

# North Pacific Fishery Management Council

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Date: 12/20/93

## ADVISORY PANEL MINUTES SEPTEMBER 20-23, 1993 ANCHORAGE, ALASKA

The Advisory Panel for the North Pacific Fishery Management Council met on September 20-23, 1993, at the Anchorage Hilton Hotel. Members in attendance were:

Dave Benson  
John Bruce, Chair  
Al Burch  
Steve Drage  
Dan Falvey  
Dave Fraser  
Kevin Kaldestad

Dave Little  
Stephanie Madsen  
Pete Maloney  
Penny Pagels  
Dean Paddock  
Perfenia Pletnikoff  
John Roos

John Sevier  
Harold Sparck  
Michael Stevens  
Beth Stewart, Vice Chair  
Robert Wurm

Minutes for the June 1993 meeting were approved.

### **B-6 STELLER SEA LION SURVEY RESULTS**

The AP commends the marine mammal lab for continuing its ongoing research on Steller sea lions and appreciates continued updates on marine mammals.

Furthermore, we support improved biomass estimates and distribution patterns of forage fish (capelin, etc.), in addition to other small fish that may be critical to sea lion survival. This information is critical particularly in the winter.

We also recommend that the fisheries science section of the AFSC undergo independent peer review of its field science modeling program as does the marine mammal lab.

We urge further investigations into developing a multi-species approach into fisheries management so that interactions between species are understood and accounted for in stock assessments.

(This motion passed **unanimously**).

### **C-2 OBSERVER PROGRAM**

The AP strongly urges the Council to work for the earliest possible implementation of the research plan. The problems evidenced by Arctic Observers' letter are endemic and will only be fully resolved by the Research Plan.

(This motion passed **unanimously**).

The AP also recommends the Council and NMFS take whatever action is necessary to require 100% observer coverage on all trawlers and longliners over 60 feet fishing for directed fisheries for Pacific cod, and groundfish in BSAI areas 511, 517, and 509 until directed fishing for Pacific cod closes. This includes 30% coverage for vessels greater than or equal 55 feet, effective January 1, 1994.

(This motion passed 9-8).

### **Minority Report**

C-2

The following AP members recognize that the Pacific Cod fishery around Unimak Pass has bycatch and fish waste problems. Requiring 100% observer coverage may alter some fishing behavior as compared to unobserved vessels. The proposal passed by the AP imposes additional costs on the midwater pollock fishery operating at the same time as the Pacific cod fishery. The inclusion of vessels operating in a midwater pollock fishery will not produce better information than is already available for that fishery. The midwater pollock fishery should not be included in this additional coverage.

Further, we believe that NMFS should determine if there is a need for more observer coverage in various fisheries. Observer coverage distribution is better addressed through the North Pacific Research Plan and we urge implementation of that plan as soon as possible.

Signed: Al Burch  
Steve Drage  
Stephanie Madsen  
Pete Maloney  
John Roos  
John Sevier  
Beth Stewart

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### **C-4 SABLEFISH & HALIBUT IFQs**

The AP discussed a motion to recommend the Council adopt the partial/full block alternative with a 2 block limit and vessel size limits. This motion failed 4/11. The AP then voted 11/4 to take no further action.

### **C-5 HALIBUT MANAGEMENT**

The AP recommends that the Council announce a control date at the January Council meeting for a moratorium and establish a working group comprised of staff, industry, and charter operators to develop traditional management tools and identify alternatives for limited access. This group would report back

to the Council at the January meeting. The analysis should include a look at the actions of the Pacific Council, and other Councils.

(This motion passed 10-1).

## C-6 SCALLOP MANAGEMENT

After a staff report and public testimony, the AP engaged in a lengthy discussion before moving to recommend that the Council adopt Alternative 3, Option 2, with the following changes in the 8 elements and options, Category 1 (fixed in FMP), and Category 2 (Discretion of State):

### Elements and Options:

#### 1) Qualifying Criteria

##### Beginning Dates

- b. January 1, 1980 (coincides with groundfish moratorium)

##### Ending Dates

- b. January 20, 1993 (Control Date for scallop fishery)

#### 2) Length of Moratorium

- a. Until the Council rescinds or replaces; not to exceed 3 years from date of implementation, but Council may extend for two years if a permanent limited access program is imminent.

