

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver *Chris*
Executive Director

DATE: May 23, 2005

SUBJECT: Staff Tasking

ESTIMATED TIME 4 HOURS

ACTION REQUIRED

- (a) Review tasking and committees and provide direction
- (b) Groundfish Management Policy and Workplan

BACKGROUND

- (a) Review tasking and committees and provide direction

The list of Council committees is attached as Item D-4(a)(1). Item D-4(a)(2) is the three meeting outlook, and Item D-4(a)(3) and Item D-4(a)(4) are the summary of current projects, timelines, and tasking. The Council may wish to discuss tasking priorities to address previously tasked projects that have not yet been initiated, and potential additions discussed at this meeting, given resources necessary to complete existing priority projects. Further, our 'normal' amendment cycle begins with a call for proposals in June. The Council may want to discuss whether to go out with a call for proposals to amend the FMP or regulations, and if so, consider focusing on specific issues related to the programmatic goals and objectives of the groundfish FMPs (see below).

- (b) Groundfish management policy and workplan

In adopting the revised management policy for the groundfish FMPs in April 2004, the Council committed to conduct an annual review of the forty-five objectives that are part of the management policy. Specifically, the FMP language reads:

Adaptive management requires regular and periodic review. Objectives identified in the management policy statement (Section 2.2) will be reviewed annually by the Council. The Council will also review, modify, eliminate, or consider new issues, as appropriate, to best carry out the goals and objectives of the management policy.

The management approach statement and the 45 objectives are included in the FMP, and are attached as Item D-4(b)(1).

In June 2004, the Council developed a workplan to bring groundfish management in line with its revised management policy. This workplan is reviewed by the Council at each meeting as part of the staff tasking agenda item, and is posted on the Council's website. The workplan, updated to reflect the current status of each item, and its relationship to the management objectives, is attached as Item D-4(b)(2).

At this meeting, the Council is scheduled to review the policy objectives. Item D-4(b)(3) provides a summary of the objectives which may help the review.

Any additions, deletions, or modification to the objectives will require an FMP amendment. The type of NEPA document that would be required to support any change to the objectives will depend on the nature of the change; we would need to determine whether the suggested change has already been analyzed in the PSEIS, and if so, whether there were any significant environmental effects associated with the action.

The Council is also scheduled to redevelop the workplan, as necessary. Some of the items on the workplan have been achieved; the revised workplan might replace these items with other emerging priorities from the management policy.

NPFMC Committees and Workgroups

Revised May 26th, 2005

AGENDA D-4(a)(1)
JUNE 2005

AP Committee

<p><u>Status:</u> Idle</p> <p>Staff: Chris Oliver</p>	<p>Roy Hyder, Chair Dennis Austin [Vacant]</p>
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Council/Board of Fisheries Joint Protocol Committee

<p>Updated: 7/28/03</p> <p>Staff: Jane DiCosimo</p>	<p><u>Council</u> Dave Benson Hazel Nelson Doug Hoedel</p>	<p><u>Board</u> Mel Morris Art Nelson Ed Dersham</p>
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Council/Board of Fisheries Interim Joint Protocol Committee

<p>Appointed April 2005</p> <p>Staff: Chris Oliver</p>	<p><u>Council</u> Stephanie Madsen Dave Benson Sue Salveson</p>	<p><u>Board</u> Mel Morris Art Nelson Ed Dersham</p>
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Council Chairman and Executive Director Committee

<p>Appointed April 2005</p> <p>Staff: Chris Oliver</p>	<p><u>CFMC:</u> C: Eugenio Pinerio ED: Miguel Rolon</p> <p><u>GMFMC</u> C: Julie Morris ED: Wayne Swingle</p> <p><u>MAFMC</u> C: Ricks Savage ED: Dan Furlong</p> <p><u>NEFMC</u> C: Francis Blount ED: Paul Howard</p>	<p><u>NPFMC:</u> C: Stephanie Madsen ED: Chris Oliver</p> <p><u>PFMC:</u> C: Donald Hansen ED: Don McIsaac</p> <p><u>SAFMC:</u> C: Louis Daniel ED: Robert Mahood</p> <p><u>WPFMC:</u> C: Roy Morioka ED: Kitty Simonds</p>
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NPFMC Committees and Workgroups

Revised May 26th, 2005

Council Executive Committee

Updated: 2/3/05	Chair: Stephanie Madsen Dennis Austin Jim Balsiger Doug Mecum Roy Hyder
Staff: Chris Oliver	

Crab Interim Action Committee

[Required under BSAI Crab FMP]

Dennis Austin, WDF Jim Balsiger, NMFS Doug Mecum, ADF&G

Ecosystem Committee

Updated: January 2005	Chair: Stephanie Madsen Jim Balsiger Doug DeMaster John Iani Dave Fluharty Jim Ayers Dave Benton
<u>Status:</u> Active	
Staff: Chris Oliver/David Witherell/Diana Evans	

Enforcement Committee

Updated: July 2003	Chair: Roy Hyder Earl Krygier, ADF&G James Cockrell, F&W Protection Jeff Passer, NMFS-Enforcement Al McCabe, USCG - Cerne Sue Salvesson, NMFS-Mgmt. Lisa Lindeman, NOAA - GC
<u>Status:</u> Active	
Staff: Chris Oliver	

Finance Committee

Updated: 2/3/05	Chair: Stephanie Madsen Dennis Austin Jim Balsiger Doug Mecum Dave Hanson Roy Hyder Richard Marasco
<u>Status:</u> Meet as necessary	
Staff: Gail Bendixen/Chris Oliver	

NPFMC Committees and Workgroups

Revised May 26th, 2005

Fur Seal Committee

Updated: 7/25/03	Chair: David Benson Anthony Mercurief Larry Cotter Paul MacGregor Aquilina Lestenkof Steve Minor
<u>Status:</u> Active	
Staff: Bill Wilson	

GOA Community Committee

Appointed: November 2004	Chair: Hazel Nelson Patrick Norman Chuck Totemoff Julie Bonney Chuck McCallum Joe Sullivan Ernie Weiss Duncan Fields
Staff: Nicole Kimball	

Halibut Charter IFQ Implementation

<u>Status:</u> Pending SOC submittal

IFQ Implementation Committee

<u>Status:</u> Reconstituted as shown (July 2003).	Chair: Jeff Stephan Bob Alverson Arne Fuglvog/Cora Crome Dennis Hicks Don Iverson Don Lane	Gerry Merrigan Kris Norosz Paul Peyton David Soma
Staff: Jane DiCosimo		

IRIU Technical Committee

Appointed: 7/12/02	Chair: Dave Hanson Michelle Ridgway Susan Robinson John Henderschedt Donna Parker Eric Olson Greg Baker Gerry Merrigan	Teressa Kandianis Matt Doherty Bill Orr Ed Richardson Dave Wood
<u>Status:</u> Pending reconstitution		
Staff: Jon McCracken Marcus Hartley, Northern Econ. Lauren Smoker, NOAA GC		

NPFMC Committees and Workgroups

Revised May 26th, 2005

Magnuson-Stevens Act Reauthorization Committee

<p><u>Status</u>: Pending appointment of additional members.</p> <p>Staff: Chris Oliver</p>	<p>Chair: Stephanie Madsen Dennis Austin Doug Mecum Roy Hyder John Bundy</p>
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Non-Target Committee

<p>Updated: 8/6/04 Appointed: 7/26/03</p> <p>Staff: Jane DiCosimo, Sarah Gaichas, NMFS</p>	<p>Chair: Dave Benson Jule Bonney Karl Haflinger Whit Sheard Michelle Ridgway Eric Olson Lori Swanson Dave Wood Janet Smoker Paul Spencer</p>
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Observer Advisory Committee

<p>Updated: February 2004</p> <p><u>Status</u>: Active</p> <p>Staff: Chris Oliver/ Nicole Kimball</p>	<p>Chair: Joe Kyle LeeAnne Beres Julie Bonney Pete Risse Kim Dietrich [Alt: Gillian Stoker] John Gauvin Rocky Caldero</p>	<p>Tracey Mayhew Paul MacGregor Bob Mikol Kathy Robinson Susan Robinson Arni Thomson Jerry Bongen Brent Paine</p>
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Pacific Northwest Crab Industry Advisory Committee

