

Sitka Centennial Bldg 330 Harbor Drive	SSC Rousseau Room	AP Maksoutoff Room	COUNCIL Auditorium
Monday, Sept. 16	8:00am C-2 IR/TU C-1 BSAI Bairdi & Opilio Bycatch Caps	8:00am C-1 BSAI Bairdi & Opilio Bycatch Caps	
	1:00pm D-1(a-c) BSAI SAFE/Specs VIP Rates	1:00pm C-3 Observer Program C-2 IR/TU	
Tuesday, Sept. 17	8:00am D-1(a-c), continued D-1(d-f) GOA SAFE /Specs	8:00am C-2 continued	
	1:00pm D-1(d-f), continued	1:00pm D-1(a-c) BSAI SAFE/Specs VIP Rates	
Wednesday, Sept. 18	8:00am D-1, continued D-3(a) Ban Night Trawl D-3(b) Slime & Ice C-3 Observer Program B-5/6 Rpts (w/Council)	8:00am D-1(a-c), continued D-1(d-f) GOA SAFE/Specs B-5/6 Rpts (w/Council)	8:00am A Call to order Oath of Office/Agenda Election B-1 ED Rpt B-2 ADFG Rpt B-3 NMFS Rpt B-4 Enforcement Rpts B-5 IFQ Rpts 12:00 Lunch
	7:00pm Ecosystems Cmtee 7:00pm Enforcement Cmtee	1:00pm B-5/6 continued Continue as necessary	1:00pm B-5/6 continued D-1(d-f) continued
Thursday, Sept. 19		8:00am D-2(a) Electronic Rpt D-2(b) Seamount PR D-2(c) Dir Fish Std D-3(a) Ban Night Trawl D-3(b) Slime & Ice	8:00am C-1 continued C-2 IR/TU 12:00 Lunch
		1:00pm Continue as necessary	1:00pm C-2, continued
Friday, Sept. 20			8:00am D-1(a-c) BSAI/SAFE Specs VIP Rates 12:00 Executive Session 1:00pm D-1(d-f) GOA SAFE/Specs
			8:00am D-1, continued D-2(a) Electronic Rptg D-2(b) Seamount PR D-2(c) Dir Fish Std 12:00 Lunch 1:00pm D-3(a) Ban Night Trawl D-3(b) Slime & Ice
Saturday, Sept. 21			
Sunday, Sept. 22	NOTE: The above agenda items may not be taken in the order in which they appear and are subject to change as necessary; other items may be added. All meetings are open to the public with the exception of Council Executive Sessions.		8:00am C-3 Observer Program D-4 Staff Tasking continue as necessary

North Pacific Fishery Management Council

Richard B. Lauber, Chairman
Clarence G. Pautzke, Executive Director

Telephone: (907) 271-2809



605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Fax (907) 271-2817

September 12, 1996

DRAFT AGENDA

**124th Plenary Session
North Pacific Fishery Management Council
September 18-22, 1996
Centennial Building
Sitka, Alaska**

The North Pacific Fishery Management Council will meet at the Centennial Building in Sitka, Alaska, beginning at 8:00 a.m. on Wednesday, September 18, 1996 and continue through Sunday, September 22, 1996. Other meetings to be held during the week are:

Committee/Panel

Advisory Panel
Scientific and Statistical Committee
*Enforcement Committee
Ecosystems Committee

Beginning

8:00 a.m., Monday, September 16
8:00 a.m., Monday, September 16
7:00 p.m., Wednesday, September 18
7:00 p.m., Wednesday, September 18

All meetings except Council executive sessions are open to the public. Other committee and workgroup meetings may be scheduled on short notice during the week. All meetings will be held at the Centennial Building unless otherwise noted.

*The Enforcement Committee will be discussing, among other things, the time and area closure alternatives for the proposed ban on night trawling for Pacific cod. Members of the trawl industry are encouraged to participate in these discussions on Wednesday evening.

INFORMATION FOR PERSONS WISHING TO TESTIFY BEFORE THE COUNCIL

Sign-up sheets are available at the registration table for those wishing to testify before the Council on a specific agenda item. Sign-up must be completed before public comment begins on that agenda item. Additional names are generally not accepted after public comment has begun.

Submission of Written Comments/Testimony. Any written comments and materials to be included in Council meeting materials must be submitted to the Council office **by 5:00 p.m. on Wednesday of the week before the Council is scheduled to begin (i.e., September 11 for this meeting).** Material received after the deadline may not be included in meeting materials. Because this is an out-of-town meeting, copying facilities will be at a minimum; please make every effort to submit comments by September 9, earlier if possible. Materials provided during the meeting for distribution to Council members should be provided to the Council secretary. A minimum of 18 copies is needed to ensure that Council members, the executive director, NOAA General Counsel and the official meeting record each receive a copy. If you wish copies to be available for the Advisory Panel (22), Scientific and Statistical Committee (12), staff (10) or the public (50), they must also be provided after the pre-meeting deadline.