#### 3) Crossovers During Moratorium

- b. Crossovers to other fisheries (groundfish, crab, or halibut) during the moratorium will not be allowed.

#### 4) Reconstruction of Vessels During the Moratorium

- a. Vessels may be reconstructed during the moratorium subject to limitations and conditions listed below.

- 3. If physical reconstruction started on or after January 20, 1993, new size restricted to a 20% increase in vessel length; no more upgrades allowed.

#### 5) Replacement of Vessels During the Moratorium

- b. Qualifying vessels can be replaced with non-qualifying vessels as often as desired so long as the replaced vessel leaves the fishery or bumps another qualifying vessel out in the case of multiple transactions. Vessel size can be increased as many times as desired, but restricted to a 20% maximum increase in original qualifying vessel length.

#### 6) A. Replacement of Vessels Lost or Destroyed During the Moratorium

- b. Qualifying vessels can be replaced with non-qualifying vessels subject to a 20% maximum increase in vessel length. Replaced vessels cannot be salvaged and come back into the fishery.

#### B. Replacement of Vessels Lost or Destroyed Before the Moratorium

- b. Qualifying vessels can be replaced with non-qualifying vessels subject to a 20% maximum increase in vessel length. Replaced vessels cannot be salvaged and come back into the fishery.

7) Small Vessel Exemption

- a. Exempt small vessels from the moratorium. In the Gulf of Alaska, vessels 26 feet or less are exempted from the moratorium. In the Bering Sea/Aleutian Islands, vessels 32 feet or less are exempted from the moratorium.

8) Appeals Process

- a. The appeals procedure will consist of an adjudication board of government persons and non-voting industry representatives.

Additional Elements:

- 1) No pipeline exceptions.
- 2) Must have been a participant in 1991 or 1992 or any four (4) years of qualifying years.

Proposed Management Measures:

<u>Category 1</u> <u>(Fixed in FMP)</u>	<u>Category 2</u> <u>(Discretion of State)</u>
Permit Requirements	Legal Gear
Federal Observer Requirements	Minimum Size Limits
Limited Access (Moratorium, Individual Quotas)	Reporting Requirements
Closed Waters	Guideline Harvest Levels
Bycatch Limits	In-season Adjustments
	Districts, Subdistricts and Sections
	Fishing Seasons
	State Observer Requirements
	Registration Areas
	Closed Waters
	Efficiency Limits
	Other

Rationale:

Legal Gear - AP recommends placing this item in Category 2. The State is currently regulating this and has the expertise to continue.

Permit Requirements - AP recommends this remain in Category 1 since the State may have no authority over vessels fishing exclusively in the EEZ.

Federal Observer Requirements - AP recommends this stay in Category 1 so this fishery can be rolled into the Research Plan.

Closed Waters - AP recommends that closed waters be in Category 1 and 2. The State is in the best position to close State waters, however, the Council needs this authority to regulate this fishery in conjunction with other federal fisheries, particularly in response to bycatch concerns.

Bycatch Limits -AP recommends this item be moved to Category 1 because the scallop fishery bycatch of crab needs to be regulated in concert within the PSC limit system already in place.

Generally speaking, the AP supported developing an FMP because a large proportion, if not the majority, of this fishery takes place in the EEZ and because the crab bycatch must be addressed in concert with all other fisheries in the EEZ. The AP wants to see the appropriate elements of the EA/RIR drafted into an FMP for final review and action in December.