<p>Updated: 6/2/04</p> <p>Staff: Diana Stram</p>	<p>Chair: Steve Minor Keith Colburn Lance Farr Phil Hanson Kevin Kaldestad Garry Loncon Gary Painter</p>	<p>Rob Rogers Clyde Sterling Gary Stewart Tom Suryan Vic Sheibert Arni Thomson, Secretary [non -voting]</p>
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NPFMC Committees and Workgroups

Revised May 26th, 2005

Steller Sea Lion Mitigation Committee

Appointed: 2/10/01 Updated: Jan 2004 Pending membership adjustment [formerly SSL RPA Committee; renamed at Feb 02 meeting] Staff: Bill Wilson	Chair: Larry Cotter David Benson Jerry Bongen Julie Bonney Shane Capron Tony DeGange Doug DeMaster Steve Drage John Gauvin Sue Hills	John Iani Terry Leitzell Denby Lloyd Chuck McCallum Matt Moir Bob Small Beth Stewart Farron Wallace John Winther
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U.S.-Russia International Committee

<u>Status:</u> Pending reconstitution. Staff: Chris Oliver	Chair: Stephanie Madsen Dennis Austin John Bundy Earl Krygier CDR. Mike Cerne
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VMS Committee

Appointed: 06/02 <u>Status:</u> Idle, pending direction Staff: Jane DiCosimo	Chair: Earl Krygier Al Burch Guy Holt	Bob Mikol Ed Page CDR Mike Cerne Lori Swanson
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DRAFT NPFMC THREE-MEETING OUTLOOK - updated 5/23/05

June 1, 2005 Girdwood, Alaska	October 3, 2005 Anchorage, Alaska	December 5, 2005 Anchorage, Alaska
<p>NPRB research projects: Receive report AFSC Fishery Interaction research: Receive report</p> <p>CDQ Management of Reserves: Status report</p> <p>Bairdi Crab Amendment: Initial Review Crab Plan Team report: Action as necessary</p> <p>Proposed rule for EFH (VMS) & Am 79: Provide Comments</p> <p>GOA Rockfish Demonstration: Final Action</p> <p>GOA Rationalization: Action as necessary</p> <p>BOF/NPFMC pollock fishery sub-committee: Receive Report</p> <p>MMPA List of Fisheries EA: Action as necessary</p> <p>Flatfish IRIU Am 80: Initial Review</p> <p>Observer Program: Preliminary Review</p> <p>PSEIS Workplan: Discuss</p> <p>AI Special Management Area: Review Discussion Paper Council role in EAM: Review Discussion Paper</p> <p>GOA Other Species Calculation: Final Action</p> <p>BSAI P.cod sector allocations: Receive Report on seasonal allocation and alternative management measures</p> <p>BSAI salmon bycatch: Initial Review</p>	<p>CDQ Management of Reserves: Initial Review (T)</p> <p>Bairdi Crab Amendment: Final Action (T) Crab Management: Review SAFE report</p> <p>BS Habitat Conservation: Review strawman problem statement and alternatives, and finalize for analysis</p> <p>GOA Rationalization: Action as necessary</p> <p>IFQ Omnibus 5 Amendments: Initial Review (T)</p> <p>Halibut Charter GHL: Status Report and action as necessary Halibut Charter IFQ Cost Recovery: Review Discussion Paper (T) Halibut Charter IFQ: Review Proposed Rule (T)</p> <p>BOF/NPFMC pollock fishery sub-committee: Receive Report</p> <p>Flatfish IRIU Am 80: Final Action (T) ^{INITIAL ✓}</p> <p>Rockfish Management: Review Discussion Paper</p> <p>Groundfish specs for 2006/07: Adopt proposed specs</p> <p>SAFE Ecosystem Chapter: Review</p> <p>Non-target species mgmt: Discussion/direction</p> <p>BSAI P.cod sector allocations: Action as Necessary (T)</p> <p>BSAI salmon bycatch: Final Action (T); Discuss Package B</p>	<p>CDQ Management of Reserves: Final Action (T)</p> <p>Crab Overfishing: Initial Review (T)</p> <p>GOA Rationalization: Initial Review (T)</p> <p>IFQ Omnibus 5 Amendments: Final Action (T)</p> <p>Observer Program: Initial Review (T)</p> <p>Groundfish specs for 2006/07: Adopt final specs Groundfish SAFE Report: Review</p> <p>BSAI P.cod sector allocations: Initial Review (T)</p>

TAC - Total Allowable Catch
 BSAI - Bering Sea and Aleutian Islands
 IFQ - Individual Fishing Quota
 AFA - American Fisheries Act
 HAPC - Habitat Areas of Particular Concern
 LLP - License Limitation Program
 PSC - Prohibited Species Catch

MSA - Magnuson Stevens Act
 GOA - Gulf of Alaska
 SSL - Steller Sea Lion
 BOF - Board of Fisheries
 EFP - Exempted Fishing Permit
 CDQ - Community Development Quota
 IRIU - Improved Retention/Improved Utilization

SAFE - Stock assessment and fishery evaluation
 VMS - Vessel Monitoring System
 EAM - Ecosystem Approach to Management
 SSC - Scientific & Statistical Committee
 FMP - Fishery Management Plan
 DPSEIS - Draft Programmatic Groundfish SEIS
 (T) Tentatively scheduled

Council Project Summary Updated May 24, 2005

Mandated Actions	Projected Weeks	Council/ NMFS %	Comments
GOA Rockfish Demonstration Program	1	80/20	Final Action in June (Mark/Jim)

Council Priorities

GOA Rationalization	?	90/10	Committee Report in June (Jane,Mark,Nicole, Elaine, contractors, NMFS)
IR/IU flatfish adjustments (Am 79)	0	80/20	Amendment 79 being prepared for Secretarial review
IR/IU flatfish trailing amendments (Am 80)	6	80/20	Initial Review in June (Jon /contract help)
Halibut Charter IFQ	1	90/10	Being prepared for Secretarial Review (Jane/NMFS)
Break out other species category into TAC groups	?	?	Initial Review in April 2006 (T) (Jane/NMFS)
Non-target (other rockfish, other flatfish, other species) development	?	80/20	Discuss in Oct 05 (Jane/NMFS).
Rockfish management discussion paper	3	80/20	Review in Oct 2005. (Jane/NMFS)
Observer Program (fee and deployment mechanism)	10	80/20	Initial review in June (Nicole/Chris)
Aleutian Islands Special Management Area	10	90/10	Discussion paper in June (Diana E.)
BSAI Pacific cod Allocations	?	90/10	Clarify alternatives in June (Nicole/ contract help?)

Other Projects Previously Tasked

BSAI Salmon Bycatch	4	80/20	Initial Review in June (Diana S./NMFS)
GOA other species calculation		20/80	Final Action in June (Diana S./NMFS)
GOA Dark Rockfish	?	?	Initial Review in February 2006? (Diana S./NMFS)
Bering Sea <i>C. bairdi</i> split	3	90/10	Initial Review in June (Mark/Jon)
IFQ Omnibus Package	6	90/10	Initial Review in October (Jane)
SR/RE retention	4	80/20	Not started. (Jane/NMFS)
Repeal of VIP	2	0/100	Delayed (NMFS)
GOA Salmon and Crab Bycatch Controls	12	80/20	Review bairdi areas and trigger levels in June (Diana S./Cathy/ADF&G)
Opilio VIP	2	50/50	Not started -Pending action on existing VIP
Catch/bycatch disclosure (vessel level)	2	70/30	Discussion paper - Postponed

Other Projects Previously Tasked (Continued)

Paper on fee/loan program for IFQ Charter (NMFS?)	1	10/90	Awaiting Secretarial Approval (NMFS)
Groundfish overfishing definitions	?	10/90	FR notice on NS 1 forthcoming
Subsistence halibut amendment	0	90/10	Being prepared for NMFS Review (Jane/NMFS)
AFA s/b caps to quotas and trawl LLP recency	10	80/20	Pending further Council direction
Charter IFQ Community Set-Aside analysis	6	90/10	Awaiting Secretarial Approval (Nicole)
Industry proposal for pollock bycatch	?	90/10	Pending proposal and Council Direction
Crab Overfishing definition revision	?	10/90	Initial review in April 06 (NMFS/ADF&G/Diana S)
CDQ eligible communities	?	20/80	Pending due to possible Legislation (Nicole)
CDQ Amendment 71 (a) Investment in non-fisheries projects	0	20/80	Being prepared for Secretarial Review (Nicole)
CDQ Amendment 71 (b) Oversight and Allocation	8	50/50	Initial Review in 2005 (NMFS/Nicole)
CDQ quota transfers and alternative plans	0	10/90	Awaiting approval by SOC; comments closed 12/27/04 (NMFS/Nicole)
CDQ: Management of CDQ Reserves	1	10/90	Status report in June (NMFS/Nicole)
Bering Sea habitat conservation	4	50/50	Discuss in October (NMFS/Cathy)
Ecosystem-based Management	?	Oct-90	Discuss in June (Diana E.)

