

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

Certified by John Bruce
Date 6/12

ADVISORY PANEL MINUTES APRIL 15-18, 1996 ANCHORAGE, ALASKA

Advisory Panel members in attendance:

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

Advisory Panel member, John Sevier, was absent Monday, Tuesday and Thursday. The AP approved the January 1996 meeting minutes unanimously.

C-2 Crab Bycatch Issues

The AP recommends that the Council send out the EA/RIR for public review with the following changes:

Bering Sea/Aleutian Islands

Bristol Bay Red King Crab Savings Area

1. Add Alternative 2, Option C: closure from January 1 to August 1.
2. Add Alternative 2, Option D: close area based on modified version of the old pot sanctuary.
 - Boundaries of the closure would close all waters in the Bering Sea east of a line originating at Cape Constantine, extending to 58° 10' N, 160° W to 57° 10' N, 163° W to 56° 30' N, 163° W to 56° 30' N, 164° W, then south to 56° N. After April 1, this closure would extend south to the Alaska Peninsula.

- This option would require 100% observer coverage for fishing north of 58° and east of 162° and would be limited to May and June (see attached chart).
- Further, the area between 163° and 164° between 56°30' and 57°00' would not open until April 1 and would be closed upon reaching a red king crab cap in a range of 5,000 to 15,000 red king crab. (Note this alternative deals with both Bristol Bay Red King Crab Savings Area and nearshore Bristol Bay Trawl Closure Area.)

PSC Caps

- Alternative 3: reduce the lower end of Tanner crab caps to .10.
- Alternative 3: reduce the lower end of red king crab caps to .10.
- Alternative 2: range of 1.5 - 2.1 million in Zone 2.
- Alternative 2: add Option C — 6 million opilio PSC cap.

Nearshore Bristol Bay Trawl Closure Area

1. Alternative 5, Option A: allow fishing north of 58° and east of 160° to 159° as recommended by crab rebuilding committee. This option requires 100% observer coverage.

Additionally, the AP recommends that the Council include in the analysis:

1. Recision of trawl exemption area of Port Moller, as described by the crab rebuilding committee.
2. Based on trawl survey, plot species that correlate with crab habitat as identified in the EA/RIR.
3. Economic analysis should examine impacts of different TACs for pollock and other groundfish.
4. Model run to combine all three actions: crab savings area, critical habitat areas, and caps.
5. Plot highest CPUE of yellowfin sole by block, by month.
6. Chart to include all closed areas identified in Appendix 5, page 177, for the Bering Sea/Aleutian Islands, Gulf of Alaska as well as closures in state waters.

Motion carries unanimously (21/0).

The AP remains concerned about the impacts of different types of fishing gear on habitat and unobserved mortality. We encourage the Crab Rebuilding Committee and Crab Plan Team to pursue research into these areas. Motion carried 16/3/2 abstentions.

