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News & Notes

North Pacific Fishery Management Council

October 2008

Olson Re-elected Council Chair

The Council unanimously re-elected Eric Olson as Chairman and elected Dave Benson as Vice Chairman. John Henderschedt was welcomed to the Council after spending several years on the Advisory Panel, most recently as the co-Vice Chairman. Mr. Henderschedt currently works for Premier Pacific Seafoods in Seattle.



With John's appointment to the Council, the Advisory Panel elected Lori Swanson as Co-Vice Chair to serve along with Joe Childers, and Tom Enlow who is currently the Chairman. The AP also welcomed new member Jerry Downing from B&N Fisheries Co. in Seattle, who was appointed for the remainder of the year.



Photo Credit:
APICDA

Pacific Halibut Catch Sharing Plan

The Council adopted a final preferred alternative to replace the current guideline harvest level program for the charter halibut fisheries in Area 2C (Southeast) and Area 3A (Southcentral) with a catch sharing plan (Plan) between the charter sector and commercial setline IFQ fisheries in each of those areas. The purpose of the Plan is to establish a clear allocation, with sector accountability, between the charter and commercial setline sectors in each area. Under the plan the Council would request that the International Pacific Halibut Commission (IPHC) annually set a combined charter and setline catch limit to which the allocation percentage for each area automatically would be applied to establish domestic harvest targets for each sector. This action also would establish specific management measures for the charter sector that would be triggered at specified combined charter and commercial setline catch limits. Four trigger levels and associated management measures were adopted for each area.

In Area 2C the charter allocation would be 17.3 percent of the combined charter and commercial setline catch limit when the combined catch limit is less than 5 million pounds. The allocation would be 15.1 percent when the combined catch limit is 5 million pounds and above. In 3A, when the combined catch limit is less than 10 million pounds, the charter allocation will be 15.4 percent of the combined charter and setline catch limit. When the combined charter and setline catch limit is 10 million pounds and above, the allocation would be 14.0 percent. A range of ± 3.5 percent may occur around these allocations before a change in regulations identified in the Plan is triggered. These resources include 1) a 2-fish bag limit, 2) a 2-fish bag limit with one fish ≤ 32 inches; 3) a 1 fish bag limit and; 4) a 1 fish bag limit with a maximum size limit. The Council expects that the imprecision of effectiveness of management measures will balance over time to ensure Council and IPHC conservation and management objectives are achieved.

Supplemental individual use of commercial IFQs in the form of charter guided angler fish (GAFs) also would be part of the Plan. The Council identified this market-based transferable system as a practical approach for an optimal allocation over time. Since these allocations are unlikely to precisely meet the needs of either sector, the use of GAFs would allow for some reallocation between sectors to increase the probability of a successful allocation.

GAFs would allow charter limited entry permit (LEP) holders to lease commercial IFQ in order to provide anglers with additional harvesting opportunities, limited to those opportunities available for unguided anglers. Commercial halibut QS holders (including community quota entities (CQEs)) may lease up to 1,500 pounds or 10 percent (whichever is greater) of their annual IFQ to LEP holders (including themselves) for use as LEPs. Any quota which a CQE holds, regardless of its origin, could be leased up to 100 percent to eligible residents of the CQE community. No more than 400 GAFs would be assigned to an LEP endorsed for 6 or fewer clients, and no more than 600 GAFs would be assigned to an LEP endorsed for more than 6 clients, along with other features. The motion is posted on the Council website.

Staff will report at a future meeting on the implementation plan for the preferred alternative. The report also will describe the management approach for the first trigger for a maximum size limit of charter halibut intended to reduce the projected charter harvest to less than 17.3 percent in Area 2C and 15.4 percent in Area 3A, respectively, of the combined charter and setline harvest limits for each area. The earliest that the Plan could be implemented is after the 2011 IPHC Annual meeting, assuming that the Plan would be implemented in regulation by the Secretary in 2010.

The Council requested that ADF&G continue to prohibit retention of halibut by skipper and crew while paying clients are on board. Staff contact is Jane DiCosimo.

Area 3A Guideline Harvest Level

The Council took no action on proposed measures to keep charter halibut harvest removals to the GHL, despite an estimated overage of the GHL in 2007 of 9.6 percent. The Council stated that no action was needed given its prior decision for implementing a catch sharing plan. If the Plan was in regulation now, no action would have been needed under the proposed allocations and trigger levels. Contact Jane DiCosimo for more information.