Project timeline and major tasking for council staff. Updated 5/24/05

Analytical Staff	June	July	August	September	October	November	December
David Witherell, Deputy Director Administrative MPAs National Meeting Coordination			proceedings printed				
Mark Fina, Sr. Economist GOA Rationalization C. bairdi split GOA Rockfish Project (Lead)	discuss				Final Action	forward analysis to NMFS	
Jon McCracken, Economist Am. 80 IRIU Misc. economic assistance	Initial Review		forward analysis to NMFS		Final Action	forward analysis to NMFS	
Jim Richardson, Economist GOA Rockfish Project (assist) Misc. econ. assistance							
Elaine Dinneford, Fishery Analyst Data Support (all projects) EcoSAFE, GOA bycatch AKFIN Liaison							
Jane DiCosimo, Sr. Plan Coord GOA Rationalization NEPA Lead IFQ Omnibus Package Rockfish Management Other species/non-target				AFS mtg 9/11-15			
					Initial Review		
	Cmtee. Mtg.		Cmtee. Mtg.	Plan Team 9/20-22		Plan Team 11/14-18	
Diana Stram, Plan Coordinator GOA Salmon/Crab Bycatch (Lead) BSAI Salmon bycatch (Lead) GOA Other spp. Crab Overfishing GOA dark rockfish	PWS Workshop 6/12-14			AFS mtg 9/11-15			
	Initial Review				Final Action (T)	forward analysis to NMFS	
	Final Action		forward analysis to NMFS				
				CPT mtg (3 days) Plan Team 9/20-22		Plan Team 11/14-18	
Bill Wilson, Protect Species Protected species issues State pollock fishery Ecosystem based mgmt	AFS meeting Coordination			AFS mtg 9/11-15			
Diana Evans, NEPA Specialist AI Special Management Am 80 impact analysis NEPA assistance	Review Disc paper						
	Initial Review						
Cathy Coon, Fishery Analyst GOA Salmon/Crab Bycatch (assist) BSAI Salmon bycatch (assist)	Initial Review				Final Action (T)	forward analysis to NMFS	
Nicole Kimball, Fishery Analyst GOA Community Provisions CDQ Projects Observer Program Analysis Community Issues BSAI P.cod Allocation			Prelim. Review		OAC meeting		Initial Review
							Initial Review

Excerpt from chapter 2 of the BSAI [GOA] Groundfish FMPs

2.2 Management Approach for the BSAI [GOA] Groundfish Fisheries

The Council's policy is to apply judicious and responsible fisheries management practices, based on sound scientific research and analysis, proactively rather than reactively, to ensure the sustainability of fishery resources and associated ecosystems for the benefit of future, as well as current generations. The productivity of the North Pacific ecosystem is acknowledged to be among the highest in the world. For the past 25 years, the Council management approach has incorporated forward looking conservation measures that address differing levels of uncertainty. This management approach has in recent years been labeled the precautionary approach. Recognizing that potential changes in productivity may be caused by fluctuations in natural oceanographic conditions, fisheries, and other, non-fishing activities, the Council intends to continue to take appropriate measures to insure the continued sustainability of the managed species. It will carry out this objective by considering reasonable, adaptive management measures, as described in the Magnuson-Stevens Act and in conformance with the National Standards, the Endangered Species Act (ESA), the National Environmental Policy Act, and other applicable law. This management approach takes into account the National Academy of Science's recommendations on Sustainable Fisheries Policy.

As part of its policy, the Council intends to consider and adopt, as appropriate, measures that accelerate the Council's precautionary, adaptive management approach through community-based or rights-based management, ecosystem-based management principles that protect managed species from overfishing, and where appropriate and practicable, increase habitat protection and bycatch constraints. All management measures will be based on the best scientific information available. Given this intent, the fishery management goal is to provide sound conservation of the living marine resources; provide socially and economically viable fisheries for the well-being of fishing communities; minimize human-caused threats to protected species; maintain a healthy marine resource habitat; and incorporate ecosystem-based considerations into management decisions.

This management approach recognizes the need to balance many competing uses of marine resources and different social and economic goals for sustainable fishery management, including protection of the long-term health of the resource and the optimization of yield. This policy will use and improve upon the Council's existing open and transparent process of public involvement in decision-making.

2.2.1 Management Objectives

Adaptive management requires regular and periodic review. Objectives identified in this policy statement will be reviewed annually by the Council. The Council will also review, modify, eliminate, or consider new issues, as appropriate, to best carry out the goals and objectives of this management policy.

To meet the goals of this overall management approach, the Council and NMFS will use the Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement (PSEIS) (NMFS 2004) as a planning document. To help focus consideration of potential management measures, the Council and NMFS will use the following objectives as guideposts, to be re-evaluated, as amendments to the FMP are considered over the life of the PSEIS.

Prevent Overfishing:

1. Adopt conservative harvest levels for multi-species and single species fisheries and specify optimum yield.
2. Continue to use the 2 million mt optimum yield cap for the BSAI groundfish fisheries. [Continue to use the existing optimum yield cap for the GOA groundfish fisheries.]
3. Provide for adaptive management by continuing to specify optimum yield as a range.
4. Provide for periodic reviews of the adequacy of F_{40} and adopt improvements, as appropriate.
5. Continue to improve the management of species through species categories.

Promote Sustainable Fisheries and Communities:

6. Promote conservation while providing for optimum yield in terms of the greatest overall benefit to the nation with particular reference to food production, and sustainable opportunities for recreational, subsistence, and commercial fishing participants and fishing communities.
7. Promote management measures that, while meeting conservation objectives, are also designed to avoid significant disruption of existing social and economic structures.
8. Promote fair and equitable allocation of identified available resources in a manner such that no particular sector, group or entity acquires an excessive share of the privileges.
9. Promote increased safety at sea.

Preserve Food Web:

10. Develop indices of ecosystem health as targets for management.
11. Improve the procedure to adjust acceptable biological catch levels as necessary to account for uncertainty and ecosystem factors.
12. Continue to protect the integrity of the food web through limits on harvest of forage species.
13. Incorporate ecosystem-based considerations into fishery management decisions, as appropriate.

Manage Incidental Catch and Reduce Bycatch and Waste:

14. Continue and improve current incidental catch and bycatch management program.
15. Develop incentive programs for bycatch reduction including the development of mechanisms to facilitate the formation of bycatch pools, vessel bycatch allowances, or other bycatch incentive systems.
16. Encourage research programs to evaluate current population estimates for non-target species with a view to setting appropriate bycatch limits, as information becomes available.
17. Continue program to reduce discards by developing management measures that encourage the use of gear and fishing techniques that reduce bycatch which includes economic discards.
18. Continue to manage incidental catch and bycatch through seasonal distribution of total allowable catch and geographical gear restrictions.
19. Continue to account for bycatch mortality in total allowable catch accounting and improve the accuracy of mortality assessments for target, prohibited species catch, and non-commercial species.

20. Control the bycatch of prohibited species through prohibited species catch limits or other appropriate measures.
21. Reduce waste to biologically and socially acceptable levels.