FOR THOSE WISHING TO TESTIFY BEFORE THE ADVISORY PANEL

The Advisory Panel has revised its operating guidelines to incorporate a strict time management approach to its meetings. Rules for testimony before the Advisory Panel have been developed which are similar to those used by the Council. Members of the public wishing to testify before the AP must sign up on the list for each topic listed on the agenda. Sign-up sheets are provided in a special notebook located at the back of the room. The deadline for registering to testify is when the agenda topic comes before the AP. The time available for individual and group testimony will be based on the number registered and determined by the AP Chairman. The AP may not take public testimony on items for which they will not be making recommendations to the Council.

FOR THOSE WISHING TO TESTIFY BEFORE THE SCIENTIFIC AND STATISTICAL COMMITTEE

The usual practice is for the SSC to call for public comment immediately following the staff presentation on each agenda item. In addition, the SSC will designate a time, normally at the beginning of the afternoon session on the first day of the SSC meeting, when members of the public will have the opportunity to present testimony on any agenda item. The Committee will discourage testimony that does not directly address the technical issues of concern to the SSC, and presentations lasting more than ten minutes will require prior approval from the Chair.

COMMONLY USED ACRONYMS

ABC	Acceptable Biological Catch	MMPA	Marine Mammal Protection Act
AP	Advisory Panel	MSY	Maximum Sustainable Yield
ADF&G	Alaska Dept. of Fish and Game	mt	Metric tons
BSAI	Bering Sea and Aleutian Islands	NMFS	National Marine Fisheries Service
CDQ	Community Development Quota	NOAA	National Oceanic & Atmospheric Adm.
CRP	Comprehensive Rationalization Program	NPFMC	North Pacific Fishery Management Council
EA/RIR	Environmental Assessment/Regulatory Impact Review	OY	Optimum Yield
EEZ	Exclusive Economic Zone	POP	Pacific ocean perch
FMP	Fishery Management Plan	PSC	Prohibited Species Catch
GOA	Gulf of Alaska	SAFE	Stock Assessment and Fishery Evaluation Document
IBQ	Individual Bycatch Quota	SSC	Scientific and Statistical Committee
IPHC	International Pacific Halibut Commission	TAC	Total Allowable Catch
ITAC	Initial Total Allowable Catch	VBA	Vessel Bycatch Accounting
MFCMA	Magnuson Fishery Conservation and Management Act	VIP	Vessel Incentive Program

September 12, 1996

DRAFT AGENDA
124th Plenary Session
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September 18-22, 1996
Centennial Building
Sitka, Alaska

	<u>Estimated Hours</u>
A. CALL MEETING TO ORDER	
(a) Oath of Office to New Council Appointees	•
(b) Approval of Agenda	•
(c) Election of Chairman and Vice Chairman	•
(d) Approval of Minutes of Previous Meeting	•
B. REPORTS	
B-1 Executive Director's Report	•
B-2 State Fisheries Report by ADF&G	•
B-3 NMFS Management/Marine Mammal Report	•
B-4 Enforcement and Surveillance Report	•
B-5 IFQ Socio-Economic Studies Report	•
B-6 BSAI Ecosystem Report	•
	(6 hours for A/B items)
C. NEW OR CONTINUING BUSINESS	
C-1 <u>BSAI Bairdi & Opilio Bycatch Caps</u>	(4 hours)
(a) Report from industry committee.	
(b) Final action on Tanner and snow crab PSC caps.	
C-2 <u>Improved Retention and Utilization</u>	(8 hours)
Final decision on IR/IU amendments.	
C-3 <u>Observer Program</u>	(1 hour)
(a) Status report on modified Pay-as-you-go Program. [No major action or review until December]	
(b) Initial review of regulatory amendment to require additional observer coverage on shore plants and motherships during pollock 'A' season.	

D. FISHERY MANAGEMENT PLANS

- D-1 Initial Groundfish Specifications for 1997 (10 hours)
 - (a) Approve initial BSAI SAFE for public review.
 - (b) Approve initial 1997 BSAI groundfish and bycatch specifications for public review.
 - (c) Set initial VIP rate standards for 1997.
 - (d) Initial review of amendment to separate the pelagic shelf rockfish complex into nearshore and offshore components & transfer mgmt authority to the State of Alaska.
 - (e) Approve initial GOA SAFE for public review.
 - (f) Approve initial 1997 GOA groundfish and bycatch specifications for public review.

- D-2 Amendments - Final Action (3 hours)
 - (a) Electronic reporting requirements.
 - (b) Clarification of proposed rule for seamount restrictions.
 - (c) Directed fishing standard changes for BSAI turbot, GOA P.cod/pollock against arrowtooth, GOA northern rockfish against shortraker/ roughey, and GOA sablefish.

- D-3 Amendments - Initial Review (2 hours)
 - (a) Ban on night trawling for Pacific cod.
 - (b) Standard deductions for slime and ice for halibut and sablefish and revise procedure for adjusting the annual allocation of IFQ (overages).

