

North Pacific Fishery Management Council

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

605 West 4th Avenue
Anchorage, AK 99501



Mailing Address: P.O. Box 103136
Anchorage, AK 99510

Telephone: (907) 271-2809
Fax: (907) 271-2817

#1-95

NEWSLETTER

1/25/95

Council Completes 116th Plenary Session

The North Pacific Fishery Management Council met in Anchorage on January 10-14 for its 116th plenary session. It took final action on a cap on chum salmon bycatch in the groundfish trawl fisheries in the Bering Sea and initiated a comprehensive examination of crab bycatch measures in the groundfish, scallop, and directed crab fisheries. The Council also put the finishing touches on an analysis of a proposed license limitation system to go out for public review, and initiated an analysis of several different options for managing growth in the halibut charter industry. These and other actions from January are reported in this newsletter.

The Council's next meeting also will be in Anchorage. The Advisory Panel and the Scientific and Statistical Committee will meet beginning Monday, April 17, at 1 p.m., and the Council will begin on Wednesday, the 19th, most likely at 1 p.m. The meeting will be held at the Anchorage Hilton Hotel.

Scientific and Statistical Committee Elects Officers BSAI Team Gets New Member

The Council's SSC elected Drs. Terry Quinn and Keith Criddle as chair and vice-chair for another year. Both have served in those positions before. Dr. Quinn is a Professor of Population Dynamics at the Juneau Center for Ocean Sciences, University of Alaska, and has been a member of the SSC for eight years. Dr. Criddle is a Professor of Economics with the University of Alaska-Fairbanks, and has been on the SSC since January 1993.

The Bering Sea and Aleutian Islands groundfish plan team has a new member. Dr. Brenda Norcross, Assistant Professor at the Institute of Marine Science, School of Fisheries and Ocean Sciences, University of Alaska Fairbanks, was nominated by the University and approved by the Council to serve on the team. She brings with her considerable experience in the study of juvenile fish and is now completing a study on the role of bottom fishes as food for marine mammals, particularly Steller sea lions.

Seamount Fisheries

The Council approved a regulatory amendment to monitor fishing seaward of the 200-mile Exclusive Economic Zone (EEZ) to address two situations which may arise in the sablefish fishery: (1) when a federal fishing closure is in effect inside the EEZ, vessels might continue to fish inside the

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EEZ, but claim to have harvested this fish seaward of the EEZ; and (2) under the IFQ program, starting this spring, fish caught seaward of the EEZ would not be counted against an IFQ limit and an incentive would exist to claim that the IFQ fish were caught outside the EEZ. In both instances, fishing could be inaccurately reported as taking place outside the EEZ to avoid being counted against the quota.

The Council's action will require that all federally permitted vessels carry a fully functional transponder when enroute to/from and when fishing in waters seaward of the EEZ off Alaska. NMFS would purchase a limited number of vessel monitoring system units for use by vessels that intend to fish seaward of the EEZ. The transponders would be available at designated ports, and fully functional from the time picked up until returned to port. This option would be less costly to the industry, but could potentially be restrictive if more vessels wished to fish seaward of the EEZ than there were transponders available. Vessels must also complete and submit a Vessel Activity Report (VAR), and must, upon reentry to the EEZ, offload any fish harvested outside the EEZ before fishing inside the EEZ. IFQ regulations currently prohibit vessels from having IFQ sablefish and non-IFQ sablefish onboard the vessel at the same time. The vessel would have to offload fish before going seaward of the EEZ and upon reentry to the EEZ. Staff contact is Jane DiCosimo.

Halibut Grid Sorting

In June 1994, the International Pacific Halibut Commission staff reported on an experiment by the IPHC, Highliners Association, and NMFS to evaluate methods to enhance survival of Pacific halibut taken as bycatch in bottom trawls. At its January meeting, the Council reviewed an analysis for regulatory changes to mandate deck sorting of Pacific halibut in the non-pelagic trawl groundfish fisheries. Management alternatives range from no change to requiring grid sorting of all hauls, with observers counting, measuring and determining viability of halibut. Sub-options include requiring grid sorting for the first 20 minutes, with voluntary sorting after that.

The Council recommended that an ad hoc working group composed of fixed gear, trawl, environmental and agency members meet to review the draft analysis and comment on expected benefits of the proposed program and how its requirements might interact with the vessel incentive program and observer program. The meeting is tentatively scheduled for mid-February in Seattle. Staff contact is Jane DiCosimo.