Avoid Impacts to Seabirds and Marine Mammals:

22. Continue to cooperate with U.S. Fish and Wildlife Service (USFWS) to protect ESA-listed species, and if appropriate and practicable, other seabird species.
23. Maintain or adjust current protection measures as appropriate to avoid jeopardy of extinction or adverse modification to critical habitat for ESA-listed Steller sea lions.
24. Encourage programs to review status of endangered or threatened marine mammal stocks and fishing interactions and develop fishery management measures as appropriate.
25. Continue to cooperate with NMFS and USFWS to protect ESA-listed marine mammal species, and if appropriate and practicable, other marine mammal species.

Reduce and Avoid Impacts to Habitat:

26. Review and evaluate efficacy of existing habitat protection measures for managed species.
27. Identify and designate essential fish habitat and habitat areas of particular concern pursuant to Magnuson-Stevens Act rules, and mitigate fishery impacts as necessary and practicable to continue the sustainability of managed species.
28. Develop a Marine Protected Area policy in coordination with national and state policies.
29. Encourage development of a research program to identify regional baseline habitat information and mapping, subject to funding and staff availability.
30. Develop goals, objectives and criteria to evaluate the efficacy and suitable design of marine protected areas and no-take marine reserves as tools to maintain abundance, diversity, and productivity. Implement marine protected areas if and where appropriate.

Promote Equitable and Efficient Use of Fishery Resources:

31. Provide economic and community stability to harvesting and processing sectors through fair allocation of fishery resources.
32. Maintain the license limitation program, modified as necessary, and further decrease excess fishing capacity and overcapitalization by eliminating latent licences and extending programs such as community or rights-based management to some or all groundfish fisheries.
33. Provide for adaptive management by periodically evaluating the effectiveness of rationalization programs and the allocation of access rights based on performance.
34. Develop management measures that, when practicable, consider the efficient use of fishery resources taking into account the interest of harvesters, processors, and communities.

Increase Alaska Native Consultation:

35. Continue to incorporate local and traditional knowledge in fishery management.
36. Consider ways to enhance collection of local and traditional knowledge from communities, and incorporate such knowledge in fishery management where appropriate.
37. Increase Alaska Native participation and consultation in fishery management.

Improve Data Quality, Monitoring and Enforcement:

38. Increase the utility of groundfish fishery observer data for the conservation and management of living marine resources.
39. Develop funding mechanisms that achieve equitable costs to the industry for implementation of the North Pacific Groundfish Observer Program.
40. Improve community and regional economic impact costs and benefits through increased data reporting requirements.
41. Increase the quality of monitoring and enforcement data through improved technology.
42. Encourage a coordinated, long-term ecosystem monitoring program to collect baseline information and compile existing information from a variety of ongoing research initiatives, subject to funding and staff availability.
43. Cooperate with research institutions such as the North Pacific Research Board in identifying research needs to address pressing fishery issues.
44. Promote enhanced enforceability.
45. Continue to cooperate and coordinate management and enforcement programs with the Alaska Board of Fish, Alaska Department of Fish and Game, and Alaska Fish and Wildlife Protection, the U.S. Coast Guard, NMFS Enforcement, International Pacific Halibut Commission, Federal agencies, and other organizations to meet conservation requirements; promote economically healthy and sustainable fisheries and fishing communities; and maximize efficiencies in management and enforcement programs through continued consultation, coordination, and cooperation.

General Priority (in no particular order of importance)	Specific priority actions	Related to management objective:	Status (updated 5-23-05)	2005			2006				
				Jun	Oct	Dec	Feb	Apr	Jun	Oct	Dec
Protection of Habitat	a. complete EFH action as scheduled	27	Amendment approved by Council								
	b. recommend to NOAA Fisheries increased mapping of benthic environment	29									
	c. develop and adopt definitions of MPAs, marine reserves, etc.	30	discussion paper presented in Feb 05								
	d. review all existing closures to see if these areas qualify for MPAs under established criteria	30	discussion paper presented in Feb 05								
	e. evaluate effectiveness of existing closures	26	discussion paper presented in Feb 05								
Bycatch Reduction	a. complete rationalization of GOA fisheries	17 (32)	analysis ongoing	■	■	■					
	b. complete rationalization of BSAI non-pollock fisheries	17 (32)	partially addressed through IRIU Amd 80 (initial review Jun 05); also Pacific cod sector allocations (initial review Oct or Dec 05)	■	■	■					
	c. explore incentive-based bycatch reduction programs	15	partially addressed through GOA rationalization; BSAI salmon bycatch initial review in Jun 05	■	■						
	d. explore mortality rate-based approach to setting PSC limits	20									
	e. consider new management strategies to reduce incidental rockfish bycatch and discards	17	discussion paper in Oct 05	■	■						
Protection of Steller Sea Lions	a. continue to participate in development of mitigation measures to protect SSL including development of an EIS and participation in the ESA jeopardy consultation process	23	Council/BoF committee is tracking proposals to open areas to a State pollock fishery that may require re-initiation of SSL ESA consultation								
	b. recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat	23	on hold pending completion of recovery plan								
Prevent Overfishing	a. continue to participate in the development of "lumping and splitting" criteria	5	'other species' breakout analysis initiated; non-target actions on hold pending National Standard 1 guideline revisions	■	■	■	■	■	■	■	■
	b. consider new harvest strategies for rockfish	4	discussion paper in Oct 05	■	■						
	c. set TAC at or < ABC	1	Amendment approved by Council								
Ecosystem Management	a. revisit calculation of OY caps	11, 4	research paper presented to SSC in Feb 05								
	b. recommend to NOAA Fisheries and participate in the development and implementation of ecosystem indicators as part of stock assessment process	10	development ongoing; ecosystem SAFE chapter to be presented each year; PICES workshop to develop indicators for the BS		■				■		
Improve Data Quality and Management	a. expand or modify observer coverage and sampling methods based on scientific data and compliance needs	38, 39	preliminary review Jun 05; initial review scheduled for Dec 05 or Feb 06	■	■	■	■	■	■	■	■
	b. develop programs for economic data collection that aggregate data	40	partially addressed through GOA rationalization								
	c. modify VMS to incorporate new technology and system providers	41									

Management Objectives from the Groundfish FMPs

* indicates that objective is reflected on Council's workplan

Goal	Objectives relating to actions already established as part of groundfish management program (does not preclude further actions under these objectives)	Objectives relating to actions currently under Council consideration	Objectives relating to actions that are on hold from Council consideration, or have not yet been initiated	Objectives relating to considerations that are applied to all management actions
Prevent Overfishing	2. Use existing OY caps. 3. Specify OY as a range.	*4. Periodic reviews of F ₄₀ and adopt improvements *5. Improve management through species categories		1. Adopt conservative harvest levels
Promote Sustainable Fisheries and Communities				6. Promote conservation while providing for OY 7. Promote management measures that avoid social and economic disruption 8. Promote fair and equitable allocation 9. Promote safety
Preserve Food Web	12. Limit harvest on forage species.	*10. Develop indices of ecosystem health *11. Improve ABC calculations to account for uncertainty and ecosystem		13. Incorporate ecosystem considerations in fishery management
Manage Incidental Catch and Reduce Bycatch and Waste	14. Continue and improve current incidental catch and bycatch program 18. Continue to manage incidental catch and bycatch through seasons and areas 19. Account for bycatch mortality in TAC accounting *20. Control prohibited species bycatch through PSC limits	*15. Develop incentive programs for bycatch reduction *17. Develop management measures that encourage techniques to reduce bycatch	16. Encourage research for non-target species population estimates	21. Reduce waste to biologically and socially acceptable levels

Goal	Objectives relating to actions already established as part of groundfish management program (does not preclude further actions under these objectives)	Objectives relating to actions currently under Council consideration	Objectives relating to actions that are on hold from Council consideration, or have not yet been initiated	Objectives relating to considerations that are applied to all management actions
<i>Avoid Impacts to Seabirds and Marine Mammals</i>	22. Continue to protect ESA-listed and other seabirds *23. Maintain or adjust SSL protection measures 25. Continue to protect ESA-listed and other marine mammals		24. Encourage review of marine mammal and fishery interactions	
<i>Reduce and Avoid Impacts to Habitat</i>	*27. Identify EFH and HAPC, and mitigate fishery impacts as necessary		*26. Review and evaluate efficacy of habitat protection measures for managed species 28. Develop MPA policy *29. Encourage research on baseline habitat mapping *30. Develop goals and criteria for MPAs; implement as appropriate	
<i>Promote Equitable and Efficient Use of Fishery Resources</i>		*32. Maintain LLP and initiate rights-based management programs	33. Periodically evaluate effectiveness of rights-based management programs	31. Provide economic and community stability through fair allocation 34. Consider efficiency when adopting management measures
<i>Increase Alaska Native Consultation</i>			36. Consider ways to enhance local and traditional knowledge collection 37. Increase Alaska Native participation in fishery management	35. Incorporate local and traditional knowledge into fishery management
<i>Improve Data Quality, Monitoring, and Enforcement</i>		*38. Increase utility of observer data *39. Develop equitable funding mechanisms for the NPGOP	*40. Increase economic data reporting requirements *41. Improve technology for monitoring and enforcement 42. Encourage development of an ecosystem monitoring program	43. Cooperate with NPRB to identify needed research 44. Promote enforceability 45. Coordinate management and enforcement programs with Federal, State, international, and local partners

June 1, 2005

Northpoint Fisheries Inc.
Stormbird Inc.