#### **D-1 CRAB MANAGEMENT**

The AP recommends that the Council and the State of Alaska form a working group to address the issues raised in this agenda item. It appears that the loss of institutional memory and awareness of the BSAI FMP has resulted in much of the dissatisfaction expressed. The AP makes no recommendation on any of the specific proposals except the recommendation that Norton Sound Super Exclusive Registration proposal be sent out for public review as a plan amendment with the earliest possible implementation date. The AP does strongly recommend an industry/management team be charged with drafting an operating agreement that spells out how regulations in each category will be developed.

(This motion passed 15-0 with 2 abstentions).

#### **D-2(A) GOA ROCKFISH REBUILDING**

The AP listened to staff reports on this item. It is probably fair to say that while the AP members all understood that Alternative 1 was no longer a viable option, the remaining alternatives were less well understood. On a 9 to 8 vote, the AP supported Alternative 3. Those supporting Alternative 3 noted that POP stocks are still at less than 50% of MSY in spite of several commitments to rebuild them over the last 10 years. Recent information provided by NMFS indicates that bycatch considerations and the current low levels of POP may cause other groundfish harvests to be foregone to prevent localized depletion until POP are rebuilt. By choosing Alternative 3 the AP is recommending an aggressive rebuilding policy with the highest probability of success in the shortest time period.

(This motion passed 9-8).

The minority believes Alternative 2 is superior to Alternative 3 and that the rebuilding schedule built into the ABC determination under Alternative 2 is conservative policy. (Note that steady rebuilding has occurred under past policy which resulted in annual harvests more than double the ABC resulting from Alternative 2 policy - Table A2, page 73). The minority believes it is appropriate to maintain a buffer between ABC and TAC especially when ABC equals overfishing, however, the size of the buffer should be determined annually as with all other species in the setting of TAC. Alternative 2 does this and still allows providing for a bycatch only policy based on an annual assessment of needs of other fisheries. Alternative 3 dictates how the TAC buffer will be set for the duration of the rebuilding plan and will result in unnecessary levels of mandated discards.

Signed: Dave Benson  
Al Burch  
Steve Drage  
Stephanie Madsen  
Pete Maloney  
Michael Stevens  
Beth Stewart

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#### **D-2(B) EXCLUSIVE REGISTRATION**

At the present, it seems that there is no consensus. There are two major issues being discussed. One is bycatch of halibut controlling TACs and the other is the exclusive registration's allocative effects with respect to pollock and cod in the Western Gulf.

This issue needs to be better developed within industry before the Council makes a decision. The AP has no recommendation on this issue.

#### **D-2(C) PRIBILOF ISLANDS TRAWL CLOSURE**

The AP recommends the Council send this document out for public review after economic analysis is included.

- With the addition of Alternative 9.
- The closure be triggered when bycatch reaches 1% of the blue king crab population.

- An option for maintaining a closure of a smaller area approximating the 30 meter contour prior to triggering a cap (1% blue king crab pop; note to incorporate 1993 data).
- Alternative 11 include an alternative with a fixed cap of 20,000 blue king crab. (1993 data should not hold up review of this document).  
(This motion passed unanimously).

**D-3(A-C) GOA GROUND FISH**

The AP recommends that the following TACs be sent out for public review:

Pollock	83,550	(W. Gulf/16,930; 620/18,250; 630/42,820; E. Gulf 5,500)
Pacific cod	52,700	(Plan Team ABC splits)
Flatfish, Deep	9,000	(W. Gulf/500; Central/8,000; E. Gulf/500)
Rex sole	8,000	(W. Gulf/500; Central/7,000; E. Gulf/500)

All other TACs would be equal to 1993 TACs.

The AP was evenly split (7/7) on a motion to set the Pacific ocean perch TAC at 2,107. As the Council will recall, the AP was nearly evenly split on whether Alternative 2 or 3 was the appropriate method for setting ABCs for Pacific ocean perch.

The AP recommends using the 1993 specifications for initial PSC limits for halibut with 10 tons set aside for hook & line DSR (taken from third timesheet).  
(This motion passed unanimously).