Amendment 80 Vessel Replacement

At this meeting, the Council was presented a discussion paper on how the agency will comply with a recent ruling of the U.S. District Court for the Western District of Washington. On May 19, 2008, the court issued a decision invalidating those Amendment 80 provisions that limit the vessels used in the Amendment 80 program. In *Arctic Sole Seafoods, Inc. v. Gutierrez*, the district court found the statutory language of the Capacity Reduction Program was ambiguous as to whether replacement of qualifying vessels with non-qualifying vessels was permissible, and found the agency's interpretation of the statute to be arbitrary and capricious. Based on information presented in the discussion paper, the Council initiated an analysis for a proposed FMP amendment to address lost vessels in the Amendment 80 program. The Council also tasked staff to include in the analysis a discussion of the AFA vessel replacement restriction which limits replacement length to 165 feet or less. The analysis is scheduled for initial review in February 2009. Staff contact is Jon McCracken.

GOA Halibut Sideboards for Amendment 80

At this meeting, the Council reviewed an initial draft of an analysis to adjust the Amendment 80 3rd season deep water species halibut PSC sideboard limit. After careful consideration, the Council chose to take no further action on this item. The Council did note that this action could be addressed in the context of a larger review of the Rockfish Pilot Program or as a separate action if the halibut PSC sideboard limit becomes a constraint for Amendment 80 vessels. Staff contact is Jon McCracken.

Rockfish Pilot Program BSAI stand down provision for CPs

The Council reviewed an analysis on the July BSAI stand down provision that is currently required for some catcher processors under the GOA rockfish pilot program, and chose to delete the stand down provision from the regulations. The original purpose for including the stand down provision was to protect participants in other Bering Sea fisheries from unfair competition. Now that most of the directed fisheries have been allocated, under Amendments 80 and 85, the stand down period is no longer needed. Removing the stand down period should provide greater efficiency and flexibility to the vessels. Staff contact is Diana Evans.

GOA Sideboards for BSAI Crab Vessels

At this meeting, the Council took final action to change the GOA Pacific cod sideboard exemption for qualified BSAI crab vessels and to add a GOA pollock sideboard exemption for qualified BSAI crab vessels. The Council's preferred alternative for Pacific cod would exempt non-AFA crab vessels from GOA Pacific cod sideboards if the vessel's Bering Sea snow crab history is less than 750,000 pounds over the period 1996-2000 and if the vessel landed more than 680 mt of GOA Pacific cod during the same period. This exemption would leave in place the original GOA Pacific cod sideboard exemption. The Council's preferred alternative for pollock would exempt non-AFA crab vessels from GOA pollock sideboards if the vessel's Bering Sea snow crab catch history is less than 0.22% of the total from 1996-2000 and the vessel had 20 pollock deliveries from 1996 to 2000. The intent of these two actions is to exempt GOA Pacific

cod and pollock dependent vessels that may have been unduly prevented from participating in the GOA Pacific cod and pollock fisheries due to sideboard limits.

In addition, the Council requested that the proposed action to exempt non-AFA crab vessels from B season Pacific cod sideboards after November 1 (Action III) be removed from the current amendment package and bring back as a separate action in February. There are currently two alternatives under this action. The first alternative is status quo. The second alternative would lift sideboard restrictions from 1) vessels that have a GOA groundfish sideboard or 2) vessel that have a GOA Pacific cod sideboard. The new suboption would restrict the sideboard exemption to those years when a) 10%-30% of B season Pacific cod TAC remains unharvested and/or b) up to 0 – 5,000 mt of B season P. cod remains unharvested prior to November 1. Staff contact is Jon McCracken



F/V Golden Fleece is one of the qualified CPs under Rockfish Pilot Program.

Arctic FMP

A draft Arctic Fishery Management Plan and accompanying EA/RIR/IRFA were reviewed by the Council, AP, SSC, and Ecosystem Committee. The Council intends to adopt an Arctic FMP that closes the Arctic Management Area to commercial fisheries. The EA/RIR/IRFA contains an analysis of four alternatives, one of which is status quo, and two options for setting MSY, OY, and other conservation and management measures as required under MSA Section 303. After receiving these documents, the Council requested that staff address the comments from the SSC and Ecosystem Committee to the extent possible by the end of October 2008, and then release the preliminary draft Arctic FMP and EA/RIR/IRFA for public review. The Council noted that the SSC had concerns with some features of the options for specifying MSY and OY, and that additional time would be required to fully address these concerns. The Council also felt that public review and comments on these options would be helpful. The Council recommended that the updated analysis be reviewed with the SSC at the December 2008 meeting, and that the Council would review this package in December only if warranted. After the December 2008 meeting, and the remaining issues are addressed and incorporated into the draft FMP and EA/RIR/IRFA, the Council recommended a revised draft package again be sent out for public review. Final action is scheduled for the February 2009 meeting. Staff contact is Bill Wilson.