North Pacific Fisheries Management Council
172nd Plenary Session

Testimony of Mr. Ludger Dochtermann; Alaskan fishermen since 1974

RE: GOA Rationalization

Mr. Secretary of Commerce, Governor Murkowski and members of the North Pacific Fisheries Management Council:

I am testifying in opposition to any further rationalization processes in the fisheries under the jurisdiction of the NPFMC.

My name is Ludger Dochtermann. My family lives in Kodiak, Alaska. I am a fisherman and have been since 1974; and unlike many of the proponents of "RATIONALIZATION," I fish on both of my 90-foot long vessels throughout many different seasons of the year. I love to be on the ocean. And I love to catch fish in an environmentally conservative way. I am a fixed-gear fisherman who fishes with pots and hook-and-line. I am extremely bycatch conscious.

The real reason though that I became a fisherman was not for lust of money or glory or adventure, I like eating crab, my favorite food. So, I came to Kodiak in 1973, for this was where a large sign at the airport proclaimed that it was the "KING CRAB CAPITAL OF THE WORLD."

I arrived with \$3.72 in my pocket and started as a crab processor in Alitak. My bonus skiff in 1974, a \$650.00 Evinrude, two skates of halibut gear, a fishing license – and I was embarked on my fishing career. I crewed for salmon and crab and tendered for seven years.

In 1979, I bought the 30-foot F/V Swallow, to fish halibut. Various larger leased boats followed, until for that fishery, in 1983, the trusty 90-foot F/V Bel Air became my mistress – and I her slave. Now, 21 years later, and after 17 years of Bering Sea crab seasons, which included the sinking of the Bel Air and our miraculous escape, we must again fight for the survival of the coastal communities and the fishermen who are the backbone of this industry.

I recount this brief history only to show you the opportunities that have always existed in Alaska for hard working people to realize the AMERICAN DREAM. This cherished dream will wither and die a mournful death at the collusive hands of foreign and domestic processing

corporations, trawl interests and United States and State of Alaska "Fish Managers" who are bound and extremely determined to re-shackle ALASKA. This will come to pass if any further rationalization is instituted.

Rationalization is an irrational process that attempts to fix alleged problems in fisheries. But in reality, it is a transparent attempt to privatize a public resource for the enrichment of processing and trawl industries' interests and trawl boat owners. The catch phrases they use to justify their greedy actions are: Safety, Race for Fish, Quality, and Resource Conservation. Phrases only, they are not backed up by any solid facts.

The facts speak for themselves and I have spoken to them in my previous testimony – which all of you have been sent copies of. Let me give you an example of how the first two issues – "SAFETY" and "RACE FOR FISH" – were addressed as driving forces of crab rationalization, and how they have not been fulfilled.

I was in Seattle last month, where the processor whom I deliver my crab to told me that my King Crab now has to be delivered in a period between October 15 and the end of October, 2005 – a compressed period of two, maybe three weeks. I was further informed that my Opilio Crab will have to be delivered in a three-week period starting on January 16, 2006. We will have to continue to fish during the worst weather of the year, just like in the past.

Nothing has changed even though the season will be open for months, as the processors will call the shots and tell us exactly when to fish. The RACE FOR FISH has been intensified, not ABATED, by the "Wise Sages" on the Board of Fisheries, who upped the pot limits to 450 pots – so that the big boats can once again pre-empt the grounds. The rationale for this was the ploy that it would help conservation by letting small crabs escape the pots. Yet the footprint that this larger number of pots will leave on the ocean floor is far more ecologically detrimental than any extra 'escape time' benefits.

QUALITY is not an issue that has been remedied by Crab Rationalization. As we have seen, NO issues were remedied at all. The opposite is true. The trawl fleet – major proponents of this management system – will never improve the quality of their catch. A squashed fish will always remain so. We will have to establish another bureaucracy now to administer the program which will be funded with the 3% tax on revenues of the crab fleet. And again, we will have to fish in the worst weather times of the year – just as before 'rationalization.' What happened to being RATIONAL?

In 1998, there were 74 trawl vessels fishing in Kodiak, while this year there were 26. How does the steep reduction of vessels in this trawl fleet increase the race for fish? There is more fishing time now and the processing plants are busy longer.

Resource preservation is another catch phrase bantered about. How would rationalization improve preservation? A bottom trawl by its very nature is a non-selective, wasteful fishing practice. The bycatch caps for Halibut in the GOA are 2,000 metric tons – which equals 4,400,000 pounds – or 10% of the Halibut TAC. There will be no ‘improvements.’ As their solution, the Groundfish Databank – mouthpiece of the trawl fleet – would simply like an increase of the halibut caps to 8,000 metric tons – 16.8 million pounds – in the GOA, so that they can fish year around on other species. How will resource conservation be aided by this measure? The logical outcome of increased hard-on-bottom trawling with millions of pounds more of wasteful bycatch going over the side.

To improve resource conservation, bycatch caps should be significantly ratcheted down for all species. Canadian trawlers were quite successful when their Department of Fisheries Organization (DFO) threatened them with a complete shutdown. And we can institute successful change here, too. It’s a matter of will, not wider allowances for waste.

BYCATCH:

BYCATCH is not something I have a lot of, as during two recent trips fishing for Halibut in GOA area 3A, we caught 82,000 pounds of Halibut and 2,500 pounds of Black Cod, 450 pounds of Rockfish, 8 Skates, and 17 Arrowtooth Flounder. Total discards were approximately 400 pounds. If there were markets for the bycatch, we would have brought it in, as well.

Likewise, our Cod and Crab operations are virtually bycatch-free. And what goes back over the side is alive and well.

To show you what real bycatch is, let’s look at a recent example of a trip for a Kodiak Trawler fishing for Rocksole. After 5 days of fishing and many tows when \$14,500 of product was delivered, well over 75% of the total catch went over the side – most of it squashed dead. So much Halibut and Pacific Cod and other future stock-builders were discarded that the fisherman, from whom I got this eyewitness report, said he would not go out on any bottom trawler, ever again, just out of deep personal concern for the havoc of this obviously wanton waste. Such trawling efforts are not a means to a sustainable ocean fishery, they are a means of hastening its ultimate destruction.

Of course – there was no observer on board.

Whether or not the halibut bycatch was fully logged, we do not know. But if NOAA ENFORCEMENT wishes to investigate, I will be glad to furnish a trip date. And if the NPFMC would like to interview this fisherman, he would be willing and able to testify.

With a 30% level of observer coverage, the true extent of the bycatch by the trawl fleet is only conjecture. In order to obtain realistic, fact-based bycatch data, I am requesting the Secretary of Commerce and the NPFMC to mandate for the year 2006, a 100% level of observer coverage on all GOA trawlers for this bycatch MUST be 'weighed' and fully assessed by independent witnesses, not estimated.

No further changes in management plans must occur until "REALISTIC DATA" can be made available for analysis. Afterwards, bycatch caps can be instituted – after proper public input. Foremost, there must be bycatch caps on incidental crab takes by such trawlers.