CDQ Compensation QS Block Exemption and One-Time Transfer

The Council took final action to ease restrictions on consolidating and transferring CDQ compensation quota shares. In April 1994, the Council received a request from the Central Bering Sea Fishermen's Association to consider a one-time transfer of quota shares between the CDQ and non-CDQ areas for those vessel owners who received CDQ compensation and who wished to consolidate their holdings closer to home. In September 1994, the Council received a staff report and public testimony which indicated that much of the CDQ compensation would be issued in very small "pieces." Under the constraints of the provisions of the Block Amendment, these pieces would be counted against the 2-block cap.

To address the above problems, the Council will exempt CDQ compensation quota shares from the block provisions in perpetuity for all vessel categories, except freezer/longline vessels. This action treats all CDQ compensation shares as regular, unblocked quota shares. The Council also approved a one-time transfer of compensation shares in CDQ areas for IFQ shares in non-CDQ areas across all vessel categories, except freezer/longline vessels. This action would allow a paired trade of regular large vessel quota share in CDQ areas for small vessel CDQ compensation quota shares in CDQ areas. Staff contact is Jane DiCosimo.

Crab Bycatch Management

The Council expressed concern about possible negative impacts of crab bycatch on depressed crab stocks, and determined that changes from the current bycatch management regime may be warranted. As such, they initiated several analyses of short-term adjustments and longer term solutions to the problem. The Council directed staff to analyze options for a trawl closure area in the eastern Bering Sea (similar to the emergency

closure currently in effect for 1995). Options for the closed area include those waters from 162° to 164° W longitude with southern boundary options of 56°, 56° 10', and 55° 45' N latitude, and northern boundary options of 57° to 58° N latitude. This analysis should be ready for initial review in April with final action in June if the closure is to be in effect for 1996. Staff will also prepare an analysis of alternatives of fixed and variable PSC caps (with an option of including the scallop fishery caps within the overall allowable PSC limits) for the groundfish trawl fisheries. The target date for completion of this analysis is December. The Council also directed staff to analyze potential impacts of closing waters in the northeast section of Bristol Bay (north of 58° N and east of 162° W) to all trawling to protect juvenile crab, seabirds, marine mammals, and spawning herring stocks. The analysis is scheduled for initial review in December.

In related action, the Council requested member Dr. David Fluharty to chair a committee composed of members of the groundfish and crab teams to develop a rebuilding plan for the crab stocks in the BSAI. That committee will meet initially on March 21-22 in Seattle (exact time and place still to be determined) to identify data needs and the components of a rebuilding plan and schedule. Over the next five to six months the committee will be bringing together basic information on the crab stocks and the various sources of mortality. Their examination will span the whole range from fisheries-induced direct and indirect mortalities, to ecosystems effects on the stocks. Their end goal will be to identify alternative steps the Council might take to enhance the survival of the crab stocks and thus promote rebuilding. The industry is encouraged to work with the committee on developing alternative solutions and to provide any suggestions and information they feel is appropriate for committee consideration. All submissions should be made to the Council office, attention David Witherell, by Friday, February 17. The committee will give a progress report at the April Council meeting. Staff contact on all crab bycatch and rebuilding issues is Dave Witherell.

Council/Board of Fisheries Consultation Group Meeting

The Council and the Board of Fisheries met jointly on January 10 to review recent actions and exchange information and ideas on a number of items of mutual concern. The meeting focused on the current status of crab stocks in the Bering Sea and Aleutian Islands area as well as crab bycatch in trawl, scallop, and directed crab fisheries. Staff provided a review of recent research and management actions taken to address the situation of low crab abundance. Staff also reported on other activities, including the Research Plan, scallop FMP, bycatch and discard reduction proposals, groundfish moratorium, salmon bycatch, and a summary of the halibut charter issue. Members from both groups expressed satisfaction with the meeting and felt that future meetings would be worthwhile. Staff contact is David Witherell.

Scallop FMP to be Finalized

In April 1994, the Council adopted a fishery management plan for the scallop fishery in the Gulf of Alaska and Bering Sea/Aleutian Islands areas. The plan covers all scallop species and the fishery will be managed by cooperative agreement between State and Federal agencies. A three-year moratorium on new scallop vessels was also adopted as an essential element of the plan. In the process of drafting the proposed rule to implement the FMP and moratorium, further clarifications were requested by the Council on the issues of crab bycatch, an interim action committee, appeals procedures, observer funding, and the moratorium.