The Arctic Management Area as proposed in the draft Arctic FMP

Green Sturgeon

On April 7, 2006 NMFS listed the Southern Distinct Population Segment (DPS) of green sturgeon as threatened under the Endangered Species Act (ESA). The Agency recently (September 5, 2008) published a Proposed Rule that designates critical habitat for

the southern green sturgeon. Green sturgeon occur in coastal estuaries and coastal marine waters from the Bering Sea to Mexico, and two stocks are known to occur in the North Pacific, the northern and southern DPS, but the southern DPS is rare in Alaska with only a few tagged fish recorded in

southeast Alaskan waters. Therefore, NMFS has proposed to exclude Alaskan waters as designated CH for the southern DPS. The Council will send a letter to NMFS supporting the elimination of Alaskan waters for consideration as CH for the southern green sturgeon. Staff contact is Bill Wilson.

Steller Sea Lion Update

NMFS Office of Protected Resources (PR) presented to the Council an updated schedule for the ongoing *status quo* consultation process and expected date for a draft *status quo* Biological Opinion. Two schedules were provided: one schedule if the Agency reaches a jeopardy or adverse modification of critical habitat (JAM) finding in the BiOp, and another schedule if no JAM determination is reached. Under either scenario, PR plans to release to the public a draft *status quo* BiOp in early August 2009. The Council has scheduled an update report on the consultation process and BiOp schedule for the February 2009 meeting. NMFS PR also provided the Council with a report on the implementation plan for the Final Revised SSL Recovery Plan, in particular responding to several Council concerns over several high priority recovery actions including continued monitoring of the Russian SSL population, initiation of the process for delisting the eastern SSL stock, and relaxing restrictions on permitting research on adult female SSLs. Staff contact is Bill Wilson.

UPCOMING Meetings

Council 2008-2009

Council Meetings

Week of **December 8**,
Anchorage Hilton

2009

Week of **February 2**, Marriott,
Renaissance, Seattle

Week of **March 30**, Anchorage
Hilton

Week of **June 1**, Dutch Harbor

Week of **October 2**, Anchorage
Hilton (*note AP and SSC have
Thursday start; Council starts
Saturday.*)

Week of **December 7**,
Anchorage Hilton

2010

Week of **February 8**, Benson
Hotel, Portland

Week of **April 6**, Anchorage
Hilton (Start date is Tuesday
because of Easter)

Week of **June 7**, Sitka

Week of **October 4**, Anchorage
Hilton

Week of **December 6**,
Anchorage Hilton

Committee Meetings

2008-2009

Groundfish Plan Team

meetings: November 17 - 21
AFSC, Seattle

Salmon Outreach Meetings
(see page 6, schedule)

Salmon Bycatch Workgroup:
Week of Jan 19, 2009 (T),
Anchorage (TBD)

GOA AFA Sideboards

The Council reviewed a discussion paper addressing the proposed revisions to the GOA pollock and Pacific cod sideboards for non-exempt AFA catcher vessels. The existing sideboards were implemented in 2000, and are based on catch history by non-exempt AFA catcher vessels during 1995 through 1997. The proposed action would recalculate the pollock and Pacific cod sideboards based on recent (2001-2005 or 2005-2007) catch history by the non-exempt fleet. The Council made several changes to the motion, and requested that staff incorporate additional data and background information into another discussion paper. The Council is tentatively scheduled to review the discussion paper at the February 2009 meeting in Seattle.

Alternative 1 is the no action alternative. Alternatives 2 and 3 would recalculate the sideboards based on catch history by the non-exempt AFA catcher vessel fleet during 2001-2005 or 2005-2007, respectively. Under Alternatives 2 and 3, the Council added a suboption under which the recalculated sideboards could be adjusted upward by up to 10%. The Council removed Alternative 4 from the motion. Alternative 4 would not recalculate the sideboards, but would prohibit directed fishing for pollock and Pacific cod by non-exempt AFA catcher vessels. The Council requested that the discussion paper include additional information on the catch history of non-exempt vessels that will be eligible to fish in the GOA after the trawl LLP recency action is implemented. In addition, the Council requested information on the effects of recalculating sideboards on communities, processors, non-AFA participants, and AFA cooperatives.