Since the Magnusson-Stevens Act is being REAUTHORIZED, we would like to introduce Amendment(s) that will require 100% observer coverage on bycatch-intensive vessels every 7 years (or every 5 years, with reduced yet strong observation during all other years). This is the only way the Act's standards for utilization of best scientific data in fisheries policy-making can be realized.

One of the main reasons for Alaskan statehood in 1959 was to throw off the chains of the Federal Government and to spring the yoke of the Seattle fish processors. The playing field has changed since then. Now, 46 years later, most of the processors are foreign-based and the profits accrue to them overseas through convoluted Transfer Pricing schemes which defraud the United States and the State of Alaska out of hundreds of millions of dollars each year, or more.

It took almost half a century for them to reapply the collar of servitude. This would not have been possible without direct aid by the overbearing, arrogant vehicles of enslavement: the NMFS, NPFMC and certain State of Alaska bureaucrats.

GULF GROUND FISH RATIONALIZATION is the final link in the chains once again binding our fishing economy in servitude. Once this final link is welded into place, the yoke Alaskan fishermen will toil under will become permanent.

The License Limitation Program that is in effect at this time is quite adequate for federal waters. No increase in participants is possible, therefore there is no need for any form of rationalization. This holds true for the state water fishery as well.

In light of the absence of concrete facts underpinning Rationalization, it obviously is not in the best interests of the State of Alaska or the United States. The consequences of these fundamental socio-economic changes are undermining the Free Market economy of this country. Before any more changes in management regimen are instituted, there MUST BE extensive research by an independent entity, which is not beholden to or influenced by the participating parties. Parameters for the study should include a list of requirements that are generated at the local level, in the coastal communities – such as the local Fish and Game Advisory Boards, in

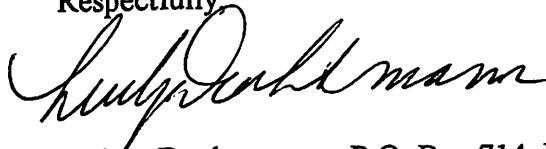
cooperation with elected (not appointed) officials. Polling of ALL participants – especially the fishing CREWMEMBERS that will bear the greater brunt of these far-reaching changes, is essential.

The NPFMC – which is overwhelmingly controlled by processing, trawl and bureaucratic interests, must curtail these draconian, oligarch-creating dictations. For they are contrary to the best interests of ALASKA and ALASKANS. Balance needs to be restored to make this a functioning body that will represent ALL the people involved in fishery commerce – not just the chosen few.

We want NO PROCESSOR QUOTA GRANTS, NO PROCESSOR LINKAGES – COOPS, ASSOCIATIONS, OR OTHER MEANS OF INDENTURED SERVITUDE that clearly violate the 13th Amendment to the Constitution of the United States of America, which appropriately addressed the previous history of enslavement and forever forbid any further such human domination in this great Nation.

Logic and Facts alone dictate that wiser decisions be made, and that Greed should not rule over Communities of Free Citizens.

Respectfully,



Ludger Dochtermann; P.O. Box 714; Kodiak, Alaska 99615. Tel. 907-486-5450.

Enforcement Committee Report June 2005

The Enforcement Committee met on June 2, 2005, with members Roy Hyder, CAPT Gillory, Jeff Passer, Sue Salveson, Garland Walker, Herman Savikko, and Jim Cockrell. Additional attendees included Jane DiCosimo, Jon McCracken, Darrell Brannan, Lew Queirolo, Obren Davis, Jennifer Watson, Jeff Hartman, CMDR Mike Cerne, LT Al McCabe, Ken Hansen, Dave Wood, and Donna Bondioli.

The Amendment 80 monitoring plan to implement monitoring standards for quota allocation systems was presented Sue Salveson. The committee clarified that video monitoring could be used to comply with the monitoring plan and that these standards would also apply to the non-AFA and CDQ fleet.

Rockfish Pilot Program monitoring issues were highlighted by Jennifer Watson.

Dr. Lew Queirolo presented estimated costs of the proposed VMS requirements for GOA and AI EFH-HAPC. The committee noted that some of 168 AI vessels might be the same as some of the 928 GOA vessels (and should not be totaled). It also noted that the 558 small vessels that operate only in State waters would either have to comply with VMS or shed their Federal Fishing Permit (except an FFP is not required for the halibut fishery). The committee discussed the assumption that small vessels would have double the failure rate of VMS. The committee discussed that the selections for potential GOA exemptions for VMS requirements in the cost analysis were based on previous small boat exemptions in the regulations, although this may not be applicable due to the nature of the need for VMS (habitat protection).

NOAA Fisheries has expressed a strong recommendation that VMS is necessary to implement EFH-HAPC regulations. Linkage of VMS requirement to the FFP limits EFH-HAPC protection by potentially limits effectiveness in state waters).

Jeff Passer made general comments on the process and proposed regulations for VMS. Jeff referred to the Draft Council motion dated February 3, 2003 that called for "Under all alternatives, evaluate how VMS and/or a secure on-board tracking system may or may not improve enforcement." Jeff stated that he was disappointed when this analysis was not done, and it appeared that Enforcement had asked for VMS requirements late in the process. If the goal of these regulations is to protect EFH/HAPC, then prohibitions and enforcement measures should be applied to those vessels which have the ability to cause habitat damage. The proposed regulations apply only to Federally Permitted vessels. Allowing a fishery such as the ling cod dinglebar fishery to be exempted from the regulations does not appear to be a measure which would protect the areas. An example given was citing a halibut longline fisherman who is fishing 1/2 mile outside the Fairweather HAPC for not carrying VMS, while he watches a dinglebar vessel drag its gear lawfully through the HAPC.

NOAA Enforcement and the US Coast Guard supports VMS in all fisheries. This extends beyond HAPC protection. There are gains in enforcement efficiencies from VMS due to increasing regulatory complexity, expansive closed areas, and longer fishing seasons resulting from various rationalization programs. In addition, the impact of non-compliance with EFH/HAPC is extreme when compared with other reasons for closures. Coast Guard's recommendations to change the shape of the closed areas should not be interpreted that it has the resources to enforce the HAPC closures in southeast without VMS.

NOAA Fisheries does not enforce closures in state waters until the State of Alaska takes complementary action nor does it manage the ling cod fishery; however it does manage all vessels in federal waters in relation to marine fisheries under a different type of authority.

The Enforcement Committee recommended its support of the proposed VMS requirement for EFH-HAPC protection. The committee recognized that the regulatory analysis concludes that there are additional costs to small vessels, but defers such economic decisions on small boat exemptions to the Council. The committee recognized that it has a safety concern with a small boat exemption, which may provide fishermen an economic incentive to fish on smaller, exempted vessels.

1. The committee recommended that the Council request that the Alaska Board of Fisheries adopt complementary habitat protection measures in Aleutian Islands area state waters, including VMS.
2. The committee recommended that VMS be applied to all vessels using bottom contact gear in federal waters of the GOA, including vessels participating in state managed fisheries (i.e., the dinglebar fishery for ling cod). Tying VMS only to vessels with a federal fisheries permit would not cover all vessels using bottom contact gear.

There were no comments on the enforcement precepts paper.

The committee recommends that the operating rules for the committee regarding its agenda be amended according^{ly}. The committee's agenda is primarily to examine issues directed to them by the Council, but may raise additional items related to safety, enforcement issues, or other unintended consequence to past Council action to its agenda.

The committee discussed potential mechanisms for conveying the enforcement committee's recommendations to the Advisory Panel. The committee discussed that its recommendations could be presented following each staff report on agenda items for which it has recommendations. This will be discussed further in October 2005.

