopts the OFLs and ABCs recommended by the SSC for Eastern Bering Sea snow crab, Bristol Bay red king crab, Eastern Bering Sea Tanner crab, Pribilof Islands red king crab, and St. Matthew Island blue king crab.

Species	OFL (t)	ABC (t)
Eastern Bering Sea snow crab	54,900	43,900
Bristol Bay red king crab	3,400	2,720
Eastern Bering Sea Tanner crab	28,860	23,090
Pribilof Islands red king crab	864	648
St. Matthew Island blue king crab	44	35

t = metric ton

VOTE ON MOTION: Motion passed unanimously by roll call vote on 10/6/2019 at 9:13am. Mr. Mezirow was absent.

C5 BSAI GROUND FISH

Council Staff:	Steve MacLean, Dr. Diana Stram
Other Presenters:	Dr. Jim Ianelli, (AFSC)
SSC Report:	Dr. Anne Hollowed
AP Report:	Matt Upton
Action Required:	1. Review Joint Groundfish-Crab, Joint Groundfish, and BSAI Groundfish Plan Team reports, 2. Recommend proposed BSAI groundfish harvest and prohibited species specifications for 2020-2021

Summary: The Council reviewed the report from a joint team of technical experts (the BSAI and GOA Groundfish Plan Teams) about the status of the ecosystem, summer survey results, and other issues relevant to the upcoming assessment of groundfish fish stocks. The Council recommended preliminary proposed catch limits for the 2020 BSAI groundfish fisheries. Final catch limits will be set in December.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Cross made the following motion which was seconded by Mr. Tweit:

NOTE: Full packet of tables included as an attachment to these minutes.

The Council adopts the proposed 2020 and 2021 Bering Sea and Aleutian Islands groundfish specifications of OFLs and ABCs as recommended by the SSC and sets the TACs as shown in the attached BSAI Table 1, with all proposed specifications consisting of rollovers of final specifications from 2020 with a change to reduce TAC of Pacific cod by 824 mt to accommodate the increased GHL in the AI. The 824 mt of TAC will be added to the TAC for pollock in the BS.

The Council adopts the 2020 and 2021 flatfish flexibility ABC reserves as shown in Table 7, attached.

The Council adopts the PSC limits as shown in Tables 8, 9, 10, and 11, attached, for halibut, red king crab, Tanner crab, opilio crab, and herring and their gear type and target fishery apportionments. The 2020 and 2021 crab PSC limits have been revised using current biomass amounts and herring PSC limits will be revised when the most current biomass amounts are known.

The Council adopts the halibut DMRs for 2020 and 2021 as shown in Table 12, attached.

VOTE ON MOTION: The motion passed unanimously on 10/6/2019 at 11:53. Mr. Mezirow was absent.

C6 GOA GROUND FISH

Council Staff:	Sara Cleaver
Other Presenters:	Dr. Jim Ianelli (NMFS AFSC, GOA Plan Team Co-Chair)
SSC Report:	Dr. Anne Hollowed
AP Report:	Angel Drobnica
Action Required:	1. Review GOA Groundfish Plan Team Report, 2. Recommend proposed GOA groundfish harvest and prohibited species specifications for 2020-2021

Summary: The Council will receive a report from a team of technical experts (the GOA Groundfish Plan Team) with updates relevant to the upcoming assessment of groundfish stocks and recommend proposed catch limits for the 2020 GOA groundfish fisheries. Final catch limits are chosen in December.

After staff presentations, reports, and public comment, the following action was taken:

Ms. Kimball made the following motion which was seconded by Mr. Jensen:

NOTE: Full packet of tables included as an attachment to these minutes.

The Council adopts the proposed 2020 and 2021 Gulf of Alaska groundfish specifications for OFLs and ABCs as recommended by the SSC, and sets the TACs as recommended by the Advisory Panel as shown in the attached table. The TACs for both Gulf of Alaska Pacific cod and pollock have been adjusted to account for the State water GHL fisheries. The GOA Pacific cod adjustments are shown in attached Table 2.