- D-4 Staff Tasking (2 hours)
 - (a) Update on current tasking.
 - (b) Review groundfish amendment proposals/task staff.
 - (c) Forward IFQ proposals to IFQ Industry Implementation Team for review.
 - (d) Magnuson Act tasking.

E. FINANCIAL REPORT

F. CHAIRMAN'S REMARKS AND ADJOURNMENT

Total Agenda Hours 36

TIME SUMMARY

Total agenda hours	36.00 hours
Lunches - 5 days (1.25 ea)	6.25 hours
Breaks (4/day, 20 min ea-5-1/2 days)	<u>7.50 hours</u>
Total hours required:	49.75 hours

Meeting:

8:00 a.m. - 5:30 pm. Wednesday - Saturday - 4 x 9.5 hrs = 38 hours
 8:00 a.m. - Noon on Sunday = 4 hours
 42 hours

ENFORCEMENT COMMITTEE REPORT
September 18, 1996

Improved Retention/Improved Utilization (C-2). The committee reviewed the AP's recommendation on Increased Utilization to require a maximum percentage allowance (10%) based on round weight for meal production. If the Council specifies a percentage for maximum meal production, the Enforcement Committee recommends that the percentage be based on total weight, due to monitoring difficulties involving meal production from both primary and secondary production (i.e., offal, undersized, damaged, and non-IR/IU fish). The specified rate should not be set too low to encourage discarding or too high to encourage increased meal production. The committee discussed the enforcement difficulties with a maximum allowance of meal production for shore-based facilities and motherships because of multiple vessel deliveries, noting that the above recommendations would likely be workable only for catcher/processor vessels. The IR/IU Committee may be able to determine an appropriate maximum level of meal production based on total weight.

Ice and Slime (D-3b) The committee recommends a standard deduction for ice and slime for halibut that is based on the best available scientific information and acceptance by the industry. It is the committee's understanding that sablefish is not included in the analysis.

from June 1996:

Ban on night trawling for Pacific cod in the Bering Sea The Enforcement Committee noted that the comments made in the NOAA Enforcement letter dated February 16, 1993 still applied. Defining night can be addressed by setting a specific hour by season/month for start/stop. Enforcement of a species-specific ban on night trawling would be impeded because: (1) directed fishing standards cannot be tied to individual hauls; (2) use of the directed fishing standards would not prevent vessels from targeting on Pacific cod at night; (3) only individuals voluntarily complying would be prevented from fishing, while nonparticipants would be advantaged. In this case, that advantage is considerable given the added fishing time gained during night periods. Therefore, there would be a greater potential gain with minimal risk to the violator. The committee further noted the possibility for increased discarding.

The most enforceable approach to reduce halibut bycatch in the Pacific cod fishery would be to close all trawling on certain Pacific cod fishing grounds that have demonstrated high bycatch in the past. The committee recommends to the Council that an industry group identify a geographic area for a night trawling ban that would have minimal impact on other fisheries and not be tied to a species fishing standard. The committee discussed that any night trawling ban would be an interim measure until improved retention/improved utilization and/or vessel bycatch allocation measures were implemented.

The committee requests that the Council designate a catcher vessel and catcher/processor representative to meet with the committee in September to discuss other possible time and area closure alternatives.

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605 West 4th Avenue, Suite 306
Anchorage, AK 99501-2252

Fax (907) 271-2817

Certified: Alan Bendis
Date: 9/9/96

MINUTES Scientific and Statistical Committee June 10-12, 1996

The Scientific and Statistical Committee of the North Pacific Fishery Management Council met June 10-12, 1996 at the Red Lion Hotel in Portland, Oregon. All members were present except Sue Hills:

Terrance Quinn II
Doug Eggers
Rich Marasco
Jack Tagart, Vice Chair
Phil Rigby
Marc Miller

Keith Criddle, Chair
Al Tyler
Harold Weeks
Jim Balsiger
Doug Larson

B-1(d) Plan Team

The SSC endorses the nomination of Rich Ferrero to the BS/AI groundfish Plan Team. Rich has made valuable contributions as a member of the GOA Plan Team. The SSC also endorses the nominations of John Sease to the GOA Plan Team and Andy Smoker to the BS/AI Plan Team. Dr. Vivian Mendenhall's expertise in seabirds is an area not currently represented on either groundfish plan team.

C-2 Bering Sea Halibut Quotas

As an information item, the SSC received a report from Steve Hoag, IPHC, on the halibut quota apportionment methods for the Bering Sea.

C-3 Allocation of Pacific cod in the BSAI

The SSC heard a staff presentation by Marcus Hartley and Darrell Brannan. Public testimony was given by Joe Kyle and John Gauvin.

The May 10, 1996, draft of the EA/RIR for Amendment 46 to the BSAI Groundfish FMP addresses issues raised by the SSC at its April meeting. The SSC believes that the document contains information essential for the Council's discussion of the allocation of Pacific cod. The document examines how various action alternatives address the problems of compressed fishing seasons, periods of high bycatch, discards, new entrants from moratorium crossover provisions, non-target bycatch of cod, habitat concerns, and fishery stability.