Groundfish Forum

Testimony to NPFMC on implementation of Amendment 79 Final Rule
June 10, 2005

We have been given to understand that the final rules for Amendment 79 and Amendment 80 will have different monitoring and enforcement requirements, and that the requirements under Amendment 80 will exceed those of 79. We do not know what will be required under either final rule (79 or 80), but have been told that the following components are likely to be included:

Amendment 79:

- Two observers
- Flow scales and scale testing equipment
- Certified observer sampling station
- Observer must be able to see and sample all fish from a single point in the factory (i.e., the factory cannot run two lines simultaneously)
- No mixing of hauls

Amendment 80 additional requirements:

- No codend dumping until the observer is on deck
- No fish can leave the live tank until all fish are removed from the codend and the observer is in the factory
- No one allowed in the bins while fish are flowing across the scale
- Possible increased space at the observer sampling station to accommodate larger sample sizes (to be elaborated in future versions of the analysis)
- An approved Vessel Monitoring Plan, requiring a minimum of 30 business days for approval after the completed plan is submitted
- Scale drawings of all belts (angle, speed and length), bin doors (location and size), sorting areas, flow scales, live tanks, deck space with tank openings, location of monitoring tools and sampling station.

The draft EA/RIR for Amendment 80 also states that "To the extent that observer sample sizes may increase, vessels may have to modify their fishing practices to accommodate these work restrictions" (pages 177-178).

If Amendment 79 is implemented prior to Amendment 80, the differing requirements could result in major duplicative expenses as factories are refit to meet the first rule and operate under a race for fish, then refit again to meet the second rule with additional demands while operating in a rationalized fishery.

The best way to avoid these duplicative expenses is to implement the two rules simultaneously. We ask the Agency to review this idea to determine if there is any way that can be done. If, in fact, it is not possible to do this, we ask the Council to recommend implementation of the final rule for Amendment 79 in January of 2008, with an initial implementation rate of 65%.

Implementation date

Implementation in 2006 is clearly not practicable, since the final rule will not be published until October 2005 at the earliest. The affected vessels would not have enough time to confirm the requirements, make the necessary design changes, contract the work and schedule the yard time to have everything in place in time to begin fishing on January 20th 2006.

It will take significant time to re-design a factory to accommodate all of the requirements that are mandated in the final rule, even if they are exactly as we have been given to understand. In addition, we can reasonably foresee the need to make more modifications when the final rule for Amendment 80 is implemented. The combined costs of the refits can be reduced by considering the anticipated changes under Amendment 80 when designing the modifications for Amendment 79.

For example, under Amendment 79 a vessel will need to have a certified sampling station which still allows the vessels to process as quickly as possible, to maximize production under a race for fish. Under Amendment 80, the size of the sampling station may need to be increased to accommodate the storage of larger samples. The vessel may also choose to install more sorting and grading equipment to be able to process different species, or sizes of fish, which it could not afford to retain in a race for fish. If these additional changes aren't considered in the initial refit, there could be very significant unnecessary costs in the second refit.

We understand that Amendment 80 may include a requirement for a Vessel Monitoring Plan, which will require 30 business days for review and approval by the Agency. Developing this plan and reviewing it with the Agency should certainly be done prior to making modifications for Amendment 79, to be sure that unnecessary costs can be avoided.

The final rule must be implemented at the start of the year, given that the GRS is an annual standard. It is simply not realistic for factory managers and engineers to consider all of the requirements and confirm the most efficient way to accommodate both Final Rules (79 and 80), hopefully with input from the Agency, and contract/purchase/install all of the equipment in the fourteen months from October 2005 to January 2007. The first reasonable implementation date is January 2008.

Initial retention standard

When the Council approved Amendment 79 in June of 2003, it anticipated that the affected vessels would likely not be able to form coops during the first year a standard was imposed. It chose an initial implementation standard of 65% recognizing that this might be a realistically attainable goal given that vessels could not gain the benefits in efficiency that coops provide, and that the standard would be applied to individual vessels. If it is not possible to link implementation of the final rule for Amendment 79 with the final rule for Amendment 80, this rationale still applies.



Alaska Marine Conservation Council

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D-4

June 8, 2005

Stephanie Madsen, Chair
North Pacific Fishery Management Council
604 W. 4th Avenue
Anchorage, AK 99501

Re: Agenda Item D-4 Staff Tasking and IR/IU Amendment 79

Dear Ms. Madsen and Members of the North Pacific Fishery Management Council,

The NPFMC is considering a request to delay implementation of IR/IU Amendment 79, the Bering Sea groundfish retention standard, until Amendment 80 can be implemented simultaneously. We urge you not to delay this important provision for bycatch reduction.

The NPFMC has been working on advancing IR/IU in the Bering Sea flatfish trawl fisheries since Amendment 49 passed in 1997. Several delays and accommodations have been made since then in response to the requests from the fleet. The most recent accommodation, Amendment 79, requires an overall groundfish retention standard for these fisheries, which we believe is the minimum that should be required of the fleet given its high discards. We believe the fleet has had ample time to come to terms with the 1996 Magnuson-Stevens Act requirement to "minimize bycatch to the extent practicable."

We urge you to implement Amendment 79 on the current schedule while you continue developing Amendment 80.

Sincerely,

Dorothy Childers
Executive Director

Brent C. Paine
3491 Andree Dr.
Anchorage, Alaska 99517

May 25, 2005

Ms. Stephanie Madsen
North Pacific Fishery Management Council
605 W. 4th Ave., Suite 306
Anchorage, Alaska 99501

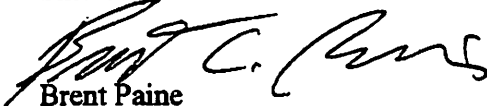
Agenda Item D-4, Staff Tasking


Dear Ms. Madsen:

We are writing on behalf of the various sectors that participate in the Bering Sea/Aleutian Islands pollock fishery to request Council consideration of a revised start date for the "A" season pollock fishery. Representatives of our respective organizations will be available at the June NPFMC meeting to testify as to potential problems with the current January 20th start date and to request that Council staff be tasked to prepare a white paper that discusses the issues associated with an earlier BSAI Pollock "A" season start date.

Issues to be explored in a white paper include but are not limited to: 1) economic implications associated with the current start date; 2) alternative dates for the start of the fishery; 3) bycatch implications of an earlier start date; and 4) possible effects of such a change on protected species such as Steller sea lions.

Sincerely,


Brent Paine
United Catcher Boats



Kevin Duffy
At-Sea Processors Association

P O Box 20676
Juneau, AK 99802
(907) 523-0731
(907) 523-0732 fax



Marine Conservation Alliance

promoting sustainable fisheries to feed the world

- Alyeska Seafoods
- Alaska Druggers Association
- Alaska Groundfish Data Bank
- Alaskan Leader Fisheries
- Alaska Pacific Seafoods
- Aleutian Islands Brown Crab Coalition
- Aleutian Pribilof Island Community Development Association
Akulon, Akia, False Pass, Nelson Lagoon, Nikolski, St. George
- At-Sea Processors Association
- Bristol Bay Economic Development Corp.
Akwagaik, Clark's Point, Olingham, Egegik, Ekuk, Ekwok, King Salmon, Leavock, Manokotak, Naknek, Pilot Point, Port Heiden, Portage Creek, South Naknek, Toqoiq, Twin Hills, Ugashik
- Central Bering Sea Fishermen's Association
St. Paul
- City of Unalaska
- Coastal Villages Region Fund
Chetana, Chivak, Esk, Goodnews Bay, Hooper Bay, Kipruk, Kongiganak, Kwigillingok, Makoyak, Napakiak, Napakiak, Newtok, Nightmute, Oscarville, Platinum, Quinhagak, Scammon Bay, Toksook Bay, Tututuluk, Tununak
- Groundfish Forum
- High Seas Catchers Cooperative
- Icicle Seafoods
- McCarty and Associates
- Mid-Water Trawlers Cooperative
- Mothership Group
PV Excellence, PV Ocean Phoenix, PV Golden Alaska
- North Pacific Fisheries Research Foundation
- North Pacific Longline Association
- North Pacific Scallop Cooperative
- Norton Sound Economic Development Corporation
Bragg Mission, Diomedea, Elm, Gambel, Golovin, Koyuk, Nome, Saint Michael, Savoonga, Shaktoolik, Stebbins, Teller, Unalakleet, Wales, White Mountain
- Pacific Seafood Processors Association
- Prowler Fisheries
- Seafood Cold Storage Association
- Southwest Alaska Municipal Conference
- Trident Seafoods Corp.
- United Catcher Boats
Akulon Catcher Vessel Assoc., Arctic Enterprise Assoc., Northern Victor Fleet, Peter Pan Fleet Cooperative, Unalaska Co-op, Unalakleet Fleet Cooperative, Westwind Fleet Cooperative
- U.S. Seafoods
- Western Alaska Fisheries, Inc.
- Yukon Delta Fisheries Development Association
Alakanuk, Emmonak, Graying, Kotlik, Mountain Village, Nunam Iqoa

May 26, 2005

Stephanie Madsen, Chair
North Pacific Fishery Management Council
605 W. 4th. Ave., Suite 306
Anchorage, AK 99501

RE: PSEIS Priorities

Dear Ms. Madsen,

In adopting the PSEIS revised management policy for groundfish FMPs in April 2004, the Council committed to conduct an annual review of its' policy objectives and review or revise as appropriate. In June 2004, the Council identified a specific list of work priorities for the upcoming year based on the revised management objectives. The Marine Conservation Alliance continues to support the objectives identified in the PSEIS and recommends no revisions. However, we do recommend revision to the list of work priorities established last June.