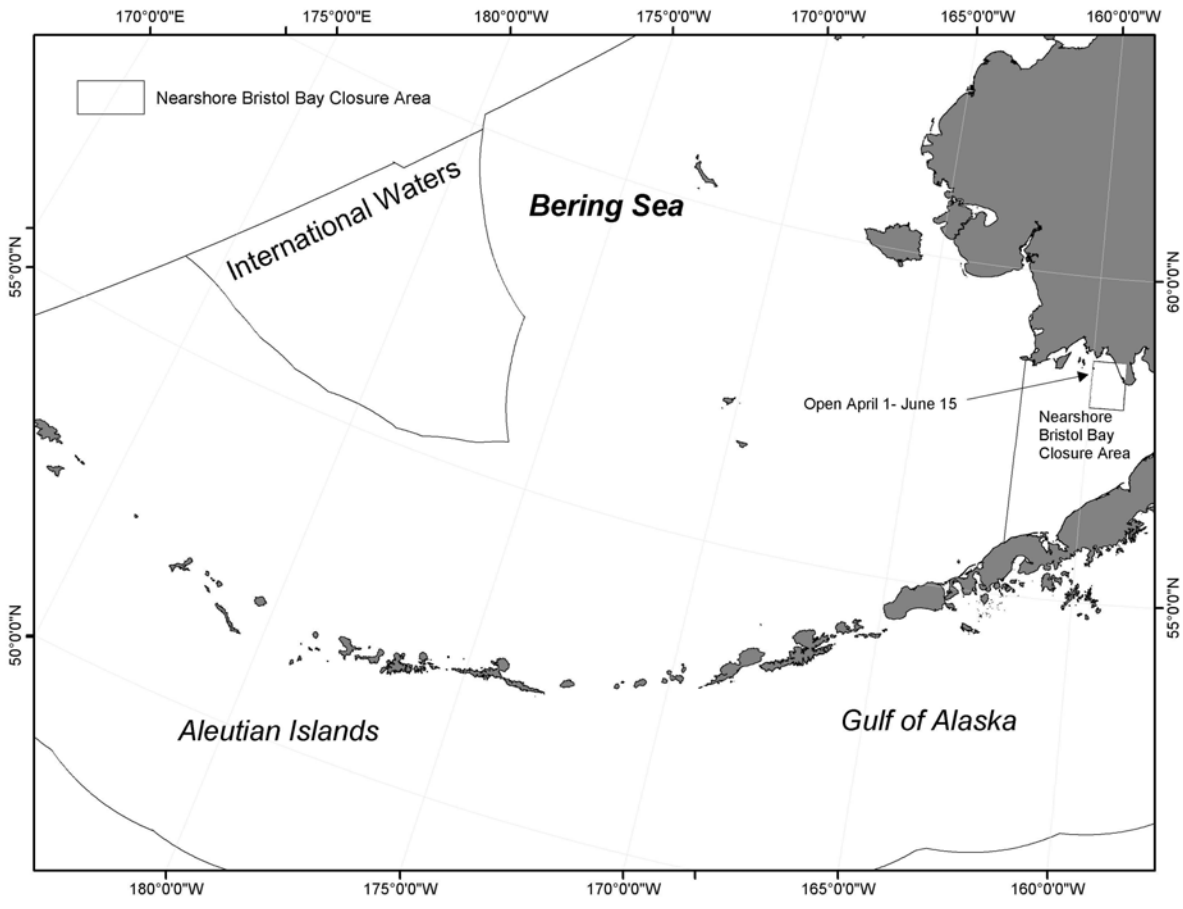
The GOA AFA sideboards motion is available on the Council website. Staff contact is Jeannie Heltzel.

BSAI Pacific Cod Parallel Waters Fishery

The Council reviewed a discussion paper addressing potential Federal permit and licensing requirements for fixed gear catcher processors that participate in the BSAI Pacific cod parallel waters fishery. The discussion paper was also reviewed by the Joint Protocol committee at its September 2008 meeting. During 2008, 5 fixed gear catcher processors that do not have the Federal permits, licenses, and license endorsements needed to fish in Federal waters, fished in the Aleutian Islands parallel waters Pacific cod fishery. This parallel waters activity may be circumventing the intent of previous Council decisions regarding license limitation, sector allocations, and catch reporting. In addition, new vessel entry to the BSAI hook-and-line catcher processor sector undermines the recent capacity reduction undertaken by that fleet.

The Council initiated an analysis (EA/RIR/IRFA) of two options that would address this problem. Option 1 would require any fixed gear catcher processor with a Federal fisheries permit (FFP) or LLP license to have an Amendment 67 Pacific cod endorsement, as well as the appropriate area endorsement, to participate in the BSAI Pacific cod parallel waters fishery. Option 2 would require any fixed gear catcher processor with an FFP or LLP to surrender the FFP and LLP in order to participate in the BSAI Pacific cod parallel waters fishery. The motion is available on the Council website

The Council is tentatively scheduled to review the analysis at its February 2009 meeting. Staff contact is Jeannie Heltzel.