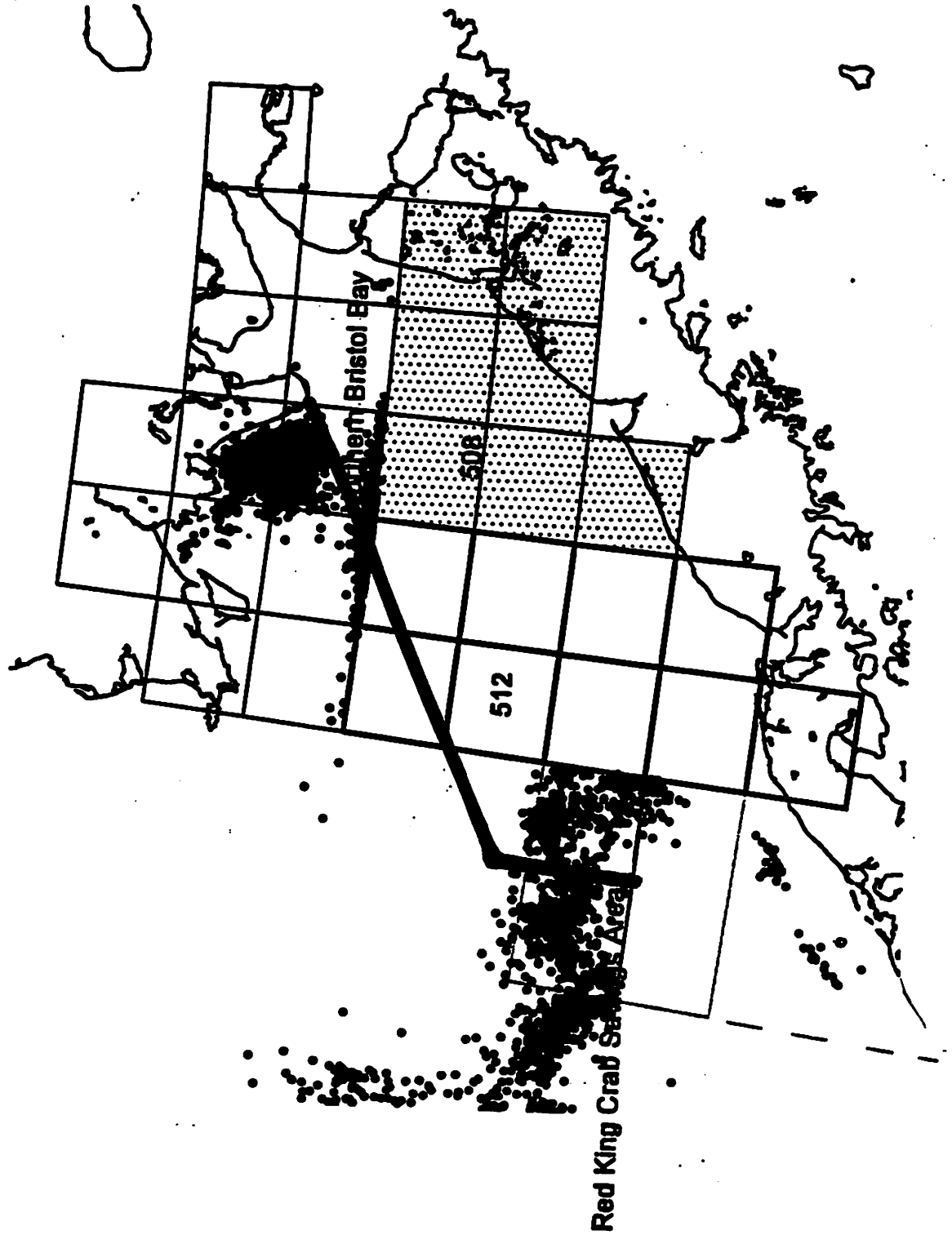
C-1 BSAI Pacific Cod Allocations

In the interest of addressing the biological, economic and regulatory changes which have occurred in the Pacific cod fishery, the AP recommends that the EA/RIR of Pacific cod allocation be released for Public Review with Option 4, 5, 6 and 7 deleted. Further, the trawl apportionment option be based upon a 3-year historical total catch.

The AP additionally recommends that staff incorporate anecdotal information regarding the pot fleet's participation and harvest ability to date in the 1996 Pacific cod fishery.

The AP also requests that the Council form a group of fishermen and processors to negotiate percentages before the June meeting.

1988 JV yellowfin sole fishery.



The AP further recommends that the analysis include discussion of disposition of any halibut PSC not utilized by an allocation of Pacific cod. Such discussion should include possible reallocation of halibut as PSC and returning saved halibut to the biomass for allocation by the IPHC. Motion carries 11/10.

In recognizing the importance of addressing these changes, the AP recommends that the analysis be released without delay. Main motion carries 16/6.

MINORITY REPORT C-1 PACIFIC COD ALLOCATIONS

The recommendations of the AP regarding the EA/RIR do not fully address the biological, economic and regulatory changes that have occurred in the Pacific cod fishery. We feel that the narrow range of options recommended by the AP is far too restrictive in perspective to allow for a full and objective review of the issue.

Additionally, while the merits of the constructive industry dialogue could be extremely beneficial in a final determination, a Council mandate for a conclusion from a negotiation or for that conclusion to be binding is not acceptable, as such, a conclusion may not fully address the issues referenced in the Pacific cod allocation problem statement.

Signed: Spike Jones
 Kris Fanning
 John Bruce
 Rob Wurm
 Arne Fuglvog

C-1(b) Ban on Night Trawling for Pacific Cod

The AP recommends that the Council direct staff to proceed with an analysis of a ban on night trawling for Pacific cod and development of an amendment. The analysis should include an evaluation of a check-in requirement declaring the directed fishery for that vessel. Also, a range of options should be included for determining start/stop times.

The AP further recommends the formation of an industry group (trawlers) to develop the elements of the plan. This group would also include NMFS enforcement. The AP received a status report on the trawl web regulations from NMFS. The AP requests the Council to encourage NMFS to work with a trawl committee as soon as possible to resolve outstanding issues related to the physical definition of a codend as well as enforcement problems related to the directed fishing standards. The AP requests that the Council initiate consideration of a check-in requirement to eliminate these concerns. Motion carries 15/1.