The Council adopts the proposed 2020 and 2021 annual and seasonal Pacific halibut PSC limits and apportionments in the GOA as provided in attached Tables 9, 10, and 11.

The Council adopts the updated halibut discard mortality rates for the GOA for 2020 and 2021 as shown in attached Table 12.

VOTE ON MOTION: The motion passed without objection on 10/6/2019 at 2:04 pm. Mr. Mezirow was absent.

C7 SCULPINS TO ECOSYSTEM COMPONENT

Council Staff:	Steve MacLean
Other Presenters:	Megan Mackey, NMFS (Presenter)
SSC Report:	The SSC did not have this item on their agenda.
AP Report:	Angel Drobnica
Action Required:	1. Review the Public Review Draft of the analysis, 2. Recommend a preferred alternative

Background: Sculpins are not intentionally caught in any commercial fishery, population levels are considered healthy, and bycatch is low enough that overfishing is not a concern. The Council reviewed an analysis to remove sculpins from the list of species that are managed with catch limits. This may provide some economic benefit to Bering Sea fishermen without putting any sculpin population in danger of becoming overfished. This action will not affect any subsistence harvest.

After staff presentations, reports, and public comment, the following action was taken:

Ms. Bush made the following amendment which was seconded by Mr. Cross:

The Council adopts the following alternative and option for final action. The preferred alternative is indicated in **bold**.

Alternative 1: Status quo. Continue to manage sculpins as a target species in both the BSAI and GOA groundfish FMPs. OFL, ABC, and TAC will continue to be set for sculpins in both areas.

Alternative 2: Designate sculpins in both BSAI and GOA FMPs as non-target ecosystem component species. Establishment of OFL, ABC, and TAC will no longer be required.

Remove regulations referring to sculpins as target species and implement regulations for the groundfish fishery that:

- **Prohibit directed fishing for sculpins,**
- **Establish a sculpin maximum retainable amount (MRA) when directed fishing for other fisheries at a level to discourage retention while allowing flexibility to prosecute other fisheries:**

Option 1 MRA = 2%

Option 2 MRA = 10%

Option 3 MRA = 20%

- **Require recordkeeping and reporting to monitor and report catch and discards of sculpin species annually.**

Ms. Tweit made the following amendment which was seconded by Mr. Cross:

The Council deems proposed regulations that clearly and directly flow from the provisions of this motion to be necessary and appropriate in accordance with section 303(c). The Council authorizes the Executive Director and the Chairman to review the draft proposed regulations when provided by NMFS to ensure that the proposed regulations to be submitted to the Secretary under section 303(c) are consistent with these instructions.

VOTE ON AMENDMENT: The amendment passed without objection on 10/6/2019 at 2:35pm. Mr. Mezirow was absent.

VOTE ON MOTION: The amended main motion passed without objection on 10/16/2019 at 2:40. Mr. Mezirow was absent.

C8 BSAI PARALLEL WATERS

Council Staff:	Jon McCracken
SSC Report:	Dr. Anne Hollowed
AP Report:	Angel Drobnica
Action Required	1. Review Initial Review draft analysis, 2. If desired, identify a preliminary preferred alternative, 3. Recommend any changes and release document for public review

Background: The Council is reviewing a management measure to prohibit all Federal vessels from fishing for Pacific cod in waters from shore to 3 miles in the BSAI without the proper permits and licenses. Even with the proper permit, these vessels would still be required to stop fishing if the federal waters fishery to which they are linked closes. The analysis also evaluates an additional requirement that if a vessel removes the permit from their vessel, they must wait three years before it could be re-issued.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Kenny Down made the following motion which was seconded by Mr. Tweit:

The Council adopts the following three elements:

1) The Council adopts the following changes to the Purpose and Need statement, with additions noted by bold and underlined text and deletions noted by strike-out:

Purpose and Need

Currently, there are no limits on entry by federally permitted catcher vessels into the **Bering Sea/Aleutian Islands (BSAI)** parallel waters groundfish fisheries, and no limits on the proportion of the Bering Sea/Aleutian Islands (BSAI) Pacific cod TAC that may be harvested in parallel waters. **Current management inadvertently allows fishing in BSAI parallel waters off a federal Pacific cod TAC even when a sector's federal Pacific cod allocation has been achieved.** There is concern that harvests of Pacific cod in the parallel waters fishery by vessels that do not hold **BSAI groundfish** LLP licenses **or the appropriate Pacific cod endorsement** may continue to increase. **This complicates conservation and management measures which hold sectors to their allocations and circumvents the intent of previous Council decisions regarding license limitation, sector allocations, and catch reporting.** The Council, in consideration of options and recommendations for **federal catcher vessels that participate in** the parallel fishery, **intends to ensure robust catch accounting while considering participation in and reliance on the Pacific cod fisheries** will need to balance the objectives of providing stability to the long-term participants in the sectors, while recognizing that new entrants who do not hold Federal **fishery** permits or licenses may participate in the parallel fishery.

2) The Council adopts Alternative 2 as the preliminary preferred alternative, with additions noted by bold and underlined text and deletions noted by strike-out:

Alternative 2: Limit access to the parallel fishery for Federal fishery participants.

Hook and line and pot Fixed gear vessels - require any pot or **hook and line** longline vessel designated on an LLP or FFP to have the appropriate Pacific cod endorsement and area endorsement on the LLP; and the Bering Sea (BS) or Aleutian Islands (AI) area designation and the appropriate gear and operation type designations on the FFP in order to participate in the BS or AI Pacific cod parallel waters fishery.

Trawl gear vessels - require any trawl vessel with an LLP or an FFP to have the appropriate gear and area endorsements on the LLP; and the BS or AI area designation and the appropriate gear and operation type designations on the FFP in order to participate in the BS or AI Pacific cod parallel waters fishery.

In addition, require the above Federally permitted or licensed vessels that fish in the parallel waters to adhere to Federal seasonal closures of the BSAI sector allocations corresponding to the sector in which the vessel operates.

Vessels with a BS or AI area, gear, and operation type designations specified in this alternative cannot remove these designations from the FFP and can only surrender or reactivate the FFP once every three years.

3) The Council recommends releasing the Initial Review Draft for public review, subject to the changes in the Purpose and Need noted above, and subject to the clarifications and additions recommended by the Scientific and Statistical Committee.

VOTE ON MOTION: Motion passed without objection on 10/8/2019. Mr. Mezirow was absent.

D1 TRAWL EM

Council Staff: Anna Henry
Other Presenters: Ruth Christiansen (United Catcher Boats), Julie Bonney (Alaska Groundfish Databank), Charlotte Levy (Aleutians East Borough)
SSC Report: The SSC did not have this item on their agenda.
AP Report: Matt Upton
Action Required: 1. Review Trawl EM EFP and provide feedback, 2. Review Trawl EM Committee report

Background: The Council is reviewing an Exempted Fishing Permit application to allow vessels testing a trawl electronic monitoring (EM) system to retain all fish onboard until bycatch can be monitored dockside. The Council's Trawl Electronic Monitoring Committee met in August, and will provide recommendations to the Council.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Tweit made the following motion which was seconded by Mr. Marx:

The Council recommends that NMFS approve the EFP taking into account recommendations of the SSC and the Trawl EM Committee.

VOTE ON MOTION: The motion passed without objection on 10/5/2019. Mr. Mezirow was absent.

D2 BSAI Pcod TRAWL/POT CV MANAGEMENT

Council Staff: Jon McCracken
Other Presenters: Stephanie Warpinski (NMFS)
SSC Report: The SSC did not have this on their agenda
AP Report: Matt Upton
Action Required: 1. Review the Scoping Paper, 2. Decide whether to initiate further action for either the BSAI Pacific cod trawl CV sector and/or the BSAI Pacific cod pot CV \geq 60 ft sector

Background: The Council is considering developing catch share programs for two sectors of the BSAI Federal Pacific cod fisheries: one for trawl catcher vessels and one for large pot catcher vessels. The Council will decide at this meeting whether to initiate an analysis of such programs.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Cross made a motion which was seconded by LCDR Yang and is attached to this document. Amendments to the motion are listed below.