Trawl fishery and walrus interactions



The Council received public comment on concerns over interactions between trawl fishing activities and Pacific walrus and their habitat in Bristol Bay. Specifically, some residents of this region testified to the Council their concerns over potential disturbance to walrus and adverse impacts on walrus feeding areas in the vicinity of the Round Island haulout and the "Nearshore Bristol Bay Trawl Area" (defined in CFR 679.22), as well as concerns over interactions with subsistence fishermen. While all of Bristol Bay federal waters are generally closed to trawling east of 162° W longitude, an exception is the trawl area defined above, where trawling, primarily for yellowfin sole, occurs during the open period of April 1 to June 15. The Council requested a discussion paper on the characteristics of this fishery over time, including harvests, bycatch amounts, vessel participation, and levels of observer coverage, and whether any gear conflict issues may be occurring between the trawl fishery and local halibut and herring fisheries. The paper will also include a review of information on the Pacific walrus population, and a description of conflicts that have occurred between fishing activities and walrus or their habitat during trawling, offloading, and any information on walrus takes in commercial fishing activity. Staff contacts are Bill Wilson and Diana Evans.

NPFMC Research Priorities

The Council adopted a 5 year set of research priorities and will forward those priorities to NMFS Headquarters in compliance with the Magnuson-Stevens Reauthorization. The 5-year research priorities are posted on the Council website.

Plan Team nominations

The Council approved agency nominations to its Plan Teams: Dr. Nancy Friday (NMFS-AFSC), Dr. Paul Spencer (NMFS-AFSC), and Dr. Michael Dalton (NMFS-AFSC) to the GOA groundfish plan team; Dr. Dana Hanselman (NMFS-AFSC) and Dr. Alan Haynie (NMFS-AFSC) to the BSAI groundfish plan team; Dr. Brian Garber-Yonts (NMFS-AFSC) to the BS crab plan team; and, Dr. Henry Cheng (WDFW) to the GOA and BSAI groundfish plan teams. We look forward to working with them in the future.

Council Meetings and MP3s

The Council has recently started digitally recording its meetings and are storing the audio files online. If you are interested in obtaining audio from any portion of the meeting, please e-mail or call our office. We'll send you an invite (an electronic invitation) to access the files. Cassette tapes are still available through Alaska Sound Labs, as well as copies of audio for earlier meetings. Staff contact is Maria Shawback.

Salmon Bycatch

At the June 2008 Council meeting, the Council reviewed an initial draft EIS/RIR/IRFA to evaluate the impacts of a suite of bycatch reduction management measures for Chinook salmon in the Bering Sea pollock trawl fishery. The Council selected a preliminary preferred alternative (PPA) to be included and analyzed in the draft EIS/RIR/IRFA. Staff are currently working to finalize analysis of the PPA and prepare the public review draft of the EIS/RIR/IRFA.

The Council's PPA includes a specified cap level of 68,392 Chinook salmon (Annual scenario 1) "if an ICA is in place that provides explicit incentive(s) for each participant to avoid salmon bycatch in all years". The hard cap in the absence of such an approved ICA (Annual scenario 2) would be 47,591 Chinook salmon.

In October, the Council received updates on the progress industry is making in creating incentive-based programs to meet the Council's intent subject to their preferred alternative for an annual cap of 68,392 Chinook. Under the PPA, this cap would be conferred only if an appropriate incentive-based program is developed which meets the Council's criteria. The Council's criteria includes the following (from June 2008 motion):

- An ICA must provide incentive(s) for each vessel to avoid salmon bycatch under any condition of pollock and salmon abundance in all years.
- Incentive measures must include rewards for salmon bycatch avoidance and/or penalties for failure to avoid salmon bycatch at the vessel level.
- The ICA must specify how those incentives are expected to promote reductions in actual individual vessel bycatch rates relative to what would have occurred in absence of the incentive program. Incentive measures must promote salmon savings in any condition of pollock and salmon abundance, such that they are expected to influence operational decisions at bycatch levels below the hard cap.

Representatives from industry presented two different proposals for addressing the Council's criteria. These proposals are still under development and will not be evaluated in the EIS/RIR/IRFA. Thus, it is imperative that the Council fully understand what is put forward to address Council intent prior to taking final action on this analysis. Given that final action is scheduled for April 2009, the Council requested the following schedule for review of evolving ICA proposals to address salmon bycatch:

December 2008 Council meeting: An evening workshop (date TBD) held in conjunction with the Council meeting. The workshop will be for industry to provide the public with an overview of the proposed programs.