The SSC notes that data limitations precluded the estimation of the net benefits of the alternatives. This is a problem that has hampered the development of many EA/RIRs prepared for the Council. A serious commitment by the Council, federal and state agencies, and industry is required to address this deficiency. The SSC recommends initiation of an ongoing data collection and economic modeling effort comparable to that used in stock assessments.

The SSC believes that the approach used by staff to analyze the impacts of the alternatives being considered may be appropriate for other cases where data limitations exist. The SSC cautions that the ranking system used to present the results could lead to the conclusion that differences in the impact of the various options are large when in reality they could be small. It would be helpful if the model constraints were presented in a flow chart or decision tree format.

The analysis illustrates the central role that current management institutions such as PSC caps, TAC limits, and in-season reapportionments have on the allocation of Pacific cod. The results predicted by the model will depend on the order in which fisheries reach their TAC or PSC limits and trigger reapportionments. The model results are also sensitive to the assumed catch and bycatch rates.

C-4(a) ADF&G Report on Crab Meeting

Drs. Gordon Kruse and Jie Zheng gave an overview of their Bering Sea/Aleutian Islands crab research and stock assessment program. Dr. Kruse provided an extensive review of past and ongoing stock identification, abundance estimation, stock productivity and harvest strategy research. Dr. Zheng reviewed the population dynamics models, outlined the status of available data for modeling and discussed present estimates of stock abundance and an analysis of potential stock rebuilding strategies. ADF&G engages in cooperative research with federal agency and University scientists, which is leading to increased knowledge about factors affecting these populations. Despite these advances, there is considerable uncertainty associated with these populations and the complex mechanisms affecting them. The reports prepared by ADF&G are very helpful in describing what is being done and what needs to be done.

C-4 BS/AI Crab Bycatch Issues

The SSC received a review of proposed changes to Amendment 37 and the revised analysis of Amendment 41 from Dave Ackley, ADF&G, and Dave Witherell. Former drafts of these amendments were reviewed by the SSC in January and April 1996. Peggy Murphy, ADF&G, provided a review of the Crab Plan Team's recommendations. Public testimony was given by John Garvin, Lisa Polito, Arni Thompson, Laura Jansen, and Dave Fraser.

The amendments present a variety of possible seasons, open and closed trawling areas and options for bycatch caps. Arguments favoring one suite of alternatives over another focus on the assumed conservation benefits to the crab stocks and the presumed economic impact, to the crab and trawl fishing fleets. The SSC notes that the estimated net benefits depend on whether the 1993 or 1994 data are used. Moreover, the measure of net economic benefits defined in the EA/RIR (net value of groundfish minus net value of bycatch) does not incorporate all sources of benefits or costs. There are indications that actions other than status quo will negatively affect the trawl sector, and that the combined effects of selected caps, and season and area closures may impose significant costs on the trawl sector. Similarly, although there is general evidence that fishing gear alters benthic habitat, there is currently no clear evidence that actions beyond the status quo will provide measurable conservation benefits to the recovery of Bristol Bay red king crab. Further research may provide such evidence.

The implementation of the bycatch caps was subject to considerable discussion. Continuous and stepwise approaches both present implementation difficulties. If bycatch caps are indexed to estimated crab abundance,

they would be subject to substantial annual variation. Smoothing algorithms, such as moving averages, may stabilize the index and, consequently, the cap. Stepwise caps can result in large changes at the boundaries between steps. Continuously adjustable caps avoid this problem but may result in excessively low or high caps at the extremes of crab population abundance. The addition of floor and ceiling rates to the floating caps could help resolve this deficiency.

Additional concerns involved unobserved crab fishing mortality. This mortality can occur from direct interaction with fishing gear, or from indirect interactions through impacts on critical habitat. The EA/RIR provides a general overview of these potential impacts. Area closures have the potential to provide protection to juvenile and female crab populations that is not afforded by caps. Unfortunately, there is insufficient information to quantify the impacts of closures on crab rebuilding that would result from the protection of habitat or juvenile and female crab. If this type of protection is critical to rebuilding, then area closure and cap provisions represent complimentary management measures. The SSC notes that time-area closures, once imposed, are seldom removed.

The model indicates a small decrease in net value for the alternative Red King Crab Savings Area closures. Closure of the nearshore Bristol Bay was found to have a larger impact on net values. Reductions were estimated to be slightly more than \$1.0 million for both the 1993 and 1994 data. Data presented in Tables 5.14 and 5.15 (pages 177 and 178) suggests that these negative effects could be significantly reduced by allowing trawlers to fish in the two-block area between 159° and 160° longitude and 58° and 58°43' N latitude.

There is a need for research over the next few years to increase the level of biological interpretation of the effects of caps and area closures. For example, revised bycatch caps can be entered into the population dynamics model and effects on stock abundance and rebuilding schedule evaluated. Additional insight can be gained by improving estimates of the size distribution of crab taken as bycatch from the yellowfin sole fishery, this would require more size composition sampling. However, the impact of area closures cannot be modeled without additional survey monitoring, which is not currently planned.