The AP has two further recommendations:

- 1) The AP believes this document should contain a notice to the public that Rex sole and rockfish TACs in the GOA may be modified in December to prevent overfishing and localized depletions of Pacific ocean perch.  
(This motion passed unanimously).
- 2) The AP strongly recommends that the results of the 1993 Gulf trawl survey be incorporated in the document in time for review in December.  
(This motion passed 13-1).

**D-3(C-E) BSAI GROUND FISH SPECS FOR 1993**

The AP recommends that when Amendment 24 is approved the trimester apportionments be as follows:

		<u>Target</u>	<u>Halibut PSC</u>
1st Trimester	Jan 1 - Apr 30	90%	95%
2nd Trimester	May 1 - Aug 31	10%	5%
3rd Trimester	Sep 1 - Dec 31	Rollover	Rollover

In the event there is a rollover from the trawl fishery, 25% will be assigned to the second trimester, and the remainder into the third trimester.

The AP believes that this apportionment avoids fishing in the summer months when halibut bycatch is high. The 10% allocated to the second trimester is focused on the pot fishery.

**TABLE 1. GULF OF ALASKA GROUND FISH**  
**Initial 1994 Plan Team, SSC, and AP recommendations and apportionments (metric tons)**

Species	Area	1993			Plan Team 1994 ABC	SSC 1994 ABC	Advisory Panel 1994 TAC
		ABC	TAC	Catch*			
Pollock	W (61)	34,068	24,087	20,540	37,320	16,930	16,930
	C (62)	36,737	25,974	20,603	40,250	18,250	18,250
	C (63)	86,195	60,939	45,649	94,430	42,820	42,820
	E	3,400	3,400	427	12,250	5,550	5,550
	Total	160,400	114,400	87,219	184,250	83,550	83,550
Pacific Cod	W	18,700	18,700	18,356	17,400	17,400	17,400
	C	35,200	35,200	33,152	32,700	32,700	32,700
	E	2,800	2,800	1,555	2,600	2,600	2,600
	Total	56,700	56,700	53,063	52,700	52,700	52,700
Flatfish, Deep	W	2,020	1,740	324	740	740	500
	C	35,580	15,000	5,917	20,680	20,680	8,000
	E	7,930	3,000	124	4,990	4,990	500
	Total	45,530	19,740	6,365	26,410	26,410	9,000
Rex sole	W				1,280	1,280	500
	C	included in deepwater flatfish			14,900	14,900	7,000
	E				2,940	2,940	500
	Total				19,120	19,120	8,000
Flathead sole	W	12,580	2000	607	12,580	12,580	2,000
	C	31,830	5,000	1,803	31,830	31,830	5,000
	E	5,040	3,000	7	5,040	5,040	3,000
	Total	49,450	10,000	2,417	49,450	49,450	10,000
Flatfish, Shallow	W	27,480	4,500	380	27,480	27,480	4,500
	C	21,260	10,000	4,820	21,260	21,260	10,000
	E	1,740	1,740	5	1,740	1,740	1,740
	Total	50,480	16,240	5,205	50,480	50,480	16,240
Arrowtooth	W	38,880	5,000	1,852	38,880	38,880	5,000
	C	253,330	20,000	15,656	253,330	253,330	20,000
	E	29,080	5,000	813	29,080	29,080	5,000
	Total	321,290	30,000	18,321	321,290	321,290	30,000
Sablefish	W	2,030	2,030	726	2,030	2,030	2,030
	C	9,610	9,610	11,945	9,610	9,610	9,610
	W. Yakutat	3,830	3,830	4,561	3,830	3,830	3,830
	E. Yak./SEO	5,430	5,430	5,367	5,430	5,430	5,430
	Total	20,900	20,900	22,599	20,900	20,900	20,900
Pacific Ocean	W	753	341	492	760	760	341
Perch	C	949	949	1,177	950	950	949
	E	1,676	1,270	511	1,670	1,670	1,270
	Total	3,378	2,560	2,180	3,380	3,380	2,560
	Shortraker / Rougheye	W	100	90	135	100	100
Rockfish (Other Slope)	C	1,290	1,161	1,190	1,290	1,290	1,161
	E	570	513	538	570	570	513
	Total	1,960	1,764	1,863	1,960	1,960	1,764
	W	330	214	444	330	330	214
Rockfish (Pelagic Shelf)	C	1,640	1,064	1,541	1,640	1,640	1,064
	E	6,330	4,105	1,455	6,330	6,330	4,105
	Total	8,300	5,383	3,440	8,300	8,300	5,383
	W	1,000	1,000	798	1,000	1,000	1,000
Northern Rockfish	C	4,720	4,720	3,822	4,720	4,720	4,720
	E	40	40	61	40	40	40
	Total	5,760	5,760	4,681	5,760	5,760	5,760
	W	1,010	1,010	260	1,010	1,010	1,010
Rockfish (Pelagic Shelf)	C	4,450	4,450	1,773	4,450	4,450	4,450
	E	1,280	1,280	1,058	1,280	1,280	1,280
	Total	6,740	6,740	3,091	6,740	6,740	6,740
	S.E. Out.	800	800	524	943	943	800
DSR							
Thornyhead	Gulfwide	1,180	1,062	1,395	1,180	1,180	1,062
Atka mackerel	Gulfwide	with other species		3,258	4,800	4,800	4,800
Other Species	Gulfwide	NA	14,602	9,299	NA	NA	14,602
<b>GULF OF ALASKA TOTAL</b>		<b>732,868</b>	<b>306,651</b>	<b>224,920</b>	<b>757,663</b>	<b>656,963</b>	<b>273,861</b>