January 2009 (date TBD): Salmon Bycatch Workgroup meeting. The committee will receive reports from the industry on their proposed programs. The committee will provide its input to

the Council in February on the programs and their ability to meet Council intent.

February 2009: The SSC, AP and Council will receive presentations on the developing ICA programs, and provide any appropriate feedback at that time.

Council final action on the Chinook salmon bycatch management measures will be taken in April 2009. The draft analysis (DEIS/RIR/IRFA) is scheduled to be made available to the public in early December. At that time, the draft will be available for download at: <http://alaskafisheries.noaa.gov/>.

The Council is currently undertaking outreach meetings on the Chinook salmon analysis and proposed action by the Council. These regional meetings are currently scheduled as follows:

Dillingham	Oct 7	Bristol Bay Federal Subsistence Regional Advisory Council meeting
Bethel	Oct 8	Association of Village Council Presidents meeting
Nenana	Oct 15	Eastern Interior Federal Subsistence Regional Advisory Council meeting
Kotzebue	Oct 16	Northwest Arctic Federal Subsistence Regional Advisory Council meeting
McGrath	Oct 28	Western Interior Federal Subsistence Regional Advisory Council meeting
Nome	Early 2009	To be announced

Additional information on the outreach schedule by the Council is located on our website at: http://www.fakr.noaa.gov/npfmc/current_issues/bycatch/Chinook908Mailout_all.pdf. Outreach contact is Nicole Kimball.

The Council did not have time to address chum salmon management alternatives at this meeting. The Council is scheduled to discuss alternatives for a chum salmon management analysis at the December 2008 Council meeting in Anchorage. Staff contact is Diana Stram.

BSAI Crab: Status of stocks

The Council reviewed and approved the Stock Assessment and Fishery Evaluation (SAFE) Report for Bering Sea and Aleutian Islands king and Tanner crabs. This is the first year of the new process for annual determination of Crab OFLs and the Crab Plan Team (CPT) is part of the newly established review process for BSAI crab assessments. There are 10 crab stocks in the BSAI Crab FMP and all 10 must have annually established OFLs. Six of the ten stocks have OFLs established following the summer survey information availability. Two of the ten stocks (Norton Sound red king crab and AI golden king crab) have OFLs which were established following review and recommendations by the CPT and SSC in the Spring of 2008 in order to allow for the summer fisheries for these stocks. The remaining two stocks (Adak red king crab and Pribilof Islands golden king crab) have OFLs recommended based on Tier 5 formulation (average catch).

The OFLs indicated in the chart below were established for these stocks (if an OFL is for retained catch only it is indicated accordingly):

Stock	2008/09 OFL mill lbs [note if retained only]
EBS snow crab	77.30
BB red king crab	24.20
EBS Tanner crab	15.52
Pribilof Islands red king crab	3.32
Pribilof Islands blue king crab	0.004
St. Matthew Island blue king crab	1.63 [retained]
Norton Sound red king crab	0.68 [retained]
AI golden king crab	9.18 [retained]
Pribilof Island golden king crab	0.17 [retained]
Adak red king crab	0.46 [retained]

The OFL for Bristol Bay red king crab does not include female bycatch. It is anticipated that total catch OFLs will be possible for all stocks but Norton Sound red king crab by the 2009/2010 fishing year. Bycatch data availability and assimilation precluded the ability to calculate these for some stocks in the first year of implementation under new OFL setting procedures.

Three stocks remain under federally approved rebuilding plans: Pribilof Islands blue king crab, Saint Matthew blue king crab, and EBS snow

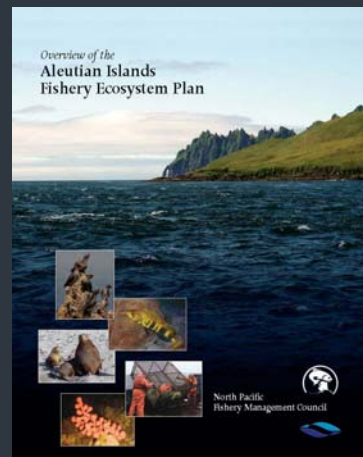
crab. Of these stocks only Pribilof Islands blue king crab stock remains in an overfished condition while the other two stocks are in rebuilding phases. The Council indicated that a revised rebuilding plan for the Pribilof Island blue king crab stock is a priority. Rebuilding plans for the other two stocks are also in need of revision both due to changes status determination criteria. Directed crab fisheries in 2008/2009 will occur for the Bristol Bay red king crab, EBS Tanner crab, EBS snow crab and the AI golden king crab stocks. Copies of the SAFE report may be obtained through the Council office, or on-line at: www.fakr.noaa.gov/npfmc/SAFE.