C-5 IR/IU

The SSC heard a staff presentation by Lew Queirolo and Dave Colpo, and public testimony by Teressa Kandianis and John Gauvin.

Since the costs of producing products from bycatch that would otherwise be discarded were unavailable, results presented in the EA/RIR were reported in terms of gross "discard savings values". While the results are qualified in the analysis, the SSC notes that the costs of producing products from bycatch may exceed the reported discard savings values. The SSC recommends that the document be released for public review after this qualification has been emphasized.

It is likely that the alternatives being considered will affect some segments of the fleet more than others because small vessels have limited ability to accommodate additional onboard processing capacity. The costs to both industry and management are potentially burdensome and perhaps even prohibitive. Consequently, there may be unexpected outcomes for bycatch "utilization" as producers seek to minimize these costs. Option 1 appears to be the least costly of the alternatives because it offers producers the greatest flexibility to meet retention and utilization standards. The SSC remains concerned, as noted in our December 1995 minutes, that there may be other ways to achieve the Council's IR/IU objectives more effectively and at lower cost.

C-7 Overfishing Definition Amendment

The overfishing definition amendment was proposed by the SSC to address concerns raised by the Plan Teams, SSC and a NMFS Overfishing Panel. These concerns are listed in the EA/RIR. The SSC recommends adoption of Alternative 2 which revises the overfishing definition to provide a buffer between ABC and OFL and to reflect current scientific knowledge about conservative fishing practices. The Groundfish Plan Teams also recommend adoption of Alternative 2. If Alternative 2 had been in place in 1996, reductions in TAC would have been necessary only for GOA rex sole, sablefish, and shortraker/rougheye rockfish and some of the BS/AI rockfish complexes (Table 2). Furthermore, the changes required would have been 15% or less.

The SSC agreed to changes and corrections to the document suggested by the Plan Teams. In particular, the addition to Tier 6 of the language "unless an alternative value is established by the SSC on the basis of the best available scientific information" is desirable. Tier 6 represents those species for which only limited information is available. The added language provides additional flexibility to deal with developing fisheries or to make adjustments based on relative abundance, spatial distribution, or other such information.

C-9 Electronic Reporting

Galen Tromble (NMFS-AKR) reported on the proposed regulatory amendment to require groundfish processors to use electronic reporting and record keeping.

Two implementation phases are intended: daily and weekly production reports and check-in/check-out reports would be implemented in early 1997; electronic log books, vessel activity and product transfer reporting would be implemented in 1998. A prototype reporting system for phase 1 is to be field tested in the summer of 1996 on some two dozen catcher processors operating in the Gulf of Alaska. Chris Blackburn provided testimony supporting the regulatory amendment while suggesting: (1) stepwise implementation by small groups of processors, and (2) incorporation of back-up reporting procedures. The SSC supports electronic reporting as a means to speed the reporting and error checking of essential in-season fishery management information. We recommend this regulatory amendment be distributed for public review and that prototype field testing proceed.

In moving toward implementation of phase 1, the SSC recommends careful consideration of the following issues:

- (1) provision of technical support and assistance to industry;
- (2) back-up data reporting and storage;
- (3) implementation pace which allows for unique circumstances of some processors;
- (4) coordination of data collection efforts with other agencies reliant on similar information; and
- (5) coordination of reporting systems to minimize requirements on industry.

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Fax: (907) 271-2817

DRAFT

Certified by _____
DRAFT
Date _____

ADVISORY PANEL MINUTES JUNE 10-12, 1996 PORTLAND, OREGON

Advisory Panel members in attendance:

Bruce, John (Chair)	Jones, Spike
Benson, Dave	Lewis, John
Burch, Alvin	Madsen, Stephanie (Vice-Chair)
Cotton, Bruce	Nelson, Hazel
Cross, Craig	Paddock, Dean
Falvey, Dan	Roos, John
Fanning, Kris	Sevier, John
Fraser, Dave	Wurm, Robert
Fuglvog, Arne	Yeck, Lyle
Gundersen, Justine	Yutzenka, Grant

Advisory Panel members, Ragnar Alstrom and Scott Highleyman were absent.

C-1 Sablefish/Halibut IFQs

The AP recommends that the Council adopt Alternative 2, Option B modified to 1½% and including language that would allow initial quota share holders who currently exceed the second generation cap level to trade and sell their QS in the Area 4 region for halibut but not such that they may exceed their initial allocation. Motion carries 16/3.

MINORITY REPORT C-1 BSAI Halibut Ownership Caps

We, the undersigned members of the AP, are concerned about the extent of the AP's action on this issue. The language in the motion concerning quota trading appears to fully address the stated problem. To additionally increase the ownership caps will only further consolidate and upset the original balance of concerns crafted by the Council. Finally, the AP motion introduces too large a shift in the program given uncertainty over future action by the IPHC affecting Area 4.