Element 1:

An amendment was made by Ms. Baker and seconded by Ms. Kimball to add a suboption:

Suboption: Reduce halibut and crab PSC apportioned to the BSAI trawl CV limited access fishery by 25% - 40%

Amendment passed without objection.

An amendment was made by Mr. Tweit and seconded by Ms. Baker to add a suboption under element 1, option 2:

Minimum of 3 LLP holders are needed to form a cooperative.

The amendment passed without objection.

Element 2:

Mr. Tweit made an amendment which was seconded by Ms. Campbell to add a 3rd suboption under element 2.2 option 4:

suboption 20%-80%

The amendment passed without objection.

Element 3:

Ms. Baker made an amendment which was seconded by Ms. Kimball to add the following:

Add the text "Option 1" in front of Status Quo, and add:

Suboption under option 1: Establish trawl CV Pacific cod halibut PSC apportionment based on historic use between the trawl CV sector and the AFA CP sector.

Option 2: Reduce halibut and crab PSC apportionment to BSAI trawl CV Pacific cod sector that would be harvested under a status quo methodology by 10% to 25%.

~~Option 2: Establish trawl CV Pcod halibut PSC apportionment based on historical use between the Trawl CV section and AFA CP section~~

~~Option 3: Reduce the halibut and crab apportionment to the BSAI trawl CV and Pcod sector that would be harvest under a status quo methodology by 10% 25%~~

Amendment passed without objection.

Ms. Kimball made an amendment which was seconded by Ms. Campbell to:

Strike all numbers in element 3,(Option 1 – status quo) for the animals.

Mr. Tweit moved to amend the amendment, and was seconded by Ms. Kimball, by adding:
text that adds "the annual Crab and halibut" PSC available...

Amendment to the amendment passed without opposition

Vote on amendment passed without objection.

Element 5

Ms. Baker amended, and was seconded by Ms. Kimball, to add an element 5.2:

5.2 Limit (sideboard) on directed BSAI Pcod that can be delivered by Trawl CV's to eligible CPs acting as motherships. The sideboard would be based on BSAI Pcod processing history by eligible CPs during qualifying years under element 2.

Amendment passed without objection.

Mr. Tweit moved and Ms. Campbell seconded to amend element 5.3 by adding “and offshore processors.” Amendment passed without objection.

Ms. Campbell moved to amend under Element 5, and was seconded by Ms. Baker, to:
Strike option 4 - 30% and add 5%

Mr. Tweit made an amendment to the amendment and was seconded by Ms. Kimball to:
Retain the 30% and add the 5%
The amendment to the amendment passed without objection and overrides the first amendment.

Mr. Tweit moved to amend Element 5 and was seconded by Mr. Down to:
Add suboption: with PSC, without PSC
Amendment passed without objection.

Element 6:

Ms. Baker moved to amend, and Mr. Tweit seconded:
Under option 2 add a suboption:
If the community of Adak or Atka files a notice of intent to process annual harvest quota should be issued to an entity representing the community designated in the notice of intent
Amendment passed without objection.

Mr. Tweit moved to amend, which was seconded by Mr. Cross to:
add suboption: allocations are transferrable between qualified entities
Amendment passed without objection.

Element 8

Ms. Kimball moved to amend, which was seconded by Mr. Tweit to:
Strike the word ‘Quota’ 8.1 8.2, 8.3 as it relates to PSC
Amendment passed without objection.

Ms. Kimball moved to amend, which was seconded by Mr. Cross to:
Add 8.4 new suboption
Processing facilities over the cap at the time of implementation are grandfathered.
Amendment passed without objection.

Element 11

Mr. Tweit moved to amend, which was seconded by Ms. Baker to add:
All vessels in the program will be in the full coverage program (100% observer or EM)
Amendment passed without objection.