In January, the Council recommended that crab bycatch limits in the Bering Sea area be set annually based on a percentage of crab abundance, which is estimated each year. The following percentages were approved: *C. opilio*—0.003176% and *C. bairdi*—0.13542%, which equate to approximately 300,000 *opilio* and 260,000 *bairdi* Tanner crab given current crab abundance. For red king crab, the Council wished to notify the public that a percentage within the range 0.00176% to 0.0176% was being considered for final approval in April. These percentages equate to approximately 500 to 5,000 red king crab under the current population size. The Council approved adopting current state closures for the scallop fishery in federal waters, as well as including other areas that have been closed to trawling to protect crab such as areas 512, 516, and the recently approved Pribilof Islands closure area. The Council also approved establishment of a scallop interim action committee and appeals process for state management decisions. The Council was also interested in including the scallop fishery in the Research Plan, but wanted more information about funding and how to maintain 100% observer coverage for this

fishery. The Council reaffirmed its previous action on moratorium qualifying criteria and that permits be issued to the owner of a qualified vessel at the time of qualifying. It was also clarified that the appeals process will be a one-step process like the IFQ program. Final review of the FMP and the EA/RIR will take place in April prior to submission to the Secretary of Commerce. Staff contact is David Witherell.

Halibut Charter Issue

In May 1993, the Council received a proposal to limit the catch of halibut by the guided sport industry. The proposal specified that action was needed because the recreational fishery was catching increasing amounts of halibut and reducing that amount available to the commercial fishery. The Council first addressed this issue in September 1993 and announced a control date of September 23, 1993 for a potential moratorium cut-off date for the guided sport fishery, and that individuals or vessels not participating by then would not be guaranteed future access. The Council also established a working group to identify potential alternatives for managing this fishery.

The Halibut Charter Working Group met twice in 1993 and again in 1994, and reported back to the Council at its January 1995 meeting. Based on this report, public testimony, and input from its Advisory Panel, the Council developed the problem statement below and initiated analysis of alternatives to control the amount of halibut taken by the charter industry. These include making an explicit allocation of the halibut quota, a moratorium on charter vessels, and individual transferrable quotas (ITQs). Potential impacts of applying proposed alternatives on a regional or statewide basis also will be evaluated. One sub-option within the explicit allocation alternative would be to delegate management of the sport and/or guided sport fishery to the State after such an allocation was made. A legal opinion on the State's authority over halibut management is expected by April. Analysis of proposed alternatives is expected to be completed for initial review this December, or January 1996. Staff contact is Jane DiCosimo.

Draft Problem Statement for Halibut Charter Issue

as adopted by the Council 1/11/95

The recent expansion of the halibut charter industry, including outfitters and lodges, may make achievement of Magnuson Act National Standards more difficult. Of concern is the Council's ability to maintain the stability, economic viability, and diversity of the halibut industry, the quality of the recreational experience, the access of subsistence users, and the socioeconomic well-being of the coastal communities dependent on the halibut resource.

Specifically, the Council notes the following areas of concern with respect to the recent growth of halibut charter operations, lodges and outfitters:

1. Pressure by charter operations, lodges and outfitters may be contributing to localized depletion in several areas.
2. The recent growth of charter operations, lodges and outfitters may be contributing to overcrowding of productive grounds and declining catches for historic sport and subsistence fishermen in some areas.
3. As there is currently no limit on the annual harvest of halibut by charter operations, lodges, and outfitters, an open-ended reallocation from the commercial fishery to the charter industry is occurring. This reallocation may increase if the projected growth of the charter industry occurs. The economic and social impact on the commercial fleet of this open-ended reallocation may be substantial and could be magnified by the IFQ program.
4. In some areas, community stability may be affected as traditional sport, subsistence, and commercial fishermen are displaced by charter operators, lodges, and outfitters. The uncertainty

associated with the present situation and the conflicts that are occurring between the various user groups may also be impacting community stability.

5. Information is lacking on the socioeconomic composition of the current charter industry. Information is needed that tracks: (1) the effort and catch of individual charter operations, lodges, and outfitters; and (2) changes in business patterns.
6. The need for reliable catch data will increase as the magnitude of harvest expands in the charter sector.

Alternatives for Analysis of Halibut Charter Issue

as adopted by the Council 1/11/95

The Council initiated analysis of a Regulatory Amendment to establish a management plan for the halibut charter fleet with the goal of addressing the concerns identified in the above problem statement. The following alternatives will be analyzed, both separately and in combination, with respect to the problem statement:

Alternative 1: Make explicit allocations of the halibut quota. Two options were identified.