\* Catch through August 21, 1993



AP Recommended Initial 1994 BSAI Trawl Fisheries PSC Apportionments  
And Seasonal Allowances

Fishery Group	Assumed Mortality\1	Halibut Mortality Cap (mt)	Herring (mt)	Red King Crab (animals) Zone1	C. baird Zone1	C. bairdi Zone2
Yellowfin sole	70%	592	359	40,000	175,000	1,225,000
Rocksole/other flatfish	70%	588		110,000	475,000	200,000
Turbot/arrowtooth/sablefish	40%	137				
Rockfish Jan. 1 - Mar. 29 Mar. 30 - June 28 June 29 - Dec. 31	60%	201	9 0 81 120			25,000
Pacific cod	60%	1,000	27	10,000	175,000	400,000
Pollock/mackerel/"o. species"	60%	1,257	193	40,000	175,000	1,150,000
7 MW Pollock (Herring)			1,534			
<b>TOTAL</b>		<b>3,775</b>	<b>2,122</b>	<b>200,000</b>	<b>1,000,000</b>	<b>3,000,000</b>

\1 Mortality rates based on IPHC assumed mortality rates for 1993.

AP Recommended 1994 Non-Trawl PSC Bycatch Allowances

Fishery Group	Halibut Mortality (mt)	Seasonal Apportion (mt)	%
Pacific Cod	825		
Jan 1 - May 14		743	90
May 15 - August 31		8	10
Sept. 1 - Dec. 31		Rollover	
Other Non-Trawl*	75		
Groundfish Pot	Exempt		
<b>TOTAL</b>	<b>900 metric tons</b>		

\* Includes Hook & Line Sable Fish, Rock fish and Jig

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## Advisory Panel Recommendations for 1994 VIP Rate Standards

### Incentive Program Rate Standards

Fishery and quarter	Halibut	Zone 1 Red King Crab
	(kg halibut/mt groundfish)	(# of crab/mt groundfish)
<b><u>BSAI Midwater Pollock</u></b>		
First Quarter	1.0	n/a
Second Quarter	1.0	
<b><u>BSAI Bottom Pollock</u></b>		
First Quarter	7.5	
Second Quarter	5.0	
<b><u>BSAI Yellowfin Sole</u></b>		
First Quarter	5.0	2.5/mt
Second Quarter	5.0	2.5/mt
<b><u>BSAI Other Trawl Fisheries</u></b>		
First Quarter	30.0	2.5/mt
Second Quarter	30.0	2.5/mt
<b><u>GOA Midwater Pollock</u></b>		
First Quarter	1.0	n/a
Second Quarter	1.0	
<b><u>GOA Other Trawl Fisheries</u></b>		
First Quarter	50.0	n/a
Second Quarter	50.0	