Ms. Campbell moved to amend, which was seconded by Ms. Kimball to add a new element:

Element 14 Gear conversion

Pcod allocations associated with trawl CV license may be fished with pot gear. A pot endorsement is not necessary but the LLP license must have the appropriate area endorsement and will not affect sector allocations.

Mr. Down moved to amend the amendment, and Mr. Balsiger seconded to:

Strike pot and replace with fixed gear.

Mr. Down withdrew his amendment with concurrence of second.

Amendment passed without objection.

Ms. Kimball moved to amend, and was seconded by Ms. Baker to add under Element 5.3:

Onshore and offshore processors (Option: subject to eligibility requirements under the April 2019 Council action to limit catcher processors acting as motherships) that have a history of practicing...(cont.)

Amendment passed without objection.

VOTE ON MOTION: Main amended motion passed without objection on 10/8/2019 at 11:35am. Mr. Mezirow was absent.

D3 STRANDED BSAI AND GOA Pcod

Council Staff: Jon McCracken
Other Presenters: Mary Furuness
SSC Report: The SSC did not have this on their agenda
AP Report: The AP did not address this agenda item
Action Required: 1. Review discussion paper 2. Decide whether to initiate further action

Background: The Council will review a paper outlining regulatory constraints resulting in unharvested Pacific cod in the Bering Sea, Aleutian Islands, and Gulf of Alaska. The paper includes information on when Pacific cod becomes available late in the year and potential ways to make that fish available earlier. The paper evaluates harvest opportunities in both State and federal waters. Note: there was no AP report or SSC report, and there was no public testimony.

After staff presentations, the following action was taken:

Mr. Down moved to postpone this agenda item indefinitely. The motion was seconded by Mr. Tweit and passed unanimously on 10/8/2019 at 1:27 pm. Mr. Mezirow was absent.

D4 BSAI Pcod POT CP PARTICIPATION

Council Staff: Jon McCracken
SSC Report: The SSC did not have this item on their agenda
AP Report: Angel Drobica
Action Required: 1. Review Discussion Paper, 2. Decide whether to initiate action

Background: The Council will review the fishing activity of pot catcher processors fishing in the Bering Sea, relative to all those who hold a pot CP endorsed license, to determine whether to consider removing inactive licenses.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Down made the following amendment which was seconded by Mr. Jensen:

The Council directs staff to create a Draft Initial Review Analysis and adopts the following purpose and need statement and alternatives:

- *Amendment 85 assigned a portion of the Bering Sea/Aleutian Islands Pacific cod TAC to the pot CP sector with the primary goals of aligning Pacific cod allocations with actual dependency and use and providing stability to all sectors.*
- *Three major changes have occurred since the implementation of Amendment 85, which has resulted in less stability for the dependent vessels on which the Amendment 85 allocation was based:*
 1. *low crab TACS and consolidation within the crab fisheries has provided increased flexibility for pot CPs,*
 2. *the total allowable catch for Pacific cod in the BSAI has decreased over the last several years, and*
 3. *the availability of rollovers to the CP pot sector has declined.*
- *The Council is considering action to eliminate latent capacity in the fishery, in order to increase stability for cod dependent pot CPs, maintain consistently low rates of halibut and crab bycatch, and ensure that condensed fishing seasons do not result in safety-at-sea concerns.*

Alternative 1: No Action.

Alternative 2: Remove the Pacific cod endorsements on C/P pot LLPs unless the license is credited with a minimum directed landing of 1000 mt in the management area based on the following threshold criteria:

Option 1: 2005-2019

Option 2: 2012-2019

Suboptions:

A: In any three years

B: In any four years

Option 3: (applies to either option 1): Management area endorsement applicability

Suboptions

A: Bering Sea only

B: Bering Sea and Aleutian Islands

The Council also recommends that the Council establish a control date of October 8, 2019 for any action considering future participation in the Pacific cod catcher processor pot sector.

Mr. Cross moved to amend the motion which was seconded by Mr. Tweit by:

Eliminating option 3 entirely, and in Alternative 2, add "Bering Sea and Aleutian Islands" to describe the Pacific cod endorsements

Amendment passed unanimously.