Signed: Hazel Nelson Dan Falvey Stephanie Madsen

C-3 BSAI Pacific Cod Allocations

The AP recommends that the Council approve the agreement reached by the industry negotiating committee. Motion carried unanimously.

C-4 Crab Bycatch Issues

Bristol Bay Red King Crab Savings Area

The AP recommends that the Council adopt Alternative 2, Option B with a modification allowing the ability to set a sub-area cap for the area bounded by 56° to 56°10' of 35% of rocksole red king crab bycatch cap. The motion carried 12/7.

There was an additional motion to provide an opening for yellowfin sole between April 15 - May 15 in the area west of 163°, 56°30' N with a sub-area cap not to exceed 15,000 red king crab. (This opening would only occur during the years following a year in which a guideline harvest level for Bristol Bay red king crab is established). This motion failed 8/10.

Northern Bristol Bay Trawl Closure Area

The AP recommends that the Council adopt Alternative 3, Option A with modifications proposed by the Crab Plan Team — to prohibit all trawling on a year-round basis in the area east of 162°W with the exception of an area bounded by 159° to 160° W and 58° to 58°43' N that would remain open to trawling during the period April 1 to June 15 each year.

The AP further recommends rescinding the regulations allowing trawling for Pacific cod off Port Moller. Motion carries 14/3.

PSC Bycatch Limits

Snow Crab: The AP recommends that the Council adopt Alternative 1, status quo, no action. Motion carries 10/8.

Red King Crab: The AP recommends that the Council adopt Alternative 1, status quo, no action. Motion carries 10/9.

Tanner Crab: The AP was unable to pass a motion recommending an action on Tanner crab caps. Listed below is the sequence of motions attempted.

A motion recommending the Council adopt a floating cap based on 1% of the NMFS survey population estimate and will be based on a three-year rolling average. The rolling average will be buffered by assigning double weight to the most recent year when that year is below the average of the prior two years. The most recent year will be assigned a lesser weight by double weighting the prior two years when the most recent year is higher than the average of the preceding two years. (Distribution between Zone 1 and Zone 2 would remain the same.) A maximum limit on the cap will be 5 million animals. Motion failed on a 9/9 tie.

A motion to amend the percentage to 1.5% of survey population failed 7/11.

A motion to recommend Alternative 1, status quo, no action, failed on a 9/9 tie.

Additional Recommendations:

The AP supports the Crab Rebuilding Committee's recommendations on the necessity of re-evaluating closures and caps on a regular basis because crab abundance and distribution change over time. Motion carries unanimously.

The AP further recommends that all fishing for groundfish in the Red King Crab Savings Area and the 159° to 160° area will require 100% observer coverage. Motion carries unanimously.

C-5 Improved Retention/Improved Utilization

The AP remains committed to developing a workable IR/IU program in a timely manner. However, we recognize that some of the issues raised in the draft EA/RIR require further development and identification of alternatives before final action can be taken.

We, therefore, request that the Council release the draft EA/RIR for public comment during the month of July. We further request the Council refer the draft EA/RIR, and the public comments received, to the industry IR/IU Committee to explore some of these unresolved issues in August in order to take further action in September.

We specifically request public and committee comments on:

1. Implications of target fishery switching caused by IR/IU.
2. Effects of IR/IU on VIP rates.
3. Extent of conflict between IR/IU and moratorium/license limitation upgrade provisions.
4. Monitoring of the IU portion of the program.

Motion carries unanimously.

C-6 Ban on Night Trawling for Pacific Cod

The AP recommends that the analysis move forward with the following considerations:

1. Night should be defined as 11:00 pm until 5:00 am.
2. Check-in requirement for Pacific cod fishery (to deal with enforcement concerns).
3. Halibut bycatch data rates to be looked at by area (EBS, Aleutians, North of Pribilofs).
4. Enforcement issues about what constitutes a violation, i.e., doors on surface, bag in water, cod on board, short-wiring).

C-9 Electronic Reporting

The AP recommends that the Council recommend that NMFS implement electronic reporting requirements using a "phased" method which brings small segments of the industry on-line sequentially rather than bringing all segments on-line at the same time. This process would reduce start-up problems.

The AP also recommends an industry group of management, end-users and NMFS enforcement be formed to guide NMFS on the design and implementation of any program. Also NMFS retain a computer industry specialist who would assist NMFS in designing a competent program. The AP feels industry approval prior to implementation is critical.

AP notes the following concerns that should be addressed by an industry/NMFS group:

1. Observer reporting and the halibut/sablefish reporting should be incorporated with any electronic reporting plan to provide a comprehensive approach.
2. Any program should be cost-effective in transmission ability, i.e., report to NMFS simultaneously sent to home office.
3. Transmitted strings should avoid duplicative input, i.e., default fields for certain information.
4. Any program should interface with existing data entry software industry currently utilizes.

Motion carried unanimously.