Option 1: Make an explicit long-term guided sport (including lodges and outfitters)/commercial allocation expressed as a percentage, and delegate sport and guided sport management to the state. Allocate 105% to 140% of the 1994 retained catch to the charter sector using the following area options:

- i. Statewide
- ii. IPHC Areas 2C and 3A only
- iii. By zones:

<i>Zone 1 Southeast:</i> ADF&G areas A, B, C, D, E, F, G & H	% of '94 guided sport
<i>Zone 2 Prince William Sound:</i> ADF&G area J	% of '94 guided sport
<i>Zone 3 Cook Inlet/Kenai:</i> ADF&G areas K, L, N, and P	% of '94 guided sport
<i>Zone 4 Kodiak:</i> ADF&G area Q	% of '94 guided sport
<i>Zone 5 Alaska Peninsula:</i> ADF&G area R	No limit
<i>Zone 6 Bering Sea:</i> ADF&G areas T, U, V, W, X, Y and Z	No limit

Option 2: Make an explicit long-term sport (guided and unguided)/commercial allocation expressed as a percentage, and delegate sports management to the state.

Alternative 2: Focus on the guided sport fishery including the following measures:

- a. A moratorium using the 9/23/93 control date,
 - i. Statewide
 - ii. IPHC Areas 2C and 3A only
 - iii. By zones:

<i>Zone 1 Southeast:</i> ADF&G areas A, B, C, D, E, F, G & H	% of '94 guided sport
<i>Zone 2 Prince William Sound:</i> ADF&G area J	% of '94 guided sport
<i>Zone 3 Cook Inlet/Kenai:</i> ADF&G areas K, L, N, and P	% of '94 guided sport
<i>Zone 4 Kodiak:</i> ADF&G area Q	% of '94 guided sport
<i>Zone 5 Alaska Peninsula:</i> ADF&G area R	No limit
<i>Zone 6 Bering Sea:</i> ADF&G areas T, U, V, W, X, Y and Z	No limit
- b. Cap charter at 105% to 140% of 1994 retained catch using area options in i, ii, and iii.
- c. Develop an IFQ program for the charter industry
 - i. as a stand alone program (which may or may not be transferrable with commercial IFQ).
 - ii. as a buy-in program that would allow charters to acquire IFQs for use after cap is reached.

Alternative 3: Charter boat operators will be required to fill out a federally mandated catch report for all retained and discarded catch for each species for each trip.

Salmon Foundation

Among the provisions of the Council's salmon bycatch control policy is an endorsement of the Salmon Research Foundation, a non-profit corporation. The purpose of the Foundation is to use income generated from salmon bycatch assessment payments to develop a salmon bycatch avoidance program for the BSAI trawl fisheries, and to fund research on stock origin of salmon taken as bycatch. In January, the Council received a report on 1994 Foundation activities, achievements, and funding. In 1994, approximately \$120,000 was collected from assessment payments based on a \$20 per chinook taken as bycatch on participating vessels. The Foundation expects increased participation from the fleet in 1995. A full report is available from the Council office. Staff contact is David Witherell.

Chum Salmon Bycatch Reduction Trawl Closure

Last April, the Council reviewed a discussion paper on alternatives to reduce bycatch of "other" salmon (mostly chums) in the Bering Sea/Aleutian Islands (BSAI) trawl fisheries. The Council requested an Emergency Rule for the 1994 pollock "B" season that closed five 30-mile by 30-mile blocks within the Catcher Vessel Operational Area (CVOA) (an option analyzed in the discussion paper) to all trawling when 42,000 other salmon were taken as bycatch. The Council then requested staff to analyze more permanent measures to reduce chum salmon bycatch. This analysis was released for public review in December. In addition to status quo, it examined two alternatives for time/area closures (with 7 options for closed areas) and one alternative to change the date of the pollock "B" season.

In January, the Council adopted Alternative 3, option 7 with several modifications. This alternative will close a 5-block area (see chart in Figure 1) to all trawling from August 1 to September 1, a period when bycatch has historically been high. The area will reopen on September 2 if the 42,000 other salmon cap has not been reached. However, if bycatch within the CVOA reaches 42,000 other salmon (accounting to begin August 15), then the area will again close to trawling. The area will reopen to trawling on October 15, when chum salmon are generally gone from this area. Regulations implementing this closure will be in effect by August 1, 1995. The Council recognizes that industry is taking steps to reduce salmon bycatch, particularly through the Salmon Research Foundation. Therefore, it will review the proposed restrictions on trawling within three years and delete the provisions if bycatch data show they are no longer necessary. Staff contact is David Witherell.