The PSEIS policy statement includes 45 specific management objectives to articulate its management direction over the life of the PSEIS. To better inform the public what specific management actions it might consider to accomplish specific objectives, the PSEIS includes a suite of frame-worked potential management actions it might analyze in the future, often referred to as "bookends." The MCA continues to support those objectives.

Based on the Policy Statement objectives and "bookends," the Council last year identified several specific objectives to be given priority, each with a set of sub-option "bookends" designed to best accomplish the objectives. In some cases the Council has already begun analysis of specific management options such as bycatch reduction through rationalization of GOA and BSAI non-pollock fisheries and an incentive-based approach to salmon bycatch management in the Bering Sea. It has also established a process to evaluate management of rockfish and other non-target species that will prevent overfishing. High quality data continues to be the foundation for science-based management, and MCA support this as a continued priority as well.

Also listed as a priority was protection of Steller sea lions and improved SSL mitigation measures. Specifically, the Council committed to continue to participate in development of mitigation measures to protect SSL including participation in ESA jeopardy consultation and reconsideration of critical habitat. We strongly support that this item be given higher priority by the Council. We urge that you request a specific schedule from NMFS so that the Council can work in tandem with the agency in the review of new scientific information and the Biological Opinion, and the development of an EIS.

Finally, we note that last year the Council's highest priority was habitat protection because of the continued uncertainty of effects of fishing on benthic habitat as well as the obligation to implement the EFH component of the SFA. The Council has met that obligation and we congratulate the Council and staff for its excellent work on identifying and protecting Essential Fish Habitat. MCA recommends that EFH matters be moved lower in the priority list, given the progress that has been made on this issue.

So in summary, MCA recommends that the following issues be given priority during the coming year with new language in italics:

Protection of Steller Sea Lions

- Continue to participate in development of mitigation measures to protect SSL including development of an EIS and participation in the ESA jeopardy consultation process.
- Recommend to NOAA Fisheries and participate in reconsideration of SSL critical habitat.

Bycatch Reduction

- Rationalization of GOA and BSAI non-pollock fisheries
- Incentive based reduction of salmon bycatch in BS

Ecosystem Management

- Recommend to NOAA fisheries and participate in development and implementation of ecosystem indicators as part of stock assessment process
- Set TAC at or below ABC
- *Delete: Revisit the calculation of OY caps. Congress mandated 2 million mt BSAI cap.*
- *Add: Consider FMP structural changes to incorporate ecosystem-based approach into fisheries management.*

Prevent Overfishing

- Continue to participate in development of "lumping and splitting" criteria
- Consider new harvest strategies for rockfish

Improve Data Quality and Management

- Expand or modify observer coverage and sampling methods based on scientific data and compliance needs.
- Develop programs for economic data collection that aggregate data.
- Modify VMS to incorporate new technology and system providers.

Protection of Habitat

- Complete EFH action as scheduled.
- Recommend to NOAA Fisheries increased mapping of benthic environment.
- Develop and adopt definitions of MPA, marine reserves etc.
- Review all existing closures to see if these areas qualify for MPAs under established criteria.
- Evaluate effectiveness of existing closures.

Thank you for consideration of our recommendations.

Sincerely,



Dave Benton
Executive Director

Groundfish Forum

Testimony to NPFMC on implementation of Amendment 79 Final Rule

June 10, 2005

We have been given to understand that the final rules for Amendment 79 and Amendment 80 will have different monitoring and enforcement requirements, and that the requirements under Amendment 80 will exceed those of 79. We do not know what will be required under either final rule (79 or 80), but have been told that the following components are likely to be included:

Amendment 79:

- Two observers
- Flow scales and scale testing equipment
- Certified observer sampling station
- Observer must be able to see and sample all fish from a single point in the factory (i.e., the factory cannot run two lines simultaneously)
- No mixing of hauls

Amendment 80 additional requirements:

- No codend dumping until the observer is on deck
- No fish can leave the live tank until all fish are removed from the codend and the observer is in the factory
- No one allowed in the bins while fish are flowing across the scale
- Possible increased space at the observer sampling station to accommodate larger sample sizes (to be elaborated in future versions of the analysis)
- An approved Vessel Monitoring Plan, requiring a minimum of 30 business days for approval after the completed plan is submitted
- Scale drawings of all belts (angle, speed and length), bin doors (location and size), sorting areas, flow scales, live tanks, deck space with tank openings, location of monitoring tools and sampling station.

The draft EA/RIR for Amendment 80 also states that "To the extent that observer sample sizes may increase, vessels may have to modify their fishing practices to accommodate these work restrictions" (pages 177-178).

If Amendment 79 is implemented prior to Amendment 80, the differing requirements could result in major duplicative expenses as factories are refit to meet the first rule and operate under a race for fish, then refit again to meet the second rule with additional demands while operating in a rationalized fishery.

The best way to avoid these duplicative expenses is to implement the two rules simultaneously. We ask the Agency to review this idea to determine if there is any way that can be done. If, in fact, it is not possible to do this, we ask the Council to recommend implementation of the final rule for Amendment 79 in January of 2008, with an initial implementation rate of 65%.

Implementation date

Implementation in 2006 is clearly not practicable, since the final rule will not be published until October 2005 at the earliest. The affected vessels would not have enough time to confirm the requirements, make the necessary design changes, contract the work and schedule the yard time to have everything in place in time to begin fishing on January 20th 2006.

It will take significant time to re-design a factory to accommodate all of the requirements that are mandated in the final rule, even if they are exactly as we have been given to understand. In addition, we can reasonably foresee the need to make more modifications when the final rule for Amendment 80 is implemented. The combined costs of the refits can be reduced by considering the anticipated changes under Amendment 80 when designing the modifications for Amendment 79.

For example, under Amendment 79 a vessel will need to have a certified sampling station which still allows the vessels to process as quickly as possible, to maximize production under a race for fish. Under Amendment 80, the size of the sampling station may need to be increased to accommodate the storage of larger samples. The vessel may also choose to install more sorting and grading equipment to be able to process different species, or sizes of fish, which it could not afford to retain in a race for fish. If these additional changes aren't considered in the initial refit, there could be very significant unnecessary costs in the second refit.

We understand that Amendment 80 may include a requirement for a Vessel Monitoring Plan, which will require 30 business days for review and approval by the Agency. Developing this plan and reviewing it with the Agency should certainly be done prior to making modifications for Amendment 79, to be sure that unnecessary costs can be avoided.

The final rule must be implemented at the start of the year, given that the GRS is an annual standard. It is simply not realistic for factory managers and engineers to consider all of the requirements and confirm the most efficient way to accommodate both Final Rules (79 and 80), hopefully with input from the Agency, and contract/purchase/install all of the equipment in the fourteen months from October 2005 to January 2007. The first reasonable implementation date is January 2008.

Initial retention standard

When the Council approved Amendment 79 in June of 2003, it anticipated that the affected vessels would likely not be able to form coops during the first year a standard was imposed. It chose an initial implementation standard of 65% recognizing that this might be a realistically attainable goal given that vessels could not gain the benefits in efficiency that coops provide, and that the standard would be applied to individual vessels. If it is not possible to link implementation of the final rule for Amendment 79 with the final rule for Amendment 80, this rationale still applies.