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Fax (907) 271-2817

Certified: *Alan Bendig*
Date: 9/9/96

MINUTES Scientific and Statistical Committee June 10-12, 1996

The Scientific and Statistical Committee of the North Pacific Fishery Management Council met June 10-12, 1996 at the Red Lion Hotel in Portland, Oregon. All members were present except Sue Hills:

Terrance Quinn II
Doug Eggers
Rich Marasco
Jack Tagart, Vice Chair
Phil Rigby
Marc Miller

Keith Criddle, Chair
Al Tyler
Harold Weeks
Jim Balsiger
Doug Larson

B-1(d) Plan Team

The SSC endorses the nomination of Rich Ferrero to the BS/AI groundfish Plan Team. Rich has made valuable contributions as a member of the GOA Plan Team. The SSC also endorses the nominations of John Sease to the GOA Plan Team and Andy Smoker to the BS/AI Plan Team. Dr. Vivian Mendenhall's expertise in seabirds is an area not currently represented on either groundfish plan team.

C-2 Bering Sea Halibut Quotas

As an information item, the SSC received a report from Steve Hoag, IPHC, on the halibut quota apportionment methods for the Bering Sea.

C-3 Allocation of Pacific cod in the BSAI

The SSC heard a staff presentation by Marcus Hartley and Darrell Brannan. Public testimony was given by Joe Kyle and John Gauvin.

The May 10, 1996, draft of the EA/RIR for Amendment 46 to the BSAI Groundfish FMP addresses issues raised by the SSC at its April meeting. The SSC believes that the document contains information essential for the Council's discussion of the allocation of Pacific cod. The document examines how various action alternatives address the problems of compressed fishing seasons, periods of high bycatch, discards, new entrants from moratorium crossover provisions, non-target bycatch of cod, habitat concerns, and fishery stability.

The SSC notes that data limitations precluded the estimation of the net benefits of the alternatives. This is a problem that has hampered the development of many EA/RIRs prepared for the Council. A serious commitment by the Council, federal and state agencies, and industry is required to address this deficiency. The SSC recommends initiation of an ongoing data collection and economic modeling effort comparable to that used in stock assessments.

The SSC believes that the approach used by staff to analyze the impacts of the alternatives being considered may be appropriate for other cases where data limitations exist. The SSC cautions that the ranking system used to present the results could lead to the conclusion that differences in the impact of the various options are large when in reality they could be small. It would be helpful if the model constraints were presented in a flow chart or decision tree format.

The analysis illustrates the central role that current management institutions such as PSC caps, TAC limits, and in-season reapportionments have on the allocation of Pacific cod. The results predicted by the model will depend on the order in which fisheries reach their TAC or PSC limits and trigger reapportionments. The model results are also sensitive to the assumed catch and bycatch rates.

C-4(a) ADF&G Report on Crab Meeting

Drs. Gordon Kruse and Jie Zheng gave an overview of their Bering Sea/Aleutian Islands crab research and stock assessment program. Dr. Kruse provided an extensive review of past and ongoing stock identification, abundance estimation, stock productivity and harvest strategy research. Dr. Zheng reviewed the population dynamics models, outlined the status of available data for modeling and discussed present estimates of stock abundance and an analysis of potential stock rebuilding strategies. ADF&G engages in cooperative research with federal agency and University scientists, which is leading to increased knowledge about factors affecting these populations. Despite these advances, there is considerable uncertainty associated with these populations and the complex mechanisms affecting them. The reports prepared by ADF&G are very helpful in describing what is being done and what needs to be done.

C-4 BS/AI Crab Bycatch Issues

The SSC received a review of proposed changes to Amendment 37 and the revised analysis of Amendment 41 from Dave Ackley, ADF&G, and Dave Witherell. Former drafts of these amendments were reviewed by the SSC in January and April 1996. Peggy Murphy, ADF&G, provided a review of the Crab Plan Team's recommendations. Public testimony was given by John Gauvin Lisa Polito, Arni Thompson, Laura Jansen, and Dave Fraser.

The amendments present a variety of possible seasons, open and closed trawling areas and options for bycatch caps. Arguments favoring one suite of alternatives over another focus on the assumed conservation benefits to the crab stocks and the presumed economic impact, to the crab and trawl fishing fleets. The SSC notes that the estimated net benefits depend on whether the 1993 or 1994 data are used. Moreover, the measure of net economic benefits defined in the EA/RIR (net value of groundfish minus net value of bycatch) does not incorporate all sources of benefits or costs. There are indications that actions other than status quo will negatively affect the trawl sector, and that the combined effects of selected caps, and season and area closures may impose significant costs on the trawl sector. Similarly, although there is general evidence that fishing gear alters benthic habitat, there is currently no clear evidence that actions beyond the status quo will provide measurable conservation benefits to the recovery of Bristol Bay red king crab. Further research may provide such evidence.

The implementation of the bycatch caps was subject to considerable discussion. Continuous and stepwise approaches both present implementation difficulties. If bycatch caps are indexed to estimated crab abundance,

they would be subject to substantial annual variation. Smoothing algorithms, such as moving averages, may stabilize the index and, consequently, the cap. Stepwise caps can result in large changes at the boundaries between steps. Continuously adjustable caps avoid this problem but may result in excessively low or high caps at the extremes of crab population abundance. The addition of floor and ceiling rates to the floating caps could help resolve this deficiency.