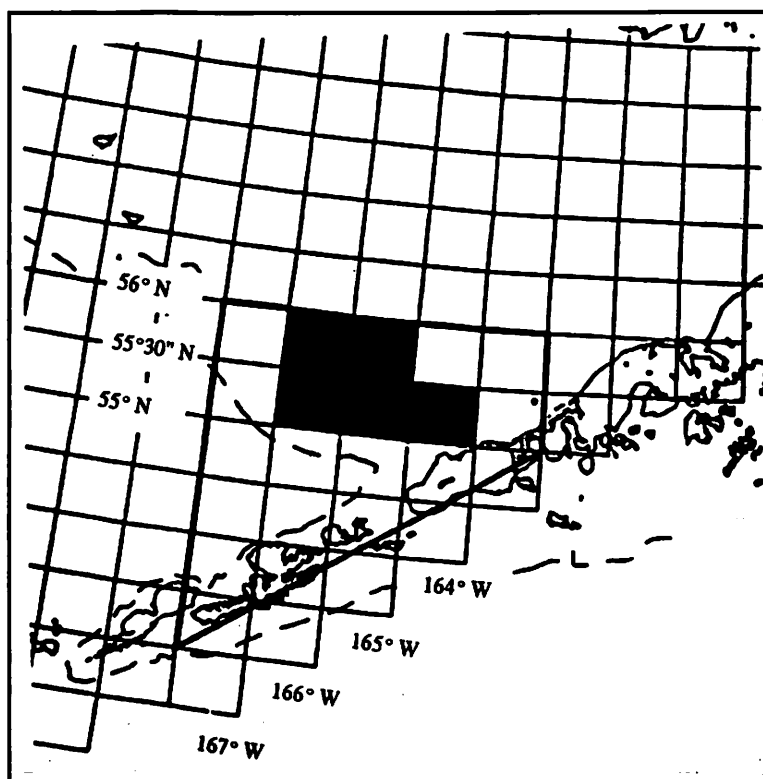


Figure 1. CVOA five-block closure.

Comprehensive Rationalization Program (CRP)

In January, the Council reviewed a report from NMFS on administration, implementation, and enforcement aspects of the proposed license limitation program. This was the only action scheduled for the January meeting relative to CRP. That report will be included in the supplemental analysis being prepared by Council staff, which

should be available by the end of February as part of the overall public review package for the license limitation program. Final action by the Council is scheduled for the April meeting in Anchorage. As we summarized in our December newsletter, there are several pieces to the analytical package including the baseline analysis dated September 18, 1994. A summary of the current elements and options from which the Council might structure a license limitation program was also included in the December newsletter.

All of the relevant documents are available from the Council office. We will automatically send the supplemental analysis to all who received the original analysis. Please contact us for the supplemental if you did not receive the original. Written comments to the Council regarding the license limitation decision need to be received at our office by April 12, 1995 to be in the Council notebooks. Oral testimony will also be taken at the April meeting. Contact person for the Council staff is Chris Oliver.

Inshore-Offshore and Pollock CDQ Program

At the January meeting staff provided the Council with a detailed outline for the analysis of the continuation of the inshore/offshore processing allocations for the Gulf of Alaska and the Bering Sea Aleutian Islands (including the pollock CDQ program). These are currently scheduled to expire at the end of 1995, though the Council is considering a three-year extension. The formal analyses will be presented in April, then undergo public review and comment prior to a final decision in June in Dutch Harbor. In December 1994, the Council produced a draft Problem Statement for the proposed extension of the inshore-offshore allocation and pollock CDQ program. That was contained in the December newsletter and formed a basis for the analytical outline presented in January. Contact persons for the Council are Marcus Hartley and Chris Oliver.

Moratorium Update

In December, the Council approved a revised vessel moratorium for the groundfish and crab fisheries off Alaska. That action is described in the December newsletter. In January, the Council discussed the moratorium once again, specifically with regard to the issue of crossovers. No changes were made and the December action represents the Council's position regarding the moratorium. The revised moratorium is expected to be published by the Secretary of Commerce as a Proposed Rule in March, followed by a 30-day public comment period. Staff contact is Chris Oliver.

Tentative Council Meeting Schedules

1995		1996	
Week of:	Location:	Week of:	Location:
April 17	Anchorage	January 8	Anchorage
June 12	Dutch Harbor	April 15	Anchorage
September 18	Seattle	June 17	Portland
December 4	Anchorage	September 16	Sitka
		December 9	Anchorage