Aleutian Islands Fishery Ecosystem Plan

The Council's AI Ecosystem Team met on September 9-10, to discuss the AI Fishery Ecosystem Plan, and reported to the Council at this meeting. The Team's workshop report is on the Council website. The Team is planning to produce an addendum to the FEP, which would update information on the key interactions in the Aleutian Island ecosystem, and reflect progress on tracking recommended indicators. The addendum is planned for spring 2009. The status of AI indicators will be presented to the Council in December, in conjunction with the annual Ecosystem Considerations chapter report.

The Council's Ecosystem Committee reviewed the Team report, and discussed the Team's membership and their comments about formalizing ecosystem considerations in the harvest specifications process. The Committee will continue to discuss ways to move forward with issues raised in the FEP at their next meeting, including further work defining the Council's FEP goal statement of promoting healthy ecosystems. Staff contact is Diana Evans.

The Aleutian Islands Fishery Ecosystem Plan Team and the Ecosystem Committee both noted that the Request for Proposals recently issued by the North Pacific Research Board includes several research headings that could be relevant for the Council's AI FEP, including requests for projects addressing 'Ecosystem Indicators', 'Aleutian Islands' and 'Cooperative Research with the Fishing Industry'. The Team report, in particular, discusses the opportunities for cooperative research with industry to understand more about physical ecosystem



The Council published an overview to the AI FEP in December 2007.

Council workshop on flatfish trawl sweep modification

In September, the Council hosted a public workshop on the draft regulation and potential enforcement of a trawl sweep modification under consideration by the Council, which would require the use of elevating devices (bobbins or discs) on the trawl sweep when targeting flatfish in the Bering Sea. The workshop report is available on the Council website, along with a discussion paper describing the Council's proposed alternatives. This gear modification action was originally part of the Council's Bering Sea Habitat Conservation Measures, implemented this summer, but was deferred pending further field testing of the gear. With the implementation of the gear modification, the Council will also consider reopening a subarea of the Northern Bering Sea Research Area that is currently closed to non-pelagic trawling. The Council's Enforcement Committee reviewed the draft regulation and raised several enforcement questions, but the Council did not have time to address this agenda item at the October meeting. The report and discussion paper will be rescheduled for February 2009. Staff contact is Diana Evans.



Crab Rationalization Program

The Council took up two agenda items concerning management of the Bering Sea and Aleutian Islands crab fisheries. Under the first item, the Council requested staff to begin the analysis of an amendment to define emergency exemptions from regionalization. Under the alternatives, the exemption could allow a harvester to make a delivery outside of an IFQ's designated region, if delivery in the designated region is prevented by an unavoidable circumstance. The alternatives adopted for analysis would rely on civil contracts between harvesters, processors, and the designee of affected communities or regions to define the circumstances that would qualify for the exemption and other terms (such as any compensation for lost economic activity or revenues that might arise out of the exemption from the regional landing requirement). The exemption would be granted for a specific delivery on the IFQ holder filing an affidavit attesting to a circumstance that qualifies for the exemption. The reliance on civil contracts and affidavits is intended to avoid administrative complexities, which could limit the utility of the exemption, if the exemption were directly administered by NOAA Fisheries.

The Council also received an analysis of alternatives to establish a new 'cooling off' period for renewing the right of first refusal applicable to processing quota shares (PQS) issued based on processing history in St. George. On receiving the report, the Council was advised by a representative of the right of first refusal holder that this issue was settled through agreements reached with both holders of PQS subject to the proposed action. As a result, no Council action is needed to address this matter.

The Council elected to delay receiving its crab advisory committee's report (including proposals to address crew issues), a presentation of the 3-year review of the crab rationalization program and taking further action to define alternatives to revise the rationalization program until its December 2008 meeting. Staff contact is Mark Fina.