Additional concerns involved unobserved crab fishing mortality. This mortality can occur from direct interaction with fishing gear, or from indirect interactions through impacts on critical habitat. The EA/RIR provides a general overview of these potential impacts. Area closures have the potential to provide protection to juvenile and female crab populations that is not afforded by caps. Unfortunately, there is insufficient information to quantify the impacts of closures on crab rebuilding that would result from the protection of habitat or juvenile and female crab. If this type of protection is critical to rebuilding, then area closure and cap provisions represent complimentary management measures. The SSC notes that time-area closures, once imposed, are seldom removed.

The model indicates a small decrease in net value for the alternative Red King Crab Savings Area closures. Closure of the nearshore Bristol Bay was found to have a larger impact on net values. Reductions were estimated to be slightly more than \$1.0 million for both the 1993 and 1994 data. Data presented in Tables 5.14 and 5.15 (pages 177 and 178) suggests that these negative effects could be significantly reduced by allowing trawlers to fish in the two-block area between 159° and 160° longitude and 58° and 58°43' N latitude.

There is a need for research over the next few years to increase the level of biological interpretation of the effects of caps and area closures. For example, revised bycatch caps can be entered into the population dynamics model and effects on stock abundance and rebuilding schedule evaluated. Additional insight can be gained by improving estimates of the size distribution of crab taken as bycatch from the yellowfin sole fishery, this would require more size composition sampling. However, the impact of area closures cannot be modeled without additional survey monitoring, which is not currently planned.

C-5 IR/IU

The SSC heard a staff presentation by Lew Queirolo and Dave Colpo, and public testimony by Teressa Kandianis and John Gauvin.

Since the costs of producing products from bycatch that would otherwise be discarded were unavailable, results presented in the EA/RIR were reported in terms of gross "discard savings values". While the results are qualified in the analysis, the SSC notes that the costs of producing products from bycatch may exceed the reported discard savings values. The SSC recommends that the document be released for public review after this qualification has been emphasized.

It is likely that the alternatives being considered will affect some segments of the fleet more than others because small vessels have limited ability to accommodate additional onboard processing capacity. The costs to both industry and management are potentially burdensome and perhaps even prohibitive. Consequently, there may be unexpected outcomes for bycatch "utilization" as producers seek to minimize these costs. Option 1 appears to be the least costly of the alternatives because it offers producers the greatest flexibility to meet retention and utilization standards. The SSC remains concerned, as noted in our December 1995 minutes, that there may be other ways to achieve the Council's IR/IU objectives more effectively and at lower cost.

C-7 Overfishing Definition Amendment

The overfishing definition amendment was proposed by the SSC to address concerns raised by the Plan Teams, SSC and a NMFS Overfishing Panel. These concerns are listed in the EA/RIR. The SSC recommends adoption of Alternative 2 which revises the overfishing definition to provide a buffer between ABC and OFL and to reflect current scientific knowledge about conservative fishing practices. The Groundfish Plan Teams also recommend adoption of Alternative 2. If Alternative 2 had been in place in 1996, reductions in TAC would have been necessary only for GOA rex sole, sablefish, and shortraker/rougheye rockfish and some of the BS/AI rockfish complexes (Table 2). Furthermore, the changes required would have been 15% or less.

The SSC agreed to changes and corrections to the document suggested by the Plan Teams. In particular, the addition to Tier 6 of the language "unless an alternative value is established by the SSC on the basis of the best available scientific information" is desirable. Tier 6 represents those species for which only limited information is available. The added language provides additional flexibility to deal with developing fisheries or to make adjustments based on relative abundance, spatial distribution, or other such information.

C-9 Electronic Reporting

Galen Tromble (NMFS-AKR) reported on the proposed regulatory amendment to require groundfish processors to use electronic reporting and record keeping.

Two implementation phases are intended: daily and weekly production reports and check-in/check-out reports would be implemented in early 1997; electronic log books, vessel activity and product transfer reporting would be implemented in 1998. A prototype reporting system for phase 1 is to be field tested in the summer of 1996 on some two dozen catcher processors operating in the Gulf of Alaska. Chris Blackburn provided testimony supporting the regulatory amendment while suggesting: (1) stepwise implementation by small groups of processors, and (2) incorporation of back-up reporting procedures. The SSC supports electronic reporting as a means to speed the reporting and error checking of essential in-season fishery management information. We recommend this regulatory amendment be distributed for public review and that prototype field testing proceed.

In moving toward implementation of phase 1, the SSC recommends careful consideration of the following issues:

- (1) provision of technical support and assistance to industry;
- (2) back-up data reporting and storage;
- (3) implementation pace which allows for unique circumstances of some processors;
- (4) coordination of data collection efforts with other agencies reliant on similar information; and
- (5) coordination of reporting systems to minimize requirements on industry.