C-3 Observer Program

The AP recommends extending the existing Observer Program for one year until a final decision on a replacement plan can be made. Funds collected for the start-up of the Research Plan should be returned. The motion carried 9/6. [This replaced a motion retaining funds.]

We further request that the OAC continue to meet and attempt to identify the total cost of the third party program and any additional programs, and any mitigation measures for reducing the impact of the third-party plan on 30%

vessels. The results of these meetings should be incorporated into the EA/RIR in addition to an updated evaluation of labor costs under the Research Plan.

The AP believes this action is necessary to make an informed decision between the Research Plan and the Third Party Plan. The motion carries unanimously (16/0).

C-4 Sablefish/Halibut IFQs

In regards to Amendment 43 for the BSAI FMP and GOA FMP, the AP recommends that the Council adopt Alternative 2, Option A to increase halibut to 3,000 lbs and Alternative 3, Option A to increase sablefish to 5,000 lbs. Both sweep ups will be in 1996 quota share units that yield the appropriate poundage. Motion carries 11/10.

A motion recommending Alternative 2, Option B and Alternative 3, Option B failed 10/10.

The AP recommends that the EA/RIR allowing sablefish pot longlines in the Bering Sea and increasing halibut QS use caps in the BSAI be sent out for public review, with the following additions:

Sablefish Pot Longlines in the Bering Sea

Option C to allow the use of "C" class (under 60') catcher vessels sablefish quota shares in the Bering Sea when harvested with pot gear by a class "B" (over 60') vessel.

Halibut QS Use Caps in BSAI

Add a section describing the unused quota share in the Bering Sea.
Motion carries unanimously.

C-5 Improved Retention and Utilization

The AP recommends development of an EA/RIR for Improved Retention and Utilization for pollock, Pacific cod, rocksole and yellowfin sole. The analysis should focus on Option 2, a species-based approach, and should address the issues and concerns contained in the IR/IU Committee report. We further recommend that the analysis should:

1. include pollock, Pacific cod, shallow flatfish and rex sole in the Gulf of Alaska,
2. identify as a goal:
 - a. utilizing the resource for human consumption to the greatest extent possible, and
 - b. provide incentives for avoidance of unwanted and unmarketable catch.

Implementation should be as soon as possible but no later than 1998 for pollock and Pacific cod with a 5-year phase-in beginning at 60% retention for the flatfish species. It is important that implementation be concurrent in the Bering Sea/Aleutian Islands and Gulf of Alaska.

The AP commends the IR/IU Committee for its work and recommends that the committee continue to meet and work on details as the analysis proceeds and the program develops.

The motion carried unanimously.

D-1 Groundfish Management — Pollock Trimester

The AP requests that the Council amend the regulations implementing Amendment 45, establishing GOA pollock trimesters, to reflect a September 1 opening for the 3rd trimester in the western Gulf. Motion carries 17/2.

D-1(a) Pollock 'B' Season Delay

The AP recommends that the Council adopt Alternative 2 — delay the start of the B season; the season would open on September 1. Motion carries 9/8/3. [Note: This motion was substituted for the original motion to adopt Alternative 1, status quo.]

MINORITY REPORT D-1(a) Pollock "B" Season Delay

The 'B' season delay proposal originated at the request of a factory trawl company interested in salmon processing opportunities which may never materialize given the market conditions of the past few years. We feel that groundfish regulatory measures should primarily focus on the specifics of the fisheries being regulated by the Council and that the current starting date is appropriate based on the EA/RIR which balances bycatch impacts on chum and chinook, balances CPUE and yield considerations with safety concerns of catcher boats about fishing after the equinox, and that August 15 is the optimum date. Further, the Alternative 2 option adopted by the AP does not address the impacts on yellowfin sole of separate start dates.

Signed: Dave Fraser
 Pete Maloney
 Stephanie Madsen
 Dave Benson
 Lyle Yeck
 Al Burch

D-1(b) Overfishing Definition

The AP recommends the EA/RIR be sent out for public review, noticing the following concerns:

1. The AP is concerned with the Favg in regards to squid and requests a discussion of implications of this approach over time, especially in regard to a non-target species.
2. The AP has the same concern as squid with other pelagic shelf rockfish in the GOA.
3. The AP requests clarification of Favg to "other species" in the Bering Sea.

D-1(c) DSR License Limitation

The AP recommends that if a license limitation program goes forward for the DSR fishery, it would be included in the Groundfish License Limitation Program. Motion carries 13/6/1.

A motion to recommend an analysis be initiated for a DSR License Limitation using the elements and options outlined by the Sitka Rockfish Workgroup submittal dated April 10, 1996, failed on a vote of 8/10.