Ms. Campbell moved to amend the motion which was seconded by Mr. Cross to:

rewrite the last sentence to say, “the Council also establishes a control date of October 8 2019 for any action considering future participation in the Pacific cod catcher processor pot sector.”

Ms. Baker moved to amend the amendment which was seconded by Mr. Tweit to:

add “BSAI” in front of Pacific cod

Amendment to the amendment passed without objection, and the amendment passed without objection.

VOTE ON MOTION: Main amended motion passed without objection 10/8/2019 at 1:18pm. Mr. Mezirow was absent.

D5 COOK INLET SALMON FMP

Council Staff: Jim Armstrong

Other Presenters: Gretchen Harrington (NMFS, AKRO)

SSC Report: The SSC did not have this item on their agenda.

AP Report: Angel Drobica

Action Required: 1. Review committee minutes and timeline for completing analysis, 2. Provide direction to the Committee as necessary

Background: The State of Alaska has historically had management authority over all salmon fishing in Cook Inlet, but following a recent court decision, the Council and National Marine Fisheries Service must now manage the fishery in federal waters (more than three miles from the shoreline). The Council has created a Committee of people who fish for salmon in Cook Inlet to explore rules that should apply, especially for reporting catch. The Committee is meeting on Monday September 30, and staff will report results to the Council.

After staff presentations, reports, and public comment, the following action was taken:

Mr. Jensen made the following amendment which was seconded by Mr. Tweit:

The Council supports the Salmon FMP Committee recommendation to pursue further collaborative work by committee members to develop recommendations under Alternative 2 prior to the next committee meeting.

VOTE ON MOTION: Motion passed without objection on 10/8/2019 at 3:45 pm.

E1 STAFF TASKING

Council Staff: David Witherell, Steve MacLean, Doug Duncan (NMFS)

Action Required: 1) Review committees/meetings 2) Provide direction on tasking and scheduling

The Council reviewed committee membership, identified agendas for upcoming committee meetings, and received updates on events and committees that met during the course of the week in Homer (Recreational Fisheries Roundtable, Community Engagement Committee).

The Council heard a summary of a proposed rule to identify Critical Habitat for the Western North Pacific and Mexico Distinct Population Segments of humpback whales. Staff were directed to write a letter summarizing Council comments.

The Council also heard testimony from the public about existing and new management measures and provided feedback to staff and the Council Chair about how to prioritize staff work on existing and new projects.

After staff presentations, reports, and public comment, the following action was taken:

Squid to ecosystem component

Ms. Kimball made the following motion which was seconded by Mr. Cross:

The Council adopts the following purpose and need statement and initiates an analysis with the following alternatives. The Council also recommends Alternative 2 as its preliminary preferred alternative, to continue to designate squid and sculpins in both the BSAI and GOA FMPs as a non-target 'Ecosystem Component Species', establish a maximum retainable amount (MRA), and allow for limited use and sale of incidentally caught squid and sculpins consistent with past practice.

Purpose and Need

Squid is defined in the ecosystem component (EC) category. The Council took action to recommend that sculpins be defined in EC category as well. There are no directed fisheries for squid or sculpins in either the BSAI or GOA. Incidental catch of squid is retained in some fisheries and often utilized to prevent waste. Typically, sculpins are not retained but can be in some circumstances.

The Council's June 2017 action to reclassify the squid complex into the ecosystem component in the BSAI and GOA groundfish FMPs was based on the best available scientific information and was consistent with the revised National Standard 1 guidelines. However, the federal rulemaking to implement the Council's action incorrectly prohibited any use or sale of incidentally caught squid unless processed into fish meal. The June 2017 Council action and supporting analyses indicated: 1) retention of squids would continue at or slightly above current levels, and 2) past production types would continue to be allowed including whole bait and whole fish/food fish. The purpose of this action is to align regulations with the long-standing use of squid, the permissible use of squid based on the Council's June 2017 analysis and preferred alternative, and the permissible use of squid under the EC category.