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**INITIAL 1994 BERING SEA/ALEUTIAN ISLANDS GROUND FISH SPECIFICATIONS**

**1994 Plan Team, SSC and AP Recommendations (mt)**

Species	Area	Council		Plan Team	SSC	Seasonal Allowance	Advisory Panel	ITAC	CDQ
		ABC 1993	TAC 1993	ABC 1994	ABC 1994		TAC		
Pollock	EBS	1,340,000	1,300,000	1,340,000	1,340,000		1,300,000	1,105,000	97,500
	Roe					45% of ITAC		497,250	43,875
	Non-Roe					55% of ITAC		607,750	53,625
	AI	58,700	51,600	58,700	58,700		51,600	43,860	3,870
	518	42,000	1,000	156,000	32,000		1,000	850	75
								0	
Pacific cod	BS/AI	164,500	164,500	183,000	183,000		183,000	155,550	0
Yellowfin sole	BS/AI	238,000	220,000	238,000	238,000		111,000	94,350	0
Greenland turbot	BS/AI	7,000	7,000	18,800	7,000		7,000	5,950	0
Arrowtooth flounder	BS/AI	72,000	10,000	72,000	72,000		10,000	8,500	0
Rock sole	BS/AI	185,000	75,000	185,000	185,000		75,000	63,750	0
Other flatfish	BS/AI	191,000	79,000	191,000	191,000		79,000	67,150	0
Sablefish	EBS	1,500	1,500	1,500	1,500		1,500	1,275	0
	AI	2,600	2,600	2,600	2,600		2,600	2,210	0
								0	0
POP complex									
True POP	EBS	3,330	3,330	3,330	3,330		3,330	2,831	0
Other POP complex	EBS	1,400	1,200	1,400	1,400		1,200	1,020	0
True POP	AI	13,900	13,900	13,900	13,900		13,900	11,815	0
Sharp/Northern	AI	5,670	5,100	5,670	5,670		5,100	4,335	0
Short/Rougheye	AI	1,220	1,100	1,220	1,220		1,100	935	0
Other rockfish	EBS	400	360	400	400		360	306	0
	AI	925	830	925	925		830	706	0
Atka mackerel	BS/AI	117,100	32,000	245,000	122,500		122,500	104,125	0
	W			109,000	53,900		53,900	45,815	0
	C			109,000	55,125		55,125	46,856	0
	E			27,000	13,475		13,475	11,454	0
Squid	BS/AI	3,400	2,000	3,400	3,400		2,000	1,700	0
Other species	BS/AI	26,600	26,600	26,600	26,600		26,600	22,610	0
<b>BS/AI TOTAL</b>		<b>2,476,245</b>	<b>1,998,620</b>	<b>2,748,445</b>	<b>2,490,145</b>		<b>1,998,620</b>	<b>1,698,827</b>	<b>101,445</b>

**DRAFT**

#### **D-4 GROUND FISH REGULATORY AMENDMENTS**

The AP recognizes that there is a problem with the current DFS in that they are difficult to understand and to enforce. The AP believes that Alternative 2 or 3 may not fully address the problems in the current DFS, the AP recommends that NMFS and Council staff work together to create a matrix system for determining bycatch by species, gear type, and area. This matrix would be updated as necessary on the NMFS bulletin board. Bycatch rates would be set against all possible target species but would only be allowed against a species that was open for directed fishing. There would be no bycatch rate against other bycatch species. Rates would be formulated at 1%, 5%, 10%, 20%, and subject to in-season change.

An industry group will meet with NMFS to develop the grid and numbers to be included in the document before it goes out for public review.

#### **D-5 OTHER GROUND FISH ISSUES**

The AP received a report from the Salmon Foundation working group and strongly encourages the continuing development of this program.