DRAFT NPFMC THREE-MEETING OUTLOOK - updated 10/10/08

December 8, 2008 Anchorage, AK Hilton Hotel	February 2, 2009 Seattle, WA Renaissance Hotel	March 30, 2009 Anchorage, AK Hilton Hotel
Report on MPA Nomination Process Report on Board of Fish proposals GOA fixed gear LLP recency: Initial Review GOA P cod sector split: Initial Review	SSL Draft Status Quo BiOp&EIS: Update on schedule	GOA fixed gear LLP recency: Final Action GOA P cod sector split: Final Action
GOA Rockfish Program Changes: Discussion Paper (T)	Am 80 Cooperative Formation: Initial Review Am 80 Lost Vessel Replacement: Initial Review	Am 80 Cooperative Formation: Final Action Am 80 Lost Vessel Replacement: Final Action
AI Cod Processor Sideboards: Discussion Paper AI POP/Mackerel Processing Sideboards: Discussion Paper	GOA sideboards for AFA CVs: Discussion paper GOA P.cod sideboards for crab vessels: Initial Review (T)	GOA P.cod sideboards for crab vessels: Final Action (T)
BSAI Crab Committee/Crew Proposals: Report/Action as necessary BSAI Crab 3-year Review: Receive report BSAI Crab 90/10 Amendment: Review Alternatives BSAI Crab EDR: Metadata & PNCIAC Report	BSAI Crab Regional Delivery Relief: Initial Review	BSAI Crab Regional Delivery Relief: Final Action (T)
Comprehensive Data Collection: Committee Report	BSAI Crab 90/10 Amendment: Review Progress	BSAI Crab 90/10 Amendment: Initial Review (T)
Observer Program Restructuring: Discussion Paper	BSAI Fixed Gear Parallel Fisheries: Initial Review	BSAI Fixed Gear Parallel Fisheries: Final Action
BSAI Chum Salmon Bycatch: Discussion Paper	BSAI Chinook Salmon Bycatch: ICA progress/SSC review Committee Report	BSAI Chinook Salmon Bycatch EIS: Final Action
BS&AI P.cod Split: Update/action as necessary	BS Bottom Trawl Sweeps: Discussion Paper	BS Bottom Trawl Sweeps: Initial Review
Arctic FMP: Progress Report to SSC	Arctic FMP: Final Action	Bristol Bay Trawl Closure: Discussion Paper
GOA Tanner & Chinook Bycatch: Discussion Paper	BSAI Skates Complex: Initial Review (T)	BSAI Skates Complex: Final Action (T)
Groundfish Specifications: Final Action	HAPC Review Criteria: SSC Recommendations	AI FEP addendum: Review/Discuss (T) HAPC Process: Review/Discuss
EFH 5 Year Review: Discuss Draft Plan & Schedule		Scallop Mgmt: Team report/review and approve SAFE
AK Native/Community Outreach: Report & Action as necessary		

AI - Aleutian Islands
GOA - Gulf of Alaska
SSL - Steller Sea Lion
BOF - Board of Fisheries
FEP - Fishery Ecosystem Plan
CDQ - Community Development Quota
VMS - Vessel Monitoring System
NOI - Notice of Intent
(T) Tentatively scheduled

TAC - Total Allowable Catch
BSAI - Bering Sea and Aleutian Islands
IFQ - Individual Fishing Quota
GHL - Guideline Harvest Level
EIS - Environmental Impact Statement
LLP - License Limitation Program
SAFE - Stock Assessment and Fishery Evaluation
PSC - Prohibited Species Catch
HAPC - Habitat Areas of Particular Concern

Future Meeting Dates and Locations

December 8- , 2008 in Anchorage
February 2 - , 2009 in Seattle
March 30 - , 2009 in Anchorage
June 1-, 2009 in Dutch Harbor
October 1-, 2009 in Anchorage (AP, SSC start on THURSDAY)
(Council on Saturday)



North Pacific Fishery Management Council

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News and Notes October 2008 A publication of the North Pacific Fishery Management Council

Groundfish Biennial Specifications

The Council adopted proposed specifications for the Gulf of Alaska and Bering Sea/Aleutian Islands groundfish fisheries for 2009 and 2010; these are posted on the Council website. These specifications are rolled over from last year. Final specifications will be adopted by the Council in December based on new stock assessments that will be released in November. The specifications that will start the 2009 fisheries are those already in regulation; those are posted on the NMFS Alaska Regional Office website.

The Council received a report by the SSC regarding separating the combined BSAI Pacific cod specifications into BS and AI specifications. The SSC supported setting a combined BSAI OFL and separate ABCs for the BS and AI for P. cod. The Council noted that a BSAI Groundfish FMP amendment is warranted so that possible modifications to current sector allocations would be implemented at the same time as separate specifications for P. cod. A discussion of alternatives for analysis is scheduled for December 2008.

The Council also will send a letter to the Alaska Board of Fisheries that would inform the Board of current federal stock assessments and management of GOA skates prior to the Board's decision on whether to allow a directed fishery for skates in Prince William Sound. The Council may reduce the federal quota for GOA skates to account for removals in the State fishery. The Board is also considering proposals to create a spiny dogfish fishery in Prince William Sound, in addition to one already in regulation in Yakutat. Jane DiCosimo is the contact for BSAI groundfish specifications; Diana Stram is the contact for GOA groundfish specifications.