The Council's recent recommendation to establish sculpins in the EC category would limit the use of sculpins consistent with existing regulations for all other EC category species (50 CFR 679.20(i)). The Council does not wish to increase the time required to move sculpins into the EC category by modifying that action, but intends to review the disposition of sculpins consistent with squids and the flexibility provided by the EC category.

Alternatives

Alternative 1: Squids and sculpins in both the BSAI and GOA FMPs are designated as non-target "ecosystem component species" with prohibition on the use of squids and sculpins other than as fishmeal.

Establishment of OFL, ABC, and TACs are not required. Directed fishing for squids and sculpins is prohibited, and the squids and sculpins maximum retainable amount when directed fishing for other

fisheries is 20%. The sale, barter, trade, or processing of squids and sculpins is prohibited, except as fishmeal. Recordkeeping and reporting to monitor and report catch and discards of squids and sculpins annually is required.

Alternative 2: Squids and sculpins in both the BSAI and GOA FMPs are designated as non-target “ecosystem component species”.

Establishment of OFL, ABC, and TACs are not required. Directed fishing for squids and sculpins are prohibited, and the squids and sculpins maximum retainable amount when directed fishing for other fisheries is 20%. There is no prohibition on the sale, barter, trade, or processing of incidental, retained squids or sculpins. Recordkeeping and reporting to monitor and report catch and discards of squids and sculpins annually is required.

VOTE ON MOTION: Motion passed without objection on 10/9/2019 at 10:32. Mr. Mezirow was absent.

AI Pacific cod management

Ms. Baker moved the following, with a second by Ms Kimball:

The Council requests a discussion paper on management options available to promote conservation of AI Pacific cod and the sustained participation of AI fishing communities. In particular, the Council is interested in an update to the June 2019 discussion paper, including changes to BSAI Amendment 113 to include the modifications approved by the Council in December 2018, an update on the status of the Amendment 113 litigation, a discussion of how Amendment 113 addresses the national standards, and a thorough examination of options available under MSA 303A for Limited Access Privilege Programs and outside of 303A to meet these objectives.

VOTE ON MOTION: The motion passed without objection on 10/9/2019 at 10:38 am. Mr. Mezirow was absent.

Fishery Monitoring

Mr. Tweit moved and Ms. Kimball seconded a motion to establish a Partial Coverage Fishery Monitoring Advisory Committee. NOTE: the full motion is included as an attachment to this document.

Ms. Kimball moved to amend, which was seconded by Mr. Tweit:

to prioritize cost efficiencies and change tasks 14 and 16 to tasks 6 and 7 respectively.

VOTE ON MOTION: Amendment passed without objection, and main amended motion passed without objection on 10/9/2019 at 11:06.

Rockfish Reauthorization

Ms. Kimball made the following motion with a second by Mr. Tweit:

Per NMFS recommendations on the Central Groundfish Rockfish Program reauthorization package, the Council approves inclusion of the proposed elements in the October 2019 paper with the exception of items #1 and #4 (related to the season closure date and the prior notice of landing/CMCP requirements).

VOTE ON MOTION: Motion passed without objection on 10/9/2019 at 11:12. Mr. Mezirow was absent.

BS Pacific Cod Small Boat Access

Ms. Baker made the following motion which was seconded by Mr. Down:

The Council requests a discussion paper in response to community concerns and small boat access challenges identified in the <60 ft fixed gear BSAI Pacific cod sector. The discussion paper should consider the potential impact of expanding the allowable participants to fish off of the jig sector allocation to small fixed gear catcher vessels (e.g. <57 ft, trip limits up to 15,000 lbs, pot limits less than 25 pots).

VOTE ON MOTION: Motion passed without objection on 10/9/2019 at 11:16. Mr. Mezirow was absent.

Mr. Kinneen read the list of appointments and thanked everyone in Homer for hosting, and for the public attending.

THE COUNCIL ADJOURNED ON WEDNESDAY OCTOBER 9, 2019 AT 1 P.M.